

Giant Step

reflections &
essays

on institutional
critique

Giant Step

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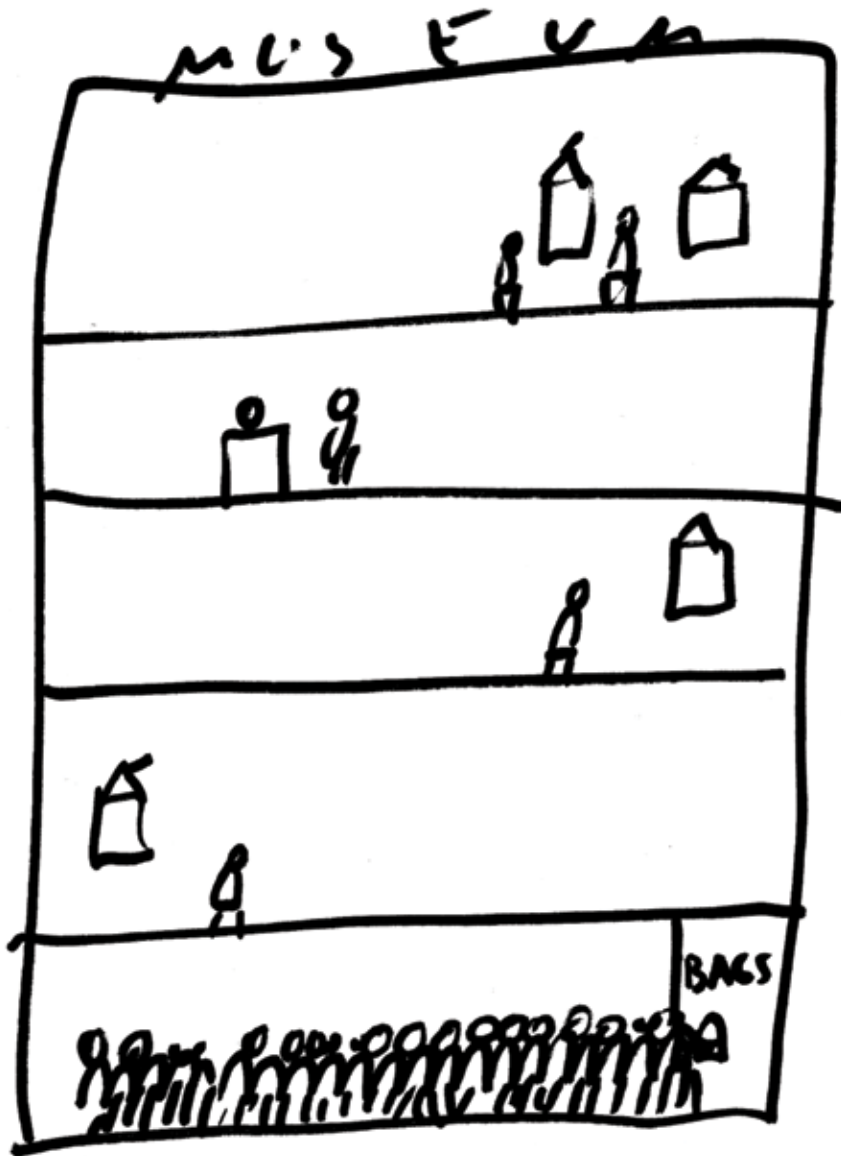


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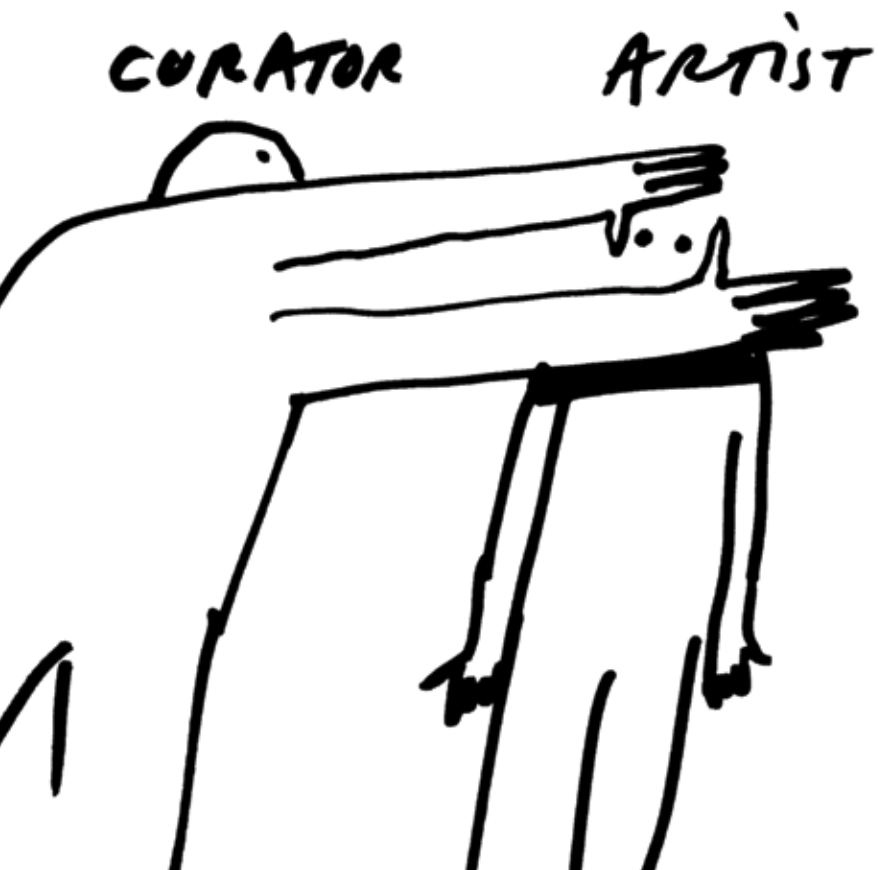
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Introduction: Art and Society

At the heart of the controversies concerning the political economy of art, including the instrumentalization of art in gentrification processes and the question of the state subsidy of the arts, is a struggle over the relationship between the individual and the social body. Concepts like community, society, nationality and humanity are often deployed in conservative and liberal affirmations of art's social function, leaping from the individual to the universal in one giant step. Somewhat smaller steps tend to be taken by critical commentators, linking individuals to class, race, gender and other fragments of the social whole. Art, therefore, either appears as the representative of universal culture, which is ideological, or appears as the specific culture of a class, race, gender and so on, which is contingent. When both arguments are combined, then art appears sociologically as the culture of a dominant minority expressed as the universal culture.

