In February 2015 I curated “Irregular Rendition,” an art exhibition commissioned by the Legal Medium conference at Yale University and staged at Fred Giampietro Gallery in New Haven. The Legal Medium explored intersections of art and law, and its organizers conceived of an accompanying exhibition within that framework. When I accepted the invitation to curate, though, I chose not to focus on acute engagements between artists and legal systems, but instead began from an expanded definition of law, taking it to include not only jurisprudence, but also principles of math and physics, common knowledge, accepted norms—universal truths, writ large. The 14 artists in the exhibition collided, through diverse practices, with a range of large-scale systems: Narcissister’s two-channel video of women in her trademark mask walking topless through New York City, navigating the space between social taboo and legal right; Alexandra Lerman’s ceramic interventions into the arcane principles of “management,” salvaging remnants of the first anti-fatigue factory flooring from the defunct Packard plant in Detroit; Mierle Laderman Ukeles’s parade in Givors, France, for the vital, but rarely celebrated, emergency response services that form a constant though inconspicuous municipal safety net. I hoped these varied approaches would denaturalize the supposed certainty of “law” in all its breadth. They might dislodge, or articulate, embedded inequalities that rest below the threshold of visibility, disparities veiled by the pretense of certainty and normalized to the point of non-existence.

The exhibition’s title reflects this aim. “Irregular rendition” is the term of art for federally-sanctioned U.S. abduction and extradition of suspected terrorists without due process. I had misgivings about choosing such a loaded term for an exhibition title, fearing it might de-emphasize or aestheticize the severity of extra-legal extradition. However, I was struck by the bureaucratic—and, as I will discuss later, visual—euphemism that worked to mitigate the violence of this contentious practice. In emblazoning this term in size-200 letters across the display wall of the gallery, I hoped to renew attention, as do the works in the exhibition, to regular, quotidian encounters that are no less structured by subtle insinuations of authority. “Irregular Rendition” comprised a lateral indictment of systemic inequality, and in what follows I discuss how my curatorial choices, whether or not they succeeded, inform an ongoing question: How can curators enunciate a politics of resistance through the exhibition medium?

“Irregular Rendition” came together in the midst of a national crisis of law. Police homicides of unarmed people of color—including Eric Garner on July 17th,
Michael Brown on August 9th, Akai Gurley on November 20th, and Tamir Rice on November 22nd—renewed attention to the persistent threat of police brutality against black lives, a peril concealed as “law enforcement” and sustained by the apathy of white majorities. Legal statutes justified these people’s murders and immunized their perpetrators, the gulf between law and justice revealing itself in a string of non-indictments.

It was evident to me that an art exhibition about law could not occupy a merely hypothetical register in a moment so urgently calling for a shift in white consciousness. In the 10 months I worked on “Irregular Rendition,” I thought constantly about an exhibition’s capacity to sustain a workable politics, specifically a politics addressing systemic violence as advanced by the #blacklivesmatter movement. My initial and most sustained concern, drawing on decades of discourse around art’s ability to intervene in social life outside itself, was structural, if not existential. Tethered between the commercial Fred Giampietro Gallery and Yale Law School, funded by private donors and Yale grants, “Irregular Rendition” converged two formidably exclusive fields: the art world and the academy. How could these rarefied spaces convey the omnipresence of law as a regulator of human life, and in particular the lives of the disenfranchised, marginalized, and systematically oppressed?

The most readily available approach would be to put political activism on display in the exhibition, gathering works of art that explicitly addresses systemic inequality, police brutality, and state violence. There have been a number of such exhibitions dealing with this subject matter in both historical and contemporary registers, from MoMA’s “Listen, Here, Now! Argentine Art in the 1960s” to this summer’s “Posters + Politics: The Art of Activism in New York” at the Museum of the City of New York. I moved away from this approach for three reasons. First, I did not want individual works in the show to have to convey or represent what the entire exhibition might be “about.” This would amounts to a curatorial deferral—shifting the burden of communication onto artists, and in particular, artists of color, who in the art world are too often expected to metonymically convey the experience of their entire communities. Not only does this overlook an artist’s individuality and agency within her practice, but also it seems to absolve white people, myself among them, of their responsibility to be allies in combating white supremacy. Second, this literalist approach participates in what Hal Foster has called the “realist assumption” that art must access the “real”—the immediate, the social, the on-the-ground action—in order to be the site of political transformation. Not only does this implicitly disavow art’s political capacity, taking for granted that it must be literal or outside itself in order be effective, but it also “fail[s] to address structural effects” of, in this context, the persistence of inequality within the art world itself.

