Central to any understanding of contemporary art and therefore central to any engagement with a contemporary politics of art is the question of the nature of the contemporary. Even before definitions of art and politics are offered it is the contemporary that emerges as the more insistent problem. While any attempt to pursue the contemporary in a detailed manner must become, in the end, an engagement within the philosophico-political problem of modernity, here, in this context, a form of abbreviation needs to be found. A shortened yet insistent staging of the issues involved in a sustained investigation of the contemporary will stem from a consideration of the terms ‘transformation’ and ‘inclusion’. As will be seen, their positive and negative determinations can be taken as defining an opening in which the art of the contemporary can be located. Prior to pursuing the detail of these terms their initial field of operation needs to be identified. They stage a number of different possibilities.

The term ‘transformation’ marks the presence of a contested argument. Without, at this stage, commenting on its viability, its opening move involves the claim that the term ‘transformation’ identifies a political possibility that is taken to pertain no longer. The argument continues in this vein. Projects of political transformation have been replaced by strategies either of adaptation or of denial. Art that was linked either directly or indirectly to transformation has, from within the purview of this argument, failed to note the move away from strategies of complete social transformation. To the extent that certain artistic practices identify with this conception of transformation, that act of identification constrains art to oscillate between a series of carefully identified positions. Art that seeks to be directly political can be viewed as either utopian or outmoded. Work that attempts to resist incorporation and thus allow for an opening up of transformation because of the autonomy entailed by such work, suffers the charge of elitism. The direct or indirect politicisation of art can be dismissed therefore because of its failure to address the contemporary. Such would be a ‘contemporary’ view of art. Any engagement with this position cannot take place merely on the level of the work of art. The locus of engagement is that specific conception of the contemporary within which art is taken to announce the impossibility of transformation. The work of art becomes the site of that engagement.

‘Inclusion’ is a term that can be taken as working in relation to the oscillations
already identified within the domain opened up by any consideration of transforma-
tion. There are two different senses of inclusion. The first is a conception of inclusion
in which there is a shared agreement – or at least the assumption of such an agree-
ment – concerning the conditions of inclusion and exclusion. Without being immut-
able such assumptions are already in place. In this instance inclusion is dictated by a
commitment to a reiteration of sameness. Within the confines of this argument, same-
ness is the refusal of transformation. Allowing this conception to dictate how the con-
temporary is understood means that all works of art, even in being different, are the
same. What makes them the same is their implicit recognition of the impossibility of
there being a transformation. This recognition is linked as much to works that are
explicitly connected to the social as to ones whose relationship is always to be estab-
lished. Once art is defined beyond any link to a project other than the one provided
by its content, what remains is a proliferation of styles without end. There is however
a second sense of inclusion. Here, rather than the assumption of sameness as under-
lying relation, there is the presence of di
ference. Di
ference, rather than being an
effect of sameness, is already present. Di
ference and thus the problem of relation are
at work ab initio. (This accounts for why sameness and difference do not form a
simple opposition.) From this perspective inclusion becomes a form of negotiation
where the accepting and the ‘housing’ of the different has to allow for strategies that
maintain the different as such. This will have an eventual transformative effect on the
site in which the different is housed. The question that will have to be pursued con-
cerns the way this possibility is registered.

Having sketched some of the issues at work within these terms they now need to
be developed. In the process both the contemporary and the art of the contemporary
will be able to figure. What will emerge is that the nature of the contemporary and
the presence of contemporary art demand that the site of intervention be linked to
the act of criticism. In other words, art will not be able to intervene without the assis-
tance of criticism. While criticism can always be presented such that it reiterates the
position in which difference is the work of an unending sameness, criticism cannot
be equated absolutely with a presentation of this nature. There is another possibility.
It arises precisely because it is equally the province of criticism to allow art to inter-
rupt that perpetuating similitude. To allow for that interruption is to allow for the
structure of transformation. Moreover, not only will criticism emerge as central, of
equal importance is the fact that it is the nature of the contemporary – its particular
determinations – that demands this exacting role from the critic.4

