

Performing Justice – From Dada’s Trial to Yael Bartana’s JRMiP Congress

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Introduction

The “Trial of Maurice Barrès,” created by Dada in Paris in 1921, represents a significant moment in avant-garde art. Shifting between the legal and the arts, the Barrès trial serves as an early example of pioneering experimentation with aesthetics and politics. In the following essay, I seek to not only further explore the trial from a legal perspective, but to also relate it to our time. In order to do so, I have chosen to focus on the first Congress of “The Jewish Renaissance Movement in Poland” (JRMiP) created by Yael Bartana in 2012. Juxtaposing the Barrès trial and Bartana’s JRMiP Congress reflects the spirit of thinking of the French Dadaist André Breton who, in his report following the Barrès trial and the “Grande Saison Dada,” claimed “that work perceived by its makers to be an experimental failure in its own time (like the Dada Season of 1921) may nevertheless have resonance in the future, under new conditions.”¹

Yet, the amount of research on the Dada trial as a legal document and event is relatively scarce,² which complicates and makes difficult any quest to give an embedded account of the resonance predicated by Breton. Therefore, in the following essay I aspire to demonstrate how vital it is to unfold the Dada trial in relation to other notable and influential trials of the era, such as the Alfred Dreyfus and Émile Zola trials, in order to better comprehend the Dada motivation in staging a trial and in calling for justice through legal instruments and space. On a similar note, by paying close attention to the political and social consequences the Dreyfus trial has had and still holds, I endeavour to analyse Bartana’s Congress and its call for justice in Europe, Poland, and Israel, to be imagined, if not to be immediately achieved, by formulating and providing explicit legal demands.

The Barrès Trial – Background

Taking place in May 1921 in Paris, the Trial of Maurice Barrès was held at the Salle des Sociétés in Paris, revolving around the accountability of Barrès’ metamorphosis from being an influential revolutionary thinker to becoming a politician advocating in favour of nationalism. Announced in several newspapers as a prosecution of the writer-turned-politician Maurice Barrès, it assembled members of the Dada group (directed by poet and writer André Breton) around a court-like performance. Made to resemble a French court tribunal, the performance was constructed around the participation of Dada members and the public acting as defence attorneys, prosecution counsel, a judge, two assistant judges, and a president of the tribunal.

The trial is perceived by Clair Bishop as part of the second phase of Dada, which Breton in a Radio interview in 1952 identified as a development of the “lively agitation” of the first phase, yet now ‘more groping...through radically renewed

meanst phase.”³ According to Bishop, “The Barrès Trial was advertised as a hearing of the author Maurice Barrès (1862– 1923), whose book *Un Homme Libre* (1889), had been a great influence on Breton and Aragon in their youth.”⁴ The aim of the trial was, in Breton’s words, “to determine the extent to which a man could be held accountable if his will to power led him to champion conformist values that diametrically opposed the ideas of his youth.”⁵ The charges brought against Barrès during the trial were summed up in a Dada manner as consisting of “committing an attack on the security of the mind.”⁶

Both Bishop and James M. Harding⁷ begin their exploration of the trial by positioning this act as part of a European modernist period through which legal institutional formats were reinvented and re-examined anew. While it may be hard to pinpoint and agree on when this period began, it is agreed that it “is marked by a self-conscious exploration of the forms of artistic expression,”⁸ as evident in Breton’s re-instrumentalization of the courtroom as an artistic intervention. According to Harding, there is a strong duality to be found in this process as it wanders between achieving remarkable innovation and yet struggling with “forms that seem no longer capable of sustaining them.”⁹ The modernist ambition to find new cultural meanings and a new language to express them has led to re-examination of existing formats, such as the courtroom and the legal system. “The staging of Western modernism was frequently tied to a fundamental search for untapped and fresh venues [...] intertwined with a basic rethinking of the very language that constituted the stage.” An earlier known example of this quest, prior to the utilization of the court and the legal sphere, can be observed in the Dadaists’ reuse of the format of the cabaret and the creation of Cabaret Voltaire during the years 1915–1917 in Zurich, which was a “mixed bills of performance, music and poetry.”¹⁰ Later on, in what will come to be known as the “1921 Dada Season,” opening in April of that year, the Dada group will search for spaces considered by them as having “no reason to exist [...] only areas considered not picturesque, nonhistorical [...] and unsentimental would qualify [...]”.¹¹ The season is also a moment in which Dada began a process of reflection on how it might be reinvented before deteriorating into a routine.¹²

Hence, the trial being one of the season’s essential components was part of Breton’s attempt to conquer new physical and mental terrains for Dada’s actions. Harding points out that the artistic experimentations characterized by the Dadaist early revitalizations of theatrical formats through the use of popular cultural venues, led to a gradual greater interest in the social sphere, such as the courtroom as further discussed in this chapter. For Harding, this is the result of a constant pendulum movement shared by the Dadaists. The innovation that appeared through “the ideological guise of a forward-looking, self-reflective, and radical exploration of new modes of performance [...] was almost always haunted by a conservative shadow.”¹³ The ambiguity of Dada lies exactly here—between the new and the old, between the quests for a new set of values while being engaged with already existing formats.

Dada and the Dreyfus Affair

In order to better comprehend the Dada interest in the format of the trial, one must begin by referring to one of the most influential and controversial trials that began in Paris in 1894, only to be resolved in 1906. What has become to be known as the Dreyfus Affair has had an immense political, legal, and social impact in France during those years and beyond. The atrocity and the fragility of the French Republic and its legal system had been brutally exposed following the Dreyfus trial, up to his exoneration. The debate surrounding the false allegations against

the French Army Captain Alfred Dreyfus severely divided public opinion, evoking issues such as anti-Semitism, nationality, and cultural identity.