This leads to my third issue: The implied silence of the curator when the art is presented as an instrument of rhetoric. Art’s multiple strategies for both contemporary and historical political resistance generate foundational and provocative discourse. Less emphasis is placed on curators, meanwhile, who facilitate encounters between viewers and art in specific spaces—institutional, art-world, or otherwise—and who in the process necessarily, one hopes deliberately, mount some argument of their own. I directed my efforts to navigating this indeterminate space: to be present as a curatorial author without
shouting over the constituent works of art, and to reap the benefits of institutional context (money, prestige, publicity) while maintaining enough distance from Yale to avoid undermining or sabotaging the exhibition’s claims to political intervention.

My first priority was to establish critical dissonance between myself, the exhibition, and its host institutions. While I appreciate the ambitious program of the Legal Medium, its aims and mine were distinct. I screened Mary Ellen Carroll’s 24-hour durational video Federal on the day of the symposium at Linsly Chittenden Hall on Yale campus (Fig. 1). Federal comprises two videos screened simultaneously in adjacent theaters, one depicting the north face, the other the south face, of the federal agency office hub in Los Angeles. The voyeuristic center of governance is seen in all its banal glory from the perspective of a stable camera on a tripod that does not move for the entire 24-hour video. Federal is located at the uneasy crossroads of dueling tensions: the invisible regimes of power under which we become muted, complicit subjects, and the radical gestures like Carroll’s that convey an urgent need for visibility and recognition.

Figure 1. Mary Ellen Carroll, Federal (still), 2003, two-channel video.

I thought that Federal could generate a kind of restless periphery encroaching on the slick and professional feel of the symposium, a humming and persistent refusal to be recuperated or ignored. This pushback extended, in my mind, to the subtle yet ubiquitous structural inequality perpetuated at Yale, against which I hoped to position “Irregular Rendition.” Certain of Yale’s policies effectively segregate New Haven, including its aggressive real estate consolidation and a robust, gun-carrying police force patrolling its borders. Federal reminded me that the appearance of banality, peace and calm, even
boredom, is anything but. An example: the orientation of one-way streets around campus, innocuous though it may seem, produces an exasperating inversion of an ancient saying, “All roads lead away from Yale.” In order to correct a missed turn, one must navigate a full mile around the outer perimeter of campus. Fred Giampietro Gallery is located on one of these centrifugal streets, a few doors down from the University’s art institutions—Yale University Art Gallery and the British Art Center—and the rest of the campus, where exclusion and belonging are constantly if imperceptibly enforced.

One is tempted, given these unremitting issues, to dismiss the possibility of critique altogether. What could be a more powerfully overdetermined context than the intersection of Yale University and the commercial art world? The historical templates at a curator’s disposal include, most notably, Institutional Critique, whose strategies—perhaps equally notably—have been absorbed and canonized by the very institutions they once sought to take down. Hal Foster writes: “[an] artist today may seek to work with sited communities with the best motives of political engagement and institutional transgression, only in part to have this work recoded by its sponsors as social outreach, public relations, economic development … or art.” While I take issue with the implied cynicism that institutional framing could precede and constitute art, I do feel that a curator’s work is particularly vulnerable to the kind of “recoding” he describes. In contrast to an artist’s studio practice, curators’ work is necessarily sited within the venue for art’s display; whether or not they are employed by a given gallery or museum, a curator’s work is inevitably hitched to that space with all its baggage.

