

# Janez Janša<sup>®</sup>



AKSIOMA

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# **Domenico Quaranta** WHAT IF?



**Let's start from facts.** In 2007, independently from one another although more or less at the same time, Davide Grassi, Emil Hrvatin and Žiga Kariž applied for a name change. The newly chosen name was, and still is, used by a prominent Slovene political figure, Janez Janša, born Ivan Janša. The leader of the Slovenian Democratic Party, Janša was Prime Minister of Slovenia from 2004 to 2008 and again from 2012 to 2013. The application was successful, and in August 2007 Janez Janša, Janez Janša and Janez Janša publicly announced their name change.

At the time they were already public figures, and internationally well known in artistic circles. Janez Janša (born 1964 in Rijeka, Croatia, as Emil Hrvatin) came to prominence as writer and theatre director, with essays like his monograph on the early works of artist Jan Fabre<sup>(1)</sup> and works such as the reconstruction of *Pupilija*, *Papa Pupilo and the Pupilecks*, *Fake it!* and *We are all Marlene Dietrich*, all strongly reflecting the status of performance in a social and political context. Since 1999, he has been the director of Maska, Institute for Publishing, Artistic Production and Education.

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(1) Emil Hrvatin, *Jan Fabre—La discipline du chaos, le chaos de la discipline*, Paris, Armand Colin 1994

Janez Janša (born 1970 in Bergamo, Italy, as Davide Grassi) is the co-founder and director of Aksioma—Institute for Contemporary Art, Ljubljana, and an intermedia artist internationally known for projects with a strong socio-political connotation: like *Problemarmarket.com—the Problem Stock Exchange* (2001, with Igor Štromajer), an online platform inviting people to invest in problems, and *DemoKino—Virtual Biopolitical Agora* (2004), an interactive movie and virtual parliament that allows the audience / voters to decide on biopolitical issues, such as the privatization of water or cloning. In 2005 Janša established *RE:akt!*, a production platform dealing with re-enactment and an internationally touring exhibition.

Last but not least, Janez Janša (born 1973 in Ljubljana, Slovenia, as Žiga Kariž) is a visual artist whose work problematizes the field of painting through the use of media images and a free relationship with various technological processes. In 2003 he represented Slovenia at the Venice Biennale with works from the series *Terror=decor*, which examines how both media and artistic imagery change into décor in the service of capitalism. The works were shown in private apartments scattered around Venice, and the paintings had built-in cameras that transmitted images to the Slovenian pavilion in real time.

It seemed that little changed after the name change. Those around the three artists—be they friends, relatives, collaborators or art professionals—had to negotiate with themselves how they would address the three artists from then on. As Slavoj Žižek pointed out,<sup>(2)</sup> the old names were used occasionally as nicknames, to explain which Janez Janša one was referring to. This is true except for Janez Janša, who changed his name back to Žiga Kariž in 2008, and again to Janez Janša in 2017. Within this time frame Kariž has been using the name Janez Janša as a pseud-

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(2) In Slavoj Žižek, “Names That Divide,” in *Janez Janša and Beyond*, pp. 108–117. Aksioma – Institute for Contemporary Art, Ljubljana, Slovenia 2018.

onym when working collaboratively with Janez Janša and Janez Janša, and his legal name for his solo work; while the Janez Janša formerly known as Davide Grassi and the Janez Janša formerly known as Emil Hrvatin have been using their new legal name in their collaborative activity, as well as in their solo work and in their institutional roles, as directors of Aksioma and Maska, respectively. And, of course, in their private lives<sup>(3)</sup>—following some conscious, concerted, self-given rules when it was up to them to decide—the three artists agreed to rework the credits of all their previous works to match them to their current identities, even if the art system was not always happy with it. Moreover, in terms of personal life they decided that the name change should be an individual choice that shouldn't affect the lives and names of their relatives—as Slovenian law allowed them to do. Which is why none of the children of Janez Janša, Janez Janša and Janez Janša has “Janša” as a surname, with all the problems that this may produce in specific situations.

The collaborative work that Janez Janša, Janez Janša and Janez Janša have been developing between 2007 and 2017 takes various forms, from performances to video, and readymade to installation, and focuses on a variety of topics, from re-enactment to the role of economics in contemporary society; but it is strongly bound together by a common feature: it is all born as a consequence of the name change, and of the chain of reactions that it—or the actions made to implement it in one's own personal life—produced in the bureaucratic, political, institutional, cultural, social and economic systems we are living in. All of Janez Janša, Janez Janša and Janez Janša's works, every single item on display in this exhibition, are the result of a feedback loop, of the play between action and reaction.

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(3) Although, as we will see below, they could have used their original names as well, because for different reasons they didn't change their names in their countries of origin - up to the present time in the case of Davide Grassi, and from 2007 to 2015 for Emil Hrvatin.

8 | And here comes fiction. In a video interview made for the movie *My Name Is Janez Janša* (2012),<sup>(4)</sup> the theorist Marco Deseriis says:

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**It would have been interesting to see what would have happened if the Slovenian political machine would have accepted them as legitimate political subjects; if, say, Janez Janša the former Prime Minister of Slovenia would have started dispatching out other Janšas to give, for instance, talks on his behalf, or to give talks not even as replicas, but as the legitimate Janez Janša.**

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This hypothesis belongs, of course, to the realm of the imaginary, but it reminds us of a very important aspect of the work of Janez Janša, Janez Janša and Janez Janša: that it wouldn't exist, or wouldn't exist in this shape, if things had gone differently; if the politicians, media, institutions, corporations, and individuals they called into question or addressed with their requests would have replied in a different way.

This could be said, of course, for the work of any artist, and for art history in general. What if Michelangelo had not been commissioned to produce the Sistine Chapel frescos? If Van Gogh hadn't cut his ear? If Marcel Duchamp's *Fountain* was not rejected by the Society of Independent Artists, but accepted as a beautiful sculpture? Or, coming to life events that affect an artist's career, what if Marina Abramović had not met Ulay? If Caravaggio hadn't killed a man? If Monet did not become almost blind in his later years?

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(4) The video has been made available online on the occasion of the project *Free Janez Janša* (2015), and can be seen here: <https://vimeo.com/102836089>.

