

**AUTHORITY TO REMOVE:  
SURVEILLANCE AND ENFORCEMENT IN RECENT ART**



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A thesis submitted to the faculty of the California College of the Arts in partial fulfillment of  
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Master of Arts  
in  
Curatorial Practice

by

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**CERTIFICATION OF APPROVAL**

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2010

Since the Cold War, and particularly since the September 11 terrorist attacks, transnational policing and an emphasis on border surveillance and charged international relations have become the norm. The three artists I discuss in this paper—Tania Bruguera, Jill Magid, and Emily Jacir—engage directly with the cultural complexities and of our political moment. They live and work in distinct cultural contexts and I bring them together in this paper to point to the global issue of of the modern surveillance state. As artists they expose ways systems of control, such as surveillance and censorship, are used to manipulate and repress the average citizen.

Jeremy Bentham's design for the Panopticon prison was adopted in the 1970s by Michel Foucault as a powerful symbol of repressive institutional systems. I address Andrea Fraser's writings on artistic autonomy that directly contradict Foucault's diagnosis and address dissent as powerful forces in artistic practice. Surveillance may be a fact of the modern world, but the artists I discuss take full advantage of their unique position to fight against its normalizing effects.

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## I. INTRODUCTION: FOUCAULT'S VISION AND THE MODERN SURVEILLANCE STATE

He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection.

–Michel Foucault, *Discipline and Punish*, 1975<sup>1</sup>

A stylish young woman is walking along a busy street in London followed closely by a man with a video camera whose perspective we share as viewers (fig. 1). At first she smiles nervously and turns away, explaining that she doesn't speak English. Then, after no response from the camera operator, she tries communicating in German and Italian. The camera zooms in very close on her face as she stops to cross the street and she speeds up, asking, in Italian, "Why are you making this film? For *whom*?" The year is 1968 and the woman is Eva Majlath, a 21-year old actress and illegal immigrant from Hungary. The cameraman and his assistant were hired by Yoko Ono and John Lennon to execute a straight-forward "film score," or set of instructions:

The cameraman will chase a girl on a street with a camera persistently until he corners her in an alley, and, if possible, until she is in a falling position.<sup>2</sup>

Over the course of the 77-minute, black-and-white documentary, Majlath becomes increasingly upset until, clearly terrified, she runs into her sister's apartment to escape. The camera follows relentlessly and the film ends with Majlath hiding her face as she cowers on the floor. This film, titled *Rape*, garnered significant controversy when it was first shown to the public on Austrian television in 1969. Many assumed, short-sightedly, that it was meant as a hostile criticism of the press intrusion that the famous couple were living with at the

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<sup>1</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, ed. Simon During (New York: Random House, 1993), 197.

<sup>2</sup> Reprinted in James Hoberman, "Raped and abandoned: Yoko Ono's forgotten masterpiece," in *Ctrl [space]: rhetorics of surveillance from Bentham to Big Brother*, ed. edited by Thomas Levin, Ursula Frohne, and Peter Weibel (Cambridge: MIT Press, 2002), 406.

time. In an interview, Lennon stated that with *Rape*, he and Ono wanted to "show all of us are exposed and under pressure in our contemporary world." The artists demonstrate that surveillance is ruthless and indiscriminatory and privacy is a fiction; these are simply facts of living in the modern world.

A powerful symbol of surveillance systems that resonated vividly with artists working in the 60s and 70s was Jeremy Bentham's 1791 design for a massive circular prison. This idealized disciplinary complex was the Panopticon, a structure never actually built, which was meant to function through the potential of surveillance, rather than an overt demonstration of it (fig. 3). A guard is posted in a tower at the center of the prison with a carefully constructed system of blinds so that the inmate never sees his guardian. The idea was that the uncertainty of being watched is itself a disciplinary tool. In Michel Foucault's seminal 1975 text *Discipline and Punish*, he describes the Panopticon as a "machine for creating and sustaining a power relation independent of the person who exercises it."<sup>3</sup> In other words, the prisoners are trapped in a "power situation" that they themselves create and maintain.<sup>4</sup> Foucault drew strong links between the Panopticon and 1970s society. For him, the prison was only one aspect of a "panoptic system" that had been gradually expanding since the early-19th century—a system that also included schools, factories, and hospitals. These "disciplinary institutions" were key to what Foucault believed were the two most important methods for implementing social control: constant, careful observation and the sustained molding of the observed bodies into whatever form that the ruling system deems correct.

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<sup>3</sup> Foucault 196.

<sup>4</sup> Ibid. 196.

This theory had far-reaching implications beyond the prison walls. Foucault continues:

Our society is not one of spectacle, but of surveillance [...] We are neither in the amphitheater, not on the stage, but in the panoptic machine, invested by its effects of power, which we bring to ourselves since we are part of the mechanism.<sup>5</sup>

He characterized surveillant systems as operating on all sides of the citizen. The disciplinary state infiltrated every aspect of life and, as seen in *Rape*, came to dominate public spaces. The traumatic experience of the film could be interpreted as Majlath's "education," her rude awakening to her positioning in the world as a woman and as a citizen. Many artists, like Ono and Lennon, took up this vision in the moment that Foucault was writing. They seemed to believe wholeheartedly that they were living within a hopelessly voyeuristic and surveillance culture.

Martha Rosler and VALIE EXPORT, working in the 60s and 70s, responded to ways the female body, in particular, is in fact always under surveillance. The lens—cinematic, voyeuristic, scientific—figures heavily in their work as a tool of inspection and a symbol of the objectification of the female body. Rosler and VALIE EXPORT addressed the complex ways the objectification and classification of the female body functions as a form of social control. Rosler's 1977 video *Vital Statistics of a Citizen, Simply Obtained* shows a woman stripping naked and being examined, inch by inch, by a man in a white lab coat and his three female assistants (fig. 4). It is a harsh and distanced view of the ways in which women's bodies are judged and underlines the acceptance and internalization of this process. VALIE EXPORT changed her name in 1967 as a gesture of self-determination that discarded the names imposed on her by her husband and her father. This act in itself fights

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<sup>5</sup> Ibid. 155.

against the disindividualization that Foucault believed to be central to the success of the surveillance state. For her performance *Tap and Touch Cinema*, performed in ten European cities from 1968 to 1971, she wore a curtained box over her naked upper torso, inviting people on the street to reach out and touch her (fig. 5). She, too, was confronting the objectification of women in society and the unspoken understanding of the female body as a target of the male gaze, particularly in reference to the cinema and popular culture. She disrupted this gaze with the fact of her subjective self, transforming her body into an active participant in a system of communications. The performance was finally shut down by the police, providing a poignant performative conclusion to the work. The work of Rosler and EXPORT is directly concerned with the place of the female body within popular culture and a society of surveillance.

