

Institutent Practices: Art After (Public) Institutions

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“Solving complex social problems requires more than an intention to do good. It requires a portfolio of functional skills and an understanding of the business and economic context in which those social problems arise. It requires an entrepreneurial mindset, applied with the same vigor and ingenuity as we see in the most successful business startups. That’s why we see an increasing number of our students, at Purdue, and in business programs nationwide, looking to apply their talents to solve social problems in the US and around the world. And heck, if you can do that and make millions in the process, why not?”

–David Hummels, Dean
Purdue Krannert School of Management

Americans have been steadily losing faith in their public institutions for decades. After a brief (and albeit minor) bump during the early Obama years, trust in government is once again [at an all time low](#). A 2010 survey by GlobeScan revealed that just about half of Americans believe in the free-market system, remarkable because it represents [a 30% drop from only 8 years earlier](#). As global income inequality has risen, faith in free market capitalism has declined throughout the world. In Europe, it is only held by small minorities. The business sector has also seen a decline in trust across the board. The 2017 Edelman Trust Barometer begins with the assertion that most people in the world “[now lack full belief that the overall system is working for them](#).”

Not unrelatedly, the last 15 years have seen enormous growth among social enterprises, which are blending for-profit and nonprofit business models to address social, cultural, and environmental issues typically associated with the nonprofit sector. Sixty percent of U.S. social enterprises were created since 2006.¹ The number of social entrepreneurship courses at top universities more than doubled during the 2000s and enrollment in Harvard’s prestigious Social Enterprise Initiative also doubled since 2006.² This growth trend is international: three quarters of all universities in the Middle East are teaching social entrepreneurship; a 2015 survey found that 18.1% of Senegal’s population is pursuing social entrepreneurial activities; and one of four new enterprises established in the European Union are social enterprises.³

Passionate and caring people are pursuing sustainable business solutions to fill the void created by the failure of traditional institutions – so goes the popular narrative – but in reality decades of an active neoliberal ‘leave it to the markets’ agenda has driven public disinvestment and privatized social services, undermining the capacity of government and other public institutions to perform their basic functions. It has also facilitated an enormous transfer of wealth from the bottom to the top. Aided by the spoils of their conquest, the winners of this current state of affairs bet on the next billion-dollar social enterprise ‘unicorns’ at countless pitchfests, or pluck them out of selective accelerators.

In other words, the growth of this sector represents a major economic transition, a usurpation by the private sector sold to the public by free-market advocates like the late Amway founder and arts patron Rich DeVos in his 1993 bestseller *Compassionate Capitalism*. It is an old story: a crisis is engineered by profiteers who then present themselves as the only ones capable of solving it.

The rise of social enterprise also has much to do with related transformations in the nonprofit/nongovernmental sector. The US nonprofit sector has been growing rapidly and today [there are more than 1.41 million nonprofit organizations registered with the IRS](#). Community-based nonprofits have been reporting increased demand for services year after year, while the rise of “big-better philanthropists” (including individuals, private foundations, and corporations) have contributed to a new class of \$50 million-plus mega charities.⁴ All in all, [the top 5% of nonprofits account for more than 85% of public charity expenditures](#), an outrageous divide considering that there is to date absolutely no clear indication that larger organizations produce a larger impact. In fact, the opposite may be true, as larger organizations tend to have trouble maintaining community engagement, which is key to lasting social change.⁵ Growth in crowdfunding for struggling community-based nonprofits is completely overshadowed by giant philanthropic gifts from the winners of neoliberalism to giant mega-charities. More than 65% of nonprofits compete for less than 2% of sector-wide funding, much of which still comes from private foundations and major donors who are profiting under current economic conditions.

What is important to gather from all this is that neoliberalism has greatly intensified the authority of the wealthiest classes of individuals and corporations over institutions providing for the public good. This is a sorry state of affairs for the many still questioning whether the free-market system is in their best interests. As the world’s attention becomes fixed on the consequences of overproduction and ecocide, as well as structural racism and sexism, people are looking for answers, courses of action that could put an end to extractive capitalism and usher in paradigms based on fundamentally different ethics. This is a moment where the current state of affairs may seem utterly unsustainable but a new direction is as yet unclear, an anxious time that has sparked fascist populisms throughout the world. One recalls [Gramsci’s troubling claim](#) that “the old is dying and the new cannot be born.”⁶

Nevertheless, there are many great thinkers out there working on solutions. Guided by the mantra that “systemic problems require systemic solutions,” [The Next System Project](#), co-chaired by the political economists Gus Speth and Gar Alperovitz, has become a clearing house of sorts for a certain vein of next system proposals. Alperovitz’s [Principles of a Pluralist Commonwealth](#) is especially noteworthy for its breadth. Other proposals abound among the techno-futurists promoting transitions to a [universal basic income](#), the grassroots organizers plotting a [Just Transition](#), and the MIT professors profesizing [the rise of “eco-system economies](#).” Alongside proposals by activists and theorists, the market for speculative fiction in the United States seems to be in its heyday. People appear hungry for stories of ways things can be otherwise.

