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ARTIVISM

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Any man today can lay claim
to being filmed.
Walter Benjamin

In the concluding paragraph of his legendary essay 'The Work of Art in the Age of Mechanical Reproduction' Walter Benjamin outlines a critique of the Fascist aestheticisation of politics. His crucial, and later frequently quoted, conclusion is encapsulated in the last two sentences: "This is the situation of politics which Fascism is rendering aesthetic. Communism responds by politicising art."[1]

That is how politics and the arts appeared in the 1930s when this essay was written. To be more precise, that is how Benjamin delimited the representational strategies of the political left and right. His thesis implies that politics (which is aestheticised) is the representational domain of the right, while the left operates inside the field of art (which is politicised). This is not to say that politics is exclusively a sphere of interest of the right, nor that art is exclusively the creative field of the left. The point at issue here is the evolution of paradigms employed by one political tendency to oppose the other.

Seventy years later, nothing similar can be claimed, but not because our time would be immune to aestheticisation of politics or politicisation of art; indeed, these processes are never-ending. However, what has melted away in the meantime and what can no longer be distinguished or brought into focus in the way Benjamin was able to do when he analyzed the left-right representational strategies of the politics of his time and space, is the presumed hegemony of a specific political option over these strategies. For example, how can we position, within this context, the state parades choreographed by theatre director Matjaž Berger and staged while the Liberal Democracy of Slovenia (LDS) was in power? Whether that particular instance of the aestheticisation of politics was part of a representational strategy of the left or of the right entirely depends on our placement of the LDS within the political spectrum; for many, it was a left party, but it also had at least some characteristics traditionally attributed to the right wing. [2]

The political constellation as shaped by Drnovšek's doctrine of LDS's "equidistance" to presumed political "extremes," and Pahor's positioning of the United List of Social Democrats (ZLSD) as close to the centre as possible, created conditions in which every political and/or artistic practice that dared to challenge the values of neo-liberalism, bring up issues of the situation of minorities or the incessant attacks of ecclesiastical circles on the secular state, could be pushed to the far left end of the political spectrum. Whoever imagined that in such circumstances it was possible to demand greater social justice, greater respect for human rights or freedom of artistic expression, ran the risk of being labelled a political extremist, terrorist anti-globalist, or a blasphemous offender hurting the feelings of the majority religious group.

In this essay we will look into some examples of autonomous ('alter-globalist', social) movements in Slovenia that attracted wide attention. In carrying out their political activity they made use of protests and direct actions, thereby introducing the 'aesthetic', willingly or not. By the same token, our interest is in, conditionally speaking, 'politicised' artistic events or, if we employ a measure of caution in using the term 'art', those events that could be understood as belonging to the world of art, either because their creators are artists or because they themselves declared these events artistic (or have not objected when journalists, critics, politicians and others designated them as such).

"Don't Happy, Be Worry!"

At the beginning of the new millennium, political activism in Slovenia gained strength. Following some smaller actions, in February 2001 a group of activists who gave themselves an ironic and enigmatic name, *Urad za Intervencije* (The Office for Intervention), usually shortened to UZI, organised a protest in support of refugees. Among the events that followed, especially worthy of mention is a protest staged on the occasion of the meeting between Presidents Bush and Putin in Slovenia, which will be remembered for the enormous number of police officers and technical equipment engaged in securing this gathering.[3] Although UZI later quietly disappeared,[4] the protests continued (e.g. against the war in Iraq, in support of 'temporary' refugees from Bosnia-Herzegovina, and so on),[5] only that activist groups now operated under different names. One such group (or formation, or platform) was *Dost je!* (It's Enough), which proved especially successful in organizing protests and actions in support of the 'erased' residents of Slovenia.[6] In this essay we will take a

closer look at two actions related to this issue: one was called *'Združeno listje'* ('United Leaves') and carried out at the ZLSD party headquarters; the other, called 'Erasure' took place outside the main entrance to the Slovenian Parliament.

The direct action 'United Leaves' in which the 'blitzkrieg occupation' of the headquarters of the ZLSD party somewhat resembled the 'soft terrorism' pursued by Marko Brecelj, took place on October 7, 2003. A group of activists dressed in white overalls (according to the *Mladina* weekly 'around twenty' of them, and according to the *Delo* daily 'around thirty') managed to persuade the party's front-desk clerk to open the door, and once inside they dispersed throughout the building, littering it with dead autumn leaves. As *Mladina* reported, "since no prominent party members were present at the headquarters at that time, the activists had to read the protest letter to the front-desk lady." The white overalls then left ZLSD premises and issued a press release.[7] In it they announced similar surprise actions for other parties, but then decided to surprise all the (parliamentary) parties at one time. On the next day, on February 8, 2003, they staged another action in front of the Parliament building. This time, the activists, again dressed in white overalls and appearing in a group of similar size, occupied the street in front of the building and lay down on the road, arranging their bodies in the shape of the word 'erasure'. In a short online report on this event one could read: "For fifteen minutes a somewhat difficult-to-read inscription was alerting passers-by, many police officers, tourists and MPs to the issue of the 'erased' residents – a problem constantly on the agenda, but never actually resolved."[8] The activists lying on the road were protected from both sides by fellow-activists, who blocked the passage of cars by holding a banner bearing the legend "No stopping" and the message "Drive on! We Don't Exist." Before the

activists left the scene they delineated the shapes of their bodies on the asphalt with spray can, so when they dispersed, a vast graffiti on the road continued to attract the attention of passers-by and especially of the deputies to the National Assembly.

The purpose of both actions was explicitly political in nature: to draw attention to the problem of erased residents, to demonstrate solidarity with people whose human rights had been violated, and to increase pressure on the political elite to implement the decision of the Constitutional Court regarding the erased residents. In both cases, the political messages were conveyed in the style of the tradition of autonomous movements that stems from the concept of the use of one's own body as a means of direct political action. The activists were dressed in white overalls which, indeed, had a practical function (they protected their bodies from dirt, made the writing more contrasting, and made more difficult the work of the police should they try to identify the participants on the basis of television or video footage, photos etc.). On the other hand, white overalls were also costumes of a special kind, such as may be attributed meaning depending on the needs dictated by a concrete situation.[9]

Action Corpography

In these actions there is a metaphoric/metonymic use of language and concepts that rely on word play. "United leaves" (*združeno listje* in Slovene) echoes 'United List' (*Združena lista* in Slovene; the full name is The United List of Social Democrats, abbreviated to ZLSD). We should remind readers that the then Minister of the Interior, Rado Bohinc, came from the ranks of the ZLSD, meaning that the party was effectively tailoring the strategy for the resolution of the erasure issue. The main requisite used in this

action – dead autumn leaves – could be understood as a message to the party saying that its policy was futile (dry, without growth potential, something discarded), and that it would be blown away from the political stage unless it changed its policy (in the same way the autumn wind blows away dead leaves).

The second action is a unique visual performance of our concept of 'gestic performative'[10] In conceptualizing this notion we relied on Quintilian's 'textbook of rhetoric', *Instiutio oratoria*. In Book 11, Chapter 3 (Delivery, gesture and dress), Quintilian writes: "Delivery [*pronuntiatio*] is often styled action [*actio*]. But the first name is derived from the voice, the second from the gesture [*gestus*]. For Cicero in one passage speaks of action as being a form of speech, and in another as being a kind of physical eloquence. Nonetheless, he divides action into two elements, which are the same as the elements of delivery – namely, voice and movement. Therefore, it matters not which term we employ."[11] The 'Erasure' was structured as a gestic performative, which inseparably connects gesture and utterance (delivery), or the body and the signifier, into Cicero's and Quinitilian's physical eloquence/ elocution.

If the classic (Austin's) definition of performative utterances says that "to utter the sentence (in, of course, the appropriate circumstances) is not to *describe* my doing of what I should be said in so uttering to be doing or to state that I am doing it: it is to do it,"[12] a gestic performative can be said to represent an attempt to extend the speech act to the domain of the visual, i.e. physical and bodily act, graphic act, gesture etc., in short, non-verbal yet still performative acts. Such a physical act has every appearance of a speech act: through their materiality, the activists' bodies, which originally operate within the area of action (*actio*), now literally *incorporate* (embody) the utterance and thus enter the domain of

delivery (*pronuntiatio*), in a non-verbal, but eloquent manner. This activists' *corpography* produces a metaphorical condensation: the performative aspect of the utterance 'erasure' is the act of drawing it out, or, to put it differently, the performative erasure is uttered by way of drawing it out. As in the classic performative, where "utterance is neither truthful nor untruthful," we could extend this assertion by paraphrasing Austin and say that to delineate the erasure (in the appropriate circumstances, i.e. in direct action) is not to *describe* their doing of what they should be said in so delineating to be doing in order to produce a *corpographic* image of the erasure (and thus utter it), but it is to do it. What we actually witness is the delineation of erasure, or better said, we witness **del**(in)**e**(a)**tion**.