The first trial of Dreyfus opened on 19 December 1894, at the end of which he was found guilty of treason. On 5 January 1895, "At a ceremony in the courtyard of the *École Militaire*, Dreyfus was publicly stripped of his rank and was sentenced to life imprisonment in solitary confinement in an ex-lepers' colony on Devil's Island off the coast of French Guyana."¹⁴ Dreyfus was facing public humiliation as he was degraded before an enthusiastic crowd yelling at him "Jew" and "Judas!", while he continuously declared his innocence. The public scene of the once celebrated Army Captain losing his military rank was to become a symbol of a time of decay. Reminiscent of the long forgotten public tortures of medieval Europe, "It took place in the immediate shadow of the monument of modernity, the Eiffel Tower, then six years old [...] The very improbability of such an act's happening at such a time—to an assimilated Jew who had mastered a meritocratic system and a city that was the pride and pilothouse of civic rationalism—made it a portent [...] The Dreyfus Affair was the first indication that a new epoch of progress and cosmopolitan optimism would be met by a countervailing wave of hatred that deformed the next half century of European history."¹⁵

The Dreyfus trial, and his imprisonment on what was later to be proved to be unfounded evidence, has led to several other related court trials and public turbulence, including a trial against Major Esterhazy as the actual perpetrator of the act of treason, and another against the writer Émile Zola who published an open letter in defence of Dreyfus in *L'Aurore* newspaper under the headline "J'accuse...!". Zola needed to consequently flee to England as he was found guilty of libel. However, his famous open letter to the President of France has prompted what is known to be the "birth of the intellectuals." The day after the publication of "J'accuse" the same newspaper went on to publish a statement in protest of the 'judicial irregularities' of the 1894 trial and 'the mysteries surrounding the Esterhazy affair'. This measure became to be known as the "Manifesto of the Intellectuals" as it "was signed by over a hundred leading figures in the fields of letters, science and education and marked the entry en masse of 'the intellectuals' into politics, in the sense that they were stepping outside their spheres of expertise and were publicly and collectively taking a position on a political (and also moral) issue."¹⁶

The Dreyfus trial and his public dishonour attracted great attention from the general public, however, it was Zola's trial that led to a concrete and immediate impact on French society. It seemed that everyone wanted to get involved with the trial against the famous author as described by Joseph Reinach, the author of *Histoire de l'Affaire Dreyfus*: "Never had such a numerous, more passionately agitated, crowd invaded the Assises chamber. Lawyers were piled on top of each other, some clinging to the high ramparts surrounding the reserved enclosure or to the window sills; and mingling with them, crushed to suffocation point, in the emotion of the spectacle absorbing the whole world's attention, elegant ladies, journalists, officers, men of leisure, actors, 'Everybody who was anybody—all, the cream, of Paris!'"¹⁷ The unprecedented engagement of intellectuals and the general public in the trials that followed the Dreyfus trial certainly played a pivotal role in changing and reforming artistic involvement as well. The Dreyfus trial is also known to be the force leading Léon Blum into active participation in French politics. Blum, who later became the first socialist and Jewish premier, is quoted by Jacqueline Rose as saying that the Dreyfus Affair "was as violent a crisis as the French Revolution and the Great War."¹⁸

Maurice Barrès, the French novelist and journalist-turned-politician who will be the target of the later-to-come Dada trial, is also considered as one of France's leading intellectuals upon whom the Dreyfus trial had an immense influence. In Jacqueline Rose's exploration of great writers and scholars such as Marcel Proust, Samuel Beckett, and Sigmund Freud, she focuses mostly on the Dreyfusards, those who stood in support of Dreyfus. Rose does not, however, discuss much at length the position of anti-Dreyfusards, such as Barrès, for whom the Dreyfus trial had marked a dramatic ideological change in the direction of nationalism.

Yet, I wish to emphasize that it was Dada, more than twenty years following the Dreyfus Affair, that decided to bring to justice the case of Barrès by accusing him of moral betrayal for "committing an attack on the security of the mind."¹⁹ The research on the Dada trial for the most part does not pay attention to the reasons behind the decision to put Barrès on trial and not any other living or dead or fictional figure. However, I am of the opinion that dwelling on why Barrès became Dada's target shall yield fruitful and relevant new perceptions in the context of this essay. As I will show, this decision by Dada attests to the remarkable influence Barrès continued to have in France, especially for the younger generation of French intellectuals, writers, and politicians such as André Gide, Louis Aragon, and Blum himself. As the historian Zeev Sternhell states in his article on the rise of the right wing in France following the 1870 war and France's defeat by Germany: "Barrès was for the men of his generation the model of the engaged intellectual and the *philosophe*, in the eighteen-century French meaning of the term."²⁰ Sternhell further argues that for most of today scholars, Barrès plays a negligible role, but that in the context of his own time and means of influence, Barrès must be considered as a modern intellectual: "His conception of the nature of political struggle in a liberal democratic system reveals an acute understanding of the imperative of politics in modern society [...] reflected the changes in occurring then in the European intellectual climate which amounted to a veritable intellectual revolution."²¹

In what Sternhell perceives to be outstanding political intuition, he demonstrates how Barrès was able to present nationalism as a fulfilment of socialism, as it ensures first and foremost the state's commitment to its citizens as "nationalism, Barrès claimed, 'is deeply concerned with establishing just relationships among all Frenchmen'."²² This manner in which Barrès impressively juggles to intertwine right and left politics gained further ideological implications during the trial of Dreyfus. Allowing a fertile ground for anti-Semitism during the trial, "Barrès went on to elaborate this nationalism of the 'little man', of all those who had nothing but their rootedness, their Frenchness [...]. For Barrès, it was a political conception, not mere hatred of the Jew; it had its task to fulfill on the flanks of socialism. It was a progressive notion – Barrès was addressing himself to republicans and democrats meant to serve as the groundwork for a mass movement."²³

The Barrès Trial – A Political Participatory Space

The attempt to capture the masses and to engage in a new participatory dynamic of politics and debate can, to some degree, be perceived as shared by both politicians and artists of that time period. In order to further shed light on the notion of the participatory as a crucial part of the Dada trial, I must again refer to Bishop and her book, *Artificial Hells*. According to Bishop, Breton's interest in the public sphere led him to consider the format of the trial as a space for Dada experimentation. She states that, "By spring 1921[...] the group decided to take performance out of a cabaret context and into extra-institutional public space."²⁴ Directing her gaze towards the participatory aspects of Dada, Bishop includes the trial event as part of the Dada manifestations of April and May 1921, which "sought to

include the Parisian public through 'Visits – Dada Salon [...] Summons – Accusations Orders and Judgments.'²⁵ Furthermore, the open call to the public to participate in the trial as part of the jury proves to be, according to Bishop, a step towards further inclusion of the public in Dada's performances.

