

Along the Law

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A Question of Freedom

I'm not a religious person, nor even a *traditionalist* (in the Israeli sense of the word). Yet, there is one Jewish holiday that always gets under my skin: *Shavuot*, literally meaning "Weeks" in Hebrew, and also known as *Pentecost* and the *Gift of the Torah*. What is interesting and odd about this feast is that it is the only holiday in the Jewish calendar unbound by a specific date. Instead, it comes with instruction –to be celebrated within fifty days following Passover (during which grain harvesting begins): "Seven weeks shalt thou number unto thee: begin to number the seven weeks from such time as thou beginnest to put the sickle to the corn. And thou shalt keep the feast of weeks unto the LORD." (Deuteronomy 16:9-10, King James Bible)

These instructions create an immediate connection between the two holidays sharing an agricultural bond as a sign for their conceptual relations. Passover is considered to be a formative event that marks, according to the tradition of the Jewish people, flight from slavery (in Egypt) towards their freedom. Redemption, however, did not come easily as they ended up wandering long days in the desert—an unknown territory, which can be defined as a state of cultural vacuum. Allegedly a state and space of absolute freedom, it was also a time of uneasy transition—from enduring harsh slavery to the absence of any newly constructed system. And so the story goes that only after surpassing the immense challenge of being nomadic in a no man's land, only then, were they ready to receive the Torah—the laws and orders of the lord—which they took upon themselves.

Shavuot, in this manner, represents not only the freedom from something—a *Negative Freedom* if to borrow Isaiah Berlin's term¹—but also the freedom to choose to believe in something. A *Positive Freedom*, which according to Berlin is a set of restricting rules, a constructed system, limitations and borders that people take upon themselves as individuals and as a community. This mythical tale strongly reveals that in its core law is a religious, ideological, and even messianic enterprise. It requires faith, and it requires obedience. But, as religion creates the agnostic, law invites insubordination.

What is, then, the law when considered in this schema? We could define it as a decree formulated by society and entrusted to different enforcing entities. We could break down control into a myriad of actions including planning, registration, setting boundaries, and enforcing them. To make an analogy using physical terms—it can be identified with the contraction of muscles versus relaxing them (I will return soon once again to the body as a useful metaphor). Usually, when there is a law, obedience is required, and there is no more need for judgment—just identification followed by adaptation. Only creative, or perhaps criminal minds, find ways to get around it, seeking to push its boundaries. Artists, too, tend to delineate or challenge the limits of the law, and for the most part have a troubled relationship with it.

We are born into sets of laws that we usually accept with no question or doubt—it could be the legal system of our state, or the inner codex of our family; schools are considered yet another system to which we are assigned to without a choice. In what could be considered a contrast, our workplace is the first system we choose as responsible adults to be engaged in and with as we take upon ourselves its codex of “beliefs”. Some establish their own seemingly independent and free-lance environment—for not all people deal well with institutions or authority.

The question of the codex of the “workplace” gets complicated when observing the art field: first and foremost, since artists are mostly in a precarious position, not working as an official part of the institutions but within them; and second, since many artists have an ambivalent relation to the concept of border as a signifier of what always needs to be questioned. Good examples for this inquiry can be found in Yoko Ono’s work *Cut Piece* (1965), a performance questioning the ethics of the viewer; the Chris Burden performance *Shoot* (1971), in which he had himself get shot²; the work of Ai Weiwei, who publicly criticizes the Chinese government’s stance on democracy and human rights, and due to his activities was arrested in 2011 and his passport confiscated; the Yes Men’s actions against giant corporations³; and Jill Magid’s residency at the Dutch secret service⁴, to mention just a few. In this sense, curators are quite intriguing in their working habits, often times situated along the borders and crossing inside and outside, working with institutions on a regular basis as insiders—as an integral part of the system, or as outsiders—as guests who cooperate with an institution based on a project or an exhibition. Curators, so it seems, know how to play by the rules without the antagonism that bureaucratic infrastructures usually give rise to among artists. Thinking again about the two dichotomous concepts of *Positive* and *Negative Freedom* by Berlin, curators can be perceived as working in the grey zone between the two, while conducting with their own body contradictory motions of agreement and refusal.