Transformation

The argument against the possibility of transformation and thus for a version of the
equation in which realism equals political conservatism warrants a detailed analysis.5
The position contains a fundamental flaw. While it may be the case that direct cau-
sality no longer pertains such that it is not possible to argue that a series of political
actions or even artistic actions will have necessary effects, it does not follow that argu-
ments for a politicisation of art are themselves no longer possible. (Politicisation
this context, involves the affirmed retention of transformation thought in terms of an interruption of the repetition of sameness. In the absence of causality the question that emerges concerns how art is to be political. To allow for this question is to resist the claim that the only way in which art can interrupt a consensus concerning the impossibility of transformation is by being directly political. Indeed it may be the case that allowing the political to be coextensive with that which is literally ‘political’ is allowing such art to be dismissed as simply unrealistic. Fundamental to the problem of the literal is the belief that the desired end can be achieved by art alone. Not only is such a view of art heroic, it is also false.

If the contemporary is the site of contestation concerning the possibility of transformation, then the claim that transformation is impossible cannot be met with the counter-claim of its possibility. After all, the copresence of both positions is that which defines the contemporary. What is significant is that its possibility can no longer be assumed and that therefore what counts as a response to the art of consensus is left open. And yet, it is the presence of that opening that provides the way of taking up what looks to be an aporia at the heart of transformation. The aporia is simply that there would seem to be no way out of the setting in which art is positioned as no longer having the capacity to stage an interruption and that this positioning cannot be overcome by the direct politicisation of art. Art as a practice cannot be straightforwardly politicised while at the same time remaining art. To allow for the aporia, which in this context is to identify contemporary art with an unending proliferation of styles, is to reduce art to no more than a register of decoration articulated within the cult of personality as well as the temporality of fashion. Any move beyond the aporia will have already signalled holding fashion and personalities in abeyance. How is the holding to be done? In what name is it to be undertaken?

The initial answer to these questions is ‘art’. Art is that which escapes the hold of fashion and therefore of differing forms of complacency. Its escape is undertaken in the name of art. Once again such a response is circular. And yet, within that very circularity there lies another possibility. If art can be interpreted as no more than part of an endless proliferation of possibilities; or if art is able to be reduced to the staging of the ‘personality’ behind its production – and there will be other examples – then the truth of art does not lie in the particular interpretation or reduction but in the fact that art is able to lend itself to such possibilities. Art’s truth therefore lies in its capacity to bear different and conflicting interpretations. What this means is that art is able to function as the locus in which the contestation concerning the contemporary is able to be staged. While one interpretation of art’s work will support claims concerning the impossibility of transformation, since the evidence for such claims is that the practice of art is the continuity of difference where difference is always that of the same, it is equally the case that this ‘evidence’ can also be marshalled within arguments and interpretations that resist this particular conception of the contemporary. As such what is also changed is that for which art functions as evidence. Given that art’s truth is its interpretive instability, what that truth demands is criticism as integral to art’s work. Criticism – now understood as an inseparable part of art’s truth – is, in this context, best approached under the heading of ‘inclusion’.
Inclusion

As has already been intimated, there is an ineliminable divide within the space marked out by this term. In the first instance, once it is assumed that art is no more than a collection of different permutations of a generalised problematic, then all art is potentially able to be assimilated and therefore included. Part of the strategy of an avant garde was to create works of art that resisted assimilation. The museums and traditional gallery spaces would have been unable to house such interventions. That this is not the case means that on the level of literal inclusion the museum has yet to be challenged. If the price of inclusion is a certain homogeneity – and this is often the case even for those works that seek forms of differentiation – then does this not mean that art is, in fact, the site of an unending conformity to the given in which the possibilities of interruption and transformation are necessarily excluded?

