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Artistic, Artworld, and Aesthetic Disobedience

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ABSTRACT

Jonathan Neufeld proposes a concept of aesthetic disobedience that parallels the political concept of civil disobedience articulated by John Rawls in *A Theory of Justice*. The artistic transgressions he calls aesthetic disobedience are distinctive in being public and deliberative in their aim to bring about specific changes in accepted artworld norms. We argue that Neufeld has offered us valuable insight into the dynamic and potent nature of art and the artworld; however, we contend that Neufeld errs by constraining aesthetic disobedience to the artworld. Through a reconsideration of the parallel between aesthetic and civil disobedience, we illustrate how *aesthetic disobedience* is more accurately conceived of in terms of two kinds of acts: *artistic* and *artworld.* In addition to *artistic disobedience* and *artworld disobedience*, we add a broader and more diverse sort of transgressive *aesthetic disobedience.* Our aim is to articulate how Neufeld's account of a kind of disobedience in the artworld that parallels civil disobedience can prove even more generative.

I. INTRODUCTION

In this article, we investigate Jonathan Neufeld's provocative proposal for a notion of aesthetic disobedience, which he models on John Rawls's definition of civil disobedience. Whereas civil disobedience concerns the legal system and its consistency—or lack thereof—with broadly held ideals and values, Neufeld conceives of aesthetic disobedience as concerning the artworld and its consistency—or lack thereof—with broadly held artistic or aesthetic ideals and values.

Neufeld coins the term 'aesthetic disobedience' to highlight a specific range of activities engaged in by artworld citizens, including both artists and audience members. The transgressions Neufeld calls acts of aesthetic disobedience are distinctive in being public and deliberative in their aim to bring about specific changes in accepted artworld norms or practices. With this new concept, Neufeld provides valuable insight into the dynamic nature of art and the artworld while making salient aspects of the artworld that are otherwise likely to go unnoticed. These include nuanced similarities and differences between diverse but related artistic acts such as innovation, disobedience, and revolution and important roles played by non-artists in the artworld, specifically the ways audiences can effect change in the practice and appreciation of art.

However, we contend that by constraining aesthetic disobedience to the artworld, Neufeld presents an overly narrow account of the nature and scope of the transgressive, public, and deliberative acts he aims to articulate. On our view, Neufeld articulates *artistic* and *artworld* disobedience, to which we add a broader and more diverse sort of transgressive *aesthetic* disobedience. In other words, instead of following Neufeld in carving out space within the artworld for both artistic and aesthetic actions that aim to change the artworld in specific ways, we advocate for a broader conception of these transgressive activities, including but not limited to transgressive actions in artistic practices that aim to reform entrenched norms of the artworld; transgressive actions in artistic practices that aim to reform entrenched aesthetic norms of society; transgressive actions in artistic practices that aim to reform entrenched norms of society; transgressive actions in aesthetic practices that aim to reform entrenched

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norms of the artworld; transgressive actions in aesthetic practices that aim to reform entrenched aesthetic norms of society; and transgressive actions in aesthetic practices that aim to reform entrenched norms of society. The purpose of our expansion of the potential scope of the analogy is not to reject or even cast doubt on Neufeld's articulation of the concept of aesthetic disobedience, but rather to point out a number of ways his initial parallel to civil disobedience can prove to be even more generative. With our expanded ideas about acts of disobedience, we illuminate additional ways the concept might be fruitfully articulated.

Section II, "Neufeldian Aesthetic Disobedience", reviews Neufeld's conception of aesthetic disobedience, its place in the artworld, and how it is said to parallel the conceptual apparatus of Rawls's civil disobedience. In Section III, "Aesthetic and Civil Disobedience", we consider just how closely Neufeld's conception of aesthetic disobedience tracks Rawls's conception of civil disobedience, discussing aspects of Rawls's view that go unmentioned by Neufeld, as well as broaching the topic of whether his theory should remain, as he presents it, narrowly constrained to the domain of the artworld.

Sections IV and V consider the distinction Neufeld makes between the aesthetic and the artistic, examining what he means by aesthetic acts (in Section IV, "Aesthetic and Artistic Acts") and aesthetic norms (Section V, "Aesthetic, Artistic, and Other Norms"). Section VI, "Artistic, Artworld, and Aesthetic Disobedience", parses various forms of contestation that can be disambiguated from within Neufeld's discussion of aesthetic disobedience. We further explicate how these modes of contestation occur in both artworld and extra-artworld contexts. We conclude in Section VII by raising a series of questions for further exploration of the nature and value of artworld and aesthetic disobedience.

II. NEUFELDIAN AESTHETIC DISOBEDIENCE

Neufeld characterizes aesthetic disobedience as "a public communicative act that breaks an artworld norm in order to draw attention to and to reform perceived conflicts between an entrenched norm of the artworld and other, broadly speaking, aesthetic commitments" (2015, 116). The central conditions of Neufeld's conception of aesthetic disobedience are:

AD1: Acts of aesthetic disobedience violate a deeply entrenched artworld norm or a set of norms.
AD2: Aesthetic disobedients accept the risk of sanction for their actions.
AD3: Acts of aesthetic disobedience are performed publicly—they are communicative.
AD4: Acts of aesthetic disobedience aim to draw attention to a conflict between normative commitments and entrenched norms of the artworld.
AD5: Acts of aesthetic disobedience aim to promote a change within the entrenched norm's artworld (Neufeld 2015, 118).

On Neufeld's account, the relevant norms violated in aesthetic disobedience can be formal or institutional and their sources are more diverse than the authoritative sources of the laws constituting a society's legal system, making instances of aesthetic disobedience potentially less clear-cut than those of civil disobedience. The majority of artworld norms are neither explicitly stated nor codified. They are often made salient only when an artist rejects them in their work. Therefore, there will be much less disagreement in the context of civil disobedience about the relevant law and what counts as a law-breaking activity than in the context of the artworld about artistic norms and norm-violating activity (disagreement in the former cases tends to be about whether some activity ought to be against the law, rather than what the law is) (119).