I prefer an approach that resists the blanket pessimism that would foreclose interventions before they begin. This is why I favored a nonliteral approach to the politics of systemic inequality in selecting artists and objects for “Irregular Rendition.” Art has a unique capacity for conveying ideas through nonliteral, un-explicit, mediated gestures. This power, I believe, is no less “real” than direct political action simply because it operates on a different register of engagement than sit-ins or marches. Moreover, setting aside one’s anxious imperative to be directly, explicitly political resuscitates the claustrophobic Catch-22s of institutional critique, identity politics, and the like. For this reason, I decided on the thematics of denaturalization: it is not an explicitly political concept, though it always deals on some register with frameworks of officialdom. “Denaturalization” opens up any number of activities that pick at the hem of and expose loose threads in the fabric of stability. The point was not to activate a specific result, but to suggest that wherever there is authority, there is also fallibility.

This fallibility also provides room for levy, fun, and play, as demonstrated by Park McArthur’s brilliant Jump Instructions (Fig. 2). An isometric floor plan of New York’s Abrons Art Center is overlaid with handwritten instructions for hopping the Center’s gate. The gate is adorned with animal-shaped cutouts, so the directives include phrases such as “R foot rabbit’s butt” and “L foot on flower.” The Center had raised concerns over the security of the handicap-accessible entrance, which McArthur needed to use during her residency there. Fearing that the automatic trigger would allow the door to close too slowly, and invite possible trespassers, administrators attached a weight that made entering and exiting difficult for McArthur. Jump Instructions is a riposte to these measures: the
artist’s friend climbed over the gate with relative ease, and dictated the steps involved. McArthur conveys the absurdity borne of two competing regulatory modes: on the one hand, to enhance gate security, and on the other, to remain ADA compliant. Her work complicates pat notions of “accessibility” by calling attention to its inextricable converse, exclusivity. The two form an uneasy pair; the more accessible, the less exclusive, and vice versa.

The artist stipulates that this work be installed in place of city-ordained signage or permits. In the “Irregular Rendition” exhibition space it was hung by the door, where one might find a fire-department maximum occupancy notice. The replacement of one bureaucratic intervention with another performs exactly the kind of denaturalization that I wanted the show to provoke. I loved that it functioned as a kind of gateway to the exhibition, guiding entrants into the gallery space and the range of institutional dislocations I had attempted to establish therein.

Figure 2. Park McArthur, Jump Instructions, 2013, drawing.
The question remained, for me, how not to overlook Foster’s “structural effect,” by which art perpetuates its own overwhelming elitism, Western-centrism and marginalization. How does an exhibition itself encourage active reception, questioning, resistance? I worked from a distinction between an “audience” and a “public.” The former is passive, the latter active. I wanted the show to address publics, not audiences. Politics belong to publics, because publics have a will to action. By contrast, art encounters are often framed around an audience. Consider the language of “observers,” “spectators,” a self-selecting group set at a remove, watching from a distance. For “Irregular Rendition” to advance a politics, it would need to address a public.

My strategy was to cultivate a liminal coherence, a marginal legibility. “Irregular Rendition” was not particularly concise; I think it waded slightly into the abstruse, more than I would have liked. But I can say with some certainty that the central thrust of the exhibition wasn’t obvious. Legibility, I came to think, was the knife-edge of representation, of reduction, of metonymy. I am suspicious of representation, which assumes that a part can stand in for, i.e. re-present, a whole. This cannot be so: consider, for instance, a token character in a sitcom. Heterogeneous perspectives cannot be funneled through a single representative, a one-dimensional character; tokenism serves to pacify and reassure those in power that alternative experiences are fully available, intelligible, to them. Representation also implies stability, homogeneity, which serves exactly the kind of naturalizing procedures that I hoped “Irregular Rendition” would address.

To create liminal coherence in the show, I invited an eclectic grouping of artists from disparate conversations, places, and media. They were related insofar as you took my curatorial statement at faith. This isn’t to say that the only way to understand the show was by reading my press release, but rather, that I intentionally diverged from any normative or historical grouping: for instance, figurative painters, New York–based sculptors, or radical artists of the 1980s. This approach got a lot of negative feedback from friends and strangers alike who didn’t understand how the works related to one another or enjoy their juxtaposition.

