Three Strategies of Institutional Non-Consent—Refusal, Parallel, Reconfiguration

Park Hye-in

On What It Means Not to Consent to Institutions

In contemporary art, political practice can no longer be reduced merely to what a work says. This does not mean that radical speech has lost its force, but it indicates that the terrain on which the political operates has shifted. The political dimension of art unfolds less through politics as content, but emerges as the level of the *political*: the institutional arrangements that condition how speech becomes possible, circulates, or is foreclosed.[1] Conflict arises not from the substance of a message, but from the conditions under which a statement can be made—through which institutional channels it is distributed, and under what circumstances it is interrupted or rendered illegible. The central question raised here then, in other words, is not political expression itself, but the institutional infrastructures that enable or neutralize it, including funding mechanisms, administrative procedures, governance structures, and the rules through which publicness is structured.

This shift cannot be adequately explained by the familiar claim that art has simply expanded beyond the bounds of the artwork. What has become increasingly visible instead is the way in which the infrastructural background of art, long treated as neutral or secondary, has moved to the foreground of critical attention. Conditions attached to public subsidies, contractual clauses, institutional responsibility structures, and the organization of collaboration and labor have become sites of contestation in their own right. Acts such as refusing awards, withdrawing works, boycotting collaborations, issuing open letters, or intervening through contractual conditions are no longer external gestures supplementary to artistic practice. They function as performative forms through which art makes how it organizes itself within institutional conditions, and which relations it accepts, negotiates, or rejects. In doing so, they have become sites through which contemporary art criticism interrogates institutional power.

The notion of institutional non-consent must be understood within this context. Rather than moral denunciation or external judgment, this mode of dissent is a strategic question of how to intervene in the circuits of legitimacy that institutions construct through the participation of artists. What matters is not whether an institution is hypocritical, but how the language it deploys, of publicness, autonomy, or diversity, collides with the material conditions that make such claims operative.[2] Such a stance, therefore, does not take the form of mere opposition. It operates by interrupting or reconfiguring the circuits through which institutions function, exposing internal contradictions by acting upon their conditions of operation.

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[1] Chantal Mouffe, *On the Political* (London: Routledge, 2005), 8–9, 16–17.
[2] Theodor W. Adorno, “Cultural Criticism and Society,” in *Prisms*, trans. Samuel and Shierry Weber (Cambridge, MA: MIT Press, 1981), 17–34.

Institutional non-consent in contemporary art can be traced through three distinct modes of organization: refusal, parallel, and reconfiguration. The first, refusal, involves the withdrawal of one's presence from the legitimacy institutions derive from artistic participation. The second is parallel, the formation of alternative sites of articulation and organization under conditions in which institutional publicness is inaccessible or non-functional. The third, reconfiguration, remains within the institution while intervening directly in its infrastructural conditions, including contracts, finances, and governance, in order to alter how it operates. These categories are not intended to establish a hierarchy of correct or incorrect strategies. Rather, the aim is to trace what each mode enables and exhausts, and what kinds of political costs and risks accompany them, through concrete cases.

The focus on Germany is deliberate as the cases discussed here are drawn from this context where state publicness and artistic autonomy are densely intertwined. In this setting institutional non-consent is immediately translated into questions of funding, administration, historical responsibility, and freedom of expression. This specificity is not invoked in order to present Germany as a universal model. On the contrary, Germany functions here as an extreme testing ground in which the effects and costs of different oppositional strategies become particularly legible. Precisely because of its high degree of institutional density, Germany offers a site where divergent modes of dissent can be examined under shared conditions, revealing how similar constraints generate markedly different outcomes.

Refusal—The Politics of Withdrawing Legitimacy

The form most immediately invoked by institutional non-consent is refusal. Refusal does not require the design of new institutional mechanisms. Above all, it is instantly legible. A declaration not to accept an award, a notice withdrawing a work, a boycott that suspends collaboration each becomes an event in itself. This immediacy is not accidental. When political action operates less through what is argued than through what becomes visible or invisible, withdrawal emerges as the most unambiguous mode of appearance.[3] In this sense, refusal functions as a more direct performative act than speech. As with the physical removal of a body from an assembly, absence can paradoxically produce the strongest form of visibility.