The material evidence or, conditionally speaking, the perlocutionary aspect of this corpographic (gestic and performative) act was the spraying of the utterance on asphalt, which became visible only when the activists left the scene. The side effect, or the implicit, symbolic effect of the action was thus the secondary, graphic inscription on asphalt, which could be interpreted as a demand for re-entering (or, poetically, re-inscribing) the erased into the register of permanent residents. The absurdity of the situation of the thousands of residents of Slovenia whom bureaucratic reasoning turned into dead souls was ironically depicted by means of a banner urging drivers to drive on without paying attention to what was happening, because the protagonists of the event "do not exist."[13] In other words (in the jargon of contemporary performance theory[14]), by toying with an implicit metaphor about dead souls, the activists were able to denote performance as non-performance (afformance): if key protagonists in an event 'do not exist', then it is possible to say that the event as such does not exist either. Yet, since a characteristic of a

performative act is that an utterance is neither truthful nor untruthful, we should start from the hypothesis that on the descriptive-perceptive level this does not have direct consequences for the materiality of the act. The statement "we do not exist" on the descriptive level indeed contradicts the coinciding *corpographic* act occurring at the same place (the graphic delineation of the utterance "erasure" using bodies), but the performative nature of this "constructed situation" creates a situation in which the act, by virtue of its existence alone, creates the conditions that enable its own negation, or in other words, provides the constellation in which a non-event becomes an event.[15] Since this dimension is intuitively perceived, one will ascribe ironic meaning to the utterance "we do not exist", and it will be immediately understood as an intentional contradiction that additionally highlights the absurdity of the situation of the "erased," while simultaneously providing the key to understanding the event.

Crucial for 'Erasure' and similar actions is the use of the body, which is no longer representative, but constitutive, to paraphrase Hardt and Negri, and as such it is embedded in modern resistance practices.[16] We have seen similar *corpographic* engagements of the body in the past,[17] especially in performance art and live or action painting, as well as in recent political initiatives, such as, for example, the project entitled "Baring Witness." The initiators of this project were American artists Donna Sheehan and Paul Reffell, who invited volunteers, and especially women volunteers, to write out various political messages using their mainly naked bodies.[18] Originally, these were messages opposing wars started by the USA (Iraq, Afghanistan etc.), but the recently launched campaign "Baring Witness" was aimed at attracting the greatest possible number of voters to cast their vote in the 2004 presidential election in the US, probably hoping that a large turnout could have reduced

the re-election chances of the previous (now re-elected) president. In this campaign, the bodies were used to spell out "vote" in addition to the previous messages (e.g. peace, no war, etc.).[19]

To return now to the "United Leaves" action and its coverage in the *Delo* daily,[20] it should be pointed out that the activists themselves described it as *performance*. "They added," writes journalist Barbara Hočevar, "that with this performance, which, in their view, was utterly harmless, although displeasing, in the way the stance of the party is displeasing, they tried to awaken people." What is unusual is that the activists chose to denote this action using a term that is habitually[21] employed by cultural studies and art theory. The question that arises at this point is why political interventionism resorts to cultural-manifestation techniques in order to become constituted in the field of the political? There are two possible answers: it is either compelled to do so because of some special reasons specific to this interventionism (so the technique used is simply a logical and causal transmission, i.e. performance for these inherent reasons), or it is encouraged to do so by some external, pragmatic reasons (in which case it is part of a well-considered strategy of political action which is "culturalised" in this manner.)[22]

Performance, Ritual and Para(da)Theater

In order to be able to understand what is meant by the term 'performance' we must take a closer look at the context in which it is used, since owing to its manifold meaning, as well as many forms of conceptualisation, it is one of those theatrical/theoretical notions whose scope has not been defined in sufficient detail. The common use of this notion has been defined by Lado Kralj in the study *Teorija drame* ('The Theory of Drama'): "Performance

acquired the name and the status of an autonomous artistic genre in the 1970s, when visual artists in particular revived an avant-garde idea dating from the period between the two wars, suggesting that the concept was more important than the product, since art is not something that endures, nor is it a final product intended for sale; the fact that a visual artist embarked on performance is a demonstration of this idea."[23] For Rose Lee Goldberg, performance art is "a permissive, open-ended medium with endless variables," or, in other words, "an anarchistic medium" that eludes a more precise definition.[24] In the introduction to the renowned study *Performance*, Marvin Carlson resignedly establishes that available literature about performance is indeed extensive, but unfortunately, for a researcher, the confusion of meanings is a source of difficulties rather than advantages.[25]

The definition by Victor Turner and Richard Schechner, who significantly influenced the understanding of the links between performance, theatre and ritual, is no less imprecise.[26] They could be said to use the term performance more in the sense of "cultural performance," a term coined by Milton Singer in 1959, than in the sense of "performance art," which for Carlson is "both historically and theoretically a primarily American phenomenon."[27] As anthropologist Jack Goody writes, the weakness of their approach, and of the majority of "ritual" theories[28] of theatre and/or performance, lies "in overriding any distinction between theatre and ritual under the blanket term 'performance.'"[29] Goody thinks that their attempt to provide grounds for a consistent theory of ritual and performance (or ritual as performance) has failed because the perception of ritual as performance is excessively wide and as such it leads to an infinite regress.

Schechner's fundamental mistake stems from his perception of ritual as an ahistorical, universalistic concept that may be spontaneously applied to an infinite multitude of (contemporary) social phenomena resembling (anthropological) ritual (e.g. performances). What is unusual in all this is that Schechner acknowledges one of the fundamental differences between ritual and theatre, that is, the difference between efficacy, which is inherent to ritual, and 'entertainment', which is inherent to theatre.[30] This distinction has a certain propedeutic value and can provide a solid basis for the synchronic analysis of the structural relations between ritual and theatre. On the other hand, Schechner's explanation of his own schema reveals the erroneousness of his starting hypothesis, which fails to take into account the diachronic dimension of the analysis. "The basic polarity is between efficacy and entertainment, not between ritual and theater. Whether one calls a specific performance 'ritual' or 'theater' depends mostly on context and function. A performance is called theater or ritual because of where it is performed, by whom, and under what circumstances."[31] For Schechner, every performance is a mixture of efficiency and entertainment, since "changing perspectives changes classification".

Therefore, according to Schechner, the question of when a specific performance will be designated as ritual and when as theatre depends on the context and function. To put it differently, designation depends on "interpretational viewpoints", or *topoi* (Vico) that produce classifications. Performance is sometimes a ritual and sometimes theatre, but rather than on the subject, it depends on the perspective from which it is viewed. As a result, the performance, or better still, the notion on which presumably rests the power of this theory, disintegrates into a multitude of *topoi*. Or, in still other words, from whichever viewpoint (*topos*) one tries

to perceive a specific "symbolic register" (theatre or ritual), it always appears as a mirror image of the other. One symbolic register inevitably invokes the other, because for Schechner, both are merely the topic aspects of "performance" here used as an umbrella term, and at the same time, of that viewpoint in the symbolic register of Turner's "social drama"[32] that enables the "inscription of the subject into a system."[33]

When analysing the methods used in domestic or foreign forms of direct political actions carried out in/at public places, we first have to draw attention to the risk involved in the attempt to link these phenomena with either theatre or ritual, unless these terms are used metaphorically. Schechner's essay *Invasions Friendly and Unfriendly: the Dramaturgy of Direct Theater*[34] may serve as an example of a rather unconvincing attempt to employ ritual theories to explain the meaning of demonstrations or other similar outdoor protests and gatherings. In this text, which never ventures beyond the descriptive level, the author presents various kinds of events that he calls "direct theatre." However, when analysing mass protests and other such events, rather than taking the specific quality of a concrete historical moment as a point of departure, Schechner looks for universal patterns and the, presumably common, roots of these events. This flaw in Schechner's approach has been pointed out by many theorists, among them Baz Kershaw, in whose opinion Schechner "downplays the ideological content, the political significance of particular events *as part of* a wider historical process," which is why it could happen that in his schema "revolutionary and reactionary gatherings are contained by the same theoretical rubric." The problem, argues Kershaw, is insistence on formal and apparent similarities. "An approach which mainly stresses the aesthetics of protest, especially through an analogy with carnival, offers a useful model, but its concentration

on *formal similarities* tends to detract from protest's contribution to the major ideological shifts of specific periods."[35] To put it differently, strictly formal and phenomenological analyses of the phenomenon which some (e.g. Schechner) call "direct theatre," and others (e.g. Kershaw, Cohen-Cruz[36] etc.) "radical performance," cannot rely on the recent "silent" consensus that these practices are primarily the domain of political leftism, since, as Benjamin actually pointed out as early as the 1930s, it is precisely right wing radicals who tend to resort to "aestheticisation of politics."

