

# On Indiana: A Disorientation Guide

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After sitting with the *October* editors' series and the invitation to write about art communities "at risk" in the state of Indiana, I realize that what I want to attempt is a kind of *disorientation* guide that will expose what is concealed within uncritical uses of "risk" and the legal and rights-oriented "safety guides" that are offered for artists deemed "at risk."<sup>1</sup> I want a disorientation guide to the institutionalization of risk that undergirds this occasional series and its legibility within our contemporary world. What follows, then, is also a search for questions and a critical vocabulary that disturbs the current default to "red"- and "blue"-state delineations of threat and risk. To be sure, one's exposure to violence is immense in places like Indiana where lawmakers and cultural/educational administrators actively devote themselves to enacting repressive policies. But focusing on top-down conditions forecloses ways in which policies of risk management can actually serve to separate vulnerable communities who might otherwise come together in radically aligned practices of care and accountability. The following is my attempt at drafting a framework for such a disorientation guide and an invitation to join and add to it.

## *Rethinking Geographies of Risk*

With this series on "art communities at risk," the editors have taken up a timely and necessary consideration of threat and vulnerability on a global scale.<sup>2</sup> Prior contributions have explored the challenges that artists and curators face under conditions of war, dictatorship, and authoritarianism in Lebanon, Bolivia, Cuba, Russia, Serbia, China, Ukraine, Poland, and Slovenia. While mentions of Donald Trump's presidency, American arms manufacturing, and the pull of the New York art scene

1. A disorientation guide borrows from the form, and opposes the function, of an orientation guide—when a school, institution, museum, or other organization creates an official map or itinerary that makes sense of things for newcomers. A *disorientation* guide, alternatively, transcribes and describes how things actually *work*, revealing what is meant to be concealed and spreading information to help people who are vulnerable under the current conditions of what counts as a "safe" place. It is typically authored by an anonymous group that builds on the document over time.

2. Leah Dickerman et al., "Art Communities at Risk: An Introduction," *October* 178 (Fall 2021), p. 121.

appear in several essays, the US context has not yet featured in the series. Which has left me wondering how this absence might have shaped the assumptions and ideologies that are embedded within, or in between, the series' installments, and what the inclusion of "Indiana" as a context does now, and might do, to the ongoing dialogue. What does it mean to include artists, curators, and scholars associated with—whether long-term or only for a few months—the state of Indiana, a Midwestern "red" state occupying the ancestral lands of the Miami, Delaware, Shawnee, and Potawatomi people, in this "occasional series" on artists "at risk" around the world?

Indiana has long been a place where "patriarchal white supremacy" is intensely present. It is palpable in Bloomington—where I live and teach contemporary art history at Indiana University—just as it is throughout the state in ways that range from the passing of laws to transactions at local farmers' markets to the horrific history of lynchings. It is Proud Boys country. It is KKK country. It is biopolitical-warfare country: Indiana was the first state in the nation—indeed the world—to legalize involuntary sterilizations, which were the law of the land from 1907 to the 1970s. These violent histories carry on. Indiana is a state that has, in concert with many others, passed anti-trans restrictions on hormonal management and gender-affirming care for minors. It has also passed legislation that rolls back protections for queer, trans, and gender-nonconforming people in the workplace; it is unsupportive of reproductive and abortion rights; and it has criminalized diversity, equity, and inclusion (D.E.I.) education and justice work, recently putting into effect Senate Enrolled Act 202, which is designed to weaken tenure protections at state-funded institutions and instill a climate of fear and self-censorship among faculty who teach topics that critique the white-supremacist foundations of the nation and the university. In addition, news coverage of art and cultural institutions throughout the state of Indiana in the past couple of years has brought national attention to the legislative, political, social, and historical oppression of artists, curators, archivists, and scholars.

All of this is to say, *yes*: Indiana, as a context for thinking through artists "at risk," *makes sense*. But it's this "common sense" aspect of artists "at risk" in Indiana that is part of something bigger—a structure of dominant risk knowledge.<sup>3</sup> This structure normalizes the insidious maintenance of state power that frames concepts of safety and security in art circles, venues, and classrooms and stunts possibilities for strategically critiquing and "disorienting" ourselves from it.<sup>4</sup>

The question, or topic, of "risk" in art discourse is not new: As German sociologist Ulrich Beck argued in 1986, we are living in the throes of the "risk society."<sup>5</sup> This

3. In the discipline of business management, this awareness of "dominant risk knowledge" has been called "riskification." See C. Hardy and S. Maguire, "Organizing Risk: Discourse Power and Riskification," *Academy of Management Review* 41, no. 1 (2016), pp. 80–108.

4. I take inspiration from Sara Ahmed's theorizing of dis/orientation in *Queer Phenomenology: Orientations, Objects, Others* (Durham, NC: Duke University Press, 2006). I also want to acknowledge and thank the editors of *October* for the invitation to write, and for the input, insights, and support of Javier Cardona Otero, Alex Chambers, Huey Copeland, Jordana Cox, Rebecca Fasman, Meredith Lee, Walton Muyumba, Lauren Pacheco, Leila Reichert, Judith Rodríguez, and Vivek Vellanki. I am also grateful to Janina López for image-permissions support.

5. Ulrich Beck, "Foreword: Risk Society as Political Category," in *The Risk Society Revisited: Social Theory and Governance*, ed. Eugene Rosa et al. (Philadelphia: Temple University Press, 2014), p. xxii.

framing of international and national relations through predictions of risk has had a ripple effect in contemporary art discourse, praxis, and funding structures. As art historian Joan Kee writes of the turn in the 1960s and '70s in Conceptual art towards an aesthetics informed by the language and look of contract law, "Risk became as central to the definition of artist as conceptions of labor or intention had been previously."<sup>6</sup> Here, Kee references the relevance of the tax code, property law, risk management, and copyright for interpreting the aesthetic and ethical questions raised by US-based artists whose practice melded financial and legal definitions of risk speculation with the social act of breaking art-historical conventions, illegally occupying urban space, and disrupting property relations.

Today, the connotations of "risk" in the art world continue to evolve. As Gillian Jakab has noted, terms such as "artists at risk" and "displaced artists" have become an "established category for those working at the intersection of art and human rights."<sup>7</sup> The phrasing "at-risk art communities" has been taken up by the editors of *October*, inspired by Artists at Risk Connection (ARC), an organization established in 2017 and funded by PEN America and the Mellon Foundation that has assisted over five hundred artists and cultural professionals under duress from over 63 countries since its founding.<sup>8</sup> Indeed, one of ARC's stated goals is to make legible the contributions of artists on the "front lines" of wars and various kinds of repression and to make artists and arts professionals recognizable within a human-rights framework so that they might gain access to the global network of NGOs aiming to protect those doing humanitarian-crisis intervention and social-justice advocacy work.

Contributors to this journal's "occasional series" have poked and pushed at what remains unsaid in a category of "being 'at risk'" that is positioned in terms of human rights and legal frameworks. For example, art historian Hannah Feldman's contribution in the summer 2024 issue touches on the assumptions made about the Lebanese art context. In the preface to her dialogue with arts leaders in that country, she notes that

the conversations heated up around reflections on the artistic situation, or better, *the art-historical situation* that has set Lebanon up to be a place about which people from abroad might expect to see art as perpetually at risk, and so how people *in situ* might feel the need to perform to this expectation.<sup>9</sup>

6. Joan Kee, *Models of Integrity: Art and Law in Post-Sixties America* (Irvine: University of California Press, 2019), p. 18.

7. Gillian Jakab, "Artist Persecution and Protection," *Gagosian Quarterly*, Fall 2020, <https://gagosian.com/quarterly/2021/01/26/essay-artist-persecution-and-protection>.

8. Dickerman et al., "Art Communities at Risk," p. 121; Artists at Risk Connection, "About ARC," <https://artistsatriskconnection.org/about-arc>.