The core of refusal lies not in proposing alternatives but in withdrawing legitimacy. Exhibition opportunities, platforms, or funding are offered to artists, who in turn provide their labor, reputation, and critical aura—resources through which cultural frameworks present themselves as public, open, and progressive.[4] In this exchange, the artist is not merely a participant but a mediator who stabilizes moral and symbolic legitimacy. Refusal, therefore, is not a simple argument against existing rules. It is a decision to excise one's name and labor from the circuits through which legitimacy is produced and maintained by artistic symbolic capital. Rather than engaging in direct critique, refusal cuts off the inputs through which the institution justifies itself, isolating it as an administrative apparatus. It is, in this sense, the most condensed form of intervention.

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[3] Jacques Rancière, *Dissensus: On Politics and Aesthetics*, trans. Steven Corcoran (London: Continuum, 2010), 36–38.
[4] Pierre Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, ed. Randal Johnson (New York: Columbia University Press, 1993), 37–40, 75–76.

This structure becomes clear in the case of Hito Steyerl. When she declined the Bundesverdienstkreuz in 2021, Germany's highest civilian honor, the issue was not the symbolic value of the award itself. What was at stake was her unwillingness to lend her name to a belated gesture by a state that had effectively abandoned artists during the COVID-19 pandemic, while later attempting to recuperate its image as a supporter of cultural critique.[5] This act did not operate as silence. It functioned as the severing of the final link required for the state's apparatus of recognition to take effect.

This mechanism reappeared in Steyerl's decision to remove her work *Animal Spirits* from documenta fifteen in 2022. Amid accusations of antisemitism and intense political pressure, she concluded that the institution had lost the minimal infrastructure required to protect artists and organize disagreement, including the distribution of responsibility, procedures of mediation, and structures of care.[6] Her exit in this case did not respond to a specific position, but to the collapse of the conditions under which institutional dialogue could meaningfully take place. As controversy escalates, institutions promise conversation, yet that conversation increasingly shifts from a space of artistic judgment to a process of managing legal risk and political liability. In such moments, the artist ceases to be a speaking subject and becomes an object of administration. Once the channels of speech are administratively sealed, the range of possible responses contracts, and withdrawal comes to appear as the only remaining form of action.

This logic of exit extends beyond individual cases to a collective scale. In early 2024, the initiative Strike Germany emerged in response to a growing perception that public cultural funding in Germany was being conditioned on adherence to specific political positions. Whether terms such as political litmus test or new McCarthyism are analytically precise is not the central issue here.[7] What matters is that once public funding and administrative procedures are experienced as filters of ideological verification rather than neutral infrastructures, non-consent tends to organize itself closer to exit than to voice.[8] The controversy surrounding the Berlin Senate's attempted introduction, and subsequent withdrawal, of an IHRA compliance clause in 2024 crystallized this shift. It revealed how public support can slide from protecting expression toward regulating it.[9]

Yet refusal, for all its force, is quickly exhausted. First, it makes institutional failure visible without designing what might follow, or under what conditions continuity could be sustained.

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[5] Hito Steyerl, refusal of the Bundesverdienstkreuz (Federal Cross of Merit), reported in multiple outlets in 2021; see, for example, Helen Lewis, "Hito Steyerl's Digital Visions," *The New Yorker*, March 15, 2021, accessed February 2, 2026, https://www.newyorker.com/culture/persons-of-interest/hito-steyerls-digital-visions

[6] Hito Steyerl's withdrawal of *Animal Spirits* from documenta fifteen (2022); see Hakim Bishara, "Documenta Controversy Continues as Hito Steyerl Withdraws Work," *Hyperallergic*, July 7, 2022, accessed February 2, 2026, https://hyperallergic.com/documenta-controversy-continues-as-hito-steyerl-withdraws-work/

[7] See, for example, Philip Oltermann, "German Artists Accuse State of 'McCarthyism' over Israel Funding Rules," *The Guardian*, January 15, 2024, accessed February 2, 2026, https://www.theguardian.com/world/2024/jan/15/novelist-lana-bastasic-breaks-with-german-publisher-cultural-boycott-israel-gaza.

[8] Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge, MA: Harvard University Press, 1970), 4–5, 15–17.

[9] On the 2024 controversy surrounding the proposed IHRA antisemitism definition clause in Berlin cultural funding guidelines, see reporting in *Der Tagesspiegel* and *The Guardian*, January–February 2024.

Second, repetition risks transforming such a stance from a strategic choice into an ethical obligation, solidifying it as a moral norm rather than a tactical decision. Third, the visibility generated by this act of negation can itself be converted into career capital. Institutions are adept at absorbing critique, at times reabsorbing even the departing artist into narratives of resistance. This co-option of critique helps explain why the impulse to withdraw often fails to translate into durable transformation and is often drawn back into the system.