The shift in Dada towards a greater engagement with the public sphere, institutions, and audiences could also explain why Barrès was chosen as the target of the trial. In the volatile political atmosphere of the French Third Republic, as France was healing its wounds from its defeat in the Franco-Prussian War, Barrès adopted a new way to conduct politics. During this "profound crisis in French democracy,"²⁶ Barrès had also exercised a move into direct contact with the general public in a call against the establishment, a move to be interrogated by Dada in the years thereafter: "Against the institution which was the embodiment of parliamentary democracy, Barrès appealed directly to the people; as against the parliamentary circus he called for direct action, and with the ample evocation of revolutionary imagery, sought to mobilize against the triumphant bourgeoisie the most deprived social levels."²⁷

Barrès, who at first belonged to the liberal left political ranks, is perceived by historians such as Sternhell to be an intriguing case study for the ideological changes that began to form in France after 1870, in which the vocabulary of the left continues to be used by right-wing figures such as Barrès while distorting any significance of its prior meaning. "Against parliamentarism, Barrès set the cult of the leader [...] and in place of capitalism, he called for reforms whose essence was protectionism."²⁸ Sternhell concludes with the realization that "...in a given situation, the masses could easily give their support to a party which had borrowed its social values from the left and its political ones from the right."²⁹ In other words, or better so in the words of Dada: the political and legal establishment has proven to be "committing an attack on the security of the mind." This manipulative transformation from left-wing values to right-wing politics, as in the case of Barrès, was the essence of the Dada trial.

The Dada trial was set to confront the loss of values and the corruption of state institutions by deconstructing the courtroom. Breton's motivation was to challenge, prosecute, and seek justice from a person once considered by him and the rest of Dada as a beloved hero and respected ally. In order to be able to judge and bring about justice, a fully fledged court was what Breton needed. Hence, unlike earlier events by the Dada group, the trial was straightforwardly conceived to replicate a real tribunal.³⁰ From its own very title to the red, white, and black clothes worn by Dada participants in accordance with the official French Court of Justice, it abandoned much of the Dadaists' absurdist performances as they headed into the public sphere. It is agreed upon by most researchers that the trial redirected the Dada movement into new directions and mainly towards Surrealism. Moreover, the turn of Dada toward a construction of a courtroom signals "the most significant shift [...] Dada now presumed to judge rather than simply to negate; in other words, it attempted to find a position rather than offering an a priori rejection of all positions."³¹

The transference of Dada from rejection to a judgement claiming to bring justice where state institutions and courts have failed can be understood as part of a radical intent to "dissolve the division between the life of art and the art of life."³² If, at the beginning of the Dada group, it was important to appropriate existing spaces and transform them into spaces immersed with Dada content and values, it was now the time to move further into other directions and make use of the public

space, and engage in a new relation with the general public. Using the “real life” format of the trial into which Dadaist content is inserted demonstrates the ability of Dada to swing between art and life, and thus produce their own politics. As T.J. Demos puts it, following Ranciere’s idea of the political, Dada “realizes its ‘moral directions’ by both transgressing and perpetuating the division between aesthetic autonomy and social practice.”³³

Therefore, what is important to remember when analyzing the Dada trial is the constant ambivalent tension between being a parody of the law, while at the same time handling it wholeheartedly in earnest. The trial offers us a break from the common distinction between life and art. Dada appropriates the format of the trial for the creation of an intervention in the public space that breaks down the barriers “...between artistic performance and social process, resulting in a new kind of assertion of art’s autonomy—not as a self-contained ideal realm of aesthetic experience, but rather as an autonomous form of social experience.”³⁴ The trial serves as an excellent example of Dada’s ability to interact with the tension between life and art. By trying a living politician, the Dada trial managed to blur all distinctions between the real and the imaginary.

The Barrès Trial – Legal Form and Content

On this backdrop, the Barrès trial can be perceived as a pivotal moment in which the contradictive mechanism of Dada comes out: “Appropriating as it did the legal structures of the courtroom is a gesture aimed at securing political and cultural values from a perceived corruption and demise [...] it served as the point of departure for the fleeting infatuation with legal constructs that swept the Parisian avant-gardes in the early 1920s.”³⁵ Moreover, staging a performance within the framework of a trial offered a fake legitimacy “whose chief governing assumptions included the notions of unbiased authority and objective truth.”³⁶ Along with the Dada fascination with legal matters, the trial stands out as even more vital when considering the failure of Breton in assembling the “The Congress of Paris” later on, or in light of several lawsuits that were part of the growing rivalry between Breton and Tristan Tzara. “The Trial and Sentencing of Maurice Barrès by Dada marked the beginning of a circuitous chain of events,³⁷ all of which exposed the contradicting rhetoric of Dada, as well as their interest in breaking into new formats of artistic interventions in public space.

Without going any further into the stormy commotion of relations between Breton and Tzara,³⁸ two main figures of the Dada group, it is generally agreed that the trial was “a breaking point between Paris Dada and an emerging Surrealist movement.”³⁹ However, what is central to my argument is a reflection on the trial as a format that captures within it diverting artistic and legal rhetoric and strategies. These strategies are best summed up by Harding as a motion consisting of “looking backward and forward simultaneously [...] openly committed to a backward-glancing project of recovery and preservation, i.e. to a project of rescuing youthful, revolutionary ideas from the ageing, increasingly reactionary, and nationalistic hands.”⁴⁰ Hence, the trial of Maurice Barrès can be perceived as a culmination of a Dadaist use of an earlier existing state apparatus⁴¹ format to which they were able to inject new rhetoric and anti-traditional concepts. It may have been that the trial was a result of inner struggles for power and authority within the ranks of Dada, but nevertheless, it succeeded in staging the old in close proximity to the new and appropriating a state-organized format for the creation of a new performance that crucifies both the past and the vanguards. It is in a sense an internal critic that questions the Dada mechanism itself. The trial dichotomy is embedded

within it. On the one hand, it aims to outrage its audience and public, while at the very same time it is concerned with confronting its own authenticity.