However, playing by someone else’s rules may be rather frustrating, and therefore, carries within it the seed of a future resistance. People tend to want to shape systems, not just to participate in them, as curator and theoretician Nora Sternfeld suggests in her article, “Playing by the Rules of the Game.” Sternfeld points out that this exclusion is the exact problem with the museum’s and artistic aspirations to generate public participation: “After all, a democratic understanding of participation entails being able to participate in the decision-making process that determines the conditions of participation, decision-making and representation. Participation is not simply about joining the game, it is also about having the possibility to question the rules of the game [...]. And, when understood in this way, participation indeed makes a difference.”⁵

Sternfeld is part of a greater and important area of institutional scholarship concerned with critical management (CMS) flourishing since the 1990s, and which is still vastly relevant in current times⁶. Not for nothing, an earlier issue of *On-Curating* (Issue 21, January 2014) was dedicated to revisiting the thought and practice of New-Institutionalism influenced by this wave. Many are seeking the ability to create new institutions, or to bring new management methodologies into old ones, while trying to address not only the institutional goals, but also the well-being of the humans working within them. Sternfeld herself devoted the last couple of years to developing an institutional platform that remains experimental and constantly examines its contours. Operating under the title *Trafo. K*⁷, she has co-established an office located in Vienna dedicated to art education and to the creation of critical knowledge.

And yet, most of us are working in institutions (artistic or not), where we are not the ones who conduct or outline the institution's vision and/or guidelines. Despite this, we try to leave our mark, or to lead in a direction in which we believe. Most of us have to negotiate quite intensely between the policies of the institution in which we work or with which we cooperate and the set of beliefs and desires that we hold as individuals. All too often this ends up in walking on a tightrope between maintaining independence of thoughts and actions and carrying out our duties. With this notion kept in mind, a different survival strategy is needed in order to survive these incorporated tensions.

Many curators live according to this tension on a daily basis, addressing it as a site of interest. I wish to suggest once again the use of the human body as a metaphor assisting me to further the discussion. It is not by chance that the term "body" (Guf=גוף) in Hebrew refers not only to the human physiological structure, but also to the institutional one. The etymology of "organ" and "organization" could be a good equivalent in English, thinking from within the lines taken from the First Letter of Paul to the Corinthians: "Just as a body, though one, has many parts, but all its many parts form one body, so it is with Christ. [...] Now you are the body of Christ, and each one of you is a part of it." (1 Cor. 12:12-27)⁸

Talking about a "body with organs" in the current state of affairs—when the world is being led by powerful and invisible forces, mainly economic, that are shaping our global environment in ways we cannot even begin to perceive let alone resist—is rather challenging. Recent films, such as *Citizenfour*, which tells the story of Edward Snowden, or *The Mona Lisa Curse*, outlining how art became subordinated to the money-making and capitalist market economics on the other, successfully illustrate how knowing more about this mechanism does not assist much in resisting it. Nevertheless, institutions are physical structures in which invisible power receives its clothes, its body—this happens through the daily presence of people working inside of them.

One of the most important notions of the body is to stay flexible. It's a necessity in order to keep free movement—in body and in mind. Stretching the borders or expanding them is one of the most important roles of art and artistic thought in our society, as they are the ones capable of challenging the way we think alongside theoreticians, scientists, and scholars. They are at the site of institutional tension, while working with the tension itself as a material⁹. To provide an example of the potential and problems of this inner bond, I would like to refer to the City Artist in Residency platform.

Trojan Horses?

The City Artist in Residency became a mythological project that began as an independent initiative by the artist Mierle Laderman Ukeles and the NYC Department of Sanitation towards the end of the 1960s. No curator was involved, or was credited, for this celestial marriage holding on now for more than forty years. What is so incredible about this match was that the critical force of the artist was not aimed toward the institution, but towards the general public in a deeply constructive way. Laderman Ukeles aspired to open the public's eyes to the invisible daily work done for the well-being of the city by the department's diligent and under-appreciated workers. The heavenly match can also be attributed to the fact that Laderman Ukeles dealt simultaneously with the unseen quality of maintenance demanded by her as a young mother in the scope of her own living space. She

articulated it through artistic practice (performances of cleaning museums, for instance), and in her published *Maintenance Manifesto*:

B. Two basic systems: Development and Maintenance. The sourball of every revolution: after the revolution, who's going to pick up the garbage on Monday morning?

Development: pure individual creation; the new; change; progress; advance; excitement; flight or fleeing.

Maintenance: keep the dust off the pure individual creation; preserve the new; sustain the change; protect progress; defend and prolong the advance; renew the excitement; repeat the flight;

show your work—show it again
keep the contemporaryartmuseum groovy
keep the home fires burning

Development systems are partial feedback systems with major room for change.

Maintenance systems are direct feedback systems with little room for alteration.

