



Make Friends Not Art: Mapping Law, Power and Participation in Designing an Online Platform during *documenta fifteen*

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ABSTRACT

This paper follows the development of a participatory platform as part of an arts exhibition involving 53 arts collectives, predominantly from the Global South. While the platform was global in scope and designed with worldwide participation from intended users, this participation was impacted in significant ways by the local European laws that the exhibition makers had to abide by. We describe how the socio-legal elements constrained participation and the development of the platform's features. We reflect on the impact of different actors, the power imbalances involved in the design project and the disappointing outcome - a platform with no obvious users. In doing so, we visit key moments in its production and explore the context for what it can teach us about managing the broader impacts of globalised legal norms on cultural producers and radical arts practice. We use actor-networks to show the play of colonialism and capitalism.

CCS CONCEPTS

• Human-centered computing → Participatory design.

KEYWORDS

legal frameworks, Free and Open Source Software, institutional constraints, participatory design, lumbung, socio-legal, colonial, capitalist

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1 INTRODUCTION

This paper is a case study of the socio-legal interactions that affected the participatory design of a platform by and for a group of art

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collectives. The design process was embedded in a participatory arts festival marked by differences in approach between a team of artistic directors invited from the Global South and the cultural organisation inviting them in the Global North. The paper explores these dynamics using actor-networks to consider the impact of colonialism and capitalism (beyond any individual or institutional intention) to reveal how these forces disrupted work on the digital platform for arts collaboration.

First, we introduce the festival, the curators and their respective contexts before situating the events and processes in existing PD work. We then describe the methodology, data collection and how the first author, Roel, was invited into this process. We provide a tandem account of 1) the prototyping process and how this was marked by interactions between off-the-shelf-software, legal frameworks and the institutions; and, 2) the festival, its participants and how it was embroiled in a media controversy that damaged it. These instances worked to squeeze the life out of an initiative to decolonise a European arts festival.

With the help of an actor-network map of interactions we identify the under-acknowledged role of internationalised legal systems (and their exploitation) in shaping participation. We reflect on the larger forces at play, in a case where the law wove itself through the concerns of the different players and became an agent in how interactions were managed and understood. We conclude by noting there is little design can do to affect the larger forces, but that addressing how these forces interact with computational alternatives in the context of institutional work can also be a novel research agenda for participatory design.

1.1 Background to the festival

documenta is a large-scale arts festival lasting 100 days that has been held every 5 years in Kassel, Germany, since 1955. The first edition opened in post-war West Germany to reintroduce the war-torn country to avant-garde art and ideas the Nazis had worked to erase since the 1930s [27]. From the start, the event connected cultural, internationalist, economic and political motifs, giving the festival, and the country, a modern progressive image and becoming a defining institution for global contemporary art.

Work starts long in advance of the exhibition. The artistic director creates the exhibition together with the organizational, production and communications staff of *documenta und Museum Fridericianum gGmbH* (hereafter: DgGmbH), the non-profit company tasked with doing so. In 2019, a finding committee unanimously chose the Indonesian arts collective *ruangrupa* for the position of

artistic director for the 2022 edition of documenta (known as D15). This was a novelty: the first time a collective was appointed and the first time the artistic director came from Asia. (It was only the second time in 70 years that a non-European was appointed: 20 years prior saw Nigerian Okwui Enwezor.)

1.2 Curators and the Lumbung

ruangrupa (a composite of Indonesian words *ruang* and *rupa*, respectively 'space' and 'visual' [82]) is an Indonesian arts initiative established in 2000 with roots in the 90s Indonesian 'indie' culture and music scene. [77]. In ruangrupa's practice, the 'how' of working together is crucial (as in participatory design). Establishing and maintaining collaborative platforms is natural practice within Indonesian society, and thus, by extension, within ruangrupa. Collaborator reinaart vanhoe notes the absence of structural cultural funding: 'Indonesian communities must rely on self-organization of activities, acquiring knowledge independently, and setting up platforms themselves' [77]:26. ruangrupa's activities have always been based in communal self-organization, supporting each other's collective or individual artistic goals, building and maintaining things together and establishing platforms and institutions. This can be summarized as making spaces and facilitating encounters: many activities involve expanding the space and audience for art, linked to the collective's name [9].

Aside from setting up spaces, *nongkrong*, Javanese slang for an Indonesian practice of hanging out, exchanging and chatting is a defining working method. Engaging in daily conversation, being together and responding to chance encounters as stimuli for artists' work, *nongkrong* is common practice across self-organized spaces in Indonesia, part of informal work practices that can be highly productive [40, 76]. *Nongkrong* facilitates what Vanhoe calls 'working within': drawing from existing contexts and what/who is already there. Rather than striving to create something new, ruangrupa "showcases the inventiveness of others" [76]:36.

A leading theme in ruangrupa's work is seeking out and creating 'alternative narratives' [76]:37, for example, working class narratives not normally told. A ruangrupa member explained the lumbung as an under-acknowledged system of resource management. The Dōjima Rice Exchange - the Japanese invention of the first commodity futures market, to handle the boom-and-bust cycle of rice harvests and organizing rice stores - is a well-known story of Asian economic innovation. However, contemporaneously, the Indonesian archipelago invented a communal way of addressing the same issue via village grain stores, or lumbungs. Villagers would contribute in times of plenty and draw from them in scarcity, but surplus would not be sold, rather redistributed according to need. Like the Exchange, the lumbung is an Asian economic innovation, but one that is overshadowed. As such, the lumbung is to be brought to light (paraphrasing [76]:37) to inspire other worlds, ruangrupa's work and, indeed, a large-scale arts festival. *Nongkrong* as approach and the lumbung as facility speak to collective community organising and a way of managing resources that distributes power, making both mechanisms attractive to ruangrupa.

1.3 The Curatorial Approach

For ruangrupa, the chance to shape 2022's D15 promised the collective (and its network) visibility, a platform, recognition, funds, access, credibility and validation. These benefits are what ruangrupa considered a lumbung in itself (a collective store of resources), while also offering a model for the exhibition's values. In its capacity as artistic director, ruangrupa invited other curators to join what became *the artistic team(AT)* [82], as well as fourteen collectives from across the world, to partake in this lumbung-making and 'develop long-term conversations in which the sharing of knowledge, solidarity, and resources would increase the wellbeing of each of their local practices and ecosystems' [28].

