

Revolving Documents

Revolving Documents

**Narrations of Beginnings, Recent Methods
and Cross-Mappings of Performance Art**

**Edited by
Sabine Gebhardt Fink and Andrej Mirčev**

DIAPHANES



The publication series ›745. Kunst Design Medienkultur‹ collects contributions on key research areas of the Lucerne University of Applied Sciences and Arts

Series editors: Wolfgang Brückle and Rachel Mader.

DIAPHANES, Zürich 2024

ISBN 978-3-0358-0683-0

DOI: 10.4472/9783035806830

This work is licensed under a 3.0 license.

Contents

Sabine Gebhardt Fink, Andrej Mirčev

Editorial Notes **7**

NARRATIONS OF THE BEGINNINGS

Dror Harari

Competing Historiographies of the 1970's Israeli Action
and Performance Art **23**

Andrea Bátorová

Art History and Its Narratives in Former Czechoslovakia
Before and After 1989 **41**

Andrej Mirčev

Memory of the Star in (ex-)Yugoslav Performance Art.
Transgenerational Embodiments of the Pathos-Formula **63**

Cláudia Madeira and Fernando Matos Oliveira

From (Proto)Performance to Reenactment. Similarity and
Anachronism in (Portuguese) Performance Art History **85**

**Andrea Saemann, Muda Mathis, Chris Regn and
Margarit von Büren interviewed by Sabine Gebhardt Fink,
drawings by Lena Eriksson**

Staggering Research **103**

CROSS-MAPPING: FEMINIST NARRATIONS, SUBVERSIVE ACTIONS AND A PARA-ETHNOGRAPHIC REPORT

Oriana Fox

Beyond Before and After: Feminist Performance Art as
Radical Self-Care **121**

Séverine Fromaigeat

Making Room for Different Bodies and Subversive Actions:
Is Performance Art a Tool for Emancipation? **143**

Hanna B. Hölling, Jules Pelta Feldman and Emilie Magnin

Performance Conservation: A Condition Report, or
a Para-Ethnography in Three Acts **155**

Dorothea Rust

Skor of: An Improvised Criss-crossed (autobiographical)
Performance as a Lecture as a Performance as a Lecture **173**

RECENT RESEARCH METHODS: CRITICAL METHODOLOGIES
IN PERFORMANCE STUDIES AND LIVE ART

Sabine Gebhardt Fink

The Communicative Memory as a Category for Research in the
Field of Performance and Live Art **185**

Stephen Greer

From the “Miraculous” to the Radical. Towards a Methodology
for Researching Live Art and Performance Art in Scotland **201**

Sandra Sykora

“I hope I hear from you soon concerning many small details.”
Historic Contractual Documentation as a Source of Informa-
tion in the Field of Performance Art Research **223**

Acknowledgements **237**

Contributors **239**

Sandra Sykora

“I hope I hear from you soon concerning many small details.”

Historic Contractual Documentation as a Source of Information in the Field of Performance Art Research

The law of contracts, in its widest extent, may be regarded as including nearly all the law which regulates the relations of human life. Indeed, it may be looked upon as the basis of human society. All social life presumes it, and rests upon it; for out of contracts, express or implied, declared or understood, grow all rights, all duties, all obligations and all law. Almost the whole procedure of human life implies, or rather, is the continual fulfilment of contracts.

Theophilus Parsons, *The Law of Contracts* (1853), Preliminary Chapter, Section I, “Of the Extent and Scope of The Law of Contracts,” p. 1

Introduction

Whether and how performance art can be documented¹ or even restored² has been and still is the subject of many research projects, most of which revolve around the issues of reinstating, preserving, and disseminating knowledge about live performances.

¹ See for instance Toni Sant, ed., *Documenting Performance: The Context and Processes of Digital Curation and Archiving* (London: Bloomsbury, 2017); Matthew Reason, *Documentation, Disappearance and the Representation of Live Performance* (Basingstoke: Palgrave Macmillan, 2006). ² Joanna Phillips and Lauren Hinkson, “New Practices of Collecting and Conserving Live Performance Art at the Guggenheim Museum,” *VDR-Beiträge* 1 (2018), pp. 124–132. Elzbieta Wysocka’s essay, “Restoration of Experience Analysis of the Re-enactment of the Performance Change. *My Problem Is a Problem of a Woman* (1979) by Ewa Partum,” *VDR-Beiträge* 1 (2018), pp. 111–117, evaluates the effectiveness of restoration of performance by re-enacting.

Discussions mostly focus on physical materials or “static elements,” namely “preparatory materials such as sketches, scores, or notebooks; audiovisual documentation such as photographs, film, and video; artist statements and interviews; and other miscellaneous ephemera and props.”³ The “active bodily transmission of knowledge”⁴ or “muscle memory,”⁵ through which a performance or its experience can be transmitted to others, is also widely discussed.

However, there is one type of document to which this article would like to draw attention: documentation that provides information about the contractual relationships between performance artists and galleries, museums, art fairs, or other institutions in which the artists performed or to which they sold their works. To date, contractual documentation seems remarkably absent from the scholarly discourse surrounding performance art research, although in some cases its exploration can prove to be a rich source of information, namely for research on the contextualization of performance artworks.

