

HOW FREE ARE THE ARTS IN RUSSIA TODAY?

Guest Editor: Sandra Frimmel (Berlin)

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THE AUTONOMY OF ART AS A LITMUS TEST

editorial

The autonomy of art is seen as a particularly revealing gauge of the general level of freedom in a modern constitutional state. In Putin's 'sovereign democracy', contemporary art has since the end of the 1990s increasingly clashed with the positions held by different social groups. Audible demands are being made to regulate the boundaries of artistic freedom and the social function of art through legally established norms; numerous exhibition organisers and artists are exposed to public hostility, including lawsuits and court trials. The arguments against art repeatedly refer to the defamation of national and religious values. They contend that art should strengthen and propagate certain values, but not question them; it seems that far from being granted freedom, art has recently been treated as 'fair game'.

As alarming as the recent attacks may seem, however, Russia's treatment of contemporary art is not particularly exceptional, its specific political point of departure notwithstanding. In 1960s Austria, representatives of Viennese Actionism were presented with criminal charges of *Volksverhetzung* ('incitement of the people') – which in Russia is formulated as the 'incitement of religious or national hatred'. The artist Günter Brus fled the country in order to escape a six-month prison sentence for defaming the state symbols. In the USA, at the end of the 1980s and beginning of the 1990s, artists and exhibitions were accused of stirring up religious hatred and unlawfully distributing pornography – for example, in the case of an exhibition by the photographer Robert Mapplethorpe. In Germany in particular, the freedom of art is

often weighed up against the personality rights of the individual, as in the current case of the novel *Ezra* by Maxim Biller. This most recent example shows again that even in the West such conflicts do not necessarily end favourably for art: Biller's novel cannot be sold because his former partner and her mother felt that their personality rights had been violated.

It would not do justice to the seriousness of the situation to dismiss the Russian disputes in contemporary art and literature as mere PR campaigns designed to increase the 'victims' sales in the West. Contemporary art faces a dilemma: any art which understands itself as an event must penetrate the protected space to which it lays claim. Iconoclastic counter-reactions are really an indicator that the art has achieved its goal; to a certain degree, art anticipates such reactions. The solution to the Russian conflicts must be found in a compromise between the rights of both sides. Contemporary art's right to creative freedom must be weighed up against the rights of its opponents in each individual case. Art cannot demand any more guarantees for its freedom in any society.

From the German by Christopher Gilley

ABOUT THE GUEST EDITOR:

Sandra Frimmel is an art historian and literary scholar. She is writing a PhD thesis on the interferences between contemporary artistic practice and national rights at the Humboldt University in Berlin. In addition, she works as a publicist and curator and runs a space for art projects in Berlin.

PREVIEW:

kultura 4/2007 will appear in April 2008 and will deal with new ways of constructing history and memory in today's Russia. The guest editor will be Andreas Langenohl, Constance.

DRAWING BOUNDARIES.
POST-SOVIET CONTROVERSIES ON CONTEMPORARY ART

Nataliya Rivo and Konstantin Rubakhin

chronicle

Controversies surrounding art and society no longer only take place in art criticism or academic discourse. Recently, 'society' itself has – through very different actors – adopted a position on contemporary art which cannot be ignored. From this it is clear: today, just as in the Soviet period that ended 17 years ago, artists work in a Manichean space in which they are once more called upon to explain the meaning of their art to 'the people'. This 'dialogue with the people' or 'the society' has already claimed its first real victims among the artists.

The most recent controversy over the cultural rootedness of contemporary art was provoked by the opening in the Parisian gallery *La Maison Rouge* of the exhibition *Sots-art. Political Art in Russia since 1972* in October 2007. The same exhibition, curated by Andrei Erofeev, had already been displayed in March as part of the *II Moscow Biennial for Contemporary Art* without attracting much attention. A scandal erupted when Aleksandr Sokolov, the Russian minister for culture and mass communication, declared *Sots-art* a 'disgrace for Russia'. According to him, the exhibition featured 'kissing policemen, erotic paintings' (meaning the work by the *Blue Noses Group*, 'The Age of Charity'). In his opinion, if the works had been exhibited in a private gallery, they would not have provoked such an uproar. 'But it is an exhibition by our national gallery', underlined the minister, and he personally 'undertook all that was possible in order to prevent it travelling there'.

Mikhail Shvydkoi, the head of the Federal Agency for Culture and Cinematography (Roskultura), ordered that those works depicting swastikas or Hitler should not be sent to Paris. These included Vladislav Mamyshev-Monroe's self-portrait as Hitler. At the moment, criminal proceedings are being initiated according to article 282 of the Criminal Code on the 'Incitement of National, Racial or Religious Enmity' in connection with the exhibition. In November 2007, Russia's director of public prosecutions referred a suit by the patriotic Orthodox movement 'People's Assembly' alleging that the exhibition had insulted morals to the Moscow public prosecutor in order that he review the facts.

However, before the export ban from the Ministry of Culture, several works had been rejected by the *Tretyakov Gallery's* artistic board itself, including the *Blue Noses Group's* 'Trinity', depicting Pushkin, Putin and Jesus Christ, and Mikhail Federov-Roshal's 'You Give the Country Coal', created in 1972 in the style of an icon.

The effect of this, though, has been that interest in the Russian exhibition in Paris was incredibly high, and the works which had been banned from display in the 'official gallery' were shown with great success by the private *Marat Guelman Gallery* at the FIAC, where numerous buyers were found for these works of art. Minister Sokolov seems to have been referring to this when he accused the director of the *Tretyakov Gallery*, Valentin Rodionov, of allowing himself to be corrupted through the association with bad artists and using the gallery's stamp of quality to promote them. Since then, Rodionov has brought a libel charge against Sokolov.

RETROSPECTIVE I: THE POST-PERESTROIKA YEARS
1999–2000

► Oleg Kulik: 'Piglet Hands Out Presents'

The first test of the Russian mass audience's tolerance was conducted by Oleg Kulik, who, while curator of the *Gallery Regina*, presented there in spring 1992 the performance 'Piglet hands out presents'. A butcher hired for the occasion slaughtered a pig in the exhibition area. Its meat was cooked and offered to the visitors.

