

**CAREY YOUNG INTERVIEWED BY MARIA WALSH**

The London-based artist talks about law as an artistic medium, asks who has the power to define others, and gives tips on how to avoid security guards.



# LAWWOMAN

*Palais de Justice*  
2017 video

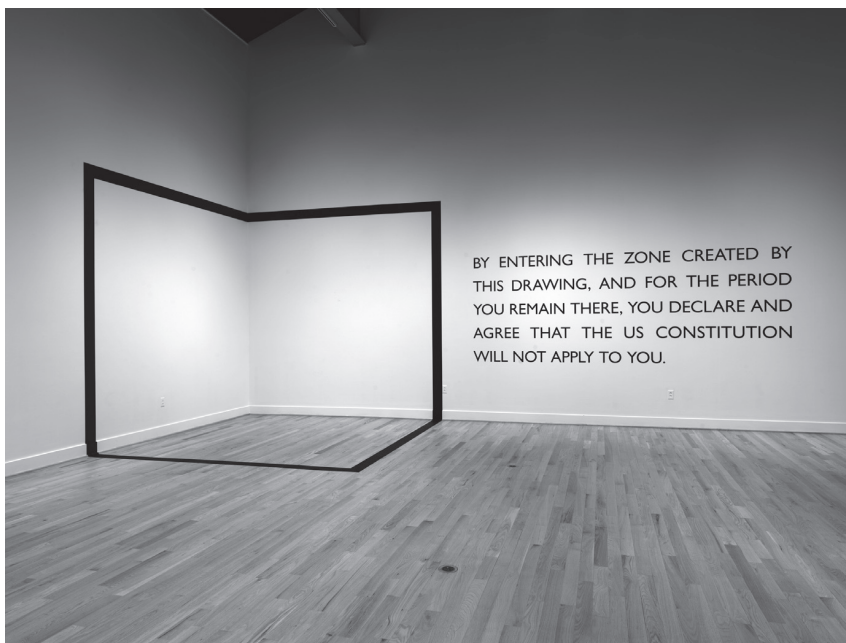
**Maria Walsh:** Your latest video, *Palais de Justice*, 2017, shot surreptitiously in the Brussels court building, shows only female judges and barristers viewed from outside the courtrooms' porthole-like windows. I'd like to come back to this piece, which I think marks a significant development in your work on the aesthetics of the law, but to begin, I wonder if you could briefly chart the origin of your interest in the relationship between art and law. I understand it began in 2001 during a residency at Xerox.

**Carey Young:** Yes – it was an accidental discovery. While I was on a residency at Xerox's research lab in Cambridge, I met a patent lawyer who was trying to help the company commercialise its new inventions. As soon as I clocked that patents were about trying to commercialise and corral creativity, I thought, well, what are galleries doing?

What are artists doing with their own work? Couldn't many orthodoxies at play in art schools be seen in those terms? There are parallels which seem illuminating, if ripe for some satire.

Artists often rail against law in an anarchistic way, which I have some sympathy with, but if you think about law as a power base in most societies, or as a vast field of knowledge and action, it is not really critiqued often by artists, especially not in a way that has depth or that means anything to lawyers or those in power. My method has been to think about law from an artistic perspective in terms of subject matter. I undertake extensive research via law libraries and fellowships in law schools so that I understand it and can identify readymade material to work with. For example, viewing portraiture as an artistic genre or tradition, where might one look in law for that? You might go to human-rights law, for example, where one sees how a person is 'constructed' in legal terms and what rights we are universally given as citizens. To bring real examples, perhaps from specific cases or language, back to art, and to think about creating a portrait composed from that material – that, for me, could be the start of a project.

**You have collaborated with lawyers in relation to the works *Disclaimer* and *Declared Void*, both from 2005. How do these collaborations work?**



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When I began working with law, it was exciting to work closely with lawyers and to think about what an artwork might be if composed solely of law. Can a gallery-based installation also be a legal instrument? What is law as an artistic medium? What does law feel like? What are its surfaces, its aesthetics? Could art expose the edges of law or a point where law seems to break down? I'm not a lawbreaker necessarily, but I'm interested in its margins and gaps.