A more nuanced understanding of art's social relations can be developed by examining the apparatuses through which art is circulated. The two apparatuses which dominate discussion of art's social ontology are (1) the market, and (2) the state. Art's institutions, such as galleries, museums, art schools and magazines, are typically divided into those funded and regulated by the market and those funded and regulated by the state. Rather than adopting one of the available positions within the market versus state controversy I want to consider the mode of sociality that each presupposes in order to address the social form of the public art institution. Moreover, following Habermas, I want to distinguish these

two modes of sociality with another form, namely the public sphere.

Despite the evident contrast between the mechanisms of the market (viz. individual choice constrained by supply and demand) from the mechanisms of the state (viz. laws underwritten by the monopoly on violence), they have an aim in common that is revealed by a convergence in their respective official discourses. Neoclassical economics and liberal politics share the goal of converting individual preferences into social aggregates. An aggregate of consumers is a market that is a constitutive part of an economy; an aggregate of voters is an electorate that belongs to a state: the first is called *demand*; the second, *democratic will* or *mandate*.

One form of aggregation cannot be converted into another without loss, misrepresentation and tension. Hence, economists complain that liberal democracy imposes the decision of the majority onto those who voted for an unsuccessful candidate, while pointing out that every single dollar is spent according to the preferences of the consumer. Political theorists complain that market demand neglects the interests and preferences of those without cash and, effectively, gives multiple dollar-votes to the wealthy in social decisions governed by markets. Moreover, both forms of aggregation cannot take the place of the public without misperceiving what the public is. Neither neoclassical economics nor liberal political theory can conceive the aggregate of individuals as forming a public. Proof: both turn to anonymous mechanisms as replacements for discursive exchange, making discursive exchange redundant.

Neither markets nor states produce a public. A public is a social formation constructed by discursive interaction. Consumers have cash, voters have votes, but members of a public have opinions, make judgements and hold values that they express through discursive interactions – not only through publishing well constructed arguments but also through applause, heckling, chanting and booing. If public art institutions require a public (an entity that they help to produce), then neither the market nor the state can provide it for them. Contemporary debates concerning the relative merits of markets and the state in the provision of art for society, therefore, need to be expanded, especially since both pro-market and pro-state advocates typically pass off their preferred apparatus as the embodiment of the public itself or as delivering the public interest.

Apparatuses of the Social: Market, State, Public

Public art institutions require not only a collection of consumers and voters but also a public. Public galleries and museums, as well as magazines and art schools, have relations with consumers and voters (the first buys tickets, pays fees, purchases books, food, and so on, while the latter ultimately authorise public subsidies and ratify curricula), but art institutions neither operate according to consumer sovereignty (i.e. satisfying demand with artworks and corresponding discussions that match consumer tastes), nor democratic principles (in which the wishes of the majority are granted). Questions of quality in art are not sacrificed for consumers and voters by the procedures embodied in art's public institutions, although it must be admitted that the

market and the state exert considerable pressure on them nonetheless. This means that the art museum, art school and art magazine are not primarily determined by markets or the state, but by art's public. It is only insofar as art's public influences decision-making that art can enjoy any substantial independence from markets and the state.

The difference between art's public and the social aggregates of markets and the state is expressed with some tension in concepts such as elitism and minority culture as well as the idea of art's unpopularity, its alleged illegitimate use of taxpayers' money and similar complaints. This is an uncomfortable starting point. It serves to remind us that any values that derive independently of the market and the state — neither subject to consumer choice nor the votes of the electorate — tend to appear as arbitrary, in the way that feudal power appeared to the Reformist bourgeoisie of the nineteenth century. Questions of quality in art, for instance, are often reckoned to be mere expressions of preference (economics) or interest (politics), rather than as arising out of judgements rooted in and measured against extended collective debates. The reduction of the public sphere into the terms of economic and political aggregations testifies to the fact that not enough has been done to topple discourses of the market and the state from their dominant position within the academic and popular culture.

Insofar as the market and the state dominate social decision making, public institutions face certain practical difficulties that arise from organising themselves around publics instead of market and political constituencies. Insofar as that which

goes by the name of *the artworld* holds sway within art's public institutions, then those institutions will conspicuously fail to organise themselves as the markets and the state would like. The art public, which is not reducible to the aggregates of consumers and voters, finds itself either outside of the processes by which resources are allocated or must address the market and the state in the terms of the incentives and interests of those aggregates. In fact, since many of the resources on which art's official public institutions depends tend to be distributed by the market or the state, the primacy of art's public in decision-making and judgement about art establishes a permanent antagonism between art's public institutions and the institutions with which they must negotiate.

Thinking the Public: The Liberal Critique of Markets

The concept of the public remains seriously disadvantaged in relation to the aggregates of markets and the state in modern societies, but the public has not gone unnoticed or un-theorized. Since Habermas, we can say we have a substantial and serious tradition of thinking about the public in relation to the public sphere. However, this tradition has not successfully dislodged the aggregates of the market and the state in the discussion and assessment of art's relationship to society. One of the reasons for this failure is that the tradition of the political theory of communicative action has been based on distinguishing this style of politics from class-based politics and statist socialism, rather than focusing on the essential distinction between the public sphere on the one hand and the *steering media* of market and

state on the other. I will show this, briefly, by looking at three leading communitarian moral philosophers who provide a rough map of the politics of communicative action in relation to market forces and state power.

Iris Marion Young's case for deliberative democracy is usually contrasted with bureaucratic, technocratic and liberal-individual modes of social organization, decision-making and management, not the market and the state. Young has examined 'ways that individuals can think about their responsibilities in relation to global social structures',¹ including political and economic structures. Young speaks of *political responsibility*, extending Hannah Arendt's use of that term, in relation to the economic phenomenon of *sweatshops*, for instance, especially in cases where third world states are too inept or corrupt to impose the correct regulations on factory owners.² This version of political responsibility has been effective, she explains, with examples of organised consumer boycotts, especially through large institutional customers such as universities. Since deliberative processes are systemically eliminated from market mechanisms, it is not much of a stretch to imagine her thinking as a confrontation between market, state and discourse. However, Young fashions a conception of the production of ethical or political value that is in practical harmony with the capitalist system it confronts since it achieves its ends through market mechanisms.