The difference, in the work of Janez Janša, Janez Janša and Janez Janša, is what actually makes the difference. Here, it's not us dealing with imaginary alternative histories, but; it's the artists dealing with institutions, bureaucracies and systems of power whose response is often uncertain, and, more often than not, whose motivations are not meant to be disclosed or discussed. "What if?" thus becomes the condition of existence of every Janez Janša, Janez Janša and Janez Janša project, right from the very beginning. What if the application for the name change would have been accepted for one of the artists, but rejected for the other two? What if Ivan Janša and the political world would have reacted in a different way—let's say, by inviting supporters to change their names into Janez Janša as well? Or, rejecting the pseudonym Janša had been using so far, now that it was shared by three other public figures, and going back to his legal name, Ivan? What if Slovenian banks, after a couple of successful requests, would have rejected all further requests for customized credit or debit cards to be issued to Janez Janša, Janez Janša and Žiga Kariž? What if no auction house could be found to put Janez Janša's passport up for sale? What if the recent application to turn the name Janez Janša into a registered trade mark was rejected?

Some of these responses would have affected, in a more or less consistent way, the artists' lives. Some of them would have affected the development and reception of their work: if the political world had reacted differently, the movie *My Name Is Janez Janša* wouldn't have inspired such a heated political debate when it was screened in movie theatres and on television; or, in a radically opposite scenario, it would have been censored, and offered the chance for a major change to the laws on culture, as an official from the Ministry of Education, Science, Culture and Sport threatened at the time, allowing the State to withdraw public funding from institutions producing work con-

10 | sidered to be inappropriate.<sup>(5)</sup> But, even more importantly, most of the works the trio released from 2007 to 2017 as Janez Janša, Janez Janša and Janez Janša wouldn't simply not exist, as they were not produced by the artists, but instead by institutions, corporations and the media in response to a specific request, or as a consequence of a specific event. Just to take one example out of many: *Double Citizenship* (2007–ongoing) is a piece telling the story of an individual (Davide Grassi / Janez Janša) legally allowed to have two valid passports (one Italian, one Slovenian) with two different names, simultaneously. If the laws had been different, the story would be different, as would the piece would be different, which might not have existed at all. Most of Janez Janša, Janez Janša and Janez Janša's works were created under similar circumstances.

After the name change, the artists received new ID cards and new birth certificates. Janez Janša's marriage certificate—the first official document featuring the names and signatures of all three artists together—is the bureaucratic materialization of a successful union. These material objects are not artworks, but instead the material traces of an artistic event, like the documentation or remains of a performance. The name change was a life event, done for personal and not artistic reasons. It wasn't a performance, nor a political, activist stunt. Although this should be stressed at all times, we should also remember that Janez Janša, Janez Janša and Janez Janša are fully aware that post-Fordism has inadvertently realized one of the dreams

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(5) Bojan Brezigar, the Head of the Public Relations Department of the Slovenian Ministry of Education, Science, Culture and Sport at the time, declared: "At this moment, the law does not provide legal grounds for the minister's discretion management or elimination of projects at his will. (...) When the current government's term of office began, the contracts were already signed, the film *My Name Is Janez Janša* produced, and the Ministry bound to the effective legislation which seems to be contradictory in some cases for which reason the Ministry is preparing adequate amendments." Cf. "Zaslужkarji in njihova gola resnica" ("Moneymakers and Their Naked Truth"), in *Reporter* 42, p. 66, Ljubljana 22 October 2012.

of the avant-garde, sweeping away any distinction between life and work. As they say in an interview:

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**One of the basic features of neoliberalism is the removal of distinction between work and free time. Post-Fordism, cognitive capitalism, and non-material work are the phenomena by which we say that it is not the notion of work that has changed, but life itself has turned into nothing than mere work.<sup>(6)</sup>**

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Along the same lines, we could also note that in the contemporary society of the spectacle, every private and public gesture is naturally turned into performance. In other words, Janez Janša, Janez Janša and Janez Janša's name change was a life event turned into "work" and "performance" by the social conditions in which this gesture took place. In this sense, the name change could be seen as one of the masterpieces of art in the age of biopolitics.

On a smaller scale, the same could be said for the "marriage" event, with which the name change was made public, and announced to relatives, friends as well as the media. For the time it was organized—right after the name change—and the way it was organized, with the three Janez Janšas performing the official and visible roles of the groom, groomsman and the best man, the marriage was instrumental in the public revelation of the name change. On the other side, it was a crucial life event for the families of the bride and groom, who travelled from Spain and Italy, as well as their children. Was it work? Was it life? Or shall we just keep the line between the two as blurred as possible?

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(6) In Vana Gović, "Janša? Interview with Janez Janša, Janez Janša, Janez Janša," in *Smuggling Anthologies Reader*, pp. 241–244. Museum of Modern and Contemporary Art, Rijeka, Croatia 2015.

On the other hand, the investigation of the personal consequences, the linguistic implications, the bureaucratic regulation, and the institutional way of dealing with a life event of this sort is an intentional and legitimate art practice—one focused on the biopolitical aspects of contemporary life. As we already said, the material manifestation of such an art practice is, more often than not, produced by institutions or corporations in response to a specific gesture, or request. Reframed as exhibition objects, these everyday items become works of art, as they document life itself as a pure activity, in the words of Boris Groys,<sup>(7)</sup> and as “they contain the procedure through which they were produced,”<sup>(8)</sup> as Janez Janša, Janez Janša and Janez Janša explained in an interview. This should fit them within the category of the readymade, but with a difference. First, they are not mass-produced objects belonging to the realm of consumer culture, but personalized, individual items belonging to the realm of official documents. Second:

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**Ordinary objects entering the art world do not go back to their previous reality and function. Our readymades instead are trapped in between two realities and can't really leave one completely in favour of the other. This situation makes them non-commodifiable objects, as**

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(7) According to Boris Groys: “Art documentation [...] marks the attempt to use artistic media within art spaces to refer to life itself, that is, to a pure activity, to pure practice, to an artistic life, as it were, without presenting it directly. Art becomes a life form, whereas the artwork becomes non-art, a mere documentation of this life form. One could also say that art becomes biopolitical.” Cf. “Art in the Age of Biopolitics: from Artwork to Art Documentation,” in Boris Groys, *Art Power*, The MIT Press, 2008, p. 54. We should note, however, that while some works by Janez Janša, Janez Janša, Janez Janša perfectly fit in this definition, some others - most notably original valid documents like ID cards and passports - exceed mere art documentation, because of their hybrid nature of valid documents and works of art. For an extensive discussion on these topics, cf. Domenico Quaranta, *Troika*, Link Editions + Aksioma, 2013.

(8) Alessandro Ludovico, “[An Interview With Janez Janša, Janez Janša and Janez Janša](#)”, in *PostScript*<sup>UM</sup> #1. Aksioma—Institute for Contemporary Art, Ljubljana 2014. Originally published in *Neural*, #34 (Winter), pp. 40–43, Bari 2009.