9. Hannah Feldman, "On Beirut: Art in Search of a Means to a Commons," *October* 188 (Spring 2024), p. 185. My emphasis.

As Feldman's reflection suggests, the history of art is also the history of scripting *place*; the makers of art discourse assign characteristics to a site of cultural production as if it were a figure in a play in ways that often undercut more nuanced stories of the artists' lives and art made there. Feldman says,

Beirut got pitched to the world as a kind of avant-garde of disaster art. It became the model for what is an ideal global contemporary art: war-torn, divisive, strong, and yet it was also about how terrible war is in entirely blameless terms, about how terrible it is not to be able to narrate it properly.<sup>10</sup>

In agreement with Feldman, the artist Vartan Avakian explains, "It's like we are only as relevant as the crisis we are in, the crisis we are working on."<sup>11</sup>

What becomes clear in this installment and in others of the series is that the place-based imagination of "at risk" can often be a barrier to more complex and necessary conversations about ethics, responsibility, power, and activism. Resonating with the Lebanon-based conversation, Sophie Williamson's 2023 contribution focuses on the precarity of Indigenous artists in Yakutia in northeastern Siberia during the ongoing Russian invasion of Ukraine. She argues that we should debunk "the perception that realities can be contained within nation-state borders, that economics and politics are somehow independent of entangled global ecologies and planetary futures."<sup>12</sup> Following Williamson, I would argue that it is imperative that we question the structure of the nation-state and of national and state borders as organizing concepts for discussions of "at risk," too. This means rethinking the editors' prompt, how it is tied to a series of geographical contexts as "front lines" of risk—as places *at risk*—from which each person reports. This model of analysis, which renders risk knowledge legible through locations that carry pre- or over-determined associations, limits the scope and force of the series' critique and also misses an opportunity to confront—and better understand—what it is that the concept of being "at risk" actually does and for whom.<sup>13</sup>

Regardless of one's intention, to mobilize "at risk" as a "given" or neutral term in advocating for or aiding artists, curators, and arts leaders—as well as people who do not identify with the arts!—is to conceal the violence of governance and the scarcity logics coded in structures of "care." In fact, "at risk" is a notion manufactured by the carceral state and deployed through the language of welfare. It entered the Euro-American cultural lexicon in the 1960s, appearing in a 1965 issue of the *New Statesman*, for example, to describe the necessary preparations of

10. Feldman, "On Beirut," p. 205.

11. *Ibid.*, p. 191.

12. Sophie J. Williamson, "Siberia: Dissolving Earths," *October* 183 (Winter 2023), p. 148.

13. This mode of inquiry, focusing on what concepts do, is indebted to the work of Sylvia Wynter. See, for example, Sylvia Wynter, "Rethinking 'Aesthetics': Notes Towards a Deciphering Practice," *Ex-iles: Essays on Caribbean Cinema*, ed. Mybe Cham (Trenton, NJ: Africa World Press, 1992), pp. 238–79.

“childcare officers” supervising the casework of “at risk” families near the poverty line.<sup>14</sup> The term subsequently became reflective of a process of rationalizing relations of scarcity and normalizing their policeability. As the editors of *Parapraxis* write in their recent “security” issue, “The welfare state is often figured as a ‘safety net,’ naming its limits more than its possibilities. What’s rarely questioned is why the construction of limited welfare exists to protect the insecure remainders of a society and not society as a whole.” Instead, the “purported altruism” of welfare is “a limited shelter for those who fit the narcissistic image of a nation-state that rationalizes violence in the name of security’s supposed reality principle.”<sup>15</sup>

What happens when we come to understand that “at-risk artist” is another “limited shelter,” ostensibly fit for those who align with or project “the narcissistic image of a nation-state” and its normalization of violence, finance, and securitization? In the US context specifically, being labeled an “at-risk” youth, community, or neighborhood—phrasing used with increasing frequency since the 1960s as justification for the federally funded expansion of police discretion—typically results in greater police presence and carceral contact for those “at risk.” To be clear, increased exposure to police is not an accidental byproduct of “at risk” logistics but their rationalized outcome.

Indeed, as dance scholar Randy Martin’s theorizing of a “risk divide” makes clear, the dichotomy summoned by the concept of being “at risk” is not, as some might assume, one that distinguishes between those who are threatened by the danger of risk and those who are free from it. Rather, Martin explains, the binary relation is constituted by those who are “risk-capable” and able to make *use* of risk, on the one hand, and those “at” the threshold of risk capability, on the other: “At risk,” he asserts, identifies those “who *cannot manage themselves*, those unable to *live by risk*.”<sup>16</sup> The ramifications of something’s or someone’s being “at risk” are manifold. Through the cognitive dissonance of the term, “at risk” contributes to the “color-blind racism” of Cold War-era criminal discourse wherein the racialized and gendered “risk scores” that emerged in the late 1960s have since become the “objective” baseline of sentencing, debt, loan-qualification, and insurance calculations.<sup>17</sup> According to legal scholar Naomi Murakawa, the United States “did not face a crime problem that was racialized; it faced a race problem that was criminalized.”<sup>18</sup> This

14. *The New Statesman* 951, no. 2, December 10, 1965. Cited in Oxford English Dictionary, “at-risk,” etymology entry, [https://www.oed.com/dictionary/at-risk\\_adj?tab=meaning\\_and\\_use](https://www.oed.com/dictionary/at-risk_adj?tab=meaning_and_use).

15. Editors’ note, “Cracking Up to Crackdown: Watchwords of Security,” *Parapraxis* no. 4, August 2024, <https://www.parapraxismagazine.com/articles/cracking-up-to-crackdown>.

16. Randy Martin, *Empire of Difference: American War and the Financial Logic of Risk Management* (Durham, NC: Duke University Press, 2007), pp. 37, 136. My emphases.

17. Jessica Eaglin, “Technologically Distorted Conceptions of Punishment,” *Washington University Law Review* 97, no. 2 (2019), p. 487. For a discussion of “high-risk borrowing” and racism, see Jackie Wang, *Carceral Capitalism* (Cambridge, MA: MIT Press, 2018), p. 138.

18. Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (Oxford: Oxford University Press, 2014), p. 3.

multifaceted origin story of what it means to determine who is “at risk” not only goes under-theorized in human-rights and art discourse, it problematically normalizes the ongoing use of “at risk” algorithms that incorporate seemingly benign data that actually reflect and perpetuate bias that is both gendered and anti-Black.<sup>19</sup>

This discussion might seem like a tangent from the prompt to think about arts communities and artists that are “at risk” in Indiana, but it isn’t. It’s a necessary lead-up to see how the infrastructure of managing risk prediction (now made robust with the computerized predictive-policing software that has been ubiquitous since the 1990s) is central to the decisions that artists make—or don’t make. In other words, the deeply racialized and gendered logic of risk scores is fundamental to the ways in which people who are “at risk” are named and managed in an art-historical situation.<sup>20</sup> As a result, these relations are almost never addressed as the constructed, collectively learned, in-flux, state-sanctioned, and surveilled set of relations that they in fact are.

If the “at-risk artist” (or curator, or arts institution, or arts scene) as a category is tied to statistics, logistics, and the predictability of vulnerability, it is also constituted by durational, harder-to-see patterns of lack that exist alongside entrenched structures of support, in what Ruth Wilson Gilmore, a political geographer whose work animates carceral topographies, calls “organized abandonment,” which manifests through both fast and slow austerity measures coded as the logistics of risk management.<sup>21</sup> This process occurs in myriad interconnected ways, including, but not limited to, the remapping of space through the expansion of prisons alongside urban-renewal “renovation” projects that unevenly distribute economic resources and exposure to environmental hazards. Vulnerability to state-sanctioned violence, then, occurs through seemingly objective, legalized policies and city planning that conceal the impact of racism, which, as Gilmore explains, is the planned and normalized “state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death.”<sup>22</sup> Mobilizing Gilmore’s insights, cultural-studies and literary theorist Kara Keeling calls out and questions the racialized dialectics of risk:

The empirical fact that premature deaths are differentiated by group must mean that these are accounted for in advance. We might ask, then, what modes of risk also are accounted for in this calculation? It must be assumed that those whose deaths are not premature accrue

19. See Brian Jordan Jefferson, *Digitize and Punish: Racial Criminalization in the Digital Age* (Minneapolis: University of Minnesota Press, 2020); and Simone Browne, *Dark Matters: On the Surveillance of Blackness* (Durham, NC: Duke University Press, 2015).

20. For a discussion of recidivism risk and anti-Blackness, see Katherine McKittrick, *Dear Science and Other Stories* (Durham, NC: Duke University Press, 2021).

21. Ruth Wilson Gilmore, *Abolition Geography: Essays Towards Liberation* (New York: Verso Books, 2022), pp. 20, 357.

22. Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Irvine: University of California Press, 2007), p. 28.



some level of risk simply because of the fact that others suffer deaths that are premature.<sup>23</sup>

Keeling's observation widens the scope of Gilmore's assertion. By considering how "modes of risk" do not merely result in living or dying, she animates a relational field of risk calculation that accrues over time and in uneven and incommensurate ways. When we come to understand risk capability as more than an individual's financial or personal decision—and instead as a necropolitical history that sorts and informs survival—then the utility of the category of "at risk" becomes discernible as a regulatory technology for preserving power.