This performance became the subject of the television programme 'TV Gallery', to which 'patri-

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ots' responded with outrage. It was said that this action insulted and humiliated the entire Russian people, that it was a statement by the Jews on how one should deal with Russia, namely to butcher the country in the same way. At the time, the 'patriots' turned to the government in the newspaper *Zavtra* (Tomorrow) with the call to deprive the artist and the organisers of the exhibition of their citizenship, but nothing came of it.

► Avdei Ter-Oganian: 'The Young Atheist'¹

On 4th December 1998, as part of the *Art-Manezh* fair's non-commercial programme, the artist Avdei Ter-Oganian staged the desecration of a number of Orthodox icons by chopping them up with an axe, trampling on them and so on. A criminal charge was brought by the public prosecutor under article 282 of the Criminal Code on the 'Incitement

of National, Racial or Religious Enmity'. The city council ensured that the curator of the exhibition and the director of the exhibition hall were set free. The mayor of Moscow himself demanded that 'the artist should not go without punishment', and the Patriarch of Moscow stated that 'these are outrageous acts of vandalism, and they must be resolutely nipped in the bud'.

On 19th April 1999, a group of armed individuals sought out another exhibition by Ter-Oganian and threatened gallery owner Marat Guelman with an axe, warning that Ter-Oganian 'will not live'. Later, a second group damaged the works with paint. Ter-Oganian wrote a letter to the public prosecutor of Moscow asking to be recognised as an injured party. He listed the punishable threats made against him as well as the names of witnesses. He, however, received no reply. For this reason, in spring 1999 the artist felt forced to flee Russia for the Czech Republic.

¹ See also the article 'The Body as Social Metaphor in Contemporary Russian Art' by Natalya Zlydneva in *kultura* 2 (August) 2007.

THE CONSTITUTION OF THE RUSSIAN FEDERATION

Article 44

1. Everyone shall be guaranteed the freedom of literary, artistic, scientific, technical and other types of creative activity, and teaching. Intellectual property shall be protected by law.
2. Everyone shall have the right to participate in cultural life and use cultural establishments and to an access to cultural values.
3. Everyone shall be obliged to care for the preservation of cultural and historical heritage and protect monuments of history and culture.

<http://www.departments.bucknell.edu/russian/const/ch2.html>

THE CRIMINAL CODE OF THE RUSSIAN FEDERATION

Article 242. *Illegal Distribution of Pornographic Materials or Objects*

Illegal making for the purpose of distribution or advertising, dissemination, or advertising of pornographic materials or objects, and likewise illegal trade in printed publications, cine-and-video-materials, pictures, or any other pornographic objects, shall be punishable by a fine in the amount of 500 to 800 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of five to eight months, or by deprivation of liberty for a period of up to two years.

<http://www.russian-criminal-code.com/PartII/SectionIX/Chapter25.html>

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► Oleg Mavromati: ‘Don’t Believe Your Eyes’
Another case involving article 282 was Oleg Mavromati’s performance ‘Don’t believe your eyes’, which took place on 1st April 2000 in St. Nicolas’s Church on the Bersenev embankment in Moscow. Mavromati, who had ‘I am not the Son of God!’ inscribed onto his bare back, had his helpers nail him to a cross. The performance, which was caught on film, was meant to be part of a documentary film about radical artistic performances and their social resonance. After criminal charges had been brought, Mavromati did not wait for the court case; he emigrated to Bulgaria, where he was able to continue his artistic career successfully.

RETROSPECTIVE II: 2000–2007, THE PUTIN ERA

► The Exhibition *Watch Out, Religion!*
The most well-known legal case and the most odious story concerning the relationship of the ‘Orthodox camp’ to contemporary art arose around the exhibition *Watch out, religion!*. The exhibition opened on 14th January 2003 in the

Andrei Sakharov Museum and Community Center for Freedom, Progress and Human Rights in Moscow. About 40 contemporary artists, including Kulik, Mamyshev-Monroe, Aleksandr Kosolapov, Mavromati and Ter-Oganian, presented their reflections on religion. The curators of the exhibition were the Armenian artists Arutiun Zulumian and Narene Zolian.

The exhibition’s idea was, in the words of the press release, rooted in the ‘conscious duality of its concept: it is both a call to a careful, sensitive and reverential treatment of religion and beliefs and a warning: ‘caution, danger!’ – when it comes to religious fundamentalism (be it Islamic or Orthodox), the intertwining of church and state, and obscurantism’.

On 18th January Orthodox militants came to the exhibition, smeared the gallery walls and exhibits with paint, smashed and destroyed many works and left insults on the walls with spray paint. They were charged with ‘hooliganism’ according to article 213 of the Criminal Code. A broad wave of support arose in favour of the pogromists, who had risen ‘in defence of our sacred objects’, coupled

Article 282. *Incitement of National, Racial, or Religious Enmity*

1. Actions aimed at the incitement of national, racial, or religious enmity, abasement of human dignity, and also propaganda of the exceptionality, superiority, or inferiority of individuals by reason of their attitude to religion, national, or racial affiliation, if these acts have been committed in public or with the use of mass media,

shall be punishable by a fine in the amount of 500 to 800 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of five to eight months, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of two to four years.

2. The same acts committed:

- a) with the use of violence or with the threat of its use;
- b) by a person through his official position;
- c) by an organized group,

shall be punishable by deprivation of liberty for a term of three to five years.

<http://www.russian-criminal-code.com/PartII/SectionX/Chapter29.html>

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with demands for the organisers of the exhibition to be brought to trial. All in all, the public prosecutor's office received six thousand letters from public organisations, cultural representatives and simple believers, all of whom, in the best soviet tradition, trumpeted that 'we did not see the exhibition, but we think it is necessary to condemn it'. The State Duma asked the public prosecutor to investigate.

In August 2003, all charges against the pogromists were dropped, with the court ruling that it could not perceive a punishable offence in their actions. New proceedings were initiated against the organisers of the exhibition. On 3rd November the hearing began in the Taganka court in Moscow. The curators of the exhibition, as citizens of Armenia, had returned home, and the charges were brought against the director of the *Sakharov Center*, Iurii Samodurov, his colleague Lyudmila Vasilovskaya and also the artist Anna Alchuk, who had coordinated the exhibition. The court ruled that the objective of the exhibition had been 'to propagate ideas and views which undermine belief in and respect for Christianity, the

Orthodox confession and nationality, and to provoke unpleasantness and hostility to the Orthodox way of life, culture, traditions and customs'. On 28th March 2005, the court found Samdoruov and Vasilovskaya guilty of inciting religious hatred and fined them 100,000 roubles (about 4,000 US dollars or 2,000 British pounds). The court acquitted Anna Alchuk, citing the absence of a punishable offence. The verdict was relatively mild, given the public prosecutor's demand for custodial sentences of two and three years, respectively, and for the destruction of the works which had started the affair.