In many ways Foucault's ominous diagnosis has been validated by historical and political developments in the years following *Discipline and Punish*. Since the Cold War, and especially since 9/11, transnational policing and a new emphasis on border surveillance have become the norm in a time of increasingly charged international relations and contested borders. One thinks of the incredible amount of time and resources (not to mention the loss of human life) that have gone into enforcing the US/Mexico border or negotiating the decades-long Israeli-Palestinian conflict, or the exile of thousands of people from Middle Eastern countries whose borders and politics have shifted. New organizational forms of surveillance arose out of updated information technologies at the end of the 20th-century. One example of this is the use of biometrics—objective measurements of the physical characteristics of an individual such as fingerprints, facial recognition, iris scans, and DNA. The US Department of Homeland Security currently manages a database of 90

million full sets of fingerprints from individuals around the world. Advances in communication technology, including the Internet, have dramatically expanded possibilities for cross-border communications. At the same time, this technology has enabled the kind of surveillance and enforcement tools used by certain nations to censor and suppress dissident voices. For decades, artists have taken up these issues as subject matter and their responses to these new geopolitical complexities take a variety of forms.

But already, with the historical examples above, we begin to see flaws in Foucault's vision of the world. From a contemporary perspective, our situation is not so simple. His predictions are evident to some extent, yet his panoptic model does not allow for two key elements that remain powerful forces in contemporary art: artistic authority and dissent. It's clear that in our current culture, the figure of the artist is one of power. Andrea Fraser takes this up in her 1997 essay "What's Intangible Transitory Mediating Participatory and Rendered in the Public Sphere? Part II." She locates the beginning of the process of artist's "liberation" in the 1960s with the emergence of Conceptual Art and identifies key stages of resistance during this time. The first is the community-based activism of the Art Worker's Coalition, including active reform of institutions like museums and galleries, which were in control of the way artworks were presented and disseminated. Next, she identifies two trends which accompanied the development of Conceptual Art and post-studio practices: the artwork's dematerialization (a diminished emphasis on a final, physical object) and temporalization (locating the work in a specific place and time).<sup>6</sup> During this time, artists actively rebelled against the limits of the commercial art world, critiquing, among other

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<sup>6</sup> Andrea Fraser, "What's Intangible, Transitory, Mediating, Participatory, and Rendered in the Public Sphere? Part II," *Museum Highlights: the writings of Andrea Fraser*, ed. Alexander Alberro (Cambridge: MIT Press, 1995), 56.

things, the "frame" of the art institution. Rather than a simple rejection of these structures, she argues that these forms of resistance added up to an understanding of the position they represent within the "paradigmatic frame of an aesthetic system."<sup>7</sup> Artists recognized and took full advantage of their position in society as one in which they are granted unique opportunities for critique, engagement, and choice.

They have constructed an autonomy conditioned by these positions that allows them to reside within a restrictive system while retaining their integrity. They are fully aware of the ways their activities as artists may be manipulated and utilized to serve various interests besides their own, but they also recognize the artist's power to push back. Foucault's vision of the panoptic world left no room for such resistance and does not account for the artistic autonomy, however tenuous, that Fraser describes.

In the first section of my paper, *Contemporary Artistic Practice within the Surveillance State*, I will introduce the ways that artists are currently engaging with and critiquing surveillant technologies. A discussion of my three case studies will follow, beginning with Tania Bruguera, a Cuban national who moves frequently between Havana and Chicago. Her section, titled *Tania Bruguera: Censorship and the Weight of History*, will address her performances in London and Havana, in which she enacts displays of power and control that evoke familiar images from often painful moments in history. These performances reveal limits on the average citizen's mobility and freedom of speech. In the next section, I will focus on the work of Jill Magid is a Jewish-American living in New York who has worked extensively in Europe. Her installations for the 2004 Liverpool Biennial and the Tate Modern in 2009 respond to the time she spent working closely with the

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<sup>7</sup> Ibid. 77.

various enforcement agencies and existing networks of Closed Circuit Television (CCTV) to instigate intimacy within impersonal systems of observation and authority. The last artist I will discuss is Emily Jacir, a Palestinian-American who travels often between the United States and the Middle East. During a residency in Austria, she also employed CCTV to infiltrate surveillance systems, creating a series of self-portrait photographs. For another project executed in Jerusalem, she reached out to Palestinian exiles who had been denied visas, offering to act as a surrogate who would perform tasks and activities in their homeland where they had been denied re-entry. Both of these works utilize (or exploit) her Palestinian-American citizenship, which allows her to travel more freely than many of her fellow Palestinians.

Above all, Bruguera, Magid, and Jacir engage in acts of questioning and destabilization to reveal the contradictions and limitations of the systems that govern, observe, and protect us. Whether engaging directly with government institutions or with the effects of oppressive bureaucratic policies, these projects work to reveal the true nature and covert mechanisms of these surveillant and restrictive systems. This paper will explore the ways these artists make it their practice to turn government and institutional authority inside out, seeking out spaces for action and resistance as they take up Fraser's challenge to expand the critical space of the artist. They test the limits of what is possible for a citizen and especially the limits of their own artistic authority, fighting against the disindividualization of the modern surveillance state. Each of the artists I discuss pushes up against the limits of speech, movement, and visibility and each of them has been forced to sort through the consequences of such transgressive dissent.

## II. CONTEMPORARY ARTISTIC PRACTICE WITHIN THE SURVEILLANCE STATE

Numerous artists in the last two decades have contended directly with Closed Circuit Television (CCTV), a form of government-sanctioned surveillance first utilized in the United Kingdom in the 1960s. This medium today retains much of its significance, especially for contemporary artists, as a symbol of social control. Today, the UK is believed to have more cameras per citizen than anywhere in the world.<sup>8</sup> As technology has developed, CCTV has become more prevalent in the United States as well, and one can only guess how many cameras watch us at any given moment of our daily lives. Likewise, it is just as difficult to calculate the extent of surveillance and censorship over supposedly "open" channels of communication such as the Internet. The three artists I discuss here all engage in various ways with surveillance systems, including CCTV, but visual surveillance is only one of many control systems employed by repressive governments. Drawing attention to these limitations on free speech, movement, and information access can be risky since there are often serious consequences for people who speak out against them.