Following these theories and questions confronting racialized and spatialized power structures, we can also then recognize that the act and practice of defining an artist, group, or place as "at risk" is far from neutral. Subsequently, the *work* of managing "at risk" logics is, to follow Fred Moten and Stefano Harney's formulation, indicative of a labor regime coded as "logistics" that rationalizes relations of vulnerability—even, and especially, when the intention is to safeguard the rights of artists within a legal framework.<sup>24</sup>

If Beirut has been "pitched" as the site of an avant-garde of "disaster art," one might wonder how "Indiana" has been pitched to the art world. To put it bluntly: It hasn't. At the same time, this non-pitch, and this series' crisis-oriented interest in Indiana now as a site where artists are or might be put "at risk," mean *something*.<sup>25</sup> I want to sit with the temporality and choreography of this *something*. Because I have a feeling that this *something*, if we try to understand it, is not an obvious fact of crisis but a series of nested questions born of the insights specific to the experience of inhabiting or moving within the position of "at risk." If we can name the underlying biases and assumptions at work within "at risk," we can better understand how efforts to mitigate "at-riskness" distract from the more significant task at hand: unlearning, and divesting from, extractive relations of wealth, property, and power. With a sharpened analysis of "at risk" logics, this series, and the dialogues it generates, may move us towards collectively disorienting ourselves from the discursive and pedagogical articulations of artists "at risk" that continually undermine our best efforts to support and advocate for one another.

A proposition for what follows: The relations of artists, curators, and arts organizers in or connected to vulnerability in Indiana animate the contours of what we might come to see as the *riskocracy* undergirding contemporary art discourses of dissent and advocacy. Far from a meritocracy, the art world's structure, I

23. Kara Keeling, *Queer Times, Black Futures* (New York: New York University Press, 2019), p. 160.

24. Moten and Harney discuss the "field of logistics" as a "labor regime" that secures and reproduces power in *The Undercommons: Fugitive Planning and Black Study* (New York: Minor Compositions, 2013), p. 115.

25. Dear reader, are you currently living/asking questions/teaching/making art/curating from a site that is a "non-pitch" within the recognized hubs of the contemporary art world? What are you thinking about in the institutions, classrooms, and kinship circles where you are? How can we talk and brainstorm together?

argue, can be understood as a riskocracy, in which economic goods and political power are vested in stories of individuals based on the racialized, gendered, and classed perception of artists' risk-taking as heroic, resourceful, innovative, and reasonable ("within reason") versus those deemed derivative, reckless, and irresponsible ("irrational"). One way to begin to study and thereby come to know and reject riskocracy is to recognize it as a structure of governance, a move that pushes against prevalent narrations of risk-taking offered through comparative studies of individual agency and responsive aid.

This is not to suggest that individuals' experiences are unimportant. The stories that follow are told by people with different ties to the central, southern, and northern parts of the state of Indiana: Kelli Morgan, former curator at Indianapolis's Newfields museum, who resigned in 2020; artist Samia Halaby, whose museum retrospective in Bloomington was canceled in 2023; Javier Cardona Otero, an artist and recent graduate of Indiana University's education doctoral program; Laura Pacheco, artist-organizer of the arts nonprofit Destination Gary; and Rebecca Fasman, a curator at Indiana University's Kinsey Institute. By interlacing the co-constitutive risks these practitioners undertake and the experiences they endure, however, I hope to make legible the operation of a pervasive, yet elusive, machinery of *art-world riskocracy*. These case studies allow us to put additional pressure on rights-oriented solutions to "at-riskness," demonstrating how legal frameworks and geographically focused studies alone are inadequate for addressing the extent to which risk management is a socially conditioned and maintained power structure, one that functions as much through ideas of art-world success as through narratives of spectacularized crisis (such as exhibition cancellations, resignations, etc.). The studies below subsequently focus on risk-management technologies—hiring and promotion processes, state laws, and government funding—to better understand how the experiences and insights of artists, curators, cultural organizers, and archivists challenge the limited spatial and temporal boundaries of the dominant risk knowledge that undermines coalitional praxis.

*Case Study No. 1: Museums, Exhibitions, Campuses  
Resignations at Newfields and Censorship at Eskenazi Museum of Art*

In July 2020, Dr. Kelli Morgan resigned from her post as associate curator of American art at the Indianapolis Museum of Art (IMA) at Newfields (a 152-acre cultural campus that conjoins the art museum with a nature park, beer garden, and more). She had held the position for two years, having been recruited by the museum's CEO Charles Venable to "promote more culturally diverse galleries," which she was in a position to do thanks to her training in African American art, her commitment to restructuring art history through Black feminist praxis, and her desire to research questions shaped by her perspective as a Black woman from



Detroit. At the time of her resignation she was working on launching an innovative new curatorial initiative and exhibition, *See the People: (Re)Framing American Art*, a re-hanging of the museum's Americas collection that recognized and put pressure on historically ignored or dismissed entanglements of labor, exploitation, slavery, and white wealth transfer normalized within museum display and acquisition practices.<sup>26</sup> In her resignation letter, she cited a "toxic work environment" rampant with racist discrimination and noted specific problems, such as insufficient support for a Black artist's recent exhibition and racist comments she endured; upon submitting the letter, she copied Newfields board members and a number of Indianapolis art professionals, scholars, and journalists.<sup>27</sup>

The month prior, Morgan had published an essay titled "To Bear Witness: Real Talk About White Supremacy in Art Museums Today." The piece discusses the lived reality for minoritized staff at art museums, which remain "some of the strongest cultural bastions of Western colonization."<sup>28</sup> "Through very deliberate racist and sexist practices of acquisition, deaccession, exhibition, and art-historical analysis," she writes, "museums have decisively produced the very state of exclusion that publicly engaged art historians and curators (including myself) are currently working hard to dismantle. What we do not speak honestly enough about are the very distinct ways in which racism and sexism are utilized to traumatize us and oftentimes undermine our work—the very work that our respective institutions claim they want—and often *recruit* us to do."<sup>29</sup>

In her letter, Morgan confronts the sexualized and gendered racism subtending the museum profession, making explicit the fact that discrimination does not adhere to state or national borders. During a Zoom call with dozens of Black curators from around the world, she writes,

I realized that no matter where in the world we work, what positions we hold in our institutions, or how diligently and effectively we do our jobs, many of us are experiencing similar traumas and complete mental exhaustion from navigating and contorting ourselves around abhorrent manifestations of white supremacy in museums and the art world at-large.<sup>30</sup>

She describes the PTSD from racial trauma that she and many of her BIPOC colleagues carry, emphatically asserting the scale of change as a totalizing horizon: "If

26. Kelli Morgan, "See the People: (Re)Framing American Art," letter to the editor in *Panorama: Journal of the Association of Historians of American Art* 6, no. 1 (Spring 2020), pp. 1–5.

27. Domenica Bongiovanni, "Curator Calls Newfields Culture Toxic, Discriminatory in Resignation Letter," *Indianapolis Star*, July 18, 2020, <https://www.indystar.com/story/entertainment/arts/2020/07/18/newfields-curator-says-discriminatory-workplace-toxic/5459574002>.

28. Kelli Morgan, "To Bear Witness: Real Talk About White Supremacy in Art Museums Today," *Burnaway*, June 24, 2020, <https://burnaway.org/magazine/to-bear-witness/>. This essay expanded upon its earlier iteration, "See the People," in *Black Art in America* in April 2020 cited above.

29. Morgan, "To Bear Witness."

30. *Ibid.*

we are to eschew this exclusionary culture in American art and its institutions, it is imperative that we change the value system upon which both our art museums and our art history is founded.”

Newfields continues to be a site of contention. In February 2021, outraged staff and Indianapolis community members lambasted museum leadership for a racist job description that had encouraged candidates applying to be the next museum director to maintain the museum’s “traditional, core, white art audience”<sup>31</sup>; Venable edited the posting and then apologized for the original wording. Eighty-five Newfields employees and board members wrote an open letter calling for Venable, who had been CEO of Newfields since 2012, to step down. GANGGANG, the Indianapolis-based organizer of BUTTER, a large-scale multi-day fine-art fair that centers Black artists through a reparations-oriented, no-commission model, threatened to withdraw a planned exhibition of eighteen Black artists in solidarity with the open letter. These demands gathered momentum partly by virtue of Morgan’s widely shared criticisms of the white-supremacist practices of the museum and her resignation just months before. Under this mounting pressure Venable resigned.

