

EVENTS AND CONFERENCES

Joanna Melz*

“Art and Criminal Law” – a Few Words about the Exhibition “Kunst und Strafrecht”

European University Viadrina, Frankfurt on the Oder
(21 October 2013 – 28 February 2014)
Collegium Polonicum, Słubice (13 October 2014 – 14 January 2015)
The University of Fine Arts, Poznań (3-10 March 2015)
Adam Mickiewicz University, Poznań (24 March – 17 April 2015)
Kazimierz Wielki University, Bydgoszcz (21 April – 08 May 2015)
The Nicolas Copernicus University, Toruń (15 May – 31 July 2015)
The University of Białystok (20 October – 15 November 2015)
The Paris Lodron University of Salzburg
(13 November – 11 December 2015)
The Westphalian Wilhelm University of Münster
(27 January – 26 February 2016)
The University of Warmia and Mazury, Olsztyn
(1 February – 18 March 2016)

The exhibition “Art and criminal law” (German title “Kunst und Strafrecht”) was prepared by Prof. Dr. Dr. Uwe Scheffler and the staff of the Chair of Criminal Law, Criminal Procedure Law, Criminology of the European University Viadrina in Frankfurt on the Oder. The idea came about at the end of 2012. The exhibition

* **Joanna Melz** holds master degrees in Law from the European University Viadrina in Frankfurt on the Oder and Adam Mickiewicz University in Poznań. She also completed the First and Second German State Examination in Law. Currently, she serves as research associate and doctoral candidate at the Chair of Criminal Law, Criminal Procedure Law, Criminology, under supervision of Prof. Dr. Dr. Uwe Scheffler, European University Viadrina in Frankfurt on the Oder.

is based on unpublished material in the possession of Prof. Scheffler, who has been involved in the subject for over ten years. From among hundreds of cases twenty were selected and divided into ten thematic groups. The exhibition presents the confrontation of art with its constitutional freedom, criminal damage, theft, forgery, insult, blasphemy, the threat to the state, the glorification of violence, pornography and cruelty to animals. The major challenge was to find case studies whose content could be illustrated by a picture both distinctive and at the same time conveying a strong message. On the first of the eleven boards, which is an introduction to the subject, there are several examples of works of art, some more and some less controversial, such as *Leda and the Swan* by P.P. Rubens or M. Kippenberger's *Feet first*. Given are short quotations from the worlds of art, literature, law and judicial decisions, among others, in order to create interaction between the word and the image.

The idea of the exhibition is innovative and unconventional for several reasons. First, it is worth noting that the main element is the text (it is an exhibition to be read). The concept of the exhibition is based on the interaction between the text and the image which it not only illustrates but also helps to understand better. What is more, there has been so far no exhibition that outlines and details legal issues in such a way. The exhibition is addressed not only to those involved in the everyday practice of the law, but to anyone who is open to art and ready to look at it with a critical eye and from an unusual point of view.

Contact between art and criminal law is an unconscious element of our everyday life. The destruction of a work of art, such as, for example, one that was carried out several years ago by a famous Polish actor at the Zachęta gallery in Warsaw, or the theft of works of art such as that of *The Scream* by Munch from the museum in Oslo, are widely discussed topics in the press and on television. We encounter the destruction of works of art every day, on our way to work, when we pass monuments that are either daubed or missing a fragment. In turn, the destruction caused by art (but is it art?) itself can be seen on the facades of buildings in the form of graffiti; while insults in the shape of caricatures or more or less amusing rhymes, are constantly in the daily press and cabarets. The aim of exhibition is to make the viewers aware of the many more points, beside those mentioned, which art and criminal law have in common and to encourage them to carefully observe the world around them. The exhibition also aims to ask questions such as: what is permissible in art and for the artist, where to draw the line between legality and illegality, or whether what is controversial should be punished, and finally who is an artist and what is art?

Although the exhibition focuses primarily on examples taken from German judicial practice, it also deals with cases from Swiss, American, Austrian, Dutch and French case law. Current events are discussed, such as the case of Wolfgang Beltracchi, hailed by the German media as the forger of the century, or the action for the infringement of personal rights instituted by the mayor of Dresden against

EVENTS AND CONFERENCES

Joanna Melz

an artist. We may also recall cases from earlier history, such as the “Pear king” – Louis-Philippe or the drawing by Georg Grosz, depicting Christ in a gas mask. Some of the exhibition’s content may cause controversy – our aim, however, was not to shock audiences, but to present an accurate and reliable analysis of the existing problems.

The exhibition was created originally in German and was presented in the winter semester of 2013/2014 at our Alma Mater. In the summer of 2014 all texts were translated by our chair’s staff into Polish. At the invitation of the Polish-German Research Institute in the autumn of 2014 both language versions visited Collegium Polonicum in Słubice, a joint research unit of the European University Viadrina and the Adam Mickiewicz University in Poznań. The official opening of the exhibition coincided with the start of the academic year. From the Polish-German border, the Polish version of the exhibition went on tour. The second stop was the University of Fine Arts in Poznań, where it was presented in an original way in the auditorium of the university in March 2015 – suspended from the ceiling, the boards were arranged in the shape of a polyhedron. Then, the exhibition could be seen until mid-April 2015 in the lobby of Poznań Collegium Iuridicum Novum, the Adam Mickiewicz University. It is worth mentioning that the idea of the exhibition inspired Poznań law students, who created four boards illustrating Polish case law. Another destination was the Library of the Kazimierz Wielki University in Bydgoszcz, where the exhibition and its Poznań supplement were displayed in the Citizens of Bydgoszcz Memorial Hall till mid-May 2015. The ceremonial vernissage took place on 21 April 2015 and we were very warmly welcomed by the university authorities. The opportunity to present the exhibition was a good occasion for us to establish closer cooperation between our universities. We are open to further joint interdisciplinary projects. After the previous stop at the Faculty of Law and Administration at the Nicolas Copernicus University in Toruń, where it was displayed until the end of July 2015, the exhibition is currently hosted by the Faculty of Law at the University of Białystok till mid-November 2015. At both of the universities the boards are exhibited on easels, giving the impression of the interior of a painter’s studio. The next destination will be the Faculty of Law and Administration at the University of Warmia and Mazury in Olsztyn and the Faculty of Law and Administration at the University of Gdańsk.

The twin German version of the exhibition is also on tour. Its first destination in mid-November 2015 is the Faculty of Law, the Paris Lodron University of Salzburg. Then, the exhibition will be presented at the Westphalian Wilhelm University of Münster, the Osnabrück University and the Julius Maximilian University of Würzburg.

We are pleased that the exhibition has been received with curiosity and openness. We hope that the idea behind it and the content presented will inspire many viewers; maybe someone will discover art or law (and not only criminal law) for themselves.