

UNDERSTANDING MANIPULATIVE PERFORMANCE ART

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Abstract: Some pieces of performance art are inherently manipulative—that is, they inherently involve the manipulation of unsuspecting passersby. But what does it mean for a piece of performance art to be inherently manipulative? By distinguishing first-order from second-order kinds of attention, an inherently manipulative work is one that depends on an engagement with the second-order kind of attention for a proper understanding or appreciation of that work. Such works may be inherently manipulative, but it remains to be seen whether such qualities of the work should thereby count as moral or aesthetic flaws of the work.

Keywords: Aesthetics, Art, Performance, Understanding, Manipulation

Some pieces of performance art rely on the manipulation of others. Think of how “candid camera” style pieces work. What typically happens is that a performer (or performers) puts a bystander (or bystanders) in an awkward or unexpected situation in some way; the bystander is confused and surprised; and the bystander’s confusion is caught on camera for the viewer’s amusement. Often the viewer’s attention is focused on two things—both the actions of the performer as well as the interactive responses of the bystander. However, some works in this style force the viewer’s attention onto the bystanders to the exclusion of all else—that is, what the viewer takes an interest in observing is not the actions of the performer (indeed, the performer’s actions might be minimal or unremarkable); rather the viewer’s interest is solely absorbed by the responses of the bystanders. Furthermore, in some cases, this focus of attention on the bystanders is

not accidental or insubstantial—it is often the purpose of such works to direct attention to those unsuspecting bystanders. The important thing to keep in mind regarding these works is that the bystanders typically do not choose to be the object such attention, at least not explicitly, yet they clearly have become the object of attention. This strikes me as being somehow manipulative—these bystanders have unknowingly and unwillingly become an object of aesthetic attention.

The issues raised by performances like *Frozen Grand Central* are many. In this essay, I will argue that certain pieces of performance art are *inherently manipulative*. To see how a work may be inherently manipulative, we must consider what it means to properly understand and appreciate these works of art. I will argue that understanding these works requires the intended audience to occupy a privileged position over the bystanders through the withholding of knowledge about the nature of the performance from those bystanders. As the enjoyment of this privileged position over certain others is necessary to the intention and appreciation of these works, we can think of these works as being inherently manipulative. I will first offer an example of the kind of work I am concerned with—*Frozen Grand Central*. I will then examine what is required to understand performances of *Frozen Grand Central*. This will involve a discussion of the role that knowledge plays in understanding this work and the way in which such knowledge is withheld from the bystanders involved in performances of *Frozen Grand Central*. My claim is that, in order to properly appreciate a performance of *Frozen Grand Central*, one must focus one's attention on the reactions of the non-participants. My thought is that our aesthetic interest in this work is not exhausted by attending to the poses of the frozen participants—the real drama of the work is found in attending to the reactions of the non-

participants. Next, I will argue that the reactions of the non-participants are involuntary: the non-participants have not voluntarily chosen to be a part of this performance, nor have they chosen to be the subject of one's aesthetic attention (in the sense of choosing to be a part of a performance). Finally, I will argue that this use of manipulation is an essential feature of performances of *Frozen Grand Central*, and thus that performances of this work are inherently manipulative. My reason for suggesting that *Frozen Grand Central* inherently involves the use of manipulation is to draw attention to the way in which we engage with and appreciate works of this kind—thus the purpose of this essay is twofold: to explore what it is to understand pieces of performance art like *Frozen Grand Central* and to examine what it means for a work to be inherently manipulative.

The claim that a particular work is manipulative (and inherently so) obviously leads to certain further questions. Does the identification with the perspective of the manipulator make the audience member morally culpable for the work's use of manipulation? Are these works necessarily *morally* flawed? And if so, then are these works also necessarily *aesthetically* flawed? While these questions are certainly important, interesting and intriguing, it will not be my goal to examine these questions here. I wish to leave the moral questions largely untouched so as to invite discussion and consideration of these wider moral issues; though by way of a conclusion, I will offer some speculative remarks on these moral issues.

One caveat before I begin. It may be questioned whether *Frozen Grand Central* should be regarded as performance art or whether it is really just a silly prank. Perhaps tellingly, the group responsible for *Frozen Grand Central* refers to the event—as well as their other events—as a “mission” executed by “agents”. This tongue-in-cheek regard for

the events they organize certainly is in keeping with the playful nature of their events—the organizers of Improv Everywhere themselves describes their events as pranks. However, dismissing *Frozen Grand Central* too quickly as a prank would be to ignore the much wider issue of how we appreciatively engage with events like this one, and an object does not have to be a work of art in order to raise questions of how it is to be engaged with. The performance may be a source of aesthetic attention whether it is a work of art or just a mere prank.