Following his departure, four members of the Newfields board of governors also stepped down. In May 2022, the board solicited and hired longtime arts leader Colette Pierce Burnette, a Black woman. By September 2023, however, she too had resigned, after only fifteen months on the job, followed by the departure of three more board members. At the time, several Indianapolis-based Black organizations called for clarity, and the Indiana Black Expo and Indianapolis Urban League announced a “complete halt” of partnerships with Newfields.<sup>32</sup> The recently hired leadership of the museum—in November 2023, Darrienne Christian became the first Black woman appointed to chair the Newfields board of trustees, and Belinda Tate, a Black woman, was hired as museum director—may reflect the institution’s intention to rectify its whiteness, but the possibility of repair and change is uncertain when so much about the management and operation of the museum remains unaltered.

If we focus on the “crisis”—the resignations and turnover—we miss out on the longer burn, the drawn-out accumulation of racialized and gendered exhaustion, trauma, and silencing. As Morgan says in looking back on her time at Newfields and in prior positions,

I have been harmed in these ways or undermined in my work at every institution that I have worked at. Part of the fight that you all see or have observed over the last few months [in Indiana] leading up to my

31. Domenica Bongiovanni, “Newfields Director Job Post Calling to Maintain ‘Core, White Art Audience’ Sees Criticism,” *Indianapolis Star*, February 13, 2021, <https://www.indystar.com/story/entertainment/arts/2021/02/13/newfields-criticized-job-post-calling-keep-white-art-audience/4473375001>.

32. Joe Patti, “Apparently Work Still Required at Newfields Museum,” Butts in the Seats blog, November 21, 2023, <https://insidethearts.com/buttsintheseats/2023/11/21/apparently-work-still-required-at-newfields-museum>.

resignation comes from the fact that I didn't fight what was happening to me at PAFA [Pennsylvania Academy of Fine Arts]. And I really should have fought that situation more than I did.<sup>33</sup>

Even without sharing what specifically happened at PAFA, Morgan's reflection underscores how the sources of harm in a white-dominated museum field are pervasive across cultural institutions, linking PAFA, Newfields, and many other arts organizations. Morgan goes on to describe how she subsequently turned down other opportunities to work with Black material culture in similar contexts "because the trauma and the PTSD was that bad." Her embodied realization is one that connects with the problems of discussions of what it means to be "at risk" that focus on spectacular conflict but don't consider how a museum's inability to promote and retain people historically disenfranchised within American society is a rationalized part of the current metrics of ranking and promotion, not an accidental byproduct of it. The non-crisis of "best practices" carries a quieter, accumulative violence, part of the daily operation of art institutions and art discourse. As Morgan puts it,

*There are hundreds of people who no longer work at Newfields who have similar stories. . . . And I said, I'm so tired of the fucking shit happening and there never being any consequences for it. And part of that is because the general public never gets to hear the side of the story of what we lost under bad leadership, what we lose under abusive leadership.<sup>34</sup>*

Morgan's statement underscores the pervasiveness of this experience while gesturing towards one of the reasons that more people don't come forward to publicly address toxic leadership: For Morgan to speak openly about such abuse is to potentially be seen as "difficult"—a deeply racialized and gendered positionality carrying social and material consequences in a society that determines civility on the basis of white comfort and depoliticized white lawlessness.<sup>35</sup> One must thereby read art-historical discourse against itself to consider how stories of leadership, as much as the history of exhibitions, acquisition, and publishing, inculcate present-absences—consider, for example, how, following her resignation, Morgan's re-installation of the Americas art collection never came to fruition at Newfields, where it would have provided a much-needed curatorial consideration of the transhistorical histories of white supremacy and anti-Black violence as normalized by museums. The impact of the physical absence of this re-hang is difficult to

33. Lori Byrd-McDevitt, "Curator Dr. Kelli Morgan Responds to the Resignation of Newfields CEO Charles Venable," *Medium*, February 18, 2021. Transcription of an Instagram video posted by Dr. Kelli Morgan on February 17, 2021, <https://lorileebyrd.medium.com/curator-dr-kelli-morgan-responds-to-the-resignation-of-newfields-ceo-charles-venable-48c8610f8c97>.

34. *Ibid.*

35. On the entanglements of white civility and lawlessness, see Murakawa, *The First Civil Right*, p. 29; see, also, Sara Ahmed, *The Cultural Politics of Emotion* (New York: Routledge, 2004).

name or imagine under dominant paradigms of knowledge production.<sup>36</sup> Which is all to say that the elusiveness of at-riskness manifests in response to such conditions and as a relation that indelibly shapes the history of art and its canons.

Morgan's reflections animate what postcolonial theorist and environmental scholar Rob Nixon calls "slow violence," which is not necessarily visible but unfolds over time. Although writing from the context of environmental crisis, Nixon provides an incisive observation for a critical study of "at risk" art-world logics: "[T]o render slow violence visible entails, among other things, redefining speed—unlearning the knee-jerk reaction to accelerated species loss, rapid climate change, etc.: the iconic images of 'unacceptably fast loss.'"<sup>37</sup> These instances of imminent and explosive danger matter, of course, as does the work of ARC in connecting artists with resources. Yet the fetishization of "fast," eruptive crises, and the quick dissemination of resources to improve a particular arts community or museum (rather than the questioning or changing of a larger regime of risk management), mean that forms of slower violence and the methods of witnessing them are often overlooked, misunderstood, distorted, and rendered unrecognizable—and thereby maintained, normalized, secured, and even celebrated as a form of safety, logistical foresight, and jurisprudence.<sup>38</sup>

In ARC's online "Safety Guide for Artists," a heading reads, "What Kinds of Threats Do Artists Face?"<sup>39</sup> The guide states that there are a "wide range" of threats but summarizes the "most common" around the world: censorship; detention, legal prosecution, and imprisonment; harassment, violence, and assault; sanctions and fines; travel bans. This register of threats is significant; such events are distressing and traumatizing. But the list is also revealing for what isn't recognized as a common risk or might not even register as "risk" because it doesn't animate the "human-rights defender" framework that ARC is working to create: opportunities (jobs, art commissions, etc.) and awards that stand as prestigious lines on CVs but reproduce inequities and/or rely on extractive labor;<sup>40</sup> racial dis-

36. One might situate Morgan's unrealized installation as an "ungiven form," defined by Sarah Jane Cervanek as "unfinished canvases and stories where Black life and Blackened living seemingly come together." See Sarah Jane Cervanek, *Black Gathering: Art, Ecology, Ungiven Life* (Durham, NC: Duke University Press, 2021), p. 3.

37. Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Boston: Harvard University Press, 2011), p. 30.

38. In concert with Nixon's work, I find instruction in Chandan Reddy's *Freedom with Violence: Race, Sexuality, and the US State* (Durham, NC: Duke University Press, 2011), and Dean Spade's resonant *Normal Violence: Administrative Violence, Critical Trans Politics, and the Limits of Law* (Duke, 2015).

39. Artists At Risk Connection, "Safety Guide for Artists," <https://artistsatriskconnection.org/guide>.

40. For an example of artists critiquing the distortive forces of gendered whiteness shaping art-world promotion, awards, and praise, consider PESTS' "First Annual Pests Awards," which sardonically sought to honor white curators and arts leaders who exoticize and misrepresent artists of color. PESTS, a short-lived, anonymous group of women of color artists and curators in New York City, formed in the 1980s to fight the "racial apartheid" of the art world. For more on the PESTS awards, see Faye Raquel Gleisser, *Risk Work: Making Art and Guerrilla Tactics in Punitive America, 1967–1987* (University of Chicago Press, 2023), pp. 175–78.

crimination, trauma, and burnout;<sup>41</sup> and the typically unreported denial of tenure, dismissal, or the non-renewal of a work contract.

Samia Halaby, a Palestinian American artist and alumnus of Indiana University, is a significant case to consider within a discussion of what it means to be “at risk” in Indiana, both because of the cancellation of her retrospective at Indiana University’s Eskenazi Museum of Art (EMA) in 2023 and for the ways in which she shows up in the framing of “human rights” by ARC. (She was a featured speaker at its “Artists at Risk” pavilion in the 2024 Venice Biennale.) However, if we focus solely on the crisis of her censored exhibition, we miss out on the longer trajectory of institutional slow violence as well as the multi-directional art-world geographies of employment—of tenure and promotion—that she has navigated and survived for decades.