**they cannot enter the art market without actually crashing into the fact that it is illegal to sell valid identification documents.<sup>(9)</sup>**

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Speculating on the artistic nature of such artefacts, Janez Janša came up with the concept of “Collateral Art,” defined as “a practice in which works of art are created as an effect of specific social circumstances (a change of name, in our case).”<sup>(10)</sup> Collateral Art is not directly produced by the artists; their work consists, on a first level, in activating the process that produces the piece and, on a second level, in framing and presenting it—sometimes permanently, more often temporarily, according to the nature of the object—as art.<sup>(11)</sup> Let’s get back to the marriage event as an example. One day, right after the name change, Janez Janša decided to get married. Since Janez Janša and Janez Janša were family friends, they were chosen to be the best man and groomsman. This is a life event, but, as we already noted, Janez Janša, Janez Janša and Janez Janša were all too aware of the collateral effects of the name change, and of the performative meaning of having their three names spoken by a public official, to not consider this when planning the marriage. Janez Janša the groom also invited Zoran Janković, Mayor of Ljubljana and a political rival of Janez Janša, to officiate the marriage, but he refused. The cer-

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(9) Ibid.

(10) In Vana Gović, “Janša? Interview with Janez Janša, Janez Janša, Janez Janša,” 2015, cit.

(11) In his text “Collaterality and Art,” Janez Janša expands this concept by explaining that the name Janez Janša has collateral effects any time it is pronounced: “When you address Žiga with the name “Janez,” you do not only acknowledge his new name, you do not only indicate a person that holds that name, but you also acknowledge the act of a name change. You perform his name change by saying his name. [...] The repetition of the name Janez Janša creates collateral effects because the name refers to more than a person. [...] As soon as you call a person by the name “Janez Janša” you cannot avoid evoking a series of other effects that the name engenders.” Cf. Janez Janša, “Collaterality and Art,” in *Parse Journal*, Issue #3 Repetitions and Reneges, Summer 2016. Online at <http://parsejournal.com/article/collaterality-and-art/>.

emony was thus carried out by another official, and a marriage certificate was automatically issued. The event offered a journalist the chance to publicly discuss the delayed marriage of Janez Janša the politician, whose partner behaved like a First Lady without the couple being legally married, in an article published in *Mladina*,<sup>(12)</sup> the main leftist weekly in Slovenia. A photographer documented the event, and ten years later, on the occasion of their 10th anniversary, Janez and Marcela celebrated it with a wedding album. All the artefacts thus mentioned—the marriage certificate, Janez Janša's letter to Janković, the *Mladina* feature, the wedding album—are potential artworks. None of them—except for the wedding album, that in its design and its very existence follows, however, the usual protocol for the “marriage” event in our bourgeois life—were been crafted by the artists. All of them exist as collateral effects of the name change.

We will focus on artefacts produced by institutions later on in this text. Now, it's important to stress briefly the effects of the name change on the media. It would trivialise things to say that the name change has simply been a stunt to bring more media attention to the projects that Janez Janša, Janez Janša and Janez Janša would release in future years. If anything, this attention would only have been local, as Janez Janša the politician was not at the time, and is not today, the kind of internationally recognized figure who could inspire any worldwide media impact. And even on a local level, the name change arguably produced more confusion and distraction from the artworks, rather than bringing more attention on them. But some journalists also noticed that the name change opened up new opportunities for them, and sometimes generated genuine collateral art. *Mladina*

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(12) Vanja Pirc, “Janez Janša se je poročil. Namesto premiera je dahnil usodni “da” intermedijski umetnik,” in *Mladina* 34, p. 10, August 28, 2007, online at <http://www.mladina.si/91084/janez-jansa-se-je-porocil>.

did it in relation to the marriage, using a piece of gossip to raise a political issue. Again in 2007, an article published by the journalist Boris Dežulović in the Saturday supplement of the daily newspaper *Dnevnik* on September 1st, 2007, played on the “collaterality” of the name change more creatively. Titled “Ali je Janez Janša kreten?” (Is Janez Janša an idiot?), the piece was signed by Ivo Sanader, the name of the Prime Minister of Croatia at the time, and argued that the name change of the three artists created a situation in which you are allowed to publicly raise such questions without worrying about potential legal harassment, by simply turning a unique signifier into a multiple one.

The journalist Jela Krečič wrote extensively about Janez Janša as a media phenomenon, saying that, to all effects, the media “co-creates the art project” and the journalist, although remaining “faithful to the rules of reporting and commenting,” participates in its creation. She continues:

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**the journalist always co-creates the event about which s/he reports, however, while this aspect of the journalist’s creativity usually remains hidden and unthematized, it becomes explicit in the case of the Janšas’ project.<sup>(13)</sup>**

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Not only does the reporter become a collaborator of the artists, producing “collateral art,” but the collaterality of the name change also helps journalism to become more aware of itself and its ways of working.

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(13) Jela Krečič, “Janez Janša as Media Phenomenon,” in VVAA, *NAME Ready made*, exhibition catalogue, Moderna galerija, Ljubljana 2008, pp. 175–195. Available online at [http://aksioma.org/name\\_book/name\\_readymade.pdf](http://aksioma.org/name_book/name_readymade.pdf). The essay is also an in-depth analysis of the Janez Janša project as a media phenomenon in the first year of its existence.

More often, Collateral Art consists of legal documents issued by institutions by default as a consequence of the name change. You change your name, and you get a new identity card, a new passport, a new birth certificate. You get married, and you receive a marriage certificate with your name on it. Generally speaking, these artefacts are of special interest as artworks for two main reasons. First because, as valid documents, they challenge the notion of artwork in more than one way: they have a use value, that in the case of ID cards and passports forces the owner to keep them in his pocket; and they have a cultural value that depends exactly on their property of being valid documents, and thus can hardly, and only by producing other documents and negotiating new rules, be used in the usual ways that artworks are, i.e. being exhibited or sold to a collector. [Auction](#) (2010) thus speaks exactly to the effort to produce the ritual—in this case, an auction—and the documentation required to turn a valid document, Janez Janša's passport, into a saleable art commodity: an expert opinion by an art critic, a certificate of authenticity, a terms and conditions contract, and a sales agreement.

On the other hand, these artefacts often reveal, better than anything else, the ways in which our personal identity is regulated by contemporary bureaucratic systems, and the problems, misunderstandings, and legal dead ends this regulation often produces. The previously mentioned *Double Citizenship* (2007–ongoing) provides an interesting case. When he changed his name, the Janez Janša formerly known as Davide Grassi got a new Slovenian passport, with the new name on it. Since he is, by birth, also an Italian citizen with an Italian passport, he got in touch with the Italian administration to find out what he had to do. In an informal conversation he was told that, in order to have his name changed in Italy as well, he had to start a new and different procedure. *But he didn't have to do it.* It was up to him. And he didn't. Both documents expired in 2015 and 2017, and have been regularly renovated. So, in contrast to differently from the other two

Janšas, Grassi still exists under two different legal names in two different countries, albeit close and both part of the European Union, and can either travel abroad with the passport saying that he's the Italian citizen Davide Grassi, or the one presenting him as the Slovene citizen Janez Janša.