Agro-institution

An institution significantly tied to agriculture, especially the production of crops for food, fiber, livestock, and land reclamation.

Alt-institution

A newly emerging alternative institution, or any newly-conceptualized way of visualizing an institution or creating it.

Apo-institution

An isolated institution significantly detached, separate, or free from other similar institutions or any other insti-

Dis-institution

An institution that exists as its own negation.

Epi-institution

An ancillary institution whose singular function is to provide necessary top-level support to the primary activities of a particular institution, organization, industry, or system.

Ex-institution

A former institution that has acquired a new status recently enough that it still retains an obvious residue of its prior condition.

Tal Beery. 'The Glossary of Institutional Prefixes' (detail), 2017.

This sentiment is reflected in the arts, especially within an area of activity becoming known as instituent practice. It is both rooted in and reacting to the practice of institutional critique, which intermittently has been a popular form of cultural production, and at times a sort of discipline in its own right, since its first wave in the 1970s. At that time, artists and critics turned their attention from the meaning produced by the art object to the meaning imposed upon objects, bodies, spaces, and culture writ large by institutions that mediate individual and collective engagement. In other words, both formal and informal institutions became understood as framing devices that can change the way an artwork, a history, a body, or a collective is valued and understood. Artists using almost every artistic medium scrutinized ideological state apparatuses like schools and museums, but also governments and more complex arrangements like the art market.

In the 1990s, during what has become known as the second wave of institutional critique, the practice seemed to have hit a dead end. The mechanisms of neoliberalism had by then become too strong to be intimidated by mere speech; criticism by artists, especially within arts institutions, became accepted with open arms and even invited, as proof that the arts had remained a space of open democratic discourse when in fact, structurally, they were increasingly beholden to a smaller and wealthier class of art collectors and patrons like Rich DeVos. Institutional critique had become a value for the institutions being critiqued. In return, artists critiquing institutions were rewarded: those who offered the best and most artful or most thoughtful critique received invitations, artist fees, speaking engagements and all the social and cultural capital they could want by the very institutions they were aiming to undermine. It was up to Andrea Fraser, perhaps the most decorated artist of the second wave, to declare it over with [a 2005 essay published in Artforum](#), of all places. There, Fraser famously claims that artists are "trapped in our field."

Fraser may have put words to it, but the feeling of being trapped was already common in the arts at the time and manifested in two distinct ways. First, driven by income inequality and the related boom in the high end of the art market, graduate programs in studio art (especially in the US) began diverting student attention away from developing their creative practices and towards courses in professional practices that could prepare them for a hostile and competitive market.⁷ Students were at once freaked out by the prospect of paying back their onerous student loans in a market that regularly disregards the notion of the artist fee or the adjunct professor salary, and at the same time they fully embraced their position in this market. Second, in the 1990s and early 2000s, a group of curators and directors of museums and arts organizations, especially in Europe, sought to internalize institutional critique in the very functioning of their institutions. Could new museums create new publics? They experimented in institutional forms and functions, open exhibition formats, different understandings of audience, as well as methods of working with artists and communities under the banner of New Institutionalism. Although these practices continue to inspire some arts institutions today, the experiments themselves “didn’t survive the ‘corporate turn’ in the institutional landscape,” according to curator and author Nina Möntmann. “Most of the institutions seem to have been put in their place like insubordinate teenagers.”⁸

Trapped. Museums were trapped. Artists were trapped. Nonprofits were trapped. Social entrepreneurs were trapped. This feeling was one of the major sparks for the Occupy Movement, which, despite its obviously antagonistic stance, was also a radically optimistic rejection of entrapment. The encampments at once represented resistance to the system, retreat from the system, and the prefiguration of a new system. Artists involved in Occupy rejected the limitations of the art system and created collectives to engage in direct political action. Many of these groups, like [Occupy Museums](#) and [MTL](#), remain active. Despite the fact that they have at times operated within traditional arts institutions and have sometimes found themselves too close to the contradictions inherent to Fraser’s phase of institutional critique, they have managed to maintain a degree of autonomy and a reputation for unpredictability that has allowed them to operate somewhat outside conventional spheres of influence. These days, the greatest moments of these groups comes when that old flame of Occupy, that vision of a possible future embedded in the encampment and assembly, is temporarily rekindled.

Instituent practices seem to have arisen from the desire to constitute frameworks that prolong this fleeting moment of utopian possibility. The theorist Gerald Raunig, who coined the term, beautifully defines it as “the actualization of the future in a present becoming.”⁹ It is, in a sense, the practice of implementing the speculations of next systems dreamers.