► Conflict with the *Russian Museum*

On 26th November 2003, in response to Marat Guelman's presentation to the *Russian Museum* of about 60 works by contemporary artists, the 'Public Committee for the Moral Revival of the Fatherland' sent an open letter to the director of the museum, Vladimir Gusev, demanding that the exhibits be returned immediately and that all links with *Marat Guelman Gallery* be severed. The latter was damned as 'gathering around itself anti-

artistic, anti-social and anti-Christian elements'. Vladimir Gusev replied thus:

'The very formulation of the question is unacceptable to us. It is aggressive and is essentially an intervention by the censor in exhibition and museum life. The museum administration believes that the museum must not be reduced to being the propagandist for just one point of view, one social group or one part of the viewing public'.



Alisa Shrazhevskaya: 'You shall not make for yourself an idol', at the exhibition Watch out, religion!
© Andrei Sakharov Community Center for Peace, Moscow.

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► Devastation of the Exhibition *Interactive Icons*

In February 2004, Oleg Yanushevsky's exhibition *Interactive icons*, which was showing in the gallery *S.P.A.S.* in St. Petersburg, was destroyed. Young people in masks stormed into the gallery and smeared paint over 30 works. The attempt to arrest them was unsuccessful. The attackers were offended by the use of the word 'icon' in the title and concept of the exhibition, whose objects depicted 'the emergence of public fetishes and the canonisation of modern symbols, phrases and individuals that shape the consciousness of the modern consumer'. This included not only icons of George Bush, the singer Madonna, but also of red caviar, the dollar and a Toyota.

From this moment onwards, Yanushevsky and his family were constantly harassed with anonymous threats. After an arson attack on his studio, Yanushevsky emigrated to Great Britain.

► The Exhibition *Russia 2*

In January 2005, some members of the Moscow Union of Artists filed grievances with the public prosecutor's office and demanded the initiation of criminal proceedings against the organisers of the exhibition *Russia 2* taking place in the *Central Artists' Hall* in Moscow as part of the *II Biennial for Contemporary Art*. According to the plaintiffs, the works on display at the exhibition insulted the people's religious feelings, provoked inter-religious conflicts, thereby compelling the state to resolve the conflict in favour of one of the religions. Charges were brought against the gallery owner Marat Guelman as well as the director of the exhibition hall, Vasilii Bychkov.

Among the exhibits which the suit identified as causing offence were 'Burn, Burn my Candle' by the *Blue Noses* ('using the figure of Christ to shock'), 'Madonna with Child' by Oleg Kulik ('a blasphemous icon showing a pregnant sui-

cide bomber against the background of a ruined monument') and 'Fountain', a sculpture by Vasilii Tsagolov of three men urinating on a prisoner. Of the latter work, the lawyers representing the plaintiffs said it 'discredits the state and the presidential office as a whole'.

The case brought by the Orthodox believers received support from right-wing politicians: Alexander Chuev, the chairman of the State Duma's Committee for Public Associations and Religious Organisations, personally visited the exhibition *Russia 2* and afterwards wrote a letter in support of the suit. The letter was also signed by the *Rodina* (Homeland) party.

However, in February 2006, the suit by the Moscow Union of Artists against the *Marat Guelman Gallery* and the *Central Artists' Club* demanding 5 million roubles (about 204,480 US dollars or 100,225 British pounds) as compensation for the moral damage caused was rejected, as was the request to ban the distribution and publication of the works from *Russia 2*.

The plaintiffs, on the other hand, were obliged to pay 9,000 roubles (about 360 US dollars or 180 British pounds) to the Central Artists' Club in legal costs.

► *Art-Moscow 2006*

On 26th May 2006, at the fair *Art-Moscow*, a long-haired and bearded man slashed the work 'My body' by the artist Aleksandr Kosolapov on display at Yulia and Marat Guelman's stand for silk-screen printing with an axe and then tore it in two. The vandal presented himself as 'Leonid, the slave of God'. He produced a balloon filled with paint with which he intended to efface the 'blasphemous works' and a document testifying to his mental illness. No charges were brought.

► Pogrom against the *Marat Guelman Gallery*

On 21st October 2006, about eight people stormed

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into the *Marat Guelman Gallery* and forced the employees to stand against the wall and hand over their mobile phones. The intruders then destroyed the exhibition of the Georgian artist Aleksandr Dzhikiya and beat up Marat Guelman. In this case, the works themselves, calm, 'quiet' drawings, could hardly have been the catalyst for the attack. The incident was played down by the authorities and the investigation was sloppily conducted. The guilty parties have still not been found.

► Customs Officers as Censors? – No. 1

On 20th October 2006, the English gallery owner and art historian Matthew Cullerne Bown was removed from an aeroplane at the Sheremetovo-2 airport and interrogated by the airport police. Some customs officers reported that four works by the *Blue Noses Group*, which he had bought at *Marat Guelman Gallery*, had aroused suspicion. According to the customs' first version of the story, the detainment was caused by errors in the declara-

tion documents. The story later changed; customs officers mentioned suspicions 'of insults against a third party'. Among the confiscated works was a photograph from the series 'Mask show' in which members of the *Blue Noses Group* posed on an old sofa wearing cardboard masks of terrorist Osama Bin-Laden, Russian president Vladimir Putin and American president George Bush. Several commentators thought that the customs officers' dissatisfaction was caused by this work, as it might insult the serving president of the Russian Federation. Incidentally, the series 'Mask show' was completed in 2001 and had been exhibited many times, both in Russia and abroad without even minor incidents.

► *Forbidden Art 2006*

In March 2007, the public prosecutor initiated proceedings in response to the exhibition *Forbidden Art 2006*, which was being displayed at that time in the *Andrei Sakharov Museum and Com-*



Alexander Kosolapov's destroyed piece 'My Body', 2002, at the Art Moscow 2006 fair.
© Konstantin Rubakhin.