Answering this question involves a twofold move. In the first instance an analogy is necessary. If the incorporation or inclusion of new work (or even works that had been thought to have been incorporated, assimilated and thus rendered familiar) parallels a version of citizenship, then the argument would be that a certain conformity to expectation is the price of admission. And yet the site of incorporation seems to be infinitely expandable and thus able to incorporate all possibilities. In the case of citizenship the incorporation of the outsider – be it immigrant, refugee or even home-born person – will be the inscription of the outsider within a process of homogenisation. Marginalisation becomes the cost and possibility of a resistance to that process. The limits of tolerance within contemporary democracies can be located within the terms set by this process and the way it operates in given contexts. The contemporary problem of the refugee tests the system precisely because the inclusion of refugees may have a transformative effect on the site that absorbs them. Holding to a liberal doctrine of tolerance while at the same time resisting the cost of absorption is the contradiction within government policies dealing with refugees. The task of intellectuals in this regard is to argue that inclusion has an effect and that the effect contains real potential for development and change (perhaps the only such potential within the European context).

The analogy with art emerges at this point. However, the analogy is not between the work of art and the citizen (or would-be citizen); it occurs at the locus of reception. The problem posed by the refugee is that inclusion could interrupt the repetition of sameness. For the work of art there is a conflict – even if it is unstated – between that form of reception in which the work is easily assimilated and the form that works to identify and maintain a significantly different conception of assimilation, one present in terms of the continuity of negotiation. There will always be forms of assimilation. However, art’s capacity to transform or to maintain forms of criticality can always be muted by, for example, a concentration on the cult of the artist. In such an instance a consideration of the work is deferred by the emphasis on the artist. Assimilation can only take place by refusing the work in the name of the artist. The capacity for the work to have a transformative quality is stilled not by the work in and of itself but by its reception. Assimilation is necessary in order that the repetition of sameness be
maintained. The new can only be incorporated if such an act is not the occasion where
this repetition is interrupted. The threat of the refugee is the potential staging of such
an interruption. Once art and criticism are interarticulated, art is able to maintain the
same position. Consequently, while it is possible to include most works, because of
the nature of the artwork such objects bring with them the power to maintain them-

selves as sites of contestation and therefore as sites of potential transformation. The
potential lies not in the work of art in itself but in the question of its reception. That
question is the province of criticism.9

To the extent that the refugee is allowed to maintain difference as the determina-
tion guiding inclusion, then housing the refugee necessarily becomes a form of nego-
tiation with that difference. While it will always be possible to demand of the refugee
that conformity to expectations such that inclusion is undertaken in the name of
sameness, there is this other possibility. What matters with the refugee is the policy
guiding inclusion. Different directions and therefore different avenues of government
policy emerge with an inclusion structured by the maintenance of sameness than
would emerge in allowing for the continuity of negotiation. The latter is a form of
inclusion that allows for the potential endlessness of negotiation within a community
structured as much by continuity as by discontinuity. The divisions concerning the
reception of the refugee are reiterated within the activity of criticism accompanying
the reception of the work of art.

The point that needs to be argued therefore is that the divisions within reception,
and therefore the presence of at least two different modes of inclusion, are inextricably
bound up with what has been identified above as the truth of the work of art. It is this
point that needs to be developed. Moreover, it is only in recognising this ‘truth’ that
it becomes possible to address the question of policy in relation to the production of
works of art. The claim here therefore is that the only way that it is possible to take
up questions of policy in relation to art, the production of art and finally the recep-
tion of that production is within the terms set by the nature of the artwork itself.
Furthermore, because there is no such entity as the work of art in and of itself, what
is essential is that the art of the contemporary be given its appropriate setting; namely
that it be given an account that takes the present – the contemporary – as a necessary
component within art’s work. That necessity arises precisely because there cannot be
any real separation of the work from the activity of criticism – the activity that iden-
tifies the work, thereby allowing the work to become a site of contestation.

From truth to policy – the name of criticism

The obvious counter to the argument that policy depends on a decision concerning
the truth of art is that such a position overstates the needs of policy makers and conf-
fuses philosophical argumentation with the ‘hard-nosed’ practice of decision making.
There are many ways of responding to this claim. The most germane for this argument
concerns the nature of a decision. What is it to decide? What is a decision?

