

Theorizing Public/Pedagogic Space:
Richard Serra's Critique of Private Property

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Richard Serra. *Writings/Interviews*. Chicago: University of Chicago Press, 1994.

If artifacts do not accord with the consumerist ideology, if they do not submit to exploitation and marketing strategies, they are threatened or committed to oblivion. -- Richard Serra

Writings/Interviews, a collection which spans the 60's through the early 90's, makes clear the depth of Richard Serra's commitment to art as a critical intervention, as an inquiry into the social contradictions that unfold in the dominant discourse. Though his politics are most concretely visible in those essays and interviews detailing the battle over *Tilted Arc*, this volume demonstrates that Serra's grasp of the repressive nature of bourgeois aesthetics has always been a major component of his work. While his earlier minimalist and process art practices were specifically directed toward the commodification of art and "creativity," his recent encounters with the legalities of intellectual property rights has succinctly focused his work on the politics of public space. This places Serra's work within some of the most contested of discursive spaces. Given the current world-wide efforts at the reprivatization, the concept of "public" itself has become one of the most densely layered sites upon which the superstructure of a new world order is being erected.

The continuing controversy surrounding the U.S. government's destruction of Serra's sculpture *Tilted Arc* has made it one of the most publicly visible of contemporary battles over intellectual property law. Though Serra's contract, like most contracts for public art work, sought to guarantee the sculpture's maintenance in the site it was commissioned for, the government was able to break the contract, moving, and subsequently destroying, the work. Serra argued that the government's actions were a violation

of "free artistic expression, but the final court ruling held that any rights of artistic "free speech" were not violated since as owner, the government also owned the "speech" of the art work. Property rights take precedence. As Serra learned, "the right to property supersedes all other rights: the right to freedom of speech, the right to freedom of expression, the right to protection of one's creative work."(215)

What lends the work of artists like Serra their particular political resonance, a resonance that goes beyond the mere affirmation of "free expression," is that they do not abandon the institutional spaces of artistic practice -- the conceptual apparatus of "high art" as well as its museums and galleries -- for a supposedly unmediated contact with their audience. Thus, such work begins from an implicitly materialist assumption about the institutional structuring of experience. In this way it makes possible the important argument that institutional spaces cannot simply be abandoned but must be worked with and transformed. These concerns are spelled out in Serra's earlier writing and interviews, such as the 1980 interview with Douglas Crimp in which Serra highlights the importance of context in thinking through the potential of any public sculpture. "There is no neutral site," he remarks. "Every context has its frame and its ideological overtones" (127). For Serra, then, one of the functions of any public art should be to make those "ideological overtones" visible and accessible to an audience. Public space thus becomes a pedagogical space where citizens can become students of, in the words of Serra's contemporary Robert Smithson, "cultural confinement."

Serra rightly links the attack on *Tilted Arc* to a larger conservative agenda. In his essay "Art and Censorship," he details the effort of politicians like Pat Buchanan and Jesse Helms to conduct a "cultural war." It is important to recognize the extraordinary ideological mileage conservatives have gotten out of recent "arts" crises. The battles over the NEA are only one of the domestic sites touched by multinational capitalism's reprivatization efforts. But the NEA struggle is functioning as an exemplary test-site for the dismantling of public institutions and the ideological remaking of notions of "the public" generally necessary for the creation of a post-Cold War ideology. With the collapse of communism, the evil

threat from "outside," new enemies must be manufactured to legitimate a "new" political agenda. Re-privatization is being sold as a "moral" or "democratic" attack on stifling and oppressive bureaucracy, with the "beneficiaries" of bureaucracy pictured as the "real" oppressors of society: welfare queens, incompetent blacks, arrogant elitist artists, and other perverts who undemocratically demand "special treatment." Through the creation of this cast of "outsiders from within," defending the public becomes the pretext for an all-out evacuation of the public sphere.

Serra also examines how this agenda is underwritten in the work of art critic Hilton Kramer. Kramer justifies highly-stratified hierarchical social relations through a defense of "the aesthetic": those epistemological categories which have historically provided one of the most powerful guarantees of bourgeois property relations. In his attacks on Serra, Kramer is not defending the universal rights of individuals, but is instead defending the rights of bourgeois governments and institutions to suspend individual rights at whim, and the legitimation of such suspension of rights through appeals to the "public" and the "common man." The struggle over Tilted Arc was not the struggle of "the little people" against an "authoritarian" artist, as it has been represented by Hilton Kramer, Donald Kuspit, and then District Attorney Rudolf Giuliani. It was in fact a struggle over the responsibility of powerful institutions, like the United States government, to live up to their contractual obligations, and the rights of "little people" to dispute and redress ontractual violations. It was also a struggle over public space: a struggle over what interests are represented by the uses these spaces are put to, in fact, a struggle over what "public" means, who the "public" is.