The façade of the accused Barrès, once an ally and a close visionary, was taken down to reveal his true face as a right-wing conservative politician. In the same manner, the trial suggests that Dada needs to see this as an alarming signal indicating the danger that also awaits the group itself of becoming reactionary, nationalist, and bourgeois. As Harding states, although “the question of whether Dada actually has exhausted itself was taken for granted and never addressed [...] it constructed an analogy between Barrès and Dada.”⁴² It is the analogy between Dada and Barrès that symbolizes the innate, inner, and outer struggles between the reactionary and the progressive, which may explain Breton’s wish for the death penalty for Barrès. Yet at this point, other and somewhat more practical questions come to the surface: Could there be a trial in absence of the accused who left Paris on that day⁴³ and was represented in the trial in the form of a mannequin? Could justice be achieved without the presence of the defendant, or does it fundamentally undermine the whole process?

It is especially significant to consider that, in contrast to the missing Barrès, the tribunal was at full occupancy, as it was composed by “a judge, two assistant judges, the prosecution, and two counsels for the defense [...] all of whom treated the proceedings with the utmost seriousness [...] and accompanied by a phalanx of witnesses who testified to the public danger of the accused.”⁴⁴ And not only did all seem true and real in the conduct of the trial, for Breton, according to his biographer, “This was no parody, but the real thing—or as close as his lack of judicial authority would allow.”⁴⁵ In the absence of the defendant, the only opposition to the trial was expressed by Tristan Tzara. This outstanding move can be understood as part of the mistrust that formed in the volatile relation between Breton and Tzara. However, the statement made by Tzara during the trial proves to extend beyond mere personal disenchantment. Before leaving the stage and heading into the streets, Tzara claimed to have “absolutely no confidence in justice even if that justice is enacted by Dada.”⁴⁶ Nevertheless, the trial went on and ended with Barrès being found guilty based on testimonies given against him. Barrès was not sentenced to death, as requested by Breton, but to twenty years of hard labour. This verdict left both Barrès and Dada somewhat alive, as perhaps the fact that Tzara left the event ignited a sense that after all, “Beneath the façade of avant-gardism, The Trial was thus embedded in a discourse that cultivated conformity and that did so under the aura of establishing, indeed in securing, objective truth and order.”⁴⁷ The departure of Tzara can be perceived as his own interpretation of what it meant to engage with the masses. It can be proclaimed that while Tzara called for a direct engagement with the public by heading into the streets, Breton proposed or called upon the creation of an alternative legal system to service the public. To him it was clear that since the Dreyfus Affair and beyond, the judicial system had proven to be corrupted and malfunctioning, also proven by the fact that a figure such as Barrès escaped any kind of official state legal judgment.

The First Congress of The Jewish Renaissance Movement in Poland (JRMiP) – Between Congress and a Trial

Taking a leap to Yael Bartana’s first Congress of the Jewish Renaissance Movement in Poland (JRMiP), it should be firstly stated that in Bartana’s project one cannot speak of a direct visual investment into exploring the courtroom as a space for investigation as has been the case in the Barrès trial. Nevertheless, although Bartana does not specify that the congress function as a trial or a tribunal, I shall seek to demonstrate how she has exercised the power to judge Israel/Poland/the EU through rhetoric, parody, and public participation exercised prior to

and during the event, and also through exposing an alternative view of Jewish as justice.

At an immediate glance, the first Congress of the “Jewish Renaissance Movement in Poland (JRMiP)” organized by Bartana in 2012 in Berlin has little to do with the mock trial organized by Breton in Paris. Dealing for the most part with the history of the Zionist movement, Bartana had clearly titled the three-day event, which was part of the Berlin Biennale and held at the Hebbel am Ufer Theatre, as a “Congress” in direct reference to the first Zionist Congress, held in Basel Switzerland in 1897.⁴⁸ Bartana’s project, which began in 2007 with a video titled *Mary Koszmary*⁴⁹ (nightmares), culminated by the time of the JRMiP congress in Berlin to a fully fledged movement consisting of international registered members holding membership cards, a flag, an identifiable symbol, a declared manifesto, etc. Maintaining all along the way a blurred distinction between “real” and “fictional”,⁵⁰ Bartana was able to position the movement on the border between being a political engagement and being a fictional artistic project.

Organized around a roundtable bearing the symbol of the movement at its centre, it is sufficient to acknowledge that the Congress had been directed to engage with three main issues which were formalized as questions: “How should the EU change in order to welcome the Other?”, “How should Poland change within a re-imagined EU?”, and “How should Israel change to become part of the Middle East?”⁵¹ Making an open call to the general public to join as delegates during the gathering of the Congress, it was declared on the Congress’ website prior to its opening that it seeks to “collectively imagine a new future and to formulate the concrete platform and demands of the movement.”⁵²

The Congress embarked on a public reading of a letter written by the late leader of the Movement, Sławomir Sierakowski.⁵³ The letter, it was announced, was found after Sierakowski’s assassination depicted in the third video of Bartana’s *Polish Trilogy* titled *Zamach* (Assassination). In this fictitious letter, Sierakowski calls for radical social change to be achieved by following the five proposals he designates at the end of his letter. Here I wish to stress how all of Sierakowski’s proposals are clearly concerned with legal matters, as they advocate for the urgent need for a legal amendment of Polish, Israeli, and European laws and constitutions: “1. Polish citizenship to all immigrants! 2. Reintegration tax to cover the costs of moving 3.3 million Jews to Poland! 3. Hebrew as the second official language in Poland! 4. Dismissal notice of the Polish state concerning the concordat with the Vatican state—each religious institution should act on the same level! 5. Minorities House instead of Senate in Polish Parliament!”⁵⁴

The lack of any legal authority in the format of the Congress did not, however, deter the delegates summoned by Bartana to actively participate in a highly emotional debate. During the three-day event they proposed, outlined, and voted on the future JRMiP agenda also through raising legal demands. The practicality of the execution of those legal proposals did not seem to concern Bartana or the delegates summoned to the Congress, just as the invitation set by Breton for a trial of Maurice Barrès was made regardless of whether a legal actuality existed or not. In both cases, participants were engaged in and with legal formats and themes, while simultaneously ignoring the very premises on which they were conducted. Merging an unclear dichotomy between life and art, reality and fiction, both the Congress and the Barrès trial could be perceived as “a dissolution that also led to the interpenetration of aesthetics and politics,”⁵⁵ as argued by Demos in relation to the Dada trial. Held ninety-one years apart on the very same day (the Barrès trial

on the 13th of May, while the Congress closed on the 13th of May), the two events have more in common than meets the eye, not only in what they leave open, blurred, or unravelled, but also in their goals and aspirations. Taking into account the obvious obligatory differences, and of the clear, estranged gap existing between two events taking place in different centuries, surroundings, and contexts, I aspire to shed light on their intriguing commonalities (without overlooking their differences), and by doing so, offer a new examination on the past and current artistic fascination and engagement with legal spaces.