(from: Mierle Laderman Ukeles, *MANIFESTO FOR MAINTENANCE ART 1969!* Proposal for an Exhibition "CARE")

One might say that the artist and the sanitation department shared the same set of values and interests. No one had to pay Laderman Ukeles in order for her to be the resident; it was based on her own free will and inner motivation to act. She worked with what she had—the equipment and resources of the department and the employees. No curator stood in the middle of this engagement.

Since then, greater attention has been directed towards the municipal system as a potential space for artistic collaboration. For example, in 2006 the Public Art Saint Paul organization based in the city of Saint Paul (USA) initiated the *City Artist Program*. Today the program operates with two artists in residency—Marcus Young and Amanda Lovelee. The two do not work within a specific department, but are involved in what can be described as a general view of the municipality. As indicated on the program's website: "Artists advise on major city initiatives and lead their own artistic and curatorial projects and have dedicated workspace within the Department of Public Works so they can freely collaborate across city agencies."¹⁰ The latest residency joining this shift was initiated—certainly not by chance—by Tom Finkelpearl, the former director of Queens Museum and the new Commissioner of the New York City Department of Cultural Affairs. Finkelpearl holds a long proven record of supporting socially engaged art. Recently, in collaboration with the Mayor's Office of Immigrant Affairs (MOVA), they created a new and official artist-in-residence. The artist Tania Bruguera, initiator of the project *Immigrant Movement International*, was chosen for this position.

Nowadays, a reluctant number of artists are able or willing to make the sort of independent commitment Laderman Ukeles took upon herself, nor do many municipalities open their gates and invite artists to be their residents. Curators who are interested in these engagements are due to negotiate with municipalities to obtain permissions for artists to work as guests within their facilities. They also

need to raise money in order to pay monthly salaries to the artists, since they are the ones inviting the artists to take a residency in the first place. Moreover, when a curator is the initiator, and not the artist, a whole new set of conflicts arises. That was the case with *The City Artist Residency* at Jerusalem Municipality, initiated by the urban planner and curator Gilly Karjevsky, for which I served as a co-curator.¹¹

Herewith, I will give only one example of the complexity stirred during the residency of artist Ruti Sela in the Municipality's legal department (2012). Jerusalem, as it might be known to some, is a barrel bomb of a city with flammable political ticking charges ready to explode at any given moment¹². Sela, for her part, is known as an artist operating always in close friction with the law. Works like the video trilogy *Beyond Guilt* (2003-2005), which was made in collaboration with Maayan Amir¹³, and their current collaboration on *Exterritory Project*¹⁴, gave her this justified reputation. Precisely for this reason, Sela was interested in being the legal department's resident, turning the laws themselves into her subject matter. In that case, harmony wasn't expected from her residency.

The head of the legal department had exhibited an honest desire to host an artist in his midst; but he had a very specific artist in mind—it needed to be a painter, perhaps a contemporary version of Honoré Daumier, who used to draw sketches in the courts of law. In their introductory talk Sela, a video artist, proclaimed herself to be a painter. This was not a total lie as she did commence her art studies as a painter, but had long since abandoned painting in favor of video art. She asked for permission to record her meetings and conversations with the department workers, and he approved as long as their statements were not hand written. In the video work, *For the Record* (2013), that documented her residency, we see Sela talking with lawyers and getting them to talk about various legal matters while painting their portraits in “Bad Painting” style. It was evident that Sela was seeking to understand how the urban system operates. She was interested in the cracks and contradictions within the system itself, alongside the loopholes through which one could promote a different agenda. Sela's engagement even amounted to proposing a bill or an amendment that she herself formulated, but given it was only a short-term pilot program; the main outcome remained as expected—a video work based on the different conversations she held, including her own confession to the head of department. When asked about her perception of the project, she answers:

“I entered a territory that I couldn't have entered otherwise.”

“Is it challenging, as an artist?” he asks.

“Very much,” she answers.

“It's also a totally different field, almost the opposite. To me being an artist means wanting to be beyond the law or not to believe that there is a law. You know that the law is fictitious; it's made up. And here [in the department] you believe in it.”

“Yes” he answers, “We safeguard the fiction. Law is artificial. Man-made.”

The conversation ends in silence as certain awkwardness remains in the air.

As co-curator of the project I often times asked myself—did we destroy his trust in artists? Will he, once again agree, to host another artist? The aspiration to integrate artists into municipal departments stems from the desire to push the boundaries of artistic actions and to expand the art field into wider territories, echoing among others the spirit of institutional critique that began to rise in the 1960s. This notion was also reflected in *The Artist Placement Group (APG)*, placing artists in commercial companies and in government departments¹⁵. But this aspiration, more than producing concrete extensions, reveals fundamental limitations—as

long as artists and curators do not occupy a true role in shaping institutions it remains more immediate for them to resist or utilize the institution than to operate within its framework. If that is the case, the question is not related only to the transgressing of the law, nor only to testing its limits, but rather to the actual ability to formulate it.

