How Do You Write a Risk Assessment for Lips of Thomas?

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Art students who experiment, think differently and take risks are often praised for their efforts. But what happens when students become interested in developing performance based work involving risk of injury and physical pain? Such work has strong art historical precedents and projects by, for example, Marina Abramović, provide a legitimate context within which students can claim their interests are grounded in established practice. What follows explores how academic staff navigate the ethical, moral, and legal issues provoked by students setting out to self-harm, or otherwise cause themselves injury as part of their art practice. The article discusses the authority of the tutor and how health and safety protocols and responsibilities function in relation to performance art within the context of art education.

I have learned that the most valuable thing that I have been able to give students is permission.

Michael Craig Martin (2015: 208)

With the first crack of the whip, a scream rang out and half a dozen students made for the studio door, frantically trying to escape the live-art performance taking place within. This work involved Bob Turnbull, a first-year Critical Practice student who conceived the work, and Denzel Wauchope, a second-year Sculpture student. Both were enrolled on the BA Fine Art programme at the University of Brighton. Denzel literally held the whip hand, while Bob received the force of its lashes. After the second lash from the beaded bullwhip, a vivid red mark appeared on Bob's thin white back. The audience gasped. After one more thunderous crack of the bullwhip, I stepped into the space between Bob and Denzel – and with my back to Bob, I looked directly at Denzel, held his gaze and said that this performance had now ended. As Bob and Denzel calmly left the studio, neither the students nor the audience was happy. The students were disgruntled that I had stopped their performance after just three lashes; they had planned to carry out fourteen. Some of the audience had wanted the performance to carry on, while others voiced their concern that it had been allowed to take place at all. Once outside the studio I found a colleague comforting those students who had fled after the first lash. Someone enquired about trauma counselling; another colleague asked if the research ethics committee had been consulted.

I heard of the proposed 'ritualized whipping' performance four or five days before it was due to take place through a first-year tutor who asked me if this daring but risky performance could go ahead. My initial response was to ask why I had not been consulted earlier. Putting this gripe to one side, I was respectful of my colleague's judgement and her strong belief in the student's work and ambition. I was also intrigued that one of our students was interested in exploring territory mapped out by artists of such historical

importance as Marina Abramović, Chris Burden, Günter Brus, Gina Pane and Denis Oppenheim. Alongside these collegiate considerations I got a strong sense from the student concerned, Bob Turnbull, that whether or not I gave – in Michael Craig Martin's sense of the word – 'permission', his performance would go ahead at some other location anyway. This being the case, I took the view that I had a 'duty of care' to make sure that my students would not be seriously injured. I also believed that I had the students' trust and therefore could manage the situation. From the outside, it may appear reckless not to have asked for advice from the powers that be. The reason for not doing so was partly due to the lack of time, but I must confess to sensing that the institutional answer would be 'no'. This would have placed me in an ethically untenable position of banning the performance on university premises, only for it to go ahead offsite, without supervision and with the possibility of Bob or someone else being seriously hurt.

Having decided to manage the performance, I wrote out a very basic risk assessment, which aimed to take into account both the audience's and the performers' safety. To ensure the spectators stood at a safe distance and out of harm's way, I drew a five-metre diameter chalk circle on the studio floor, perhaps inadvertently invoking the symbolic chalk circle drawn on the floor at the climax of Hammer's 1968 film adaptation of Dennis Wheatley's black magic novel, *The Devil Rides Out*. I insisted that both performers, Bob and Denzel, wore clear plastic protective goggles to shield their eyes, which ended up distorting their facial features and adding another sinister edge to the performance. We debated over how forceful the whipping would be. Bob wanted it to be 'full force', while I wanted something more restrained. Denzel agreed to stop on my command. Before the performance began I gave three warnings that anyone likely to be shocked by what was going to take place should leave the studio. Nobody moved. To avoid passers-by walking in, I locked the studio door (I had not accounted for members of the audience wanting to leave). After my intervention brought the performance to a halt, I was in shock, not sure if I had done the right thing, but feeling a heightened sense of consciousness, aware that I had been part of something genuinely powerful, original and thought provoking. The difference in emotional impact between looking at an image of a performance involving physical violence and pain and witnessing such a performance is vast. Bob's performance made visible in the starkest way possible, and with the minimum of means, the horror of violence. Thinking about the work later, I recognize that my management of it added a layer of officialdom to the proceedings that made the violence even more disturbing due to its being controlled. My presence, my authority and intervention became an integral part of Bob's performance, sanctioning a violent transgressive act within a university learning environment. There were no formal complaints about Bob's performance. There were no serious injuries. No photographs of it appeared on social media. I was never called to account or officially criticized for allowing it to go ahead. In fact, it has become something of a localized myth – even our new health and safety officer had heard of it. Did it really happen? Yes, on 5 December 2013, the opening night of the first-year Critical Practice exhibition in the Level 4 studio (room 206) of the Grand Parade campus, University of Brighton.