Things went slightly differently for the Janez Janša formerly known as Emil Hrvatin, born in the former Yugoslavia. As he explained:<sup>(14)</sup>

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**I was actually born in Croatia in 1964 and then moved to Slovenia in 1983 to do my studies. In 1991, soon after the disintegration of Yugoslavia and the declaration of independence of these two countries, I was informed I have both Slovenian and Croatian citizenship. My Yugoslavian passport was dismissed in favour of the Slovenian one while I never got, or cared to get, Croatian ID documents. Then in 2007 I changed my name to Janez Janša, and consequently got new identification documents in Slovenia. But in Croatia I was still Emil Hrvatin, a Croatian citizen without a Croatian passport. In 2015 I started the procedure to get such document from the Croatian authorities, but the only valid identification documents I could submit to them was my Slovenian passport with the name Janez Janša on it. So they then told me I should first also legally change my name to Janez Janša in Croatia and then I could get a Croatian passport.**

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In other words, for about seven years Emil Hrvatin / Janez Janša had a dual legal name and citizenship, although he didn't have

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(14) Personal communication, 11 July 2017.

Croatian ID documents. But when, in 2015, he decided to change his legal name in Croatia in order to get valid documents, something strange happened: the name was changed, and another Emil Hrvatin, who lives in Matulji, Croatia, where the artist grew up, was told of his new name. The mistake was reported and corrected, and thus the other Emil “was just a temporary Janez Janša.”<sup>(15)</sup> These stories, and the related documents, show that—although they made the same move, more or less at the same time—the legal statuses of Janez Janša, Janez Janša and Janez Janša are different, depending on their origin and on their personal and collective history. In this context, Žiga Kariž’s dance between names—from Žiga to Janez to Žiga and back again to Janez, sounds like an act of resistance against an identity that looks too stable, and an exploitation of a bureaucracy that seems very liberal when it comes to name changes.

A signature can also be considered a form of Collateral Art. A signature is required on most documents, as a visible proof that it has been completed, or agreed to, by the individual to which it refers. It is also required on artworks, or on certificates of their authenticity. The value of a signature is a convention based on the presumption that only your own hand can write down your own name in the way that you do. Its value is stronger than that of any other piece of writing, because routine repetition makes us write down our name differently from the way we write any other word; but if we change our name, we are forced to change our signature accordingly—not because we want to, but because social customs require it; and how personal can a signature be when you didn’t grow up with that name? This topic is investigated in [Signature](#), where the artists’ signatures are magnified and turned into images hand painted by the Slovene artist Viktor Bernik on 27 canvases. The paintings have been collected into triptychs, each signed by the three artists in the many different

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(15) Ibid.

ways in which they are allowed to manifest their authorship. In this series, the signature is simultaneously treated as a defunctionalized readymade that can be reproduced *ad libitum*, and as a functional tool to affirm one's authorship and put an object under one's control.

Finally, Collateral Art can manifest itself as custom-made objects produced by following the guidelines and using the forms prepared by the institutions or the companies issuing or producing the object. This is the case, for example, of personalized credit and debit cards, or of Nutella jars or Coca Cola bottles with your name on them. The nature of these objects is hybrid in a double way: because they combine a use value with an artistic value, and because they are a unique object created using conventional means of mass production, and allowing you a degree of customization while at the same time forcing you to accept some pre-defined standards. You can write your name on Coca Cola bottles, but they still need to be instantly recognizable as Coca Cola bottles in order to be accepted and produced. You can put an image of your choice on credit and debit cards, but you can't change the features that make them functional and recognizable as a card issued by a given bank and accessing a given credit circuit.

One work in this category that powerfully reveals in its material structure the uncertainties of this ongoing dialogue with administrative systems is [\*All About You\*](#). The work consists of three "collages," each of them made with one hundred credit cards issued by Nova Ljubljanska Banka. Each card is part of a puzzle that, when completed, display the magnified image of the ID card of the account holder: Janez Janša, Janez Janša and Žiga Kariž (who, however, used for the work a scan of his expired Janez Janša ID card). Each of the 300 credit cards were individually requested. Each request was subjected to the scrutiny of bank's employees who could accept or deny the submitted image in accordance with what is stated in the bank's image guidelines.

This turned the production of the pieces into a time-based relational performance where the relation between the artist and producer coincided with the relation between the customer and his bank. Sometimes, for different reasons, the dialogue went wrong: so, while one of the Janšas successfully completed his work, the other two didn't get all the requested cards. The reason for the refusals was usually the reproduction of a specific motif featured on the ID card that, according to the bank's rules, couldn't be used as an image on a customized credit card; we can see, however, how these rules are subject to the discretion and arbitrariness of the bank official, and even to the quality of the relationship the client is able to establish with him/her—since the use of the same motif was permitted or refused differently among the three artists. So, in a way, the incomplete works are as useful as the complete one in demonstrating the procedure of their own making; their incompleteness reveals the nature of the process, and reminds us that it could have gone in a completely different way.

As always, “what if?” proves to be a pretty lazy question when applied to things that have already happened. It went this way, it produced this kind of output, and that's it. But, as we have shown, in the work of Janez Janša, Janez Janša and Janez Janša, the “what if?” is also a powerful trigger, a question that opens up many possible answers, and new lines of investigation and research. “What if we register Janez Janša as a trademark for a number of potential activities?” is the project's latest iteration. The application was successful, and Janez Janša is no more just the legal name of a number of individuals,<sup>(16)</sup> but also a protected trademark. So far, the event has been advertised all over Slovenia. Now what? Will it work just as a conceptual statement, or will it generate litigation and conflict? Nobody knows, and this is

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(16) According to the Slovenian official statistics database, there are twelve people with the legal name Janez Janša currently living in Slovenia.



ultimately one of the things that makes it so strong as a gesture. At the moment of writing, we can say that the registration of the name Janez Janša as a trademark aligns with the many other works by Janez Janša, Janez Janša and Janez Janša that are produced based on a dialogue with institutions and corporations: they find out a possibility, they follow a protocol, and they get a result (be it a customized Coca Cola bottle, a personalized credit card or a registered trademark). Furthermore, the project expands and further elaborates on the copyright and authorship issues raised by their practices. As their attorney Urša Chitrakar explains, copyright is a legal construct conceived to protect “original artistic (and scientific) creations, which are expressed in any way. A work is protected by copyright only if it was created by a human being (an author) and bears a stamp of author’s personality.”<sup>(17)</sup> However, the way in which the work “bears the stamp of author’s personality” is subject to debate among legal scholars. Some of them deny copyright protection to works that have been part of the tradition of contemporary art for decades, “such as monochrome paintings, *objects trouvés*, readymades, body art or random acts such as uncontrolled performances. They argue that the mere presentation of objects by an artist or placing such object in an art gallery does not meet the requirements for copyright protection, because it does not reflect his own personality.”<sup>(18)</sup> Janez Janša, Janez Janša and Janez Janša had to deal with this interpretation of the law when it was adopted by the Slovenian Ministry of Internal Affairs (MIA), and indirectly by the Ministry of Culture, during the (still in progress) process of acquisition of their ID cards by the Moderna Galerija, Ljubljana. In their first reply (July 10, 2010),<sup>(19)</sup> the MIA only considered the use value of two of the three ID card, which were still valid as identification

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(17) Personal communication, 5 July 2017.

