From Usurpation to Subversion: Foucault Meets Cultural Capitalism

About a Little Place Called AVL-ville[1]

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Michel Foucault is renowned for his diagnosis of our entrapment in forces beyond our control. Towards the end of his life, he thought he had found the means for effectively *resisting* the ever-pervasive normalization imposed upon us by external sources: he urged the individual to turn his/her life into a work of art. While a flair for style appeared to be a luxury inaccessible to many with limited capitalist means, the aestheticized lifestyle of the dandy proved to be popular among those who find themselves marginalized by the prevailing codes of normality and acceptablility. Others, like the artist, Joep van Lieshout with his "free state", AVL-Ville, responded to this injunction by aestheticizing his own private enclave down to its every socio-economic fibre. The question is to what extent does Foucault's turn to an aesthetics of existence manage to go beyond resistance understood as a mere *reaction to* constraining governmental regulations and institutionalized normalizations? Moreover, can an aesthetics of existence still be efficacious in an age in which all such forms of resistance have been usurped by cultural capitalism?

The nature of capitalism is undergoing a fundamental transformation. After centuries of converting physical resources into goods, the primary means of generating wealth now involves transforming cultural resources into paid-for personal experiences and entertainments. We are witnessing a shift to a new form of hypercapitalism based on commodifying human time, including all cultural/artistic forms of self-expression. We shall therefore attempt to gauge to what extent the means for resistance proposed by Foucault merely amount to a complicity with the New Capitalism or whether it actually offer possibilities for its subversion.

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1. Politics vs. the political

The project, "The spectre of the avant-garde" immediately raises questions concerning the relation between art and politics. It seems to suggest that the meaning and fate of the avant-garde can be situated somewhere on the spectrum of political attitudes.What would it mean *politically* to want to revitalize an avant-gardist sensibility? By adopting such an attitude where does it place one on the political spectrum? Perhaps we could start by considering the following deceptively simple four-part scheme:

LEFT **radical** **liberal** **conservative** **reactionary** **RIGHT**

1. Radicals would be extremely dissatisfied with the current order of things and in favour of immediate and fundamental change. They want to subvert the existing system and are opposed to capitalism.
2. Although liberals support the basic features of the existing system, they are quick to recognize its weaknesses and therefore anxious to reform it, that is, they want to fix capitalism – make it more socialist.
3. Conservatives are content with the way things are, accepting it as the best of the worst. They might not be entirely happy with the existing regime, but they fear that changes might make a relatively acceptable situation worse. Reforms should be implemented very conservatively for we don't want to tamper with something which tradition has perfected.
4. Reactionaries favour retrogressive change, i.e. they favour a policy that would return to a pre-capitalist way of thinking and doing.[2]

Today, however, the political field is narrowing down excluding both extreme leftist and extreme rightist strategies and cultural production is following suite. Capitalism might not be the best system there is, but it is the only workable alternative at our disposal. The avant-gardist sensibility BAVO wants to revive is precisely aimed against such complacency. They believe that we as philosophers, artists, designers, architects, etc. do not have to settle for less, that we have the power not simply to

[2] This scheme is taken from Baradat 1984: 22-40.

challenge and effect minor changes but to subvert the current regime! That is the "spectre of the avant-garde"!

Most of us might applaud their revolutionary spirit, aligning ourselves with them in spirit but the body cannot always follow where the mind leads. We are all entrenched in a capitalist universe, caught in the supply and demand loop, helpless in the face of the capitalization of cultural production. We are all part and parcel of the great transformation of the nature of capitalism. After centuries of converting physical resources into goods, the primary means of generating wealth now involves transforming cultural resources into paid-for personal experiences and entertainments. Our time is marked by a new form of hypercapitalism based on commodifying human time, including all cultural/artistic forms of self-expression. When we turn our lives and our world into works of art, what would make it anything more than a complicity with the New Capitalism? On the other hand, why try and subvert something that is – when we weigh our options – not all bad: who can deny the opportunities afforded us by the "commoditization of culture".[3] Now that art and culture have become subject to capital valorization, we can actually make a living. Money makes the world go round, right?! Leave politics to the politicians.