In 1972, Halaby was offered tenure at Indiana University but left the position to pursue a teaching appointment at the Yale School of Art. She taught there until 1982, when her teaching contract at Yale was surreptitiously not renewed, a decision the artist believes was likely based on her gender and political activism.<sup>42</sup> I mention this denied contract up front—and will return to its significance below—even though its slower, quieter implications do not at first seem relevant to the EMA’s cancellation of Halaby’s long-awaited retrospective. *Samia Halaby: Centers of Energy*, three years and several national grants in the making, was co-curated by Leila Josephine Reichert of the EMA and Rachel Winter of Michigan State University’s Eli and Edythe Broad Art Museum. It was to be the first US-based retrospective of the artist’s six-decade-long career. Halaby was born in Jerusalem in 1936 and forced to flee Zionist displacement along with her family in 1948, eventually settling in Cincinnati. Her ties to Bloomington are long-standing: She completed her MFA at Indiana in 1963. After graduating, she participated in the State Department’s “Art in Embassies” program from 1966 to 1971 before returning to Bloomington in 1969,<sup>43</sup> this time to teach painting in the same department from which she had graduated. Eventually, as mentioned, she moved from Bloomington to New Haven in 1972 to teach at Yale for several years.<sup>44</sup>

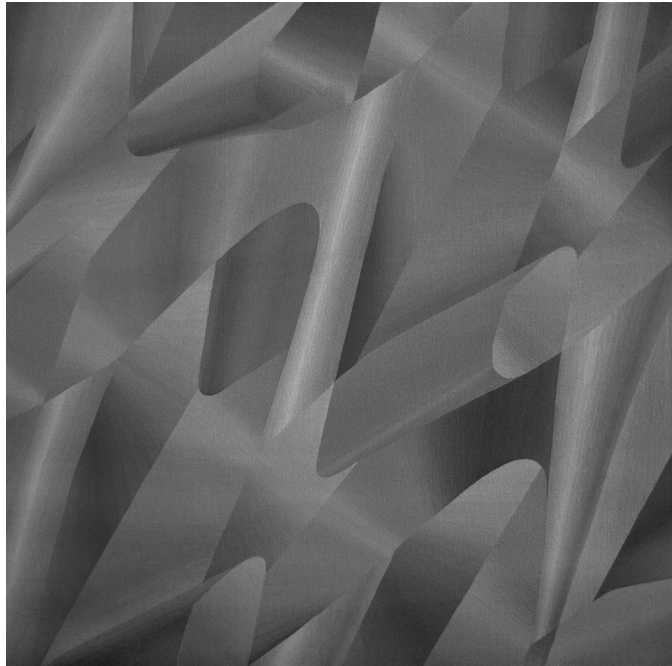
The show was to bring together for the first time the many large, brightly colored abstract paintings that have come to define Halaby’s deft theorizing of space and hue, some returning on loan to Indiana’s campus for the first time since being produced there. In the expansive exhibition catalogue, for instance, *Blue and Orange Helix* provides an example of Halaby’s signature experimentation with volume and surface while she was a professor at IU. In it, she eschews hierarchical

41. For an incisive study of “burnout,” see the cluster of articles introduced by Pamela Lee in “Introduction: Aspiration Burnout,” *October* 176 (Spring 2021), pp. 6–7.

42. Erica Schwiegerhausen, “Q&A: Samia Halaby on Painting and Palestine,” *The Cut*, January 23, 2014, <https://www.thecut.com/2014/01/qa-samia-halaby-on-painting-and-palestine.html>.

43. Elliot Leila Josephine Reichert, ed., *Samia Halaby: Centers of Energy* (Munich: Hirmer Verlag, 2023), pp. 170–72.

44. *Ibid.*, p. 23.



Samia Halaby.  
*Blue and Orange*  
*Helix*. 1972.

spaces of foreground and background while manifesting a linkage to earlier works thanks to its production of depth through color.<sup>45</sup> The work also resonates with a particular memory of time and place: Halaby painted it in the basement of the university's student union in the early 1970s, when antiwar protests made use of the school's newly designated "free speech zone" in nearby Dunn Meadow.

In December 2023, less than two months before the scheduled opening date, David Brenneman, the EMA's director at the time, notified Halaby of the show's cancellation in a two-sentence email that offered no explanation for the decision. When pressed by reporters, a representative of the university's administration sent the *New York Times* a single sentence in explanation: "Academic leaders and campus officials canceled the exhibition due to concerns about *guaranteeing the integrity* of the exhibit for its duration."<sup>46</sup> While the administrator's wording alleges concerns over security, no evidence of threats made to the integrity of the work has surfaced.

There is much to be said about the loaded meaning of "integrity" and the implications of a museum's being unable to "guarantee" the protection of certain objects even as all of its other objects are deemed safe and protectable. There is

45. Samia Halaby: *Centers of Energy*, p. 23.

46. Zachary Small, "Indiana University Cancels Major Exhibition of Palestinian Artist," *New York Times*, January 11, 2024 (my emphasis), <https://www.nytimes.com/2024/01/11/arts/design/indiana-university-samia-halaby-exhibition-canceled.html>.



also more to be said about the contemporary mechanics of this form of censorship and how the art world and academia have long participated in repressing the voices of artists and activists fighting for Palestinian liberation in the name of securing property relations. For the purposes of this essay, however, it is important to look back at Halaby's overall trajectory and, in doing so, to think along the quieter, less spectacular lines of her relation to institutional tenure and promotion.

In a poignant interview she gave the feminist zine *Aurora* in 1982 titled "Art and Liberation," Halaby spoke about Yale's decision not to renew her teaching contract, calling out the university's senior faculty and administrators, who

control who teaches there . . . which students can take the major and which graduate students get which jobs. They choose very carefully which students they promote for jobs. Then those students go to other schools and send back students, their students, whom they've picked. So, one of Yale's favorites goes to [the] Chicago Art Institute, say, and then he, usually it's a he, sends back a student of his, whom he thinks would be ideal for Yale, or for this very bureaucratic game. Yale accepts it as an extended favor, and it becomes a feather in the cap of the ex-Yalie. It builds up a bureaucratic network of power.<sup>47</sup>

When it comes to decoding the "criteria for choosing," Halaby is uncompromisingly clear: "Not talented artists, not new ideas. The criterion for whom they favor is who is obedient, who is loyal to them, who will promote them and their ideas, plug into their system, and recognize their privilege and power."<sup>48</sup> She does not make a distinction between ideas of art and schooling:

Their ideas of art and their ideas of how to run the school are the same. I don't think their ideas are genuinely about art, I think they're ideas about restating the way art was fifty or a hundred years ago. . . . That's what a conservative is: a person who believes the past should still exist in the present, and that the future should be like the past. So, they choose people who will be loyal to them and recognize their right to be in power. They would not choose someone who speaks up for women, or for black people, or for the workers and their rights at the school, because that's all threatening to their right to rule the school. They would not choose me, if I say the school should be run by a committee of students, workers, and teachers.<sup>49</sup>

For Halaby to share these insights during an interview and thereby put these ideas into print when she did was courageous. Her criticism was directed at Yale but also at administrators and faculty far beyond it; indeed, in Halaby's telling,

47. "Art and Liberation: Samia Halaby Speaks," *Aurora: A Feminist Magazine* (Spring 1982), p. 5.

48. *Ibid.*, p. 8.

49. *Ibid.*

Yale becomes a symbol of academic institutions' gatekeeping practices. Similarly, Morgan's criticism of the prioritized whiteness and anti-Black toxicity at the IMA at Newfields not only speaks to the conditions of arts management in Indianapolis but also links the particular violence it describes to the management of art museums writ large. Taken together, the insights and trajectories of both Halaby and Morgan, each differently associated with the state of Indiana and the "state" of Indiana's art infrastructure—and each differently transient within and beyond its borders—offer a point of entry into the ways in which recognition and success in the art world operate as a riskocracy.

Advancement in such a system may appear to be individualized, as suggested by our mechanized structures of evaluation (single-recipient awards, prizes, positions, and grants), but it is based on a structure of relations that comes to shape the ways individuals are *perceived as performing the appropriate or "right" kind of riskiness*. Collectively valorized ideas of professionalism and success rely on a racialized, gendered, and sexualized relational definition of risk capability and the ongoing dismissal, repression, or rejection of risk-taking perceived as "unproductive," "unserious," "derivative," or "reckless" by those in positions of institutional power.<sup>50</sup>

Morgan's and Halaby's public rejections of riskocratic governance—the methods that leaders and functionaries in museums and the academy deploy to protect assets and avoid property liability—jar and distort the smooth operations of risk management. Morgan left her associate-curator job and spoke publicly about her motivations for doing so. Halaby's contract at Yale was not renewed and she too spoke about it—and about what the academic institution accomplished in so doing—publicly. Both call attention to processes of institutional *retention* and what is actually *retained*: not trust, connection, or accountability but liability infrastructure, property assets, and risk management concealed in the name of progressive education and curation. Halaby's and Morgan's refusals to *act accordingly* within risk management's strictures also make clearer how discussions of riskiness that take state, national, and institutional borders as a given can inadvertently conceal how risk-taking operates relationally and dialectically, and in ways that determine what it looks like to "make it" in the art world.