Identifying archives of artists’ estates, museums, and galleries that might contain historical contract documents was therefore one of the main goals of the research project “Collecting the Ephemeral. Prerequisites and Possibilities for Making Performance Art Last” at the Lucerne School of Art & Design, which is funded by the Swiss National Science Foundation. Our team has gathered material from countries including Belgium, Germany, France, the United Kingdom, and the United States.

Some of these will be discussed in the second part of this paper. In the first part, a brief introduction to the concept of a contract is given, with an explanation of whether and when a legal form must be observed.

³ Athena Christa Holbrook, “Second-Generation Huddle, A Communal Approach to Collecting and Conserving Simone Forti’s Dance Constructions at The Museum of Modern Art,” *VDR-Beiträge* 1 (2018), pp. 118–123, here p. 118. See also Dominic Johnson, *The Art of Living: An Oral History of Performance Art* (London: Bloomsbury, 2015). ⁴ Holbrook, “Second Generation Huddle,” p. 120. ⁵ Dorota Sajewska’s “Körper-Gedächtnis, Körper-Archiv. Der Körper als Dokument in künstlerischen Rekonstruktionspraktiken,” in *Seien wir realistisch. Neue Realismen und Dokumentarismen in Philosophie und Kunst*, ed. Magdalena Marszałek and Dieter Mersch (Berlin and Zurich: diaphanes, 2016), pp. 339–366, examines the role and position of the body in relation to the archive and the transmission of the Shoah.

I. About Contracts

1. *What is a contract?*

The term "contract" has two different meanings. On the one hand, it can refer to a written document, traditionally a piece of paper, with a formally drafted contract text bearing the handwritten signatures of all persons involved.

In the legal sense, a contract comes into being when two (or more) persons exchange mutual, concurring declarations of intent. It is therefore only important that the declarations of intent coincide in content and are exchanged. However, as long as agreement has not been reached on all points between the parties, a contract is not concluded in case of doubt—unless the parties clearly want to legally bind themselves despite open questions.⁶ Whether the result of this exchange is called a contract, agreement, understanding, etc. is actually irrelevant.

Ideally, a contract would be signed at the end of a process between two or more equal partners. Both would bring their own positions into the communication with the other party: What do I want to achieve? What does the other party have to contribute so that I am satisfied with the result? How can we proceed together?

These positions would, in an ideal world, then be brought closer together in a negotiation until an agreement is reached. This rapprochement would take place "at eye level," without either party being taken advantage of. In economic terms, there would therefore be a fair exchange of contractual performance for contractual performance. The terminus "performance" is polysemous;⁷ in our context of contractual obligations, it does not refer to the art form, but means that the obligations arising out of the contract are actually fulfilled, which usually must be done within a certain timeframe.⁸

⁶ Hanns Kurz et al., *Praxishandbuch Theater- und Kulturveranstaltungsrecht*, 2nd ed. (Munich: C.H. Beck, 2015), p. 131. ⁷ For the meaning of (non)performance in art and law, see the last chapter of Fred Moten, *Stolen Life* (Durham N.C.: Duke University Press, 2018), especially pp. 250ff. Adam Czirak kindly pointed me to this monograph. ⁸ For recent discussions regarding contractual obligations, see Valentin Jentsch, "Contractual Performance, Breach of Contract and Contractual Obligations in Times of Crisis: On the Need for Unification and Codification in European Contract Law," *European Review of Private Law* 6 (2021), pp. 853–884.

2. *Written form for contracts?*

According to Art. 11 of the Swiss Code of Obligations (OR)—and this applies to the civil law of most European countries—, contracts require a special form only if the law specifically requires it. The written form must solely be observed in exceptional cases, namely whenever such a formal requirement is associated with a warning function. For example, a promise to make a gift must be made in writing.⁹ Some regulations prescribe even stricter forms. A testamentary disposition has to be made in what is known as “qualified written form,” which requires a handwritten document with a signature.¹⁰ And an agreement regarding the sales of real estate must even be notarized.¹¹

For the vast majority of cases, however, the principle of “freedom of form” applies and a contract can be concluded informally, just as everyone is free to decide whether to conclude a contract at all and, if so, with whom. Therefore, the famous informal “handshake” suffices to close the contract. Still, it is highly recommended to conclude contracts in writing. Written contracts serve to ensure the security of legal transactions, are admissible as evidence in court and—in the best case—create transparent legal relationships, where everybody knows what to do (or not to do).

The cooperation between artists and museums, galleries or other institutions belong among the many cases that do not require a formal conclusion. That the art world has a less-than-enthusiastic approach towards all things legal and leans toward the “handshake,” is a constantly repeated cliché. As with most clichés, there is a kernel of truth in it. While in other industries it is common to put the contractual agreements between the parties in writing, in the art world there still seems to be a perception that requesting a written document could be seen as an expression of distrust towards the other party. Though according to my observations as a consulting lawyer, there has been an increasing trend in recent years to formalize agreements be-

⁹ Art. 243 Abs. 1 Swiss Code of Obligations; in Germany a gift pledge must be even notarized, if the gifted object is not immediately handed over. ¹⁰ Art. 505 Abs. 1 Swiss Civil Code (ZGB). ¹¹ Art. 216 Abs. 1 Swiss Code of Obligations.

tween artists and institutions, formal written contracts are still likely to be the exception, especially in the context we are interested in: that of performance art.