It has been essential to work with lawyers who have a playful, nimble approach to the law, but the ideas and aesthetic input are mine. For example, with *Declared Void*, there was just a gallery context and my question: 'How do I take a corner of an art gallery outside the US constitution while making reference to Guantanamo, and all in the form of a contract which connects a viewer with the gallery space and the artist?' Then you start having a debate about what is legally possible. It's vital to me that the piece is a legal instrument as well as

a work of art – it has to retain its legal integrity – so while I have edited and reworked the lawyer's initial draft in order to inflect the words, often to strip it back to something more aesthetically elegant and politically resonant, we have to agree on the final wording.

Contracts have been particularly exciting to me. Contracts, in an abstract sense, are about promises and exchange; they need two or more parties to become attached for varying periods of time. Think about the artistic potential of that with the force of the law theoretically behind it. How can you link an artist or a viewer or an object or site for experimental amounts of time? Contracts are a potent way to do that. They don't have to be on paper, either. There just needs to be a clear offer and an acceptance: an exchange of something, which could be signified by words, actions ... this has enormous artistic potential.

**Works like *Disclaimer* seem to relate more to the conceptual form of the artist's contract whereas the 2008 video *Uncertain Contract* seems more immediately performative.**

For that video, I asked an actor to perform the terms of a commercial contract where all specifics had been removed – the name, the place, what the contract referred to, when it ended. It was at the margins of legal acceptability because it was so vague. All that remained were terms like 'contract', 'parties', 'service' or 'termination'. Interpreting all the possible meanings of those terms becomes the starting point for a performance by the actor – it's an acting exercise. I asked him to deliver each new word as if he were speaking to a judge – like a junior barrister in court. So he starts off with the legalistic feeling of each new word, delivering with certainty, but then gives different verbal and physical interpretations, so that the legal identity of the word evaporates. For example, by bowing, he starts exploring the meaning of the term 'service' as if he was a servant, as if there was a sovereign towards whom he was servile. With the term 'parties', he physically evokes the idea of loneliness and embarrassment from being ignored at a social gathering. The actor's interpretations are evocative and touching, as well as comic. What I really value in that piece is how it speaks about law as a mere gossamer surface which can disappear. Like money, it needs consensus to exist.

**above**  
*Declared Void* 2005

**right**  
*Palais de Justice*  
2017 video

**It exposes the performance of language and how dependent on it we are if we need the law to act on our behalf.**

Yes – there are so many speech acts within law, and the judicial robe is also seen as vital to the performance of that power. The robe is like a chrysalis. In 2013 I made the photographic work *We the People (after Pierre Cavellat)* which depicts a judicial robe and wig hanging on a garden washing line – they look as if they are bowing to us, the viewer. It implies servility. I was interested in the idea that the robe is just this kind of ‘skin’ that a judge steps into to perform that role. A judge has to be seen performing that power position in a trial or justice will not have been seen to have been done. The role of wood in the courtroom is also seen as important by judges as a link to tradition and authority. Actually, historically it goes back to trees: a special, symbolic tree having been used as the site of legal or sovereign judgement in many cultures.

**That’s a good place to return to *Palais de Justice*. In previous outings in the US in 2017, both at the Paula Cooper Gallery in New York and in your large-scale solo exhibition ‘*The New Architecture*’ at the Dallas Museum of Art, it was shown along with the related series of photographs *Before the Law*, which depicts the wood panelling of the buildings’ doors and corridors in a much more formal way than the video. How did you come to shoot at the Palais de Justice? I believe this is the first video you have shot and edited yourself and it also features non-actors, so there are a number of firsts here.**

Absolutely. As a general point, becoming a mother gave me a stronger interest in feminism, such as reading Catherine MacKinnon. Also, around 2015, I felt drawn back to photography, which is what I had studied, so shooting a 4K video with a fixed camera seemed within my capabilities. I heard from a theatre director about the Palais de Justice – a vast courthouse in Belgium where the ceilings were falling in, but which was still operational as the main working court of Belgium. He described how it has many courtrooms, yet the neighbouring rooms might be full of junk furniture, and there was graffiti inside the building. It sounded intriguingly anarchic – too good to be true. How is that even possible in a court? I went for what was supposed to be a day trip, but it was a labyrinth – over several days, I went up every floor that I could, going way past what was publicly accessible.