Inevitably Bob's performance attracted a fair amount of attention within the Fine Art programme at Brighton, which understandably resulted in other students being interested

in making performance-based work. This was most evident in the first-year students' next exhibition in February 2014. The following list of performance-based work shown in this exhibition is intended to give an idea of the range of ethical, moral, legal and health and safety issues myself and my colleagues had to deal with.

- Female student sitting naked on a chair in the gallery throughout the duration of the exhibition opening (three hours) being stared at by a transgender student wearing a black balaclava
- Short film of a male student running around a wood, naked apart from a real pig's head mask attached to his face
- Male student 'unofficially' shooting a loaded BB gun at a life-size cardboard cut-out of the Queen
- Female student and her partner standing naked on a roundabout in a provincial town centre – documentary photography
- Two female students standing topless on a windswept beach – documentary photography
- Female student wearing a dress made from curtains stolen from her hall of residence
- Female student, featuring a distorted tape recording of a woman 'allegedly' undergoing Female Genital Mutilation (FGM)

While a number of these works were allowed to go ahead, and did not breach the university's health and safety or ethical guidelines, others in this list were carried out without permission and did breach guidelines. This highlights a very real dilemma for staff working with students who wish to carry out performance-based work: how do you control and determine what is and what is not permissible? You can explain why a performance cannot go ahead and perhaps offer alternative ways forward. However, occasionally some students working in the tradition of artist rule-breakers will go ahead anyway. They have challenged your authority, broken the rules and potentially got away with doing something risky and daring. Isn't that what revolutionary avant-garde artists are supposed to do? Such incidents force the lecturer, course leader, professor – who may well be an artist – into the uncomfortable position of being seen to be on the side of authority and all that suggests in an art-world context, yet having that authority publicly challenged. For the internationally renowned performance artist Chris Burden this became a resigning matter, as the following newspaper report from the *Los Angeles Times* (22 January 2005) explains:

Internationally known artists Chris Burden and Nancy Rubins have retired abruptly from their longtime professorships at UCLA [University of California, Los Angeles] in part because the university refused to suspend a graduate student who

used a gun during a classroom performance art piece, a spokeswoman for the artists said Friday. 'They feel this was sort of domestic terrorism. There should have been more outrage and a firmer response,' said Sarah Watson, a director at Gagosian Gallery in Beverly Hills, which represents Burden and Rubins. 'People feared for their lives.' Neither Burden nor Rubins would comment when contacted by The Times. They submitted their retirement paperwork Dec. 20, over the school's winter break.

The handgun incident occurred Nov. 29 at UCLA's graduate art studio annex in Culver City.

The brief performance involved a simulation of Russian roulette, in which the student appeared before the class holding a handgun, put in what appeared to be a bullet, spun the cylinder, then pointed the gun at his head and pulled the trigger, according to one student's account that was confirmed by law enforcement sources. The weapon didn't fire. The student quickly left the room, then the audience heard a shot from outside. What ensued is not clear, but police said no one was hurt. (Boehm 2005: B1, B16)

This story highlights a difficult paradox for art lecturers working with students interested in performance-based work – on the one hand we approve and even champion transgressive work, while on the other we want the authority to control students who go too far. The institutions we work within can be reluctant to impose a meaningful penalty on students who disregard our commands and break rules and in so doing put themselves and others at risk. This institutional reluctance to act – informed no doubt by the negative financial consequences of suspending or expelling a fee-paying student, also raises a broader question of what kinds of work an institution is able and prepared to sanction?

With performance-based work continuing to attract the interest of my students and the university becoming ever more health and safety conscious, I wanted to test the limits of what may be officially permissible for a student to do. Rather than make up a fictitious performance, I thought it more meaningful to base this test on an existing example. Marina Abramović's legendary *Lips of Thomas*, first performed in 1975 at the Galerie Krinzinger, Innsbruck, and subsequently restaged in 2005 at the Solomon R. Guggenheim Museum, New York City, seemed the ideal choice. It is a well-documented work, highly acclaimed and, interestingly, staged twice, the second time in a public museum space. Part of the documentation for the work includes the following text describing the sequence of actions undertaken by the artist:

I slowly eat 1 kilo of honey with a silver spoon.
I slowly drink 1 liter of red wine out of a crystal glass.
I break the glass with my right hand.
I cut a five pointed star on my stomach with a razor blade.
I violently whip myself until I no longer feel any pain.
I lay down on a cross made of ice blocks.

The heat of a suspended space heater pointed at my stomach causes the cut star to bleed.

The rest of my body begins to freeze.

I remain on the ice cross for 30 minutes until the audience interrupts the piece by removing the ice blocks from underneath.

This text provided the starting point for the hypothetical risk assessment for a female undergraduate student wishing to carry out a version of *Lips of Thomas* on university premises. The risk assessment has been developed with Amanda Hastings, health and safety officer for the Grand Parade campus at the University of Brighton.