While the AT was nominally in charge of the festival's curation, the art collectives formed self-organizing assemblies (*majelis*) to create the festival's programme as peers. Part of the festival budget was made into the "Common Pot" and split among the different groups. Different working groups and sub-assemblies (*mini-majelis*) subsequently formed around shared concerns/interests [65], as a deliberate devolution of power.

Crucially, resources in the lumbung (and practices of making it) were not only seen as necessary to make a successful festival, but to build a network past the 100 days of D15. The sudden global mobility, funds and also intangible resources (energy, creativity, time and knowledge) were explicitly mobilized to lay the foundations for the future sustainability of the network whilst expanding who was in that network - a dynamic summarized by the exhibition's informal slogan: *make friends not art*. To create these ongoing structures, the collectives initiated working groups. *lumbung.space*, on which the first author (Roel) worked and the subject of this paper, was one of these.

2 BACKGROUND

The participatory design community has a strong literature on designing to improve the law and its policing [4, 32], though less on the impact of legalities in designing. Legal matters of inclusion may concern us, such as accessibility and equality, avoiding bias and, at the extreme, managing hate speech [30] and energy goes into ethics compliance and safe-guarding. Libel, copyright infringement, and protection of personal data are attended to [7][48]. While this paper relates to extensive work on Free/Libre and Open Source Software (F/LOSS) [10, 13, 34, 63, 64], where forms of participation such as re-use and modification are enabled through the "legal mechanism"[35] at the heart of F/LOSS, it focuses less on specific forms of law, instead using the Global North legal environment to explore how legal constraints (and actors exploiting them) affected a design project emanating from the Global South.

2.1 Infrastructuring

Artistic director ruangrupa's practices of self-organization and space-making are not exclusive to this collective, but part of a repertoire of cultural practices of a broader ecosystem of self-organized cultural spaces in Indonesia [5, 40, 76]. One way of translating these practices for participatory designers is to understand them as forms of design for participation and of infrastructuring. While a full appreciation of these Indonesian practices as participatory infrastructuring is beyond this paper, we acknowledge the growing

interest in this field [37, 41, 42, 45, 62, 68, 80], described as ‘the work of creating socio-technical resources that intentionally enable adoption and appropriation beyond the initial scope of the design’ [20]. We build on this by considering how cultural actors might be understood as they deploy technical and social infrastructures for collaborative making, learning and enduring. This seems fitting when we consider that *ruangrupa*’s ambitions for the platform were as a future resource. It asks us to consider, in Ehn and Badham’s words, what ‘new kinds of politics-in-practice for the collective designer’ might be [25]. In other respects, the case belongs in a tradition of research on developing tools with a subset of intended users to support cooperative working [13, 71] and, particularly, that which considers the power relations in developing these tools [13, 26, 43, 70].

2.2 Institutional Constraints

Lodato and DiSalvo draw attention to the way institutional constraints structure participatory design’s form within neoliberalization, ‘marked by circumscribed, austere, opaque, and fraught interventions’ [55]. In doing so, they describe three forms of institutional constraints encountered: sandboxing, administration gaps and ideological mismatches. All these work to limit participatory processes in indirect ways. The sandbox is a dynamic where the space for experimentation is highly circumscribed and bounded. The administration gap is where resources made available are inadequate to support the process due to lack of planning. The ideological mismatch constrains processes through ‘differing values and beliefs that impede or confuse action, and render interpretations of process, roles, and outcomes fraught’ ([55]:9). We recognize all three dynamics at various moments in the process described.

2.3 PD and Cultural Activities

We are reminded of work by Smith and Iversen [38], who engage with the challenges of mounting an exhibition in their Digital Natives study and PDC’16’s own participatory platform-making, led by the TRADERS project, where the ‘collective curatorial experience’ was a point of negotiation [66]. Yet, perhaps Geoff Cox’s keynote at PDC’12 comes closest to addressing the tensions reported here. In talking of arts production and consumption as sites of participation, he addressed how participation exhibits a power relation, producing users in terms of labour relations and as subjects of the neoliberal marketplace. ‘In this sense, it is understood as a technique of power albeit in restructured form,’ he says. Tackling this theme, he aligns with Bratteteig and Wagner [15] and more recent commentators who foreground power and culture in design contexts, increasingly with a focus on the impact of colonial practices (e.g. [17, 31, 56]). By looking at compliance as an example of cultures meeting ([60]) and different modes of expression colliding (e.g. [11]), we acknowledge the rich and growing tradition of anti-colonial work in participatory design research.

The ethos of *lumbung* as a vehicle for cultural expression and political regeneration beyond Indonesia is, in itself, interesting to consider, since the tenets of *ruangrupa*’s challenge to the art community revolved round collectivity and inclusion. Even the method of engagement of further arts groups held a model of participatory decision-making in it.

3 METHODOLOGY

We describe findings made during participatory action research [59] with a constructive program [47] where an international group of values-based art collectives went on a ‘journey to understand the tools we need’ [78]:12. Research was conducted by a working group comprising artists and a member of the artistic team. Roel joined as part of his doctoral studies and received consent to use the process as part of his research and outputs. Roel became involved several months into what would become a year-long project, first joining as part of ‘learning sessions’, where invited experts and practitioners helped consider the groups’ different options. He was subsequently invited to the research proper to help develop a prototype. In other words, in this instance, the participatory designer was discovered by an existing community and invited to facilitate collective design of an art and collaboration platform.

3.1 Research Questions

The collaboration revolved around a set of shared research questions which are not the focus of this paper:

- What kind of digital infrastructure allows this international group of artists to work together and encounter each other during/after the festival?
- What tools already exist that respect the values of the group?
- What other existing initiatives might inform the process?

Additionally, we wanted to understand the institutional requirements placed on this self-organized platform as it developed in the context of an arts festival and its facilitating institution, who were also emerging as stakeholders. Thus, a further research question became salient, which is the focus of this paper:

- How do power relations play out in the design of this platform?

This inquiry added an extra dimension to the action research and practical design work that Roel was undertaking for the group.

3.2 Working Together and Collecting Data

The participating group was international and geographically dispersed. Most work happened online at weekly meetings. During these, the group deliberated, coordinated and gave feedback on the prototype and process. Roel took the role of participant observer [33], making notes and reflections which serve as the primary data for the design (and this paper). In addition, Roel made three trips to the festival site: one in preparation, one to present the project to the larger group of artists and solicit their feedback, and one towards the end of the festival. (The second author, Ann, also attended the festival.)