A clear example is the work of the Guerilla Girls, an anonymous artist collective who push the boundaries of art in order to expose injustices and inequities in the artworld. Consider their "Do Women Have to Be Naked to Get into The Met. Museum?" (1989), a poster comparing the percentage of women artists whose work is in the Met's permanent collection (5%) to the percentage of nudes in the same collection that feature women (85%). After the work was rejected by the Public Art Fund of New York City, The Guerrilla Girls placed their posters in advertising spots on New York City buses, thus transgressing the institutional norms of art exhibition. The work aimed not only to spread information about the dismal representation of women in the artworld

but also, more importantly, to evoke positive change in the artworld by combating its sexist and exclusionary norms.

There is no specific definition of art built into Neufeld's characterization of aesthetic disobedience. Yet the concept is not only consistent with historical and institutional theories of art but also serves an edifying function for such theories by illuminating how art and the artworld evolved, often through reflective and deliberative activity by artworld citizens in the form of aesthetic disobedience. Additionally, it sheds light on the relationship of artistic practices to artworld institutions and institutional authority (Neufeld 2015, 118). Neufeld aims to illustrate "what is interesting in certain transgressive actions in artistic practices" (116). His introduction of aesthetic disobedience, then, helps render intelligible various ways artistic practices and norms change, are challenged, and/or become institutionally entrenched and the different artworld citizens who can participate in issuing these challenges and evoking such change.

Neufeld distinguishes aesthetic disobedience from two adjacent phenomena: artistic innovation and revolutionary art. The distinctions between innovation, disobedience, and revolution track Rawls's distinctions between proper political procedural functioning, civil disobedience, and militancy.[1] While aesthetic disobedience is not the same thing as artistic innovation, aesthetic disobedience is likely to involve innovation. To explain, Neufeld highlights Béla Bartók's musical innovation. While Bartók invented new ways to deploy sound from strings, according to Neufeld, this does not amount to a violation of artistic norms because "making innovative sounds and timbres is part of the stock and trade of composers" (Neufeld 2015, 118). The idea here seems to be that artistic innovation is an expansion or embellishment of extant norms rather than a violation of them. Therefore, artistic innovation fails to meet the first condition for aesthetic disobedience (AD1).

A second contrast case, revolution, sits at the other extreme. Unlike aesthetic disobedience, revolutionary acts "do not promote change *within* entrenched artworld norms, but, rather, aim to overthrow the artworld and replace it with another" (Neufeld 2015, 118). Neufeld presents John Cage's *4′33″* as a revolutionary work, arguing that it is revolutionary as a musical work because "it aims to completely restructure the way we understand, experience, perform, and compose music", whereas Bartók's musical innovations add to, but leave intact extant understandings, experiences, and practices of music (Neufeld 2015, 118).[2]

Located between innovation and revolution, "Aesthetic disobedience, by contrast, pairs the defense of broad artworld commitments with criticism of their specific institutionalization" (123). Neufeld argues that aesthetic disobedience is exemplified by Peter Handke's, *Publikumbeschimpfung (Offending the Audience)*. Handke describes *Publikumbeschimpfung* as a Sprechstuck, or speak-in. The "performers speak directly to the audience, about the audience, about what the performers are doing, and about theater in general" (Neufeld 2015, 117). It's far from typical theater and Neufeld follows Handke in characterizing it as a work of anti-theater, but it does not break *every* norm of theater, as it is to be performed in a usual theater space with standard demarcations of audience and performers. It neither recommends throwing out all theater norms nor replacing the theater artworld with an entirely different theater artworld (Neufeld 2015, 117). Instead, the purpose of the work is to call attention to such norms as "decorum, uniformity, silence, passivity, and… apathy" to get the audience "to think and act differently about the theater" and their role in it (118). According to Neufeld, Handke's *Publikumbeschimpfung* illustrates how, in aesthetic disobedience, certain artworld norms are upheld or even reinforced. Like civil disobedience, aesthetic disobedience involves the agent's respect for and fidelity to the institution that makes their protest possible—aesthetic disobedience is a protest against aspects of the artworld that by its very nature expresses respect for and fidelity to the artworld housing the problematic norm(s).

III. FROM CIVIL TO AESTHETIC DISOBEDIENCE

Aesthetic disobedience invokes Rawls's canonical conception of civil disobedience, the central aspects of which Neufeld restates:

CD 1: The acts violate the law.
CD 2: Civil disobedients accept the risk of legal punishment for their actions.

CD 3: The acts are performed publicly—they are communicative.
CD 4: The acts aim to draw attention to a conflict or a set of conflicts between normative and legal commitments or authority.
CD 5: The acts aim to promote a change within the legal system. (Neufeld 2015, 116)

Neufeld grounds aesthetic disobedience in Rawlsian civil disobedience because, as he explains: "Retaining a connection to the structure of civil disobedience reveals an often overlooked characteristic of some of the most interesting acts of artistic transgression: the public and deliberative backdrop against which they occur and which they aim to shape" (Neufeld 2015, 116). While there are clear parallels between civil disobedience and aesthetic disobedience, there are also important differences, including the absence of central aspects of Rawls's view. Exploring these aspects will help us assess the coherence and usefulness of aesthetic disobedience, as well as whether and how the concept might be fruitfully expanded. The aspects in question are the background conditions required for civil disobedience to register as such, the most important of which is a shared sense of justice to which the disobedient can appeal.

Rawls argues that civil disobedience requires a shared sense of justice because "unless one can appeal to the sense of justice of the larger society, the majority may simply be aroused to more repressive measures if the calculation of advantages points in this direction" (1999, 339). The ability of the majority to listen is crucial and a shared sense of justice is what makes listening possible at all (340). In other words, the civil disobedient's act registers as such to the community at large only because they can justify their lawbreaking as in the service of something else central to society, a "shared commitment [that] could be a morality, a conception of rights, liberty, fairness, justice, equality, and so on" (Neufeld 2015, 117).

Without a shared commitment of this sort, civil disobedience is likely to simply bottom out in disagreement. Rawls continues, "Justifiable civil disobedience is normally a reasonable and effective form of dissent only in a society regulated to some considerable degree by a sense of justice" (1999, 339). The important point is that there is broad background agreement about values buttressing civil disobedience, paving the way for a positive outcome.