There are two types of work that go into an instituent practice. First, there is the creation and recreation of an explicit plan, comprised of the legal, financial, and procedural rules that are typically set out by one person or a small group of founders. The second kind of work involved is the management of interpersonal or infrastructural dynamics internal to the framework, or the relationship between the framework and external social dynamics, which evolve over time. The major difference between these two modes is their timescale. Although they play off of each other and co-evolve, one is more immediate and explicit, and the other is prolonged and implicit.¹⁰ The result is an organization, a framework, an infrastructure, a container, or even a choreographic score for instituting an emerging social vision.

Despite the revolutionary intentions of this work, the craft itself is already well known to many people. The legal, financial, procedural, and management tools artists and curators use in these practices go above and beyond the cursory offerings of professional practices courses. They are the same as those they teach at business schools and refine at social enterprise accelerators. The “products” of this practice can be categorized alongside the many hundreds of [hybrid organizations](#) merging a utopian vision with the thoroughly anti-utopian tinkering that accompanies the mucky reality of everyday life under capitalism. They can only be sustainable if they find sources of revenue, either by raising money from government, private foundations, or individual donors, charging rents, or selling goods and services. Those that are entirely voluntary or somehow operate without money must rely on the capacity of their members to earn a livelihood in other ways. This artwork, in other words, needs to function within the market; it needs a business plan.

Nevertheless, many of the examples of instituent practices to date are situated within the arts sector. On the one hand, this makes sense. European cultural institutions, particularly because of their relationship with government funding, can legitimately claim to have a close connection to the machinations of the state. They can therefore hope that experiments in the arts might influence a broader culture of governance or its infrastructures. On the other hand, staying in the arts sector is like staying close to home. It ensures that these practices, without having to stretch much, remain legible as artworks to art audiences. It enables them to engage somewhat unselfconsciously in the arts economy and compete for the familiar stock of grants, donors, and attention. The danger here is that instituent practices may remain siloed in the arts, never to grow out of an arena specifically designated for cultural experiments.

Schools are another area of active engagement for instituent practice. This could be because of the close connection between pedagogy and art today; pedagogical practices have become a sort of subset of social practice, which is now a thoroughly accepted artistic discipline. Moving beyond art, however, it could also be linked with the long histories, practices, and theories of [anarchist pedagogies](#), which remind us that, in a sense, there are no other places more potent or more obvious than schools for experiencing the relationship between institutional structures and social visions. Schools are specifically tasked with creating the social. Likewise, arts institutions make space for cultures to emerge. Although everything in the world produces and reinforces it, both schools and arts institutions have a special relationship to the collective imaginary. They are also spaces where, in the best cases, failure is an acceptable and even desirable outcome. That kind of tolerance proves very useful when considering the paradoxes inherent to this style of work. So in spite of the dangers, it is entirely reasonable that artists working in instituent practices would choose to engage there.

Furthermore, at least at this very early stage, it is crucial that these works are legible within the arts and are not simply lumped in with other social enterprises. The types of forms that instituent practices will produce need to be evaluated differently from any conventional standards of efficacy or impact. Instead, critics should be asking new sorts of questions. How is an institution sensed? How do we see something operating simultaneously within multiple temporalities, with no beginning and no end? How can we understand a thing when the distinction between object and subject is completely muddled? And for that matter, how can we even begin to discuss a thing whose name is always changing? These are questions business writers tend not to consider, but are the bread and butter of the arts. Just as the arts doesn't yet have the language for addressing the craft of institution building, business does not yet have the tools to comprehend

the value of instituent practices. The great hope is that this tension will inspire new observational modes, theories, and standards with which we can judge organizational forms across all sectors of society, economy, and politics.

This great hope is also completely naive. In the US, operating in the arts usually means functioning in the nonprofit sector, which is increasingly beholden to a global ruling class whose power grows at an accelerating rate. If operating outside of the nonprofit sector, any organization with a social vision antagonistic to neoliberal capitalism must still hope to sustain itself by selling products or services to people who likely make their living doing things that directly undermine that vision. What a paradox! How can we expect any kind of ethical consistencies in such a complex and contradicted system?

The trouble, of course, is that neoliberalism has become a total ideology. It is barely possible to see it, let alone see beyond it. The multitude of next system proposals, political theories, and speculative fictions today only underscores the desire for, and therefore the absence of a true counter-politics. But no amount of speculation is going to produce it. What surely separates instituent practices from conventional social enterprises is their pre-political self-consciousness. This requires a kind of self-criticism borrowed from institutional critique and New Institutionalism ([or even a “presencing” as described by Otto Scharmer and Katrin Kaufer](#)), as well as the willingness to put theoretical conjectures into practice despite imperfect conditions.

This is important work. Institutions are powerful. They carry the weight of collective effort and simultaneously guide its direction. And despite the obstacles, feeling our way through inescapable contradictions is exactly what we have always needed from art.

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Image courtesy of the author/artist.