Brock Enright’s Dragon Scaled Lemon Battery (Fig. 3), with its resolute physicality, affirmed the ability of art to oscillate between formal and conceptual registers, and to maintain a political tenor without addressing the social as such. Enright’s sculpture is a golden egg covered in imbricated half-moon scales; it glinted, alluring and seductive, atop a tall plinth under a spotlight. The material fact of the object: Brock covered a lemon in gold-colored thumbtacks, a radical deflation of the piece’s own aura. Enright’s sculptures pronounce their dual existence as sacred and profane, as gorgeous art object and drugstore-purchase assemblage. Enright’s sculpture functioned differently in “Irregular Rendition” than it might have in another exhibition context, and I appreciated this fluency; the work challenges the “realist assumption” identified by Foster, that art must take situate itself somewhere “outside” in order to enact political transformation.
Returning to the title of the show: “irregular rendition” employs strikingly visual language to refer to action shrouded in secrecy. *Rendition* means a visual likeness, reproduction, or re-staging of a performance. Its place in extradition terminology likely comes from the French etymology—*rendre* means “to return.” I was struck by the phrase “irregular rendition”—as well as by its sometime variant, “extraordinary rendition”—for the forceful, though unintentional, conflation of a thing and its likeness. This challenges the de-facto separation of art and its politics, between representation and the “real.” What if art weren’t forever inured to its relegation as metaphorical, standing outside and parallel to the world and its issues? David Joselit spoke to this question in a recent interview in *Dis* magazine:

We need to change our habit of thinking that art objects stand for something else; that their primary function is to represent. Instead, these objects act in various ways, including provoking future events or effects. Representing is always retrospective: something has to pre-exist the art object in order to be re-presented. I think art’s special capacity is, on the contrary, its futurity."8

If Foster calls attention to the presumed site of political transformation as “outside” of art, Joselit sees possibility in a temporal framework. Rendition, I found, addresses these objectives, presenting a model that exceeds representation. Moreover, taken in the context of “irregular rendition,” this word implies an immediate and urgent injunction toward visibility.
Mary Ellen Carroll’s *Federal* is perhaps the most precise realization of the chasm between visibility and power that “Irregular Rendition” sought to counter. In addition to projecting the piece’s durational video, I installed Carroll’s series of 24 stills, taken hourly during filming, in a grid on the gallery’s largest display wall (Fig. 4). The tedium of institutional authority is thrown into high relief by the repeated image of the building, identical except for the changing light conditions through the cycle of the day. Compounding this tedium were the months of correspondence with the FBI, security clearances and statements of purpose, required to film the exterior of the building from 100 yards away. I compiled these documents into a catalog distributed free at the gallery, opening what I hoped would be another channel for engagement with the exhibition (Fig. 5). I also elaborated on my own motivations behind the exhibition in an included interview with Nicolás Guagnini. The book was meant as a supplement for viewers who wanted to delve in on a textual level, but was certainly not required to enjoy or understand the exhibition. This essay, written nearly a year after the show, serves a similar function.
I sought with “Irregular Rendition” to enact a politics, by challenging representation through liminal incoherence, and to resist institutional complicity, by establishing my voice as curator as identifiable and distinct. I hoped that satisfying these conditions would make possible a public address, a meeting of the public on its own terms: multidinous, shifting, dynamic, and unrepresentable as such. I tried to avoid foregrounding any stable narrative or trajectory, so that there would be no obvious “elevator pitch” or one-liner to summarize what Irregular Rendition was “about.” I sought unexpected juxtapositions and loose thesmatics to elicit individual and conflicting takeaways. These strategies were also meant to challenge my own authority as curator. If the show claimed to be comprehensive or coherent, my voice risked becoming the only voice, the omniscient narrator whose word is taken for truth. It was important to me to remain subjective, to present my own take on “Irregular Rendition” as just one reading among many. This may be the crucial point for a politics of curatorial enunciation, and one I feel requires more discussion. I have heard many curators explicitly reject the notion of a curator’s authorial voice, as they feel theirs would disrupt or upstage artists' works. I disagree. Art is not so fragile that it will collapse at the first instance of curatorial intervention. Curators should not underestimate art’s capacity for impact and address—and neither should they underestimate their own.