This is why fragmented societies lack the conditions for civil disobedience, as they lack a collective sense of justice. So, in fragmented societies, civil disobedience simply has no place. In conditions of near justice, like the ones Rawls attends to, there is the presumption of the rule of law and obedience to it that is lacking in fragmented societies. While the disobedient is somewhat loyal to and respectful of the legal structure and uses civil disobedience to inform and convince others that the structure needs to be revised or better applied, the militant rejects the basic structure itself, seeking to create a new society with a different basic structure (322). Without a shared sense of justice, there is nothing for the disobedient to meaningfully express fidelity to. So, in fragmented societies, we see the figure of the militant rather than the civil disobedient.[3]

In addition to the societal conditions that make civil disobedience possible, Rawls provides conditions for when civil disobedience is appropriate, that is, justified. For Rawls, civil disobedience is a last resort that is justifiable only when three conditions are met. First, the grievance that the disobedience responds to must be an instance of substantial, clear, and longstanding injustice (326). Rawls writes, "The injustice one protests is a clear violation of the liberties of equal citizenship, or of equality of opportunity, this violation having been more or less deliberate over an extended period of time in the face of normal political opposition" (329). Second, civil disobedience is justified only after other, non-lawbreaking appeals have been made in good faith and failed (327). And third, due to concerns about societal stability, civil disobedience is limited at any given time to only certain causes even when there are additional ones that may be justified (328). That is, even if multiple oppressed groups have equal justification for committing acts of civil disobedience, societal stability takes precedence, which means oppressed groups cannot all employ civil disobedience to meet their ends. Instead, only one of them or a unified coalition of them, can successfully act on their grievances in this manner.[4]

Crucial for the parallel is that Neufeld does not provide an aesthetic or artistic analog to a shared sense of justice, which is what the civil disobedient depends on for the moral force of their claims. Disobedients act because the laws are out of step with the community's sense of justice, meaning that everyone can recognize the disparity once they are spurred to notice it by civil disobedience. If the

natural duty of justice as elaborated in Rawls's *A Theory of Justice* is what guides civil disobedience, what values guide aesthetic disobedience? A shared sense of justice is importantly distinct from the laws that are in place, which have their analog in the norms of the artworld for Neufeld. Importantly, an analogous shared sense of aesthetic norms would have to be conceptually in place *prior* to disobedience occurring if it is to act as an adjudicating mechanism for that disobedience. When we ask whether there is an artworld analog to a shared sense of justice that could play such a role within aesthetic disobedience, we are asking if there is a conceptual claim along these lines that can be found or reconstructed within Neufeld's view.

One option for that role would be a normative conception of art or of aesthetic value that could be reconstructed from broader principles found within society. Such a norm could be found using something like Rawls's method of the original position in *A Theory of Justice* or his notion of the public political culture in *Political Liberalism* (2005, 100–1). Given the highly contestatory nature of the nature and value of art, however, this path appears unlikely. More importantly, Neufeld does not appear to be invoking such a conception of art and only discusses conceptions of art, namely institutional and historical theories, that aim to articulate classificatory rather than honorary definitions of art.

A second option is that shared commitments regarding the artworld are more abstract than the principles of justice, perhaps in the form of a shared commitment to innovation and creativity. However, if a commitment to innovation and creativity functions as the background condition that makes aesthetic disobedience legible to citizens of the artworld, then it seems aesthetic disobedience would be a specific form of artistic innovation. This is obviously not what Neufeld has in mind since he distinguishes disobedience from innovation as part of the conceptual mapping of his view.

Thus, the two possibilities just discussed concern a normative conception of art or artistic creation, neither of which seem consistent with Neufeld's project nor amenable to what he calls aesthetic disobedience. Another possibility is that the relevant parallel to an underlying shared commitment is a shared recognition of the artworld and its value. If we are taking cues from Rawls, that agreement must be agreement about *this, existing* artworld along with the recognition that this existing artworld and its norms are generally worthy of fidelity and respect. Understanding the shared norms in this way leaves space for innovation and disobedience in art, as well as revolution. Neufeld discusses several examples of aesthetic disobedience that appeal to a recognition of the artworld and its value, for example, "Schoenberg's and Stravinsky's breaking of the norms of tonality or Duchamp's or Warhol's breaking the norms dictating the kinds of object that can count as a work of art" (2015, 119).

Another sort of possibility is that a shared sense of *justice* underpins acts of aesthetic disobedience, such that ethical concerns would be the driving force behind such acts. Neufeld does provide some evidence that this is compatible with his view, as some acts he calls aesthetic disobedience make this type of appeal by exposing inconsistencies between justice and the norms of the artworld. Consider Tania Bruguera's *Immigrant Movement International (IMI)* whose mission statement reads:

- IM International is a community space where practical knowledge is merged with creative knowledge through *arte útil* [Useful Art] with a holistic approach to education open to all regardless of legal status.
- IM International is a think tank that recognizes (im)migrant's role in the advancement of society at large and envisions a different legal reality for human migration.
- IM International is a lab practicing artivist tactics and new tools for communication in the public sphere to access political dialogue in an effort to transform social affect into political effectiveness.
- IM International is an educational platform formulating sustainability systems and creating alternative economies based on a culture of reciprocity not economic advantage. (Bruguera 2011)

Although Neufeld does not explicitly discuss how Bruguera's *IMI* appeals to a shared sense of justice, we argue that it does make such an appeal. Neufeld rightly characterizes *IMI* as "an art project implementing the concept of Useful Art, in which artists actively implement the merger of art into society's urgent social, political, and scientific issues" (2015, 122). Furthermore, we agree with Neufeld that *IMI* "challenges what it is to be a work of art along with the obligations and responsibilities that accompany that designation" (123). However, *IMI* is unique among art of this kind. For example, Duchamp's *Fountain* is a work that challenged (and challenges) received notions of what

counts as art. However, Duchamp's *Fountain* does not appeal to ideals or values outside the artworld, while Bruguera's IMI most certainly does. Indeed, Neufeld sees Bruguera as aiming "to highlight the sources of the norms of the artworld, drawing them closer to the audience in a gesture toward democratization of artistic practices" (Neufeld 2015, 123). Bruguera's *IMI* is an example of what Neufeld calls aesthetic disobedience because it is art that insists that norms of artistic practice are in conflict with democracy and democratic ideals

Our example of the Guerilla Girls poster also works in this way by calling attention to the artworld's institutional gatekeeping norms that exclude certain groups of people from taking on the role of artist. In other words, the poster appeals to normatively relevant shared values of equity and inclusion and illustrates quite clearly that the artworld is not upholding these values. The norm targeted for change and the norm violated to make the point are artworld norms, however, the underlying problem with the targeted norm is exposed only by reference to a sense of justice that is itself independent of the artworld. This is not to say that the artworld is beyond or separate from considerations of justice. What this means is that the artworld is situated within a civil society and shares in that society's sense of justice and related normative commitments.