The categorical status of *Frozen Grand Central* is not my concern here—I do not feel that much hangs on settling the art-hood status of this event to motivate the concerns that I wish to address. However, if one worries that there is little value in paying so much attention to a prank, then I feel there is sufficient reason to view *Frozen Grand Central* as a piece of performance art: as an event, it is an artifact that was organized with the intent that it would be appreciated in some way, perhaps even aesthetically. As an object presented for appreciative attention, it would be reasonable to consider what would be required to appreciate or understand that event. If this is allowed, then we are a long way towards treating the event as a piece of performance art, and I will continue to regard it as such throughout this essay.

Frozen Grand Central

On February 24, 2007, two hundred and seven “agents” executed a simple performance in New York City’s Grand Central Station titled *Frozen Grand Central*. At a predetermined time, each of the two hundred and seven “agents”, dressed like any ordinary visitor making their way through the busy train station, froze in place and held their poses for a

full five minutes. A group of four students examining a subway map; a young man tying his shoe; a middle age woman looking at her watch—all frozen in place for five minutes. When the time was up, each of the frozen participants seamlessly “reanimated”, continuing on their way nonchalantly. The group responsible for staging *Frozen Grand Central* is known as Improv Everywhere. According to their website,

Improv Everywhere causes scenes of chaos and joy in public places. Created in August of 2001 by Charlie Todd, Improv Everywhere has executed over 70 missions involving thousands of undercover agents. The group is based in New York City.¹

The range of responses from the bystanders who happened to be at Grand Central Station during the performance is imaginable: bewilderment, confusion, amusement, annoyance, discomfort, or joy at the unexpected. Certainly, watching the reactions of the bystanders (who I will here on refer to as the “non-participants”) is more engaging and amusing than watching the frozen “agents” (who I will here on refer to as the “participants”). It is this shift of attention away from the participants onto the non-participants which is where my philosophical interest in this performance lies.

Distinguishing Kinds of Attention

How does one appreciatively engage with a performance like *Frozen Grand Central*?

My claim is that the non-participants are not in a position to understand and appreciate the intended effect of this work. Indeed, I suspect that works like *Frozen Grand Central*

¹ A video of *Frozen Grand Central* can be found online at <http://improveverywhere.com> under the “Missions” tab. Last accessed on 20 April 2009.

are not intended for the enjoyment of the non-participants at all. To explain this, we would first need to distinguish between two kinds of responses—*first-order* and *second-order responses*. The non-participants, interrupted in their routine daily commutes by the unexpected and striking scene, may respond in a multitude of ways. Their individual reactions will be motivated by many individual factors, but central among these would be their surprise at the unexpected. These people are not willfully walking into an art gallery or concert hall—they have no expectation that they will be confronted with a work of performance art. The work was not performed in an art gallery or museum, thus there were no environmental cues available to the non-participants alerting them to expect to engage with a work of performance art.² The work could have been performed in an art-world environment (e.g. a museum, gallery or concert hall), but I suspect that in such an environment much of the innocent surprise would be lost. I will refer to the non-participants unprepared or “pre-theoretical” responses as *first-order responses*.

By contrast, the participants certainly know what to expect. Having been involved in planning out the work, the participants will have built up certain expectations of what may happen. One facet of those expectations that the participants would likely have built up—and the one that interests me—is the expectation of the first-order responses of the non-participants. The participants likely intend for their performance to surprise the non-participants, and the non-participants’ surprise is also likely to be foremost among the participants’ expectations. Not only would the participants expect surprise from the non-participants, they would also likely watch for the non-participants’ surprise and take

² Admittedly, these are New Yorkers we are talking about, and one could expect with some justification a certain degree of sophistication from this group in dealing with public artistic performances. Still, this should not mislead us from recognizing that a work like *Frozen Grand Central* relies heavily on a certain degree of surprise.

pleasure in it. Think of what it is like to watch a video recording of *Frozen Grand Central* (which is available from the group's website). What is most enjoyable to watch are the reactions of the non-participants.