During these visits, as well as many online meetings, Roel participated in *nongkrong*, the informal discussions that underpin all of *ruangrupa* and team’s work (see 1.2). This approach presents a challenge in terms of conventional requirements for data collection as the meetings blend the formal and informal, on and off-topic. However, as the focus of an unanticipated extra research question, it provided the opportunity for considerable qualitative research to inform the thinking and account-giving here, drawn on to provide context for the design, what processes and tools would fit with the

ethos of the group and what dynamics were playing out that aided or hampered the production of the platform.

Internal meeting notes and documents were an additional source. These documents were shared by the AT with all festival participants through the platform. These represent an ethico-methodological challenge to use in public, as it is impossible to attain consent: an ever-changing group included staff from the commissioning institution (DGgmbH), other artists, tech co-op members and designers, raising not only the question of who to ask, but also when consent for use can be obtained to include work by many. Therefore, though these documents inform the account, having been seen and used by the authors, they are not cited.

3.3 Analysis

The authors worked together on the analysis of the material gathered in regard to the last research question.

This was managed through two principal analytic categories relating to agency, tracing:

- What had the power to open or constrain the design of the platform?
- What had the power to motivate or discourage involvement in designing the platform together?

In several iterations, we mapped relations, starting with the partners in the design, through the organisers' institutional concerns to more general actors setting the societal context, such as copyright trolls, and beyond these to how historical and ongoing conditions of colonialism and capitalism provided the mood for interactions, moving from specific people and the pressures they faced towards more abstract considerations. Actors were described as mediators (which impact/influence relations) and intermediaries (which merely connect or are acted through) in the manner of Latour's definition, as a loosely interpreted style of Actor Network Theory[49][79]. Two sections of this relational map inform the following examples, being a manifestation of societal influence over design (product) and inclusion (process), respectively, and relating to the way that legal mechanisms affected each.

Had power relations not been starkly manifested, this research question would not have materialised as its own inquiry. But, in performing action research, it was a dynamic that was impossible to ignore. We allude to movements of power throughout the case and the final sections reflect on what we learnt and its implications. In doing so, we address what Bratteteig and Wagner[15] call 'negotiations with the world outside of the project' (p41), perhaps blurring the lines of inside/outside with our mapping. 'PD has a strong normative basis that demands the sharing of power' they suggest (p47). PD methods and techniques have been devised to 'facilitate this sharing "with a minimum of dominance" (Foucault 1982)' (p47). They point out that *how this develops* impacts the outcomes: 'All decisions are made by people but special to design is that implementing these decisions in an artefact often changes the decision-making process' (p49). Analysing PD 'in collaboration with a community or with marginalized groups in society, may reveal a different mixture of "mechanisms" and require special additional sensitivities in analysing power and decision-making', they say (p49). We explore these mechanisms and sensitivities here,

linking to analysis by Atelier that proposes we consider 'sociomaterial assemblies of humans and artifacts' as *design things*[12], and decolonial work on design[67]. In a year when our conference goes to Asia for the first time, it is timely to discuss how such world dynamics can play out for an Asian participatory art collective.

3.4 Authorship, Ethics, Permissions

The European authors are implicated in the power imbalances being described. We worked with the group in the account to ensure their willingness to be represented here, but repeat the concern, above, that not everyone with a stake could be contacted even by the curators. Therefore, Roel, who led the design of the platform, gives this account from his perspective as participant observer [33], exploring the challenges of working between value systems. As noted, Roel was invited into the project after group vetting and given a mandate to lead the work, a status that [53] call 'indirect ownership' (p92). Observations and interpretations were checked with various members both formally and informally over the course of the project. In addition, the reflections in these pages have been corroborated and modified based on publicly-available materials produced by participants and other researchers reflecting on this festival.

We wish thank our partners here, rather than burying their contribution in a final acknowledgement. Thank you to Cem A., JJ Adibrata, Indra Ameng, Mirwan Andan, Rahmat Arham, Aadil Ayoub, Angeliki Diakrousi, Fred Hansen, Yazan Khalili, Greistina Kusumaningrum, Luke Murphy, Malene Saalman, Julia Sarisetiati, Arief Syarifuddin, Katalin Székely and reinaart vanhoe.

4 DESIGNING LUMBUNG.SPACE

The idea behind lumbung.space was to create an open-ended online platform for activities, exploring sociality in line with lumbung values and independent of DgGmbh and large technology companies.

To overcome the deadlock of non-functional mock-ups within budgetary limits, Roel proposed off-the-shelf software based on F/LOSS to meet the team's needs and be modified where necessary (e.g. [10, 64]). The working group, consisting of up to 12 members, contracted a technology cooperative to help build, modify and maintain the platform. Together, Roel, the cooperative and the working group, remotely across cultures and time-zones, evaluated a variety of applications that became the basis of lumbung.space.

The initial prototype combined off-the-shelf software. Aside from being F/LOSS, roughly meeting the requested features and supporting different languages, the software could federate (that is, interoperate and exchange data between different types of software). This could interconnect different pieces of software within the platform itself (e.g. allowing videos on the microblog) and interconnect with different, but adjacent, communities in the so-called *fediverse*[57] to extend the platform's reach. The first prototype combined three applications to:

- store and share documents,
- share and archive videos/livestreams, and
- offer the means to follow and update each other on a microblog.