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munity Center for Freedom, Progress and Human Rights. The case was brought under article 282 of the Criminal Code on the ‘incitement of religious or ethnic enmity’ at the request of the Orthodox-patriotic movement, the National Synod. Its representatives believed that the exhibition was ‘blasphemous’ and ‘degraded citizens’ dignity in their relationship to religion’. The curator of the exhibition was Andrei Erofeev, the head of the section for contemporary art in the *Tretyakov Gallery*. The investigation has not ascertained who will be charged in the matter of the exhibition.

The exhibition displayed works for which artistic advisors or directors had denied permission to be shown in 2006. The exhibition was intended to become a regular annual feature with the aim of monitoring the trends of institutionalised censorship within the field of culture. The exhibition included, among others, works by well-known artists such as Kosolapov, Ilya Kabakov, Mikhail Roginsky, Dmitrii Gutov, the *Blue Noses Group* and the *PG Group*.

The works were fenced off with a plywood wall. It was only possible to see them through inconveniently placed holes in the wall by standing either on tiptoe or on a ladder, or by bending down. A sign indicated that the exhibition was ‘not suitable for young people under 16’. It was forbidden to take photographs of the works. However, despite this propriety, the exhibition provoked a series of protests from radically inclined Orthodox believers. A picket was held for several days in front of the pavilion. The picketers carried extremely aggressive placards on which threats and calls to close the museum and *Sakharov Center* were displayed.²

► Customs Officers as Censors? – No. 2

In May 2007, six paintings intended for the exhibition *Learning from Moscow* in the State Gallery in

Dresden were not permitted to leave Russia. Works by Mamyshev-Monroe, Aidan Salakhova and the *Blue Noses* did not reach Germany, but the work by Konstantin Latychev ‘Putkin’, confiscated by customs, was later sent to Dresden in digital format and specially printed for the exhibition.

The employees of the logistics firm ExpARt, responsible for the transport of the pieces to Dresden, claimed that there was no official written ban on the export of the paintings from the customs office. Indeed, these works had received permission for transport from the Ministry of Culture. However, the customs officers acted on their own initiative as ‘conscientious citizens’ and insisted on the removal of those works which to them seemed to be provocative. If the issue could not be resolved on the spot, they threatened, it would be passed on to the secret services. The employees of the logistics firm – after consulting the gallery director in Moscow who had offered the works for exhibition – decided that in this situation it was more sensible not to insist on the export of the besmirched works in order to prevent the situation from getting out of hand.

RESPONSIBILITY FOR THEIR ACTIONS

Despite some people’s refusal to acknowledge contemporary art’s right to exist, the conflicts described above show how art nonetheless permeates daily life. Art does not want to be marginal or elitist, nor does it want to be ignored.

However, as soon as art becomes commercially successful and goes beyond the bounds of pure art, it is subjected to a system of strict limitations.

The representatives of the religious confessions accuse their alleged opponents of ‘inciting religious hatred’, yet themselves intentionally stir up animosity among religious believers, academics and artists.

At issue here is the responsibility of the artist, curator or journalist for their own work. The artist is

² See photograph p. 19; on one of the placards it says: ‘Don’t forget, scum! You will pay for our soldier!’

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not obligated to give an interpretation of his or her work. Once the work is made public, the potential public reaction is beyond the artist's control. The public response takes place 'at the other end' of the work. The viewer might be angered, insulted or delighted by a work of art. Does that entitle him or her to take action? The old Russian proverb provides an answer: 'Don't blame the mirror if your face is crooked.'

*Translated from the Russian
by Christopher Gilley*

ABOUT THE AUTHORS:

Natalija Riwo (Maguidova) is an artist, architect and designer. Since 1998, she has overseen exhibitions in the *Sakharov Center* as a designer and has also worked as a curator.

Konstantin Rubachin is a writer, photographer and journalist; he works, amongst other areas, in PR.

AUTHORITARIAN MUSEUM OR THE SUPPORTERS OF REGRESSION

Diana Machulina in conversation with Andrei Erofeev

interview

Andrei Erofeev is the director of the contemporary art section of the State Tretyakov Gallery (the GTG). In March 2007, he organised the exhibition Forbidden Art – 2006 in the Sakharov Community Center. The works on display had been submitted to curators for exhibition in Moscow museums and galleries in 2006, but were rejected by the artistic advisors or the directors. In its own way, the exhibition charts and discusses the character and direction of institutionalised censorship in the field of culture. In the interview, Erofeev discusses forms of censorship, compares them with those of the soviet period and emphasises the appearance of the dangerous post-soviet phenomenon of 'self-censorship'.

Diana Machulina: How did you come up with the idea for the exhibition Forbidden Art?

Andrei Erofeev: It reflects the spirit of contemporary Russian society. Authoritarian forms of government exist when a decision is not subject to discussion at the moment it is taken, and the opportunity for discussion is only granted after the matter has been resolved. The character of this government is in many respects soviet, but today it can be the subject of public discussions, for example in the press, which was not permitted in the soviet period. But, as in the past, subordinates discuss with subordinates, while the leader, as before, does not take part. This exhibition is a way of discussing the behaviour of the museum directors and cultural bureaucrats who forbid the display of works of art, not on the basis of aesthetic concerns, but rather due to the content of the work, which is subject to censorship.

Who exactly decides today what is censored?

Today there is not a general system of control, a soviet of artistic advisors, from which all artistic activity has to receive prior approval. The official ultimatums evident under the USSR do not exist. Back then I once exhibited pictures by Oskar Rabin and Oleg Tselkov. Some people from the KGB, so-called 'cura-

interview



Forbidden Art 2006, *view of the exhibition.*
© Andrei Sakharov Community Center, Moscow.

tors' from the department for work with the intelligentsia, came to me and said: 'Take down these pictures. These artists are traitors to their nation and have been deprived of their citizenship. If you do not take them down, then the exhibition will have a fire.' Their frankness was terrifying, but now we are dealing with an entirely different phenomenon, alive and dangerous, because the forms of its description and alienation from oneself have still not been found: 'self-censorship'. There are no telephone calls or orders. The museum employees remove the pictures themselves. They orient themselves towards that which can be shown in the public sphere. My direct superior is beginning to talk about art in this way: 'Should we accept it or not?'. Take for example a depiction of a woman crouching on her elbows and knees, advertising a car. She is clothed. The deputy director removed it because

she thought that a Russian girl should not squat in such a pose.