It is not inconsequential that Morgan's and Halaby's respective positionalities, as a Black woman and a Palestinian American woman, each with distinctive ties to the Midwest, challenge the patriarchal white raciality at the base of property relations.<sup>51</sup> Is it accurate, then, to say that these curators and artists are "at risk" in Indiana? Or would it be more precise to say that their experiences are *vectors*, or even *ciphers*, of the entangled racialized and gendered violence of risk manage-

50. For an example of the relational geographies of risk that shape art discourse, see Gleisser, *Risk Work*, pp. 33–68. For a trans-temporal study of Black feminist aesthetic risk-taking under conditions of white supremacy, see Uri McMillan, *Embodied Avatars: Genealogies of Black Feminist Art and Performance* (New York: New York University Press, 2015).

51. Cheryl Harris, "Whiteness as Property," *Harvard Law Review* 106, no. 8 (June 1993), pp. 1707–91.

ment central to the daily operations of our cultural and academic institutions? Would it be more accurate to say that the artist's and curator's refusals to accept the terms of risk capability set by arts and academic management reveal the *distortive work* of "at risk" relations, wherein those upholding state, university, and museum aspirations to protect property and assets at all costs create the very conditions of *targeted* unsafety?

This distortive work moves in many directions. I'm reminded again of the legal language of financial liability strategically deployed by Indiana administrators to indicate a relation of care while evading accountability for the censorship of Halaby's exhibition: They could not (*would* not) guarantee the integrity of the show for its duration. The term "guarantee" is part of an insurance lexicon, used to secure the performance of a contract or service. In concert with university president Pamela Whitten, they chose not to pledge to ensure the conditions necessary for Halaby's works to be displayed. By contrast, Whitten guaranteed (pledged) that armed Indiana state troopers would ascend the stairs of IU's student union in April 2024. From the roof of the same building in the basement of which Halaby had experimented decades earlier, two snipers with automatic rifles trained their military-grade scopes on unarmed IU students and faculty carrying signs decrying the ongoing US-backed Israeli genocide and bombing of Gaza and IU's censorship of Palestinian art. The protesters stood in Dunn Meadow's "free-speech zone," in the Palestine-solidarity encampment. With IU's new "expressive activity" ban, however, which disallows free speech between the hours of 11 p.m. and 6 a.m. and all unauthorized structures and vertical signs on campus, Dunn Meadow is now a fenced-off, barbed-wire-enclosed field under constant surveillance. It is off-limits to all students, faculty, and staff until further notice while IU facilities "restores" its irrigation infrastructure.

I am struck by the collision of timelines, securitized spaces, and material relations, as well as how this convergence of events reveals the ways in which "at risk" as a category has a certain spatial temporality: a pace that fetishizes the immediacy of crisis in a particular place and obscures related long-term surveillance, financial decisions, and disenfranchisement. "At risk," then, is not so much a description of a place, person, or community as the conditioning of spatio-temporal relations of unsafety normalized by institutional risk managers who describe their own calculated violence as "care," "protection," and "restoration." What kinds of conversations and questions, I wonder, become possible when the framing of what counts as "at risk" is removed from the binaries of safety/unsafety and at risk/not at risk and pushed beyond geographically bound front lines to instead focus on and analyze shared processes of (accepting or participating in) labor relations and stories that normalize our own *active* compliance with liability imaginaries across cultural and academic institutions?

*Case Study No. 2 (Art, Education, and Lawfare)*  
*Senate Enrolled Act 202 and House Bill 1186*

The artist as “risk taker” within a human-rights framework relies on and is inextricably bound to lawyers and legal discourse and, in particular, a certain temporality of at-risk legibility: crisis time. Thinking beyond the temporality of immediate action-taking during times of crisis, however, the idea of being “at risk” operates within a more gradual and longer register of liability planning active within government legislation, policing, and education. This idea of being “at risk,” then, can be understood as a logistical technology of representational politics mired in the state-sanctioned governance of vulnerability and the regulation of pedagogical possibilities and course content within curriculum and teaching practices in cultural institutions.

“There are so many kinds of violence, so it depends which ones we’re talking about,” says artist Javier Cardona Otero. We are talking over Zoom in July.<sup>52</sup> Our call bridges my living room in Bloomington and a rainy covered porch in San Juan, Puerto Rico, where Cardona Otero is spending time with his mother, who was then in hospice care. Cardona Otero came from Puerto Rico to Bloomington to do a PhD in education in 2017 and completed his degree this year. Long before that, however, he began creating performance art, working in a genre he calls “public performative pedagogy” that fuses and theorizes educational form, participatory practice, and affective geographies of embodiment.

Just as Cardona Otero graduated from IU this past summer, Indiana passed Senate Bill 202, which became Public Law 113 (Senate Enrolled Act or SEA 202) and took effect in July. The law requires that “offices or individuals established or employed by a state educational institution” must substantially promote “intellectual diversity” or else face complaints for non-compliance, which can lead to suspension or the denial of tenure and promotion. The law also requires that tenured faculty be reviewed every five years and initiates a process that could lead to termination of contracts for junior, non-tenure-track, as well as tenured professors, ultimately upending tenure protections.<sup>53</sup>

*Intellectual diversity* is a phrase that takes the language of D.E.I. and mobilizes it against itself in order to promote conservative perspectives in discourses that are predominantly invested in the liberal ideal of equality. David Horowitz, a right-wing critic of academia, coined the term in the early 2000s in his proposed “academic bill of rights.”<sup>54</sup> Horowitz, who started out as a leftist political activist in the 1960s, is today known for having founded the conservative organization Students for Academic Freedom while leading Discover the Networks, an online database

52. Javier Cardona Otero, Zoom conversation with author, July 8, 2024.

53. Senate Bill 202, “Digest: State Educational Institution Matters,” Senator Spencer Deery et al., <https://iga.in.gov/legislative/2024/bills/senate/202/details>.

54. Stanley Fish, “Intellectual Diversity: What Is It and Do We Need It?,” *The Montana Professor* 17.2 (Spring 2007), <https://mtprof.msun.edu/Spr2007/fish.html>.

that tracks individuals on the political Left. While the term is decades old, the renewed interest in “intellectual diversity” is part of the increasing criminalization of “critical race theory” and the outlawing of D.E.I. initiatives in recent years.

In light of these developments, Cardona Otero’s insights into the long-standing historical structures of art-making and pedagogy are instructive:

For me, more and more as an educator, I’m aware of the aesthetics of engaging in learning and teaching experiences. I want to create a space [in my art, in my teaching] that didn’t exist before, in which we can gather and use our multiple senses to reflect on something. Even to be provoked about something. Education is a didactic, conservative space. You are taught to do *best practices*. There’s a linear process, a standardization of how you teach, how students learn. To not see myself in these structures, I have an opportunity to use my pedagogy.<sup>55</sup>

“How it feels to be a Black queer gay man from the Caribbean living in Indiana” is part of what motivated Cardona Otero’s dissertation, which focuses on his ongoing performance piece *Taxonomía of a Spicy Espécimen*, which solicits audience participation in public pedagogical work that considers the uneven impact of the violence of categorization as a transhistorical form of colonial knowledge production and governance.<sup>56</sup> I was fortunate to witness one iteration of this performance in 2023 at IU. The roughly forty-five-minute-long work includes several segments: At one point in the piece, Cardona Otero encircles us, the participant-witnesses, and peels layers and layers of T-shirts from his body, each emblazoned with a cultural buzzword or phrase (e.g., “de-academicize”); at another point he lays his nearly nude body on a large desk in the center of the room that is topped with a map of the United States made of star anise and cloves; when he gets up, the spices leave temporary imprints on his bare back.