A decision in this context is linked to the truth of art. That truth is simply that
fundamental to art’s work is the impossibility of there being any form of finality
concerning the nature and thus meaning of the work. The absence of interpretative finality is neither relativism not semantic undecidability. It is a direct consequence of the ontology of the artwork. What absence opens up here is the necessity for a decision concerning the work of art. Interpretation – and this will be the case whether it is recognised or not – has the structure of a decision. While what is at stake in the practice of criticism is the decision, the question that has to be asked concerns the relationship between this formulation of criticism and policy. Answering a question of this nature involves tracing the move from the nexus made up of artwork/criticism/decision to the domain of policy. Policy cannot be self-justifying. Implicitly it maintains a conception of this nexus even if it is a banalised one. Given this nexus, policy can work in at least two different directions.

In the first instance policy will stem from the position that holds to the impossibility of transformation and therefore from the description of artistic practice taking place in terms of a proliferation of styles. Within this set-up such a proliferation has to be maintained. Consequently, what will have to be excluded are artworks which seem to question the likelihood of inclusion. In this context that questioning will not be ostensibly ‘political’ artwork. Indeed, such works can always be included in the name of tolerance. Exclusion will be linked to difficulty. And yet, this position is more complex than is allowed for by a simple evocation of difficulty. Within the domain of contemporary art the work that is apparently the most difficult seems to find a place. Inclusion, for the most part, is an ineliminable possibility. Indeed, that is the point. The question therefore has to concern what it is that would make work difficult. Prior to pursuing this question the other eventuality for policy needs to be noted.

If, rather than linking policy to a reiteration of sameness – a position guided by an interpretation of contemporary art that refuses it a transformative power – the strategy behind policy is the refusal of that reiteration, then a more demanding question emerges. What would it be like to decide that there is another possibility for art and that the realisation of that possibility should be the result of decisions made by government and public funding bodies? The answer to this question involves a similar policy response as one that would be made to the refugee. If the refugee is encouraged and accepted on the basis that inclusion will have a transformative effect on the site of inclusion, then policy has to be linked to realising that end and thus allowing for a mode of acceptance articulated in terms of negotiation. What this yields is a redescription of the site of inclusion as one of negotiation. If the work of art is allowed a position in which its presence is mediated by negotiation, this gives rise to two specific openings.

The first opening stems from the recognition that this mediation has always taken place. In many instances it was unstated. In such instances inclusion was always unproblematic. Where there was a potential problem then either curatorial practice or criticism effected inclusion by operating in ways that overcame any potential difficulty. However, to allow for the presence of explicit negotiation is to allow for work by curators and critics whose task is to stage an explicit negotiation. There is a need here to insist on the term ‘negotiation’. Explicit negotiation precludes both the didactic and the prescriptive. Once negotiation is taken as central, policy becomes linked to staging a set-up in which what occurs, and therefore the event that will happen, are
not inscribed, directed and ordained in advance. And yet, the retention of the term ‘negotiation’ does not mean that anything is possible. Explicit negotiation only ever occurs from a position. Here, what is being suggested is that this position sustains negotiation. (It will be in terms of the continuity of negotiation that ‘difficulty’ will come to be reworked.) The necessity that there be a position is a consequence of the ineliminable presence of the decision. Negotiation, in this sense, cannot be thought other than as the result of a decision.

The second opening occurs once explicit negotiation is allowed a central role, one where it works as a motif for reception. From the start such a position is actually closer to what has already been identified as the truth of art. This proximity does not guarantee the approach. Rather, it reinforces the necessity of holding to the nexus of artwork/criticism/decision as integral to activities undertaken in the name of art.