These applications were oriented to internal use but could publish materials to a public front-end. Here, material was aggregated

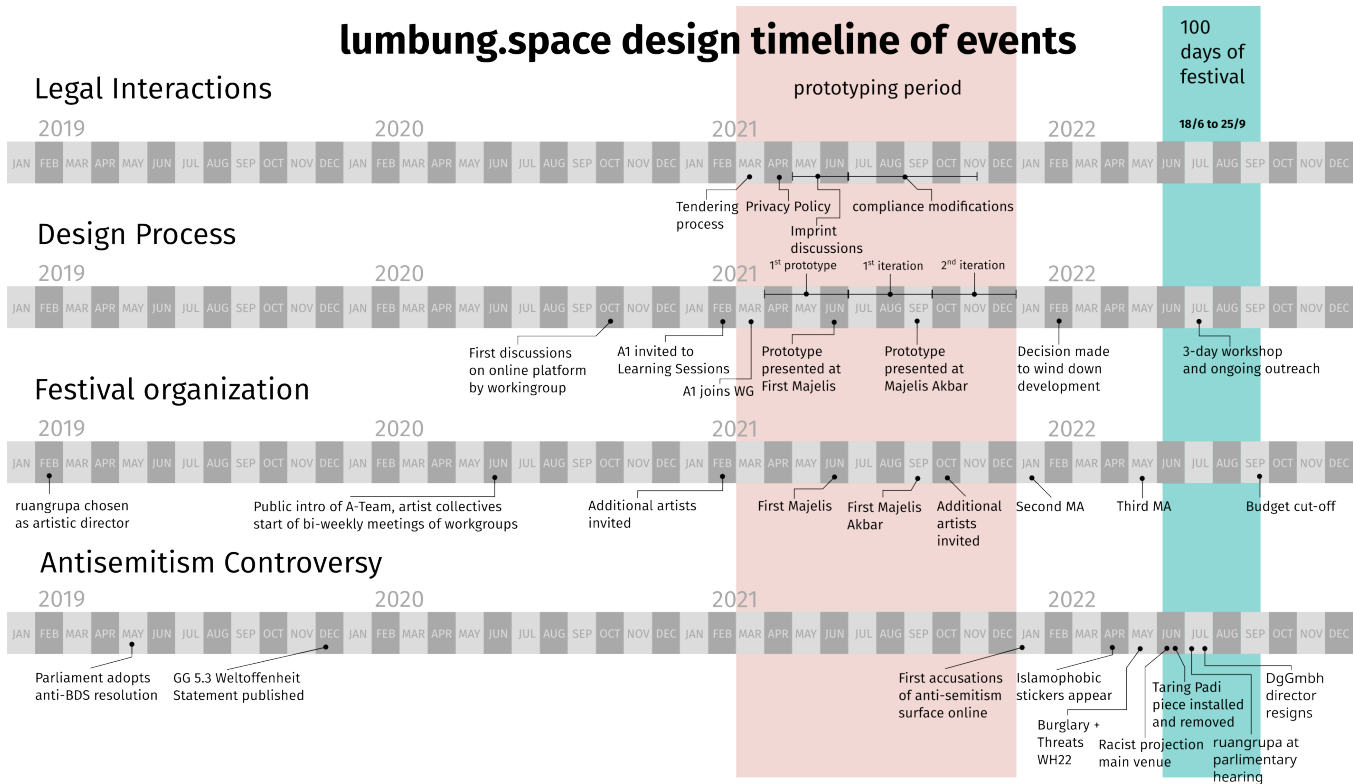


Figure 1: A chronological overview of the events discussed in this paper.
It is possible to zoom in on this figure in digital versions of this article.

from *lambung.space* and from other outlets in the network and acted as a single entry point to see the activities of the large heterogeneous network.

4.1 Cultural Differences

However, participatory challenges emanated from the cultures at play. In reflective interviews, members suggested there was a fundamental difference, with far-reaching consequences, between DgGmbH, who saw *lambung* as an *aesthetic concept*, and the artistic team for whom *lambung* was a *practice*. In other words, the *lambung* was not a metaphor. The multiple curators, the participatory exhibition-building and the communing of the budget made a stark contrast with how the exhibition producer DgGmbH had operated previously. This difference early became clear, when DgGmbH was asked to become a *lambung* member - thus on an equal footing. DgGmbH declined, seeing their role as ‘merely’ facilitatory.

The clash was also about expectations. The artistic team wanted carefully to extend trust to a network of collaborators figuring out what their program would be. DgGmbH favoured bold statements and maximizing publicity and became anxious already early that there would be no exhibition at all. For this reason, more artists were invited, bringing the total to 14 organizations and 53 artists, mostly collectives [44]. This larger scale made *ruangrupa*’s vision harder to accomplish, a compromise described in the exhibition reader as going ‘from full *lambung* to *gado-gado* (“a dish with a bit

of everything”)’ [65]. Whereas the AT sought to transform artistic practice by changing its fundamental parameters, DgGmbH sought to produce another good large-scale festival as it had always done.

Building the *lambung* with a system of recursive invitations, where further collaborators were invited in stages, created blurry lines about who was “in” and how “in” someone was, making the process harder to follow for those who were invited on second or third calls and thus more peripheral. Some invited collectives already had porous organizational boundaries, exacerbating this dynamic. Eventually, 1500 artists would participate in the show [29].

The initial *lambung* prototype was initially presented to the larger community at the first Mega Majelis (mega-assembly) online in summer 2021, with invitations to sign-up and feed-back. While the tool received much interest, it also became clear that a collective-of-collectives spanning hundreds of people (and the porous nature of the collectives) would pose challenges going forward. The community, which was bounded [8, 52] as a liable unit in DgGmbH’s eyes, was unbounded in practice - membership was flexible and changing. Throughout, it remained difficult to understand who specifically the project was for, whose requirements to prioritize and whose feedback to value. While there was always a reference to a larger whole (the collective-of-collectives), people representing parts of that larger whole would frequently change. Collectives would send different individuals, people gained and lost interest

and, as the exhibition opening approached, artists prioritized their own work over complicated collaborative processes.

4.2 Legal Encounters during the Design

In the next sections, we show how the relationship between the artistic team and the non-profit hosting them progressed, reflecting the legal system in which DgGmbh operates.

4.2.1 Legalities. Partly because of the bounded-unbounded nature of the user group, the DgGmbh's legal department would eventually have a strong influence over development through a series of legal procedures.

At outset, the group had to write a tender for contracting a technical party to work with. While free to suggest different candidates, the working group had to specify in detail what technologies would be used. This set an initial technological path dependence that was at odds with the exploratory project. Shortly after the first prototype began to take shape, the DgGmbh production team required a privacy policy covering how data would be handled in the platform's various components to comply with GDPR. Considering that the components were provisional, this was premature. Despite that, there was pressure to write this document and, because the components used did not provide one, Roel and the technology collective took up the task, as the only ones able to handle it. Shortly after writing this document, a drawn-out discussion on an "imprint" began. An imprint is a legal requirement for websites operating from Germany, listing the name of operator or legal entity, address and contact details, the trade register number, VAT number and job/trade information.