More fundamentally, the capacity to decline participation may itself be a form of power. For artists who have accumulated sufficient symbolic capital, withdrawal can function as an extension of speech, another available option. For emerging or precarious practitioners, however, such a move may amount to the suspension of survival. In this sense, abstention is not a universally accessible strategy but a costly ethical position available only to those who have reached certain thresholds. Although it presumes an outside to the institution, this gesture circulates and is consumed within the internal hierarchies of the art system.

Negation can interrupt circuits of legitimacy. Yet unless that interruption alters the conditions under which institutions operate, refusal risks repeating itself as a predictable performance, each time appearing as if for the first time. At this point, the question shifts: Is it possible to withhold consent without leaving the institution, and if so, where can such a trace be left?

Parallel—The Formation of a Parallel Public Sphere

If refusal organizes institutional non-consent through the withdrawal of legitimacy, the parallel mode emerges under a different set of conditions. Here, participation itself is no longer the central question. Instead, the problem concerns what forms artistic practice can assume when established structures are no longer available as sites of articulation. This trajectory does not follow from a decision to leave, but from situations in which the institution ceases to operate as a viable option.

Such peripheral conditions are not exceptional. Whenever state institutions are reorganized along specific political lines, or when institutional protection and resources are selectively withdrawn, artistic practice is repeatedly displaced toward positions outside or alongside the official framework. OFF-Biennale Budapest, which emerged following the Hungarian government's authoritarian restructuring of state cultural institutions, exemplifies this pressure. The biennale was not conceived as an experimental alternative; it took shape from what remained once the state no longer functioned as a space of exhibition, support, and protection.[10] In this context, this independent formation appears not as a strategic choice but as the minimum mode of operation available after systemic exclusion.

The most extreme form of this independent infrastructure, however, appears in situations where institutional publicness does not exist at all or is legally sealed off. In the samizdat exhibition networks of Cold War Eastern Europe and the Soviet Union, such a path was never a matter of choice. Official museums, publishing platforms, and exhibition spaces were entirely blocked by censorship and permit systems, rendering public circulation of art legally impossible. Consequently, exhibitions took place in private apartments, and works circulated

[10] OFF-Biennale Budapest, "Who Are We?", official website, accessed February 2, 2026, https://offbiennale.hu/en/off-biennale-budapest/.

only as copies, photographs, or oral accounts. What matters in these networks is not that they created alternative spaces, but that where official publicness was absent from the outset, art could survive only through unauthorized modes of organization.[11] In samizdat, this shadow existence was a direct response to a situation in which articulation itself had been criminalized.

Taken together, these cases demonstrate that independent formations do not arise from a single cause. In some instances, institutional publicness is fully sealed off. In others, the subject of representation collapses. Elsewhere, established bodies continue to operate but only selectively. What they share is that none of these practices sought to replace the existing system or propose a new public sphere. Instead, they assumed conditions under which the institution no longer functioned and constructed a minimal parallel infrastructure capable of sustaining transmission and representation. This mode of existence is not so much outside as it is a structural residue left by institutional failure.[12]

The Gaza Biennale Berlin Pavilion, initiated by artists in Gaza in 2024, belongs to this lineage. The project had no fixed site or single host, and the Berlin Pavilion did not converge into a unified exhibition space.[13] This dispersion was not a symbolic gesture of solidarity or an experimental curatorial strategy. It was a formal necessity in a context where articulation could no longer be maintained, making those conditions visible through the form of the exhibition itself. Within this context, the biennale no longer functions as a device of representation. Artists could not travel, and works did not arrive in completed form. What reached Berlin were digital files, partial records, instructions for re-production, or outcomes transformed through processes of translation. The distinction between original and copy becomes secondary. What matters instead is the chain of logistic processes through which the work was able to reappear. This was not an aesthetic preference but the only form available for sustaining artistic practice under such constraints.

These limitations became tangible in individual works. Drawings made in notebooks distributed with humanitarian aid in Gaza re-emerged in Berlin through scanning and video conversion, with some materials moving only in limited ways through informal networks. Sculptural works were not transported as finished objects but re-materialized through remote collaboration between artists in Gaza and collaborators in Berlin. Files and messages exchanged via WhatsApp became both documentation and exhibition format, not as a selected medium but as the sole viable channel of transmission. These were not distinct aesthetic strategies but structural variations produced by the same underlying conditions.