II. Historic Documents in Performance Art Archives

It can probably be assumed that in the past even fewer contracts were concluded in written form—or at least have survived to the present day. However, as the team from Lucerne School of Art & Design's "Collecting the Ephemeral" project found, this is not to say that the parties' consent—or the process of reaching it—was not documented. Rather, the fixing of their declaration of intent comes in all forms, as will be illustrated by three examples in the second part. These documents have been selected because they are very different from each other in form and content, showing artists in the context of a 1972 exhibition of contemporary art (*documenta 5*), a 1977 art fair (an Art Cologne predecessor) and a 1978 gallery festival of feminist art in Amsterdam.

1. Harald Szeemann brings artists in line for documenta 5 in 1972
The first document takes us back to *documenta 5* in 1972. The legendary Swiss curator, artist and art historian Harald Szeemann (1933–2005), who had conceived the now-iconic show *Live In Your Head: When Attitudes Become Form*, of post-minimalism and Arte Povera works at Berne Kunsthalle in 1969,¹² had been appointed as the first art director and sole curator of the exhibition. The programmatic focus chosen by Szeemann—a first for *documenta*—was "Questioning Reality – Pictorial Worlds Today."¹³ The event "focused on advertising, science fiction, naïve art, urban planning and other visual realms. The sections devoted to contemporary art featured vast surveys of current movements, such as photorealism, conceptualism, body art and

¹² *Live in your head: when attitudes become form: works, concepts, processes, situations, information*, held at Kunsthalle Bern, March 22–April 27, 1969, was a then-scandalous exhibition which eventually led to Szeemann's decision to work as a freelance curator and to establish his own agency. ¹³ https://www.documenta.de/en/retrospective/documenta_5 (accessed October 5, 2023).

postminimalism. More than 150 artists participated; among those were Vito Acconci, Michael Asher, John Baldessari, Dan Graham, Joan Jonas, Agnes Martin, Yoko Ono, and Ed Ruscha.”¹⁴

Although the selection of the participating artists was initially the “result of a protracted democratic process” at former *documentas*, that does not seem necessarily to have been the case for this edition. Szeemann, in the preparation of and run-up to *documenta 5*, is described as “a single, sometimes autocratic-seeming individual whose subjective conviction was the key shaping influence on the vision of contemporary art advocated in the exhibition” and as “increasingly becoming a ‘first among equals’.” The non-intervening curator of the *Attitudes* show had turned into the sole director of a large-scale exhibition who gathered staff around him in hierarchic circles.”¹⁵

Indeed, the document¹⁶ in question, which was most probably composed by Szeemann himself, seems to demonstrate his efficient management of artists’ contributions. The densely written one-pager, which is written in the “I” form unusual for this kind of document, consists of minutes regarding a meeting between artist Daniel Buren (b. 1938) and (likely) Szeemann on January 31, 1972. The meeting took place at the private home of artist and gallerist Konrad Fischer (1939–1996), who was employed as a freelancer at *documenta 5* and had, together with art historian and curator Klaus Honnef (b.1939), been given the task of conceptualizing the *documenta 5* section “*Idee + Idee / Licht*.”¹⁷

The minutes list nine matters and are headed with a somewhat tight-lipped: “We agreed.”¹⁸ They set forth that

¹⁴ https://rosettaapp.getty.edu/delivery/DeliveryManagerServlet?dps_pid=IE2371352 (accessed October 5, 2023). The Getty Research Institute contains the Harald Szeemann Archive and Library, the largest single archival collection ever acquired by the Getty Research Institute. ¹⁵ Beatrice von Bismarck, “‘The Master of the Works’: Daniel Buren’s Contribution to *documenta 5* in Kassel, 1972,” in *Curating*, issue 33: the *documenta* issue (June 2017), pp. 54–60, here p. 56. ¹⁶ *documenta* archives, docA_AA_d05_V0054.1-247. ¹⁷ Apparently, Szeemann “couldn’t accommodate the light artists anywhere else,” as Honnef told photographer Wilhelm Schürmann (b. 1946). See Günter Herzog, “1972, 30.6.–8.10.: KASSEL, DOCUMENTA 5, IDEE + IDEE / LICHT,” *sediment* 30 (2019), pp. 127–139, here p. 128. ¹⁸ “Wir kamen überein.”

