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Paris, August 8, 2023

[PRELIMINARY]
NOTES FOR
THE DEFENSE
[ANSWER TO
PETITION]

Statement of Case INd: 948-018-23

1. Suspect: Δ ?

Program - 23, Artist Initiative and Association (Paris/Vienna)

who is the TT?
- PUBLIC?
- "ART"?

2. Particulars of Claim:

A. Fraud; Use, repetition and promotion of the acknowledgement of a special status of visual arts. Inadvertent solidification of the deceptive claim of visual art's emancipatory potential and civic relevance.

B. Incestious-solidarity; A solidarization of artists with artists resulting in a segregated community of solidarity is not counteracted by the association.

C. Pretence of Gemeinnützigkeit sub: of A & sep claim of action

D. Negligence; Non-Treason of their own self-realization/self-legitimation/ideology-group.
what duty to ACT

E. The articulation of a dualistic structure (see 3.A) which is not only ineffective, because paradox,

F. but can also result in spiraling into symbolic moments of legitimizing self reflection (Mise en abyme).

sub: D

3. References:

A. "We are confronted with a decision between (1) radical rationalization of artistic practice, which would mean fair payment and the revolutionary destruction of the autonomy-of-the-economy, and (2) radical retreat into a serious artistic practice, which would mean the exit from the logic of reward and the individualized false promise of an outside to the autonomy-of-the-economy. Or, put differently, unconditional love must be either paid for, or free for all. Both approaches exist and are equally attractive. As a consequence of the impossibility of the fulfillment of their respective claims: simply, the ability of (1) 'political action' or (2) a 'serious practice,' the application of either of these two ideals leads to the withdrawal from the field of visual arts and its institutions. Legitimately we mutate into hated enemies, as we continue to work in this field."

Program - 23, excerpt from a text written on the occasion of the association's initial activities in March 2023 and disseminated via e-mail and published on the website www.program-23.org.

B.1. "[L]aw, like literature, is made of language. Law prescribes and proscribes what may be done in terms of being legal or illegal. *It* is a Latin variant of *in*, meaning "not" or "in opposition to". A circular move: what is illegal is that which is in opposition to what is legal. A positivist approach would be to understand all that is not lawfully sanctioned is therefore against the law; a realist approach would argue that the law has not yet considered all. Put another way, tell me what is forbidden, and I'll know what has been seen to have been done."

B.2. "To extend our legal-linguistic analogy: artistic terrorism is thus an act or acts of violence to and within language that is coercive/intimidating to the practice or reception of art that occurs either within or outside what is deemed art. Hidden in this are the facts that (1) language is what makes something illegal and is that which (2) demarks jurisdiction."

B.3. "We are now speaking of malfeasance versus misfeasance: malfeasance being the injurious act done willfully and intentionally, misfeasance being the willful and intentionally inappropriate or incorrect act. There is of course nonfeasance, the failure to act when required to do so [...]"

Vanessa Place, "Next to last words," transcript of lecture, November 26, 2018, École des hautes études en sciences sociales, Paris

K = OFFER → CONSIDERATION

ACCEPTANCE

if And in intent in offer?

refutes
neg
claim
be neg
if duty
& defia

D
C. "Man hands on misery to man. / It deepens like a coastal shelf. / Get out as early as you can, / And don't have any kids yourself."

Philip Larkin, "This Be The Verse," 1971

4. Scheme:

A. In the period between January and June 2023, the association (Leslie Bauer, Richard Eß, Maximilian Klawitter), self-described as "Program - 23", worked on the organization of a program of public presentations that involved other agents active in the respective field.

According to a website and text (see 3.A) published on February 23, 2023, the program started with a film/video screening in three parts (March 29, April 18, May 16). The continuation is planned in Fall 2023.

From the text published on their website on the occasion of the beginning of the association's activity, it appears that the association is confronted in particular with the choice between two models, RR1 and RR2, none of which they are able to fulfill.

Both models require an immediate cessation of work.

B. RR1 is described as the radical rationalization of artistic labor, the objective of which would have to lead to fair payment or the end of the economy's autonomy.

RR1.1: A demand for fair payment within the field of the visual arts is a cooperatist/separatist, reformist call for an explicit professional group, that uses the unjustified special status of the visual arts, as allegedly valuable for a broader public.

RR1.2: The destruction of the autonomy of the economy.

RR2 is described as a radical retreat from the public resulting in giving up the entitlement for payment or reward.

RR2.1: The motive of the retreat used as a vehicle to evoke authenticity through the imitation of a purportedly "outside" position.

RR2.2: Acceptance of the impossibility of the public realm (under the conditions of an autonomous economy) and the respective consequences.

C. RR1 relies on the special status(*) of the visual arts. It would either promote dubious separatist forms of reformisms or destroy the remnants of institutions through abolitionist approaches, and thereby pave the way for libertarian structures (the already existing bond between "autonomy art" and "autonomy economy").

RR2 relies on the special status of the (possessive) individual and concludes with the paradox of art without public. It remains a romantic idea that represents the cult of the genius in favor of maintenance of the myth of artistic creation *per se*.

5. Conclusion:

A. The cessation of any professional activities in the context of a fully autonomous economic system, as the logical consequence, was not implemented by the members of the association. No consequences followed. None of the members refrained from their respective activities; none of the two models was approximated by the association; the logic interpretation of both models would mean the cease of all activities. (The intentionally wrong interpretation of the two models, for individual benefit, as conducted by unpaid-labour-conscious and fair-payment agents (RR1.1), or authenticists/mysticists (RR2.1) can be dismissed as irrelevant.)

TRIO OF
SERVICE EXECUTED
11 SEPT 2023

VIP

[Signature]