That Hilton Kramer should seem to be a defender of "the average joe" is more than a little bizarre since in all his work he assiduously strives to stave off the barbarian hordes from the sacred portals of High Art. However, Kramer's faux populism in the case of Titled Arc is not so strange considering the kind of adversary Serra is for Kramer. The reason Serra's work is so threatening to the position represented by Kramer, is that it contests the notion of a "pure" aesthetics, one where art has no necessary

connection to anything else in the world except self-reflexive aesthetic categories: form, space, weight, etc. From this vantage Minimalist sculpture would seem to embody the essence of "art" itself. But "Minimalism" is not the idealized category that bourgeois criticism would wish; in fact, in order to represent Minimalism in this fashion the history of its development must be suppressed. And no figure more aggressively gives the lie to a "pure" minimalism than that most political of Minimalists, Richard Serra. In fact no other contemporary American sculptor has so consistently and relentlessly challenged not only traditional notions of pure art, but also traditional notions of political art -- that politics amount to a "content" held in an aesthetic container.

The theoretical category of the aesthetic defended by bourgeois critics emerged with the historical transition to a capitalist mode of production. It is a by-product of the processes by which cultural production becomes "autonomous" -- severed from earlier social functions. As autonomous artifacts, art objects can be incorporated into the marketplace as commodities. This idealization of the autonomous or "self-reflexive" art object suppresses an understanding of its materiality, its production through historically specific labor relations, and instead glorifies it as an individuated, self-contained "thing." Art derives its value then from its status as a commodity: a singular and precious item that can be sold, bought and owned. The notion of "autonomy" this brand of aesthetics protects is necessary to the rationalization of bourgeois property relations as it regards the idealization of the commodity as a natural, ontological condition of existence. From this perspective, ideas and objects naturally belong to the separate and discrete cultural domains they have been historically "found" in. Thus a critic like Kramer can insist on the absolute restriction of things and ideas to their proper realm -- art can be divided from politics, morals from business, and so forth.

Serra's art practices have always resisted the epistemological and political divisions that lie behind these aesthetic categories. His early process art pieces, such as splashed lead sculptures, challenged the collectibility of the art object and the market and patronage system which demands art's availability as private property. His site-specific sculpture also resist

the notion of art as exchangeable objects; they are designed to exist as art objects only in one place, incorporating as artistic elements all aspects of the site of their installation, from the formal to the social, historical, and political. The interdependence of work and site in site-specific work forces connections between the formal and the political to the surface and makes difficult the re-separation of these categories attempted by art critics such as Hilton Kramer and Rudolf Giuliani. In capitalist society what makes art "art" is its status as private property, its capacity to be owned. So it comes as no surprise that in bourgeois law, property rights, defined as the rights of owners, are more important than the rights of producers. And the copyright laws derived from this understanding of "property" don't just limit the circulation of ideas, they place the ownership and control of ideas in particular hands, they render intellectual property the private property of certain classes, and so are inimical to the free access of all individuals.

The current ideological reworking of "private" and "public" achieved through the alignment of conceptuality with authoritarian domination, while representing itself as a progressive "protection" of "individuals" and "individuality," in fact, quite neatly corresponds to the global restructuring of public institutions under the pressures of privatization necessitated by the late capitalist crisis in productivity. Far from offering some space beyond and therefore resistant to the encroachment of power, such constructions of the "inviolability" of the self and the "interiority" of public space are in fact necessary to their inscription within a transnational political economy which requires not the abolition of existing transpersonal boundaries but rather their reworking -- the category of the autonomous subject and its position within a single world order is rendered more flexible, but still intact. What is being defended is bourgeois privacy, a space beyond the limits of the public inquiry and contestation. This makes a political rereading of the controversy surrounding Tilted Arc all the more urgent since it has become a standard touchstone in debates over "the public." For example, Tilted Arc is the central art work discussed in *Critical Inquiry's* special issue on public art. Virtually all the articles accept the "official" version of the controversy, that is, the version of conservative officials. By unquestioningly accepting those terms of the discus-

sion, the participants leave unchallenged the theoretical concepts which structure conservative discourse on art, most importantly the concept of "the public." Thus, in his essay, W.J.T. Mitchell, who would undoubtedly not represent himself as a conservative of any sort, ends up pretty much subscribing to the same understanding of reality as Jesse Helms. Mitchell can make such statements as the public is "fed up" with "tolerating symbolic violence against religious and sexual taboos," and talk about "the public, in so far as it is embodied by state power and public opinion," without asking how the public may be considered embodied by such things or without considering other publics -- the public of intellectuals, artists, blacks, gays who are "fed up" with tolerating the real violence of exploitation and oppression.