Nancy Fraser responds to what she calls *marketization*,³ with an egalitarian politics of redistribution and an emancipatory politics of recognition. Emancipatory politics, in

Fraser's account, is not a confrontation with the institutions of capital and state, but a cultural project of recognition independent of money and power. What is hedged, here, is how the independence of the public sphere from money and power can be established and maintained as a real, rather than a formal, condition. If markets and the state actually hold a dominant place within society then the public sphere will have to do more than differentiate itself from a politics of redistribution or else it will find itself crushed by market forces and state priorities. And the dominance of state and economic forces is shored up even further by Fraser's insistence that Habermas' distinction between the *system* and *freeworld* is not a *substantive institutional distinction* (that is, markets and state apparatuses on one side and the institutions of the public sphere on the other), but an *analytical distinction of perspectives*. Separating economic questions of distribution and redistribution from political and ethical questions of recognition and cultural identity is preferable to economic determinism, in which the latter merely reflect the former, but this separation does not tackle the hegemony of economics over the reduced forces of discursively produced values.

Michael Sandel approaches the question of 'commodification, commercialization and privatization'⁴ in ethical terms. Is it wrong for students to tip their tutors? Is it wrong to ask someone to sell their kidney, their sperm, their baby, their vote, the window space of their book shop— or, we might add, the exhibition space of their gallery? What is wrong with prostitution, exactly, and why not companies

make a profit from running prisons? Sandel is interested in *the moral limits of markets*, which means his theory, unlike Fraser's, directly confronts economic hegemony and neoliberal doctrine. He has two objections to market forces: coercion and corruption. The first 'points to the injustice that can arise when people buy and sell things under conditions of severe inequality'⁵ and relates to the moral idea of consent, while the second 'points to the degrading effect of market valuation and exchange on certain goods and practices' and relates to the moral importance of the good at stake. Sandel argues that 'it is reasonable to question the idea that all goods can be captured in a single measure of value.'⁶ He is referring to the prices set by markets. The vital importance of the public sphere will not be vindicated by restricting the tensions between economics, politics and publics to special cases of coercion and corruption — i.e. examples in which free market enterprise and democracy fail their own standards.

By and large, the critique of markets by liberals informed by Habermas' concept of the public sphere rejects the politics of resisting markets and the state along with their philosophical rejection of market relations and power relations as adequate accounts of community. This has resulted in the blunting of the public sphere's antagonism to money and power, especially the difference between social aggregates and publics formed through debate, dissent and discursive exchange. Craig Calhoun, in his introduction to the book, 'Habermas and the Public Sphere', is right to point out that 'money and power are non-discursive modes of coordination',⁷ but the issue is not limited to the question of how to think of discursive coordination formally but how

these different modes of coordination intersect in real situations. Rather than object to marketization and commodification from an ethical or political point of view, or speculate about the character of the public of public institutions as a separate entity with its own theoretical framework, we need to examine the confrontation between the public of the museum and both the market and the state.

Public Subsidy: Economics

The public art institution is one of the key sites that bring together the public with the market and state into a tense confrontation. What makes a public art institution public is not that it receives state funding. On the contrary, when an institution is awarded state subsidy, this is a recognition of its apparent record in providing services to the public. As such, the public sector of the economy (state funded activities) should not be conflated with the public sphere (the production of publics through discourse) but the two become entwined in cases where public subsidy is forthcoming as a result of achievements in the formation of publics.

Politically, the public sector is a portfolio of institutions, services and infrastructure that have been designated as in the public interest and, typically, therefore in receipt of state funding or subsidy. Economically, welfare economics has devised various rationales for public funding, including a battery of special concepts such as *market failure*, *externalities*, *public goods*, *social goods* and *merit goods*. Between the 1940s and the 1970s these economic concepts

aided politicians in implementing and extending the welfare state.

Since there is no way for the market to ensure that those who pay for flood-control, the fire service and the military are protected while those who refuse to pay or can't pay will not be protected, then 'social wants of this kind', Richard Musgrave argued in the 1940s, 'cannot be satisfied through the mechanism of the market.'⁸ Ruth Towse says these features of non-rivalry and non-excludability 'make it unlikely that private for-profit firms will produce public goods.'⁹ Economically, therefore, public provision takes over, in principle, where the market fails to provide goods that are socially valued but incapable of producing profit. These economic concepts are expressions of the conflict between the political and economic as contradictory modes of power, with their distinctive mechanisms of decision-making and class dynamic.

In the 1970s Tibor Scitovsky said we 'need to reclassify satisfactions according to some principle which will separate the economic from non-economic.'¹⁰ When we wash, dress and take care of the house, for instance, he says, we satisfy ourselves in a way that is 'beyond the range of the economic accounts'.¹¹ But the difference between the economic and non-economic is not based on the difference between self-satisfaction and satisfactions derived from others. The consumption of goods and services provided by others, he says, 'may or may not be economic satisfactions, depending on whether or not they go through the market and acquire a market value in the process. Passage through the market is the

criterion: whatever passes through the market belongs in the realm of economics.'¹² Scitovsky adds that labour itself 'which produces market goods may be an economic activity, but the satisfaction the worker himself gets out of his work is not an economic good.'¹³ In another instance of production that is simultaneously economic and non-economic, Scitovsky says that artists are often cut off from demand, 'often not producing what the consumer wants.'¹⁴ Therefore 'one of the producers to whom consumers relinquish initiative is the artist.'¹⁵ Although Scitovsky romanticises the artist, his distinction between the economic and the non-economic helps to clarify the complex relationship between art and its non-market circulation as based on the values that are attached to art through discursive exchange.

However, economists since the 1970s, especially neoliberals, have whittled away at the list of genuine public goods, and complain that many alleged public goods can be provided by the market at a profit and therefore their public subsidy cannot be justified. The case for public subsidy, which began with welfare economics making the case that certain goods ought to be available to all without direct cost, has been reduced to a technical question of market failure. The methodological distinction between positive and normative economics is added to this, making welfare economics appear to fall short of the requirements of economic science. Nowadays the range of arguments and circumstances that once demanded the differential concepts of *public goods*, *social goods* and *merit goods*, has been reduced to a rather puny and technical definition of *public good*. Public goods, according to economic

doctrine, are non-excludable and non-rival in consumption. Non-excludability means it is impossible, improbable or impractical to prevent others from having access to a good (for example, the provision of clean air cannot be withheld from those who do not pay their taxes, and the same is true for flood control, clean streets, the judiciary and the armed forces). Non-rivalry means that the good can be enjoyed without reducing its capacity to be enjoyed by others (for example, looking at an artwork, swimming in the sea, reading an ebook).