A first step in the route to establishing similarities shared by the two projects can be tracked in their original motivation. For Breton, the writer Maurice Barrès was “one of the heroes of his adolescence”⁵⁶ who betrayed their shared beliefs and goals. Barrès’ political activism shifted from an early support in “anarchism, freedom and total individualism,” to an active involvement in right-wing politics, especially following the Dreyfus Affair, as he “changed his colours and turned right-wing, nationalist and bourgeois.”⁵⁷ Bartana, on the other hand, has been described as acting as if she was a betrayed lover of Zionism.⁵⁸ Pointing a blaming critical finger towards Israel’s current state of affairs, Bartana’s post-Zionist approach in her films cannot be ignored. Appropriating Zionist ideals and propaganda in “a kind of reverse Zionism,”⁵⁹ Bartana described herself as coming from a “very Zionist”⁶⁰ family. She realizes her films, such as the *Polish Trilogy*, can be perceived as anti-Zionist; however, she states that one should “...be very careful about using the term anti-Zionist; maybe anti-Israel is a better way to say it.”⁶¹ Hence, both the Dada trial and the Congress are motivated by their creators’ wish to tackle the impact of this consequent reactionary development, and demand justice from those they once perceived as open, liberal, and progressive. Determined to examine, with the participation of the general public, the change that occurred and the responsibility this entails, both events can be described through the manner in which Breton explained the trial in his own words as a way “to determine the extent to which a man could be held accountable if his will to power led him to champion conformist values that diametrically opposed the ideas of his youth.”⁶²

Moreover, the demands made by the delegates emerge from the past, but only in order to make clear proposals for the future. While some have demanded during the JRMiP Congress for the “EU to expand until it includes China”, many of the demands (quoted in Bartana’s catalogue for the exhibition at the Secession which was curated with the Congress as its centrepiece) included within it were legal propositions such as “Polish citizenship to all immigrants; reintegration tax to cover the cost of moving 3.3 million Jews to Poland; the state of Poland should devote 15% of its annual budget to culture and arts [...]”⁶³ The direction of the Congress, from the reading of the “last words” written by the movement’s late leader, to the demands made during the three-day event, can be defined by the same words used by art historian and critic T.J. Demos with regard to the Barrès trial: “It transferred the forms of aesthetic creativity into legal affairs, so that an intellectual’s political developments and ensuing contradictions could be publicly debated and the offender held accountable within an unconventional courtroom that was *sui generis*.”⁶⁴

Realizing the Congress as a strategy beyond its immediate initial construction in relation to the Zionist Congress offers a needed acknowledgment in the wide scope provided by Bartana. The broad reading of the Congress through a legal prism is derived from the overreaching dimensions of the Congress itself. These overarching attributes have been strongly established in the movement’s manifesto that calls for the inclusion of “all those for whom there is no place in their home-

lands – the expelled and the prosecuted. There will be no discrimination in our movement. We shall not ask about your life stories, check your residence cards or question your refugee status [...].”⁶⁵ And although these embracing arms may seem a mock of the nation state or a parody on the current state of anti-refugee acts and laws in Europe just as in Israel, I suggest applying a more complex view of Bartana’s project in the spirit and image of Dada. The political stances made by Bartana are fruitful exactly because she maintains an ambivalent position between the serious and mockery, between real life and art. Similarly to Dada, Bartana’s utilization of the Congress offers a rearrangement of existing legal and political formats, which opens possibilities for “reconfiguring art as a political issue, or asserting itself as true politics.”⁶⁶ From the first video in the *Polish Trilogy* to the Congress, Bartana asserts her aim towards a reconfiguration of the space between art and life, the real and the imaginary. Releasing the JRMiP movement and its first Congress from the immediate concerns of whether it is real or fictive opens a possibility of being neither true nor fictional. The perplexing thoughts and emotions evoked by Bartana’s videos and Congress confirm the disruption of preconceived borders between a legal discourse and artistic practice.

Long after the Dada trial claimed ownership of the format of the court “joining aesthetic to ethical judgment and reinforcing it with (pretend) legal authority,”⁶⁷ the JRMiP Congress continues to experiment with the artistic ability to transfer aesthetics into political and legal spheres of action. Positioning the Congress as space to discuss the great questions relating to the future of Europe or the Middle East has enabled it to become a space for public debate, where legal and political alternatives are intertwined and imagined even when presumably being far-fetched and unconventional. Demos’ argument regarding the Dada trial is valid also for Bartana’s conduct, in which “the aesthetic regime introduces continuity between art and politics, such that aesthetics exceeds the realm of art by endowing the political world with visible forms.”⁶⁸ Creating a platform in which there is “a productive tension where neither term eclipses the other one,”⁶⁹ the Congress’ impact is gained through its fluctuated movement between aesthetics and politics without clarifying any borders.