Here, it would be helpful to notice the distinction between *observer* and *observed*: in more typical cases of the performing arts, the performer presents themselves as someone to be observed, and the audience takes on the role of observers. More generally, the concept of the *observer* could be thought of as functioning in aesthetics to refer to someone whose attention is directed towards some object critically—such a person would typically have some degree of knowledge regarding the conventions of the artistic practices governing the kind of work that they have been asked to attend to such that they would be able to judge the relative merit of the work in question. However, in an interesting way, performances like *Frozen Grand Central* actually reverse the roles of observer and observed. For illustration, think of that perennial favorite of juvenile pranks known as “ding-dong-ditch”: the act of ringing a neighbor’s doorbell and then hiding nearby but still close enough to watch the neighbor confusedly answer the door. The children’s amusement increases as the neighbor becomes ever more frustrated with each subsequent ringing of the doorbell. Pranks like these form an inherent structure between the person who becomes the observed object of attention (i.e. the frustrated neighbor) and the person who does the observing (i.e. the mischievous children).

I am suggesting that, in performances like *Frozen Grand Central*, the participants, like the children playing ding-dong-ditch, take on the role of observer while it is the non-

participants who are the observed.³ In fact, we could further claim that works like *Frozen Grand Central* inherently rely on the distinction between *observer* and *observed* (as is also the case with ding-dong-ditch). The non-participants are not in a position to properly understand the performance that is before them. Remember, if an observer is someone who would typically have some degree of knowledge regarding the conventions of the artistic practices governing the kind of work that they have been asked to attend to, then the non-participants would not meet this requirement. By necessity, the non-participants cannot be aware that the event before them is a performance or else the sense of surprise would be lost. Alternatively, the participants are aware that the event unfolding in Grand Central Station is a performance, and so would be in a position to judge the success or merit of the performance. My suggestion is that the participants, frozen in their poses during the performance, take on the role of observer.⁴ Like the children playing ding-dong-ditch, performances of *Frozen Grand Central* are performed for the enjoyment of the participants themselves, not for the enjoyment of the non-participants.⁵

Having previously identified the non-participants' naïve and unprepared responses as *first-order responses*, we can now think of the participants' responses as *second-order responses*. These responses are dependent upon or directed towards the responses of the

³ Certainly one difference between the participants of *Frozen Grand Central* and the children playing ding-dong-ditch is that the participants are out in the open for the non-participants to see while the children must hide from their frustrated neighbor. However, this difference does not impact the participants' role as observers who are "in the know". This point will be explained in more detail further on.

⁴ This may appear to be a strange claim given that it is the non-participants who would appear to be attending to the frozen participants. But I would suggest that this is part of the subtlety of the performance—by its nature, *Frozen Grand Central* actually reverses the role of "object of attention" from the (*observing*) frozen participants onto the (*observed*) non-participants. The claim that the frozen participants are actually the ones doing the observing is not as strange a claim as it may sound. The act of performing itself, even in the traditional performing arts, can be an object of aesthetic attention for the performer.

⁵ Though certainly some of the non-participants may have enjoyed the performance, however this strikes me as accidental or irrelevant, just as much as it would be accidental and irrelevant if the neighbor whose doorbell was rung actually enjoyed the game of ding-dong-ditch.

non-participants—thus second-order responses are built upon first-order responses.

Utilizing this distinction between first-order and second-order responses, we may further distinguish between the modes of attention of the participants and non-participants.

Second-order responses are dependent upon the subject's focusing their attention on the first-order responses of some other subject. Thus, the mode of attention exhibited by the participants could be described as *second-order attention* as opposed to the *first-order attention* exhibited by the non-participants.

To help clarify the distinction between the first-order and second-order kinds of response and attention, consider what it would be like to watch a video recording of the event: the viewer's response to the videotaped event would also be of the second-order kind.⁶ The perspective that the viewer enjoys while watching the video allows the viewer to participate as an observer "from the inside". The viewer's perspective is very much akin to that of the participants': both are "in the know", and it is this perspective of being "in the know" that allows both the participants and the viewers to direct their attention to the first-order responses of the non-participants. (Additionally, we could think of "participants" and "viewers" as two kinds of "observers", the difference being that the former actually take part in the event while the latter simply watch the event on the video recording.) This foreknowledge of the nature of the event—the expectation of what is to come—is the essential difference between the observing participants and video-viewers on the one hand and the observed non-participants on the other.