Alan Peacock, who pioneered the neoliberal approach to art, began his career in the economics of art within welfare economics and argued for state intervention in the arts, heritage and broadcasting with reference to market failure in relation to the unexpressed demands of future generations, as well as the non-economic goods of *national cultural standards* and *social cohesion*. Peacock was among the first economists to take an increasingly heightened and increasingly negative view of the public subsidy of the arts. The problem, he said, is that some appointed authority decides on our behalf what we want or, worse still, what we ought to want. Anyone who believes in the unrivalled efficacy of market mechanism to allocate resources according to the subjective preferences of consumers looks upon state subsidy as an interference. 'Some properties of the arts and culture are true public goods in the economic sense, such as shared history, cultural history and language',¹⁶ Ruth Towse concedes, before reigning welfare economics in, saying, 'but far and away the majority of goods and services in the cultural sector are not public goods; they are rival (the more

for you, the less for me) and access to them can be limited to those who have paid an entry charge or subscription (they are excludable).'¹⁷ The argument that certain goods such as art ought to be free to all is replaced with the argument that whichever cultural goods can be feasibly allocated according to market mechanisms ought to be subjected to market disciplines. She provides the standard rationale for such thinking as follows, 'Of course, a cultural organisation can choose to let some people in for free, say children, or to give their product away (such as a 'free' newspaper). Even if 'free' goods and services are supplied by a public organisation, though, they are nevertheless 'private' goods in the economic sense unless they have the specific combination of non-rivalry and non-excludability, and it is important to distinguish publicly supplied goods from public goods.'¹⁸

Mainstream economists today approach the question of public subsidy in two ways. The first is to establish the economic concept of a public good, and the second is to examine the behaviour of public policy makers in terms of the private incentives, satisfactions and preferences that they express in legislation, which is called public choice theory.

According to Ruth Towse: '*Public choice theory analyses the incentives to politicians and bureaucrats to behave in certain ways. It explains why public employees act in their own interests rather than those of the public they are supposed to be serving. The public ownership and control of cultural provision, the granting of public subsidies and regulatory controls all enable politicians and bureaucrats to exercise their power and influence. This can explain some*

otherwise seemingly anomalous behaviour: for example, public museums all over Europe close on Mondays to suit the needs of the employees rather than those of visitors.’¹⁹

Public choice theory collapses the problem of the conversion of subjective preferences into a social aggregate by asserting that political representatives are led by their own self-interests rather than the communities they formally represent. Worse still, public choice theory presupposes behaviour to be determined by private preferences to such an extent that the public as a collective body shaped by discursive exchange disappears altogether.

Public Subsidy: Politics

Public subsidy is at once an economic and a political choice. That is to say, if there is only an economic case for the provision of a given good, then the market can be relied on to provide it. Public subsidy is not required to step in unless the market fails in some way to allocate resources adequately. This means that even though public subsidy is necessarily an economic activity, it is not driven by economic but political considerations. Economists can judge the economic viability of state expenditure, not only advising on what can be afforded but also the *opportunity costs*, externalities and multiplier effects of any chosen expenditure. However, economists are in no position to advise on the merits of what should or should not be subsidised, as these are political questions. Economists of the neoliberal variety overcome this problem, to a certain extent, by counselling policy-makers to do away with a great proportion of public subsidy on the

basis that it interferes in the efficient operation of the free market. While such advice might appear to be economic, it is always political and therefore involves the economist, either unwittingly or cynically, entering politics.

One of the most suggestive economic concepts that deliberately and provocatively imports politics into economics is that of ‘merit goods’. At the end of the 1950s, the welfare economist Richard Musgrave argued that the main allocative objective of public finance is to provide resources to the satisfaction of public wants, social wants and merit wants. The difference between these three wants is due to the manner in which they are justified. Public wants can be justified by appealing to externalities and market failure, especially non-rivalry and non-excludability. Merit wants cannot be justified on these terms. Even if it is possible for the market to provide such goods as healthcare, policing and the education, the concept of merit good allows public provision on political grounds. Merit goods are items that benefit from public subsidy for normative reasons. Musgrave specifically argued that merit goods were those goods which people should be able to consume not only regardless of the ability to pay but also regardless of preference.

Merit wants can be supplied by the market and consumed in the standard way, but there is a case for arguing that everyone ought to enjoy the good equally nonetheless. Merit goods are not supplied by the state in response to market failure, but in response to political problems arising from market success. The controversy over merit goods is tied up with its flouting of consumer sovereignty. Merit goods, which

are publicly funded to ensure universal, equal and free consumption, contradict consumer sovereignty. The suspension of consumer sovereignty that the concept of merit goods requires strongly indicates that another (non-economic) form of sovereignty takes precedence. In his discussion of social wants, Musgrave asks a searching question: 'Since the market mechanism fails to reveal consumer preferences in social wants, it may be asked what mechanism there is.'²⁰ The answer, as he puts it, is voting. Voting reveals preferences that markets cannot. Consumer sovereignty has no part to play in allocation of merit goods because the decision to produce them for universal consumption is taken by democratic representatives. There is no economic rationale for the funding of merit goods; the case for public funding derives from norms at large in society, or perhaps that part of society that has effective sway over policy makers. In fact, merit goods might be best understood as a concept that approaches economics from the perspective of political priorities. Economics has no methods to predict such priorities and market mechanisms are incapable of allocating them in the desired magnitudes (i.e. universally and equally).

So, in the case of merit goods, interference with market mechanisms is based on values attributed to a good independent of subjective judgements of utility by consumers at large. In other words, it is the precondition of the concept of merit goods that they do not conform to the standard pattern of neoclassical supply and demand. Merit goods, which are publicly funded to ensure universal, equal and free consumption, contradict consumer sovereignty. Consumer sovereignty has no part to play in allocation of merit goods

because the decision to produce them for universal consumption is taken by democratic representatives. The suspension of consumer sovereignty that the concept of merit goods requires strongly indicates that another (non-economic) form of sovereignty takes precedence. This is why Musgrave warned very early on that, 'the satisfaction of collective wants should be limited because of the compulsion involved.' In his discussion of social wants, Musgrave observes that, '[s]ince the market mechanism fails to reveal consumer preferences in social wants, it may be asked what mechanism there is.'²¹ The answer is in the mechanism of democratic collective decision-making, or, as he puts it, voting. Voting reveals preferences that markets cannot.

If a good has so much merit that we believe everyone ought to be able to consume it regardless of ability to pay (and, moreover, regardless of the choice to consume it), then, it will, as a result, be exempted from the economics of supply and demand. For this reason, the economists West and McKee, who subscribe to the doctrine that markets are the most effective mechanism for allocating resources, suggest that the public supply of merit goods ought to be temporary measures only.²² They illustrate their point with the public funding of education. If, they argue, those who are uneducated are less likely to demand education in the open market, then supplying education services to them will raise their education and, presumably, show them the value of education, leading to an increase in demand for education. And they regard the fact that universal free and compulsory education still exists as proof that the merit want arguments

and the policies they have fostered have failed.