The term “subversive” was widely used in the art field regarding the aspiration to change the system, mainly by criticism, dismantling mostly by using the logic of the Trojan horse. But, regardless of some heroic declarations, existing systems are still holding on strong, while subversive attempts do not have the real ability to shake the ground on which they are based. Perhaps since there is no longer a territory “outside” of the system, the possibility of letting go of the fantasies of deconstructing it can also be considered. If we are a part of the system, another option unfolds—that of changing it from within. In this case, our actions take place within the blind spots of empire. They are becoming part of it as they expand its borders and change its nature slowly, but surely. It may not be a dramatic change, and definitely not an orgasmic revolution, but in the end the abolition of the dichotomy of inside-outside is empowering for the individual freedom to act, in mind and in body.

The Exhibition as a Small-Scale Political System (Back to the Art World)

In what may seem at first glance in defiance of the above, there is one position where I believe that the curator is omnipotent or powerful (but not necessarily forceful). The group exhibition, in the manner I wish to further explore, holds the potential to be such a space—one to be defined as a “temporary autonomous zone,” to use the words of anarchist author Peter Lamborn Wilson known by his pseudonym Hakim Bey. The work process on a group show could become an area of freedom within the system; too small for the great empire to be interested in, it is where the curator can establish her own working rules.

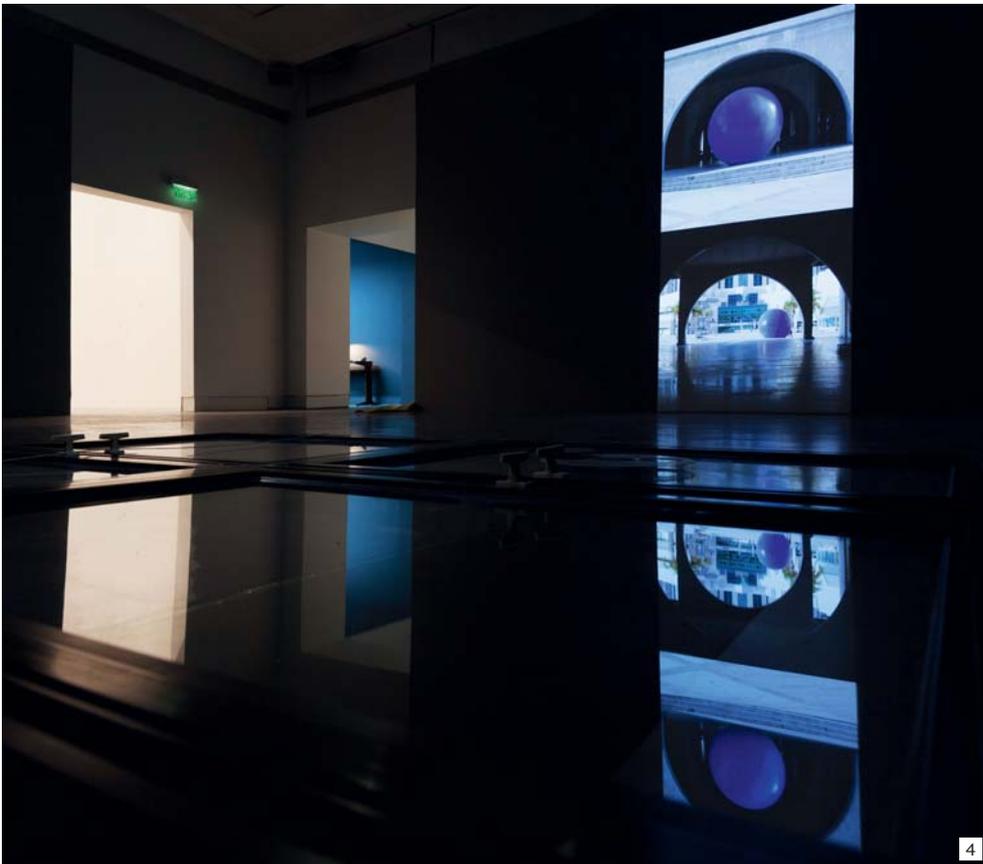




In the last three years, I have been practicing this thinking with a group of eleven Israeli artists, trying to perceive the potential of a collaborative work process while establishing our small-scale political system. In July 2015, our first group show took place at the Petach Tikva Museum of Art, entitled *The Crystal Palace and The Temple of Doom*¹⁶.