The Dreyfus Affair and Bartana’s JRMiP Congress

At this stage it is of importance to return to the Dreyfus Affair and relate it to Bartana’s Congress just as I explored it previously in relation to Dada. Mentioning Proust and Barrès earlier on as two prominent figures for which the Dreyfus trial played a pivotal turning point, I wish to include in this list a young journalist by the name of Theodor Herzl, for whom the Dreyfus trial equally left an indelible mark. Reporting from Paris on the Dreyfus Trial for the Austrian newspaper the *Neue Freie Presse*, Herzl is better known as the founding father of Zionism. What began as an observational report on the trial of Dreyfus gradually led Herzl in the following years to organize the first Zionist Congress in Basel, which, as mentioned above, provides the basis for Bartana’s Congress. Moreover, I shall argue, from a contemporary standpoint, the Dreyfus Affair’s influence cannot be overlooked also when dealing with Bartana’s Congress. As demonstrated by Jacqueline Rose, the Dreyfus Affair has had a long and profound ongoing legacy and relevance in contemporary Israel. Rose eloquently describes the involvement of Proust in the Dreyfus Affair and the impact his writing has had on French and European culture. However, she does not halt there as her journey from Dreyfus, Proust, and Freud leads her to Israel and to the Israeli-Palestinian conflict, “...from the heart of Europe at the turn of the twentieth century to the Middle East, where the legacy of Dreyfus is still being played out to this day.”⁷⁰ Later in her book, Rose further states that,

"There is a line, we are often told, that runs from the Dreyfus Affair to the creation of Israel as a nation."⁷¹

The Congress created by Bartana does not give into the notion that with the establishment of the Zionist movement by Herzl following the Dreyfus Trial the idea of Jewish emancipation came to an end. There is a sense of a truth to drawing a line from the Dreyfus Trial to the establishment of a Jewish state in Israel; however, as Rose also states, this is not the only valid story. Instead, she claims we should "take from Dreyfus a warning—against an over-fervent nationalism, against infallible armies raised to the level of theocratic principle, against an ethnic exclusivity that blinds a people to the other peoples of the world, and against governments that try to cover up their own crimes."⁷² Following this short introduction to Herzl, it is worthwhile now to bring the figure of Bernard Lazare into the discussion. Lazare's unique personality and philosophy sheds a new light on the variety of impacts the Dreyfus Affair has had among Jewish and Zionist scholars and activists. It is a historical truth that the first Zionist Congress was initiated and presided by Herzl, but it is the voice of Lazare that Bartana has been channeling as she deconstructs the Zionist Congress into a Congress for her initiated Jewish Renaissance Movement in Poland.

These two voices have already been examined by Hannah Arendt in a number of publications. In the comparison that Arendt draws between the two who "had witnessed the Dreyfus trial, and both were profoundly transformed by the experience,"⁷³ she writes that they "were turned into Jews by anti-Semitism [...] For them their Jewish origin had a political and national significance,"⁷⁴ yet it came to be that "Herzl's views dominated twentieth-century Zionism whereas Lazare had become a pariah among his own people, dying in poverty and obscurity."⁷⁵

On Being Jewish and On Justice

As baffling as the JRMiP Congress might seem to be in its intersection of truth and fiction, of legal matters and imagination, Bartana's artistic manoeuvre is based on creating and facilitating a frame in which differing or even negating powers and ideologies can form an encounter.⁷⁶ In the most immediate way, one can say that Bartana appropriates Herzl's first Zionist Congress in order to implement into it diverting views.⁷⁷ One example for this is the turning of the Congress to an all-inclusive event dealing with universal and global issues to which not only Jews were invited. Titled the *Jewish Renaissance Movement in Poland*, by the time the Congress took place, it has been clearly stated that the movement is open to all nationalities and religions, just as to all refugees and to stateless people. This ambivalence, from the one side the movement keeping the "Jewish" in its title, while from the other side defining and providing a framework open to all, is crucial to the understanding of the aim for justice called upon by the Congress. I will argue that the perception of the Congress by Bartana as a space demanding legal justice offers us a path to understanding part of the ambiguity of the Congress, which lies precisely in the tension between Jewish and non-Jewish; between being inclusive to being exclusive. In order to achieve this, I need to return at this stage, as promised earlier above, to the Dreyfus Affair, and more precisely to Bernard Lazare.

In her writings, Hannah Arendt considers Lazare the epiphany of a "conscious pariah"⁷⁸ alongside other notable figures such as Heinrich Heine, Rahel Varnhagen, and Franz Kafka. According to Arendt, it was Lazare who translated the position of the pariah into a political discourse: "Living in the France of the Dreyfus affair, Lazare could appreciate at first hand the pariah quality of Jewish existence."⁷⁹ Furthermore, Arendt argued that Lazare was aware that a solution to Jewish prosecution was not in exclusion, as Herzl advocated, but through building alliances with

other minorities and prosecuted people: "The emancipated Jew must awake to an awareness of his position and, conscious of it, become a rebel against it—the champion of an oppressed people." In doing so, and by entering the space of politics, "Lazare's idea was, therefore, that the Jew should come out openly as the representative of the pariah [...] He wanted him to stop seeking release in an attitude of superior indifference or in lofty and rarefied cogitation about the nature of man per se."⁸⁰ Another important text by Arendt to be mentioned in the context of Bartana's Congress is titled "Herzl and Lazare". In describing the different positions each of the two prominent figures took following the Dreyfus trial, Arendt stresses that when hearing the mob crying "Death to the Jews!", Lazare "realized at once that from now on he was an outcast and accepted the challenge."⁸¹ In contrast to Herzl, for whom the event prompted him to write his book *The Jewish State*, where he argues for the need of a particular state dedicated only to the Jewish nation, Lazare directed his efforts in a more universal direction "as a conscious Jew, fighting for justice in general but for the Jewish people in particular."⁸² Herzl planned an "escape or deliverance in a homeland," while for Lazare "the territorial question was secondary."⁸³ Unlike Herzl, whose translation of the Dreyfus trial has been in seeing anti-Semitism as a deeply-rooted, not-to-be-solved problem, Lazare sought to find in France and in the rest of Europe "real comrades-in-arms, whom he hoped to find among all the oppressed groups of contemporary Europe."⁸⁴

Almost completely ignored by France's Jewry and failing to reach out to others in Europe, Lazare was unable to embark on his mission to find allies among the weak and the persecuted. Yet, Lazare's aspirations eagerly inhabit Bartana's project and its accompanying manifesto as it declares, "We shall be strong in our weakness."⁸⁵ "We Shall be Strong in Our Weakness. Notes from the First Congress of the Jewish Renaissance Movement in Poland" was also the name of a performance directed by Bartana in 2010 at the Hebbel am Ufer, the same theatre that would host her Congress two years later. The similarities in the vocabulary and actions offered by Bartana can be easily traced in the thinking of Lazare.