To make this assessment they first have to convert a hypothesis into a condition. Some merit goods, we might speculate, can technically be supplied by the market once the state's provision of them as merit goods has created the demand for them. However, it is a political choice, not an economic principle, that determines whether to guarantee education for all or to subject education to market forces, in which ability to pay and willingness to pay are determining forces, giving advantage to the wealthy. Even in Higher Education, which has no claim to be universal, it is a political choice to have candidates preselected by their ability to pay rather than their ability to excel. The point of recognizing and funding merit goods is to ensure that every member of society has access to those benefits that society chooses politically to be universally valuable and which society deems not to be restricted to those who can afford them.

Public Sphere: Publics Beyond Market and State

The public funding for the arts that Keynes pioneered combines the Romantic insistence on artistic independence and individuality with a revival of the Enlightenment concept of art's public and a modified role for the state within a novel economics of patronage. Historically, United Kingdom's Arts Council model develops as much out of the Humanist tradition of patronage as it does the earlier practice of religious patronage, but it also depends upon the transformation of artistic production that took place through the replacement of patronage with dealers mediating between artists and collectors. The art market is a prerequisite for

its apparent opposite, the public funding of art, but the public funding of art is not merely a bastardized form of market relation. It is based, equally, on the conception of the bourgeois public sphere and the role of collective decision-making in public affairs.

As I have noted, the question of public subsidy is not an economic question at all, but a political one. For mainstream economists, this opens up a Pandora's Box of state interference in free markets, the crowding out of capital investment and the flouting of consumer sovereignty. Public subsidy is a political choice outside the remit of professional economists, but economists are opposed to public subsidies on principle and are regarded as experts by national budget holders. Habermas, however, would look at this as Hobson's choice. If public subsidy is either economic or political, then the entire debate on the allocation of public and merit goods has been colonised by *the system* and has not been brought within the auspices of *the lifeworld*. In other words, the collective decisions have been handed over to the steering media of anonymous market mechanisms or the bureaucratic machinations of power by professional politicians.

Neoliberalism has an overwhelming desire to cut public funding for art, education, health and unemployment benefits not just because economists are philistine, elitist, uncaring and spiteful (some of them, it turns out, are not), but because neoliberal doctrine insists that free markets allocate resources more effectively than state monopolies and that market forces are more democratic than political democracy. Market utopians are frustrated by the *crowding out* of private

investment by public subsidy and put their faith in the private sector to fill any vacuum created by withdrawing public funds. Their utopianism is not merely a preference for one source of funds over another: private investment appears superior to state funding in the eyes of the enthusiasts of market forces because, ironically, they regard markets as more democratic than a democratically elected government. Their rationale for comparing the market favourably with the political processes of democratic rule must be confronted before any progress can be made in the overthrow of neoliberalism's *economics imperialism* and the fanaticism of the free market which has led not only to so much privatization but also stands behind the idea that austerity is the cure for the financial crisis.

Ludwig von Mises famously argued that dollars are democratic because dollars are like votes, with every purchase acting as a vote for some good or service. Murray Rothbard added that Mises' comparison of the market to the democratic process was unfair on the free market. In democracy, the majority decision is binding on all (the candidate who receives 51% of the votes will govern 100% of the people), hence, the free market is more democratic than democracy because every dollar counts. All those situations in which discussions are held to arrive at an agreed action — from a family deciding which movie to watch, to a dispute over the teaching of evolution in faith schools — would not be improved if they were governed by market forces. Furthermore, that the wealthy get more dollar-votes than the poor shows that the argument that markets are, in principle, superior to democracy must be indifferent to certain criteria that binds the democracy of elections, such as 'one person one vote'. Hence, in at least

one respect, we can say that as a mechanism for arriving at collective decisions, voting is more equitable than market forces. What is potentially liberating about the democratic process in relation to market forces is that the collective will can correct imbalances in power due to wealth. This kind of egalitarianism can be achieved only by suspending 'consumer sovereignty' or subjecting the consumer to the democratic will of all. But the full political critique of market forces as a method for arriving at collective decisions should not be limited to the case for democratic voting. Markets allow those with disposable income to express their preferences, but discussion allows us to reflect on our preferences and change them in the light of arguments made against them or for alternatives. Voting is required only if discussions fail to produce a consensus.

Mainstream economists distinguish the sovereign consumer not from other ordinary political individuals, namely *sovereign citizens*, but from political figures such as leaders, rulers, tyrants and officials. So, instead of pitching the sovereign consumer against its political equivalent, mainstream economists imagine *a clash between the economic power of consumers and the coercive power of the state*. This asymmetry makes it a lot easier for economists to make the standard case for consumer sovereignty as ruling out political interference. Joseph Persky is quite wrong when he says, 'consumer sovereignty is attractive because under its impartiality, producers are more easily resigned to their roles as servants of society.'²³ Producers do not serve society through consumer sovereignty; they serve capital. Consumers are consumers only insofar as they own, spend and

represent money that will realise the value of invested capital through sales. Consumer sovereignty is an expression of the dominance of capital over the production and allocation of social use-values. What about citizen sovereignty, or other forms of sovereignty not expressed through money? Mainstream economists believe markets to be superior. They are fond of the analogy, first formulated by Ludwig von Mises, one of the most fanatical pro-marketeers in history, which every dollar spent by consumers on the free market is like a vote cast in favour of a certain commodity.

We need to state the case for democracy over economics. Consumer sovereignty needs to become one of the battlefields of a new case against the neoliberal assault on art, the humanities and education. Art's institutions, I want to suggest, would be well advised today to develop a discourse in their favour based precisely on the superiority of processes of public formation rather than the assumption of the sovereignty of the consumer. It is a weakness of mainstream economics that it underestimates the merits of democratic and discursive processes for arriving at collective decisions. Neoliberal policies are therefore vulnerable, in principle, to the argument that they universalise the sovereignty of the consumer and thereby eradicate the sovereignty of the citizen or the participant in public opinion formation. This includes powerful interests such as politicians, journalists and activists of all kinds. The future of art's public institutions is dependent on a critique of the doctrine of consumer sovereignty and a defence of the sovereignty of both the political choice to fund it and the self-determination of art's publics.