In this context, it is crucial to distinguish between politics as a position one assumes on the political spectrum and the political as the more general capacity to act and to effect changes. This distinction would place politics within the domain of politicians – which we are not – and the political within the purview of each person concerned with and willing to critically engage with what is going on in the world. Michel Foucault (1982a: 219) defined our political task as the analysis and questioning of the workings of power relations, that is, the way in which certain actions modify other actions. This seems to be BAVO's concern also. They underline not only our capacity to make a difference, but specifically our capacity *as artists* to act politically. To understand this connection between art and politics – this *necessary* connection – we have to understand Foucault's conception of power.

[3] *Cf.* Miège 1989: 21.

2. Foucault's conception of power

Power, according to Foucault, is not a capacity that the powerful exercise over the powerless, as if some have it and others lack it. We are all entrenched in power. Power is everywhere. It is the very medium that brings into play relations between individuals/groups; it is the way in which certain actions modify other actions (Foucault 1982a: 219). Power is therefore a productive enabling force – it is why we can do things and effect changes. Every aspect of our lives, every domain of existence is steeped in power – our relation with our partners, employees, our governing bodies (Foucault 1990a: 94). It is therefore a complex process of ceaseless struggles and confrontations through which force relations are transformed, strengthened or reversed. These strategies therefore do not emanate from a central point, like an institution/the state, from the top down. They operate from the bottom up, all the time at every point (*ibid.,* p. 94). Power is everywhere because it comes from everywhere. To be sure, certain forms of power are debilitating, but then it is no longer power but domination. If power enables us to act and react, domination is a situation in which these mobile relations of force have become stultified. It is when we are no longer able to react to another force, when we no longer have the freedom to resist an imposed force (as is the case in slavery) (*ibid.,* p. 92). Power and the freedom to resist power go hand in hand (Foucault 1982a: 221). If power has a strictly relations character (Foucault 1990a: 95), then one has to accept the fact that where there is power, there is resistance (counter-power).

If power is everywhere, if every aspect of our existence is defined by power, we are always INSIDE power. We cannot extract ourselves from its invisible meshes. The very nature of power also implies that one can only resist power from within (Foucault 1990a: 98). If we conceive of capitalism as a prevailing force in present day socio-political and economic existence, we have to accept the fact that it is both a force that enables us to act and that limits certain other actions. Until it takes a terminal form, such as fascism, for example, we retain at least a minimum of freedom to resist. In this context, the desire of radicals to fundamentally change the system, to subvert capitalism, can only be effective when they act within the system through repetitive resistance struggles – guerrilla warfare, if you will: irregular acts of individual resistance against regular larger forces (whether personal, social, economic, political, etc.) that tend to become dominating.

But if power is everywhere, how do we summon the ability to resist and prevent an overdetermination by power – are we not, in fact, already overdetermined by capitalism? Although power is not domination, Foucault warns that the latter remains a permanent threat inherent in the very exercise of power (Foucault 1982a: 225). We so easily drop our guard and lose the power to resist or counter-act. That is why Foucault (1983b: 343) maintains that power is not inherently negative or evil, but dangerous.

In a state of domination, then, the practice of freedom becomes extremely limited or completely impossible. Liberation then becomes necessary. What makes the situation difficult and the freedom attained precarious, is the fact that every act of liberation opens up new relations of power, which in turn bear the inherent danger of domination. Liberation has to be maintained, that is, the reinstated mobility of power relations has to be controlled by, what Foucault (1984a: 3-4) calls, *practices of liberty*.

The moral of Foucault's story is that our immersion in and the all-pervasiveness of power *do not* give cause for fatalism.[4] Because power relations are unstable, they are subject to change; and because there is power everywhere, there is also freedom and the possibility of resistance everywhere. To be sure, power is dangerous and that is why "the permanent political task inherent in all social existence" is the questioning of power relations and the struggle ("agonism") between power relations and non-negotiable freedom (1982a: 223).[5] To resist, that is, to be political, is therefore no longer something that politicians do, but something we all have to do to retain a certain measure of freedom in this world.

[4] Foucault (1977a: 141-2) maintains that although power is "'always already there', that one is never 'outside' it… does not entail the necessity of accepting an inescapable form of domination". In other words, it "does not mean that one is trapped and condemned to defeat no matter what". [If these two references are too academic, I'll be perfectly happy if only the references are cited e.g. *Cf.* Foucault 1977a: 141-142.