⁶ I am assuming here that the video recording of *Frozen Grand Central* plays a unique role, namely in allowing a viewer to appreciate the work from a perspective that is "in the know". Not much hangs on this as my main point in distinguishing between the role of participant and non-participant would still hold if one were to reject my interpretation of the role of the video recording for *Frozen Grand Central*.

Now consider what it is to be a non-participant. By no fault of their own, the non-participants have been excluded from the class of participants (and thus from the class of observers as well). That any individual is excluded from this class is clearly a contingent matter. Any member of the group of non-participants could have been privy to the plans and intentions of the organizers had they simply looked on the organizer's website or had been informed in advance by another one of the participants. Of course this foreknowledge would mean that the individual would no longer be a non-participant—they would either be a participant or a viewer, depending on whether the individual chooses to act as an agent in the performance or whether they simply choose to observe the scene as a whole, attending to the interplay between the participants and non-participants in the performance “live” as it were. Importantly it is this foreknowledge—this being “in the know”—that separates the participants and viewers from the class of non-participants, and allows one to enjoy the second-order kind of response.

Understanding and Public Performance

My first claim is that proper appreciation of performances of *Frozen Grand Central* requires a second-order kind of response—by focusing one's attention on the unplanned reactions of the non-participants. From this “in the know” perspective that the observer enjoys, the first-order responses of the non-participants become something like the raw material of the work upon which one's attention and appreciation of the event are directed. As such, a performance of *Frozen Grand Central* would be incomplete without the involvement of the non-participants. Again, the work was not performed in an art gallery or museum, thus there were no environmental cues available to the non-

participants alerting them to expect to engage with a work of performance art.

Alternatively, a similar kind of performance hypothetically could be executed in an empty warehouse far away from the non-participating public with only video cameras standing by to document the frozen performance. But this is not the nature of *Frozen Grand Central*. One must make sense of the work by making sense of the non-participants' reactions, which means that the work must be set in a space where there will likely be non-participants available. The organizers chose Grand Central Station for their performance, which was deliberate, as the choice of the space for a public performance typically is.

For comparison, consider the various performances of Coco Fusco and Guillermo Gómez-Peña's *Two Undiscovered Amerindians Visit...* and the way in which the audiences' responses to these performances are strongly influenced by the choice of space in which the audience encounters the performance.⁷ *Two Undiscovered Amerindians Visit...* was a performance piece during which two performers, Fusco and Gómez-Peña, were locked in a large cage that was displayed in a public space. The performers posed as two natives of a recently discovered (fictional) island in the Gulf of Mexico called Guatinau. Fusco and Gómez-Peña dressed in an odd mixture of faux-native garb, but also wore identifiably Western items such as sneakers and sun glasses. While in the cage, they performed "religious rituals", dances or simple domestic tasks while speaking their mock-native language. They would interact with audience members by taking photographs with them, allowing audience members to hand-feed them

⁷ For the artist's discussion of this work, see Coco Fusco, *English is Broken Here: Notes on Cultural Fusion in the Americas* (New York: The New Press, 1995), pp. 37-63. My thanks go to Kim Hall for bringing this point and Fusco's work to my attention.

bananas, and, during some performances, would even accept cash to allow the audience members to inspect Gómez-Peña's genitals. Museum docents were instructed to present the performance as if it was a genuine ethnographic display. Fusco and Gómez-Peña state that the idea behind the work was to confront first-world nations' history of the ethnographic display of the peoples of other cultures. Performances of *Two Undiscovered Amerindians Visit...* were typically accompanied by a compiled history listing the dates of instances of ethnographic display in world's fairs and freak shows of Europe and the United States reaching back to the late 1400's.

What interests me about Fusco and Gómez-Peña's work regarding the present discussion is how audience members reacted to their work in different ways depending on the setting of the performance. Fusco reports that the audiences' reactions to these performances were highly dependent upon the background knowledge of the audience members and the setting in which the performance was staged. In some instances, the audience members were aware that the spectacle was a piece of performance art, as when it was staged at the Whitney Museum of American Art as part of the Whitney Biennial, or at the Australian Museum of Natural History as part of the Sydney Biennial. The reactions of these art-world audiences differed greatly, though along predictable lines. Some played along with the fiction by taking on seemingly traditional roles of colonial masters acting out imagined stereotypical responses to the caged "natives". Others responded negatively to the work complaining that the work was not "experimental enough to be considered good performance art",⁸ or complaining about what they perceived as the artists' dishonesty for attempting to dupe the audience into believing that