Neufeld positions the artworld as the stand-in for society and its basic structure from Rawls's view. The artworld as we know it, however, is not nearly so closed. How does this impact the manner in which norms are used and contested aesthetically? Neufeld relies on Rawls's distinction between the civil disobedient and the revolutionary. But if we attend to Rawls's distinction, the revolutionary would want to found a new artworld, not abolish the line between art and non-art. They would only want to abolish that distinction within the prevailing understanding of what counts as art. Just as the militant rejects the two principles of justice and the basic structure of society and wants to create a new society with new principles, the artistic revolutionary would want to create a new artworld with new norms and practices. What would an entirely alternative artworld look like? It would likely be anti- or non-capitalist, one that untethers itself from the primary features of the prevailing artworld, with its money, institutions, and capitalist urgency.[5]

Neufeld seems to assume the prevailing artworld as the Artworld, the only possible one, such that its destruction would mean the abolition of the art/non-art distinction completely. Recall Neufeld's discussion of Cage's *4′ 33″*. Neufeld argues Cage "aims to completely restructure the way we understand, experience, perform, and compose music" (Neufeld 2015, 118). Notice how the revolutionary act here is not construed as undermining art as such, but the specific form of art that the work claims to stand in contradistinction to—music. This amounts to undermining or destroying the norms within a specific aesthetic space, resulting in the question, is it music or not? Is it theater or not? Indeed, throughout his analysis, Neufeld equivocates between art writ large, artforms, and the artworld.

Cage's *4′ 33″* differs from Bruguera's *IMI*. The Queens Museum of Art's description of *IMI* says that the exhibit "took on the form of a community center", which held legal workshops, cooking, and history lessons, among other activities. Even the museum's director acknowledged that he would often be asked why *IMI* qualified as art (Neufeld 2015, 122). Does such an artwork appeal to a shared sense of justice, as a Rawlsian civil disobedient does? Does *IMI*'s presence at the museum imply that an institutional conception of art is in place, and that simply in virtue of the fact that both the creator and a relevant institution claim that a work is art, it is Neufeld resists this explanation, instead noting that, given what Bruguera's stated goal is to democratize art and the artworld (123). Even though her work challenges what it means to be a work of art, along with the responsibilities and obligations that go along with making art, it is still art. Given this explanation, Neufeld locates the limits of aesthetic disobedience in the abolition of the line between art and non-art.[6] Perhaps, though, the limits of aesthetic disobedience are the same as those for civil disobedience, that is, far beyond the artworld.[7]

Despite the fact that the idea of civil disobedience is often given its origin story in Henry David Thoreau's refusal to pay taxes in the 1840s, Rawls notably distinguishes Thoreau's actions from his own definition of civil disobedience. He labels what Thoreau did conscientious refusal. Contrary to the necessary conditions for civil disobedience outlined above, conscientious refusal does not invoke or depend on a shared sense of justice, springs from individual morality, and does not really address the majority at all (Rawls 1999, 324).

In a reversal of Rawls's view, for revolution to occur within the artworld, the creator of the work may need to keep it private to prevent it from being commodified, yet such private artworks would then of course have no effect on the existence or not of the artworld at all. A possible implication of Neufeld's view, then, once we take into account the existing context and background within which the artworld exists, seems to be that aesthetic revolution as Neufeld construes it is impossible. Contestation over the status of artworld norms would then be only possible from within the artworld as we know it. The limit of such contestation perhaps emerges at the boundaries of art itself, where the revolutionary gesture becomes the eradication of the art/non-art distinction, through which a type of non-commodified "artworld" is created, but one that must be kept in scare quotes due to its status as non-art.

Is this possible, or conceivable, for us in the world as it exists? While conceptually coherent, practically it seems the answer is no. Returning to our earlier point, the two possibilities seem to be either to share the revolutionary work publicly, which would undermine it by leading to its commodification, or to keep the revolutionary work private, which would undermine it by making it undetectable and non-communicative.

In the former case, we can look to an example like earth art, an artform that, although largely motivated by revolutionary impulses, has become, largely through commodification, part of the established artworld (Goldsworthy 1990). Earth art may have certainly counted as aesthetic disobedience at one time, considering the challenges it posed to traditional artistic media, but it falls short of revolution. Performance art and other fleeting or ephemeral forms of art have also been incorporated into the artworld (Julia Stoschek Foundation). It is striking how quickly acts of aesthetic disobedience can lose their force as forms of protest once they are art. Graffiti and other forms of street art are other such examples.

It is unclear if Neufeld believes that changes in the artworld track social and political changes in a particular way or if the relationship is more fluid. It does seem, however, that a truly revolutionary artistic act is only possible when piggybacked on top of fundamental structural changes in society.

IV. ARTISTIC AND AESTHETIC ACTS

Neufeld calls the phenomenon he is discussing *aesthetic* disobedience rather than artistic disobedience to account for the ways artworld citizens other than artists can and do participate in provoking change in the practice and appreciation of art (2015, 119). He chooses the term "aesthetic" because these artworld citizens, being non-artists, or at least not acting in the capacity of artist, are not committing acts he considers artistic. However, they are committing acts he considers aesthetic. In a footnote, Neufeld remarks: "While I do not carefully distinguish between aesthetic and artistic commitments, for the purposes of this article I take the former as a broader term that includes the latter as a subset. Nothing in this article turns on this" (124n5). While we agree that the aesthetic and the artistic are related, even entwined, we question Neufeld's claim that his account of aesthetic disobedience does not hinge on a clear articulation of the distinction between the artistic and the aesthetic.