When used in a number of contexts the term ‘negotiation’ brings with it a specific goal. Negotiation can envisage a particular end. Once that end is reached, the negotiation is over. While the term needs to be retained, it has to be given a different temporal description. In this context the importance of a negotiation lies in the continuity of its being maintained. In other words, the term designates a specific strategy of reception in which the conditions for the reception of given works resist automatic assimilation, such that the question of how such works are to be included becomes the question to be pursued. Pursuing such a question is not an activity that pertains to the work alone. It involves curatorial decisions as well as the practice of criticism. Indeed, the work of art on its own cannot sustain a negotiation concerning its own reception. The recognition of the work’s limit – a recognition that is, on one level, no more than a redescription of the nature of the work of art – reinforces the central place of criticism. Difficulty describes the predicament in which a work resists automatic assimilation. Part of that resistance is that the work – and here work now has to involve curatorial practice and criticism – comes to set the conditions of its reception. It is in the attempt to set those conditions that there is a potential conflict with the reiteration of sameness. The conflict occurs precisely because such an attempt would, almost of necessity, interrupt that reiteration.

Within this framework policy is defined by the retention of difficulty and the maintenance of sites of negotiation. While this is an abstract formulation, its force lies in the recognition that its site of application is always strategic. In other words, abstraction is always resolved by the decision. The immediate counter to the retention of even a reworked conception of difficulty itself coupled to the affirmation of a conception of negotiation marked by the problem of resolution rather than its inevitability, is that it re-establishes boundaries and therefore makes access to work more exacting. Such work will only appeal to a privileged few. This is of course a highly charged description of what would occur. Another description is that holding to difficulty and negotiation opens up the work of art as a site of engagement – an engagement which is constrained to take place in the name of art. Once inclusion is uncomplicated, and any negotiation is only even implicitly present – present almost to the point of its own disappearance – then art slides into mere entertainment and thus loses its capacity to function as art.
Allowing for difficulty means that judging policy, devising policy and implementing policy take place in relation to the nexus comprised of artwork/criticism/decision. The question that always needs to be addressed is straightforward: what, here, is to be negotiated? In the case of new work the challenge resides in allowing that work to be criticisable. The task of criticism therefore cannot be foreclosed in advance. In the case of already existent, if not canonical work, the task is to reactivate that potential. In both instances what allows for such strategies is the ontology of the work of art. As has already been indicated, it is an ontological set-up that allows for the nexus of artwork/criticism/decision to define the work of art. Finally, therefore, criticism is not an extra element that can be either added or subtracted. Nor, moreover, is criticism necessary because art no longer has a sustained philosophical basis. Indeed the contrary is the case. The inescapability of criticism – its need – lies in the ontological nature of the work of art. The truth of art is its work.

As a conclusion it is vital to pursue, albeit schematically, this relationship between art and truth. The argument developed here has, given the ineliminable presence of the present having a determining effect on the activity of criticism, two central tenets. The first is that art depends on criticism, since the concern of criticism is to establish the way art works as art. The second is that the predicament of criticism is that even though acts of criticism take the form of a decision, that decision cannot stem other claims – critical claims – about either particular works of art or art in general. To opt for the centrality of ontology is not to define ontology within the terms provided by any prevailing claims about the ontology of the work of art. What the term ‘ontology’ is intended to designate here is the mode of being proper to art being art. While it is possible to approach ontological considerations in terms of arguments concerning art itself – and this designates a task to come – these concluding comments will concern particularity.

The particular work of art has a twofold reference. It is articulated within and criticisable because of this referential set-up. The two types of reference are, firstly, that any particular work of art refers to the genre of which it forms a part, and, secondly, that it refers within a space which will be interrupted by the decision. Modes of reception that take the form of a decision need to be linked to particularity. As particularity will always involve distinctions in terms of style and value, reception needs to be governed by the question of how particularity is to be maintained. Maintaining the presence of the particular and thus paying attention to its detail should not be thought a type of interpretive empiricism. Such a position would be constrained to deny what was identified above as the referentiality that is integral to art’s work. Holding to the particular orientates the concerns of criticism towards the presence of the particular as art. The argument is that the particular should be judged not in terms of the ways it evidences art but in terms of the way it is art. The distinction is vital. Concentrating on particularity takes the particular as the work of art. The artwork is such that it sanctions an interpretive conflict without end. And yet it is a ‘without end’ that is interrupted by the specific act of criticism.