⁸ Fusco (1995): 53.

they were genuine Amerindians on display. Some members of the art-world audiences even attempted to “out” the performances as fakes. However, in settings where the audience was not explicitly made aware of the nature of the work—as when it was displayed at the Smithsonian Museum of Natural History in Washington, D. C., the Field Museum of Natural History in Chicago, and in London’s Covent Garden—these audiences largely believed the fiction to be real and took what they saw at face value.⁹ These audience members exhibited a range of responses from complaining about the inhumanity of the treatment of the “natives” to quiet acceptance of the scene. Some audience members responded sympathetically by expressing their discomfort and disapproval of the treatment of native peoples, while other audience members responded with hostility—shouting abuse at the performers, making lurid sexual comments toward both the male and female performers, or even physically attacking the performers or the cage.

Importantly, Fusco and Gómez-Peña’s choice of public spaces for the many exhibitions of their work was deliberate in each case—the work most effectively confronts the audiences’ complacency towards ethnographic displays when the audience is unprepared. The art critics who dismiss Fusco and Gómez-Peña’s work as either dishonest or “not experimental enough” seem to miss the point, but these critical responses only illustrate that the work loses much of its audacity when it is performed for an art-audience—that is, an audience that is prepared to confront a sophisticated and

⁹ Fusco reports that, during these performances, her attention shifted towards observing the audiences’ reactions. I take this as further evidence for my distinction between the first-order and second-order kinds of attention.

ironic piece of performance art.¹⁰ Equally, the choice of Grand Central Station for a performance of *Frozen Grand Central* is a deliberate move on the part of the organizers of that event—the work can only elicit sincere first-order responses from the non-participants when they are unprepared.

Manipulation in Performance Art

Consider the nature of the non-participants' involvement in a performance of *Frozen Grand Central*—their involvement in the performance is not simply unprepared, it is involuntary. There are two senses in which the non-participants' involvement in the performance is involuntary: first, as already argued, the non-participants are unprepared to engage with a piece of performance art; and second, the non-participants are not thinking of themselves as participating in a performance. On the first point, consider this counterfactual claim: had any individual members of the group of non-participants been appropriately prepared, their responses would have been markedly different. If *S* knew in advance to expect some kind of performance, even if the specific nature of that performance was not explicitly identified, *S*'s response would have lacked the element of surprise. And if *S* had been forewarned of the specific nature of the performance, then *S* may even have been able to enjoy a second-order response to the performance—that is, *S* would have had sufficient knowledge to enjoy the performance from the perspective of the observer who is “in the know”. There is a salient piece of information that all of the non-participants are lacking—that the frozen agents are taking part in a prearranged

¹⁰ This point, as well as Fusco's description of her interest in her audiences' responses, also raises the question of who is best positioned to understand performances of this work—the audiences or the performers themselves?

performance—which prohibits them from responding at the second-order kind and which forces the non-participants into the role of the observed. Had any non-participating individual had access to this information, then that individual would have been appropriately prepared, or at least would have had certain expectations salient to the nature of the event. Even in the case where the non-participants were aware that a performance of some kind would take place but were unaware of the specific nature of that performance, this bare amount of foreknowledge would be enough to influence the non-participants' responses. In such a case the non-participants' responses would not be “pure”, spontaneous and unprepared.

It would be similar to the experience of walking through a “haunted house” during Halloween knowing in advance what to expect as compared to the experience of walking through a haunted house without knowing: the person who has had previous experience of the haunted house knows roughly what to expect and is able to prepare themselves somewhat for the surprise, while the person walking through for the first time does not. Even when one walks through for the first time, the spectator is at least prepared to be frightened, which allows one to anticipate one's responses. Even more dramatically, imagine how different the responses would be between a person who knowingly and willingly walks through a haunted house and the person who unknowingly and unwillingly walks through! For a performance of *Frozen Grand Central* to achieve the intended sense of surprise and confusion, the non-participants need to be kept entirely in the dark. Their lack of knowledge is involuntary. The non-participants are essentially in the same position as the person who walks through a haunted house unknowingly and unwillingly. It is not as though the non-participants are in some way incapable of

possessing this knowledge, or that they are capable but fail to draw the right inference; rather this information is being kept from them, and it necessarily must be or else the surprise is lost. Being involuntarily kept ignorant of this pertinent piece of information restricts the non-participants to the first-order kind of response, and thus forces the non-participant into the role of the observed. Notice this point: it is not the non-participants' simply *being* ignorant of this information that makes the work manipulative, rather it is their *being kept* ignorant that lends to the work's manipulateness.