Of course, the meaning of the aesthetic and its relation to art are contentious issues. However, even conceptions of art that define it in terms of the aesthetic stop short of characterizing art strictly in terms of the aesthetic. Gary Iseminger, for example, defends an aesthetic theory of art according to which, "the function of the artworld and the practice of art is to promote aesthetic communication … A work of art is a good work of art to the extent that it has the capacity to afford appreciation" (2018, 23). Although he maintains art's specific function and value is found in its promotion of aesthetic communication, Iseminger further clarifies his view by noting that art has many additional functions and values, for example, art "facilitates the promotion of religious, moral, or philosophical beliefs, attitudes, or behavior; it provides means for self-expression and fosters craftsmanship and creativity" (102). On our view, by deeming the relevant acts aesthetic, Neufeld fails to fully appreciate the range and diversity of art, art practices, art appreciation, and artworld norms. Furthermore, by limiting the relevant acts to the artworld, Neufeld fails to fully appreciate the range and diversity of aesthetics, aesthetic practices, aesthetic appreciation, and aesthetic norms.

As Neufeld recognizes, contemporary conceptions of the aesthetic explore the nature and value the aesthetic in extra-artworld contexts. As Yuriko Saito writes,

> In my work on everyday aesthetics, I emphasize the importance of exploring the ordinary aspects of our lives, not only to enrich and diversify the aesthetic discourse but also to acknowledge their serious implications on the quality of life and the state of the world and its future. The power of the aesthetic is such that, whether we notice it or not, and whether we like it or not, we are constantly affected by the aesthetic dimension of the environment and life. Insofar as we are sensuous creatures, we cannot but be affected by the aesthetic, which often leads us to certain attitudes and guides our action (2012).

To gain clarity on how the distinction between the aesthetic and the artistic functions in Neufeld's project we must attend to precisely what these adjectives are modifying in his account as these terms are often used to describe many different kinds of things, including values, capacities, experiences, objects, judgments, and attitudes (see Shelley 2022). In his account of aesthetic disobedience, Neufeld uses "aesthetic" to modify both acts and norms. However, neither the acts nor the norms he aims to designate are necessarily aesthetic.

First, consider whether the acts in question are aesthetic. When Neufeld is deciding whether an act is artistic or aesthetic, at issue is whether the act in question is one of artistic creation or performance. He insists that even if the act is not artistic in this sense, it still might be aesthetic. So far, so good. For example, painting one's front door a new color might be an aesthetic act even if it is not an artistic one and it would be more accurate to call admiring the finished product an act of aesthetic appreciation than an act of art appreciation. The now well-established and growing field of everyday aesthetics attests to the range and importance of aesthetics matters such as these.[8] However, when Neufeld names and characterizes certain non-artistic acts as acts of aesthetic disobedience, he is not honing in on creative acts that produce aesthetic objects or appreciative acts that have aesthetic properties as their intentional object. Rather, the non-artistic acts he considers acts of aesthetic disobedience involve ways audiences experience, respond to, participate in, or alter others' experiences of works of art, or ways audiences influence artists' future art. But not all of the audience acts he calls aesthetic are actually obviously aesthetic in any sense. For example, he claims that "even mundane acts of booing, noisemaking, and tomato or turnip throwing, when sufficiently disruptive and aimed at a sufficiently entrenched norm, could count as aesthetic disobedience" (Neufeld 2015, 120). It is far from obvious what makes these acts aesthetic, although they are clearly disobedient.

Neufeld anticipates this objection and responds to it by detailing audience reactions to Handke's *Publikumsbeschimpfung* (*Offending the Audience*), a work of anti-theater:

> The audience members claimed the mantle of performer, taking the argument of the script very seriously. They performed their understanding of the conclusion of the speak-in: they, too, could be authoritative speakers in the space of the theater. In standing and arguing and then climbing onto stage, they restructured the space of aesthetic appreciation while drawing attention to and criticizing aspects of that very space. (Neufeld 2015, 121)

Here Neufeld argues that when audience members take on the role of artist, their acts are aesthetic. However, if a non-artist functions as an artist, why not consider their acts, at least in this context, artistic? Obviously, it is not the case that only professional artists can commit artistic acts. By assuming the authority of an artist and acting accordingly, the audience members become artists, maybe temporarily or playfully, but in any case, actually. Without having to decide whether their acts produce art, we can unproblematically consider the acts artistic. Along the same lines, one can remain agnostic on whether the classroom creations of kindergarteners are art, while comfortably believing the acts they engage in to produce those creations are artistic acts.

Neufeld offers another defense of the aesthetic nature of some non-artist's acts by pointing out that "the noisy and vocal intervention during the performance of instrumental music dramatically reshapes the structure of the performance event…. The boos come to mark the performance, and, depending on the effectiveness of the protest, they can come to mark the work and to shape its future performances" (121). In other words, if audience acts become part of a work or the work becomes something different because of their reactions, either in the moment or in the future, their acts are aesthetic. Here

and elsewhere Neufeld appears to be conflating acts that affect art with aesthetic acts. The two are not the same. If they were, then a dancer's poor performance due to a hangover would make his excessive drinking the night before aesthetic. Similarly, this would make a bomb threat leading to the cancellation of a poetry reading and the improper storage of a painting that causes water damage aesthetic acts. Not every act that marks or changes a work of art is an aesthetic act, despite the fact that such acts might alter the aesthetic value of the art.

The final attempt Neufeld makes to illustrate the aesthetic nature of some audience acts appeals to the ways audiences can have "a deep impact on artistic practice" (121). When this happens, on his view, their acts are rightly considered aesthetic. The examples he offers involve "attempts to perform Wagner in Israel or an even more recent case of the cancellation of Burkhard Kosminski's Nazi-themed *Tannhauser* in Dusseldorf" (Neufeld 2015, 121). In these instances, the audience's protests and disruptions are likely to influence the music selections of future composers. But, again, we struggle to see these acts as aesthetic even though we readily admit that audience responses of many forms, from standing ovations to boycotts, can and do influence artists' artistic choices and practices in the future.