Surveillance and authority appear as both method and subject in artistic practice repeatedly since the 1960s. Whether addressing issues of the public and private sphere or ideas of self-surveillance, or how we behave when we know we are being watched, artists have used their work to explore their place within these larger systems. And they have been successful in pointing out hidden meanings and consequences. For the purposes of this paper, I am most interested in the ways artists address this issue in the last decade, post-9/11. I am exploring the work of artists who critically address the methods,

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<sup>8</sup> Michael McCahill and Clive Norris, "CCTV in London," UrbanEye (PDF), [http://www.urbaneye.net/results/ue\\_wp6.pdf](http://www.urbaneye.net/results/ue_wp6.pdf) (accessed November 21, 2009).



structures, and appearances of the authoritarian and surveillance systems that we generally take for granted. Bruguera, Magid, and Jacir bring this system of surveillance into view, revealing its subtle inner workings and hidden consequences. In particular, their artworks reveal concerns about three major intersecting forces—censorship, surveillance, and transborder enforcement (such as immigration control). Their work underlines the importance that artists today are placing on these current events and the accompanying social turmoil. Most importantly, in all three cases, the artists are pushing at the limits of their own authority and agency as artists and citizens. In their varying ways, the primary medium of these artists is power, whether they choose to share it, withhold it, or break it down.

### III. TANIA BRUGUERA: CENSORSHIP AND THE WEIGHT OF HISTORY

Tania Bruguera was born in Havana, Cuba, in 1968, nine years after Fidel Castro's overthrow of the government. The early years of his rule were marked by intense persecution of intellectuals, artists, and teachers. By the end of 1960, all opposition newspapers had been shut down and all radio and television stations were under state control. Before Bruguera was born, hundreds of thousands of Cubans had emigrated to the United States, both legally and illegally. As she came of age, she watched many of her friends and colleagues in the Cuban art community scatter in the face of censorship and persecution. Despite the fact that this culture of social and political control persists today, Bruguera has remained in Havana, founding *Cátedra Arte de Conducta* (Studies in the Art of Behavior), Cuba's only course for performance and time-based art, which she directed from

2002–09. Besides Havana, she also maintains a residence in Chicago, where she teaches in the art department at the University of Chicago. Her work has been presented in major museums and biennials around the world.

In Cuba today, citizens can only access the Internet through government-controlled "access points" where their activity is monitored through IP blocking, keyword filtering and navigation history checking. Reporters Without Borders, a Paris-based international organization advocating freedom of the press, has reported that Cuba has the lowest Internet access ratio of all the Western hemisphere; fewer than two percent of the population have regular access. Only government employees, academics, and researchers are allowed their own Internet accounts and most citizens visit expensive hotel Internet cafes to bypass these. However, in May, 2009, a resolution went into effect barring Cubans from accessing the Internet at hotels.<sup>9</sup> It is believed by many that these newer restrictions are aimed directly at anti-government Internet bloggers such as Yoani Sánchez who has written extensively on censorship in Cuba. One result of this restrictive access is an intense climate of self-censorship in which many people writing or producing publicly censor or classify their own work, not necessarily out of direct governmental pressure, but out of fear.

In the western culture of image and information saturation, freedom of access to knowledge seems like a given, yet in actuality much is concealed from us by governing authorities in the name of national security. In March, 2009, Cuban artist Tania Bruguera produced *Tatlin's Whisper #6* for the 10th Havana Biennial. An orange curtain and a

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<sup>9</sup> Ray Sánchez, "Cuba cutting Internet access," *South Florida Sun-Sentinel*, <http://www.sun-sentinel.com/news/nationworld/sfl-cuba-internet-cutoff-050709,0,4376220.story> (accessed December 9, 2009).

wooden stage were set up at the front of a large hall in the Wilfredo Lam Center, one of several official exhibition spaces of the Biennial (fig. 5). Two guards wearing the olive drab uniform of the Ministry of the Interior flanked a wooden podium with a microphone. The standing-room only audience of artists, collectors, and journalists was invited to approach the stage one-by-one and speak into the microphone for one minute; after their minute was up, the speakers were quickly ushered off-stage by the guards. Bruguera's work frequently confronts the audience with options of how to respond to staged events. In this case, attendees had to choose whether to approach the microphone or not and, once on stage, decide how they would use their allotted time.

Most speakers were Cuban nationals who protested government suppression of free speech. Well-known blogger and activist Yoani Sánchez addressed freedom of Internet access saying, "Cuba is a country surrounded by the sea, and it is also an island surrounded by censorship."<sup>10</sup> As people spoke at the podium, the guards placed a trained white dove on the speaker's shoulder. This was a clear allusion to Fidel Castro's historic victory speech on January 8, 1959, during which a dove landed on his shoulder and perched there during his entire speech (fig. 6). This carefully orchestrated event was interpreted as divine approval of Castro's authority and marked the beginning of a decades-long dictatorship, a period mired in political and ideological controversy.

Bruguera has explained that the objective of *Tatlin's Whisper #6* was to give her space to others and to extend her power—as an artist invited to participate in the Biennial—to the public. Deeply upset by the mass emigration of artists and intellectuals from Cuba in the 1980s due to censorship and persecution, Bruguera has written:

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<sup>10</sup> Yoani Sánchez, "And they gave us the microphones...," *DesdeCuba - GenerationY*, [www.desdecuba.com](http://www.desdecuba.com).