This again seemed premature. Putting into words and pinning down who owns the platform, as an imprint requires, in an early-stage participatory project, is neither necessarily productive, nor easily answerable or pertinent, especially in a wide-ranging collective-of-collectives. Those formalized enough to be on the imprint did not want to be, not knowing what it entailed or what the platform would turn out as.

Both the production team and a working group member negotiating the budget kept bringing up this requirement. The international working group, however, deferred the issue, uncertain how to proceed. Then, when news of the prototype reached DgGmbh's legal department, they immediately claimed both legal responsibility and the imprint. With this, the discussion ended, having eaten up eight weekly meetings.

4.2.2 The threat of copyright trolls. Significantly, legal concerns also impacted the freedom to post public materials. As lumbung.space now fell under the imprint of DgGmbh, they were responsible for material published through lumbung.space. Once the legal department understood the project involved user-generated content, panic set in.

DgGmbh required rights to display and archive all materials connected to the exhibition. However, a larger concern was DgGmbh's historic vulnerability to copyright trolls: companies specializing in finding infringements of Intellectual Property (IP) and issuing claims on behalf of stakeholders. They are considered trolls because they are only interested in payment of damages, opportunistically seeking litigation for what are often not malevolent

infringements[74]. As a high-profile publicly-funded organization in a country with strong legal frameworks around copyright, DgGmbh is a target. In previous editions of Documenta, people had unknowingly published copyrighted material on DgGmbh outlets, such as in the background of selfies. These resulted in DgGmbh paying hefty sums. After a public scandal over the last edition's budget overrun in 2017[6], controlling strictly what was published was a priority for D15: something obviously complicated by a platform to support user-generated content.

4.2.3 Limiting participation as a preventive measure. The need for control resulted in several tense meetings during which the legal team was reassured that the platform would not be open to the general public, but only to the artists with whom DgGmbh already had a contract. Further talks with the legal department defined when and how something would be published, i.e. become visible to a general audience.

The group was instructed to limit what material became publicly visible. This scrutiny included the front page and the public view of the sub-components. Users of lumbung.space could only publish materials for which they had the copyright, that had a permissive licence, or for which they had written consent. This limited remixes and things normally covered under "fair use". A broader consequence was that the working group had to disable the tools of lumbung.space from federating with similar platforms so no third-party material could become visible on public pages. This impacted the liveliness of the platform: there was less visible unless users logged in. With federation turned off, it was also not easy to show to would-be users how the platform was part of a larger ecosystem of like-minded experiments where interesting connections were possible.

4.2.4 Modifications for legal compliance. Although there was tension (and, on the part of some of the collaborators, suspicion about motives), the overall nature of these exchanges was collaborative. There was a sense of productively resolving issues. The legal team, for their part, was committed to making the alternative platform work, putting in much time to understand, enable and internally argue for the platform.

It was in this context that meetings continued to address the legal team's concerns. Most concerns related to tv.lumbung.space since the software behind it, *Peertube*, had problematic default settings. First, it prominently displayed a "Download" button next to each video. This button could be disabled in the settings but was enabled by default and visible on most videos. Secondly, videos defaulted to being publicly visible unless configured differently. Third, the video metadata showed a licence field which could be configured to preset Creative Commons licences but, otherwise, showed no licence by default. Legally, this created uncertainty as, by default, copyright exists with the owner, but the legal department needed D15 to have explicit approval upon upload.

Rather than dismissing Peertube on these grounds, the group opted to adapt the software to accommodate these institutional needs. It was obvious the defaults in Peertube would create issues for other groups too. Peertube's developer was commissioned to make the changes which landed in the next release [18]. In this way, the lumbung spirit of the development process percolated into the fediverse, but not how the team had hoped.

4.3 Impact of legal encounters

Each of the legal questions posed a challenge to the creative process and set key parameters early in the project. Path dependence was reinforced through a tendering process. Valuable time and budget was lost through mandated work on a privacy policy by people who were no subject experts. Core participatory questions, as to who takes responsibility and how, were foreclosed to meet an imprint compliance issue.

By changing aspects of the platform, the project was allowed to continue. This validated the prototyping methodology - choosing off-the-shelf software allowing nuanced expressions between public and private, and modifying it as needed. Some restrictions, such as limiting the possibility of publishing materials to those under contract of D15, were considered unfortunate, but the group figured these could be addressed in a post-festival phase. In addition, while there was a sense of time wasted on technicalities, there was also a sense of enough time ahead to work more intensely with other stakeholders. However, as the changes for the legal department were installed on tv.lumbung.space, a wave of accusations began and the organization lost interest in these details. A telling example is that, despite creating a facility for custom licences in the software, DgGmbH never added theirs.

5 CONTROVERSY AND ITS ORIGINS

Negotiations with the legal department circumscribed the product that could be designed. When a new source of tension blew up, it had consequences for the design in terms of inclusion, motivation and involvement.

In Germany, home to the physical exhibition spaces and under whose legislation the exhibition runs, there are strong legal frameworks and cultural norms concerning Germany's historic responsibility for the Holocaust. In that spirit, in 2017, the German Federal Government adopted the International Holocaust Remembrance Alliance's (IHRA) definition of antisemitism across government institutions, including a formulation that "the state of Israel, being perceived as a Jewish collective, may be the target of such attacks" [1]. The wording is controversial - critics worry that conflating the Israeli state with Jewish people might shut down legitimate criticism of Israeli policies under the allegation of antisemitism [16, 51, 58, 75]. Meanwhile, the German parliament adopted another resolution in 2019 to "Resolutely oppose the BDS movement - combat antisemitism", explicitly preventing public bodies from supporting organizations involved in the Boycott, Divest and Sanctions (BDS) movement that seeks to isolate Israel economically and politically as part of Palestinian non-violent struggle. Crucially, this resolution is not legally binding, as that would be unconstitutional[24], but sufficiently normative that its spirit gets carried into institutional policy. This affects cultural institutions in particular. Leading German cultural institutions argued as much, saying in 2020 that "invoking this resolution, accusations of antisemitism are being misused to push aside important voices and to distort critical positions" [2].