Mass street "para(da)theater", which was a constant feature throughout the "long twentieth century" was not, in fact, introduced by the national socialists, but by the Bolsheviks. As early as 1918, Lenin inaugurated his "Plan of Monumental Propaganda", which provided the basic guidelines for future mass manifestations that glorified the revolution and the ruling Soviet. Note that the theatre department of the commissariat for education (*Narkompros*) included a section for "mass performances and spectacles" that produced and proposed scenarios for these kinds of events.[37] One of the best known mass spectacles/ events of the time was a spectacular "para-theatricalisation" of the storming of the Winter Palace directed by Evreinov in 1920 in Sankt Petersburg. These early experiments were later imitated by Hitler, Stalin and other autocrats, mainly taking the form of militant mass events, torch processions, military parades and the like. The end of the 1960s brought mass student protests in Paris and other European cities, which were followed in the early 1970s by protests in the US against the war in Vietnam. Larger "mass movements" again appeared towards the end of the 1980s, but the political context was now different, i.e. one usually symbolized by the fall of the Berlin Wall. Recently, mass protests have been

organized by movements advocating more just globalisation, to whom has stuck the designation "anti-globalists," indeed against their own will, although a more appropriate name would be alter-globalists.

Agitprop and Guerrilla Performance

Although on many occasions activists in Slovenia organized mass manifestations for whose designation it would be possible to use the theoretical framework of Bakhtin's concept of "carnivalisation,"[38] in this essay we will restrict ourselves to those forms of direct action that do not qualify as mass events, but are rather guerrilla performances 'staged' by a limited number of activists, primarily for television crews and photographers. Yet, before I proceed, I should point out that it is not possible to find, either in the derivation presented above or in reference literature, any really convincing argument that would encourage us to describe the direct actions 'United Leaves' and 'Erasure' (or other direct actions), unambiguously and without a pang of conscience, as 'cultural performances', let alone 'performance art'. However, if one has to choose between two inadequate options, the first designation seems to be the less bad choice. Political performance, still another term occasionally encountered in discourses on contemporary forms of direct political action that use more or less aesthetic approaches, can be understood in this context as a sub-division of the wider category of cultural performance. The difficulty related to the use of this term is similar to that which caused the once popular term, political theatre, to virtually vanish from modern theatre and performance theories. For quite a long time, and at any rate since the time of Foucault, politics has not figured as a grand narrative. Instead, it is simultaneously present in a number of macro- and micro-cosmoses. For this reason, the

political within theatre (and, by analogy, within performance) is not the political in the sense used by Piscator at the end of the 1930s, nor the political in the sense used by Melchinger in the early 1970s.[39] In the same way that Politics, with a capital P, has disintegrated into a multitude of identity politics, modern theatre, too, has been inventing its own politics through ever-new identity 'niches'.[40]

'United Leaves' and 'Erasure' are direct actions reminiscent of agitprop and guerrilla performance. Both methods are part of the history of 20th century theatre: agitprop theatre is "a form of theatre animation whose goal is to raise awareness of the public about a specific political or social situation", while guerrilla theatre "wants to be militant and engaged in political life or in the struggle for liberation of a nation or a group."[41] The activists that took part in the 'United Leaves' and 'Erasure' actions were not trained actors, nor were they dressed in costumes designed especially for this occasion, because the basic motive behind both actions was not to create an aesthetic, but a political effect. The activist who took part in the 'Erasure' guerrilla performance is like Brecht's spontaneous "actor" from a street scene, a chance witness to a road accident now explaining to curious individuals and passers-by what has happened. This presenter is not an educated actor, and his reconstruction of the road accident is not an artistic event, but despite this, says Brecht, this hypothetical dilettante has a certain creative potential.[42] In short, an activist is not an artist, but he/she is still not without a "knack for art;" an activist is an artist as much as is inevitable, no more and no less; the artisanship is a side effect of a political act. Precisely this constitutes the actor's specific gravity, uniqueness and significance. The absence of concerns about aesthetics and a disrespectful attitude towards grand narratives (political, legal, social, perhaps even philosophical), relegates an

activist to the structural place of an amateur actor, that is to say, an actor who appears strange to the "silent majority," but precisely because of this he/she is in a position to pose simple, naïve and hence important questions. The significance of the amateur actor, and by analogy, of modern activists, has been explained by Terry Eagleton in the essay entitled 'Brecht and Rhetoric': "Amateur actors, like political revolutionaries, are those who find the conventions hard to grasp and perform them badly, having never recovered from their childhood puzzlement. Such puzzlement is perhaps what we call 'theory'. The child is an incorrigible theoretician, forever urging the most impossibly fundamental questions. [...]The revolutionary questioner sees the world with the astonishment of a child ('Where does capitalism come from, Mummy?') and refuses to be fobbed off by the adults' customary Wittgensteinian justifications of their practices: 'This is just what we *do*, dear.' [...] Theory begins to take hold once one realizes that the adults don't know their way around either, even if they *act* as though they do. They act as well as they do precisely because they can no longer see, and so question the conventions by which they behave."[43] This argumentation leads Eagleton to the conclusion that the task of theory is to encourage bad actors.

There is probably no need to stress that we would miss Eagleton's point if we understood the terms bad acting and bad actors literally, that is to say, as pejorative rather than conceptual, i.e. affirmative terms. Actors, performers, activists, theorists and so on, are "amateurs" because they pose questions about issues that are not challenged otherwise, since they are somehow taken for granted, presumed, exempted, in short, drummed into us. From here stems the grotesqueness of the spectacular display of the well trained, uniformed (to be read: costumed), professionally educated *robocops*, who during the Bush-Putin meeting "defied" the amateur

"drama workshop" of political activists. The likes of this street scene can be seen when no one else besides "amateur" politicians (i.e. political activists) is still willing to pose "naïve" questions, i.e. ones never heard in Parliament, the home of professional politicians.[44]

The Psychopathology of Everyday Life

It seems that guerrilla performances cut deep into a certain convention grounded in the belief that in a state "governed by the rule of law" only (administrative) legal experts are authorized to "give proper names" to complex legal statuses, and propose adequate solutions to political decision makers. However, in the case of the erased residents, the bone of contention was precisely the naming of these people; for some right-wingers, the erasure never really occurred, since, as they argue, these people were only transferred from one (live) to another (dead) register of people. According to this argument, the erasure, in reality, was "self-erasure", because these people were themselves responsible for ending in the register of "dead souls." Through the use of puns and live action, 'United Leaves' and 'Erasure' thus draw our attention to the fact that politicians have experienced the "loss of meta-language", to paraphrase Roman Jakobson. In other words, they were no longer capable of naming. They remind one of a patient with aphasia who, when asked to repeat the word "no," replied: "No, I do not know how to do that." As Jakobson says, while he spontaneously used the word in the context, he could not apply the purest form of the predication equation, i.e. tautology a = a, 'no is no.'[45]

The staging of an event such as a guerrilla performance is believed to produce certain effects in the area of the psychopathology of

everyday life rather than in the area of aesthetics. Speaking of 'United Leaves' and 'Erasure', their basic purpose was to help any legal experts (administrative clerks) and politicians, who, because of a simulated or actual language disorder, cannot utter the sentence "It rains" unless they actually see rain falling, as Jakobson put it, visualise the simple predication equation: erased residents are erased residents. The activists notified the media about their plans. The media, that ever-present army of the "society of the spectacle" promptly seized on the opportunity to add some colour to the dull political prose of daily news, and in so doing they also took the message to those politicians who did not witness the "Erasure" performance in front of the parliament building, the high ranking politicians in the ZLSD party, who, unfortunately, missed the 'United Leaves' action on their own premises, and the wide circle of the telematised public. Both actions were covered under "domestic politics" sections, which was a clear message to readers, viewers and listeners that these were political events in which aesthetics played only a marginal role.

The crucial problem encountered by these and similar direct actions involves the fact that the neo-liberal system is so flexible that it is capable of absorbing, without any obvious difficulty, these types of intrusions of materialised political thinking and thus of pacifying existing "pockets of resistance." The self-defensive mechanism of neo-liberalism is cynicism, which operates smoothly on both the macro- and micro-levels. Many examples prove this. For example, after activists hit the President of the World Bank with eggs and stained his clothes, he stated, during a reception ceremony soon following this event, that it proved "that Slovenia is an open society in which people can express their opinions"; for the prime minister, this was "proof of our development and democracy."[46] This is much like the ready-made response of the

police's executive board to the increasing number of complaints regarding the violations of human rights in police procedures: for them, it is proof of the democratic nature and openness of this repressive body, as well as the result of citizens' increased trust in the correct execution of appeal procedures.[47] When some four years ago a security guard prevented two gay men from entering the Café Galerija, saying that "we will have to get used to the idea that this place is not meant for such people", activists reacted swiftly, staging an action in the manner of a sit-in protest: around 40 activists took their time sitting in Café Galerija, each slowly sipping his/her glass of mineral water for around two hours. "The café staff were quick to recognize the protest, which was supported by one waiter, who, as *a sign of solidarity*, himself drank one decilitre of mineral water." One week later, when "the group of activists participating in the action somewhat *shrank in size* compared to the week before," the "mineral water was offered *for free*."[48] And so on.