The second sense in which the non-participants' responses are involuntary must be obvious: the non-participants cannot think of themselves as participating in the performance as they are unaware that a performance is taking place. The non-participants' first-order responses are an integral part of the performance. This integral element of the performance is only gained by positioning the non-participants in a situation that will elicit their first-order response, and this "being positioned" in such a situation is not something that the non-participants have chosen. The non-participants' first-order responses have been achieved through their having been unwillingly positioned in a peculiar situation, and their first-order responses are being treated as the object of the observers' second-order attention. This "being the object of attention" is not something that the non-participants have willfully chosen, nor could they have willfully chosen this given the nature of the work. The non-participants have been thrust into a situation where their behaviors and reactions have become the object of attention for a group who enjoy a privileged position over the non-participants—they have been forced unknowingly and unwillingly into the role of the observed, and are kept ignorant of the

fact that they are participating in a performance and are being treated as an object of appreciative attention.

It may be strange to think of the non-participants as actually being the object of attention rather than the frozen participants. Another example might help to illustrate this claim. A friend told me of his once attending a performance of a piece of modern ballet, again in New York, where the back wall of the stage was a sheet of glass looking out onto the street outside. The audience in the theatre could simultaneously see the dancers on the stage as well as the pedestrians and traffic on the street outside. In one of the pieces, the dancers on stage were joined by dancers outside. The dancers outside were forced to improvise their dance in order to avoid the passing traffic and pedestrians. This had the peculiar effect of actually forcing the traffic and the pedestrians to (unknowingly and unwillingly) become part of the piece.¹¹ This seems obviously to be a case where a group of non-participants (i.e. the motorists and pedestrians) have become an object of the audience's attention. In this dance, we have three classes of people: the dancers, the non-participants and the audience. The class of "the observed" would include the dancers and the non-participants, while the class of "observers" would include the audience members. The dance piece described here is similar to *Frozen Grand Central* in that both force a group of non-participants into the role of the observed. The difference between this dance piece and *Frozen Grand Central* is that, in the latter but not in the former, the people responsible for executing the work are themselves also the observers.¹²

It is in this sense that I claim that performances of *Frozen Grand Central* necessarily involve the manipulation of the non-participants: *Frozen Grand Central* is an inherently

¹¹ Thanks to Tiger Roholt for this example.

¹² Remember, this is also the case with games like ding-dong-ditch.

manipulative work because the proper way to appreciate and understand the work requires the observer to identify with the second-order kind of response, and the enjoyment of that kind of response is inherently dependent on the fact that certain other individuals (i.e. the observed non-participants) are restricted from similarly achieving that kind of response. It is a work that forces some individuals unknowingly and unwillingly into the role of the observed for the enjoyment of the privileged observers.

Before leaving this topic, I should say here that I suspect that this is only way in which a work could be “inherently manipulative”. If pressed, I would wish to resist the need to offer a definition of what is “inherently manipulative” simply because I suspect that there would be many kinds of works that would fit this description for many different reasons. I am doubtful that all inherently manipulative works would share any particular feature in common (other than that they are all inherently manipulative!). *Frozen Grand Central* is inherently manipulative because it forces some individuals unknowingly and unwillingly into the role of the observed for the enjoyment of the privileged observers. Certainly, I would think that any other work that shares this features with *Frozen Grand Central* must also be an inherently manipulative work—*Frozen Grand Central* is not unique in its manipulation of unsuspecting non-participants. The same analysis could be given for the many works that involve a “candid camera” style separation between participants who are “in the know” and non-participants who become the object of the participants’ appreciative attention. Think of films like *Borat* for instance.¹³ Through the manipulation of others, such works treat the first-order responses of the observed individuals as the material that the second-order responses of the observers are built on.

¹³ The full title of which is *Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan* [sic], Dir. Larry Charles (2006).

One might wish to offer this as a means of delineating works that are inherently manipulative from those that are not. However, I suspect that there would be other kinds of works that share nothing in common with *Frozen Grand Central* and yet may be inherently manipulative for very different reasons. There are many ways of manipulating others and many ways of employing manipulation in works of art. I have merely described one class of inherently manipulative works.