[5] Foucault (1982a: 225) elaborates: "For, if it is true that at the heart of power relations and as a permanent condition of their existence there is an insubordination and a certain essential obstinacy on the part of the principles of freedom, then there is no relationship of power without the means of escape or possible flight. Every power relationship implies, at least *in potentia*, a strategy of struggle, in which the two forces are not superimposed, do not lose their specific nature, or do not finally become confused. Each constitutes for the other a kind of permanent limit, a point of possible reversal". *Cf.* Foucault 1982a: 225.

3. Caught in an infinite regress

But what exactly does Foucault mean when he speaks of "practices of liberty"? In his work of the 1970s, Foucault primarily focused on the workings of power. It seemed that he had gotten caught in power – he stressed the all-pervasiveness of and our overdetermination by power, without offering us any way out, any possibility of resistance. His later work explored practical ways of resistance. At first [Volume I of his *History of sexuality*] it was limited to the possibility of tactical reversal, that is, the possibility of reversal within specific force relations – opposing specific impositions of power on subjects. Here resistance is limited to the ability to seize the power to *react-to* constraining governmental regulations, institutionalized normalizations or other limiting conditions.

The obvious question that emerges in this context is, if resistance is a mere re-action or negation, what is inherently *creative* about it? How can the power of resistance be understood as a positive action on its own terms? Foucault seems to have been aware of this shortcoming for in the work that followed [the second and third volumes of his *History of sexuality]*, he engenders the individual with an affirmative creative capacity. We are no longer helplessly delivered over to determining forces beyond our control, but can decide for ourselves who we want to be. In other words, Foucault no longer conceives of the subject as the passive product of an external system of constraint and prescriptions, but as the active agent of its own formation. Amidst the forces that affect us, we can exert a transformative power.[6] Foucault returns of Greco-Roman antiquity to discover the self understood as individual agency characterised by autarky and auto-affection. The disempowering forces, which we resist, whether material, historical, economic or socio-political, are simultaneously the forces that power our ability to create ourselves differently. This is what Foucault meant when he proposed that we should all summon the power to create our lives as a work of art – give it a different form from the

[6] Foucault consequently articulates a more positive means of resistance. Not that I am hereby suggesting that the eight year period separating the publication of the first and later two volumes represents a "hard break" or an incommensurability between the earlier and later notion of resistance. In fact, in a 1984 interview entitled, "The ethic of care for the self as a practice of freedom" (Foucault 1984a), it becomes apparent that resistance as creative force cannot do away with the necessity of resistance as reactive force. The reader will also note that throughout this essay I refer to essays and interviews conducted/published before *The history of sexuality* was conceived — references which will serve to support a continuity thesis instead.

one imposed upon us by external forces. What Foucault called an "aesthetics of existence" should therefore be understood as a practice of freedom.

Power in Foucault is therefore the twin root of both good and evil. Individuals can resist power because they are enmeshed in power — in the very thing that makes resistance necessary. However, every act of resistance instates new relationships of power, which have to be resisted in turn (Foucault 1984a: 4). As a result, the self faces the danger of being caught in an infinite regress (Balibar 2002: 19)[7] or return of liberation and domination, of self-invention and self-refusal.

Every new formation of resistance runs the risk of being usurped by the system. So it has to dismantle itself and re-assemble itself elsewhere and in a different way to remain effective. The powers that be consequently no longer face one formidable force of resistance but countless small individual acts of self-(re)formation. But their cunning should not be underestimated: the prevailing order has already found a way to defuse whatever subversive potential these acts of (re)formation might have by organizing itself around these relays. One might even say that Foucault's question, "why everyone's life can't be turned into a work of art?" (1983c: 350) has become the motto of our present day capitalist universe. The official website of Barbie Inc., for example, urges today's children "to use art and creativity as a means of self-expression" — cultivating small Foucaultians from the get-go, as it were.

4. Culture vs. capital

Today the capitalization or "commoditization" of artistic/cultural production is rife. In fact, it is commonplace. Art and culture have become the subject of capital valorization. Those on the receiving end might argue that this is not necessarily all bad. However, it seems important to distinguish between the straightforward capitalist exploitation of certain things and the cases where capital investment actually furthers the scope and subversive potential of artistic/cultural practices. After all, Foucault taught us that we can only resist from within power, that is, through and inside capitalism. Surely there is a difference between consumerist trends such as those exemplified by Barbie,

[7] "Regress" is here used in the philosophical sense of the term. It refers to a series of actions (practices or technologies of the self) in which resistance is continually reapplied to its own result without approaching a useful conclusion.