In a similar vein, John Hallmark Neff uses Tilted Arc as evidence that public art has "failed" because of the absence of shared beliefs and common interests between artists and the public. In his essay art is imagined as little more than the icing on the cake of consensus, and unsurprisingly, "difficult" or "avant garde" art is dismissed as elitist. That difficulty and rigor are not essentially elitist is beyond Neff, who never bothers to ask whether it might not be more elitist to contend that the "common man" cannot handle rigor and difficulty than to give him the opportunity to do so. And in Michael North's essay the work of Vito Acconci is smeared as authoritarian. In Acconci's work *Fan City*, viewers participate by unfolding banners printed with slogans, "so the viewer is made to wave the flag of a faith he or she may not share . . . the viewer is in fact entirely helpless in the hands of the sculptor." Setting aside his conflation of sculpture and sculptor, North seems to believe that the temporarily uncomfortable awareness of oppressive structures of power which works like *Fan City* and *Tilted Arc* encourage is somehow commensurable with the relentless economic and political helplessness many Americans are subjected to constantly. Mitchell and North, and possibly Neff, would all see themselves as opposite numbers to Hilton Kramer, yet it is striking that "aesthetics" allows them a ground on which to agree: democracy is a formal assemblage of free individuals and their "feelings," rather than the particular organization of institutions which limit or allow public access to the re-

sources which create and satisfy those feelings and desires.

The discrediting of artistic practices like Serra's is ultimately not just an issue for the art world. The prohibition of avant-garde practice found in traditional arguments as well as in post-modern ones is connected to a dismantling of systemic critique and revolutionary opposition currently sought by both conventional conservative forces and by postmodern neo-liberalism. What is specifically under attack here is the notion of "public" as a pedagogic space. The "difficulty" of work like Serra's comes from its challenging of "simple" and common sense modes of understanding "art" and its relation to anything else -- in other words from the work's ability to transform subjectivity, to serve a criti(que)al pedagogic unction. A criti(que)al pedagogy requires a self-distancing from its object, from the common sense, from "the common man," and all other conventional understandings of a common public, precisely in order to interrogate and transform those conceptual series. In this regard criti(que)al pedagogy contests liberal humanist notions of the public as simply an extension of private individuals -- a space where people get together to take care of interests they have in common, a space to mediate conflict and make sure that nobody transgresses the private boundaries of anyone else. Criti(que)al pedagogy argues instead for a notion of public space which doesn't rest content with a basis in the private individual. It wants instead to transform private subjectivity in order to produce a public individual -- one who is interested in enabling the transformation of the global distribution of resources and capable of setting into motion collective modes of institutional organization.

An unexamined humanism explains the hostility to avant-gardism, or indeed to any art which is not immediately accessible to everyone at the same time and in the same way. Such a standpoint assumes that art works and other texts have direct and immediately appreciable politics "in" them as opposed to producing their meaning in their various uses within concrete contexts. Theories of the empirical immanence of meaning correspond to and reinforce the "interiority" of the liberal public space and the homogeneity of the private individuals who constitute

it. In both cases criti(que)al pedagogy appears to come from "outside," and seems apocalyptically threatening. And in a sense it is, since criti(que)al pedagogy is an attempt to exacerbate the very contradictions which the "inside" attempts to suppress. The political effect of this suppression, however, is to exorcise from the community any rigorous consideration of its social content, of the purposes or uses that it does or might serve. Given this set of circumstances, a criti(que)al pedagogic practice, in "art" or any other social space, must place a critique of institutionality at the center of its practices; a critique which does not imagine that one can abolish public/collective institutional effects and "free" the private and individual.

In other words, far from being an alien intrusion from "outside," as radical strategies are commonly understood (i.e., Serra is "forcing" a restrictive art work on the "free" movement of the public), the resources for revolutionary opposition are also produced by those institutional contradictions, between forces of production and social relations which in Marx's words comprise "two different sides of the development of the social individual. [They] appear to capital as mere means . . . for it to produce on its limited foundation. In fact, however, they are the material conditions to blow this foundation sky-high." The interiority of the individual subject, then, is no more than the position of this subject within the interior of capital. A criti(que)al pedagogy brings the cultural "outside" (in all its vanguard and avant-garde forms) to bear on the "inside" in order to disrupt the formation of subjects as interior forces of production and force the possibilities for collective transformation. In this sense it is truly a practice of public pedagogy. Throughout this volume, and of course in all his work, Serra argues for an understanding of the artist as cultural critic, a stance which may seem "old-fashioned," but still flies in the face of business as usual in a time when, as Serra puts it, "criticism in the United States has become for the most part a promotional exercise, a pseudoadvertisement to enhance sales" (226).

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