(18) Ibid.

(19) Dušan Vučko, “Purchase of Identification Documents as Works of Art,” Letter sent to Moderna Galerija Ljubljana on July 19, 2010 from the Ministry of the Interior.

documents, and said that their acquisition by an institutional body constituted an unlawful act that could be punished, according to the Identity Card Act. However, in their second response, forwarded by the Ministry of Culture to the Moderna Galerija on October 15, 2015, the MIA extensively questioned the artistic nature of Janez Janša's and Janez Janša's ID cards, reporting in detail the production process to which public documents are subject. They concluded:

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**Based on the description of the process of obtaining a personal identification card, the Ministry of the Interiors sees no reason for individual holders' identity cards to be considered works of art, nor does it see how the holders carried out the alleged creative process. It is also clear that in the process of issuing and production of the personal identity card, there was no creation of copyrighted work involved.<sup>(20)</sup>**

---

And they go even further, questioning the artistic nature of the name change:

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**We also see no elements of any creative process, artistic or copyrightable work associated with the preceding change of personal names later used in the production of the personal ID card, since these administrative procedures at administrative units are handled in accordance with the Personal Name Act.<sup>(21)</sup>**

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(20) Nina Gregori, "Our position regarding the Moderna Galerija request to purchase a personal identity card as a work of art." Letter sent on October 15, 2015 from the Ministry of the Interiors to the Ministry of Culture, Ljubljana.

(21) Ibid.

It would be tempting to discuss the fact that by judging what an artwork is and can be, Nina Gregori, General Director of MIA, who signed the letter, implicitly questioned the role of the Ministry of Culture and of the Moderna Galerija director, Zdenka Badovinac, in judging this subject matter. But her letter opens up another, even more interesting, forum of debate: how can an author express his/her authorship, when it's not explicit in the artefact he claims as an artwork? As Urša Chitrakar notes: "While it remains uncertain whether an act of an artist renaming himself would be considered as an original work of art and provided copyright protection, the artists are eligible to get protection by other intellectual property rights, namely trademarks."<sup>(22)</sup> The registration of a trademark guarantees protection on the use of the trademark itself and on anything that is released using that trademark.

Again, it's hard to say how Janez Janša, Janez Janša and Janez Janša will take advantage of the protection they gained by registering their name as a trademark. As Jela Krečič wrote about the name change, "it is impossible to predict the future of this project,"<sup>(23)</sup> as most of it will depend on other subjects' reactions to this gesture. What we can maybe predict, for the upcoming years, is a move from the exploration of the biopolitical effects of the name change to a focus on the intellectual property implications of trademarking. But we could be wrong.

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(22) Personal communication, 5 July 2017.

(23) Jela Krečič, "Janez Janša as Media Phenomenon," cit., p. 195.



E X H I B I T I O N











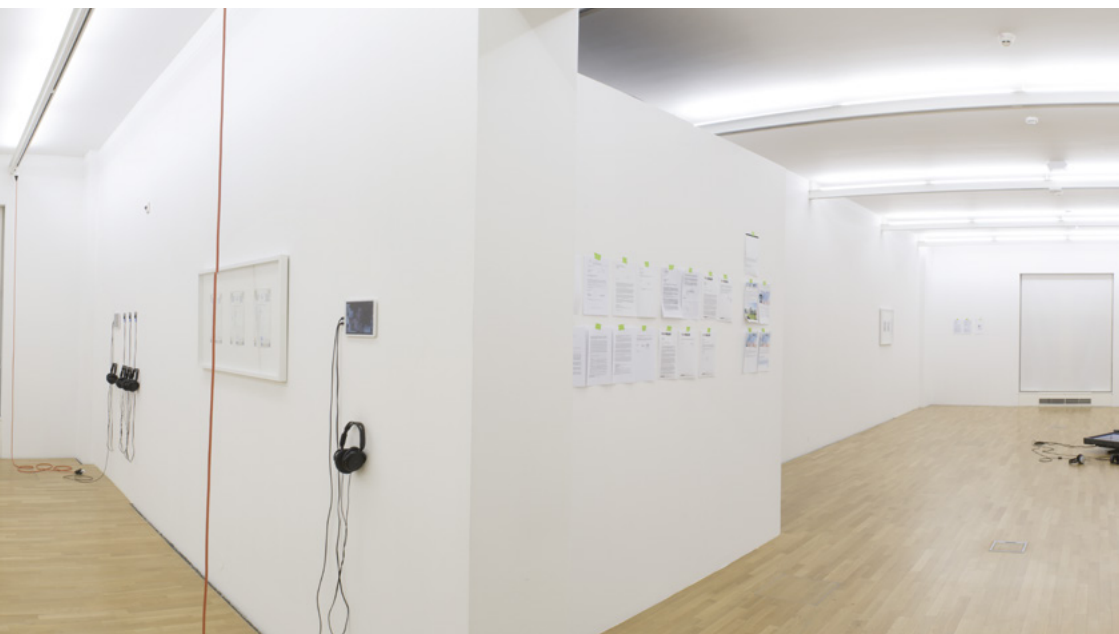






















































































WORKS



# MG+MSUM

Zadeva: Soglasje Moderne galerije za prijavo začasnega bivališča

Moderna galerija kot upravljalec soglasja s prijavo začasnega bivališča Janeza Janše, s stalnim prebivališčem Gestrinova 8, 1000 Ljubljana, EMŠO: 2805973500487 na naslovu Maistrova 3, Ljubljana za obdobje od 1.9.2017 do 15.1.2018.

Moderna galerija v skladu s prvim odstavkom 25. člena Sklepa o ustanovitvi javnega zavoda Moderne galerije (UL RS št. 8/04, št. 31/09 in št. 62/15) upravlja z nepremičnino na naslovu Maistrova 3, Ljubljana.