Inherent Manipulation and Moral Speculation

Thus far, I have identified the proper appreciation of performances of this work with the second-order kind of attention and response enjoyed by the observers and have argued that such second-order responses rely on the manipulation of the non-participants.

Manipulation as I have described it is a necessary feature of this work as the elicitation of first-order responses from the non-participants essentially requires their being kept ignorant about the nature of the performance. What should we say about the morality of manipulative works such as *Frozen Grand Central*? As the work is inherently manipulative, is this work necessarily *morally* flawed? And if so, then is this work also necessarily *aesthetically* flawed?

I am skeptical that there is much that can be said about these issues from our present position. First, it is debatable whether all cases of manipulation are immoral. While virtue ethicists might claim that all manipulation is immoral because it is not a virtue, act consequentialists would certainly disagree. Some instances of manipulation might lead to overall positive consequences, and *Frozen Grand Central* might be one of those cases. The organizers of Improv Everywhere claim that the purpose of their group is to cause

“scenes of chaos and joy in public places”, and I suspect that *Frozen Grand Central* is very successful at that. Additionally, I would not expect that any (or at least, many) of the non-participants would have felt that they were being treated in some opportunistic or devious way. Some of the non-participants may have even enjoyed the experience. (I am doubtful that the same could be said for those non-participants who were captured in the film *Borat*, or for many of the performances of Fusco and Gómez-Peña’s *Two Undiscovered Amerindians Visit...*) To say that *Frozen Grand Central* is an inherently manipulative work is not thereby to say that it is an inherently immoral work as that would require the further claim that all cases of manipulation are necessarily immoral. I will leave it up to ethicists to decide whether this is in fact the case.

Second, I would not want to be a kill-joy. In all honesty, if I had been in New York on that day and was available, I probably would have participated in the performance too!

Finally, I do not want to be understood as making the claim that this inherent quality of the work should be regarded as an aesthetic flaw, nor am I making the claim that the work’s overall aesthetic value should be diminished due to its use of manipulation. If it were decided that all instances of manipulation are in fact morally blameworthy, then it would still be an open question whether inherently immoral works of art are thereby necessarily aesthetically flawed. The past two decades have seen much debate over this issue. Some philosophers argue that a work of art containing a moral flaw is to that extent aesthetically flawed;¹⁴ while others claim that moral and aesthetic values are mutually autonomous such that we cannot draw conclusions about the aesthetic value of a

¹⁴ See Mary Devereaux, “Beauty and Evil: The Case of Leni Riefenstahl’s *Triumph of the Will*”, ed. Jerrold Levinson, *Aesthetics and Ethics* (Cambridge University Press, 1998), pp. 227-256; and Berys Gaut, “The Ethical Criticism of Art”, ed. Jerrold Levinson, *Aesthetics and Ethics* (Cambridge University Press, 1998), pp. 182-203.

work based on any moral judgments.¹⁵ Between these two extreme positions there are certainly other more subtle views along the spectrum.¹⁶ My suggestion that *Frozen Grand Central* is a manipulative work would make little direct impact on this debate. One might argue that *Frozen Grand Central* is a morally flawed work because the work involves manipulation essentially; but this is a point that needs to be argued for independently; and if the work is in fact morally flawed, then it remains to be seen whether the work is thereby aesthetically flawed too. Having said that, it is my feeling that our engagement with ethically challenging works is much too subtle and sophisticated to hold that any morally flawed work is to that extent necessarily aesthetically flawed, but this is not a point that I can here defend. For my part, I wish to remain agnostic at present concerning the relationship between aesthetic and moral values.¹⁷

¹⁵ See Matthew Kieran, *Revealing Art* (New York: Routledge, 2005).

¹⁶ See e.g. Noel Carroll, "Art, Narrative and Moral Understanding", ed. Jerrold Levinson, *Aesthetics and Ethics* (Cambridge University Press, 1998), pp. 126-160. For an excellent discussion of these positions and the ways in which aesthetic, artistic and moral values may overlap and interact, see Elisabeth Schellekens, *Aesthetics and Morality* (New York: Continuum Press, 2007).

¹⁷ Thanks go to Brandon Conley, Jennifer Courtney-Bartel, Rose Fernandez, Kim Hall, Tiger Roholt and an anonymous referee from this journal for their comments on this paper.

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