There are other significant weaknesses to the neoliberal argument, which privileges the market over all other methods of mediating between individuals and the social whole, that can be exploited by the advocates of art and its institutions. One of the most important of these is the question of quality. Consumer sovereignty, insofar as the consumer is assumed, as a matter of principle, to be the best judge of commodities available in the marketplace, is a doctrine that is indifferent to questions of quality. Economists are aware of this problem and have attempted to dispel the irritating presence of issues of quality – of a type of value that cannot readily be reduced to economic value or measured by the price of an article – by claiming either, directly, that quality is nothing but a question of taste and therefore preference, or, indirectly, that consumers can have access to knowledge of quality and therefore the market can reflect such judgements. Treating art and the humanities as consumer goods that can be bought means neglecting the dimension of quality in which we speak of the experience of them being earned, benefitting from prolonged study, being augmented by close attention and rewarding effort. Consumers can buy artworks or a library full of books, but the quality of the experience is not guaranteed by the purchase. Economics has a poor track record in discussing quality and so it should be a conspicuous element of the critique of the neoliberal attack on art and the humanities.

You can find out what experts and other consumers know about the quality of a particular car or hotel and adjust your purchases accordingly. But art and education are unusual in this respect. Quality in art is only recognised, understood

and experienced through time and effort put into it. Asking what Hank and Ingrid want is a rhetorical device for making us indifferent to quality and critical self-transformation. The consumer of philosophy, too, cannot make judgements of the quality of arguments prior to purchase based on the recommendations of others. Courses designed according to student preferences or employer demand are, like consumer sovereignty generally, indifferent to quality. The alleged consumers of education (potential students or potential employees of graduates) are in no position to judge the quality of knowledge or pedagogy on offer, since students lack knowledge of the subject that they are being asked to judge, and employers have interests external to the subjects which are being taught. Quality, insofar as it is a matter of judgement, experience, opinion and taste, can be legislated (e.g. handed over to experts) or entrusted to market demand (i.e. as if the satisfaction of wants are the best way of expressing judgements of quality) or they can be subjected only to the rigours of dispute and debate within publics formed through discursive exchange. By and large these three modes of dealing with the question of quality co-exist uneasily and somewhat unhappily together in liberal democracies. Publics are often regarded as the worst of the three by virtue of being neither democratic nor bent to the sovereign consumer. Under these circumstances, simply advocating publics over market forces and political democracy is self-defeating.

Quality is central to a reconsideration of art's public institutions but it cannot be presupposed as our elitist and humanist predecessors had it. Art's public cannot be seen as that minority which safeguards the quality of art through its superior judgement and taste. Art's public must be seen as

a social platform through which questions of taste — rather than market demand or popular will — can be realised.

Conclusion

Art's public institutions are not public by virtue of their public subsidy. It is because art's institutions address the public, rather than the market or the electorate, that they have any chance of being awarded public funds. Mainstream economists are typically dismissive of the argument for the public subsidy of the arts because they have come to believe that the only justification for public subsidy is market failure. If public subsidy is not primarily an economic question at all, but a political one, then art's public institutions can be awarded state monies on account of their social merit. What's more, it is clear that the public sphere sits alongside liberal democracy and the self-regulated market as a distinctively bourgeois mode of sociality. The point is not to advocate one bourgeois social institution in opposition to the others but to show how the hegemony of economics, or the false dilemma of public subsidy as being either economic or political, is not even the full bourgeois picture. Rather than assuming the merit of art or the merit of its educated and tasteful publics, the basis for art's public funding ought to be linked to art's vigorous production and proliferation of publics. That is to say, instead of simply asserting that art is 'high' culture as the Keynesian pioneers of art's public funding did, the case for the public subsidy of the arts in the new century must be based on the understanding that questions of quality, which cannot be resolved in the marketplace or the ballot box, and must be addressed through discursive interactions in the public sphere.

This can only occur if art's institutions are public institutions. The young Marx said the first condition of the freedom of the press is that it is not a business activity. Likewise, the first two conditions of the publicness of art's public institutions is that they are subjected neither to consumer demand nor majority rule. The bourgeois public sphere is the only extant alternative, today, but we must not be limited by it.

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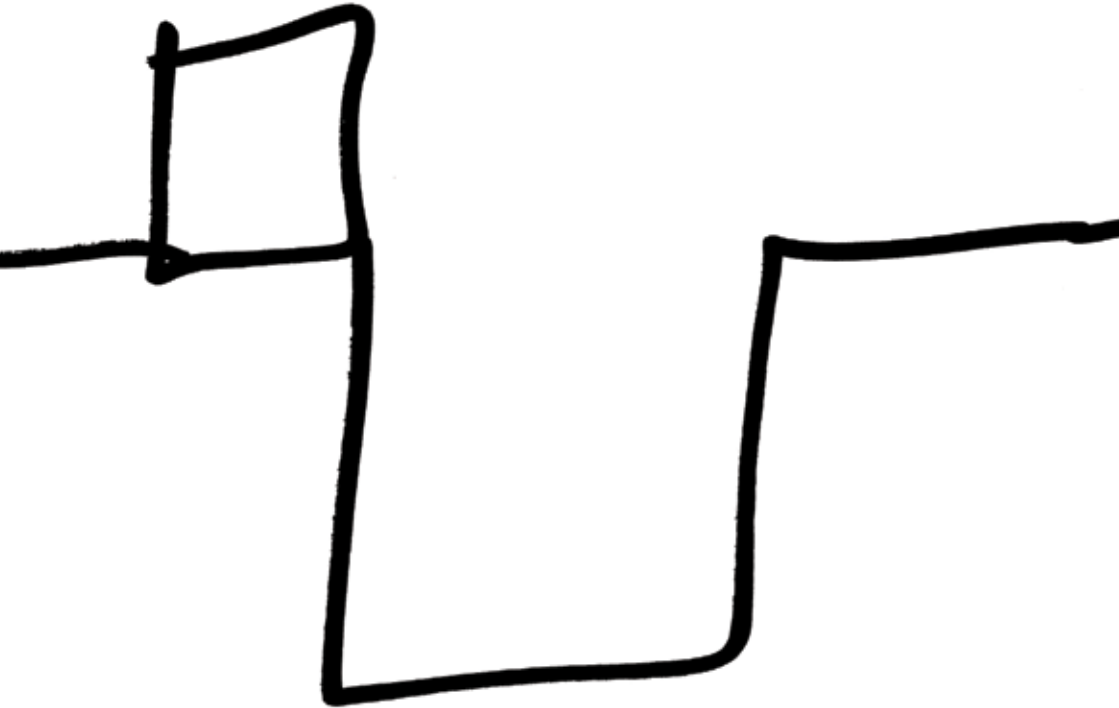
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MUSEUM



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Institutional Critique: misunderstood legacies and modes of criticality

Victoria Preston

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Giant Step | Reflections and Essays on Institutional Critique

Introduction

This paper deals with conceptual frameworks, aspects of practice and discourses about institutional critique that are still largely misunderstood and underdeveloped. Despite a plethora of publications and conferences on institutional critique and a huge expansion in the field of museological studies and literature on curating, art practices associated with institutional critique continue to be read as historicised genres.