1. Buren is managed in the department Konrad Fischer/Klaus Honnef.
2. The supervision of his work in this department is the responsibility of Fischer/Honnef.
3. The "350 words" statement is to be addressed to Fischer/Honnef.¹⁹

Therefore, prior to even describing what is actually Buren's assignment at *documenta 5*, Szeemann, first of all, clarifies responsibilities and hierarchy. He then goes on to explain as nos. 4, 5 and 6 that Buren has "to apply works," which had to be done as early as possible "and when the painting or other renovations are made." With this remark, Szeemann refers to general maintenance work that had to be carried out in the exhibition rooms prior to the opening of the exhibition and into which Buren's preparation had to fit. Szeemann further specifies that "the overall concept of Buren is dealt with in my general text": a somewhat uncharming way of stating that he, Szeemann, would himself write about Buren in an essay. The curator also states that he himself would step in to help, if necessary, to ensure "enforcement and creation of Buren's work no. 2" and that he would provide a photograph of Buren's "Manifestation" in Mönchengladbach.²⁰

After declaring that Fischer had been informed of these circumstances, the minutes go on to list the "costs to be expected," which contain travel expenses for three trips from Paris to Kassel and back (DM 600.-) as well as a per diem for ten days, which Szeemann put at DM 500.- He adds a fee of DM 1000.- for "application and material" and grudgingly puts in brackets that this was "demanded by Buren." This last remark is very interesting. It gives us a small hint that the parties may have disagreed at this point and that Szeemann had probably not planned for these costs. However, the artist obviously prevailed in requesting a fee, otherwise Szeemann would not have added this brack-

¹⁹ "1. Buren wird in der Abteilung Konrad Fischer/Klaus Honnef geführt. 2. Die Betreuung seiner Arbeit in dieser Abteilung obliegt Fischer/Honnef. 3. Das '350 Worte' Statement ist an Fischer/Honnef zu richten." ²⁰ <https://catalogue.danielburen.com/exhibits/view/73/%22Eine%20Manifestation%22> (accessed October 5, 2023).

et, which thus could represent a small crack in his façade as the man running the show. This could be a clue that Buren put his foot down at this point and was adamant that he should not only be compensated for his travel costs but actually be paid for his work as an artist. For the rest, the minutes in their clipped language do not reveal what the parties actually discussed, but give us a summary of what Szeemann established as the parties' agreement. The paper could therefore be seen as exposing the tight ship that Szeemann ran as the *documenta's* captain, firmly putting things (and people) in their place. Also very revealing is what this protocol does *not* tell us: namely, what was planned in terms of content for this section of the *documenta*.

2. Elisabeth Jappe manages performance artists for the International Art Fair Cologne, 1977

With the next set of documents,²¹ we approach performance art in the context of art fairs. The art critic and art historian Elisabeth Jappe (1934–2021) was one of the pioneers in establishing performance art alongside the market for contemporary art. A central figure of the Cologne art scene, Jappe founded the *Moltkerei* workshop in 1981, which quickly distinguished itself as an international venue for performance art.²² At Art Cologne's forerunner, International Art Fair Cologne, she was responsible for putting together the performance art program for the newly founded "Federal Association of German Galleries" (BVDG) in 1975, 1976 and 1977.²³

With the 1977 performance festival "Concept in Performance" at the International Art Fair Cologne, Jappe took on a major project, which far exceeded even the scope of the performance

²¹ Contained in the Archiv der Avantgarden (AdA) Egidio Manzoni, Staatliche Kunstsammlungen Dresden, <https://archiv-der-avantgarden.skd.museum/en/about-us/> (accessed October 5, 2023), contains more than 1.8 million objects and documents—artworks, letters, photographs—relating to artistic movements of the 20th century avant-garde. ²² <https://www.kunstforum.de/nachrichten/elisabeth-jappe-gestorben/> (accessed October 5, 2023). With *Performance – Ritual – Prozess. Handbuch der Aktionskunst in Europa* (Munich: Prestel, 1993) she wrote an important classic about performance art in Europe. ²³ See Günter Herzog, *ART COLOGNE. Die Geschichte der ersten Messe für moderne Kunst* (Cologne: BVDG, 2010), p. 3, https://www.bvdg.de/sites/default/files/Herzog_AC_Geschichte%20der%20ersten%20Messe%20für%20Moderne%20Kunst.pdf (accessed October 5, 2023). In 1977, Elisabeth Jappe was also editor of the art fair catalogue *Katalog. Internationaler Kunstmarkt Köln 1977. 26.–31.10.*

section of *documenta 6* in 1977.²⁴ The entire entrance area of the fair was dedicated to the presentation of performance, both live and in a cinema, with individual berths for Michael Buthe, Colette, Diego Cortez, Ernst Mitzka and Jack Smith as well as two performance spaces for the live program. The program included also artists Ben d'Armagnac, VALIE EXPORT, Robert Brown, Jochen Gerz, Jon Gibson, Peter Grass, Jürgen Klauke and Peter Weibel,²⁵ as well as the performance "Light/Dark" (Cologne, 1977), with Abramović/Ulay slapping each other for 20 minutes.²⁶ The art fair's press release seems to betray the organizer's own skepticism towards performance art: "This art movement, which only emerged in the sixties, has yet to prove itself in direct contact with the public. Whether it can create an independent place for itself in general cultural life or whether it will remain a marginal phenomenon of art will be clarified not least by its participation in international art fairs. Cologne is an important step on the way to defining the position of performance art."²⁷

The event is well received by the local press, which gives small introductions to many artists' works and information about the festival schedule. The *Kölner Stadtanzeiger* writes: "The Cologne Art Market is not intended to be merely a trading center for art as a commodity, where mammon interests alone rule the head and the cash register. That is why the organizers are once again offering a non-commercial supporting program."²⁸ Performance art, it seems, is not yet perceived to arouse the "mammon interests" of the art market.