The second source of information about how to risk assess this work was the video footage of Abramović restaging *Lips of Thomas* in 2005 at the Guggenheim. Abramović's re-enactment was part of a series of famous performance works by herself and other artists that she restaged under the title *Seven Easy Pieces* over seven days beginning on 9 November 2005. As viewing the video revealed, this more theatrical version of *Lips of Thomas* differs significantly from her original description. At the Guggenheim she performs elements from the original performance in a series of repeated and paced actions carried out over seven hours – 5 p.m. until midnight. The artist is naked on stage and begins by eating from a jar of honey and drinking from a glass of red wine. She doesn't break the glass. She then proceeds to cut one line of the Star of David on to her abdomen, lies down on the blocks of ice – held in place with a custom-made steel tray – and finally whips herself. These actions are repeated, as far as I can tell, six times, until all six lines that make up the Star of David have been completed. Abramović also introduces a new element to the performance between the cutting and lying on ice, standing to attention listening to a folk song 'Slavic Souls', sung in Russian by a female singer, played through loud speakers. In this version, Abramović appears to eat one spoonful of honey and drink one mouthful of wine during each sequence, so throughout the entire performance only six spoonfuls and six mouthfuls of wine are consumed. Even more importantly, Abramović reduces the time spent lying on the ice cross from 30 minutes to only a few minutes at most, repeated over the course of the seven hours. Similarly, the self-flagellation, which follows, lasts just a few minutes. These are still demanding actions, but paced to allow moments of recovery from the self-inflicted pain. Finally, in the Guggenheim re-enactment the performance ends with Abramović standing to attention and the public address system announcing that the museum is closing. There is no interruption from the audience removing the blocks of ice and in so doing stopping the performance. On realizing just how much the 1975 and the 2005 version of *Lips of Thomas* differ, I agreed with Amanda Hastings to prepare two separate risk assessments for this work. The following extract based on the 1975 version gives an indication of how each individual risk is analysed.

Part 4) cut a five-pointed Star of David on her stomach with a razor blade

Person at risk – the performer

Harm – Risk of cuts to the hand, which is holding the razor blade

Excessive alcohol in the blood stream can increase blood pressure (hypertension)

and might cause heavier bleeding. The consumption of alcohol may impair judgement about the depth of incision. Cuts to be made lightly on the surface of the skin (like a scratch). Consider the use of a modified razor blade that would only allow incision of 1mm depth. Have medical support staff on hand during the performance from either a first aider or medical professional. Cease performance if the physical condition of the performer deteriorates.

Persons at risk – the audience.

Harm – Distress and fainting.

First aiders on hand to assist any members of the audience who faint.

Person at risk – cleaners of the performance area.

Harm – cuts from cleaning up broken glass and disposal of broken glass.

Risk of transference of any communicable disease that may be transmitted through body fluids.

For the cleaners – Provide PPE (gloves and safety shoes to protect hands and feet when the used razor blade is being cleared up). Wrap and pack the razor blade into a suitable container to prevent any cuts through clinical waste sacks. Prevent any contact with any body fluids. Cleaners to use PPE (gloves and overalls) and sprinkle specialist absorbing gel on the fluid. The gel soaks up the fluid and becomes granular which is then swept up and disposed of as clinical waste.

The purpose of writing a risk assessment is to calculate risk and reduce risk. This is done via a matrix, which gives the health and safety officer an indication of the scale of the risk involved. The vertical index lists the likelihood, running from rare to almost certain: Rare / Unlikely / Possible / Likely / Almost Certain – while the horizontal index lists severity – Insignificant / Minor / Moderate / Major / Catastrophic. The higher the number, the higher the risk, and any action receiving a score of more than fifteen being deemed unacceptably high risk, with twenty-five equating to ‘Almost Certain Catastrophe’. Following a discussion between Amanda Hastings (the health and safety officer) and myself, three elements of the original 1975 version of *Lips of Thomas* received dangerously high scores.

Skin in prolonged contact with ice blocks = 20

Prolonged exposure to ice cold temperatures = 16

Manual handling of the ice blocks = 16

Meaning that these actions would need to be significantly altered or removed altogether for this version of the performance to go ahead at the University of Brighton (or any other public institution) while the second version staged at the Guggenheim in 2005 would be permissible in its entirety (time and resources allowing). This exercise in working out ‘how to write a risk assessment for Marina Abramović’s *Lips of Thomas*’ didn’t logically conclude with Amanda Hastings and myself working out and agreeing how this would be possible. Rather it ended with us agreeing that the power of Abramović’s original performance had been compromised by the necessary risk assessment and diminished through being restaged and professionally filmed.

Thinking through how we might manage Bob's performance at the University of Brighton, I was aware of how photographs or video clips of the event may quickly find their way on to social media. It wasn't difficult to imagine how these images of a student being whipped would attract outraged comments leading to awkward questions and perhaps unwanted local press attention. So Bob and myself agreed that no photographs should be taken and I made this clear to the audience on the evening. Despite this agreement, when starting to write this text I asked Bob if he was aware of any images of the performance. He said no and that he was pleased about the lack of photographic evidence, as the work now existed through the memories and reminiscences of those staff and students who witnessed it. Bob hoped the work would live on – in his words 'as an art school myth' and he has no intention of there being a repeat performance.

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