My remarks have two main objectives. First, to expand the scope of associated practices and discourses to which its main advocates, Andrea Fraser and Benjamin H. D. Buchloh have hitherto confined institutional critique. Second, to show that practices associated with institutional critique are ongoing and relevant in that they mostly involve a positive form of criticism intended either to improve institutions or modify their functions. Specifically, I aim to question the declared historicisation, institutionalisation and obsolescence of institutional critique, and instead to argue for its relevance as a method of working or mode of practice, or as Simon Sheikh evaluates it, 'an analytical tool, a method of spatial and political criticism and articulation' (2006: np). In order to do this, I explore institutional critique in terms of various possible modes of criticality.¹

The theoretical underpinnings of the modes of criticality have their origin in practice, rather than being a priori theoretical discussions. Of central interest in each approach is the question of how the activity of critique operates on the

strategies and processes of the institution being criticised. In other words: by what mechanisms does critique create public awareness about the institution and provoke institutional responses at the structural, operational and programming levels?

The institutionalisation of Institutional Critique

Fraser's signature museum performance works have been commissioned by institutions, sometimes at her instigation. In an article published in *Artforum* in 2005, entitled, **From the Critique of Institutions to an Institution of Critique**, Fraser suggests that institutional critique has been institutionalised and has become obsolete. This may be considered a moment of self-realisation for Fraser, as well as an approach to practice, which she advocates may be applied to other artists' projects associated with institutional critique.

The position that Fraser adopts reflects both her observations of practice in general, and aspects of her own work. With respect to the latter, Fraser was producing the institutionally critical video-performance work, **Little Frank**

NOTE:

¹ The modes of criticality are developed in detail in **From Specific Interpretations to Expanded Discourses: An Investigation of Institutional Critique in Art, Curatorial and Museological practice**, a draft of the doctoral thesis developed in collaboration with the CCC Research-Based Master Programme /Pre-Doctorate/PhD Seminar critical curatorial cybermedia (2011-2012) at the Geneva University of Art and Design.

and his **Carp** (2001), while simultaneously planning a television project on the Guggenheim Bilbao, entitled **El Museo** (2000 – 2002), which was never realised. In an interview with the art historian, Yilmaz Dziewior, Fraser states her concerns regarding art institutions and the art system, which include the bureaucratisation of practice, the professionalisation of curating, the instrumentalisation of art as social service by public funders and the entertainment function adopted by corporatised museums (2003: 98). Fraser contends that, '[at] the time I started to realize that given the direction that museums were going in – and the fact that I wasn't getting many invitations to work in them – I either had to return to the commercial gallery or stop being an artist' (ibid 99). Failure to realise **El Museo** – which would have been critical of the interventionist nature of the Guggenheim museum on the social fabric of the city of Bilbao – may have provoked Fraser's disenchantment with the potential agency of institutional critique. Indeed, she subsequently stopped producing museum-based critical projects.

Fraser articulates her position on the institutionalisation of institutional critique through her understanding of the expansion of the institution of art. She observes art moving into a wide variety of non-art institutional contexts, which later become part of the institution of art by virtue of them having been colonised by art. Moreover, moving from an understanding of institutions of art as specific places to a conception of the institution of art as a social field complicates the notion of what is on the inside and what is on the outside. Fraser draws on Pierre Bourdieu's reading of the institution of art as a cultural field – a repository of cultural capital that

involves not just the physical institutions of art, but also the social relations, symbolic capital and associated discourses (Bourdieu 1993). According to Gene Ray (2007), Bourdieu's critique of the cultural sphere is accomodationist, rather than transformatory. In other words, Bourdieu describes the institution of art as a status quo, without suggesting an alternative – there is no transformatory moment, no utopian solution and no revolutionary horizon.

Institutional Critique as a historical genre

Practices associated with institutional critique were canonised shortly after they had been identified and labelled. Fraser perceives the inception and canonisation of institutional critique to be almost simultaneous, claiming that she found herself *'enmeshed in the contradictions and complicities, ambitions and ambivalence that institutional critique is often accused of'* and also *'caught between the self flattering possibility'* that she was *'the first person to put the term in print and the critically shameful prospect of having played a role in the reduction of certain radical practices into a pithy catch-phrase, packaged for co-option'* (Alberro and Stimson 2009: 410).

Buchloh also takes a historicising view of institutional critique. In his monograph on Asher, Buchloh claims that institutional critique had been historicised before it could reach its critical potential, contending that, *'[the] radical practices of Asher's generation could be marginalized to the extent that the work was made to appear historical before it had even properly entered the culture'* (1983: VII). In a much cited

article, *Conceptual Art 1962–1969: From the Aesthetic of Administration to the Critique of Institutions* (published in October 1990: 105–143), Buchloh charts institutional critique's progressive historicisation, defining it as a genre and locating it firmly in a genealogy of Minimalism and Conceptualism. This article has had a profound influence on scholars, critics and artists and it is constantly referred to, and has done more than any other piece of writing to establish Buchloh as an authority on institutional critique. In charting the transformation of the *aesthetics of administration* to the *critique of institutions*, Buchloh traces a lineage via the decline of the visual, the preoccupation with framing and new modes of distribution and reception in the 1960s. He argues that institutional dialectics, aesthetical withdrawal and the critique of painting and the readymade created the conditions for a new definition of the artist – no longer the author of singular objects, but an administrative aesthetician, a bureaucrat concerned with the issues of ideological control and cultural legitimation. By concluding his coverage of projects associated with institutional critique in 1969, Buchloh conveys the impression that institutional critique is the final chapter in an historical process towards Conceptualism that is now closed.

Identifying modes of criticality

Fraser does not entirely foreclose on institutional critique, but leaves open the possibility of its recuperation. She gives clues to a way out of the impasse of the historicisation, institutionalisation and declared obsolescence of institutional critique, though she does not develop these points in detail.