The differing possibilities for the way the artwork is received all underlie the fact that the work of art is a complex within which an interpretation – understood in the
widest sense – is an act of individuation that does not deny the inherent plurality of the work; rather it depends upon it. Recognising that as the state of affairs that allows for criticism will give it a particular direction. Refusing it and insisting on the singularity of the object – whether that singularity is thought historically, politically or philosophically – reduces criticism to an informed description and as such the challenge the work may have presented is eliminated from the start. To allow for difficulty and thus for whatever overlap art and politics may have is to sustain criticism. The challenge for criticism is to return to the work of art.

Notes
1 The term ‘art’ is used here with great generality. It goes without saying that any detailed act of criticism has to engage with particular works. Furthermore, the use of the term ‘contemporary’ forms part of a general philosophical project which takes as its object the development of a philosophical understanding of the present. I have begun to develop this position in a number of different places; see in particular Present Hope (London: Routledge, 1997).
3 The form this argument takes is that the emancipatory programmes linked to Marxism and even to socialism neither have an explanatory force let alone a programme for the future. As such the present becomes the site marked by the necessary impossibility of emancipation and thus differing forms of transformation.
4 By extension such a set-up also delimits the necessity for, as well as the task demanded of, intellectuals.
5 A fundamental part of that analysis has been undertaken by Perry Anderson in The Origins of Postmodernity (London: Verso, 1998).
6 ‘Sameness’ is a complex term. From one perspective the proliferation of styles marking the present state of art while allowing for individual differences between works establishes a reign of the same once it is also assumed that integral to the practice of interpretation is the elimination of the possibility of transformation. Interrupting the endurance of this conception of the same becomes an activity that need not demand other works – though their presence is not being precluded; rather what is demanded is a different strategy of interpretation and therefore of critical practice.
7 The way in which the refugee is able to be excluded is in terms of a refusal of this process. Claims that a given group is too different are generated from a position in which inclusion is the consequence of a process of inscription. One of the most philosophically acute and politically alert studies of the impact of the refugee on how inclusion is to be thought is M. Dillon, ‘The scandal of the refugee: some reflections on the “inter” of international relations and continental thought’ in D. Campbell and M. J. Shapiro (eds), Moral Spaces: Rethinking Ethics and World Politics (Minneapolis: Minnesota University Press, 1999), pp. 92–124. While pursuing a different direction, Giorgio Agamben is also concerned with the way the refugee functions as a limit concept. See Homo Sacer: Sovereign Power and Bare Life, trans. D. Heller-Roazen (Stanford, CA: Stanford University Press, 1998), pp. 131–2.
8 It is in these terms that it would be possible to begin an interpretation of Tracy Emin’s work Bed. Whatever force the work may have had was quickly muted by the nature of its
reception. The fact that the artist was in some sense complicit in this reception only reinforces the claim that the capacity for transformation lies in the possibility that the work can be interpreted as having that quality. While there may not be unanimity concerning how that quality is to be identified and thus named, what is essential is that criticism is able to win the work of art from the hands of ‘biographers’ (and ‘autobiographers’).

9 While it cannot be argued for in detail, what this claim amounts to is a reassertion of the position identified by Walter Benjamin as central to Romanticism, namely that criticisability is integral to an object being a work of art. Criticisability cannot be separated from the truth of art. This position is developed by Benjamin in ‘The concept of criticism in German Romanticism’ in W. Benjamin, Selected Writings Volume 1, ed. M. Bullock and M. W. Jennings (Cambridge, MA: Harvard University Press, 1996), pp. 116–200.

10 I have given a detailed account of the argument concerning particular and universal in my ‘Perception, judgement and individuation: towards a metaphysics of particularity’, Pli, 14 (2001).