**Were you sneaking past security?**

No, it doesn’t work to sneak. You have got to explore in a confident way and see what happens, and that got me really far. In visual terms, the building is full of extremes. It was commissioned to express law in terms of the sublime – a 19th-century vision of endless state power. This is even more problematic because of the relation to the Belgian empire and its colonial appropriation of wealth. I learned that the architect had been inspired by John Martin, the English Romantic painter, who we may know from his depictions of apocalyptic ruins. I loved the idea of the Palais de Justice as having always been a ruin – an endless idea of collapse, right from its initial stages on the drawing board. I believe the architect was also familiar with Dutch and Flemish painting because he used large windows in the courtrooms to give side-lighting with this amazing chiaroscuro against the dark wood. Many of my shots took on a look of Vermeer or Rembrandt.

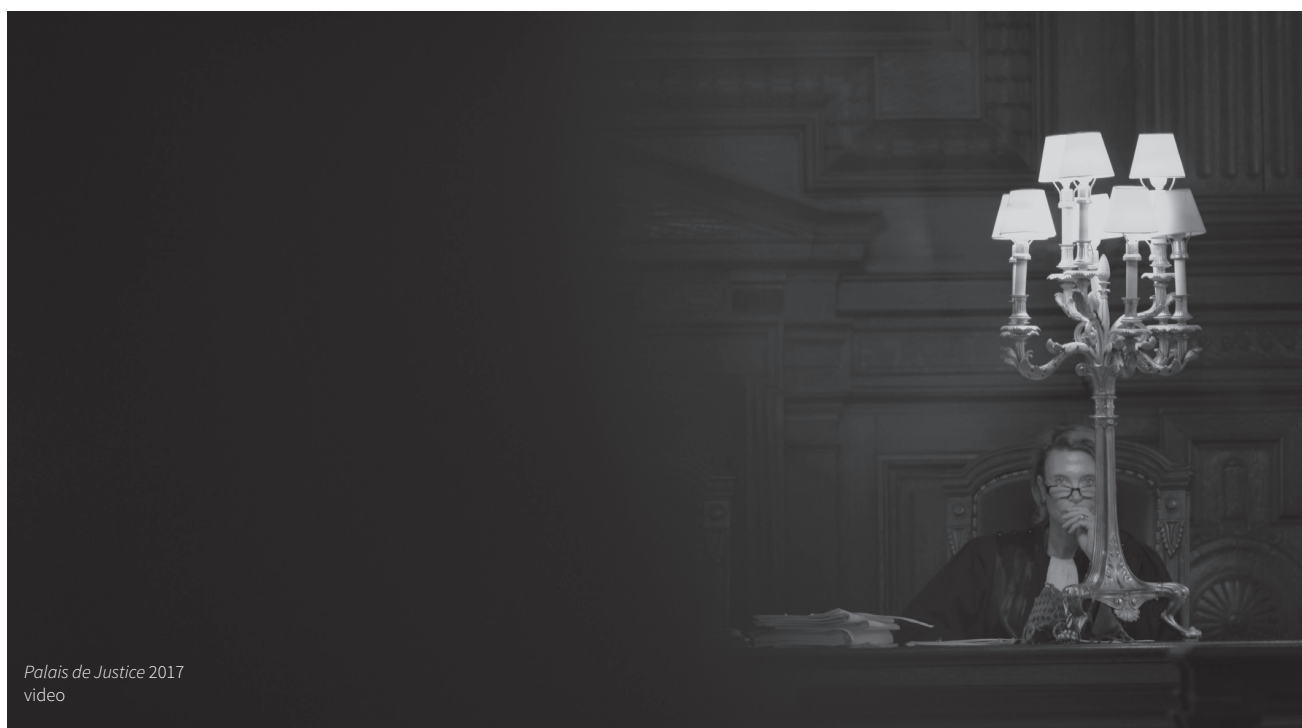
I was surprised by the number of women judges. And, turning a corner, one might see a dramatic legal moment taking place, which could easily be filmed without being noticed. The sounds of the building were intense because there was so much marble and the corridors go on for such long distances, they funnel the sounds of footsteps, keys jangling, doors slamming and voices discussing cases – with male voices carrying much further. These constant echoes felt like a sonic texture of law. It’s very evocative.

