

Plea II

Rather a threat than a marginalized pawn

Jonas Staal

Today, I am not speaking as a suspect, potential threat, or activist. Today, I am speaking as Jonas Staal, visual artist and pamphleteer. And what is happening here, your honour, is my work. 93

Being a visual artist, I am conscious about the juridical system, but this does not entail that this system also immediately determines the framework in which I decide to make one or the other consideration concerning the realization of my projects. More and more, I have become convinced of the necessity to consider analyzes within the context of my work as an artist, which question and address the juridical system as a guiding structure. 94

If I would pit each action or statement against the borders of the law, this would inevitably entail a type of self-censorship; it would make my artistic calling a willing prey to the fiction that we call democracy: a system that communicates freedom and free choice as its most important foundations, yet does seem to able to deal with choices or actions that question it on an essential level and confront its main principles. 95

Such an unequal relation between the artist and the law would mean a relation of full instrumentalization: only constrained by the authorized margins of this framework, where the spectre of the 'freedom of speech' restlessly dwells, I would be able to move. I would only be tolerated within the territory where I would have no influence on the organization of the public domain. In other words, I would be pacified. In serving the constitutional state, I would assist in maintaining the illusion that it supports criticism, which the voice of artists and writers would 'matter'. But what does this public space mean, when only a few institutionalized players claim a monopoly to it? What does democracy or the so-called 'freedom of speech' mean, when they are merely used as political play, in which the user – the artist – is a mere pawn in the game of policy making? 96

97 The discussion of the form and the use of the public domain occupies a central position within my work – be it about public space itself, or about the frameworks in which citizens can express themselves in discussions or debates. Taking, or having someone take, this possibility away from me owing to external pressure –like the private emotions of a member of parliament– means disapproving of my responsibility as an artist. In that case, I would prefer to be considered a threat, rather than a tolerated, and therefore marginalized, pawn.

98 Within the line of argument that I have expressed, this trial has inevitably become part of my work. This made it necessary to announce and document both the previous court case in Rotterdam, and this case [in The Hague] as my art work; as a performance, a happening; as a part of the populist theatre that has been staged during the past few years and is still being staged in all its majesty, owing to a sentimental politics, of which Representative Wilders presents himself to me as the infallible leader.

99 Through *The Geert Wilders Works*, twenty-one installations produced in 2005 [see p. 70], I have expressed the personality cult within politics; a fundamental blurring of the line between the representative of a political message, and the message itself. This is a development for which I consider representative the so-called public memorial, which first was established in its current form following the death of Princess Diana in 1997. From the catholic context in which the public memorial originates, these installations of candles, flowers and all kinds of paraphernalia are associated with a ritual in which death and mourning occupy a central place. It is a ritual corresponding to the cult of threats, which currently surrounds public figures, in which MP Wilders is holding an iconic position. In our current times, ever since the rise of what I have called the Dutch Populist Movement, starting in 2001 when politician Pim Fortuyn participated in both the Rotterdam municipal elections and the national elections, these public memorials have equally become expressions of popular culture, and the cult and celebrity status achieved by politicians and other public figures. Owing to this development, their personal histories and emotions acquire a role equal in importance to their political position. Other aspects play an important role in this series of works too, such as the

break with the taboo to publicly speculate about the death of public individuals such as MP Wilders, as well as the intimacy of the installations which represents the personal relation and admiration of citizens for the almost ‘chivalrous’ position of MP Wilders. Therefore, I consider these installations both relevant within an artistic context, as a research about the historical transition that the public memorial has undergone as image and metaphor, and relevant within a socio-political context, in which my work publicly occupies an analytical position, where the power of the media and politics over the organization and maintenance of public space is analysed, and, when necessary, re-articulated.

Nothing is more characteristic for the current state of our politics, than the fact that a series of art works addressing exactly this condition, result in a lawsuit instigated by the personal emotions of a public representative, leading to a willing instrumentalization of the Public Prosecutor to populist ends. Why, do I ask you, am I even informed about the personal status of MP Wilders? Why do I know, beside the fact that he has publicly revealed that he lives under permanent threats, of his travels in the Middle East, the cigarette brand he smokes, his favourite films and supermarket, and the interior of his temporary housing in detention centre Kamp Zeist? Why? Because he, and many other politicians with him, chooses to use his personal background as an instrument, as a weapon on which the media willingly throw themselves with unprecedented consequences. For the question today is: is this trial not caused by a sentimental politics, a politics that has already for a long time been held captive by the People – a People that, because of its irrational address to politics, is not only accepted, but even stimulated in its lazy engagement? Might the verdict of this court of law not also be the introduction of a sentimental justice?

A purely objective approach, your honours, does not exist. The media know this, politics knows this, and they all act upon it too –which should not be a problem in itself. Yet the fact that the populists have launched a frontal attack on the aim for an objective approach is extremely dangerous. And because I, as I have just said, classify this trial as part of my oeuvre, your verdict in this case will play a key role in my analysis of the popularization of politics, media and law.

102 Anyone entering the public debate accepts the responsibility to represent, and hence be associated with, certain ideas. As a consequence, articles, columns, cartoons, and the like published by aforesaid representative, may, and even should be quoted, in case one refers to him or her. MP Wilders too should know this, and he seems to have made a clear choice. Although he might be expecting several cartoons, instead of a series of public installations within the context of contemporary art, when contemplating this choice, this does not in any way decrease his own responsibility concerning the formation and usage of a framework and the methods employed in public debate.

103 For in line of this argument, I am stressing that in this case, MP Wilders is carrying a great responsibility – just like me. Ever since he has entered politics, MP Wilders has always been very outspoken about the ‘right to the freedom of speech’. MP Wilders has often appealed to this right himself. For example, when he published the so-called ‘Danish cartoons’ containing images of the prophet Mohammed on his website, at the height of an extensive international discussion about artistic freedom in 2006. More recently in 2008, when he produced his film *Fitna*. These are all choices that I cannot, and do not, want to hold against him. What I want to show with these examples, is the fact that for years, MP Wilders has been representing a climate in which individuals are stimulated to speak out in public, even when their message might be shocking or even threatening to other people. He has helped to create a climate for which he is responsible, and within the context of which my own work is equally legitimate. But the support of MP Wilders only extends to people proclaiming standpoints that support his own. Anyone who unequivocally represents and defends a right like the right to the freedom of speech, will have to accept that this will cause a (public) reaction. The fact that such a reaction – in this case, in the form of my series of installations – appears to be inconvenient for MP Wilders, can be no reason to convict me. The fact that he has not withdrawn his charges against me, is, a sign of great weakness and hypocrisy within his own discourse.

104 I would like to add, that, in my opinion, the current discussion concerning the ‘freedom of speech’ has acquired grotesque and pathetic proportions, and I would like to stress

clearly, that, within this discussion, I do not want to make claim on this right in favour of my ‘defence’, and that I do not desire at all to ‘contribute’ to discussion as it is being held at the moment. In other words: I do not wish to hand over either my claim on this trial as a part of my work, or through its mediation to my public, as weapons in this already meaningless battle. The public debate has eroded, and the continuous reconfirmation of the same topics when considering ‘Islam’, ‘censorship’, and the so-called ‘need for debate’, is played out in a dumb duality, a continuous passage of the same perspectives provided by the same representatives, eagerly turned into a tsunami of sound bites by the media, so as to vacuously make public ever the same ‘opinions’. As an artist and as an intellectual, I consider it my duty to undermine and reformulate this inimitably pathological order within the context of that order itself: this trial.