In principle, the repressive apparatus of the state pursues the cunning ideology of democratic tolerance. However, this concept of tolerance includes an aspect that is frequently overlooked, and that was clearly reflected in the "exaggerated security" during the protest on the occasion of the Bush-Putin meeting: tolerance is the privilege of those who hold the power that enables them to be tolerant.[49] If, for a moment, we ignore the incident on the border crossing when the Slovenian police "preventively" beat several Italian activists, the protests in the Slovenian capital took place under the watchful eye of a disproportionately large number of police guards. Their primary task was to protect certain sites (the Presidency, the seat of the Government, the Parliament building, embassies and so on) and to demonstrate power, whose function – so we presume – was to "preventively" divert the masses

from even contemplating the occupation of these symbolically significant buildings. The police, indeed, showed more nervousness when they secured actions aimed against US foreign policy, i.e. on several occasions, smaller groups of protesters were forcibly removed from public spaces in the immediate vicinity of the American embassy. In short, in Slovenian circumstances, despite obvious disagreements between the then head of the Slovenian police and the minister of the interior, the repressive apparatus in principle adhered to the ruling ideology that says, "I tolerate, therefore I am" (a democratic, cosmopolitan, enlightened leader).

Moral Panic

This consideration of Janus-faced tolerance brings us to an inevitable question: how does this arrangement accommodate those practices that Tanja Lesničar-Pučko (cf. her text in *Maska*) calls "socio-artistic diversions"? Recently, paradigmatic examples of these art projects (or, if we relativise somewhat, projects carried out by artists), were the 'soft terrorist' actions by Marko Brecelj, the Burning Cross in Strunjan by Dean Verzel and Goran Bertok, some installations and performances at the *Break* festival, and so on. One trait shared by all of them is a conspicuous provocation, not only *in potentia* but also in reality, given that all of these events elicited sharp reactions from politicians, the Church, the "lay" public and journalists.

The viewpoint characterizing the aesthetic theory of the Frankfurt school ("critical theory of society"), as recapitulated by Zoja Skušek in her foreword to the compendium *Ideologija in estetski učinek* ('Ideology and Aesthetic Effect'), says that "today 'truthful' is only that art for which the dissolution of subjectivity is not just a 'subject' that it aims to present, but this disintegration is inscribed

in its form: the art that puts a question mark over itself as art and repeatedly tests its incapacity; in itself, inside its procedure, this art is split between rational constructivism and 'blind' anarchism, which directly speaks of the split in its own reality."[50] In the artistic actions that are the subject of our interest in the second part of this essay, this "split" is still inscribed both in the form of expression (one could also say in the "artist's statement") and in the position of the producer of such art, the position of the utterer, one from which the author speaks as an artist (or as an activist, politically conscious citizen, or the like). In other words, installations are never simply installations, artistic actions are never solely artistic, but they nevertheless produce an obvious aesthetic effect; the authors indeed operate within the institution of art, but at the same time their attitude towards it is careless, and the purity of the genre is not an issue for them; some among them, in Slovenia especially Marko Brecelj, incessantly cross over from one field to another. Another shared trait of these actions is that they rest on a more or less imaginative conceptual basis, and send out strong, sharp and disconcerting signals.

What is important for this type of artistic actions, which among other things produce the effect of moral panic,[51] is to preserve their relatively autonomous position with respect to the institution of art, where the majority of these actions are still domiciled, and with respect to the wider social and political field. One characteristic of the art system is that it is highly absorbent, or, as Herbert Marcuse, himself a member of the Frankfurt school, once wrote, "the market, which absorbs equally well (although with often quite sudden fluctuations) art, anti-art, and non-art, all possible conflicting styles, schools, forms, provides a 'complacent receptacle, a friendly abyss' in which the radical impact of art, the protest of art against the established reality is swallowed up."[52]

Therefore, it would be possible to conclude that the contemporary art system and post-Fordian capitalism bear striking resemblances as regards their penchant for cannibalism: both are capable of swallowing criticism and of digesting it without any serious problems.[53] Knowing this, it is simply unimaginable that in any modern democracy it would be possible to stage an insulting exhibition, as was "Enartete Kunst" (Degenerate Art) by which the Nazis defamed the German avant-garde in 1937. In this respect, Slovenia has not been an exception (so far): the censorship tendencies of ideological opponents have been canalised, expectedly one would say, into the two determinants of modern capitalism, i.e. law and economics.

Since Slovenia gained independence in 1991, the most media-covered court proceedings involving artists was the case of Strelnikoff. The two members of this band had to answer before the court because of their re-make of the 1814 painting of the Virgin Mary by Leopold Layer, which was reproduced on the *Bitchcraft* CD insert. The controversial detail that led the young members of the Christian-Democratic party (SKD) to approach the public prosecutor, himself a member of the SKD, was the image of a rat which in Strelnikoff's reproduction replaced the image of the infant Jesus in Layer's painting. Since this case has already been treated in detail by Gregor Bulc,[54] in this essay I will restrict myself to general conclusions regarding the protection of freedom of artistic expression. This freedom is guaranteed by Article 59 of the Slovenian Constitution, and by the Penal Code, which in Article 169 stipulates that insult is subject to penalty, but art is exempted from this under the condition that the controversial act was not "carried out with the intention of disparagment."[55] The Constitution prohibits "[a]ny incitement to national, racial, religious or other discrimination, and the inflaming of national,

racial, religious or other hatred and intolerance" as well as "[a]ny incitement to violence and war" (Article 63). The public prosecutor tried to achieve the prohibition of the dissemination of the controversial CD and to punish the author, first citing the article prohibiting disparagment, and then the one prohibiting incitement to violence. However, the court dismissed the case on both grounds. Moreover, in explaining its decision, it concluded that "from the content of protests filed by the affected individuals it is possible to infer only hatred towards the defendants." To this we should add that it was actually certain media that resorted to incitement to violence (although skilfully veiled in conditionals and cheap speculations), the right-oriented political weekly *Mag* most obviously of all.[56]

This was not the only attempt of the Church and its political supporters to restrict the constitutionally protected right to freedom of artistic expression, although all other attempts were carried out with less fervour. Dean Verzel and Goran Bertok, who burnt a cross in Strunjan, were sued for unlawfully damaging an "object of special cultural or historical significance," that is to say, on the basis of Article 223 of the Penal Code.[57] Had the prosecutor succeeded in proving their guilt, they could have been sentenced to up to five years in prison.

Another action that had its epilogue in court involved the silencing (upholstering) of the bells of Koper Cathedral. The action was carried out by Marko Brecelj and Aleš Žumer, but since Žumer was the president of the ROV cultural society from Železniki, the legal action was taken not against them, but against Železniki municipality. This case is especially interesting because it may be considered a condensation of all the crucial social fields we have been considering in this essay: art, activism, politics, the Church, the state (in this case represented by a local authority), law and

economy. On June 2, 2004, the Železniki Municipal Council adopted the resolution that the ROV cultural society did not qualify for the co-funding of its activities from the municipal budget "because in 2003 it acted in a way that harmed the reputation of the Železniki municipality."[58] In other words, the head-on attack of ecclesiastical circles and Christian Democrats seen in the case of Strelnikoff, was now substituted with economic sanctions, in which the municipal Council (note that members of the SLS party, close to the Christian Democrats, constitute the majority in the Železniki municipal Council) unconvincingly cloaked the real, exclusively ideological motives behind this radical move. In fact, Aleš Žumer's collaboration with Marko Brecelj in this action did not involve any funds from the municipal budget. Accordingly, ROV struck back by suing the Železniki municipality for a "serious violation of constitutionally protected human rights, particularly the principle of equality before the law, freedom of expression and freedom of art."[59]

A similar enterprise was undertaken by an MP from the Nova Slovenia (New Slovenia) party, Janez Drobnič, when in July 2002 he addressed to the Minster of Culture, Andreja Rihter, a question in which he indirectly proposed that the co-funding of the *Break* international art festival should be discontinued. For MP Drobnič, events at the festival were "bizarre, entirely immoral, punishable offences," so he asked the cultural minister to answer the following question: "How sexual intercourse with a corpse, the coating of human parts in chocolate, the fixing of sex organs with nails and drilling of skulls can be considered art?" He also wondered "How can money from the state budget be allocated to such 'jumble'", and finally concluded: "It would be nice if the perpetrators of such mad, bizarre and insulting acts presented at the *Break 21* festival gave back the money and returned it to where it came from."[60]

The *Break 21* executive board promptly denied Drobnič's statements, explaining that nothing like that had happened at the festival and that only certain graphic materials were used to accompany a lecture by Stuart Swezey intended to incite a debate about art and taboos related to the body. As a result, the festival board announced a legal action against MP Drobnič.[61]

The costs of the material damage caused by authors or projects themselves, or the financial responsibility of the organizers of such events, constitute a special aspect of action art. For example, in 1995, the Russian action artist, Alexander Brener, dressed in boxing strip, symbolically attacked the Ljubljana Opera House, breaking several windows; in 1998 he threw eggs at visitors to the international exhibition *Body and the East* in the Ljubljana Museum of Modern Art, spoiling several evening dresses and hairdos; but the greatest damage was caused to Cankarjev dom in 2000, when at the Manifesta 2000 press conference he sprayed the screen in one of the halls. Cankarjev dom sued Brener for the damage, but it later "withdrew the case because it turned out to be impossible to bring Brener to court."[62] Less damage was suffered by the organizers of the *Break* festival in 2003, when in the Ljubljana castle the German artist Oliver Kunkel staged the installation *A Box with Mosquitoes* and then saw to it that the box was overturned and the mosquitoes escaped. This caused some panic among the visitors, because the titles displayed along with the box said that the mosquitoes sucked the blood of persons infected with the HIV virus. Although the organizer later explained that this was not true, that Kunkel's mosquitoes were the most ordinary insects, and that, on top of that, the HIV virus was not transmitted by insect or mosquito bites, they had to pay high compensation imposed by the veterinary authority, some extra bills for the disinfection of the premises and the testing of mosquitoes,

and compensation to the operator of the castle for the loss of income because of its temporary closure.