The artistic team and artists working together on the D15 exhibition were either Palestinian or sympathetic to Palestinian experience, not least based on shared understandings of coming from the Global South. Despite precedent[61], DgGmbH the organization

was not adequately prepared for media accusations that would link the participants of Palestinian origin with antisemitism. These accusations, originating in a blog and taken over in national media, largely determined the exhibition's reception in Germany's press. Locally, these accusations were followed by a spate of intimidation: plastering of Islamophobic stickers, projections of racist slogans on the main venue, and vandalising of a venue led by an invited Palestinian art collective[19, 69].

Two days after opening, debate flared again, this time about *People's Justice*, a massive agit-prop painting by collective Taring Padi. The work showed an undeniably antisemitic caricature. 'No one would disagree that it should never have been exhibited' says the editor of the largest review of D15 so far [22]. While the image was removed, in the German press, the issue stayed one of antisemitism.

5.1 Fallout from Controversy

Historical experiences meant DgGmbH was braced for threats coming from IP claims or financial mismanagement, not from the political pluralism that comes with welcoming diversity. That D15 wanted to invite and celebrate diversity without adequately preparing for its possible consequences illustrates that it never truly understood the nature of that diversity and the potential consequences.

The platform was most affected by the controversy around antisemitism, but the festival saw other incidents demonstrating insufficient thought to safeguarding. Rather than retaining staff to support the festival, most of DgGmbH's production assistants' contracts expired on the opening, as they always do, without recognizing that this edition would be different because of its participatory nature. Artists from an Asian queer collective left the city after several incidents and a perceived lack of support from the festival[54], a sentiment echoed by local queer collectives[14]. Educational workers translating the festival's material to a general audience also expressed insufficient support given the complexity of their work[72].

Some artists withdrew from the exhibition because of the alleged antisemitism and others withdrew over the handling of it. Underestimating the mediatisation of these incidents, DgGmbH and the AT tried to host debates, acting with what could be considered artistic integrity. But, like the copyright trolls, acting for gain rather than in good faith, the media saw an opportunity for whipping up a storm and honest debate would not work. Later, grand gestures were forced on the organization: the director had to resign over the issue and ruangrupa had to testify in Parliament. However, argues de Bruyn[22], it is 'crucial to comprehend how these complaints were wielded to impugn the curatorial principles of the exhibition as a whole'.

5.2 Impact on platform

At lumbung.space, this controversy affected participation. Pressures of production meant that a skeleton crew, depending on Roel, were working *for* the larger group of artists rather than *with* them by this time. This was problematic already as it was necessary to take collective decisions about the project to be both legitimate and useful.

When the first antisemitism accusations appeared, they took most capacity of the AT, including the member who had been working with lumbung.space. In a newspaper interview, AT member

Gertrude Flentge says: “70% of our time was taken by the accusations” (van Verschuer, 2022). As a consequence, in early 2022, the working group decided to slow development until after the festival. The purpose of *lambung.space* became understood as providing a digital environment for the network *after* D15.

Following that decision, although there were awareness-raising events to recruit users, the digital space became a side project. Eventually the platform had about 500 users, however many of those were not the original target of D15 artists, but instead festival participants invited in later loops of the recursive invitation, DgGmbh temporary staff, educational workers or just friends-of-friends. Participation widened in the spirit of the *lambung*, against the wishes of the legal team.

Larger governance questions, such as who this platform was for and how to engage with it, were not addressed. The idea was to continue in gatherings after the festival. This was important as *hanging out/nongkrong* was not working online: given the amount of tension surrounding D15, several artists expressed unease at sharing the platform with (ex-)DgGmbh staff or unknown others. However, gatherings to discuss and address this never materialized after the festival; most collaborators were exhausted from the toll the festival had taken. Only more than a year after the festival did conversations slowly restart.

6 DISCUSSION

The project had achievements, but plans were frustrated by interactions between actors in the wider system. Perhaps this is unsurprising, given the dynamics of bringing Global South artists with a mission to distribute power and “Make Friends not Art” into the orbit of mainstream Global North art promotion ambitions. At the moment, the resulting network of practitioners, the contributions made to the software ecosystem and the lesson that it is possible to collectively hack together a functioning platform with help from a technology cooperative are the main results. The prototype was experienced by hundreds of artists, some of whom saw it as a model for alternatives to the mainstream. But this was not the original intention, which was to support the collective-of-collective’s relations. The platform is now largely idle; most members are from other communities and, while *ruangrupa*’s philosophy is to work with whoever turns up, this created tensions with those for whom it was originally intended.

This is not the first time a platform has been left idle, despite ostensibly meeting its brief. The point here is to understand why. Reflecting on the case and mapping lines of influence, we note that at least as much time was spent addressing the urgencies derived from legal frameworks which existed independent of the process, as addressing the urgencies of artists and collaborators that surfaced during it. This raises the question who/what had power over the platform’s (participatory) design. While we cannot generalise from this case - it is unlikely this confluence of legal issues will arise again - our mapping of contextual factors reveals larger themes worth exploring.

6.1 Themes

This design process operated in a neoliberal context of cultural production. This meant, first, that the work took the form of a

project (see Agid questioning projectification[3]). Tight budgets and deadlines made off-the-shelf software attractive. The organization’s anxieties over whether there would be work at all meant that explorative processes immediately had to become publicized outcomes. This, in turn, created pressures for legal compliance, such as the need for an imprint (an unpublished prototype would not have needed one). The budget became contingent on the compliance work happening, which happened, but at the expense of other activities. While those activities were expected to happen later, other events meant these never happened. Throughout our account, we see echoes of Lodato and DiSalvo’s specific forms of institutional constraints[55]: in DgGmbh’s dismissal of the invitation to become part of the *lambung*, we recognize a sandboxing dynamic. A participatory process was allowed, but not to change institutional relations. In the way that DgGmbh was inadequately prepared for the consequences of the diversity it sought to platform, we see ‘administration gaps’. The institution was geared to produce one kind of festival, but not the one that was about to happen. As a consequence, horrifying incidents could occur for participants without anticipation or support. Finally, ‘ideological mismatches’ could be found throughout the process: for instance, concerns over IP came at the expense of the possibility to freely share cultural work and establish relations.