So, we agree with Neufeld that "not all acts of aesthetic disobedience are artistic acts" (119). We add that not all acts of the kind he is describing are aesthetic acts, although some may be. This criticism cuts in two ways. First, it demands greater clarity on the nature of the acts in question. The first step in achieving the needed clarity is to more accurately name the acts. We suggest calling the acts he is focusing on acts of *artistic disobedience* (when the acts in question are committed by artists or someone acting in the capacity of artist) and *acts of artworld disobedience* (when the acts in question are within the context of the artworld but not committed by artists or someone acting in the capacity of artist).

Moreover, considering how other artworld citizens, from art critics, to curators, and beyond, participate in shaping the artworld and its practices through disobedient acts will provide a more accurate account of the diverse range of these acts, the various kinds of motivations that propel them, and the multiple kinds of effects they can have. Although Neufeld does not discuss the ways different artworld citizens might participate in aesthetic disobedience, he does mention that they participate in maintaining entrenched artworld norms. As he puts it, "A widespread network of practices and organizations contribute to the entrenchment of the norms and their sanctions, which are risked by artists and meted out by critics, gallerists, museum directors, granting agencies, and a variety of educational institutions" (119). Given the differences among these roles, it would be interesting to learn more about how, why, and to what effect these different artworld citizens participate in artworld disobedience.

Our critique suggests there is another range of acts, namely aesthetic acts outside the artworld, that function to accomplish the same sorts of things as Neufeld's aesthetic disobedient acts but in other realms of life. Examples of acts of this sort include bucking aesthetic norms to make a political point or adopting new aesthetic practices in an effort to expand or alter aesthetic norms. An example of bucking aesthetic norms to make a political point might be refusing to maintain a lush, green, weed-free lawn that requires chemical fertilizers, pesticides, herbicides, excessive amounts of water, and often the use of polluting gas mowers and other equipment, and instead choosing to cultivate a lawn of clover that requires far fewer resources and upkeep while being environmentally beneficial in attracting pollinators and wildlife. An example of adopting new aesthetic practices might be refusing to follow heteronormative norms of dress that confirm the specious gender binary, opting instead to experiment with a wide range of sartorial expressions. We maintain that these are rightly called acts of *aesthetic disobedience* and we further explore this class of disobedient acts in Section VI, "Artistic, Artworld, and Aesthetic Disobedience". First, we turn our attention to the norms targeted in what Neufeld calls acts of aesthetic disobedience to consider whether the aesthetic nature of the acts is due to their violating, targeting, or appealing to aesthetic norms.

V. AESTHETIC, ARTISTIC, AND OTHER NORMS

There are several normative components of Neufeld's aesthetic disobedience: the violated norm, the norm targeted for change, and the shared normative commitment(s) appealed to and with which some conflict is exposed. As in civil disobedience where the acts in question disobey by breaking a

law, in Neufeld's aesthetic disobedience the acts in question disobey by violating an artworld norm. We question whether the norms in question are or must be aesthetic to accomplish what he celebrates acts of aesthetic disobedience for accomplishing. We further maintain the importance of attending to acts of aesthetic disobedience outside the artworld.

Acts of aesthetic disobedience, according to Neufeld, aim to effect change within the artworld. Furthermore, they do so by violating an artworld norm thereby calling attention to its inconsistency with another widely accepted norm(s). Like civil disobedience, aesthetic disobedience expresses respect for and fidelity to the artworld and some of its norms while objecting to others. If the acts go beyond this condition, they are more aptly considered revolutionary in so far as they either break or agitate for the dismissal of all of the artworld's norms and thus the artworld itself. Neufeld's aesthetic disobedience involves artistic or aesthetic norms that are respected, artistic or aesthetic norms that are violated, and artistic or aesthetic norms that are appealed to with the aim of changing some norm or practice in the artworld.

We begin by considering the nature of the violated norm. As Neufeld puts it, "Acts of aesthetic disobedience violate a deeply entrenched artworld norm or a set of norms" (118). Neufeld identifies formal and institutional norms as candidates for such principled and purposeful violation. Formal norms are the accepted, often unnoticed, norms that govern art practices. Recall his examples of atonal music and readymades, both of which violate formal artworld norms, of tonality in music and craftsmanship or skill in visual art, respectively. He explains that institutional norms, on the other hand, govern "the dissemination, display, and even ownership of artworks" (120). Neufeld presents street art as art that violates institutional norms "of where, how, by whom, and for whom art is displayed" (119–210). Moreover, he further expands the class of norms that might be violated when he discusses how art might violate expectations for what counts as art by questioning "the very boundaries of an artworld" (124). He concludes that, ultimately, "we need to leave open a characterization of the norms that might be targeted by acts of aesthetic disobedience" (124).

However, Neufeld does not seem to appreciate the fact that leaving open the characterization of these norms suggests that the violated norms could be artistic, non-artistic, aesthetic, or non-aesthetic. For example, an artist might violate a moral norm for the sake of promoting a change in accepted moral norms in society. This, according to the artist, is the nature of Marco Evaristti's *Helena* (2000), an art installation of ten blenders each containing one goldfish swimming in water. During the exhibition, the audience was given the opportunity to turn the blenders on and kill the fish (at least one audience member acted on the opportunity and two fish were killed). Evaristti explains *Helena* as "a protest against what is going on in the world, against this cynicism, this brutality that impregnates the world in which we live" (Biren 2022). The norm violated here concerns the acceptability of humans killing non-human animals and perhaps of the acceptability of humans killing humans in some contexts. The controversy that ensued, including Peter Meyer, director of the Trapholt Art Museum, being fined for animal cruelty and subsequently having that charge overturned in court, is evidence of the public and deliberative nature of the act and its repercussions (*BBC News* 2003).

Another question worth asking is whether the violated norm is always the norm targeted for revision. Neufeld is vague concerning this, stating that "Acts of aesthetic disobedience aim to promote a change within the entrenched norm's artworld" (2015, 118). This is consistent with the norm(s) targeted for revision being different from the violated norm(s). What would this look like? A visual artist might insist on hanging their painting's face against the wall in a certain venue to protest that venue's inaccessibility to people with mobility issues. What the artist is aiming for is increased accessibility to a specific space and increased accessibility more generally, but they wage their protest by violating norms of display, that is, institutional norms of the artworld.