I thought I could assume the post of artist as witness who would leave a record of the social upheavals of the era. I wanted to try to put to the test the theory of art as agent of change of reality.<sup>11</sup>

In her work, the artist seeks out new ways to bear witness to historical injustices while confronting the continuing social control within her native country. Bruguera understands the complexities of the frame she is asked to perform within and takes up Andrea Fraser's challenge to make full use of her power as an artist by sharing her voice with others. In Havana the public was given one minute of freedom during which they could express themselves without fear, yet this freedom was tempered by the fact that it existed only within the context of Bruguera's project. In a telling and disturbing move, the Biennial organizing committee later issued a statement condemning the comments made by the participants and characterizing their actions as having "hijacked" the event. This communiqué, published in Cuban newspaper *La Jiribilla*, refers to the speeches as a "mediocre political take-over of an artistic work."<sup>12</sup> Yoani Sánchez and others have commented that this official response completes the work; indeed, the condemnation of this "take-over" confirms that Bruguera's artistic gesture was sincere and not mere pandering to the visiting international arts community. Her performance was a kind of loophole within the restrictive system; she was able to provide Cuban citizens with the free speech they are normally denied while protecting them within the structure of an artist's project.

The event was an open invitation and an experiment designed by Bruguera to illicit a variety of reactions; the biennial organizing committee's disclaimer is one predictable

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<sup>11</sup> Tania Bruguera. "Postwar Memories," *By Heart / De Memoria*, ed. Maria de los Angeles Torres (Philadelphia: Temple University Press, 2003), 172.

<sup>12</sup> "Declaracion del Comite Organizador de la Decima Bienal de La Habana," *La Jiribilla*, translated by GenerationY, [http://www.desdecuba.com/generationy/?page\\_id=475](http://www.desdecuba.com/generationy/?page_id=475).

response among many that confirm the very limits on speech that Bruguera is addressing. The artist had no way to know precisely what was going to happen and was presenting a situation with the potential to critique the political culture of Cuba. *Tatlin's Whisper #6* was part of a series that had also been staged three months earlier at the Tate Modern, addressing another side of government control.

The title of the series references artist Vladimir Tatlin's *Monument to the Third International* designed in 1919, but never built. The structure was meant to serve as the headquarters for the Communist International in Moscow, but also as a living monument that would have existed through continual use and activity. According to Tate textual materials referring to Bruguera's performance, "the role of memory becomes a means through which the monument survives." In other words, the work was conceived as a monument that exists through participatory acts of memory by the audience. *Tatlin's Whisper #5*, was performed as part of *The Living Currency* at Tate Modern in January, 2008 (figs. 7-8). The exhibition was a two-day event and included overlapping performances by artists from Croatia, German, Lebanon, Argentina, and Bruguera's Cuba. According to the Tate website, "historical and more recent approaches to the body as a focus of performance in the visual arts" were shown throughout the galleries. For *Tatlin's Whisper #5* two mounted police officers—using techniques developed to control large crowds—marshaled the gathered audience around the gallery space, their quietly awesome authority underscored by the large horses they rode.

Bruguera states on her website that making art is a "way of acquiring and processing knowledge. Trying different points of view on a subject, whether artistic, social

or political."<sup>13</sup> This process of taking on different artistic, social or political perspectives is central to her work and often takes the form of performance. *Tatlin's Whisper #5* was a close collaboration with these figures of authority and Bruguera is interested in the ways we are transformed by these encounters with power. By bringing mounted policemen inside the museum to manage the crowds just as they would outside, she is speaking to the intricacies of the way power functions, but also creating an empty spectacle of it. In an interview, the artist stated that all of her work is inspired by images she has seen on television, such as the 1999 Seattle WTO riots and the 1984 Yorkshire miner's strikes (figs. 9-10). The sight of a mounted police officer is meant to evoke images of protests and riots seen in the media throughout history. In theory, the audience's memories of images of police brutality complete the work, referring back to Tatlin's "living" monument referenced in the title. Are the mounted officers a living, breathing monument to historic acts of violence?

In a video recording of *Tatlin's Whisper #5*, audience members (many with grins on their faces) can be seen gazing down on the proceedings from windows overlooking the Turbine Hall (fig. 6). Performers and visitors alike are exposed and dwarfed within the cavernous hall and all are on display as part of the artwork. The Tate is complicit in the spectacle of authority that Bruguera stages for her audience. In another context, this display of enforcement might have deadly consequences, but in the Turbine Hall the effect is one of ridiculous, over-stated pageantry.

Writing in 1990, Rosalind Krauss discusses a conversation with Thomas Krens, then-director of the Guggenheim, in which he describes the dramatically heightened

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<sup>13</sup> Tania Bruguera, "Artist Statement," Artist website, [www.taniabruquera.com/cms](http://www.taniabruquera.com/cms). (accessed January 12, 2010).

experiential expectations of the average twentieth-century art viewer.<sup>14</sup> Krens relates this phenomenon directly to another: the transformation of former factories into massive and elaborate exhibition halls. This phenomenon has only intensified in recent years as evidenced in the openings of "factory museums" such as MASS MOCA in 1999, the Tate Modern in 2000, and Dia:Beacon in 2003. The experience of moving through these giant repurposed halls is indeed impressive, occasionally to the point of overwhelming the works of art. At the Tate, there is an undeniable comic tone to the policemen "performing" their everyday jobs within a museum setting, a joke in which the Tate is clearly complicit. More than one image exists on the photo sharing site Flickr of incongruous piles of horse dung in the middle of the museum's grand exhibition hall. In this strange context, the herding gestures and shouted orders of the men seem arbitrary and weakened as does the pristine authority of the Tate itself.

Bruguera has used the term "useful art" to refer to her efforts to create work that isn't about "changing the world" or solving a particular problem, but addressing political and ideological issues through methods that push the limits of legality and social or governmental propriety. Vladimir Tatlin believed vehemently, along with many of his Russian avant-garde comrades, that art should be lowered from its pedestal and fully integrated into daily life, made accessible to the common man. He was dedicated to the idea that art could transform life, a belief which necessarily places the artist in a privileged and powerful place in society. Perhaps the "whisper" Bruguera refers to in her title is an echo of the mandate Tatlin laid out for artists of the avant-garde to create works accessible to the people and a reminder for them to use their power wisely.

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<sup>14</sup> Rosalind Krauss, "The Cultural Logic of the Late Capitalist Museum," *October*, vol. 54 (Autumn, 1990), 7.