Inc. that have been wholly generated or usurped by capitalism, and other artistic expressions that might be dependent upon capital investment in part but that have not relinquished all subversive potential. To be sure, this distinction would be difficult – if not impossible – to make in light of the fact that contemporary governmental rationalities encourage self-stylising individuality, alternative life-style choices and original ways of being different. Can an aesthetics of existence still be "radical", that is, can it still afford opportunities to subvert the existing system in a time in which the wholesale aestheticization of society is encouraged by precisely those power it seeks to contest?

Present-day Dutch society is exemplary in this regard. In 2001, for example, Atelier Van Lieshout (AVL), founded by the Dutch artist, Joep van Lieshout, realized AVL-Ville, an experimental "free state" in the port of Rotterdam — an own private enclave aestheticized down to its every socio-economic fibre. It was "marketed" as an agreeable mix of art environment and sanctuary, with the special attraction that everything is fully operational. Not art to simply look at, but to live with, to live in and to live by — constituting what appeared to be an original response to Foucault's question why everybody's life cannot become a work of art, relating art not only to objects but to life (Foucault 1983c: 350). With an own constitution, currency, transport and flag, AVL-Ville supposedly tried to provoke the established order and to spur on public discussion about alternative forms of community. This "free state" consisted of containers and *mobile homes* that housed a restaurant, a (fully-functional) hospital (with an operating theatre), an abortion clinic, library, butchery and distillery. Its DIY spirit was further embodied in mobile farms, compost toilettes, wood burning stoves and a sewerage purification system (even a power plant). Apart from being a mobile artwork, AVL-ville also professed to be an experiment in the circumvention of laws, regulations or externally imposed obstacles. In a country where everything is *over*-regulated to an increasingly oppressive degree, according to Joep van Lieshout, he wanted to create a self-contained islet where almost anything is still possible. However, as a governmentally sanctioned — and subsidized — "settlement", its subversive potential turned out to be quite questionable. Apart from functioning as an official part of Rotterdam Cultural Capital of Europe 2001, its so-called "independently drafted" constitution coincided almost seamlessly with the Dutch system

of 2001.[8] "Even there where freedom seems to reign supreme, the irrepressible need/hankering for control seeps in" — was how *Archined* of 14 June 2001 phrased it. It would seem that instead of countering subjugation, Atelier Van Lieshout's efforts to challenge and recreate our existing subject identities differently succeeded only in facilitating more effective governance and docility.

AVL-ville would appear to be an exemplary response to Foucault's injunction to turn your life into a work of art. The question is whether or not the possibilities for resistance that emerge from the later Foucault's work are resilient enough to remain relevant even now. The later Foucault claims to have gone beyond resistance understood as a mere reaction to constraining governmental regulations and institutionalized normalizations. He furthermore insists that one cannot easily – if ever – distinguish the good power from the bad forms of power. How much distance should our efforts at aestheticization, our creative resistance formations, maintain from capitalism to prevent a potentially enabling force from nullifying our defiance? AVL-ville obviously does not play into the hands of capitalism in any straightforward way. But they *were* subsidized by the government and spent their short-lived existence under the auspices of Rotterdam Cultural Capital 2001.

RCC 2001 was hailed as "creating more cultural capital than it costs"! They, like so many large-scale art shows/events in the Netherlands have managed to capitalize on culture in a way that we cannot help but applaud. According to intendant (organizer), Bert van Meggelen, large-event organization, including RCC 2001 generates cultural energy which constitutes a significant building block in the urban improvement process, while catering to the cultural needs of residents and visitors. Van Meggelen stresses especially the "*cost-benefits of*" and the necessity to cultivate "*cultural-financial perspectives on*" Cultural Capitals. The *Cultural Capital of Europe* formula was intended to annually focus on the meaning of a certain city for European culture. In turn, this same city is to show how much it owes to European culture as a whole. Over and above this, it illustrates what capital – in both senses of the word – can do for culture. What culture can and does do for capital (city) in turn, is undeniable. Rotterdam's Phoenix-like rise out of

[8] Apart from negligible deviations on the formation of sects and polygamy.