Are the appealed-to norms necessarily artistic or aesthetic? Neufeld describes the appealed-to norms or commitments in several ways, including: "some shared commitments of a community" (115); shared "broadly speaking, aesthetic commitments" (116); and shared "normative commitments" (118, 123). He sometimes seems to be construing the appealed to norms as artistic or aesthetic, but at other times he appears to admit that the norms appealed to might be neither artistic nor aesthetic; for example, they might be social, political, or ethical, which makes his conception

of aesthetic disobedience more analogous to civil disobedience with its background condition of a shared sense of justice.

Our previous example of a citizen refusing to maintain a typical front lawn due to the environmental costs doing so would incur fits the bill. The violation (an alternative lawn) is aesthetic in nature, targets an aesthetic norm (that of the lush green lawn), and appeals to a shared commitment to environmental health. The goal is to amend aesthetic norms so they cohere with the environmental commitments and aims of a community.[9] This example illustrates the need to shift the scope of what Neufeld calls aesthetic disobedience beyond the artworld to civil society. In this case, the mode of disobedience remains aesthetic in its protesting act and the norm it targets for reform, but it appeals to non-aesthetic commitments of environmentalism. For Rawls, the purpose of civil disobedience is to highlight the mismatch between the principles of justice and the application of those principles in practice. On Neufeld's view, the purpose of aesthetic disobedience is to highlight the mismatch between a given artistic norm and the artworld's understanding of art. But, on our view, which invokes the shared sense of justice so important to Rawls's account of civil disobedience, the mismatch is possibly between a number of things. The possibilities for the norms in our amended conception of aesthetic disobedience are then as follows:

- The violated norm might be artistic.
- The norm targeted for change might be artistic.
- The norm appealed to might be artistic.
- The violated norm might be aesthetic.
- The norm targeted for change might be aesthetic.
- The norm appealed to might be aesthetic.
- The violated norm might be neither artistic nor aesthetic.
- The norm targeted for change might be neither artistic nor aesthetic.
- The norm appealed to might be neither artistic nor aesthetic.

Throughout these possibilities, some shared commitment is appealed to and that commitment can be artistic, aesthetic, or social justice norms. These commitments inform our understanding of the acts of disobedience, whether artistic, artworld, or aesthetic. What we call acts of artistic, artworld, or aesthetic disobedience might appeal to shared artistic or aesthetic norms or instead to a shared sense of justice.

VI. ARTISTIC, ARTWORLD, AND AESTHETIC DISOBEDIENCE

As we have discussed, looking at aesthetic acts that are not artistic allows Neufeld to highlight the ways artworld citizens other than artists participate in and contribute to creating change in the practice and appreciation of art. But even with this allowance of non-artistic acts that count as instances of aesthetic disobedience, Neufeld's account remains needlessly constrained within the context of the artworld.

The sphere of action for civil disobedience is a closed civil society. In Neufeld's telling, the sphere is the artworld, broadly construed, which is what makes the disobedience aesthetic. But there is another construal, which would bifurcate the term aesthetic. The ambiguity involving slippage between artistic and aesthetic raises questions about the mode and the location of the disobedience. What happens if we shift the location from the artworld to civil society, but keep the mode of disobedience as aesthetic?

When we realize the importance of a shared sense of justice as a background making some acts of aesthetic disobedience possible, we get a better sense of the nature of artistic innovation and the differences between it and aesthetic disobedience. Consider the Body Acceptance, Body Neutrality, and Body Positivity movements. Despite important differences among them, each objects to aesthetic norms that negatively impact individuals with a range of non-normative bodies. Proponents of Body Acceptance might make their case by violating aesthetic norms of dress or comportment to expose how people with non-normative bodies are often subject to damaging attitudes and treatment by others. The goals of these movements are multiple, including, for example, the revision of existing or

creation of new laws that would legally protect fat people from discrimination. However, some of the goals are outside the legal system and target aesthetic norms that are far from codified into law. Think, for example, of the use of social media to feature and celebrate diverse bodies practicing yoga or positively celebrating their sexuality. These are examples of acts that potentially expose a conflict between society's commitments to fairness, respect, and justice and the aesthetic norms of society.

Such distinctions point toward the broader idea of the aesthetics of everyday life more than to the narrower idea of the aesthetic as it relates to artistic production. What do the aesthetics of disobedience in everyday life look like? We find informal dress norms across many different segments of the social world. Some of these norms are hegemonic and adherence to them serves to reinforce dominant norms that may be racist or sexist (for an overview of how oppressive social systems can play a role in aesthetics, see James 2013). Years ago, Marilyn Frye wrote about the compulsory nature of what she calls sex announcement:

> That we wear and bear signs of our sexes, and that this is absolutely compulsory, is made clearest in the relatively rare cases when we do not do so, or not enough. Responses ranging from critical to indignant to hostile meet mothers whose babies are not adequately coded; one of the most agitated criticisms of the sixties' hippies was that "you can't tell the boys from the girls". The requirement of sex-announcement is laden, indeed, with all the urgency of the taboo against homosexuality. (1983, 24)

She continues, describing resistant behavior that counts as aesthetic disobedience on our account:

> One appears heterosexual by informing people of one's sex very emphatically and very unambiguously, and lesbians and homosexuals who wish not to pass as heterosexual generally can accomplish this just by cultivating ambiguous sex-indicators in clothes, behavior and style. The power of this ambiguity to generate unease and punitive responses in others mirrors and demonstrates the rigidity and urgency of this strange social rule that we all be and assertively act "feminine" or "masculine" (and not both)—that we flap a full array of sex-signals at all times. (24)

Significant progress has been made since the early 1980s when Frye described this phenomenon, but the norms of gender identity and sex announcing are still strictly enforced in contemporary culture. This is why aesthetic disobedience in the form of bucking sartorial norms of dress and adornment is still notable, as, for example, when celebrities such as Harry Styles or Pete Davidson don dresses, makeup, or feminine jewelry. Eventually, we presume, such acts will stop being instances of disobedience once the norms of gender presentation grow sufficiently flexible.