Censorship is most often bound up with the body, because Russians find it difficult to discuss the body in public. The second area prone to censorship is religious symbols. They cannot be displayed within contemporary art. It is not necessary that there be blasphemy; the very fact that the attributes of religion can be used in ways that deviate from that which is official and common is not tolerated.

In this year, we also had to deal with political censorship. Taking her lead from the general atmosphere, my sensitive direct superior started taking down works depicting Putin, Bush and Bin-Laden. This was not because she was scared of those in power. Rather, she is demonstrating her well-meaning intentions towards authority, in all of its manifestations.

Sometimes people in black cassocks with pieces of scaffolding and crowbars turn up and wreck an exhibition. Alternatively, they beat up the curator, so that afterwards he, as in the case of Marat Guelman, is laid up in hospital for a month. All the same, intimidation is not very widespread.

And why is there this soviet cowering down to the government nowadays?

It is not even soviet – it is mediaeval. It is a matter unconnected to the profession itself, but this admiration for those in power among museum workers is reflected in professional values. They do not consider contemporary art to be art. Employees of the GTG are waiting impatiently for our contemporary

interview

art section to fall apart, and that this art, which is technically good for nothing, will disappear. The cardboard will rot, the installations will rust, and everything will be as it was before: paintings, sculpture and graphic art. Moreover, the cataloguing of the collection runs along the principle ‘painting – sculpture – graphic arts’. Accordingly, a great swathe of contemporary art does not get into the collection. With regards to contemporary ideas, it is as inaccurate as classifying icons according to the principle ‘still life – landscape – portrait’.

Censorship is enforced with the help of the museums’ aging staffs, who exert pressure on artists to return to traditional artistic forms. Take for example Vasilii Tsagolov, who made remarkably staged photographs, but crossed over to painting because people had said to him: ‘Why photography? It would be better to draw, then we will talk about whether we will exhibit you or not’. Apart from the law of the market, there is the ‘law of the museum’. And these laws are dangerous for culture and the economy, not in that they recall Stalinist repression, but rather in that they are counter-productive. People who make decisions on these grounds are leading Russian society into a dead end, in all areas of life. The Tretyakov Gallery acts as a filter, albeit on the reverse side [in that it preserves the ‘dirty’].

This relationship to contemporary art is not exclusive. What will this lack of respect for today’s creative work lead to? It will lead to a situation in which our society lacks a language appropriate to the time with which to describe the modern world. Society will be dumb and helpless, unable to understand or direct itself. It exists in an imaginary world, which is increasingly distancing itself from reality.

From the Russian by Christopher Gilley

ABOUT THE AUTHORS.

Since the end of the Perestroika period, *Andrei Erofeev* has been, along with Leonid Bazhanov and Viktor Miziano, one of the highest profile collectors of and propagandists for underground and contemporary art. The collection which he put together in the *Tsaritsyno* museum was later integrated into the *Tretyakov State Gallery* at his request.

Diana Machulina works as an artist in the disciplines of painting and interactive installations. She writes as an art critic for the Moscow paper *Vremia novostei* and *Kultura*.



INQUIRIES IN THE STYLE OF *FICTION*.
LEGAL CONFLICTS AROUND RUSSIAN LITERATURE

Konstantin Rubakhin

sketch

Conflicts between those in power and Russian writers drawn to controversial topics have taken place in the past. However, until 2002, there were no attempts to resort to official measures, such as the referral of the matter to court, the eviction of publishers, the issue of warnings or the confiscation of print runs. Recent events suggest that the position of writers can be directly dependant on whether their works deal with problematic topics which those in power would rather keep quiet than solve.

TRIAL I: BAYAN SHIRYANOV

2002 saw the opening of the trial of Kirill Vorobyov, who writes under the pseudonym Bayan Shiryanov. He was accused of the illegal production and distribution of pornographic material (Article 242 of the Criminal Code of the Russian Federation; see box on p.4). The case was prompted by a law suit initiated in summer 2002 by the organisation Walking Together (Iduschie vmeste)¹, citing the illegal sale in bookshops of the novel *Seredinnyi Pilotazh* ('Middle Piloting'), which the plaintiffs believed was pornographic. *Seredinnyi Pilotazh* is the second book of a trilogy describing the life of drug addicts (the first and last books are called 'Lower Piloting' and 'Higher Piloting'). In the course of the trial, the two extracts from the novel referred to were not proven to be pornographic. Eight expert opinions were solicited. The specialists from the Ministry of Internal Affairs and Nikolai Pereyaslov, two-time secretary of the Union of Russian Writers, discovered pornography in the novel. The experts from the philological faculty of the Moscow State University and the institute of philosophy of the Russian Academy of Sciences did not detect pornography in Shiryanov's work. The Centre of Complex Expertise and Certification of Systems and Processes, whose expert opinion proved decisive, also failed to uncover any pornography in the novel. The case ended in October 2005 when the Bassmannyi court of Moscow

¹ The youth group 'Walking Together' was set up in 2000 on the initiative of the presidential administration in order to support Putin's course; in 2005 it was replaced by *Nashi* (literally 'ours').

rejected Walking Together's appeal, confirming the 'not guilty' verdict against Shiryanov.

TRIAL II: VLADIMIR SOROKIN

In an interview on the trial against Bayan Shiryanov, Vladimir Sorokin, the second (and to date, last) figure in the 'writers' case', compared the Russian government and literature to two old lovers shaking with mutual love and hate. 'In his time, Dostoevsky got 10 years hard labour for reading Belinsky's letters to Gogol;² people disappeared because of literature under Stalin, and under Brezhnev they were exiled. Perhaps the love-hate relationship will continue to exist between literature and those who are currently in authority', claimed the writer.