Zdenka Badovinac  
direktorica

Ljubljana, 24.8.2017



**MG+MSUM**

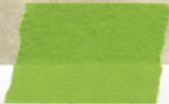
Moderna galerija / Museum of Modern Art  
Zbirna hiša umetnine umetnostni muzej / Museum of Contemporary Art Belvedere  
Kladovačkova ulica 2, SI-1000 Ljubljana, Slovenija, t: +386 1 2456000, www.mg-mj.si, info@mg-mj.si


Consent of Moderna galerija for the registration of temporary residence

[Janez Janša®](#) includes many valid documents whose public display is problematic. More specifically, ID cards and passports serve to prove, in front of a public official or at a security check, the identity of the holder. As such, we should

always carry them with us whenever we leave our private space. However, if caught in the public space without our ID documents, it's acceptable to say that we left them at home; that's actually the only excuse accepted by officials. With





  
REPUBLIKA SLOVENIJA  
UPRAVNA ENOTA  
LJUBLJANA  
Adamič-Lundrovo nabrežje 2, 1000 LJUBLJANA  
telefon: (01) 306 3000, telefax: (01) 306 3180  
e-pošta: [un.ljubljana@gov.si](mailto:un.ljubljana@gov.si), <http://upravnienota.gov.si/ljubljana>

RP242017004513

ŠTEVILKA  
07.09.2017  
DATUM

Pristojni organ na podlagi 179. člena Zakona o splošnem upravnem postopku (Ur. l. RS, 24/06 - UPB2 in nadaljne spremembe) na zahtevo:

**Janša Janez**

**Ljubljana, Ljubljana, Gestrinova ulica 8, 0012**

izdaja

**POTRDILO O ZAČASNEM PREBIVALIŠČU / ZAČASNEM NASLOVU V TUJINI**

**Janša Janez** **28.05.1973**

PRIMEK IN IME DATUM ROJSTVA

**Ljubljana** **Slovenije**

KRAJ ROJSTVA DRŽAVLJANSTVO

**Ljubljana, Ljubljana, Gestrinova ulica 8, 0012**

NASLOV STALNEGA PREBIVALIŠČA / ZAČASNEGA NASLOVA V TUJINI

ima prijavljeno začasno prebivališče / začasni naslov v tujini:


**07.09.2017 - 07.09.2019**

TRAJANJE PRELJAVE

**Ljubljana, Ljubljana, Maistrova ulica 3**

NASLOV ZAČASNEGA PREBIVALIŠČA / ZAČASNEGA NASLOVA V TUJINI

Zaznamki pristojnega organa:



RP2\_015

**Frece Luka**  
PODPIS URAĐNE OSOBE

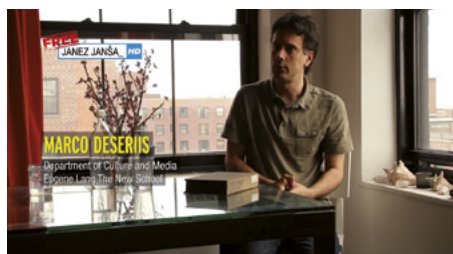
Certificate of temporary residence

respect to their use as works of art, in the past Janez Janša, Janez Janša and Janez Janša have tried various ways of exhibiting them legally, without success. For *Janez Janša*<sup>®</sup>, MSUM agreed to allow them to apply for temporary residency at the

Museum's address. These certificates, on show at the entrance of the building, turn the institution itself into the "temporary home" of Janez Janša, Janez Janša and Janez Janša, thus making the display of their ID documents legal, and possible.

- 70 When shooting *My Name is Janez Janša*, Janez Janša, Janez Janša and Janez Janša interviewed philosophers, theoreticians and artists on the value of names. Only a small number of these interviews was featured in the final version of the film, but since 2015 they have all been available online on the website [free.janezjansa.si](http://free.janezjansa.si), together with the full documentary with subtitles in seven languages. In the words of Jan Fabre, Marco Deseriis, Mladen Dolar, Antonio Caronia, Eva & Franco Mattes, Ubermorgen, Vuk Ćosić, Catherine Soussloff, Tatiana Bazzichelli and Lev Kreft, the short clips selected here provide insights into topics like multiple names, readymades, the authority of names, genealogy, brands, surnames, pseudonyms, control, authorship and signatures, homonymy and sharing.