In the *Archiv der Avantgarden*, the "Dossier Elisabeth Jappe Kunstmesse Köln 1977" is a treasure trove for researching the conditions under which artists were engaged for the performance festival. They contain numerous documents that demonstrate

²⁴ Herzog, ART COLOGNE, p. 3. ²⁵ Lisa Beißwanger, *Performance on Display. Zur Geschichte lebendiger Kunst im Museum* (Munich: Deutscher Kunstverlag [DKV], 2021), p. 358.

²⁶ <https://online-sammlung.hamburger-kunsthalle.de/de/objekt/V-1998-35/a-performance-anthology-i-1975-1980.-3.-teil-14-performances-relation-work-1976-1980?start=37120&context=default&position=37125>, no. 8 (accessed October 5, 2023); this performance was later re-performed for film. ²⁷ AdA, Dossier Elisabeth Jappe Kunstmesse Köln 1977, press information, October 19, 1977, p. 2. ²⁸ Rolf Wiest, "Viele Selbstdarstellungen am Rande des Kunstmarkts," *Kölner Stadtanzeiger*, October 26, 1977, translation into English by the author, AdA, Dossier Elisabeth Jappe Kunstmesse Köln 1977.

Jappe's great efficiency in organizing the upcoming event. She used two sets of documents, which she sent off to the performance artists with a cover letter dated September 19, 1977, requesting a short text about their works and a return at their earliest convenience.

The first document consists of a one-page, re-printed questionnaire in German or English, asking the artists whether they agree with the dates set for their performance in the preliminary program, as well as questions about their expected day of arrival, the technical equipment they would need, the duration of their performance, and the time they will need to set up the space before their performance. In addition, the artists are informed about the dates when they can rehearse. The due date to return the questionnaire—October 1, 1977—seems dangerously close to the opening date for the art fair, which was on October 26.

The second document, once again a one-page, re-printed paper to be filled out by hand, is a contract containing only the bare minimum needed to regulate the contractual obligations of the parties, which are the artist on the one side and the Federal Association of German Galleries (BVDG) on the other. The contract sets forth that the BVDG, represented by Elisabeth Jappe, engages the artist in question for one performance on a specific date, for which the BVDG pays to the artist a fee (in most cases, DM 1000.-) plus expenses (train ticket, per diem).

The completed documents were sent back by the artists from the US and across Europe. Some are accompanied by handwritten letters containing a variety of wishes and preferences and organizational issues. For example, artists requested a specific sequence in which their performances should be showed, additional financial compensation for technical staff or details regarding the dates or hours for their rehearsals. One female artist told Elisabeth Jappe about a recent experience in Paris, that she wanted to avoid repeating.²⁹ Apparently, she was given no rehearsal period and only one hour to set up before the

²⁹ The artist refers to the 10th edition of the "Fonds Biennale Paris." [http://matrices.info/images/f/f4/BIENN-Index-des-artistes-de-1959-à-1985\(1\).pdf](http://matrices.info/images/f/f4/BIENN-Index-des-artistes-de-1959-à-1985(1).pdf), p. 154. The "Fonds Biennale Paris" can be researched at https://www.archivesdelacritiquedart.org/isadg_fondsdarchives/fr-aca-bienn (accessed February 13, 2024).

performance. The performance one saw was in reality the first rehearsal. The artist described the staff of the Biennale as completely uncooperative even though she had requested two rehearsal periods in their numerous form letters of needs and requirements. She proceeds to state on which dates she would like to rehearse for her performance at the International Art Fair Cologne, that she would like to do two performances, and in which room she would like to show them. Therefore, only weeks or even days before the opening of the show, a lot of topics still needed to be sorted out. This goes both ways: One artist pointed out that he was still missing a lot of information: "I hope I hear from you soon concerning many small details."

The letters which Elisabeth Jappe received from the artists speak of their self-confidence, as well as their expectations towards the art fair: to be recognized as making an important contribution to the performance festival. The artists—at least, that's the impression the reader gets—are certain that their preferences and needs will be met and their artistic efforts appreciated. The contractual documents, which, from a legal perspective, appear scarce and inadequate, seem to have given the artists the necessary free space in which to organize and be creative. These contracts are also an interesting example for the fact that although the parties signed a formal contract document, the actual content of the agreements of the parties cannot be found in the contract documents, but are contained in other communication between the parties.

3. De Appel Gallery's Organizing of a Feminist Art Festival, 1978

The third set of documents³⁰ is kept in the archive of de Appel, a prominent space for contemporary art within the Dutch cultural sector. Founded in 1975 as an initiative of Wies Smals, who headed the institution between 1975 and 1983, de Appel developed into a well-known center for performance, installations and video art.³¹ Between the end of November 1978 and January

³⁰ De Appel Archive 1978–1979, *Feministische Kunst Internationaal*. ³¹ <https://www.deappel.nl/en/menu/513-about/517-histories> (accessed October 5, 2023). For a history of these years, see Marga Klasina van Mechelen et al., *De Appel: Performances, Installations, Video, Projects, 1975–1983* (Amsterdam: De Appel, 2006).