**That certainly comes across in the video.**

I learned that official requests to film should be made through the court president’s office. Even though there are always tourists with cameras and news crews in the building, I thought I had better ask for permission because I might want to bring a film crew and it would be handy to find out in advance when trials are taking place and to get agreements from people depicted. After all, filming judges without permission is to go into a nest of vipers. Straight away, I got a presidential ‘no’, even







*Palais de Justice 2017*  
video

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though I presented a cogent idea. The reason he gave was terrorism, but this made no sense to me.

I hired a lawyer, Annick Mottet, to determine whether there was a way that I could still film, within the tenets of Belgian law. First, she deduced that the building is no longer in copyright and, second, that, although Belgium has very restrictive privacy laws, during a trial, the judges, clerks and everyone facing my camera are considered

public figures revealing themselves in public. According to this argument, the project did not need their permission. That legal rationale was intended to be used as my defence, had I been brought to trial, but it became extremely useful for dealing with the police and the security guards who were, by this time, primed to be on the lookout for me. My camera assistant was on the lookout, and sometimes we had to scurry or jump into the shadows when I was filming, but that legal rationale was enough to get people asking questions to go away.

**So you were protected by the law?**

Enabled, I would say. In total, I did three weeks of filming, but that was split into two-to-three day shoots over a period of two years. When filming, I was always in plain sight, right in the middle of corridors, in front of the court doors, shooting through the circular windows. This was risky, not least because lawyers entering the court had to go right past me while the camera was rolling – there was every chance they would alert court staff, but they never did. I started out with smaller lenses, but by the end I needed a 600mm lens to get close-ups. It was so long and heavy I could hardly lift it. It came with its own wheeled suitcase and looked pretty aggressive. The red 'filming' light was covered on the front of the camera so the judges I was shooting were less likely to notice.

Fortunately, they were generally too immersed in their trials to spot me through the courtroom windows, but, as the months went by, brown paper did appear over some of the windows. I got away with it right until the end, when I was caught three times in one day by three different judges. Three different trials were interrupted in succession – one of them was to do with terrorism, as the chief state prosecutor was presenting – and I was hauled in to defend myself in my kiddie French, and even had to show them footage, which ended up playing to the vanity of one of the judges, who decided that I could continue to film her because she looked so good in my shots. After the piece was first exhibited, Annick tracked down all the judges and lawyers to alert them of my work and gained their permission. They were all pleased to be included in the piece. I could not have made this project in the UK or the US, which are too officious, but Belgium has an interesting attitude to rules and negotiation. I started thinking about Marcel Broodthaers and his attitude to institutions – it made me think differently about his work.

**To state the obvious, the window portholes echo the camera's lens and its close-up focus on the women. How is the relation between the viewer and**

## viewing apparatus altered by the scale of the installation?

Of course, the piece is a meditation on women in relation to cinema and, beyond that, the relations between law and lenses, or law itself as a kind of lens. When installed, the work is a 7-metre projection, and the soundtrack is composed of ambient layers of sound in the building, suggesting its echoing monumentality – but never the trials themselves. The layered, glassy aesthetic of the shots, together with the floating, ethereal quality of the sound, has a hypnotic effect. We don't usually think of law as seductive. It may protect us and control us, but we don't ordinarily think of it as sensorial or compelling. There is something soft and haptic within the installation that goes beyond cinema. The scope and affect of the installation, the fact that you can walk in and feel held, even captured, is what I hope for in the viewer's experience of the piece.

**I came to it with my own baggage from psychoanalysis. In Freud-Lacanian theory, there is this patriarchal idea that women have less of a moral conscience than men – they have less to lose in relation to the law, which situates them as hysterics. There is also this other idea about Antigone as a sublime figure who takes the law into her own hands at penalty of death. As a reaction to these positions, women may sometimes be more officious than men when they take up institutional roles. What excited me about your video was how it circumvents all these positions. The female judges are shown embodying the law – they wear the institutional robes that you spoke about earlier – yet they project a deep sense of thinking that is physically felt by the viewer. One feels their deliberation and ponderousness. You show something we never really see on screen: women thinking.**

They are powerful women intellectuals and, no, we don't see that represented very often.