Security Panic and Artistic Immunity

If artists are ordered to pay compensation because of damage, they are equated with any other citizen: a fine or compensation must be paid, otherwise they go to prison. However, attempts by some influential persons to punish artists by renouncing their right to receive money from public funds for their projects mainly amounted to no more than political pressure.[63] So far, legal actions were the favourite option of ecclesiastical circles, young sections of Christian-oriented political parties and certain individuals who took it as their mission to legally "protect" Christian symbols from presumed "abuses." Yet, this is not an easy task, given that the Penal Code prohibits the defacing of state symbols, but not of religious symbols.[64] In addition, artists enjoy special immunity as regards the use of symbols for artistic purposes. This immunity is accorded to them by Article 59 of the Constitution ("The freedom of scientific and artistic endeavour shall be guaranteed.") When one knows that this is supplemented with the provision in Article 39 which guarantees "Freedom of expression of thought, freedom of speech and public appearance, of the press and other forms of public communication and expression[,]" and Article 169 of the Penal Code, which stipulates that insults are actionable, but art is exempt under certain conditions, it becomes clear that in a modern liberal state the institution of art has managed to obtain for itself a unique immunity. Viewed from a sufficiently abstract perspective, it is even comparable to the immunity accorded to the deputies to the National Assembly and judges (Articles 83, 134 and 167 of the Constitution). Without this protection, Marko Brecelj could have

ended in court for "obstructing a religious ceremony" (Article 314 of the Penal Code), Dean Verzel and Goran Bertok could have been sued for starting a fire (Article 317 of the Penal Code), and the activists partaking in the 'Erasure' action could have ended up in court because by "mounting obstacles on the traffic road" they "endangered people's lives" (Article 327 of the Penal Code). The minimum prison sentence for these offences is one year.

The highly aestheticized, contemplative and benevolent bourgeois art that remains secluded behind the safe walls of art institutions only rarely finds itself in a situation in which it would be compelled to refer to these constitutionally guaranteed rights. Examples of this kind much more frequently involve transversal artistic practices or those that problematise the very institution of art and simultaneously produce an added value dubbed the "foreground effect" (*aktualizace*) by the renowned Prague linguistic circle. The Slovenian scene of action art -which is a subject only touched upon in this essay without even mentioning some important practices[65] - introduces that greatly needed freshness and cheerfulness into the melancholy, self-complacent mannerism of art production presented in most of the Slovenian repertory theatres, galleries and museums. According to one of the protagonists of the "burning cross" performance, the key question related to modern art is: "Should it be a sterile, castrated, harmless thing intended only for galleries and for a narrow, privileged circle; or should art be a boundary thing, a powerful and frequently dangerous thing that causes stir among the people? As for me, I'm interested in non-sterile art that is dangerous in a sense, and that brings novelty. Art as bourgeois evening dress, or as a sort of dessert, is not my subject of interest."[66] The transversality of these practices and their hybrid nature enable quick passages from the predominantly artistic into the predominantly political sphere

and back. In combination with aestheticised protest events this creates a kind of post-Fluxus atmosphere of relative emancipation through experimental practice.[67]

Several examples following the protests in Genoa and the 9/11 attacks showed that at certain moments (or even during longer periods), when the system is overwhelmed by "security panic," its absorption potential becomes dangerously reduced, creating conditions for repressive restrictions on artistic freedoms and "expression of thought, freedom of speech and public appearance," to use the language of the Slovenian Constitution. The most recent example of such a hysterical reaction of the government has been the legal action against American artist Steve Kurtz, accused of bio-terrorism. Kurtz is a member of a popular artistic-activist collective, Critical Art Ensemble (CAE). This process raised suspicions that it was an attempt by the government to silence the artist who was, with his scientist colleague, Robert Ferrell, engaged in projects aimed at educating the general population about issues such as genetically modified foods, and the interest of capital and the military establishment in subordinating and controlling bio-technical research.[68] Another outstanding example was the arrest of the Austrian artistic-activist group with international membership, known as VolksTheater Karawane. In the histrionic manner of a travelling theatre this group passed through Hungary and Slovenia on its way to Italy, where it participated in the "alter-globalist" protests in Genoa. After their brutal arrest, the requisites and costumes they carried with them were described by the prosecutor as objects brought in order to be used for terrorist purposes. As a result, and quite incomprehensibly, children's toys were turned into dangerous weapons, protective helmets used in sports were declared military equipment, and a model of the Trojan horse was described as a hiding place for "weapons" and so on.[69]

The events mentioned above remind one of Wittgenstein's theory of games, later used by Umberto Eco to illustrate the difficulties related to defining Fascism. His schema is as follows:

1 2 3 4
...

a bc b cd c de d ef ...

It is clear that the number of shared elements gradually decreases; so four share two elements with three, one element with two, and none with one. But, as Eco says, "Owing to the uninterrupted series of decreasing similarities between one and four, there remains, by a sort of illusory transitivity, a family resemblance between four and one".[70] In the case of CAE and VolksTheater Karawane, a similar partial transitivity of meaning occurred, and finally, there remained no distinction between an artistic action and presumed terrorist act: artistic actions à protests à civil disobedience à terrorism. Indeed, there has been a case in which terrorism literally took the stage – the attack by Chechens on the Moscow Dubrovka Theatre during the *Nord-Ost* musical performance,[71] but this is a completely different story. However, artists like Marko Brecelj, who makes use of puns, and activists pursuing guerrilla performances, only use creatively the metaphoric aspect of the language and never transgress this limit. "The only art that is still sensible today is terrorist art," said art critic Aurora Fonda on including the Burning Cross project in the group exhibition *Shock & Show* in July 2002 in Trieste. Of course, she did not have in mind real terrorism, but art that is "a kind of virus that opens the eyes."[72]

Given the general pressure of 'security conscious' political forces, who, in the wake of 9/11, have been endeavouring to reduce the

existing standards protecting human rights and freedoms, the question that arises is whether art is destined to assume again the function of an asylum for critical political operations, as it did, for example, during the 'real socialism' era. Will the increasingly widespread *artivism* combined with security delirium eventually bring Western societies to the point at which there will be a critical mass of madness that would produce demands for the prohibition of the 'abuse' of art for political operation? Something similar has occurred with the asylum system that was presumably abused by so-called economic emigrants to gain easier access to the labour markets of developed countries. Will politicians, state administrations, courts and the police one day speak of "manifestly unfounded artistic projects" as they now speak of "manifestly unfounded asylum applications," a qualification that leads to a prompt refusal to grant asylum? In such a case, the creators of such artistic projects would lose the protection now guaranteed by the mechanisms protecting artistic freedom.

If the syndrome suffered by Železniki town council spreads to Parliament, and the National Assembly embarks on an amendment of the legislation (or, following some even crazier scenario, the Constitution) which protects freedom of artistic expression, the changes would lead to greater restrictions and limitations on existing standards, and by no means to greater freedom. This is analogous to what would happen if the Geneva Convention were amended. Therefore, occasional commentaries in favour of the modernization of the Geneva Convention on the grounds of its presumed "obsolescence" are not mere academic issues, but could have as their consequence a real deterioration in the situation of future asylum seekers. The same can be said of attempts to restrict, i.e. lower, standards of human rights protection. In a modern liberal state, art is part of that corpus, so every violation of

any human right, and especially the type of violation that is attempted by amending a constitution and legislation, by manipulating referendum mechanisms or the like, is eventually also aimed at artistic creativity. How can artists know that they are not next in the line? And how can they be confident that if this happens there will still be someone left who would be willing to stand up for freedom of artistic expression?

Post scriptum:

Some parts of this essay were first presented in May 2004, at a seminar on contemporary performing arts organized by Maska. I would like to thank the seminar moderator, Bojana Kunst, for that opportunity. I am also grateful to Lev Kreft and Emil Hrvatin for useful suggestions and astute comments on an early version of this text.

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[1] Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction"; the English quotation in this text is taken from the text available at http://www.marxists.org/reference/subject/philosophy/works/ge/benjamin.htm (last accessed on December 21, 2004).