the ashes and its miraculous ensuing cultural renaissance is, after all, founded upon a sturdy economic base – the largest port in the world, business centre, working city – a city where you buy shirts off the peg with their sleeves already rolled up. A city of workers, of early sleepers and early risers, workers that have slotted very easily and eagerly into their role as consumers over the last 15 years. They generate the capital to [generate and] consume the culture! Seen from a Foucaultian perspective, this complicity of culture and capital does not seem all that objectionable. We can only resist power from within right(?) and besides culture might just succeed in giving capital(ism) a pretty if not a human face…

Now, AVL-ville found it slap bang in the middle, at the very centre, of this complicitious project. An ideal (inside) position from which to resist, but also a very dangerous vulnerable position that easily risks being usurped by capitalism. On the one hand, Joep van Lieshout's "free state" posed as a critical alternative to the established order. On the other hand, their vulnerable position (inside capitalism) made it an ideal vehicle to further the workings of power, enabling it to penetrate even into our artistic havens. Instead of constituting a more effective provocation of inhibiting governmental rationalities, the seditions potential of such forms of self-expression risk being sublimated through incorporation in schemes orchestrated by precisely those powers they seek to contest. The question is whether Van Lieshout's self-transformative labours are forging the kind of malleable individuality susceptible to subjugation. For the latest governing techniques posit "intelligent" limits — limits sensitive to our every dandyish whim, which means that being "different" has itself become part and parcel of subjugation. Now, before drawing any rash conclusions, let us take a closer look at AVL-ville.

At this stage, there seems to be two separate issues at stake: (1) AVL-ville's complicity with capitalism, on the one hand, and (2) their independent decision to draft a constitution that coincided almost to the letter with the Dutch constitution, on the other hand. Did AVL-ville come into being under the auspices of capitalism or did it merely use capitalism to further its own subversive potential? In other words, was it able to resist because it was within power, or was it taken over by power before it could become really dangerous?

The idea for AVL-ville arose when the collective was commissioned to render a city plan for a new development in Almere, Flevoland (a large province in the centre of Holland). Instead of presenting blueprints for subdivisions, AVL suggested building a mobile-home factory that would produce 30,000 trailers. Residents who bought one of these cheap, self-sufficient vehicles could settle down anywhere in the province or move around like nomads. On top of that, AVL threw in a new economy and said residents would be free to make their own alcohol, drugs, and weapons. All they would have to do in return is to work one day a week in AVL's factory. The city rejected AVL's plan as too extreme, to which van Lieshout responded, "Why don't we do it ourselves?"

AVL-ville was therefore not complicitous from the start. It joined forces with capital – as a second step – as a means to further their objectives. It nevertheless seems likely that the powers that first rejected their scheme, later accepted it because they thought of an art installation as a "safe" or "harmless" way to let them be. The more crucial point is nevertheless the fact that they chose – for themselves, without any interference or external coercion – a constitution that does not challenge the official one, but coincides with it. It differs from the Dutch constitution only therein that the rights it protects are absolute. Let us take a closer look at how this fact and others affected AVL-ville's status as "free state".

5. The status of AVL-ville as "free state"

AVL-ville might have been some kind of wonderland but no place for Alice. It was characterized by anarchistic utopianism, a libertarian political philosophy, pronounced hedonism, and a pretence of autarky which would be protected through the use of violence if necessary – or so they claimed. At the same time, however, its communist dimension was undeniable – the idea of mutual connectedness and dependence, an essential reciprocity. This seems to make the ideals AVL-ville set for itself inherently ambiguous. Both critical of the kind of indifferent anarchy that capitalist comsumerism brings about, while favouring the positive side of anarchy – the independence, the autarky. The idea of "all for one and one for all" combined with an unbending individualism. On the one hand, they flirted with machismo, violence and confrontation. On the other hand, they wanted to be taken seriously – they presented themselves as a

serious model for a social resistance movement. Gijs van Oenen described it as a kibbutz-like environment with a franchise-philosophy akin to that of McDonalds or Disney (*cf.* Van Oenen 2002).