#### IV. JILL MAGID: SURVEILLANCE AND INTIMACY

As an American who has exhibited internationally, Jill Magid also addresses encounters with power in her body of work, but she confronts a different set of challenges. Unlike Bruguera, who addresses more abstract ideas of control systems, Magid's tactics are simultaneously more subtle and more direct as she physically and emotionally embeds herself within specific enforcement organizations. Her work explores ideas around what she calls "intimate relationships with impersonal structures."<sup>15</sup> She has developed commissioned work with several major enforcement agencies including the New York Police Department, Citywatch (a surveillance organization run by the Merseyside Police and Liverpool City Council), and, in 2005, the Dutch Secret Service. In Spring of that year, Magid received a commission from the Dutch Cultural Commission to do a project for the offices of the AIVD, a Dutch acronym for the General Intelligence and Security Service of the Netherlands.

The AIVD's responsibility is to collect intelligence on domestic terrorism and neutralize major threats to national security. Since the assassination of Theo Van Gogh in 2004 by a Dutch-Moroccan citizen and the discovery of the so-called Hofstad Network of young North African Muslims in the Netherlands, the AIVD has made addressing Islamic extremism a high priority. As of February 2010, a retrial has been ordered in the case of the controversial investigation of the members of this group. Several members of the Hofstad Network were acquitted in 2009 because their group did not meet the legal definition of

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<sup>15</sup> Jill Magid, "Introduction to my work," Artist website, [www.jillmagid.net/writings.php](http://www.jillmagid.net/writings.php) (accessed November 20, 2009).



what constitutes a criminal terrorist organization. The AIVD is notorious for its disproportionate focus on leftist activism, an attitude shared with other Western nations, who have built their security apparatus on a legacy of Cold War paranoia. For example, during the Cold War, AIVD (then called BVD) had a reputation for interviewing potential employers of citizens suspected of leftist ideals or membership in the Dutch Communist Party, thereby marking them as suspect and seriously impacting their chances of being hired.

In 2005, AIVD renovated and expanded their offices in the city of Zoetermeer, ten miles from the Hague. According to Dutch law, a certain percentage of construction costs must be invested in the purchase or commission of an artwork and, rather than acquiring a mural or sculpture, after a lengthy process of proposals and interviews, the organization chose to work with Jill Magid. They were aware of her long-standing interest in involving herself with "closed" organizations whose inner workings are generally inaccessible. They knew before the project began that this would be a different kind of art commission. Magid gave herself the title of Consultant for Personal Data at the Dutch General Intelligence and Security Service. Over the course of three years, she conducted numerous interviews with the AIVD employees in non-descript public places such as cafes and bars. Magid's intention for these meetings was to collect personal data and, in the wording of the commission, to use this information to "provide the AIVD with a human face." The first exhibition that resulted from her experience working with the AIVD was *Article 12*, presented at the Stroom Den Haag in Spring 2008. The title refers to Article 12 of the Kingdom of the Netherlands Bulletin of Acts, Orders and Degrees which limits the government's ability to monitor the personal lives of its employees—including religion,

sexuality, and health. These personal matters were the primary subject of Magid's interviews with the agents, but according to the AIVD, she went too far in depicting the "human face" of the organization. The AIVD confiscated artworks from *Article 12* and censored *Becoming Tarden*, the book she wrote about her experiences—a book she hoped to exhibit as part of a separate solo exhibition at Tate Modern.

*Authority to Remove*, Jill Magid's solo exhibition at the Tate from September 2009 to January 2010, reflected in title and concept the AIVD's reaction to the Stroom Den Haag exhibition and Magid's overall project with them. The project and resulting exhibition are multi-faceted, using a variety of media including text, photography, and video. For *I Can Burn Your Face*, one of several works in the exhibition, Magid scattered neon words along the floor of a six-foot deep window space located near the entrance to the museum (figs. 11-12). To 'burn a face' is the phrase used within AIVD meaning to expose a source's identity. During her interviews, she wrote descriptions of each agent in her notebooks and then used these descriptions to "burn" them in neon. Though the descriptions are too general to actually reveal secret information, the neon lights do have the effect of searing the words into the mind of the viewer. The text is lifted directly from her notebooks and the neon is shaped to simulate the artist's own handwriting. The work is comprised of phrases describing the eighteen spies she met. These add up to approximately thirty-five neon words which overlap so it is unclear which are discrete descriptions. The following are some identifiable descriptions: "pointy nose," "thin lips," "dedicated," "barefoot," "photographer," "2 rings," "Hummingbird," and "wants me as messenger" (fig. 12).

These generic yet specific characteristics could describe almost anyone and, in fact, Magid is pointing to the average human-ness of the spies who work for AIVD. This last

phrase, *wants me as messenger*, has particular poignancy for Magid; the spy who spoke those words hoped that the artist could act as a messenger or envoy between the agents and the outside world. Magid described in an interview for the *Wall Street Journal* how the agents she spoke to gradually became more comfortable and came to use their time together as a kind of therapeutic escape; they felt that they couldn't risk venting frustrations about their jobs to anyone else.<sup>16</sup> The title of the artwork, *I Can Burn Your Face*, is thus a threat, but also an offer to tell the stories that the spies themselves never could, and to reveal the human beings behind this faceless organization.

Why would AIVD seek her out, knowing full well that she is interested most of all in breaking down the wall of secrecy that agencies like AIVD spend years constructing and reinforcing? Magid's project aligns with what Andrea Fraser calls "project work:" this includes exhibitions predicated on a *need* for what it is that the projects *provide*. In other words, an artist is invited to carry out a project as a collaborative effort with an institution, to fill a certain gap. In the case of AIVD, they made it clear that Magid's task was to reveal the "human face" of the institution. As an artist, she was perceived to engage with the organization in a manner that would somehow align AIVD with cultural initiatives. They were hoping to build up their cultural credibility as a defense against negative publicity. It is to the AIVD's credit that they approved her proposal and worked with her over the months of the project. However it seems that they underestimated her goals. The conflict and controversy that follows the project to this day are central to the work and reveal the complexities inherent of this kind of arrangement. Magid tests the limits of her relationship with systems of enforcement and surveillance, both as a citizen and as an artist. She uses

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<sup>16</sup> Kelly Crow, "An Artist Delves Into the Lives of Spies," *The Wall Street Journal*, September 19, 2009, Life and Style section, Online edition.

her special access, granted by virtue of her artistic role, to reveal the hidden mechanisms of governing institutions.