[2] "Nevertheless, we should by no means overlook that the left wing in Slovenia is not left by virtue of some trait that traditionally

belongs to the Left with regard to a wider historical or international context, but thanks to the radical and narrow context of the *Sonderweg*, neo-conservative Slovenianness, where the left is left for the sole reason that it is not-on-the-right, or not-so-much-on-the-right (as is Janša). Therefore, the question is why something that is 'tolerably' right is here called 'the centre' or, why something that is more of a right-centre or the centre itself, is occasionally called the left? Overwhelmed by this quicksand that pervades everything,

including public opinion, one is robbed of every possibility of distinguishing between the two." Tonči A. Kuzmanić, 'The Extremism of the Centre', in: Breda Luthar et al., *The Victory of the Imaginary Left: The Relationship of the Media and Politics in the 2000 Parliamentary Elections in Slovenia*, Peace Institute, Ljubljana 2001, p. 43.

[3] The interior minister at the time, Rado Bohinc, later publicly admitted (during a panel debate in the Gromka Club) that this was a case of "exaggerated security." For a more detailed analysis of this event, cf. Tonči Kuzmanić, *Policija, mediji, UZI in WTC, Antiglobalizem in terorizem* (The Police, The Media, UZI and WTC, Anti-globalism and Terrorism), Peace Institute, Ljubljana 2002.

[4] They, however, left behind an obelisk with the inscription "UZI Headquarters" erected by artisans from the German group Axt und Kelle. The purpose was not to celebrate the UZI's 'merits'. It was intended for the Slovenian police forces, who at that time regularly visited the Metelkova autonomous centre looking for the 'UZI headquarters'. After the word had spread that UZI was preparing a new protest, their visits became even more frequent, probably in order to check if the activists had all the required

permission needed to stage such an event. However, since UZI was not registered as a legal entity (it was an informal group of individuals), it did not have an official headquarters, so the obelisk was erected to make the work of the police easier. This witty gesture is also a monument to the humour characterizing the alternative scene at Metelkova Street, although that was probably not the original intention (Cf. Bratko Bibič, *Hrup z Metelkove: tranzicije prostorov in kulture v Ljubljani*, Mirovni inštitut, Ljubljana 2003, p. 160-162.)

[5] For ten years, refugees from Bosnia-Herzegovina were officially called 'temporary protected persons' or 'persons with temporary asylum'. This unsettled status, of which one consequence was a prohibition on regular forms of employment, contravened international documents and standards, including EU directives. In addition, there is probably no need to stress that by insisting on the designation 'temporary' in referring to the people who lived in exile for more than ten years, state bodies acted inhumanely and cynically.

[6] The 'erased' is a term used in Slovenia for almost 20,000 people who lost their status as permanent residents soon after Slovenia gained independence. They were 'erased' from the register of permanent residents. The case is considered by many national and international human rights organizations as the most blatant and massive violation of human rights in the short history of Slovenia as an independent state. Although the Constitutional Court has already delivered judgment saying that the permanent residence status has to be returned retroactively to all of them, many of the 'erased' are still waiting for the authorities to implement this judgment. For a detailed analysis of this problem, see J. Dedić, V. Jalušič and J. Zorn, *The Erased: Organized Innocence and the Politics of Exclusion*, Peace Institute, Ljubljana 2003.

[7] One passage in this press release read: "We collected autumn leaves and scattered them across the ZLSD headquarters, hoping that this place of stuffy policies may still become open to politics and true dialogue. The purpose of our gesture is to capture the attention of the party's members and to invite them to bring to an end this 'ostrich style policy' – we invite them to lift their presumably well-meaning heads, buried in the sand, and take, through their actions, a definite stance regarding the crucial issues which are under the control of ZLSD employees." The action was mainly targeted at the interior minister of the time, Rado Bohinc, who hesitated to execute the decision of the Constitutional Court on the redemption of injustices suffered by the erased residents. "The Constitutional Court ordered the Ministry of the Interior to draft a law that would remedy the injustices caused by the erasure. Contrary to this order, Minister Bohinc today makes every effort to postpone as long as possible the execution of this decision, and to evade it." <http://www.kiberpipa.org/~nenato/jesenskolistje/zdruzeno_listje_sporocilo.doc> (last accessed on October 25, 2004).

[8] <http://www.kiberpipa.org/~nenato/izbrisani/> (last accessed on October 25, 2004).

[9] For example, in the protests against the war in Iraq, "white overalls symbolised Bush's innocent victims, and the added red colour stood for the blood spilled in the territories of the former Babylon through the use of the sophisticated military technology of the West." (*Mladina*, October 13, 2003). In the context of the United Leaves action, white overalls symbolised the "void that was created with the erasure of thousands of people, reminding us of a white trace across a drawing left behind by an eraser." The whiteness of their costumes was thus intended to recall people "missing from society" (*Delo*, October 8, 2003).

[10] Cf. our text "Gestic Theatre," *Maska*, No. 1-2, winter 1999, p. 61-64.

[11] Quintilian, *Instiutio oratoria*, Book 11, Chapter 3 (Delivery, gesture and dress). The English quotation is taken from the text available at http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Quintilian/Institutio_Orat oria/home.html (last accessed on December 21, 2004).

[12] John L. Austin, *How to Do Things with Words*, Oxford University Press, London-Oxford-New York 1976, p. 6.

[13] We should add here that, for the first time, among the participants in this direct action there was one erased person, actually the president of the erased residents' association.

[14] Cf. Werner Hamacher, "Afformativ, Streik," in: C. L. Hart Nibbrig (ed.), *Was heißt "Darstellen"?*, Frankfurt am Main 1994, p. 340-371 and Hans-Thies Lehmann, *Postdramsko gledališče* (Post-Dramatic Theater), Maska, Ljubljana 2003, p. 301 and 302.

[15] Although this was not an artistic action, but a direct one, it is possible to identify the "radical tautology of the event" as we know it from certain modern theatre performances which we treated in the contribution referring to the Slovenian translation of the Hans-Thies Lehmann's *Post-Dramatic Theatre* (Maska, Ljubljana 2003, p. 338). "A performative rupture thus establishes a situation in which, by means of its existence alone, it creates the conditions for its own negation: an "afformance act." The term "afformative" is a negation of the "performative" in theatre, therefore, it is a kind of non-event. However, it is precisely the performative aspect of the post-drama theatre that ensures a constellation in which a non-event becomes an event. The zero point of movement, the

unbearable silence, the unuttered word – all of these, as well as many other expressive forms encountered in the performances of the post-dramatic theatre, have a conspicuously performative force at first glance, but despite this they are events (theatrical, stage, performed events)."

[16] Cf. Michael Hardt and Antonio Negri, *Empire*, Harvard University Press, Harvard 2000, concluding section ('Activist').

[17] For example, in those variants that, in addition to using the body as "a tool for drawing," i.e. as a substitute for a paint brush (e.g. live paintings by Yves Klein), also use the body as a drawing surface (e.g. living sculptures by Pier Manzoni, Günter Brus's painting of his own body, Marina Abramović's skin incisions of political symbols etc.).

[18] "When 45 Marin County, California women were photographed on November 12, 2002, forming the word PEACE with their naked bodies, it struck a deep chord around the world. Our exposure of the vulnerable human flesh we all share has created a powerful statement against the naked aggression of our country's policies. More than 170 nude and clothed pro-peace actions have since taken place across the U.S. and around the world." <http://www.baringwitness.org/> (last accessed on October 25, 2004). A picture showing the "No war" message appeared in *Maska*, No. 1-2 (84-85), winter-spring 2004, p. 9.

[19] A series of objects arranged in the shape of recognizable graphic units also call to mind messages drawn by using stones – for example, the inscription "Tito" on a hillside on the Slovenia-Italy border that recently again attracted wide attention. Cf. <http://www.mladina.si/tednik/200421/clanek/slo-tema-mateja_hrastar_vanja_pirc/> (last accessed on October 25, 2004).

Although this type of inscription may be very provocative (much like graffiti are provocative), the use of the body as a constitutive part of a graphic unit forming a political message always attracts special attention, and in principle it has more weight than the use of 'dead' objects.

[20] This appeared in the most conspicuous place within the domestic politics section of the *Delo* (page 2, top centre part) and was accompanied by a large photo (17 cm by 13 cm). Cf. Barbara Hočevar, "Akcija v podporo izbrisanim: Združeno listje posuto po prostorih združene liste" (Action in Support of the Erased: United Leaves Scattered Across the Premises of the United List), *Delo*, October 8, 2004.

[21] Here we have in mind the use of this term in non-Anglophone countries, since only in this context does the term performance have the status of a "technical term." In English, the scope of this notion is much wider, since in addition to the cultural sphere, it also includes organisational and technological spheres at the least. For more, see John McKenzy *Perform or Else: from Discipline to Performance*, Routledge, New York 2001.

[22] For more on the "political logic of culturalisation" cf. the inspiring essay by Boris Buden "Politička logika kulturalizacije: beogradske demonstracije 1996/1997" (Political Logic of Culturalisation: Belgrade Demonstrations 1996/1997," in: Boris Buden, *Kaptolski kolodvor*, Centar za savremenu umetnost, Beograd 2002; also, cf. our interview with B. Buden in: Barbara Borčič and Saša Nabergoj (eds.), *World of Art, year 5 & 6: Strategies of Presentation 2 & 3*, SCCA, Ljubljana 2004, p. 20-31.