The very same author was charged on account of his novel *Goluboe Salo* ('Light Blue Bacon'). A member of Walking Together bought a book at a stand and deemed an intimate scene between Stalin and Krushchev to be pornographic. The matter was examined by the public prosecutor. During the investigation, the research of the Ministry of Culture was accepted, which found extracts from the book 'Goluboe Salo' to be pornographic. However, after vociferous opposition from a whole series of public figures and institutions, including the US State Department, the material was not passed on to the court. At the same time, Sorokin himself brought a case against Walking Together for infringement of copyright and the distribution of pornography. This was a response to the fact that

² The verdict was against an underground circle in which Dostoevsky and his friends read literature which was prohibited.

sketch

Walking Together had distributed quotations from the author's text that had deliberately been taken out of context; according to the plaintiff, this lack of context could indeed lead a reasonable mind to see these fragments as being pornographic. The charges were not upheld.

FACTS AND FICTION

The Russian state and society are loyal enough towards pulp fiction plots; complaints about their morality are rarely made. However, whenever an 'intellectual' work comes out, a public debate immediately erupts on the worthiness of the book and whether it meets some sort of moral standard. In Sorokin's opinion, this happens because ideas have supplanted things for a long time in Russia, and any idea has, until now, been perceived as a kind of object. This phenomenon leads to the absurd accusations of a novel distributing pornography or propaganda for drugs.

Recent developments have seen the tendency to consider, for example, the word 'drug' itself as propaganda. This is absurd, but bureaucrats are in fact trying to inculcate this logic: if a text deals with drug addicts, or if a character uses drugs in one of the novel's chapters, then this is in itself propaganda. In the same way, the author of any detective novel could be accused of disseminating propaganda in favour of murder. When Sorokin was accused of pornography by the experts, the accusation was based on the fact that he had described illegal actions. This is as silly as a criminal charge based on the language used in the text. The task of the writer is to depict that which he is writing about appropriately. When a work crosses over into the speech of the representatives of some or

other social group, then the language must correspond to the situation.

When talking about the court cases in question, both Vladimir Sorokin and Bayan Shiryanov remark that the trials crossed onto the plane of their novels and the trial was not conducted against a specific writer, but rather against the heroes in their writing. It is as if the author was him- or herself part of the work. This way of dealing with literature recalls the trial against the authors Andrei Sinyavsky and Yuli Daniel, who in 1966 were convicted on the charge of 'anti-soviet propaganda'. The verdict was based on passages from satirical texts which since the mid-1950s had only been published abroad.³

PS: Following this logic, the verdict should be to place the author under the obligation to write a sequel in which the protagonist serves a custodial sentence. However, sometimes this is not possible, for example when, as in the case of the main character in Bayan Shiryanov's book, he dies on the pages of the novel, long before the case came to court.

From the Russian by Christopher Gilley

READING SUGGESTION:

Evegenii Bershtein, Jesse Hadden, 'The Sorokin Affair Five Years Later. On Cultural Policy in Today's Russia', ARTMargins, 2007, Mainview: <http://www.artmargins.com/content/feature/bershteinhadden.htm>

³ Sinyavsky (pseudonym Abram Terts) spent 7 years in a prison camp, Daniel (Nikolai Arshak) 5 years.

UNBOUNDED FREEDOM? THE USE OF LEGAL MEANS TO DEMARCATÉ
ARTISTIC FREEDOM IN RUSSIA

Sandra Frimmel

analysis

Since the end of the 1990s, Russian artists and artistic institutions have increasingly been the target of hostility and censorship. Because representatives of the church often drive the public discussion around them, these confrontations are frequently interpreted by both the domestic and foreign media as an attempt by the Russian Orthodox Church (ROC) to establish itself as the country's cultural authority. However, there are in fact several other parties involved, including the Moscow Artists' Association and the Russian minister of culture. The diversity of the actors indicates that one cannot speak of a unified front with a common agenda lined up against contemporary art. Instead, various social interest groups form coalitions and lock horns in each different case. They all claim authority to speak for various systems of moral value.

Various social groups are currently vying for symbolic power – that is the right to determine the parameters of social coexistence and national identity. The general discussion of values can be crystallised into the question of what role the arts should play in today's society. During the soviet period, the artists' organisations, directed by the state and party, provided the answers to these questions; since the advent of Perestroika, however, they have lost most of their power.

Contemporary art has not yet been able to establish itself in Russian society as a serious institution. A national museum for contemporary art, which could assume responsibility for collection, preservation, research and transmission, has not yet been set up; the first private museum for contemporary art, Igor Markin's *Art4.ru*, was only opened in 2007.¹ A system of sponsorship – be it state or private – has barely developed; the training of art historians and artists is still largely based on the traditional academic model, which is hostile to discourse and ignores the developments of the twentieth century.

Therefore, even the younger generation of those producing and appreciating art lack experience in dealing with contemporary art. The 'impure', which is part and parcel of contemporary Western art, is generally not recognised in Russia as a form of artistic expression, and since the debate

has been suppressed for decades, there has been no attempt to examine it.

ACTORS AND ARGUMENTS

A broad spectrum of groups is involved in the confrontations with artists and the art world, and the actors cannot always be clearly identified. Nevertheless, their arguments and tactics are often very similar.

The accusation of blasphemy, or in the words of article 282 of the Russian Federation's Criminal Code 'the incitement of national or religious enmity', is very common. It was first levelled against Avdei Ter-Oganyan in 1998. In the case of the exhibition *Watch out, Religion!* from 2003, the leading clergyman Alexander Shargunov, chairman of the 'Social Committee for the Rebirth of the Fatherland', thrust himself into the limelight following the destruction of the works of art. His letter of March 2003 to the State Duma's Security Committee was the decisive factor in bringing about an investigation into the exhibition organisers:

'This political provocation under the guise of an exhibition aims to arouse hostility and hatred towards Christianity, Russian culture, its traditions and religious rites, and insult the sense of honour of the majority of our country's population'.

Even in the early stages of the conflict, it became clear that the supposed attacks on the ROC were being interpreted by its representatives as attacks on Russian culture as a whole; religion, or to be more

¹ In the Ukraine, the 'Oligarch' Viktor Pinchuk opened a private museum for his collection of contemporary art in 2006 in Kyiv.

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precise, Orthodoxy, was postulated as an integral component of Russian national identity. A declaration in the same month by the Moscow Patriarchate's Department for External Affairs used this association to persuade the government to intervene in the conflict despite the separation of church and state: 'In order to preserve and strengthen social harmony, the state must, with the aid of the law, banish the insulting of religious sentiments and symbols from the life of the country. [...] The state should not interfere in religious or ideological conflicts. Nevertheless, it has the duty to prevent attempts to provoke strife and hostility in society'.