NOTES

1 Text paraphrased from the press release for “Irregular Rendition.” That full text is available on the exhibition’s web site, with the full roster of artists in the show: http://www.thelegalmedium.com/exhibition/

2 These are just two of countless exhibitions of activist art. Other recent examples include “MANIFEST: JUSTICE” (2015), an exhibition and programming series in Los Angeles, and “ACT UP New York: Activism, Art, and the AIDS Crisis, 1987-1993” (2009) at Harvard University’s Carpenter Center for the Visual Arts.

3 Foster advances this argument in an essay on ethnographic and anthropological trends in contemporary art production, specifically within postcolonial contexts. His argument parallels Walter Benjamin’s 1934 “The Artist as Producer;” where Benjamin indicts artists for fetishizing the proletariat as a conduit for the “real,” Foster claims that the ethnic and racial other comes to occupy a similar position for Western artists working in “global” conversations. In contrast, my argument applies not to artists but to curators, and to a specific 21st-century context in which the radical art of the 20th century has been historicized and recuperated by institutions. “Irregular Rendition” sought specifically to address domestic racial politics and systemic inequality. See Hal Foster, “The Artist as Ethnographer?” in Global Visions: Towards a New Internationalism in the Visual Arts, ed. Jean Fisher. London: Institute of International Visual Arts, 1994. pp. 14.

4 Recent texts on postwar art’s interventions in politics include: Claire Bishop’s Artificial Hells: Participatory Art and the Politics of Spectatorship (Verso, 2012) and T.J. Demos’s The Migrant Image: The Art and Politics of Documentary During Global Crisis (Duke University Press, 2013). Texts on the politics of race, postcoloniality, and visibility include Kobena Mercer’s Welcome to the Jungle (Psychology Press, 1994); Darby English’s How
to See a Work of Art in Total Darkness (MIT Press, 2010); and Geeta Kapur’s When Was Modernism? Essays on Contemporary Cultural Practice in India (Tulika, 2000).

5 This is not to minimize the work being done on political curating across a number of venues. There has been a surging interest in exhibition history in the last decade, indicated by the re-staging of landmark exhibitions, such as Harald Szeemann’s 1969 “When Attitudes Become Form” (Fondazione Prada, 2013) and Kynaston McShine’s 1966 “Primary Structures” (titled “Other Primary Structures,” Jewish Museum, 2014), as well as symposia like CUNY’s “Exhibit A: Authorship on Display” (2014). These investigations intermittently focus on the political interventions made by exhibitions, and the strategies employed by curators toward that end. Direct investigations into this topic include the 2010 Frieze Talk in London, “Exhibition Making as Activism—Whose Politics?” A wealth of texts addressing curatorial politics were published at the turn of the 21st century, frequently in regard to emerging “internationalism” in the art world. Jean Fisher edited the 1994 text from the INIVA symposium, Global Visions (op. cit.), which includes curatorial reflections from Elizabeth Sussman and Fisher. The catalog from Documenta 11 (2002) is another important text from this moment. Today, the journal The Exhibitionist is a continuing and vital forum for discourse around contemporary curating.

6 In January 2015, Charles Blow committed a column in the New York Times to his son’s recent detention at gunpoint by a Yale police officer. Blow’s son, who is African American, was accosted while leaving the library because he “fit … the description” of a burglary suspect. As Blow argues, such incidences are not isolated or anomalous in police encounters with young African-American men, but the display of force on a college campus is particularly disheartening. Charles Blow, “Library Visit, Then Held Up at Gunpoint,” The New York Times, January 26, 2015, Op-Ed sec.

7 Foster, pp. 13.