Participatory design takes time, especially when cultural differences mean knowledge as well as trust must be built. Significant in such a case is the difference in access to resources, including power. Well-prepared actors, like the permanently employed staff of a sponsoring institution, are better able to set their terms and push their agenda compared to participants coming to projects as spontaneously-formed groups. Here, however, the artists were not only at a disadvantage as the ones contemplating withheld budgets, but they hailed from a culture that was not adequately recognised (therefore, could not be validated) by the host. Being outside the European art world, with different norms, brought its own authority and almost worked to redistribute the power awarded them, but their ambitions did not stand up to the legalities.

The situation resembles early participatory design work, where workers’ representatives became the designers of tools for the common team (e.g. [70, 71]). There are familiar power imbalances - managers have control, as do budget-holding production teams. In those narratives, tensions arise between managers and staff about intended purpose and relevant constraints. Can staff be honest? Who should be in the room? Here, the tensions share characteristics, such as mutual suspicion, lack of buy-in, and concern about ownership, liability and range. *ruangrupa* had an intention to challenge DgGmbh and export its participative culture beyond its collective-of-collectives, but, instead of heralding greater democracy as participatory design occasionally has done, there was no enduring context in which that greater levelling could happen. The platform was an emissary of that mission, hopeful but thwarted.

Though the participatory designer Roel represented a third position distinct from either radical art cluster or anxious host, the position was not powerful enough to address asymmetries as they appeared (despite the mandate given by *ruangrupa* and allies). This is more reminiscent of [53], where the authority of media norms is temporarily decisive. However, here we traced influence beyond

LUMBUNG.SPACE MAP OF ACTORS & ACTIONS

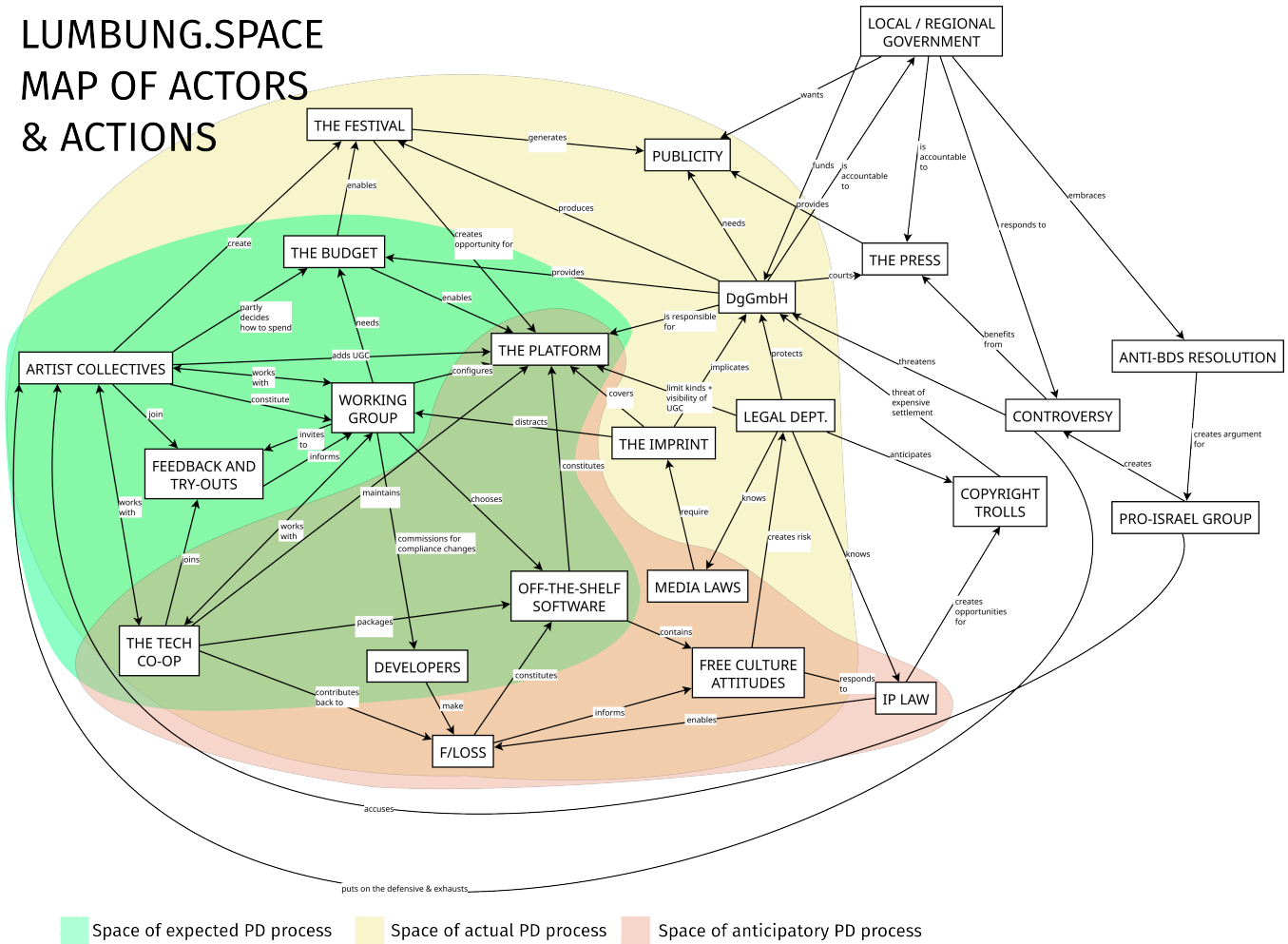


Figure 2: Actor network map with three highlighted design spaces: the one expected, the one that happened and one for anticipatory research agendas.

It is possible to zoom in on this figure in digital versions of this article.

individuals and immediate patterns of encounter to consider ‘socio-material assemblies of humans and artifacts’ [12] and the mediation of societal actors.

Thus, the second theme is how laws intended to protect creators and historically-persecuted groups can be wielded to stifle creation and persecute groups. Without the pressures of the copyright trolls and media frenzy, it is possible that the German laws could have been managed, if slowly, in ways that supported the platform design and inclusion of partners. However, external commercially-motivated actors made it impossible for nuanced participation to continue.