1979, De Appel devoted an extensive program to feminist art, which included performances by Anna Paci, Betsy Damon, VALIE EXPORT, Lydia Schouten, Martha Wilson, Renate Bertlmann and Manon,³² as well as video and film. The de Appel festival was actually the “kick-off” and first part of the exhibition *Feministische Kunst Internationaal*,³³ which was shown in the Netherlands between November 1978 and February 1981. To be shown there, the chosen work had to present “feminist content.” Nowadays, it is considered as “the most important European exhibition of feminist art of the decade.”³⁴ The second part of the exhibition then traveled throughout the country,³⁵ focusing on the longer-standing traditions of painting, sculpture, drawing, and ceramics.³⁶

The show was conceived and curated by a committee of women who were all members of the Stichting Vrouwen in de Beeldende Kunst (SVBK), among them De Appel director Wies Smals (1939–1983), who was asked to sit in because of her knowledge of women artists. Apparently, heated debate erupted among the exhibition’s committee members because of conflicting positions on feminism in art.³⁷

The dossier concerning the festival of feminist art in the De Appel archives contains correspondence between the institution and artists, press releases, photographs etc. and gives a very enlightening account of how the festival was organized. The SVBK committee started sourcing female artists for the upcoming festival in April of 1978 at the latest,³⁸ while its efforts to attract more artists for the occasion went well into July of that

32 <https://www.deappel.nl/en/archive/events/112-feministische-kunst-internationaal> (accessed October 5, 2023). 33 *Feministische Kunst Internationaal* (Amsterdam: de Appel, 1978). 34 Kathleen Wentrack, “What’s So Feminist about the Feministische Kunst Internationaal? Critical Directions in 1970s Feminist Art,” *Frontiers: A Journal of Women Studies*, 33, no. 2, Special Issue: *Feminist Art and Social Movements: Beyond NY/LA* (2012), pp. 76–110, here p. 76, 79. For a (male) review, see Peter Cuningham, “*Feministische Kunst Internationaal*: A Review,” *The Oxford Art Journal* (April 1980), p. 83–94. 35 *Feministische Kunst Internationaal: The Hague, Haags Gemeentemuseum 10.11.1979–6.1.1980; Groningen, De Oosterpoort 21.1.–20.2.1980; Den Bosch, Noord-Brabants Museum, 22.3.–11.5.1980; Middelburg, De Vleeshal, 24.5.–15.6.1980; Alkmaar, De Vest, 5.7.–17.8.1980; Breda, De Beyerd 18.10.–16.11.1980; Nijmegen, Nijmeegs Museum, 24.1.–22.2.1981, 's-Gravenhage: Gemeentelijke dienst voor schone kunsten, 1980. 36 Wentrack, “What’s So Feminist,” p. 89. 37 *Ibid.*, p. 81. 38 Letter from Rosa Lindenburg to Betsy Damon, April 5, 1978.*

year.³⁹ It seems that the concept of the planned exhibition was not fixed in all details when Wies Smals began to approach artists in the spring of 1978,⁴⁰ but evolved throughout the summer of 1978.⁴¹ While all the women approached were very interested in participating in the festival, money seems to have been tight. One artist wrote to Wies Smals on April 23, 1978, that she "would love to do it" that she had no paid job at the time and therefore was completely broke. She mused how many lectures she would have to give to cover her air fare. The childcare for the duration of her stay in the Netherlands—she was a single mother of a teenage boy back then—seems to have posed a serious problem as well. However, she obviously overcame the obstacles, since she participated in a panel discussion in the Stedelijk Museum on December 10, 1978.⁴²

The participation of artist Martha Wilson (b. 1947) is a special case. It is not De Appel's director who approaches the artist, but vice versa. On April 18, 1978, Wilson wrote to Wies Smals that she had been tipped off by SVBK committee member Rosa Lindenburg to tell De Appel that she, Wilson, and video artist Daile Kaplan were planning to travel to Europe between mid-December until mid-January and whether there was a possibility for her to do a performance at De Appel? Wies Smals reacts instantly, securing Wilson for the planned feminist festival by consenting with a letter dated May 9, 1978. She offers her USD 300 for a Wednesday performance. With another exchange of letters, equipment and dates are fixed between the parties, and on June 30, 1978, Martha Wilson sends a breezy postcard: "Thank you for your note of July 24th. The date you offered on December 20, 1978, is just fine. Sorry I didn't accept the date more formally. Have a good summer! I'm off to Nova Scotia for 2 months to teach Women's Studies at Nova Scotia College of Art and Design. See you in December, will send you exact dates in September. Sincerely, Martha Wilson."⁴³

³⁹ Letter from Wies Smals to Anna Paci dated July 10, 1978. ⁴⁰ In a letter dated April 2, 1978, to Lucy Lippard, Wies Smals spoke about organizing panels and a video exhibition. However, this may have to do with the fact that she wanted Lippard as a panel member. ⁴¹ In a letter dated July 16, 1978, to Renate Bertlmann, Wies Smals mentions that Bertlmann's performance will be part of "some feminist art activities." ⁴² <https://www.deappel.nl/en/archive/events/112-feministische-kunst-internationaal> (accessed October 5, 2023). ⁴³ This letter was cited, because it contains only public knowledge and is not a copyrighted work.