Cardona Otero tells me about the unspoken but *felt* regulations he experienced and how they fueled the creation of *Taxonomía*:

I felt I was in an assimilation project at times at IU in the PhD program. You’re Black, you’re gay, you’re Puerto Rican, your first language is Spanish. But, by the way, leave all your belongings out there when you enter the building. We have everything you need. You’re welcome, but you have to leave everything at the door. A white experience is going to be transferred to you now. Talking about feeling unsafety, being in a war zone, the theater of wars. In the US there’s explicit violence towards Black and brown, trans and Indigenous people. Do we have to go to a war zone to understand what is violent? The approach to “at

55. Cardona Otero, Zoom conversation with author.

56. Cardona Otero, “Disassembling and Re-membering Self: Opaquing an Enlightened Taxonomy,” *Journal of American Folklore* 536, no. 135 (2022), pp. 239–49. See also Judith Rodríguez, “Poetic Schemas: Reading Antiblack Collusions in Puerto Rican Aesthetics,” *Critical Times* 7, no. 1 (2024), pp. 182–214.



risk” diminishes the violence experienced daily by trans people, people experiencing police violence, women facing the injustice of having their reproductive rights stripped. We have to be careful not to work with the same systemic structures that exclude and reproduce harm when we talk about safety.

What frameworks might move beyond ideas of the “front line” to better accommodate this expansiveness while suspending and honoring the spectrum of vulnerabilities, from scales of intimacy to war zones? Cardona Otero reflects on the stakes of the concept of the “at risk” as a metric in Indiana specifically: “I have not experienced any direct attack on my person in Indiana. So it’s not necessarily that my life was in danger, but my emotions, my being, my *multi-dimensional being*, has struggled while living in Indiana.”<sup>57</sup>

It is difficult to grasp what SEA 202, or other recently passed laws such as HB1186, will mean for the future of art, expansive research, and multi-dimensionality in the state. HB1186, for instance, is a 2023 “anti-encroachment” law that

provides that a person who knowingly or intentionally approaches within 25 feet of a law enforcement officer after the law enforcement officer has ordered the person to stop commits a Class C misdemeanor. [It]

57. Cardona Otero, Zoom conversation with author.





*This page and previous: Javier Cardona Otero. Taxonomía of a Spicy Espécimen. 2023.*

[s]pecifies that “emergency incident area” may include an area 25 feet in all directions from the perimeter of an emergency incident area.

If convicted of unlawful “encroachment on an investigation,” a person can face up to sixty days in jail and a fine of up to \$500. The new law, which aims to provide officers with a “lifesaving space” and “the opportunity to . . . de-escalate the situation,” in the words of the bill’s author, has quickly become popular with local police departments.<sup>58</sup>

Choreographing this “lifesaving space” carries several implications. The law allows for no exceptions, which means that journalists, activists, and medics are also subject to arrest if they breach the twenty-five-foot cordon, regardless of the circumstances or their training. Though the impact of the law is as yet unquantifi-

58. Keffer Hirschauer LLP, “Examining the New Encroachment Law in Indiana,” September 18, 2023, <https://www.indyjustice.com/blog/criminal-defense/new-encroachment-law-indiana>.

able, clearly it alters what kinds of advocacy and witnessing are possible given one's anticipation of arrest and citation. Additionally, the spatial delineation of an investigation *site* remains intentionally vague. Such vagueness is highly useful for law-enforcement officers, as demonstrated in a July 2023 incident in which police in South Bend repeatedly expanded the space of the "investigation" in twenty-five-foot increments, which meant that an observer who had been livestreaming an arrest was compelled to move prohibitively far away.

Legislation like HB1186 provides immunity to police for the scale and brutality of what American-studies scholar Micol Seigel calls their "violence work" while making it difficult, if not impossible, to bear witness by documenting and materializing relations of power.<sup>59</sup> In its challenge to the law, the Indiana ACLU argued that the statute restricts the constitutional rights of Hoosiers to see, know, and document officers on duty. The "right to record" has been recognized by six federal appellate courts, in keeping with the First Amendment. Thus, while the new law "does not explicitly address the topic of recording, it may still allow police to arrest a person who is quietly and peacefully recording them, regardless of whether they were actually interfering with the officer's official police duties."<sup>60</sup>

HB1186 may be specific to Indiana, but it is just one example of the subtly quiet work and expanding purview of *lawfare*: the enactment of a law in the name of lifesaving or community safety that legalizes the unbounded discretion of the police to determine who can and can't be in any given space at any given time. This law and others, such as anti-loitering laws that expand police discretion through the realm of inchoate crimes—anticipated noncompliance with state regulations—systematically circumscribe present and future forms of documentation, witnessing, and available artistic experimentation. Indeed, laws coded as "public safety" policies have long criminalized and pathologized Black, brown, and differently abled stillness, leisure pleasure, and dissent.<sup>61</sup> I wonder: What will it take for "punitive literacy"—the ways we differently but relatedly come to know and anticipate policing in schools, hospitals, museums, and institutions—to become a framework that art historians will take up in pedagogical practice?<sup>62</sup>

And: Who gets to see or to know, and how is that seeing or knowing being policed? How might we come to collectively reframe anticipations of policing within narrations of art history—to recognize artists' anticipation of arrest or censorship

59. In Seigel's estimation, the defining work of police is the potential use of force; I thus employ the phrase "violence work" in place of the more euphemistic terms "law enforcement" and "security workers." Micol Seigel, *Violence Work: State Power and the Limits of Police* (Durham, NC: Duke University Press, 2018), p. 12.

60. "Examining the New Encroachment Law in Indiana."

61. See Bruce La Merr Jurelle, "Shore, Unsure: Loitering as a Way of Life," *GLQ: A Journal of Lesbian and Gay Studies* 25, no. 2 (April 2019), pp. 352–61; Saidiya Hartman, *Wayward Lives, Beautiful Experiments: Intimate Histories of Social Upheaval* (New York: W. W. Norton, 2019); Marlon M. Bailey, "Black Gay (Raw) Sex," in *No Tea, No Shade: New Writings on Black Queer Studies*, ed. E. Patrick Johnson (Durham, NC: Duke University Press, 2016), pp. 239–61.

62. For "punitive literacy," see Gleisser, *Risk Work*, pp. 7–10.

as a form of knowledge? The ability to see and to know the longer histories and slow violence of lawfare becomes possible when asking questions that are critical of the risk infrastructures that determine not only precarity but success, degree transferal, and praise. Of course, it is no coincidence that scholars, educators, and artists who teach or animate critiques of Eurocentric colonial white-supremacist power structures, such as Cardona Otero, and who are often queer people of color, will disproportionately bear the brunt of noncompliance with the mandate of “intellectual diversity.”

In May, the Indiana ACLU filed its first lawsuit to block SEA 202, raising concerns about infringement of freedom of speech and the effect of the bill inside classrooms. As ACLU Indiana staff attorney Stevie Pactor observed, the bill is meant to silence professors, especially those whose training and areas of expertise challenge conservative values: “People chill their speech just so they can avoid a potential risk of violation. . . . It is part of a broader trend [in] libraries, book banning. . . . I don’t think this is particularly unique to Indiana. It’s a national trend that we’re seeing everywhere.”<sup>63</sup>

*Case Study No. 3 (State and University Funding)  
Divestment in Gary and Defunding of the Kinsey Institute*

“Artists in Indiana are survivalists. They are scrappy. Entrepreneurial.”<sup>64</sup> So says Lauren Pacheco, a civic-practice artist from Chicago who in 2018 moved to Gary, Indiana, where she founded Destination Gary, a “multidisciplinary collaborative and creative studio” working at the intersection of art, urban planning, community development, and social justice. Through her organization, Pacheco collaborates on projects ranging from public art and sound installations to emergent and participatory formats such as community tours, “memorials” for built culture, and outdoor-space-making.

When I ask Pacheco what the notion of “at risk” means for her and for the artists and arts leaders she works with in Gary, she says, “Most people look at Gary and see only the blight, the vacancies, the devastation. When I look around, all I see is potential.” She reflects on the city’s historical arts footprint, its vibrant Black working-class cultural production, and its music scene: “There’s a history here of art and creativity, and there’s a hunger for it that hasn’t been tapped into yet.”

Gary is situated in the very northwestern part of Indiana, just thirty miles from Chicago. It was incorporated in 1906 and named after lawyer Elbert Henry Gary, a founding chairman of the U.S. Steel Corporation, and later nicknamed “Steel City” and “City in Motion” before becoming known for massive disinvestment, white flight, urban blight, and school closures. As a result, Pacheco explains,

63. Cat Sandoval, “ACLU Sues to Block New Laws, Claims It Stops Professors’ Right to Free Speech,” WishTV.com, May 7, 2024, <https://www.wishtv.com/news/i-team-8/aclu-sues-to-block-new-law-claims-it-stops-professors-right-to-free-speech>.