So what is the political counter-punch of AVL-ville? What is the political surplus value of this social-artistic experiment – the social significance of AVL-ville as resistance movement? It closed down only one year after hoisting its flag – if it challenged things, it certainly does not seem to have subverted anything. The question is of course why did it close down. Some have argued that it was so threatening to the commonweal that it was forced to shut down. Now we know that a 1998 AVL exhibition in Rabanstens, France, was shut down by the mayor for fear it would "form a catalyst for youth criminality". AVL-ville too, after months of what has been described as "maximal official opposition", had to close their doors. In fact, from the moment of their inception they experienced – apart form governmental subsidy – fierce governmental hostility: their restaurant was closed down, their canteen followed suite on the grounds that it posed a fire hazard, their illegal distillery got the thumbs down, and finally they were summoned to court because of the illegal possession of guns. The government seemed to have gotten more than they bargained for, and art turned out to be not so harmless after all. Joep van Lieshout responded by putting everything up for (international) sale (starting price: € 20 million), hoping to raise enough money to set up "house" elsewhere (in the world).

But apart from external threats, AVL-ville also seemed to have been plagued by internal contradictions threatening its long-term viability: in an interview Joep van Lieshout tells of his Machiavellian conviction. His "free state" departs from the premise "that the world is inherently bad and that people will do anything for money and power". One might wonder how Van Lieshout's sympathies for anarchistic individualism, which can be attributed to Machiavelli, is reconcilable with the communism or collectivism of Marx. In his defence it could be argued that if you believe humankind or society to be bad, then there should in principle be enough reason to want to strive towards its betterment. Why else the desire to resist the established order? Moreover, when taken to their logical extremes, anarchism and collectivism are anything but mutually exclusive: anarchism is quite simply the belief in the abolition of government and the organization

of society on a voluntary cooperative basis without recourse to force or compulsion. It relies on the collaborative efforts of free individuals and rejects society's institutions. Each individual is valued in relation to all other individuals – to what s/he contributes to the group (Van Oenen 2002).

AVL-ville has often been described as some kind of utopia: in a different interview with Jennifer Allen in *Art Forum*, Joep van Lieshout rejects the label of being an utopian because utopia refers to that which is unrealizable. Gijs van Oenen (2002) argues that Utopianism might be more fitting to describe Van Lieshout's ambitions than he thinks himself. In the whole tradition from Thomas More (almost five centuries), Utopianism stands for practical action(s) here and now. Rather start today than tomorrow; planning is nice, but executing plans is better. Action talks, idle talk walks! Utopianism is not aimed towards the reinstatement of some second paradise, but towards changing things for the better through solid efforts.

Contrary to popular belief, Utopians are also not dogmatic. Sociologist Karl Mannheim distinguishes ideologies from utopias. According to him, ideologies succeed only in maintaining the existing order. Like Marx and Gramsci, he believes ideologies represent the ideas and representations of the ruling classes, the dominant order. Utopians – like radicals – on the other hand, strive to change the existing order. It is the ideas and collective action of oppressed groups that "radically unmask" ideologies and bring about social change. An utopian vision replaces exclusive self-concern with collective interest. A lack of any utopian vision easily leads to the narrow-mindedness of bureaucrats, parliamentary advisory committees and trade-unions – doing little more than squabble over trivialities … which sounds a lot like our present political reality to which Van Lieshout sought an alternative (Van Oenen 2002).

According to Saskia Poldervaart (1993), the Dutch utopianism expert, Utopianism can generally be described as the expression of the desire for an alternative form of community and being. Its function would be to level direct and indirect social criticism through the exploration of ideas and desires. What is central in utopianism is what we have in common and not the battle against a common enemy. It wants to realize a certain form of community here and now. The means to serve this end should never simply serve

this end. This is why utopians are opposed to violence. Utopianism can therefore not be reduced to an anything-goes philosophy; instead they are concerned with problematizing existing societal relations, such as economic and gender relations.

Gijs van Oenen (2002) argues that – not withstanding the differences (e.g. their threat of violence and their licentiousness (sex, alcohol, excess)) – AVL-ville's objectives greatly coincide with these characteristics, that they should be taken seriously as "free state". They seem to have had all the key departments/elements that every modern state, also a free state, should have:

1. They strove after autarky, that is, self-sufficiency and independence both politically and ecologically. AVL-ville took a hands-on approach – both self-regulating and self-restrictive. They produce and clean up after themselves; they use and recycle. In this sense, AVL-ville was the embodiment of a concrete initiative taken by citizens themselves instead of passively awaiting governmental intervention to provide the answers and solve the problems. In fact, Joep van Lieshout prides himself on the fact that they managed to sidestep the law – they did not wait for the bureaucratic machine to churn out permits, to give permission. They did whatever they wanted. However, this does not make AVL-ville uniquely subversive. An investigation launched by the Alders-commission in thirty Dutch municipalities has shown that the granting of permits has been reduced to the retrospective legalization of already established practices. In this sense, AVL-ville did not offer resistance but simply extended a general trend in present day Dutch society.
2. AVL-ville further boasts that they have managed to establish a "safe haven" – fully equipped to protect their territory and sovereignty. After all, their strategic location made it possible to see enemies approaching from a mile away, well within shooting scope and range. The necessary hardware was set up on their very own fighting fit vehicle of defence – a Mercedez converted into a pick-up truck with a grenade launcher mounted on top. An old-fashioned approach to be sure, for when last did the Netherlands have to protect its national borders or sovereignty with the aid of military power? Apart from the fact that it would be

physically impossible, today firepower is no longer the condition for sovereignty. Dutch sovereignty is rather a question of maintaining relations. The port of entry that has in recent times been guarded more closely concerns the channels that regulate the influx of asylum seekers and illegal refugees. The "enemy knocking at the gate" can no longer so easily be shot down.

3. As far as internal affairs go, AVL-ville seems to house a paradox. For how can excess and violence coincide seamlessly with comradeship and order? The absolute rights, which their constitution defends, also bring absolute responsibility to decide over life and death (abortion, euthanasia, self-mutilation). But what kind of responsibility is cultivated in a community where anarchy, violence and excess are the values ascribed to above all? Moreover, what kind of freedom can co-exist with the crushing weight of absolute responsibility for one's life and death? Nietzschean supermen might have done well in AVL-ville, as for the rest of us, I am not so sure…

4. As for finances – all of AVL's co-workers received government(al) subsidies. This is another example of the combination of two contrary conditions of possibility – they pretend to cultivate economic self-sufficiency while living off government funding. They managed to have their cake and eat it too; powered by the very force they sought to resist. On the other hand, their commercial success did in fact contribute to some semblance of independence. The art of AVL consists mainly in items that can be used in daily life, which is – at least in part – responsible for its commercial success. The platform from which these ready-to-use mobile units and constructions are being launched or marketed is large-scale art events/shows and museums around the world (including the Modern Museum of Art in New York (MoMa) and the Walker Art Centre in Minneapolis). In this sense, one can argue that AVL's creative ventures have become the vehicle through which cultural capitalism has managed to join forces with the means to its supposed subversion. Anarchistic art turned mainstream business venture. After all, cultural capitalism's main achievement consists in turning art and culture into a highly sought after commodity. Everyone wants a piece of Joep van Lieshout!

> Foucault might even have applauded AVL's success in seizing economic power if this power does in fact remain empowering. If, on the other hand, it manages to defuse the disruptive force of your art, this potentially empowering force becomes disempowering. However, all evidence point to the fact that AVL did not sell out. They employed capital gain and commercial success to further their own anarchistic aims.

Thus far our outline of the problematics has presented the government or state as the power to be resisted, but we all know that that is an oversimplification. In recent times, we have witnessed the privatization of many state-run services and industries like KPN and the NS, for example. They have not all been equally successful and KPN has in the meantime been re-nationalized. But state monopolies are not the problem any more. If we once legitimately distrusted the state, we should now be wary of most institutions and cooperations. The present is characterized by an endless proliferation of overseers, anonymous and invisible but all-powerful organs that regulate all private and public ventures.

A free state's ability to transgress, evade or defuse such forms of regulation only becomes interesting when it is supported by self-sufficiency. In other words, transgression of externally imposed rules only become productive if this transgressive activity is informed by the ability to regulate or limit oneself. That is what distinguishes politically engaged art from mere expressions of barbarism, terrorism and chaos. AVL-ville itself seems to maintain a precarious balance between self-delimiting conduct, on the one hand (they were very precise when it comes to executing their artistic or eco-friendly schemes, for example), and their fecklessness and licentiousness, on the other hand (sex, violence, alcohol). It is nevertheless true, as Van Oenen (2002) rightly points out, that our society does not need the reinstatement of clearly defined norms, but the restoration of the ability to live with impoverished norms. This is precisely the problem identified by Foucault towards the end of his life. He thought that because external prescriptive moral authorities are either absent, impoverished or not to be trusted anymore, we should take responsibility for our own ethical self-formation. This art of existence would enable us to secure more freedom for ourselves. This freedom would not

just be a freedom *from* restrictions but a freedom *to* be different – an active affirmative freedom coupled with discipline and responsibility for it. Foucault understands an aesthetics of existence as essentially political, but this "politics" is also an *ethics*!