Once again, the artists, though some are in dire financial circumstances, express gratitude as well as self-confidence. A formal contract is not executed; however, the parties come to an understanding by exchanging concise letters containing the information necessary for their cooperation.

Conclusion

Contractual documentation between performance artists and institutions such as museums, art fairs, or galleries often do not follow the rules; in many cases, they are not perfectly drafted in the legal sense. Nevertheless, they can reveal an enormous amount about the parties themselves and the relationship between them. The documents can shed light on who initiated the contact; the leverage the parties possess in their interaction and negotiation; what the parties wanted to achieve; under which conditions performance artists have had to work and how they were treated, as well as their economic circumstances. The documents therefore give us an interesting insight into the power relations between artist and institution. In many cases, they also allow us to look at how performance art was organized in the context of festivals and art fairs. However, one always has to consider that the documents that survived in the archives and which we can analyze today may just be a small part of what was originally available: documents may have been intentionally edited, thrown away or may simply have gotten lost. Still, the historic documents may tell a very different story about a piece of performance art and its creator than the widely accepted version of the work's reception. Thus, when we ask ourselves what different methods should be used to research the beginnings of these art practices, contract documentation must be an integral part of the research. When working with the documents, however, observe applicable privacy and copyright laws.

Contributors

Andrea Bátorová teaches at the Institute of Cultural Studies, Faculty of Arts, at Comenius University in Bratislava, Slovakia. Between 2011 and 2017, she was a researcher at the Institute for Cultural and Visual Studies of the Academy of Fine Arts and Design in Bratislava. Her research focuses on alternative and unofficial art and its societal contextualization between the 1960s and the 1980s in Eastern Europe, especially former Czechoslovakia. Her latest publication is on action art in Slovakia.

Lena Eriksson is an artist and lecturer in the Master of Arts in Fine Arts at Lucerne University of Applied Sciences and Arts. In her artistic work, she examines everyday life for its poetic, absurd and utopian potential. Her media are performance, video and drawing. In 2022, together with Muda Mathis, Chris Regn and Andrea Saemann, she curated the exhibition *BANG BANG—Translocal Hi:stories of Performance Art* at the Museum Tinguely in Basel.

Oriana Fox is an American artist and para-academic based in London who works primarily with video and performance to explore the connections between self-disclosure, non-conformity, creativity, belonging and mental health. With a PhD in Visual Cultures from Goldsmiths, University of London, Oriana Fox has shown her work in renowned art venues such as the ICA, Tate Modern and Britain, Orchard Gallery in New York or Kunsthalle Vienna. She currently lectures at City and Guilds of London Art School and The Art Academy, London.

Séverine Fromaigeat is an art historian, art critic and curator. She has curated major exhibitions for the Museum Tinguely in Basel, including “60 Years of Performance Art in Switzerland” (2017), “Too early to panic” (2018) and “Cyprien Gaillard” (2019). She was previously curator for the Pictet Art Collection, worked for the MAMCO (Museum of Contemporary Art Geneva), and founded the art space Zabriskie Point in Geneva.

Sabine Gebhardt Fink is Professor for Contemporary Art and head of the Master of Fine Arts Program at the Lucerne University of Applied Sciences and Arts. She is the co-founder of *Performance Index* (editor of the second volume of the publication), *Performance Chronik Basel* (ongoing project) and a research scholar, curator and author in the field of performance art. Together with Andrea Saemann, Muda Mathis and Chris Regn she initiated the project *Revolving Histories of Performance Art*.

Stephen Greer is Senior Lecturer in Theatre Practices at the University of Glasgow, where he leads the AHRC-funded *Live Art in Scotland* project. He is the author of two books: *Contemporary British Queer Performance* (Palgrave Macmillan, 2012) and *Queer exceptions: Solo performance in neoliberal times* (Manchester University Press, 2018). He is particularly interested in the relationship between performance and the conditions (social, political and economic) which make it possible—especially when such work is judged to be outside of the mainstream.

Dror Harari is a Senior Lecturer in the Department of Theatre Arts, Tel Aviv University. He holds an MA in Performance Studies from the Central School of Speech and Drama and a PhD in Theatre Studies from Tel Aviv University. His current research focusses on the origins and history of Israeli action and performance art. As of September 2014, this study has been funded by the Israel Science Foundation (ISF), and is titled: “Re-Visiting *Meitzag*: The Historiography of Un/Documented Israeli Performance Art of the 1960s–1970s.”

Hanna B. Hölling is a Research Professor and Principal Investigator at the Bern University of Applied Sciences—Academy of the Arts, where she leads and collaborates on research projects funded by the Swiss National Science Foundation. She is also an Honorary Fellow in the Department of History of Art at University College London (UCL). Hanna’s research, teaching, and advising address subjects in art history and theory, media and material (culture) studies, museology, conservation, and American and European art created since the 1960s.