She mentions, for example that, Haacke personifies institutional critique 'as heroic challenger, fearlessly speaking truth to power' (Alberro and Stimson 2009: 415). She also suggests that *activist practice* could foster institutional critique, noting that '[for] Haacke, the development in his work took place very much in the context of political activism of the late-1960s and specifically', and 'through his involvement in the Art Workers' Coalition' (Sperlinger 2009: 31).

Fraser maintains that the practices carried out by the early practitioners of institutional critique reveal their *complicity* with the institutions of art. '[The] idea that institutional critique opposes art to institution, or supposes that radical artistic practices can or ever did exist outside of the institution of art before being "institutionalized" by museums is contradicted at every turn by the writings and work of Asher, Broodthaers, Buren and Haacke' (Alberro and Stimson 2009: 411). Their knowing complicity, according to Fraser, displays awareness of the hegemony and the importance of such institutions for them as artists, as both the catalyst for their art practices and a container in which to display their works.

The complicit approach contrasts with Fraser's earlier remarks on *subversive practice* in her discussion of the artist Louise Lawler (1985: 122-129). Fraser explores how Lawler sought to disrupt the notion of artists as producers of aesthetic objects in order to provide a more heterogeneous idea of *artists as publicists*, (producers of publicity materials which were designed to supplement cultural objects), and *artists as curators*, (presenting, arranging and displaying works by other

artists). Fraser explores Lawler's interests in the margins and peripheries that frame the circulation and display of art objects. Unlike other early practitioners, Lawler did not situate her critique in art institutions, but rather she adopted an alternate approach, viewing the institution as a set of social relations into which she inserted her works. Lawler knew that artworks get a special kind of attention, and that to introduce a small object such as a matchbook or a napkin into the *art system* could be a useful strategy for introducing meaning into unexpected places (Lawler and Crimp 2001: 70-81).

Buchloh also leaves open possibilities for institutional critique, acknowledging that criticism can be effective if generated within the institution and performed by artists who mimic institutional practice (1990). Having said this, Buchloh thinks that it is probable that institutions will co-opt such practices, not least to reinforce their own legitimisation. However, this openness implies that provided artists continue to adopt methods of self-reflexivity and a subversive interpretation of institutional mandates; new forms of critique may emerge to replace those that have been appropriated and an on-going cycle of institutionally critical practice may be maintained.

Theoretical underpinnings of the modes of criticality

In order to develop categories of criticality, it is necessary to draw on some theoretical understandings of critique. I harness Michel Foucault's (1978) notion of *sapere aude* (the courage to use one's own mind), his idea of 'not wanting to be

governed quite so much', his emphasis on the importance of independent thought and his insistence on the development of a *critical attitude*. These positions have been extended by Irit Rogoff's concept of embeddedness, which she calls 'embodied criticality' (2003 and 2006). I additionally make use of Bertolt Brecht's notion of 'Umfunktionierung' (refunctioning of the institution), namely the idea that the institution has agency, the power, to change minds by appealing to the social conscience of the audience, rather than seeking to entertain them. Ray has argued in favour of applying Brecht's approach, originally conceived for the theatre, to art institutions (2010).

With respect to the terms complicit, activist and subversive, as mentioned in Fraser's writings, I examine them according to their critical distance from the institution. By complicit criticality, I refer to situations in which institutions aim to represent themselves as self-reflexively critical by commissioning projects that examine their programmes and processes. In this mode, a mandate — either in oral or written form — exists between the protagonist and the institution, which is executed in a manner that conforms to the institution's expectations. In such cases, the artists are usually aware that their projects may have affirmative effects — such practices are strongly embedded in the institution. Specifically, in investigating complicit criticality, I explore projects which are either located within the museum's walls, or are closely related to the museum. I investigate art practices in which the institution aims to present itself as self-reflexively critical, either by means of commissioning projects, or by collaborating with

artists in some form of extra-museal practice. Fraser experimented with this approach in the mid-1980s and today many art institutions not only actively accept critique, they encourage it by commissioning critical artworks, thus enabling themselves to claim transparency and self-reflexivity. In these projects, complicity is embedded in the contractual mandate between the commissioning institution and the commissioned artist, and most projects of this type have a dual character, in that they are both critical and affirmative.

I use the term activist criticality to describe strategies generated outside of the museum. As such, these practices are not embedded in the formal structure of the institution, though they may take place inside the museum as temporary guerrilla performances. These critical practices emanate outside of the gallery within an understanding that the institution of art is not confined within the museum's walls, but also exists and operates in the public realm as a constituent part of the cultural sphere. As art is being produced and exhibited in a multiplicity of extra-museal sites, the possibilities for critical projects are increased. Over time, the focus of art activist groups has shifted away from demands for enhancing the representation of a wider variety of art practices in museums and increasing the representation of a broader spectrum of artists in art institutions, to rendering visible the nature of sponsorship relations between art institutions and the private sector and highlighting issues of labour precarity in the cultural sphere. Two recent anthologies have analysed the development of activist strategies in relation to institutional critique. Alberro and Stimson (2009)

take a literal interpretation of evacuating the institution and adopt a periodising approach to institutional critique, viewing the current phase of institutional critique as the moment when artists exit the framework of the museum to create projects beyond its walls. Raunig and Ray (2009) address the notion of 'exit' differently, calling for the constitution of new powers, which they call 'instituting'.

The mode of subversive criticality is based on the notion of 'détournement', namely the deflection, diversion, misappropriation or re-routing of an object or process from its original or formal aim or purpose. In this mode, I investigate critical practices where artists and also curators undertake critical projects that are intended to reorient and possibly disrupt institutions of art. Such projects are usually located in art institutions, such as art centres and biennials, and are often instigated by curator-directors as a détournement of their institutional mandates. As such, subversive critical practices are moderately embedded in art institutions, but tend only to last as long as the instigating protagonist is in place. Subversive tactics, which were employed at the margins of art practice during the 1970s and 1980s, have today become more widespread and larger-scaled.

Conclusion

Harnessing the critical theories of Foucault, extended by Rogoff, and notions of refunctioning the institution as propagated by Brecht and developed by Ray, I re-interpret institutional critique as an on-going mode of practice. This is achieved by identifying modes of criticality – complicit,

activist and subversive – each with differentiated attributes, each situated in different contexts and each with varying degrees of proximity and embeddedness to the institutions they critique. By investigating different understandings of critique and exploring recent and current art and curatorial practice, criticality is still possible within the predominately neoliberal cultural field. Institutionally critical practice in both its art and curatorial forms, continues to be valid, legitimate, constructive and relevant today, and has the potential to change opinions and catalyse a will to act.

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