The accusation of popular incitement has, in some cases, been intertwined with the attempt to deny the works under discussion the status of art. The

reports by the so-called experts of the *Tretyakov Gallery* and the Academy of Sciences (RAN) (for Old Russian Art, History, Ethnography, the Russian Avant-garde and Psychology), commissioned by the plaintiffs, express their rejection of contemporary art:

'To all appearances [...] we are dealing with a counter-culture or hostile culture; in today's society, it expresses the destructive, dangerous tendencies which flourished in Western culture during the twentieth century'.

Similar arguments were heard in the discussion of the exhibition *Russia 2*. The members of the Moscow Artists' Association brought the following accusations against their colleagues in their petition:

'Like many of our fellow believers, we think that

'CONTEMPORARY ART AND TABOOS - POLITICAL, AESTHETICAL, ETHICAL AND RELIGIOUS'
INTERNATIONAL CONFERENCE, MOSCOW, 29TH-30TH OCTOBER 2007 (*Nataliya Rivo*)

The *National Center for Contemporary Arts (NCCA)* and the *Sakharov Museum and Community Center for Peace, Progress and Human Rights* initiated a discussion about the freedom of artistic creativity, censorship and self-censorship, social, aesthetic and moral prohibitions, and the responsibility of the artist. The necessity of such a discussion became clear after the exhibition *Forbidden Art 2006* – like other exhibitions of contemporary art before it – caused a further scandal and aggressive clashes in Moscow and in Russia as a whole. Essential to an analysis of the situation are past international experience, an interpretation of precedents, the opinions of specialists from different spheres – not only artists and art historians, but also lawyers, politicians and academics. The conference wanted to create a forum for this.

Andrei Erofeev, the head of the section for contemporary art at the *Tretyakov State Gallery*, and Aleksandr Borovskii, head of the section for contemporary art at the *State Russian Museum*, talked about censorship as a specific phenomenon of social prohibition. The question of the existence and principles of censorship has, according to Erofeev, not been resolved under the present government. Against the background of a growth in extremist, right-wing rhetoric, those in power are following the path of 'indirect censorious correctives'.

The philosopher Oleg Aronson argued that as an institution contemporary art is in a position to respond to lawsuits from society and accusations of indecency in a way which examines public morals. The problem here is that contemporary art goes beyond the framework of the 'ideal', potentially allowing itself to be used for political ends by groups which have nothing to do with art. The philos-

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the exhibition in question, like the entire project *Russia 2*, aims to fan the flames of religious hatred. The openly belligerent, provocative, inflammatory character of the exhibition has nothing to do with art'.

In this way, contemporary art as a whole was characterised as being hostile to society and alien to its own culture. In the traditional understanding, contemporary art is not considered art at all, and is therefore seen as being outside the protection of the law.

The debate surrounding the exhibition *Russia 2* introduced another thematic strand that seemed to be neither religiously or nationalistically motivated, but strongly personal. Marat Guelman, the exhibition organiser, is not only an accomplished gallery owner; he has also been a very successful election campaign organiser. The 2006 attack on the *Marat Guelman Gallery* during Alexander Dshikiya's exhibition was, on the one hand,

interpreted by the media as an 'anti-Georgian incident'; on the other hand, it coincided with Guelman's retirement from the business of organising electoral campaigns. Against this background, one cannot rule out the possibility that Guelman was attacked by his former political opponents indirectly through art once the protective hand of his past political allies had been withdrawn.

In those cases in which customs officials were the main actors, the accusations against art centred on the charge of 'insulting the president' and the unauthorised distribution of pornography. It is worth noting that the subjects identified as 'pornographic' were also linked to two other topoi which could well have riled those involved even more than pornography: the police or army and oil. The extent to which individuals such as customs officers at the airport or the customs authorities (*Rosochrankultura*) intervened on their own initiative is unclear.

opher Mikhail Ryklin also thinks that art is currently becoming increasingly conservative. Its transgressions have been imposed by outside forces, which are far more powerful than the humble communities of contemporary artists, critics and lovers of art.

Sergei Nasonov, the lawyer in the case of *Watch out, religion!* compared the criminal trials with the 'Malleus Maleficarum' of the period of the inquisition. Today's accusations, as in the 15th century, are diffuse and ill-defined, based on the prejudiced opinions of so-called experts, and lack criteria to reach a judgement. The clergyman Yakov Krotov, who represented the point of view of a man of the church, underlined that religion and belief were not the same thing. 'We live in a secular society in which disbelief and belief are valued equally'. The writer and translator Iukka Mallinen received a good response with his paper on the question of whether an act of violence could be an artistic gesture. A young artist from the audience offered to punch him in the face in order to make the issue clearer.

The fact that contemporary art provokes such confrontations demonstrates, perhaps, its relevance and ability to react to current developments and sensitivities in a discursive and critical manner. Can the artist claim any additional rights or, on the contrary, does he carry greater responsibility? The topic is open for discussion.

It is astonishing, however, that such an important question has barely attracted the attention of artists themselves.

Translated from the Russian by Christopher Gilley

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The FSB are said to have obstructed the export of the works for the exhibition *Learning from Moscow 2007* in Dresden, albeit not until customs authorities referred the export documents to them. An unusual step borne of anticipatory obedience.

In addition to the efforts to defame contemporary art as a phenomenon foreign to society, there is the strategy of beating it at its own game. In a radio broadcast from January 2003, the priest Shargunov described the destruction of the works in the exhibition *Watch out, Religion!* as a conceptualist action:

‘This “conceptualism” has met with an appropriate conceptual reaction to their exhibition [...] One could have beaten them up, and even that would have taken place in a conceptualist context. After all, our Orthodox conceptualists also understand something of conceptualism’.

The action held in front of the *Bolshoi Theatre* against the writer Vladimir Sorokin by the youth organisation Walking Together was reminiscent of a carnival performance. The participants threw flowers and copies of Sorokin’s works into a papier-mâché toilet bowl, which they described as an ‘improvised monument’ to the author. Moscow actionism at its best.