The political significance of the parallel does not lie in presenting an alternative public sphere. Rather, it exposes how the translation presumed by publicness, rational language, legible suffering, persuasive utterance, already operates only under selective conditions. As Oskar Negt and Alexander Kluge argue in *Public Sphere and Experience*, publicness depends not on the aggregation of opinions but on the infrastructure under which experience

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[11] Piotr Piotrowski, *In the Shadow of Yalta: Art and the Avant-Garde in Eastern Europe, 1945–1989* (London: Reaktion Books, 2009), 201–215.

[12] Here, “failure” does not indicate the total collapse of institutional publicness, but its selective operation—conditions under which institutional frameworks continue to function for some subjects and positions while becoming inaccessible to others.

[13] Gaza Biennale, “About,” Gaza Biennale, accessed January 1, 2026, https://gazabiennale.org/about/.

can be organized.[14] In the Gaza Biennale Berlin Pavilion, articulation does not arrive as a completed statement. It appears delayed, fragmented, and often unexplained. This is not an intentional opacity or ethical refusal. It is an accurate reflection of conditions in which the institutional and material bases for organizing experience into public language are fundamentally fractured. In this sense, the mode of existence differs from recent biennale critiques or alternative models. The parallel infrastructures do not supplement existing institutions. They temporarily occupy the space where institutions fail to function. Such a path emerges not as a strategic choice but as the minimum requirement for sustaining artistic practice. It names less a strategy than a situation in which tactical choice and material necessity can no longer be disentangled.

At the same time, this informal publicness is both radical and fragile. Distributed networks and informal labor offer no institutional protection, shifting political and physical risks onto the community itself. What sustained the Gaza Biennale Berlin Pavilion was not a symbolic declaration, but extensive invisible labor—file transfers, translation, installation, coordination, and re-production. This was not a matter of voluntary dedication, but a structural compensation through which institutional absence was offset by unpaid work and exhaustion. Ultimately, the parallel does not propose a sustainable model. It is not a solution, but a means by which art narrowly maintains itself under conditions of selective institutional operation. It neither refuses the institution nor reconfigures it from within. Instead, it exposes the reality that political articulation can occur only after publicness has already been denied to particular subjects. It is precisely at this point that the next question arises: is it possible to transform the foundational conditions of the institution without leaving it, or enduring indefinitely in this precarious state?

Reconfiguration—The Politics of Internal Institutional Reorganization

Dissent toward an institution does not necessitate departure. As refusal and parallel are repeatedly invoked, a different question comes into sharper focus: when rejecting the system or constructing autonomous conditions becomes insufficient, what form can institutional non-consent take. Is it possible to inhabit a space without endorsing it? And if so, in what manner can such resistance leave tangible traces within the administrative interior?

Reconfiguration begins here. This strategy neither withdraws legitimacy nor assumes an external void where publicness has collapsed or become inaccessible. Instead, it remains inside the normative framework and carries the institution's own rules and procedures to their full extent. Through this procedural insistence, the power dynamics that those rules quietly sustain are destabilized. Here, opposition does not take the form of rewriting code, but of pushing the protocols to their logical limits. No critical rhetoric is required. What matters is following, without refusal, the logic through which the institution claims its own legitimacy, and returning to it the consequences produced by that logic.

A particularly clear example of this strategy is Sung Tieu's *Declaration of Donation* (2025), presented in the context of the exhibition *1992, 2025* at KW Institute for Contemporary Art in Berlin. Rather than presenting an object or installation in the conventional sense, the work

[14] Oskar Negt and Alexander Kluge, *Public Sphere and Experience*, trans. Peter Labanyi et al. (Minneapolis: University of Minnesota Press, 1993), 38–42, 62–64.

took the form of a legally binding donation agreement. The significance of this project lies not in what was displayed, but in which governance conditions were materially altered. *Declaration of Donation* is not simply an act of philanthropy. By formalizing the conditions of the donation in contractual language, the work intervenes directly in the institution's infrastructural core.[15] The contract functions not as supplementary documentation but as the work's primary operative medium. What is adjusted through this intervention is neither symbolic representation nor curatorial narrative, but the decision-making apparatus through which KW has governed itself. The composition of the board, the location of authority, and the position from which particular communities can speak within the institution are articulated as enforceable contractual terms. This intervention does not take the form of a demand or a declaration. The institution is not pressured from an external position. Instead, procedures the institution already recognizes as legitimate and lawful—donation, board formation, financial administration—are allowed to operate fully, generating a redistribution of power that did not previously exist.