Not only did Lazare fail to succeed in forming an alliance among Jews and Christians in Europe during his time, he has also been cast to an ultimate oblivion. At the final footnote of Arendt article on Herzl and Lazare, she mentions the contribution of the French writer, poet, and Dreyfusard Charles Péguy, who wrote a memoir *Le portrait de Bernard Lazare*, which saved Lazare's memory from fading with no return. Interestingly enough, Lazare's writings and ideas are gaining new recognition and new followers, such as Jacqueline Rose who in the introduction of her book quoted in the chapter "Proust among the Nations," she describes Lazare as "a key player and for me a hero of this drama."⁸⁶ Rose's reading of the Dreyfus Affair alongside his contemporaries, such as Freud and Proust, offers an insight into the way the Dreyfus Affair has been crucial to the intellectual development of European writers and scholars at that time and all the way to our days. Although not focusing her investigation on Lazare, Rose identifies him as "the first public defender of Dreyfus."⁸⁷ More importantly, Lazare is acknowledged by Rose as remarkably prophetic political thinker who had had the capacity to envision a different lesson from the anti-Semitism erupting in France during and following the Dreyfus Affair to the one offered by Herzl. Born to a Jewish family in the Southern part of France, Lazare's upbringing and education did not have much to do with forming a Jewish identity.⁸⁸ As mentioned earlier, in the same manner as Herzl, Lazare was forced to be confronted with being Jewish during the Dreyfus trial. The hatred showed by the masses to Jews sent him down this path; however, for him it meant that "I am a Jew and I know nothing about the Jews."⁸⁹ According to Rose, "For Lazare, therefore, being a Jew did not mean an exclusive ethnic identity. It was

more like a project, an identity to be discovered and forged against hatred, as well as a form of continuous self-education.”⁹⁰

As Lazare understood himself to be a Jew without religious conviction, the question that remained open to probing has been—how and what can be the content of his non-religious faith? His answer as quoted by Rose was, “I belong to the race of those [...] who were first to introduce the idea of justice into the world. [...] All of them, each and every one, my ancestors, my brothers, wanted, fanatically, that right should be done to one and all, and that injustice should never tip unfairly the scales of the law.”⁹¹ In the words of Léon Blum introduced by Rose at the opening of her book, “Just as science is the religion of the positivists, justice is the religion of the Jew.”⁹² From this point of understanding Jewish as justice, I wish to draw the parallel to Bartana’s project. Defending her position as not anti-Zionist, Bartana quite similarly to Lazare, who was a Zionist and worked at the beginning along with Herzl, sets to bring into a Zionist platform—the Congress—voices long forgotten such as that of Lazare. Through a contemporary investigation, Bartana invites us to imagine the Zionist movement anew. And she does this very much in accordance with Lazare, as it is safe to say, that each of them embarked on a quest to uncover and bestow new content and relevant meaning to what it is to be Jewish just as much as to what it is to seek and perform justice.

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Among other projects, Feldman has been the director and co-curator of *Vdance International Video and Dance Festival* at the Tel-Aviv Cinematheque, and associate curator for avant-garde film at *The Jerusalem International Film Festival*. Recently, he has co-curated the exhibition ‘Set in Motion’ at the Petach Tikva Museum of Art, and ‘Imagine the Law’ (2013) at FKSE Budapest. Among his latest publication is ‘Extremum – Reflections on the work of Yasmeen Godder’, which he also edited; and contributed texts to Jonas Staal’s *Ideological Guide to the Venice Biennale 2013*, and for Yael Bartana’s performance ‘Two Minutes of Standstill’, *Impulse Biennale 2013*. Feldmann is taking part in the “Research Platform for Curatorial and Cross-disciplinary Cultural Studies, Practice-Based Doctoral Programme”.



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Notes

1 Claire Bishop, *Artificial Hells: Participatory Art and the Politics of Spectatorship*, Verso, 2012, page 7.

2 In her introduction to the collection of essays "The Dada Seminars" published in 2005, Leah Dickerman points out to the lack of research on the Dada movement, unlike extensive research done on Russian Constructivism and Surrealism. "There have been relatively few sustained efforts to examine the premises of Dada practice in broad view, to understand either its structural workings or the significance of its activities within a historical field."

3 Claire Bishop, *Artificial Hells: Participatory Art and the Politics of Spectatorship*, Verso, 2012, page 66

4 Ibid., page 72

5 T.J. Demos, "Dada's Event," *Communities of Sense*, ed. Jaleh Mansoor et al., Durham, N.C.: Duke University Press, 2010, page 141-2.

6 Ibid., page 142.

7 James M. Harding, *The Ghosts of the Avant-Garde (s)*, The University of Michigan Press, 2013.

8 Ibid., page 28.

9 Ibid., page 28.

10 See Bishop, page 66.

11 T.J. Demos, page 135.

12 Harding "Dadaist performances were "patterned after cabaret shows;" yet the lack of creative innovation eventually left its practitioners "discontented, hardly proud of the pitiful carnival ruses", page 138.

13 See Harding, page 29.

14 David Drake, *French Intellectuals and Politics from the Dreyfus Affair to the Occupation*, Palgrave Macmillan, 2005, page 13.

15 Adam Gopnik, "Trial of the Century," *The New Yorker*, September 28, 2009.

16 David Drake, *French Intellectuals and Politics from the Dreyfus Affair to the Occupation*, Palgrave Macmillan, 2005, page 21.

17 Jacqueline Rose, *Proust among the Nations*, The University of Chicago Press, 2011, page 26.

18 Ibid., page 5.

19 See footnote 6.

20 Zeev Sternhell, "National Socialism and Antisemitism: The Case of Maurice Barres," *Journal of Contemporary History*, Vol. 8, No. 4, Sage Publications, 1973, page 47.