Magid's interest in drawing the individual out of the collective or transindividual mass is reminiscent of Louis Althusser's writings in 1970 on "Ideological State Apparatuses." He addresses the process of interpellation or "hailing" through which a subject recognizes his or her place within the dominant ideological system. He links our ideas and actions as transindividual subjects to rituals that make up ideological state apparatuses, including religious organizations, the educational system, the family, and even censorship. Even before birth, we are ideological subjects of these spheres, though it may take time to recognize our place within them; we are made in society's own image and what we perceive as our individuality comes about through our identification with existing ideologies. Ideology can mask the exploitative arrangements of class societies and Althusser extends his discussion to consider Repressive State Apparatuses which are put into play to ensure the lasting success of the Ideological State Apparatuses.<sup>17</sup> Although all entities ask their members to conform in some ways, an enforcement organization like AIVD functions through institutional repression of its employees to ensure its own cohesion and continuation.

In a twist similar to Tania Bruguera's experience with the Havana Biennial organizing committee, a curious incident happened on the day after Authority to Remove closed. It was on that day that two representatives from the Dutch Ministry of the Interior arrived at Tate Modern. They came to confiscate a novel titled *Becoming Tarden* that Magid had written about her three years working with the AIVD and which, at AIVD's insistence,

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<sup>17</sup> Althusser 159.

she had exhibited under glass for the duration of the show (fig. 13). She had hoped that this book would be her first novel. The prologue and epilogue were the only portions of the novel not censored and Magid has published these on her website. In the Tate galleries the artist ripped the core of the book out of the spine, leaving the prologue and epilogue between the book covers. As indicated by the exhibition title, it was always understood that agents could take custody of portions of the installation and she instructed the curators not to stand in their way (fig. 14). Magid was disappointed, but also excited that the project concluded in this manner.<sup>18</sup>

Magid's larger body of work has consistently addressed themes of intimacy within organizations and structures of authority. She plays with ideas of the allure and danger of institutional secrecy. For her multi-part project *Evidence Locker* in 2004, she worked with the 242 Closed-Circuit Television cameras (CCTV) installed throughout the city of Liverpool to create a cinematic image of surveillance which is both a personal diary and a portrait of the city (figs. 15-17). Figure 14 is a still from the video *Evidence Locker*, taken directly from CCTV footage. The artist is shown walking away from the camera on a grey street somewhere in Liverpool. The pixelated quality and imbalanced color easily identifies the image as taken by some kind of surveillance camera. The number in the top left corner identifies the camera that captured the footage. Wearing a bright red trench coat, the artist wandered through the city for thirty-one days under constant video surveillance. Her red coat and solitary wanderings evoke the moody, cinematic quality of film noir. Magid's resulting video recordings were filmed in a collaboration with the police. She called the officer on duty every day in the CCTV control room with details of where she was and asked

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the officer to film her in certain poses, at different locations. At times she asked to be guided through the city with her eyes closed, as seen in the video *Trust* (2004).

*Trust* illustrates the relationship she built with Citywatch (run by the Merseyside Police and Liverpool City Council), the largest surveillance system of its kind in England. The video documenting this action shows the artist as she is guided by instructions from an unseen officer, speaking to her over a wireless headset. The officer is observing her through several of the many cameras overseeing downtown Liverpool. We see Magid, in her trademark red coat, walking slowly with her eyes closed along the cobblestone street. (fig. 17) She nods in understanding and occasionally speaks, but we can only hear the voice of her guide. We hear what she hears and the disembodied voice in our ears is protective and fatherly in tone, making gentle jokes every now and then about Magid's near collisions with other pedestrians. He even directs the "action" on-screen, staging certain shots carefully and proposing actions for the artist to perform. As he carefully frames one particular shot, he comments, "That was a good shot. I think you may like that one, Jill."<sup>19</sup> He is clearly interested and invested in the project as a collaborator, yet this collaboration is an uneven one. We can feel the controller's hand as he zooms in and out and pans to follow his target; we, along with Magid, are participants in a system that he seemingly controls. Yet Magid wants us to see beyond this man at the controls to the larger system at work. The officer whose voice we hear is only a cog in a much larger mechanism.

Shortly after Magid opens her eyes, ending the piece, a beautiful woman in white carrying shopping bags enters the frame and the camera begins to follow her. It is a darkly

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<sup>19</sup> Jill Magid. "Trust," 2004. Edited CCTV footage with audio, 18:00 mins. *Evidence Locker Reel*, DVD. New York: Yvon Lambert.

humorous and fitting moment that speaks to the power imbalance between watcher and watched, in turn fueled by gender difference. The officer's position of power is clearly a source of pleasure and this final shot intensifies our quiet suspicions of voyeurism on the part of the CCTV officer. He is guiding Magid safely through the crowded streets, but she is at the mercy of his omnipresent gaze. At the same time, she opens our eyes to the fact that we all, by accepting constant surveillance, are complicit in the surveillant system. The video ends as this unknown woman in white crosses the street and disappears. *Trust* is an intimate record of the relationship between Magid, the police, and the city. She intentionally constructs a kind of forced intimacy which ultimately functions as a disruption in the daily operations of systems of surveillance and enforcement and points to the unseen levels at which surveillance functions in our daily lives.

Unless requested as evidence, CCTV footage obtained from the system is stored for thirty-one days before being erased. For access to this footage, Magid had to submit thirty-one Subject Access Request Forms. This form is the legal document necessary to justify a request for surveillance of a particular individual. Magid chose to complete these forms as though they were letters to a lover, expressing how she was feeling and what she was thinking. The resulting texts form a diary-like document called *One Cycle of Memory in the City of L*—an intimate portrait of her relationship with the police, and the city.

In a March 23, 2010, email the artist wrote:

I go in with my eyes open and try to understand the system on a human level, to watch it move, to learn its language and to find a place within it—even temporarily. My work is an honest attempt to understand a system of power, to make myself recognizable as a unique individual within a system that either did not register me before, or did so as a statistic. It is a kind of coming into being.<sup>20</sup>

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<sup>20</sup> March 23, 2010 email with Jill Magid

She manufactures a love affair with the camera and, by extension, with the systems of enforcement that are officially meant to indiscriminately observe and govern her and everyone else. Her engagement is a very personal one and she does not enter into these collaborations with the police with any expectations of major change. Yet she acknowledges that change is inevitable; she looks back and turns the viewfinder around to survey these systems designed as forms of one-way communication. This is undoubtedly a political act. Artistic autonomy is transformed when an artist's engagement with an institution (art or otherwise) hinges on a specific set of expectations or interests from the outside. Jill Magid pushes back against the established order of the institutions that permit her to enter into intimate engagement with them. The conflict and the ironies that result define the character of her projects and underline her autonomy as an artist.