**But then the other thing that struck me was that, perhaps because you did not film directly in front of them, you also capture moments when they seem absent or there is a kind of vacancy. They look bored.**

I deliberately included shots where the female judges looked bored while male barristers were presenting their cases. Once you have clocked the concept of the work – that it uses documentary-type footage to convey a speculative fiction, perhaps a vision of the future, where there are only female judges – then you begin to wonder what the roles are of the men who have also been caught on camera. The men present their cases with all the hand gestures and pomp of the passionate legal performance, but their female judicial audience looks witheringly at them, as if to say, 'Get over yourself, and get to the point!' Once you have the idea of the reversal of patriarchy, the remaining men look somewhat pathetic in this thought experiment. There are several male figures I included, such as an old clerk wheeling a trolley of files and a younger lawyer who waits forever outside a courtroom for a female judge to let him in, who seem either servile or somehow extraneous to this version of 'the law'.

But even though we may understand these women judges as intellectuals, they are deliberating over very real, perhaps extreme moments in people's lives. In one shot, we see through a courtroom window a female judge, who speaks with a female defendant who we see from behind – that was a family court, so I knew it was likely to concern the custody of a child. The shot also includes a girl in the corridor, right in front of me, checking her phone, so that is four 'layers' of women, including myself behind the camera, who are dealing with judgement in one way or another. The camera places us in a sight line, but we are all in separate worlds.

In three different shots, a judge appears to meet my gaze, and to look directly at the camera. My stomach went cold each time, because I thought I had been caught. Although I knew that none of them had seen me, it does feel like they are looking directly at you, the viewer. It's a point of connection, and one feels judged. You feel guilty, actually.

**It is confrontational.**

One of them is like a lioness. She sits behind an ornate golden chandelier and her seat is like a throne, very regal. I actually slowed down that shot so that you would feel the moment where she seems to look at you for several seconds – time seems to stop. I also thought of it as artist versus judge, a stand-off of judgement and power within the terms of the work. It's a key moment in the piece.

**In the final sequence, the focus shifts onto the women's hair, why is that?**

I wouldn't say the focus is on hair, but in the last third of the work I took a different approach. Instead of filming the judges, I filmed the younger female barristers presenting or waiting to present their cases to the court. I wanted to explore ideas of touch. Close-up, fine-focus shots of the backs of their heads, their necks, ears, hands – it's more tender. There's a tactile delicacy to these shots that feels sensual, and the accompanying sound was taken from smaller, more confined spaces. So everything I've set up in the first two-thirds of the work – first, looking around the court building and seeing the patriarchal iconography that's everywhere, then, second, seeing the female judges – segues in the final section into a sense of strange proximity and even desire. This part of the work starts to indicate more traditionally gendered cinematic culture and traditions so that, ultimately, you're not as sure of the artist's position.

**I think those moments of what I would call 'excess' in the video make an intervention into the representation of women as being either outside the law or objects of the law.**

Law tends to be the amplification of male voices ...

**Yes, there may be all these female judges but the form of the law continues.**

As Colin Dayan says: 'It's through law that persons gain or lose definition.' That is so profound – and rather sculptural.

**And related to the concept of the portrait you mentioned earlier.**

Who's got this 'definition'? Men. White men, in particular. People who have money and power shape law, and they tend to be men. Patricia J Williams is brilliant on this. Law needs to be engaged with, otherwise it is just applied to 'us' and 'we' don't think we can change it. I think that artists can have a role in challenging and broadening understandings of the law as a set of values, as a series of political, ideological, philosophical and historical frameworks. There is so much there for artists to articulate, to make visible and to contest. Obviously there are other artists relating to this right now, Forensic Architecture, Jill Magid, Lawrence Abu Hamdan (Interview AM407) and Rossella Biscotti, for example. I think this is maybe a new tendency in art and it hasn't been given a name yet, but for artists to work with law and ideas around justice is important today, especially for what is going on politically. ■

**Carey Young's solo show *Palais de Justice* is at the Towner Art Gallery, Eastbourne, 17 February to 2 June 2019.**

**Maria Walsh is reader in artists' moving image at Chelsea College of Arts, London.**