How do aesthetic choices become ethical? Or, more accurately, how does their ethical valence come to the fore? And how do certain specific aesthetic choices become imbued with different sorts of political meaning within different contexts? Sherri Irvin (2017) has recently advocated for an aesthetic—as opposed to artistic—approach to resisting body oppression, which entails engaging in alternative appreciative practices of bodies, a practice motivated by straightforwardly ethical concerns. And Robert Talisse (2019) has recently written about how consumer choices, many of which have an aesthetic valence, have come to be saturated with political meaning, leading to an increasingly entrenched sense of belief polarization. Driving a hybrid car, for example, is a signal of some form of a liberal or progressive political stance. There are bundles of aesthetic meaning across various aspects of society, which may or may not cut across the artworld in various ways. It is an open question, one constantly litigated in the public sphere, how much and when different political or moral norms have a place in different sorts of aesthetic judgments.

Ultimately, we find at least three different ways to parse the types of aesthetic disobedience on offer here. First, there is *artistic disobedience*, which are artistic acts, whether in the context of the artworld or elsewhere that are public, communicative acts that violate a norm (aesthetic or other) to agitate for the eradication or revision of a norm that conflicts with a shared recognition of artistic or aesthetic value or a shared sense of justice. Outsider art or graffiti could constitute this sort of disobedience that seeks revision within the artworld, depending on the context. For examples of this sort of disobedience that seeks revision outside the art world consider political comedy or protest art, of which there is a long history, for example, the famous posters created for the 1966 Tricontinental conference held

in Havana, Cuba. The cultivation of alternative lawns for environmental reasons is another possible example.

Second, there is *artworld disobedience*, which are acts of non-artists in the context of the artworld that are public, communicative, and violate a norm of the artworld to agitate for the eradication or revision of a norm that conflicts with a shared recognition of artistic or aesthetic value or a shared sense of justice. A possible example here is heckling a stand-up comedian to protest the messages conveyed in their performance. There are numerous examples of comedians being confronted this way after joking about rape, genocide, racism, or other atrocities. The issue of whether and when such acts are justified is separate from whether they count as acts of what we are calling *artworld disobedience*.

Third, there is *aesthetic disobedience*, which are acts outside the context of the artworld that are public, communicative acts that violate an aesthetic norm to agitate for the eradication or revision of a norm that conflicts with a shared sense of justice. For example, sagging pants, nail art, or natural hair are aesthetic choices that also aim to expand acceptable aesthetic norms in society. It is no coincidence that many of these examples are clearly raced, and have been the subject of lawsuits and collective action around racist policies and the norms they support. Political protests offer numerous examples of this sort of disobedience, such as the pink pussy hats at the 2016 Women's March and chants during Black Lives Matters protests.

VII. CONCLUSION

Considering Rawls's framework of civil disobedience has prompted several questions for thinking about Neufeld's view and the prospect of aesthetic disobedience. In addition, there is the work done in the last few decades to critique and expand Rawls's view, and the more recent work challenging the presumption of civility as a necessary condition of justified disobedience, including objections to the alleged need for publicity or non-violence to be built into the concept (a few examples of many include Celikates 2016a, 2016b; Shelby 2016; Aitchison 2018; Delmas 2018). What does uncivil aesthetic disobedience look like in relation to the distinctions between disobedience and revolution? How should we think about the basic structure that is in place? What could it mean to overthrow the artworld and replace it? Does the fact that aesthetic disobedience brings out the public and deliberative background against which it occurs imply one changeable yet consistent artworld? These are some of the questions that we have been exploring throughout this article, questions that we have only been able to begin answering.

The importance of these questions and Neufeld's aesthetic disobedience lies in part in their connection to aesthetic issues in the basic structure of society. His notion of aesthetic disobedience has implications for how we take the artworld to mean something, how the artworld is understandable in the bigger context of the world or of society, and how aesthetic norms affect us in all aspects of our lives, far beyond the artworld. The world itself can be understood as an aesthetic place, a place where we engage with one another on aesthetic terms, so it is worth expanding and complicating the idea of aesthetic disobedience to accommodate *artistic, artworld,* and *aesthetic disobedience.*

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END NOTES

1 The distinction parallels one in feminist theory where attending to the differences between (revolutionary) radical and (reformist) feminist visions is of great theoretical and practical import.
2 Neufeld admits this is a matter of debate, suggesting that Cage's "revolutionary violation of norms" in *4′ 33″* "might play some part in an explanation of why there is a debate over its status as music" (Neufeld 2015, 119).
3 Rawls uses "militant" in his discussions. We choose to use revolutionary, but consider them synonymous in the context of the discussion.
4 Looking for a parallel of this point within aesthetic disobedience would seem to be misplaced, considering the implications.
5 The Soviet Constructivists might be an example of this sort of orientation, insofar as they attempted to reorient art away from capitalism entirely.
6 Weidler also discusses Neufeld's use of Bruguera's installation in a discussion of Julia Kristeva's notion of the "thought specular" (Weidler 2020).
7 The example also shows the extent that the artworld commodifies anything called art, emphasizing just how difficult it would be to found a new artworld. A fatalistic response states that there can be no successful artistic revolution precisely because aesthetic disobedience has to be public, which renders it immediately commodified. As soon as the artist names a work "art", its commodification is guaranteed.

8 This form of aesthetics is the subject of large bodies of literature across both analytic and Continental philosophy. Touchstones include Bachelard (2014), Lefebvre (2014), Harries (1998), Saito (2010, 2012, 2017, 2022), Mandoki (2017), Leddy (2012), Roelofs (2015), Eaton (1989), Irvin (2008); and Light and Smith (2005). Julia Kristeva's work has also been incredibly influential in linking a narrower idea of aesthetic production with broader ethico-aesthetic concerns (e.g., Kristeva 2010). Recent developments of Kristeva's line of thought include Chanter (2008) and Miller (2014).

9 With certain additional components in place, namely civil ordinances or the like, the example could amount to Rawlsian civil disobedience done aesthetically. In fact, this example illustrates that civil and aesthetic disobedience are not mutually exclusive.