#### V. EMILY JACIR: IDENTITY AND MOBILITY

In 2003, Palestinian-American artist Emily Jacir performed an artistic gesture similar to Jill Magid's in another European city 600 miles away. Every day for twenty-six days at precisely 6:00 pm, Jacir appeared before one of the twenty-six publically-accessible webcams in Linz, Austria, staging a kind of readymade tourist snapshot of herself (fig. 18). Completed as part of her residency at the O-K Center for Contemporary Art, the resulting work is *linz diary* (2003), a series of twenty-six photographs that list the date and time and describe what she was looking at or thinking as the photograph was taken, for example:

October 12, 2003                      18:00 hours  
 me lying on the fountain, staring up at the patch of blue sky above  
 linz, watching a small white airplane go by



The text functions like a personal scrapbook caption, though the image was captured by an unsympathetic, remotely-operated camera perched high above the city streets (fig. 16). Jacir's audience may have included enforcement officials, but it also potentially included anyone in the web-based global community. Webcams do not function exactly like surveillance cameras since they are primarily a function of tourism; the audience for these images is much broader than that of a CCTV camera. The Internet is one confirmation of Foucault's predictions for the development of the surveillance state; it allows for a panoptic form of observation and Jacir intentionally places herself in plain view. In Figure 16, the camera is aimed directly at Jacir and the fountain in Linz' main square for anyone to view online. However, the camera's elevated placement, the fixedness of the image, and its indiscriminatory eye are similar to the CCTV cameras that Jill Magid utilized in her work. Like Magid, Jacir is under surveillance, a fact complicated by her foreign and Middle Eastern identity. Here, Jacir puts the camera to use as her own personal documenter, forcing a de-personalized system into a human role. She uses an existing system designed to neutrally observe as a tool for asserting her identity and place in the world.

Jacir was born in Palestine—she won't specify where—and grew up in Saudi Arabia, Italy, and France. Biographies of the artist have variously listed Jerusalem, Ramallah, and Bethlehem as her birthplace. In 2009 she represented Palestine in the 53rd Venice Biennial and she has exhibited in major museums around the world. She currently lives and works in Ramallah, Palestine, and New York City. As a Palestinian-American, she holds two passports which give her access and mobility, rights that most Palestinians are denied. This has informed her work to a large extent, particularly in her most well known installation, *Where We Come From* (2001-04), which consists of thirty-two mounted photos of various

sizes, thirty framed texts and one DVD (figs. 18-19). For this piece she asked exiled Palestinians who could not return home, often because they were denied visas, the following question: "If I could do anything for you, anywhere in Palestine, what would it be?" Their responses ranged from the banal ("Go to the Israeli post office in Jerusalem and pay my phone bill.") to the spiritual ("Go to my mother's grave in Jerusalem on her birthday and place flowers and pray.") One reads:

Go to Jerusalem and light a candle on the grave of Christ in the Holy Sepulcher Church and then go to al-Aqsa Mosque and pray to God to ease the pressure and help those who are needy in both places.  
I have been denied entry into Palestine since 1991.  
-Ghassan

Born in Gaza City, living in Amman  
Jordanian Passport and Gaza I.D. card  
Father from Lid and Mother from Jerusalem (both exiled in 1948)

The text is accompanied by two straightforward, point-and-shoot photographs of the artist performing the actions described (fig. 19). In one image she is hardly visible, kneeling within a low, elaborate enclosure lighting a candle. In the second image, wearing a headscarf and modest dress, she bows low towards the camera with her hands outstretched on her thighs. These are images meant to simply document the action; an inexpensive flash camera was used, and it's possible that a random bystander was recruited to take the photo.

The artist created this work as artist-in-residence at the Al-Ma'mal Foundation for Contemporary Art in Jerusalem, Palestine. Jacir's work is simultaneously rooted to its site, while it transcends the immediate locale, reflecting the displacement and alienation that thousands of Palestinians have lived with continuously for decades. In a 2003 article for *Art Journal*, T.J. Demos highlights the ways Jacir uses her art to cross borders. The artwork, he

states, is not "moored to geographical site" since site itself is redefined. He characterizes her work as a "meditation on a political conflict" that factors in a failure or absence; the viewer is drawn in by the futility of the artist's gestures which directly reflect the hopelessness of the real-world political situation.<sup>21</sup> The tasks she carries out are simple and small in scale, yet call up dramatic and far-reaching issues. As viewers, we are asked to position ourselves in relation to this narrative of frustration, limited mobility, and alienation.

Edward Saïd, a theorist and Palestinian advocate who has written extensively on the politics of exile, wrote of about *Where We Come From* in 2003:

For the most part, Palestinians wait: wait to get a permit, wait to get their papers stamped, wait to cross a line, wait to get a visa. Eons of wasted time, gone without a trace. Emily Jacir's *Where We Come From* cuts through all that, reducing an intractably untidy mess to the simple, humane question "What can I do for you in Palestine, where you can't go but I can?"<sup>22</sup>

The work is ideologically complex yet logistically simple; the artist's primary motivation is one that arises from simple, decent humanity and generosity. The project hinges on the universal values Jacir explores such as mobility, security, and political and cultural freedom.

*Where We Come From* is Emily Jacir's most widely exhibited project having been shown in Ramallah, Stockholm, Beirut, Wichita, New York, and Washington, D.C. In 2008, the San Francisco Museum of Modern Art acquired an edition of the piece and when they exhibited it as part of the exhibition *Passageworks*, the museum made available an FAQ list and an accompanying text in the galleries that read in part:

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<sup>21</sup> T.J. Demos. "Desire in Diaspora," *Art Journal*, Vol. 62, No. 4 (Winter, 2003), 77.

<sup>22</sup> Edward Saïd, "Emily Jacir—Where We Come From," *Emily Jacir: belongings*, O-K Center for Contemporary Art, Linz, Austria (Wien: Folio Verlag, 2004). Originally published in *Grand Street*, No. 72 (Fall 2003), 48.