21 Ibid., page 48.

22 Ibid., page 56.

23 Ibid., page 57-8.

24 See Bishop, page 66.

25 See Bishop, page 66.

26 Zeev Sternhell, page 48.

27 Ibid. page 51.

28 Ibid.

29 Ibid.

30 Demos states that Breton went to observe hearings at the Palais de Justice prior to the mock trial "to study the procedural aspects of litigation," page 142.

31 See Bishop, page 73.

32 See Demos, page 140.

33 See Demos discussion of an earlier Dada event and visit to St.-Julian, page 141.

34 See Demos, page 141.

35 See Harding, page 29.

36 Ibid., page 35.

37 Ibid., page 30.

38 "The Dada Season...denotes a period of fracture within the group; specifically, it testifies to increased tension between Breton, Tzara and Francis Picabia." See Bishop, page 67.

39 See Harding, page 30.

40 See Harding, page 30.

41 For a more in-depth exploration on state apparatuses in relation to Althusser, please see chapter two my upcoming PhD thesis.

42 See Harding, page 35.

43 See Demos "The defendant Barres was invited but unable to attend, as he was already committed to a prior engagement in Aix-en-Provence, where he was to discuss 'The French Soul during the War'." page 142.

44 See Harding, page 37.

45 See Demos, page 142.

46 See Harding, page 38.

47 See Harding, page 39.

48 "The Congress, in which 197 delegates participate, accepts the Basle Program: Zionism strives to create for the Jewish people a home in Palestine secured by public law [...] Herzl writes in his diary: "At Basle I founded the Jewish State. If I said this out loud today I would be greeted by universal laughter. In five years perhaps, and certainly in fifty years, everyone will perceive it." From *The Zionist Archives* - <http://www.zionistarchives.org/il/en/datelist/Pages/Congress1.aspx>

49 *Mary Koszmary* was the first part in what is known to be *The Polish Trilogy* dealing "with the Jewish Renaissance Movement in Poland, demanding the return of 3,300,000 Jews to Poland. The films *Mary Koszmary* (Nightmare, 2007), *Mur I Wieza* (Wall and Tower, 2009), and *Zamach* (Assassination, 2011) were chosen to represent Poland at the 54th Venice Biennale. From the Tel-Aviv Museum of Art web-site: <http://www.tamuseum.org.il/about-the-exhibition/>

rael-bartana

50 The consistent debate of whether *The Polish Trilogy* and congress are real or unreal is evident in numerous articles all pointing to this space of contradiction emphasized by Bartana. See, just for example, the *Art News* article by Robin Cembalest posted on 18 April 2013, or *The Guardian* article by Laura Cumming published on 13 May 2012.

51 <http://www.jrmip.org/>

52 See <http://www.jrmip.org/>

53 Sierakowski who plays the protagonist in Bartana's Polish Trilogy of videos, is himself a Polish scholar and political activist and founder of the Krytyka Polityczna movement in Poland. In the first video he delivers a speech calling 3.3 million of Jews to return to Poland. In the second video 'Mur I Wieza' Sierakowski is already presented as a leader with followers erecting a wall and tower or Kibutz in Warsaw, while the third video opens with Sierakowski's funeral as a mass movement of people gathering from all over the world to attend his almost state official funeral.

54 See <http://www.jrmip.org/>

55 See Demos, page 138.

56 Wayne Andrews, *The Surrealist Parade*, New Directions Publishing Corporation, 1990, page 38.

57 See Bishop, page 72.

58 In an article published in Hebrew in the *Ha'aretz* newspaper on 18 April 2008, under the title "Leni Riefenstahl, just the other way around", Bartana is described as holding a position towards Israel of a disappointed lover, and she is quoted saying she is not "an Israeli hater [...] and I do things out of love for this country [...] in spite of all the criticism I have here is my home.

59 <http://www.nytimes.com/2013/04/19/arts/design/yael-bartana-and-europe-will-be-stunned.html>

60 <http://tabletmag.com/scroll/110143/israeli-artist-yael-bartana-in-denmark>

61 <http://www.artinamericamagazine.com/news-features/previews/return-an-interview-with-yael-bartana/>

62 See Bishop, page 72.

63 Yael Bartana, *Wenn Ihr wollt, ist es kein Traum*, Secession 2013, Revolver Verlag.

64 T.J. Demos, "Dada's Event," *Communities of Sense*, ed. Jaleh Mansoor et al., Durham, N.C.: Duke University Press, 2010, page 143.

65 For a visual representation of the manifesto and reading its text - <http://1vze7o2h8a2b2tyah-l3i0t68.wpengine.netdna-cdn.com/wp-content/uploads/2013/04/Manifesto.jpg>

66 See Demos, page 141.

67 *Ibid.*, page 143.

68 *Ibid.*, page 143.

69 *Ibid.*, page 145.

70 Jacqueline Rose, *Proust among the Nations*, The University of Chicago Press, 2011, page 10.

71 *Ibid.*, page 60.

72 *Ibid.*, page 61.

73 Richard J. Bernstein, *Hannah Arendt And The Jewish Question*, The MIT Press, 1996, page 46.

74 Hannah Arendt, *The Jewish Writings*, Schocken Books, 2007, page 338.

75 Richard J. Bernstein, *Hannah Arendt And The Jewish Question*, The MIT Press, 1996, page 46-7.

76 For a thorough discussion on the concept of the encounter, see chapter 2 of my upcoming PhD dissertation.

77 Here again, one notices a similar artistic act shared both by Bartana and Dada. Bartana begins from the Zionist Congress in order to exhaust it and to pour into it newly imagined content, just as Dada did with the format of the court, or the French tribunal.

78 Hannah Arendt, *The Jewish Writings*, Schocken Books, 2007, page 274.

79 *Ibid.*, page 283.

80 *Ibid.*, page 284.

81 *Ibid.*, page 338.

82 *Ibid.*, page 338.

83 *Ibid.*, page 339.

84 *Ibid.*, page 339-340.

85 See footnote 66.

86 Jacqueline Rose, *Proust Among the Nations*, The University of Chicago Press, 2011, page 10.

87 *Ibid.*, page 57.

88 *Ibid.*, page 58.

89 *Ibid.*, page 58.

90 *Ibid.*, page 58.

91 *Ibid.*, page 59.

92 *Ibid.*, page 21.