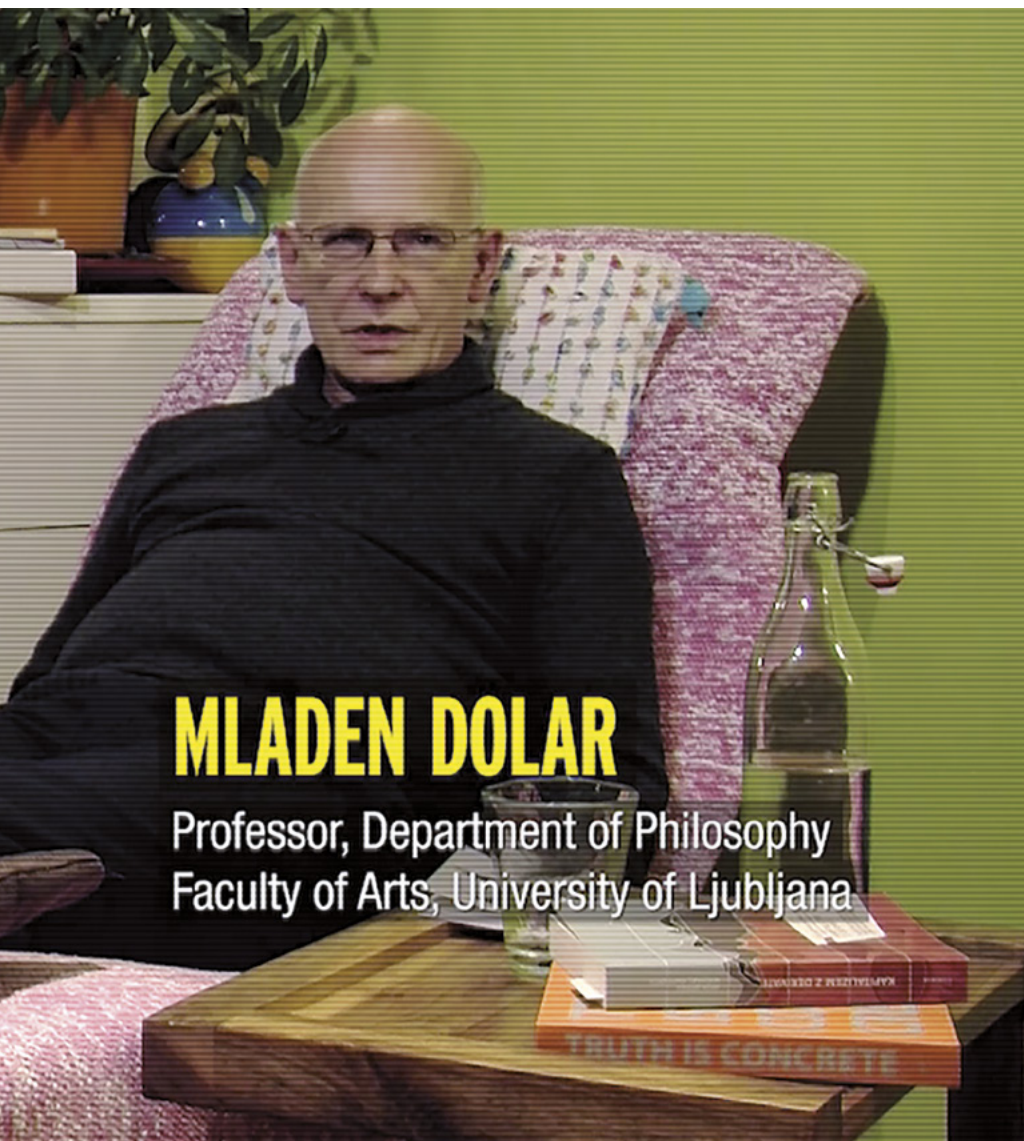


Mladen Dolar. *What's in a Name?*, 2014  
Video

Published in 2014 as a free to download PDF and print-on-demand paperback, Mladen Dolar's [\*What's in a Name?\*](#) is a philosophical speculation on the value of proper names inspired by the Janez

Janša, Janez Janša and Janez Janša's name change. Complementary to the booklet, this video trailer focuses on the main topics explored in it, starting from the name's symbolic mandate, and its





## MLADEN DOLAR

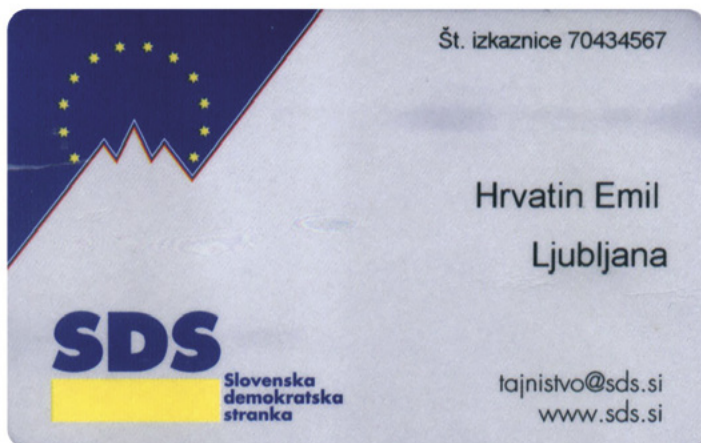
Professor, Department of Philosophy  
Faculty of Arts, University of Ljubljana

relationship to power. According to Dolar, there's no way one could inhabit a name legitimately, naturally, feeling fully justified bearing the name one bears. No name is ever covered by the Leibnizian principle

of sufficient reason. The feeling of being an impostor, a false pretender to a name, is a structural feeling accompanying all names—their shadow and effect.

74 Before their name change, Emil Hrvatin, Davide Grassi and Žiga Kariž joined the Slovenian Democratic Party (*Slovenska demokratska stranka*, or SDS), and participated in some of the party's activities. Ironically, their SDS membership cards are also the last documents issued with their original names. After the name change, the artists wrote a letter to Janez Janša, inviting him to a meeting, in which they explained: "For us, there are no boundaries between our work, our art, and our lives, and, in this respect, we believe we are no different from you. We live for what we create, and, with your permission, we would like to quote here the words from the letter you sent us when we joined SDS: 'The more we are, the faster we will reach the goal!'" Janša never replied, but in February 2011 he gave an interview with Radio Slovenia, in which he suggested that the artists changed their name "into the name of someone famous to be noticed by the people," and said: "I have been encountering these names lately, especially because I have been receiving various appeals when postmen make mistakes and deliver to me various summons or court orders to pay fines for offences committed by these guys." The statement was published in the newspaper Delo, to which Janez Janša, Janez Janša and Janez Janša sent public replies, either defending their reputation, personhood or right to use a name that legally belongs to them, as proved by the birth certificates and the passports issued by the Republic of Slovenia; or, in the case of Žiga Kariž—who in 2011 had already changed his name back to the original—as a pseudonym, just as Ivan Janša does.

Although these public gestures—joining the SDS, the letter to Janša and the replies to his statement—are not enough to claim that the name change was done for political reasons, they show it had political consequences. One of them was theorized in an article by the journalist Boris Dežulović, published in the daily newspaper Dnevnik on September 1, 2007. Dežulović, who signed the article as Ivo Sanader (the name of the Croatian Prime Minister at the time), claimed that the artists, by making the name Janez Janša a "multiple" name, gave him and everybody else the freedom to ask questions such as "Is Janez Janša an Idiot?"





  
 REPUBLIKA SLOVENIJA  
 UPRAVNA ENOTA  
 LJUBLJANA

Taksapo tarifni št.4.1. ZUT v znesku 1,06 EUR je plačana

**IZPISEK IZ MATIČNEGA REGISTRA O ROJSTVU**

Priimek	Janša		
Ime	Janez		
EMŠO	0602964362319	Spol	M
Datum rojstva	06.02.1964		
Kraj rojstva	Hrvaška, Rijeka		
Državljanstvo	Slovenija		

Podatki o starših

Mati	Priimek	Hrvatini
	Ime	Ema
Oče	Priimek	Hrvatini
	Ime	Vito

Poznejši vpisi:  
 Sklenil zakonsko zvezo dne 17.11.1990.  
 Zakonec: Bašić Hrvatini Sandra

Šifra: 7053  
 Datum: 30.07.2007

  
 REPUBLIKA SLOVENIJA  
 M.P.  
 UPRAVNA ENOTA LJUBLJANA

Debeljak Maja  
 Priimek in ime matičarja

R00174632 MAT/REG-1



## IZPISEK IZ MATIČNEGA REGISTRA O ROJSTVU

Priimek	Janša		
Ime	Janez		
EMŠO	0712970500723	Spol	M
Datum rojstva	07.12.1970		
Kraj rojstva	Italija, Bergamo		
Državljanstvo	Slovenija		

### Podatki o starših

Mati	Priimek	Giuliani
	Ime	Silvana
Oče	Priimek	Grassi
	Ime	Sergio

## IZPISEK IZ MATIČNEGA REGISTRA O ROJSTVU

Priimek	Janša		
Ime	Janez		
EMŠO	2805973500487	Spol	M
Datum rojstva	28.05.1973, 12:40		
Kraj rojstva	Ljubljana		
Državljanstvo	Slovenije		

### Podatki o starših

Mati	Priimek	Kariž
	Ime	Nuša
Oče	Priimek	Kariž
	Ime	Andrej

g. Janez Janša  
Predsednik vlade RS  
Gregorčičeva 3  
1000 Ljubljana

V Ljubljani, 30. julij 2007

Spoštovani g. Janez Janša,

Mogoče je do Vas že prispela informacija, da smo trije Ljubljančani, vsi trije ustvarjalci sodobne umetnosti, ki s svojim delom redno predstavljamo Slovenijo po svetu, ter vsi trije člani Slovenske demokratske stranke, pred kratkim zamenjali imena in priimke in se preimenovali v Janeza Janšo. Če tega še ne veste, smo veseli, da Vam novico posredujemo iz prve roke.