In our analysis, it is apparent that capitalism (and the unilateral pursuit of profit) intersected with the protective intentions of the law, to influence what was locally possible. We underscore the dis/affordances of design materials introduced in these contexts. In our case, off-the-shelf software was used for prototyping, embodying values from F/LOSS culture. In Peertube, these values were

expressed through the prominent placement of buttons to download media. This proved troubling to the legal team, as downloading of digital files had become a legal red flag after the IP lobby reclassified file-sharing as piracy[39]. Thus, while the working group chose the software based on those values, it was an ideological mismatch[55] with the institution. Though resolved through a modification, these negotiations came at the expense of other activities. The interaction between Peertube’s properties and the legal team pulled the process in a particular direction. With hindsight, one can see how, though part of a participatory multi-stakeholder process, this interaction might steer project outcomes in undesired ways. Software that does not account for these, common, tensions leaves its users exposed: at best, spending time with well-intended actors figuring out how to comply; at worst, with exposure to actors exploiting protective laws. This situation could worsen with new laws coming in: within the EU, a series of regulations for platforms, big and small, aimed at protecting users, already influence institutional negotiations and

participatory processes. These include GDPR (General Data Protection Regulation) and the Digital Services Act, but are joined by the new TERREG (regulation of terrorist activity online). As our case illustrates, these regulations need not be directly applicable, or mandatory, to influence risk-averse institutional actors. Kyng[48] and Balka[7] use IP law to reflect on how participatory design was changing 15 years ago; our concerns build upon theirs.

A third theme is aesthetic. *ruangrupa's* collective-of-collectives adopted an entangled socially-engaged art practice, unlike that which *DgGmbH* recognised as art. More generally, different understandings of artistic practice meant that "Where is the art?" [36] became a central concern during the festival. This is not just an issue of regional cultures; Western artists with these participatory ambitions are often at odds with the marketisation and valorisation of visual/material art. Our analysis reveals *lambung.space* to be a symbol of alternative art practice and, in the relations it sought to establish (between artists, software and technology providers) an attempted enactment of it. Europe's tradition of basing legal codes on Roman property law, even now, shows the reach of an original colonial power across time and space. In inviting an Asian radical artist collective to lead a participatory process as curators, *D15* did not create the decolonial performance that might have served Global South artists. It never divested itself of its expectations. As exhibition reviewers point out [22, 50], the collaborative spirit of the curatorial group (and invited partners) represented a priority that was both political and cultural. A 100-day event involving workshops, networking meetings and a supporting online platform takes ongoing care from staff and either an embrace of *nongkrong* or at least a mindful safeguarding presence, both of which were absent/deprioritized for other concerns.

Fourth, to sum up, a factor identified in the pressures on participation is colonialism. Ultimately, a global system of rights management and profit motives is not only powerful in the (lack of) development of *ruangrupa's* *lambung* tools, but also a manifestation of age-old colonial structures. This colonialism manifested in the media campaign concerning allegations of antisemitism[81][21]. However, it is more widespread: found in the very act of inviting a Global South collective to revitalise an exhibition format. It interplayed with participants' intentions, across multiple institutions, to create a situation where the platform's purpose, users and future are all unclear. So, we can observe incommensurability of actors' good intentions at scale. In Tuck and Yang's words (intended for settler/Indigenous relations) [73]: 'portions of these projects ... cannot be aligned or allied' but, at best, offer opportunities for 'strategic and contingent collaborations'. Tuck and Yang talk in the context of decolonization and point to the ways treating decolonization as a metaphor works to re-center white concerns. *ruangrupa's* expedient use of funding to lay the foundations for future sustainability of a network of cultural practitioners from the Global South on their own terms was in the hands of an institution with different priorities. In the end, both benevolent institutions and more challenging actors worked to limit possibilities, and thus 'the ongoing violence of colonial racial capitalism went unchallenged' [23].

6.2 Designing a Platform – lessons learnt

At this point in documenting a troubled design process, there should be a section on how to do things better. However, the very breadth of our analysis takes us into territories where designers cannot affect the way that participation plays out. Our goal is to reveal the wider forces that affected this case and how they constrain it. Our analysis places the designer as a dot on the map (Fig 2) - something we can zoom in upon, as much participatory design analysis does, or scale back from, as we have attempted to do here.

So why explore dimensions of power over which we have no control? We noted at outset that the participatory designer was invited in. Very often, PD research deals with collaborations in which designers can set some terms or control some conditions. We design 'in the wild' but often the wildness is tamed. In this case, impacts which shape our worlds ran visibly as seams through the project. We responded by mapping them, slowly and not always in time to develop possible tactics. This mapping had its own agency. It helped us learn how factors influenced this study, beyond stakeholder mapping, and, though merely pointing to global pressures does not mitigate them, it became a form of intelligence. To identify this here may be to help others detect, acknowledge and tackle these deathstars in other situations (and where they are subtler actors) sooner, to help focus activities.

While considered an ally, our actor-network analysis shows the *F/LOSS* software was not ready for the legal interactions with the institution that invited the participation, let alone for exploitation that could accompany this. Roel was able to work with the development community to address shortcomings. However, authors and deployers of *F/LOSS* platforms need to take legal contexts, their uses and abuses seriously if they wish to see their tools adopted, especially in the context of new legislation. For participatory practices, particularly those concerned with digital commoning, or with ambitions for computational alternatives[13][46], this suggests an additional *anticipatory* research agenda to work on these issues outside traditional participatory design moments (See red area in fig. 2.) The goal is not to remove the values from these tools, but to better mediate between them, global legal frameworks and institutional concerns. That way, when these elements are introduced, they do not deflect participants from key concerns, as they have here.

Mapping of influences is not unique – we are inspired by work on 'design things'[12] and by *ruangrupa's* practice of making diagrams of relations - but we consider it a useful exercise to acknowledge these global impacts and their entanglements. As we diagrammed, we extended "the participants" from people and institutions to more nebulous actors, to make the phantoms of colonialism and capitalism more material and show their pathways. Our choices of "mediator" were based on our sources; we acknowledge that another team could interpret the nuanced system of influences differently. Yet, as we expanded outwards, we realised the power of doing this analytic work collaboratively. We saw this could become a tool in the next design iteration of *lambung.space*. As a method, as well as a series of insights, the maps render us, designers and researchers, better prepared for (the politics of) decision-making, and what constrains groups' 'capacity to transform': that 'key aspect of power' [15]. This might go some way to support people at the

heart of any such map: to better recognise the pressures in the round, hold strong against inequality and shape the resulting design to optimise the “design space” left for political action. We offer these political and methodological considerations in the hope that future collaborations can better resist the destructive force of such global influences.

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