In an article published in *Parachute,* Patricia van Ulzen argues that the work of Rem Koolhaas and AVL shares a common element: the ability to work according to the rules of efficiency and functionality while remaining open to the bizarre and intangible. This is perhaps the most relevant parallel between artistic and political free state: the ability to create and maintain an opening within the established order, to stimulate disorderly order, and to find a way to relate to the lack of any normative framework that does not simply amount to licentious abandon. Personally, I am not completely convinced that AVL-ville meets theses criteria, but even if they do, there is another danger:

To be truly radical or subversive, a free state should not simply try and oppose state monopolies. They should create the possibility of withdrawing from the opposition between "state" and "market". But to pose as an alternative is a risky business. One risks being caught in the ultimate Foucaultian nightmare: to voluntarily become keeper of the disorder within the order; to watch yourself because you are being watched by the powers you want to evade… In the end, nothing but a guinea pig in the laboratory of power.

6. In conclusion

Letus reassess AVL-ville's subversive potential:

1. AVL-ville was governmentally subsidized and hoisted its flag under the auspices of RCC 2001. But this economic power did not defuse its subversive potential for in the end the government still found it necessary to close them down.
2. The fact that they drafted an own constitution that coincided with the Dutch constitution, raises more serious doubts concerning their actual subversive intentions. If they really wanted to challenge the way things were why did they come up with an alternative that does not establish different rights but make the existing ones so absolute that they become unbearable.

3. They claim to be transgressive – not to wait for governmental approval but to do what they want. However, since this form of disobedience has become a general characteristic of Dutch society, it does not make them uniquely rebellious at all.

4. In the final instance, AVL-ville seems to have managed to withdraw from the opposition between "state" and "market". To use both without being swallowed up by either. However, by occupying this third position they have inadvertently become the keepers or planners of the chaos within the order. Allow me to use another idiom to explain this:

Today the last remaining green patches between motorways and railway tracks in the Netherlands have been designated 'Vinex' locations – areas earmarked for new urban development planning. Dutch soil has been divided and conquered – assimilated into a matrix of land use plans, procedures and permits. A few recalcitrant bits and pieces of Dutch territory remain – still stubbornly resisting colonization by the planning culture. AVL-ville deployed itself on one of these indeterminate domains. With its stacked containers and mobile architectures, it seemed to offer a temporary refuge from the imperatives of public-private regulation. But does mobile-architectural artworks really facilitate resistance in times of PPP (Public Private Planning)?

Upon closer analysis it turns out that these artistic "grey areas" do not so much oppose the existing order as they serve it (and that is why they are tolerated, even if it is only for a short while). Paradoxically unruly anarchistic orders often imply a strong sense of standards. Indeed, legal orders are well served by people who master the art of colonizing contumacious places, 'informal areas' and ambiguous zones in such a way that they do not turn illegal, chaotic or fundamentalist. They serve to maintain order there where the long arm of the law momentarily cannot reach. Why would the powers that be categorically reject these unruly practices as illegal, if they precisely serve to maintain the law? Some might argue (as Gijs van Oenen and Patricia van Ulzen do) that anarchistic enclaves manage to create and maintain openness within the given order. AVL-ville certainly came close, but in the final analysis I would argue that they teetered between two equally undesirable states: either they opted for an unbearably lightness of being

(countering externally imposed limitations with licentious abandon),[9] or they became another vehicle through which the prevailing order penetrates into every aspect of our existence – even those that see themselves as opposing it. When they no longer served this purpose they were discarded.

To be fair, the fact that AVL-ville was closed down is evidence in its favour. It did succeed in constructing a site of resistance — but this form of resistance remains limited to tactical reversal. Van Lieshout struck a deal with the "forces of domination" whereby he could maintain a measure of resistance within a network of power but without going beyond what I would call "mere maintenance". Maintenance merely prevents power from turning into domination but it does not actually engage with or challenge those powers that tend to become oppressive. These forces have a way of seeping into "maintenance jobs", using it to extend their reach. AVL-ville was a worthy effort, to be sure, but what they illustrated more than anything is how tricky a business subversion can be.

[9] The imposition of absolute rights, like absolute freedom, on the other hand, can be unbearably heavy but equally undesirable.

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