[23] Lado Kralj, *Teorija drame* (Theory of Drama), DZS, Ljubljana 1998, p. 47.

[24] RoseLee Goldberg, *Performance art: from Futurism to the Present*, Thames and Hudson, London 1990 [first edition: 1979], p. 9.

[25] Marvin Carlson, *Performance: a critical introduction*, Routledge, London and New York 1996, p. 1.

[26] As regards the issues of ritual and its possible links with theatre and performance, Schechner's essay "From ritual to theatre and back: the efficacy – entertainment braid" is undoubtedly the crucial chapter of his book *Performance Theory*, 1977 (quotations are taken from this essay if not stated otherwise).Turner's essays dealing with this subject are collected in *Ritual to Theatre*, 1982 (quotations are taken from this book).

[27] Carlson, ibid., p. 2.

[28] Cf. our essay "Ritual in gledališče" (Ritual and Theatre), in: Jože Vogrinc et al. (ed.), *Prestop: Spominski zbornik Iztoka Sakside – Saxa*, Oddelek za sociologijo kulture, Filozofska fakulteta Univerze v Ljubljani, Ljubljana 2000, p. 403-428.

[29] Jack Goody, *Representations and Contradictions: Ambivalence towards Images, Theatre, Fiction, Relics and Sexuality*, Blackwell Publishers, Oxford 1997, p. 131. On page 259 one can read: "There are dangers in including ritual and theatre (or even drama) in a single category of performance (though there are obvious overlaps and similarities), because the nature of participation, the views of the actors, are different. In ritual you *are* the archbishop. In *Murder in the Cathedral* you *mimic* his nature, you take on a role. And that process is again different from unstructured mimicry outside the theatre."

[30] Similar arguments can be found among theatre theoreticians who have dealt with the notion of "theatricality." One of the earliest, and influential, attempts was Elizabeth Burns' *Theatricality: a study of convention in the theatre and in social life*, 1972. Later, this subject was extensively treated by Josette Féral, who in 1985 published a compendium of writings dealing with this topic titled *Théâtralité, écriture et mise en scène*. For a critical reading of both authors cf. Maja Breznik's contribution "Teatralnost" (Theatricality), *Maska*, No. 3-4, summer-autumn 1998, p. 67-68.

[31] Schechner, ibid., p. 120.

[32] Turner derived his theory of "social drama" from Gennep's theory of "rites of passage" (Arnold van Gennep, *Rites de Passage*, 1908). Essential to Turner's theory of "social drama" is Gennep's view that, first, the rites of passage usually occur at "milestone moments" in life, i.e. moments that are dramatic for a member of a society; second, at the time of such a rite, the subject of the rite is physically separated from other members of society, meaning that the rites of passage take place in the area of the unusual, of milestone events, outside the currents of everyday life, in short, they are dramatic. Since Turner thus holds that rites of passage take place in the arena of dramatic events, he looks for the roots of performance in ritual, and conversely, he identifies analogies with ritual within performance. Accordingly, he states that he perceives ritual as performance rather than as rules and prescriptions. His presumptuous, but unfortunately not well-grounded analogies between ritual and theatre (i.e. performance) earned him several pieces of sharp criticism (e.g. by Cliford Geertz, as well as his teachers Max Gluckman and Raymond Firth). This criticism could be briefly recapitulated as follows: by using the term 'drama' as representing a universal, "supra-temporal" category, Turner

enforces the use of a cultural schema that is determined by the characteristics of a particular, historically defined artistic genre.

[33] In this sense, Schechner's notion of 'performance' is similar to the notion of 'social fact' as understood by the anthropologist Marcel Mauss: Schechner's performance is inevitably topic, because it emerges at the cross-roads of various social "symbolic registers," but both forms of manifestation of performance, i.e. ritual and theatre, are topic in themselves, since they are the phenomena of aesthetics (theatre) and magic, i.e. magical/ritualistic practices (ritual). In proposing this definition, we lean on Rastko Močnik's foreword to Mauss's selected writings in which he describes the double topic structure of the concept of "social fact." (*Cf.* Rastko Močnik, "Marcel Mauss – klasik humanistike" ('Marcel Mauss – A Classic Author in the Humanities'), in: Marcel Mauss, *Esej o daru in drugi spisi*, ŠKUC-Filozofska fakulteta, Ljubljana 1996, pp. 272, 273)

[34] The essay was published under this title in 1992 in a book edited by Janelle G. Reinelt and Josepha R. Roach, *Critical Theory and Performance*, The University of Michigan Press, Ann Arbor, p. 88-106; a slightly modified version was published under the title "The street is the stage," as Chapter 3 of Schechner's *The Future of Ritual: Writings on Culture and Performance*, Routledge, London and New York 1993, pp. 45-93.

[35] Baz Kershaw, *The Radical in Performance: Between Brecht and Baudrillard*, Routledge, London and New York 1999, p. 108.

[36] Cf. Jan Cohen-Cruz, *Radical Street Performance: An International Anthology*, Routledge, London and New York 1998.

[37] By way of illustration let me quote a short passage from the proposal for the organization of a May Day parade on the streets of Moscow written by this section and published in *Vestnik teatra* (Theatre Courier), in February 1920 (the English translation appeared in the collection of documents of the Russian revolutionary theatre *Street Art of the Revolution*, eds. Vladimir Tolstoy, Irina Bibikova and Catherine Cooke, Thames & Hudson, 1990; the following quotation is taken from the anthology by Jan Cohen-Cruz, ibid., p. 19): "The task facing the Section of Mass Performances and Spectacles from the first moment of its activity has been to work out the first scenario of mass action, and to work out a magnificent drama in which the whole city would be the stage and the entire proletarian masses of Moscow the performers. [...] The content of the festivities is to be the history of the three Internationals. The proletariat, having travelled in the course of history the path of socialism via three internationals, must travel this path during the May Day celebrations in theatrical forms, giving a vivid portrayal of the great achievements of the October Revolution, the Soviet system and of the transition to forms of socialist life...The overall task of this decorative plan is to imagine the Communist city of the future. All the squares on which the action is to take place will be named after sciences and arts. For example, Geography Square – with a huge globe on which the continents are painted in the red shades of a flaming world revolution – Astronomy Square, Political Economy Square, and so on."

[38] Cf. Mikhail Bakhtin, *Rabelais and His World* [1940], Indiana University Press, 2d ed., Bloomington 1984 and *Problems of Dostojevsky's Poetics* [1929], University of Minnesota Press, Minneapolis 1984.

[39] Cf. Erwin Piscator, *Das Politische Theater*, 1929 and Siegfried Melchinger, *Geschichte des politischen Theaters*, 1971.

[40] "By the end of the twentieth century a plethora of innovative practices could be grouped around these broad headings, including community theatre, grass roots theatre, feminist theatre, women's theatre, lesbian theatre, gay theatre, queer theatre, black theatre, ethnic theatre, guerrilla theatre, theatre in education, theatre in prisons, disability theatre, reminiscence theatre, environmental theatre, celebratory theatre, performance art, physical theatre, visual theatre and so on." (Kershaw, ibid., p. 59).

[41] Patrice Pavis, *Gledališki slovar (Dictionary of Theater)*, MGL, Ljubljana 1997, p. 28, p. 323.

[42] Cf. Bertolt Brecht, *Dijalektika u teatru (Dialectics in Theatre)*, Nolit, Beograd 1979, p. 94, p 99.

[43] Terry Eagleton, "Brecht and Rhetoric," *New Literary History*, Vol. XVI, No. 3, spring 1985, pp. 636-637.

[44] The biggest "democratic deficit" in the ten years or so of parliamentary democracy in Slovenia occurred when taking a historical decision – that Slovenia should join NATO. Since all parliamentary parties, with the exception of one or two completely marginal parties that played the role of political clowns, supported accession to NATO, and since the referendum showed that despite the government's aggressive pro-NATO campaign approximately one third of the voters were against Slovenia's joining, we had to confront an unpleasant fact – that the multi-party representational system failed when it came to taking a decision on an important question. In other words, being not represented by any (serious) parliamentary party, one third of all voters was not given the

chance to present in Parliament their arguments in support of their views.

[45] Roman Jakobson, "Dva vidika jezika in dve vrsti afazičnih motenj" (Two Aspects of Language and Two Types of Aphasic Disturbances) [1954], in: ibid., *Lingvistični in drugi spisi*, ŠKUC/ Filozofska fakulteta, Ljubljana 1989, p. 98, p 101.

[46] Cf. "Pobarvani predsednik – Napad na predsednika Svetovne banke nas je uvrstil med razvite države« (Daubed President – Attack on the President of the World Bank Earned Slovenia Membership in the Group of Developed Countries), *Mladina*, March 22, 2004, p. 29.

[47] One detail they overlook here, is the fact that "in 2003 the number of complaints [regarding the violations of human rights in police procedures] addressed to the (Human Rights) Ombudsman increased by almost 70% compared to 2002, while the number of complaints addressed to the police increased by only 7.1% compared to the previous year (Katarina Zidar, *Nadzor nad policijo in reševanje pritožb zoper njeno delo*, Amnesty International Slovenije, Ljubljana 2004, p. 119).