SFMOMA is committed to exhibiting and acquiring works by local, national and international artists that represent a diversity of viewpoints and positions. Works of art can engender valuable discussion about a range of topics including those that are difficult and contested, such as the Israeli-Palestinian conflict. Additional information about Emily Jacir's *Where We Come From*, including a list of frequently asked questions, is available at the information desk in the Haas Atrium.

A few people viewed this text as a disclaimer for the artwork, but in an email, curator Tara McDowell explained that this type of wall text is not unusual for the museum and was carefully worded in response to vehement requests for additional context when the piece was exhibited during the acquisitions process (fig. 21-22). Also of concern was a period of intense controversy that surrounded the exhibition of *Where We Come From* at another art institution three years prior. When the piece was shown in 2005 at the Ulrich Museum of Art at Wichita State University, it was aggressively denounced by members of the Jewish clergy. Rabbi Nissim Wernick wrote in the *Wichita Eagle*, "I hope the good people of Wichita see [*Where We Come From*] for what it is: a blatant anti-Semitic attempt to breed hatred."<sup>23</sup> The Mid-Kansas Jewish Federation demanded that they be allowed to place their own poster and literature outside the gallery in order to "balance" out the exhibit.

After months of conflict and an international firestorm of controversy, the museum published a similar text to that displayed at SFMOMA and also hosted a lecture series featuring internationally recognized experts presenting different historical perspectives on the Israel-Palestine situation.<sup>24</sup> Undoubtedly, this tumultuous series of events factored into the decision by SFMOMA curators and administrators to include the wall text and FAQ sheet. Rather than make excuses for Jacir's work or bow to pressure that they present "balanced" viewpoints, SFMOMA and the Ulrich worked to retain their institutional

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<sup>23</sup> Rabbi Nissim Wernick, *Wichita Eagle*, Jan. 2, 2005

<sup>24</sup> See: David Butler and Keith Pickus, "Displays of Emotion: Middle Eastern Politics in the Art Museum," *Museum News*, September/October 2005.

integrity by communicating their awareness of the Israeli-Palestinian conflict. As the SFMOMA FAQ sheet states, our experience of works of art are not objective, but subjective. Though rooted in a specific religious and cultural experience, the work is open for a variety of subjective responses and the individual experience each viewer carries with them lends the work a strength that transcends ideological and geopolitical boundaries.

## VI. CONCLUSION

The three contemporary case studies I explore in this paper—Tania Bruguera, Jill Magid, and Emily Jacir—directly engage with systems of authority, pushing at the limits of their agency as citizens, as artists, and also as women. They maintain and extend the autonomous artistic role that Andrea Fraser describes as undergoing a major shift in the 60s and 70s with the development of Conceptual Art. In setting this autonomy in opposition to institutions of surveillance and enforcement, they draw out the hidden mechanisms of these structures. They are not silenced or intimidated by their position within a society of surveillance. Rather, they take these restrictions as a challenge. Their engagement with surveillant systems takes different forms; enactment, performance, intimate or personal exchange, critical documentation, and conceptual framing—all strategies put into practice to disrupt structures of power. It is an engagement with systems of power that becomes an expression of power in itself.

Tania Bruguera engaged in performance art for many years in which she subjected her own body to uncomfortable, repetitive, and painful acts; more recently, she arranges for others to enact postures that recall historical imagery from mass media and that directly refer to restrictive systems of authority. She evokes this imagery to point to our

internalization of institutional authority. The works that I have discussed above, *Tatlin's Whisper #5* and *#6*, intentionally enact and mimic the pageantry of enforcement and public political demonstrations. She assumes different perspectives to analyze and critique them. Audience members engage with these familiar markers and identify with ways that speech and movement are restricted in the modern world. Her performances coerce her audience to take a position, both physically and ideologically.

Jill Magid's works *I Can Burn Your Face* and *Trust* begin from a point of intimate and personal exchange where her own body is in the spotlight, yet when presented to a public these works demonstrate the scope of surveillance in our everyday lives and the ways our privacy and liberties are impacted on a daily basis. Of the three artists I discuss, Magid engages the most intimately with systems of enforcement and surveillance. She supposedly entered these collaborative relationships with the Liverpool Police and AIVD as a neutral observer. Perhaps she has employed this sleight of hand so often to win these institutions' trust that she has come to believe it. It is hard to accept that she truly thinks she is entering these relationships with no critical assumptions. There is no doubt that she brings valuable details of these organizations' inner-working to light, but she exploits her unique access as an artist while never fully acknowledging its power. Her practice is the most self-referential of the three artists—an important contrast to Bruguera and Jacir, that illustrates the multiple channels for artistic autonomy.

Like Bruguera, Emily Jacir chooses to extend her artistic authority to others, as seen in *Where We Come From*. Her own identity is subsumed as she carries out tasks for those who find it difficult, because of their “stateless” status, to carry them out for themselves. With this gesture she illustrates the restrictions and oppression experienced by exiled

Palestinians. She utilizes her artistic access and voice as an artist (with dual passports) to build a bridge between herself and average citizens. The result of this exchange poses a subtle, yet powerful, critique. We must be cautious, however, when an artist appears to take up so uncritically the position of artist-hero. *Where We Come From* is undoubtedly a generous project, but there is an element of its display in esteemed museums and galleries around the world that could be interpreted as exploitive of the people depicted in the work. We sympathize with the subjects, yet one result of the project is that difference and even exoticism are accentuated.

These artists clearly fall into the legacy of artists like Martha Rosler and VALIE EXPORT. Like the two more well-known artists, Bruguera, Magid, and Jacir confront systems that attempt to normalize them, often using the camera lens as a powerful metaphor for the surveillance state. Yet Rosler and VALIE EXPORT were mainly working in opposition to a society of the spectacle, a popular cultural phenomenon, rather than the more pervasive and restrictive systems of surveillance that Bruguera, Magid, and Jacir are resisting. Aspects of the panoptic system that Foucault predicted in 1975 may be in place today, but through these artists' diverse critical practices we are granted access to the covert mechanisms of the surveillance state. Bruguera, Magid, and Jacir choose to engage specifically with systems and institutions whose lasting success depends on a disempowerment of the average citizen. They lay claim to the artistic autonomy that Foucault believed to be an impossibility, reversing the Panopticon's structure, even temporarily, to reveal the hollow mechanism at its center.

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