64. Lauren Pacheco, Zoom interview with author, July 10, 2024.

Gary exposes things about arts funding and support otherwise taken for granted throughout the state. Because of its proximity to Chicago, it constantly gets overlooked for support, or is misunderstood when compared to other Rust Belt cities like Detroit. The Lilly [Endowment Inc.] funds [in Indianapolis] do not extend to Gary; the Joyce Foundation, which supports art in the Midwest region, gives support to Indianapolis but not to Gary. The Indiana Arts Commission has representation from Bloomington, Fort Wayne, and Spencer—but not from Gary.

Pacheco also mentions Indiana University's regional campus known as IU Northwest, which was established in Gary fifty years ago. Having an IU campus in Gary could have been a source of financial support for the city, but, as she explains, "there are no dorms at IU Northwest."<sup>65</sup> This absence of buy-in creates a vacuum, turning IU Northwest into a commuter school, with knock-on effects for the city: Because students mostly live elsewhere, the bulk of the money they spend on rent, food, and entertainment is spent in places other than Gary.

Pacheco's reflections saliently reframe the role of Indiana University as an agent of the state and federal government, one with a role in real-estate development, rather than as a benevolent protector of higher education. This relation reveals a form of managed lack on academic campuses and in museum budgets and hiring practices wherein funds and opportunities are more readily directed to or away from certain projects. Contemplating this seemingly mundane procedure of spending means contending with the ways in which financial management relies on and perpetuates risk relations born of racial, gender, and class hierarchies. I'm reminded of Eunsong Kim's astute observation that such decisions are not neutral in a world in which "the *right to transfer* risk is dependent on racial capitalism."<sup>66</sup> Kim's point is well taken. Risk relations aren't fixed; they emerge through the *transactional logics* used to warrant and uphold the daily operations of institutions, wherein the asymmetrical praise and censorship of risk activity get normalized within articulations of financial "outcomes."<sup>67</sup>

Indeed, state funding measures are one of the most powerful and ubiquitous methods for producing managed lack in the name of security and institutional liability. Consider, for example, how Indiana policymakers in the spring of 2023 approved a state budget containing an amendment that defunded the Kinsey Institute (KI), which is housed within Indiana University. Initially known as the Institute for Sex Research when it was established in 1947 by IU zoologist Alfred Kinsey, KI has since become a premier research center dedicated to the study of human sexuality. For over seventy years, KI has been both a home to social scientists

65. Lauren Pacheco, Zoom interview with author.

66. Eunsong Kim, *The Politics of Collecting: Race and the Aestheticization of Property* (Durham, NC: Duke University Press, 2024), p. 180 (my emphasis).

67. For insight into the emancipatory possibilities of contemporary student activism within the transactional politics of the university, see David Joselit, "The Transactional University and Student Protest," *October* 188 (Spring 2024), pp. 175–77.

pursuing cutting-edge research and the host of an archive, library, and world-renowned collection spanning over two thousand years of human history and encompassing books, print materials, film, video, fine art, artifacts, photography, correspondence, manuscripts, unpublished materials, and more from people and organizations that have influenced the study of sex, gender, and reproduction.<sup>68</sup> The budget amendment that passed was proposed by Republican State Representative Lorissa Sweet, based on a completely unfounded allegation that KI was abetting child abuse. Sweet was using the political playbook of the 1990s, when Republican policymakers tried unsuccessfully to defund the institution with claims that it fostered immorality.

I talked with Rebecca Fasman, the curator at KI, and asked her about “at risk” as a concept and how risk shapes her day-to-day work. “It’s not a sexy answer,” she said, “but this question of risk largely pertains to funding at Kinsey.”<sup>69</sup> Her response also situated the defunding as just one part of a larger, ongoing assault on the collections and the people and histories affiliated with sexual freedom, expression, and research:

Think of risk in this way. For many people who donated materials to the Kinsey, they did so because holding on to those materials put them at risk due to the Comstock laws that governed obscene materials; alternatively, and relatedly, when there was talk of the Kinsey becoming a 501(c)(3) that would separate the collections from Kinsey, many donors and potential collections donors said they would withdraw or take their materials elsewhere. This is not new, of course—people like Kenneth Anger, who donated a lot of material to the collection over the years, voiced concerns about the safety of the collection in letters to Kinsey back in the 1950s. Meanwhile, staff at Kinsey have received death threats for years; a new security system was installed after years of advocating for it. It’s not just jobs, collections, and funding at risk but health risks, too, the long-term impact of stress. It’s a multifaceted clusterfuck. The question of custodianship and stewardship is just one part.<sup>70</sup>

Fasman continues, “Kinsey by nature is political. The work is intrinsically risky.” She pauses and considers the stakes today: “Would the risk go away if we were [housed] at Harvard or Columbia? Ten years ago, I would have probably thought so, but not now.”<sup>71</sup> Fasman’s honesty here gets to the core of one of the issues I’ve struggled with while writing to a prompt about art communities and artists “at risk” in Indiana: what it means to think about risk and art-making and curation and archiving within a state, within borders, when we’re in a country, in a world, that is so deeply defined by white-supremacist hetero-patriarchal structures of witnessing, funding, and advocacy.

68. “Library & Special Collections,” Kinsey Institute website, <https://kinseyinstitute.org/collections/index.php>.

69. Rebecca Fasman, conversation with author, July 3, 2024.

70. Ibid.

71. Ibid.

*Navigating Riskocracy*

I hope it's clear that this essay is "about" not just Indiana but something bigger—*Indiana* the idea as a front line of "at risk" and the assumptions and limitations that underwrite that logic. I continue to worry about the assumed geographical imaginaries of risk—the *commonsense* and thereby untroubled narrations of threat—that inform our questions as well as our tactics of coalition-building and advocacy work. I think, too, of the ways in which policing mutates and travels, how it defies a conceptualization of state borders and site-specificity so often taken as a point of departure in art-historical studies and conversations, and what this means for creative expression and the ability to interpret artists' interventions. The state of Indiana weaves in and out of a larger national and international story of witnessing and the violent silencing of knowledge and resistance, but the practice of disorienting from "at-risk" logics in our lives and work—in our teaching, making, learning, and being—is a much bigger project to be collectively confronted and reimaged.

The problems of "at risk" won't be resolved semantically; the phrase cannot be simply retired. As ARC's and related organizations' human-rights advocacy work demonstrates, "at risk" is a historical concept that carries structural leverage that provides access to potentially lifesaving funding and support. What's more, as the insights of the artists and curators shared above suggest, expansive knowledge born of the positionality of at-riskness emerges when we understand that the concept represents much more than an instance of threat or a crisis to resolve. If we recognize it as a structure of governance to disrupt, finding one another within the frame of "at risk" offers a point of entry into a shared language and genealogy of tactics for refusing to "live with risk."

Sharing or preparing for such knowledge might look like refuting and changing how we implicitly come to authorize knowledge of state-sanctioned vulnerability in our curricula, speaker series, exhibitions, and research questions. It might also mean questioning not only where but *when* it is deemed "responsible" or "appropriate" to speak of such matters. What, we might also ask, is the role of transience (as opposed to rootedness) when discussing threat and violence in a particular place and time? What is the temporality of a dominant versus a minor figure of risk knowledge in our received hagiographies of risk-taking? How long must a person be *in* or *of* a place before they "count" as a voice authorized to speak from there? What constitutes "long enough" under riskocratic terms? Why?

If art historians, curators, and artists look primarily to those who are representatives of a place or "front line" based on an idea of having been there "for a long time," normalized notions of longevity, visibility, and expertise will underwrite the narration of state-sanctioned vulnerability. This default means that certain voices are continually discounted: the PhD candidate, the visiting postdoc or assistant professor, the seasonal museum intern, the short-term contracted staff, art handler, and security guard. The knowledge that is often silenced or seen as



not yet representative enough, not yet knowledgeable enough about the discipline is another mechanism that reinforces and normalizes the supremacy of institutional risk management; what's worse, this process often becomes the very basis of change-making initiatives. Even the idea of "the art world" deployed throughout my own writing, I am coming to realize, is a technology of riskocracy: It deracimates cultural specificities of risk knowledge and suggests a belief in the existence of a world within a world that is or should be differently prioritized precisely for its risk capabilities.<sup>72</sup>

I look at this journal series and my own contribution and reflect on *who* from this "art world" is being asked to guide the discussion on "art communities at risk": tenured professors, museum directors, established artists, curators, archivists, journal editors, etc. I think about how this skews the conversation as well as the words, tactics, and questions it promotes and enables. This constellation employs a certain spatio-temporal affective geography of risk knowledge. What vital tactics and possibilities sit between, beneath, and beyond these structures of rank, criteria, and authority?

—October 1, 2024, Bloomington, Indiana

72. I am grateful to Jordana Cox for prompting this generative self-reflection.