Cláudia Madeira Guerra is an Assistant Professor in the Communication Sciences Department and permanent researcher at ICNOVA in the Faculty of Social Sciences and Humanities of the New University of Lisbon. She also collaborates at the Art History Institute NOVA at the faculty of

Social Sciences and Humanities being co-responsible in the two centers for the Performance Art & Performativity in the Arts cluster, and at the Center for Theatre Studies as a researcher in the Theatre and Image Research Group and the project PERPHOTO.

Emilie Magnin holds a master's degree in Conservation-Restoration from the Bern University of the Arts with a specialization in modern materials and media. After her studies, she has worked for several years as a contemporary art and media conservator. Her research interests lie in the challenges of preserving time-based and ephemeral artworks and all their intangible aspects, and in exploring how these artworks are reshaping conservation practices and theory.

Muda Mathis is a performance, installation and video artist, musician and performance activist. She currently lives and works in Basel, Switzerland, where she taught performance and media at the Institute of Art, Academy of Art and Design, HGK Basel. She is also part of the artists' cooperative VIA VideoAudioFotoKunst, Basel and a member of *Les Reines Prochaines*, a women's performance band. Since 1982 Mathis has created and produced performance, video, installation and music, exhibitions, festivals, concerts, public art, collective works and audio editions.

Andrej Mirčev is an academic, dramaturge and visual artist from former Yugoslavia. His interdisciplinary discursive and artistic practices engage in possibilities of a dialectical and intercultural dialogue between theory and practice, and his research interests include spatial theory, intermediality, memory and archives, critical theory and performance. He taught at the Institute for Applied Theatre Studies in Gießen, and the University of Arts and Design (HfG) in Karlsruhe. Currently, he is Guest Professor at the University of Arts (UdK), Berlin.

Fernando Oliveira Matos is Associate Professor at the University of Coimbra, Portugal (Department of History, Archaeology and Arts). His main areas of interest are Theatre and Performance Studies, Modern and Contemporary Portuguese and European Drama. He is the Course Director of the PhD Programme in Art Studies of the University of Coimbra and also the Director of the Teatro Académico de Gil Vicente of the University of Coimbra. He is currently leading a research group on Art and Performance.

Jules Pelta Feldman is an art historian, curator, archivist, and salonnière. Focused on art since 1945, their research interests include conservation history and theory, the periodization of recent art, performance and ephemeral media, modern and contemporary craft, and social justice in the art world. They received their doctorate from the Institute of Fine Arts, New York University. Jules has worked at The Museum of Modern Art, New York, the Whitney Museum of American Art, and the Grey Art Gallery. They regularly publish articles on diverse topics in both English and German.

Chris Regn works as a conceptual artist with research, exhibitions and videos, with the potential of tradition and forms of representation. She draws on her work at a large archive “bildwechsel—an umbrella organization for women/media/culture” in Hamburg, as curator with the Kaskadenkondensator in Basel and with various performance and artist groups such as Evi, Nic & C, Tischgespräche and the “Art+Feminism” Wikipedia editing group “who writes his_tory.”

Dorothea Rust studied dance in New York in the 1980s before studying Fine Arts as well as cultural and gender studies at the Zurich University of the Arts (ZHdK). Her work ranges from performance to exhibitions as well as writing and curating performative and discursive platforms. Rust’s artistic practice is rooted in a somatic understanding of movement, body and space, a fundamental attitude informed by sensory perception and observation. She understands performance as a dissenting and queer aesthetic practice.

Andrea Saemann is a performance artist, curator, and networker from Basel, Switzerland. She works within movements and platforms initiated by artists themselves. From 1997–2000 she organized the artist-run space “Kaskadenkondensator” in Basel. From 2002–2012 she developed a tool to activate performance art history with a project called “Performance Saga—interviews, performances, events,” relating to the women pioneers of the first years of that art form. From 2011–2017 she coordinated the Swiss Performance Art Award.

Sandra Sykora is a lawyer and art historian (M.A. Zurich University). Since 2007 she has taught art law at the Institute for Art History in Zurich and currently she is lecturing in art law at the Law School, Uni-

versity of Basel. Her focus as a lawyer is on art law. She is a legal consultant for museums, galleries, insurances and funds. For many years she worked as an independent expert for auction houses in Switzerland. As a fellow “Beauftragte Urheberrecht” she is a consultant for the “Verband der Museen der Schweiz” (VMS) “and the “Internationale Museumsrat ICOM” in Switzerland.

Margarit von Büren is a cultural theorist and adult educator and lives in Lucerne. After training in design from 1996 to 2000, she worked as Principal of a private design and art school (Gestaltungsschule Material und Form in Lucerne). During her further studies and as an assistant in the Cultural & Gender Studies Department at the Zurich University of the Arts (ZHdK), she studied theoretical concepts of performativity. 2010–2012 she has been a research assistant in the SNF/DORE research project *archiv performativ* at the Institute for Cultural Studies in the Arts (ICS), ZHdK.



SWISS NATIONAL SCIENCE FOUNDATION

This publication is supported by Swiss Science Foundation

Lucerne University of Applied Sciences and Arts – Department Art, Design and Film

HSLU Hochschule
Luzern