[48] Roman Kuhar, "Primer Cafe Galerija" (The Case of Cafe Galerija), in: *Intolerance Monitor No. 1* (ed. Brankica Petković), Peace Institute, Ljubljana 2001, p. 172 (our italics).

[49] Regarding the aporia of tolerance cf. the thematic issue of *ČKZ* journal, No. 164-165/1994, e.g. a text by Tonči Kuzmanić "Postsocializem in toleranca ali Toleranca je toleranca tistih, ki tolerirajo – ali pa ne!« (Post-Socialism and Tolerance, or, Tolerance is the Tolerance of Those Who Tolerate – or Not So!) in which the author says (p.178) that "tolerance is a kind of social

relationship in which we have not tolerance between the equals, but (in)tolerance of the minority by the majority." For a better understanding of modern movements for "more just globalisation" inspirational reading may be a text by Rastko Močnik "Strpnost, sebičnost in solidarnost" (Tolerance, Selfishness and Solidarity) that appeared in the same issue of *ČKZ* (pp. 143-163).

[50] Louis Althusser et al (ed. Zoja Skušek-Močnik), *Ideologija in estetski učinek (*Ideology and Aesthetical Effect*)*, Cankarjeva založba, Ljubljana 1980, p. 8.

[51] For more on the concept of moral panic see: Gregor Bulc, "Afera Strelnikoff kot moralna panika" (Strelnikoff Scandal as Moral Panic), *ČKZ*, No. 195-196, 1999, p. 201-224.

[52] Herbert Marcuse, "Represivna tolerance" (Repressive Tolerance), *ČKZ*, No. 164-165, 1994, p. 101 (Marcuse cites a book by Edgar Wind, *Art and Anarchy*, as a source of the image of the art market as 'complacent receptacle, a friendly abyss'). English quotation in this text is taken from the text available at http://www.marcuse.org/herbert/pubs/repressivetolerance1965.htm (last accessed on December 21, 2004)

[53] Regarding the adaptability of capitalism to social and art criticism, cf. Luc Boltanski and Eve Chiapello*, Le nouvel esprit du capitalisme*, Gallimard, Paris 1999.

[54] Gregor Bulc, "Afera Strelnikoff kot moralna panika" (Strelnikoff Scandal as Moral Panic), *ČKZ*, No. 195-196, 1999, pp. 201-224.

[55] "Insulting remarks in scientific, literary or artistic works, in serious criticism, while performing official duty, journalistic tasks, political or other social activities, defending a right or protecting

justified benefits, are not punishable if the method of expression or other circumstances demonstrate that the purpose of the insulting remark was not to disparage." (Penal Code of the Republic of Slovenia, Article 169, paragraph 3).

[56] For more details on *Mag*'s writing see Bulc, ibid., p. 214, p 215.

[57] Protection of cultural heritage is a duty stipulated also by Article 73 of the Constitution: "Everyone is obliged in accordance with the law to protect natural sites of special interest, rarities and cultural monuments."

[58] Cf. a letter by the Železniki municipality of June 4, 2004. The basis for this resolution were two resolutions adopted by the Železniki municipality Council at a session on September 24, 2003. In resolution No. 105/03 we find the description of the event in Koper Cathedral, which presumably met with "general condemnation" in the municipality, followed by a point which includes elements of a cultural and artistic essay: "Individuals from this society, whose name even includes the term 'cultural', are certainly not aware that they were trampling down the symbol of Slovenian culture and freedom, while harming the reputation of the municipality and town of Železniki. The councillors of Železniki municipality, which co-funded the society, did not allocate that money for shameful actions, but for cultural activities." This is followed by Resolution 106/03, which gave substance to the moral teaching from the previous resolutions: "Societies, sections, groups or individuals who, through their activities, damage the reputation of Železniki municipality, are not entitled to receive funds for their programs and projects from the municipality budget."

[59] The quotation is taken from the text "Zaradi zvonov ob denarna sredstva" (No More Funds Because of the Bells), *Delo*, October 9, 2004.

[60] Quotations from this MP's question are taken from the text "Drobnič zgrožen nad 'packarijo'" (Drobnič Horrified at the 'Jumble'), *Mladina*, July 8, 2002.

[61] Cf. "Break 21 toži Drobniča" (Break 21 Sues Drobnič), *Mladina*, July 15, 2002. Here we would like to present some qualifiers that Adolf Hitler used in his defamatory speeches referring to the German avant-garde art (any similarity with the terms used by MP Drobnič is accidental): "degenerate art," "so-called 'artists'," "poor men worthy of pity," "uncultural nonsense," "artistic evil-doers," "miserable chatterboxes" etc. (Cf. Aldo Milohnić, "Nazi-modernizem" (Nazi Modernism), *Revija 2000*, No. 73-74, 1994, p. 119-131; quotations from Hitler's speeches in: Milohnić, *Avantgardna umetnost, totalitarizem in država* (Avant-garde Art, Totalitarianism and the State), diploma work, FDV, Ljubljana 1992, p. 69.

[62] Cf. "Provokatorji množic" (Provoking the Masses), *Mladina*, July 21, 2003.

[63] In addition to the attempts already mentioned, we could also list some other cases: for example, the temporary suspension of the funding of Marko Brecelj's youth cultural center MKC after Boris Popović became the mayor of Koper (Popović's competitor in the elections was Marko Brecelj). As regards the termination of funding of the cultural society ROV from Železniki, the court proceedings are still underway. However, the plaintiffs have strong arguments and they are represented by strong and successful

lawyers, so the combination of these factors could lead to their victory in court.

[64] The crucial provisions are found in Articles 174 and 175 of the Penal Code; Article 174 stipulates a fine or a prison sentence of up to one year for publicly defaming the national flag, coat of arms or anthem, while Article 175 stipulates the same sanctions regarding the symbols of other states.

[65] The authors who gravitate towards the concept of "action art," and deserve a serious analysis sometime in the future, are, for example, Peter Mlakar (also involved in the Burning Cross project as reader of a sermon), the post-porn performance tandem Eclipse, the entire net-artivistic complex (Peljhan, Štromajer, Grassi etc.), and many others. It has to be emphasised that the author does not aim to present a complete overview, but to develop several hypotheses that could be used in future considerations of these practices.

[66] A statement by Goran Bertok in the *Mladina* weekly, August 5, 2002, "Verska čustva in goreči križ" (Religious Feelings and the Burning Cross).

[67] "Fluxus is an emancipatory project because it endeavours to achieve individual and social changes that are realized through the aesthetisation of everyday life and de-aesthetisation of art. Fluxus engages artists, non-artists, anti-artists, engaged and apolitical artists, poets writing non-poetry, non-dancers who dance, actors and non-actors, musicians, non-musicians and anti-musicians." (Miško Šuvaković, *Paragrami tela/figure*, CENPI, Beograd 2001, p. 41).

[68] A lecture on this case was delivered by Claire Pentecost and Brian Holmes, on September 4, 2004 in Ljubljana. The text by

Claire Pentecost is available at <http://www.memefest.org/shared/docs/theory/claire_pentecost-selections_from.doc> (last accessed on November 7, 2004).

[69] Cf. Gini Müller, "Transversal oder Terror?", in: Gerald Raunig (ed.), *Transversal – Kunst und Globalisierungskritik*, Turia + Kant, Vienna 2003, p. 129-138. An interesting observation was contributed by Jürgen Schmidt, a collaborator of the VolksTheater Karawane group, in which he describes the hybrid, border situation of their group in relation to politics and art: '"With its method the Caravan broke the dichotomy between art and politics; it seemingly took the position between both chairs while it was sceptically observed by both sides. Although within the field of art it was criticized as 'activist autonomist' and within the field of political activism it was presented as 'stupid artists', the Caravan always endeavoured to thwart this dominant logic." (Jürgen Schmidt, "another war is possible // volXtheater", in: Gerald Raunig (ur.), *Bildräume und Raumbilder – Repräsentationskritik in Film und Aktivismus*, Turia + Kant, Vienna 2004, p. 101.). This compendium also includes a contribution by Marion Hamm 'A r/c tivism in physikalischen und virtuellen Räumen', which was the inspiration for the title of this (our) article. In addition, the collaborator of VolxTheater Karawane quoted above also calls himself an 'activist and artivist'.

[70] Umberto Eco, "Ur-Fascism", *New York Review of Books*, No. 42, 22. June 1995, p. 14. Cf. also Bert O. States, "Performance as Metaphor", *Theatre Journal*, No. 1, 1996, p. 3.

[71] Cf. Jure Stojan, "Sublimni cinizem: esej o postmodernem terorizmu" (Sublime Cynicism: an essay on post-modern terrorism), *Maska*, No. 78-79, winter 2003, p. 52-58.

[72] Cf. "Verska čustva in goreči križ" (Religious Feelings and the Burning Cross), *Mladina*, August 5, 2002.