It is precisely here that *Declaration of Donation* diverges from conventional forms of institutional critique. The work does not directly attack the institution's discursive language. Instead, by translating symbolic promises into binding contractual form, it exposes how fragile those claims are when confronted with real administrative mechanisms. Critique does not take place from an external position, nor is it absorbed as internal affirmation. It operates through the very conditions that sustain the institution, allowing its own logic to produce outcomes it cannot fully contain.[16] The placement of the work within the exhibition is not incidental. *Declaration of Donation* was presented in proximity to works addressing Tieu's earlier exclusion from a memorial competition commemorating the 1992 murder of Nguyễn Văn Tú, a Vietnamese migrant worker. At that moment, Tieu responded by refusing participation in institutional governance. In this show, she returns to the same history of violence and exclusion but adopts a fundamentally different approach.[17] This shift does not signal compromise or retreat, but a recalibration of judgment. In some moments, leaving is the only available form of non-consent. In others, altering the distribution of influence from within becomes the more effective intervention.

Such judgment cannot be acquired through theory alone. It is closer to a technique accumulated through informal institutional networks, material conditions, trust capital, and repeated feedback loops. Reconfiguration is not an abstract methodology but a practice that demands precise situational assessment and calculation. In this sense, it is not universally available. The conditions that made *Declaration of Donation* possible include Tieu's market

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[15] Quincy Mackay, "In Bid to Diversify KW Institute in Berlin, Artist Sung Tieu Sells Work to Fund New Board Member," *The Art Newspaper*, November 25, 2025, accessed February 2, 2026, https://www.theartnewspaper.com/2025/11/25/in-bid-to-diversify-kw-institute-in-berlin-artist-sung-tieu-sells-work-to-fund-new-board-member.

[16] On immanent critique as a mode that neither denounces institutions from the outside nor affirms them from within, see Theodor W. Adorno, "Cultural Criticism and Society," in *Prisms*, trans. Samuel and Shierry Weber (Cambridge, MA: MIT Press, 1981).

[17] Nguyễn Văn Tú (1963–1992) was a Vietnamese contract worker fatally stabbed by a neo-Nazi in Berlin-Marzahn on April 24, 1992. Sung Tieu's exhibition "1992, 2025" (KW Institute for Contemporary Art, 2025) addresses the legacy of this violence and Tieu's own disqualification from a 2023 memorial competition for the victim, after she criticized the exclusion of the Vietnamese community from the process. The work "Declaration of Donation" (2025) further intervenes in institutional exclusion by using its sale proceeds (€25,000) to fund a five-year board position for curator Mi You, thereby bypassing the €5,000 annual fee that typically acts as an economic gatekeeper for KW's leadership.

position, her relationship to the KW, and the institutional standing she has accumulated as an artist. Yet this does not automatically render the strategy a form of privilege to be dismissed. The question should instead be reversed. When actors who already hold influence mobilize their position to effect structural change, should this be treated solely as an object of critique, or can it be examined as a transferable method?

Reconfiguration neither denies the existence of capital nor seeks to morally purify it. It intervenes in how capital is positioned, and under what conditions it is allowed to operate. In situations where refusal or parallel are not viable options, this becomes a tactical possibility for those who remain inside institutions by necessity rather than choice. In this sense, reconfiguration names a mode of change that works through internal fissures rather than through external rupture.[18] Of course, this strategy does not overturn the institution in any absolute sense. There is no guarantee that altering a board's composition will transform an institution's operational logic. Reconfiguration always carries the risk of absorption, and it can easily be re-framed within narratives of institutional renewal, diversity, or inclusion. It is not a model with guaranteed success but an unstable zone between transformation and neutralization.

This uncertainty is not a weakness but a condition. Reconfiguration does not generate immediate moral shock, nor does it lend itself easily to scandal. While media attention may circulate quickly, the administrative changes at its core operate with deliberate slowness. Contracts are signed, but their effects unfold only over time. In this temporal lag, non-consent becomes not a singular event but an issue that continues to inscribe itself into the institution's operating conditions. In this light, *Declaration of Donation* is less an answer than a test. It demonstrates that dissent does not require withdrawal, and that remaining inside an institution does not necessarily imply endorsement. Reconfiguration is the most uncomfortable and most easily misunderstood of the three strategies. It can fail, it can be absorbed, and it offers no moral reassurance. Yet it is precisely within this discomfort that the most concrete possibility for reimagining the institution after non-consent begins to take shape.

[18] Erik Olin Wright, *Envisioning Real Utopias* (London: Verso, 2010), 20–23, 302–305.