POWER OVER SYMBOLS

Regardless of which actors are involved, the confrontations represent the power struggle to define the religious, national and sexual symbols emblematic of a society’s values. The basis of the controversies over these symbols is the various actors’ contradictory interpretations of the sacred and the profane, that is of sacrosanct spheres. At the same time, the principle of unchanging social values versus the idea that they are relative and bound to a particular historical epoch, are in direct opposition. In the artistic practices discussed here, sacred symbols are transferred to a secular context, thereby rendering them profane and challenging their sup-

posedly inviolable meaning. This is understood – in particular by representatives of the ROC and the Artists’ Association – as an attack on their static system of values.

According to the above-quoted declaration by the Moscow Patriarchate’s Department for External Affairs: ‘The “game” with the sacred and its intentional profanity do invisible harm to the human soul [...]. The Church maintains that any public desecration of iconographic depictions of the Lord Jesus Christ, the Mother of God and other saints, that is mixing them with alien depictions, publishing them in an inappropriate context, using them in books, films and plays which propagate human passions, or using them for advertising purposes and on the labels of groceries and other products, violate the beliefs of the faithful’.

The power to transform society attributed in the discussion to symbols is evident in the expert report in the case of *Watch out, Religion!*. ‘The latent content of the works’ was described as above all as an ‘assault on the sacredness of the Christian ideology and its symbols’ and the ‘transformation of moral values’. Accordingly, its social function is supposedly ‘de-Christianisation’ and the ‘destruction of the ideology’.

State organs such as the Ministry for Culture or the customs authority have deemed that symbols such as the likeness of ruling President Putin or pictures of people in uniforms, as portrayed in the works by Vladimir Mamyshev-Monroe, the group *PG* or the *Blue Noses*, discredit the Russian state. Works by *PG*, which combined erotically charged motifs with the police and with oil, were removed shortly before the opening of the exhibition *Soz-Art* during the *2nd Moscow Biennial for Contemporary Art*. This suggests that the true purpose of allegations of pornography is to deflect questions about the government’s and its executive organs’ ‘values’ and the basis of its wealth.

In order to maintain the sanctity of their symbols,

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representatives of the ROC have chosen to increase their personal presence in the public eye and media. Through appearances on television and news coverage of organised demonstrations, such as those that took place in grand style front of the court building during the *Watch out, Religion!* trial and around the *Sakharov Community Center* at the time of the exhibition *Forbidden Art 2006*, they court the attention of the media.

The action organised by Walking Together in front of the *Bolshoi Theatre* was apparently not only directed against Sorokin and his literary work, but also engineered to help the newly founded youth organisation win visibility and media coverage in order to establish itself on Russia's political landscape. Visibility in the media and in the public eye facilitate an active role in shaping social reality; power over symbols is thus tantamount to the power to define reality.

WEIGHING UP RIGHTS

Despite the numerous conflicts swirling around

contemporary art, there has only been one case in which a conviction was passed; all in all, the results have fallen short of the art opponents' expectations. There was a hearing in the case of the *Watch out, Religion!* exhibition, but the judgement was lenient: although the charges had called for a sentence of three years in a prison camp and professional disqualification (the maximum penalty for the crime of incitement to hatred), the lightest possible punishment, a fine, was imposed instead. In the publicly accessible files, however, no reference is made by the lawyers of either the artists or the organisers to the fact that article 44 of the constitution of the Russian Federation guarantees everyone the right to artistic and other forms of creative freedom. Astonishingly, this article plays no role whatsoever in the public debate – neither in the media nor in court.

At the conference *Contemporary Art and Taboo*, Sergei Nasonov, one of the defence lawyers, compared the conduct of the trials to the trials by the



Demonstration in front of the Sakharov Center during the exhibition Forbidden Art 2006.
© Konstantin Rubakhin.

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Inquisition, which followed a rigid protocol in which – just as in the Stalinist show trials – no place for the defence of the accused was envisaged.

Equally unsuccessful was the lawsuit brought by the members of the Moscow Artists' Association against the exhibition *Russia 2* on the grounds of infringement of their religious and national feelings. The plaintiffs' demand for financial as well as moral compensation for the harm they had suffered was rejected by the public prosecutor. However, a technical error by the plaintiffs' lawyer also played an important role in the case.

What is disturbing in all these cases is not so much the fact that the borders of artistic freedom are being delineated; this is an international phenomenon. Far more problematic is the way in which the discussion is being conducted: art is given no leeway to defend its position. In Germany, Austria and the USA, the rights to artistic expression and to religious freedom are fundamentally equal. If they come into conflict with one another, artistic freedom is weighed up against other rights in each single case.

It is precisely this weighing up of rights that does not take place in Russia. The artistic freedom guaranteed by the constitution thus only plays a subordinate role in practice. The soviet legal system also contained laws which existed only on paper. Although today's Russian Federation possesses a new constitution, the attitude towards it does not seem to have changed much since the Soviet period. However, the contemporary art scene would do well to employ its constitutional rights with the same vigour as its opponents.

IN SEARCH OF A NATIONAL IDEA

Instead of drawing the boundaries of artistic freedom through continual social discourse, in Russia the trend is to define these borders as univer-

sally valid norms through legislation. Contemporary art's lack of functioning cultural institutions, which could help consolidate its position, indicates here a renaissance in the doctrine of art according to which the state directs art through the artists' associations. However, Putin's Russia is a state without a defined ideology, or, in the words of Solzhenitsyn, a national idea. Therefore different social groups, both from the state and the church, compete for the right to define, amongst other things, artistic norms. Numerous actors are attempting to establish once and for all the supremacy of their ideology.

Against this background, the position of contemporary art is more differentiated than the large number of attacks would seem to suggest: just recently, the Kandinsky Prize, initiated by the foundation ArtKhronika and Deutsche Bank, was awarded for the first time. In addition, the number of private foundations for contemporary art is constantly growing, and among the newly rich, contemporary art has recently come to be seen as a status symbol. Oleg Kulik even obtained the blessing of a ROC representative for his exhibition *Veryu* ('I believe') at the *2nd Moscow Biennial*. In order for contemporary art to free itself from the fetters of extraneous influences as well as rich benefactors and their whims, care must be taken in the future to considerably strengthen its position as an institution within society.

*Translated from the German
by Christopher Gilley*

READING SUGGESTION:

Darion Gamboni, *The Destruction of Art: Iconoclasm and Vandalism*, London: Reaktion, 1996, 1997.