Except for the thematic investigation that was related to the city space and political organization, we chose to investigate this theme not only through the artworks, but also through our inner work process. This process offered a different hierarchy to the one that usually shapes group exhibitions, at the centre of which stands the curator—selecting works and artists to his or her liking, and arranging them in relations of power and meaning. As time went by, I realized that my role as a curator was being re-examined in every single one of its parameters. From the very start, I gave up all those attributes that regularly fall under the responsibility of the curator: approving the works, writing an elucidating text, directing the installation of the works in the space. The focus of the curatorial practice was no longer on the exhibition, but rather on the constant maintenance of the working and thinking process.

The model developed is not founded on the hegemony of one person and not of the collective. Instead, it is shaped by individuals who are willing to acknowledge that their individual and supposedly autonomous practice has an inevitable influence on others around them, as well as on their physical environment. In other words, we create the environment and the space, which affect us in a reciprocal feedback of sorts. It is similar to the way an architect's plan of a building influences the well-being of its inhabitants, or when an artist influences the viewer with his or her artwork. The mundane practical questions—such as how the light emanating from one's projector will illuminate another's artwork, if the sound of one work will disrupt the work next to it, and what is the conceptual relationship between the art objects in the space—all shifted course and were to be asked through an ideological substantive prism. Hence, what matters is not only the artistic object, but also the political conditions in which it was produced; not just the objects but also the gaps and interfaces between them, those usually left to the attentive care of the curator, or those that fall between the cracks. And even prior to that—the exhibition simply reflects how relations between artists create relations between objects; or in other words—that one cannot detach the exhibition from the power relations that created it.



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Notes

1 Isaiah Berlin, *Four Essays on Liberty*, Oxford University Press, 1969.

2 cf. <https://www.youtube.com/watch?v=JE5u3ThYl4>.

3 cf. <http://theyesmen.org>.

4 cf. <http://jillmagid.paas.webslice.eu/books/becoming-tarden>.

5 Nora Sternfeld, "Playing by the Rules of the Game," *CuMMA Papers* No. 1, 2013.

6 cf. <http://www.criticalmanagement.org>.

7 cf. <http://www.trafo-k.at/en>.

8 And many thanks to Nicola Terzzi, who brought my attention to this reference.

9 It is important to note that the different case studies serve as a model to be amplified in similar territories; however, the specific examples are not to be considered as work models since they are the fruit of an extremely human one time-situation of an artistic endeavor.

10 cf. <http://publicartstpaul.org/cityartist>.

11 For further reading: אמנית העיר: חוברת מחקה ירושלים 2012, עורכות: גילי גרז'בסקי, הילה כהן שניידרמן, הוצאת עונת התרבות, פסטיבל מתחת להר

12 For further reading, see: Naina Bajekal. 2015. "Six Reasons Why Jerusalem's Old City Has Again Become the Focus of the Israeli-Palestinian Conflict," *Time Magazine*, September 16. [<http://time.com/3595090/jerusalem-old-city-conflict/>]; 2015. Eric Thorp. "Jerusalem Season of Culture: In House Festival," *FAD Magazine*, August 14.

13 cf. <http://www.contemporaryartgallery.ca/exhibitions/ruti-sela-maayan-amir-beyond-guilt-the-trilogy>.

14 cf. <https://exterritory.wordpress.com/initiators>.

15 For further reading on examples of contracts signed with companies: http://www.stuartbrisley.com/pages/29/70s/Text/The_Artist_and_Artist_Placement_Group__Studio_International/page:15; Information about the group activity on the Tate Museum's website: <http://www2.tate.org.uk/artistplacement-group/default.htm>.

16 cf. <http://www.petachtikvamuseum.com/en/Exhibitions.aspx?eid=3519>

Captions

1,2,3 Ruti Sela, *For the Record*, 2013, 18:00 min. (video)

4 Hilla Toony Navok and Eden Bannet installation view from the exhibition *The Crystal Palace and The Temple of Doom*, curated by Hila Cohen-Schneiderman, Petach Tikva Museum of Art; Photo by Avi Levi, 2015

5 *The Crystal Palace and The Temple of Doom*, general installation view. Curated by Hila Cohen-Schneiderman, Petach Tikva Museum of Art; Photo by Avi Levi, 2015

6 Eden Bannet and Tchelet Ram from the exhibition *The Crystal Palace and The Temple of Doom*, Curator Hila Cohen-Schneiderman, Petach Tikva Museum of Art; photo by Avi Levi, 2015

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