Naša odločitev je zavestna in posledica tehtnega premisleka. Za nas ni meja med našim delom, našo umetnostjo in našimi življenji in menimo, da se v tem prav nič ne razlikujemo od Vas. Skupaj živimo za to, kar ustvarjamo, in če nam dovolite, bi navedli besede iz pisma, ki ste nam ga poslali ob včlanitvi v SDS, »več nas bo, prej bomo na cilju«.

Ker bi Vam osebno radi podrobneje predstavili naša stališča in ker bi radi preprečili eventuelne nesporazume, ki bi jih v naše razmerje lahko vnesel nekdo zaradi napačnega razumevanja, bi se radi z Vami osebno srečali. Predlagamo, da bi se to zgodilo čimprej, če le mogoče, pred 14. avgustom 2007, do takrat smo namreč vsi trije v Sloveniji. Zavedamo se, da je Vaš umik zelo natrpan in se mu bomo seveda skušali prilagoditi.

V upanju na Vaš skorajšnji odgovor Vas lepo pozdravljamo.

Janez Janša  
Slomškova 27  
1000 Ljubljana

*Janez Janša*

Janez Janša  
Neubergerjeva 25  
1000 Ljubljana

*Janez Janša*

Janez Janša  
Gestrinova 3  
1000 Ljubljana

*Janša*

ADVICE of receipt of delivery of payment of entry  
POVRATNICA - obvestilo o vročitvi izplačila vstopa

9-361 CN 07

POŠTA SLOVENIJE

Office of posting  
Sprejemni postoj

1103

Address of the item  
Navedba naslova

JANEZ JANŠA  
PREDSEDNIK VLADE RS  
GREGORČIČEVA 3, LJUBLJANA

Station of the item  
Postojanje predmeta

☒ Registered letter  
☐ Registered letter  
☐ Parcel  
☐ Parcel

☐ Priority  
☐ Registered letter

No. of item  
Številka predmeta

037486

Amount  
Znesek

Amount  
Znesek

To be completed  
Če je potrebno

at the point of destination  
na mestu dostave

and return date  
in the office of the sender  
in the office of the sender

18.2007

A.R.

Priority  
Prejeto

Station  
Postaja

Name  
Ime

JANEZ JANŠA

Address  
Naslov

SLOMŠKOVA 27

Locality and country  
Mesto in država

LJUBLJANA

1001

REPUBLIKA SLOVENIJA  
JANEZ JANŠA  
PREDSEDNIK VLADE RS

Mr. Janez Janša  
The Prime Minister of the Republic of Slovenia  
Gregorčičeva 3, 1000 Ljubljana

Ljubljana, 30 July 2007

Dear Mr. Janez Janša,

Perhaps, by now, the news has reached you that three people from Ljubljana – all three of us are contemporary artists, whose works regularly represents Slovenia overseas and who are also members of the Slovenian Democratic Party [SDS] – have recently changed their names to Janez Janša. If you were not aware of this, we are pleased that we can deliver the news first-hand.

Our decision was a conscious one, and it came about as a result of careful consideration. For us, there are no boundaries between our work, our art and our lives, and we believe we are no different from you in this respect. We live together to create and, with your permission, we would like to quote here the words from the letter you sent us when we joined SDS: “The more of us there are, the faster we can achieve our goal.”

Since we would like to explain our position to you in detail, to avoid possible misunderstandings, we would like to meet you in person. We suggest that we do so as soon as possible, preferably before 14 August 2007 – the three of us will be in Slovenia until then. We are aware how busy your schedule is, so we will do our best to accommodate you.

We are looking forward to your response.

Kind regards,

Janez Janša  
Slomškova 27  
1000 Ljubljana

Janez Janša  
Neubergerjeva 25  
1000 Ljubljana

Janez Janša  
Gestrinova 3  
1000 Ljubljana



**Ivo Sanader**  
**IS JANEZ JANŠA AN IDIOT?**

In normal circumstances—that is, if one knew Janez Janša's impulsive character and his propensity to call his lawyers and sue people for slander even in cases of much smaller proportions—one could not easily decide whether or not to ask the question in the title. The editors of *Dnevnik* would consult their legal services and the text would probably end up in the wastebin before they even got to the point where I say: yes, Janez Janša is the biggest idiot in the universe. However let's not limit ourselves to simply calling Janša an idiot without giving any reasons; so I will add that his concept of borders, which he has been preaching all around Europe, is an exemplary piece of idiocy.

So what has changed that one can freely write in newspapers these days that Janez Janša is an idiot?

Somebody might say that there has been a sensational discovery, but as it turns out, Janez Janša is actually a Croat, born in Rijeka. And since one of the benefits of our independence is the fact that it has become socially acceptable, in Croatia, to call Slovenians cretins, and in Slovenia, to refer to Croats as idiots—and if you know my innate reflex to denigrate everything Croatian—the fact that Janez Janša is actually a Croat has enabled me to say everything I think about this idiot in a Slovenian newspaper.

But Janez Janša being a Croat is only a half of this story; for he is also something much worse—he is an artist.

I am of course talking about Emil Hrvatin, my peer and fellow compatriot, born in Rijeka, who nowadays enjoys the reputation

of an established and well-known Slovenian conceptual artist, director, and editor of the performing arts journal *Maska*. Hrvatin officially changed his name to Janez Janša a few days ago. Under his new name, he appeared at the Berlin festival *Tanz im August*, where he interrogated the relationship between liberal capitalism and the concepts of border and border-crossing through a series of experimental actions and performances.

Since we are dealing with a conceptual – albeit administratively-valid – artistic act, I am more than willing to participate in this splendid performance in the way in which I, myself, understand it; that is, to take it as an opportunity to respond to the artist's call, to publicly cross the imagined borders in a newspaper, and to write that Janez Janša is a common fool. This can be done because it is perfectly legitimate to call artists—but not politicians—idiots and to call their work idiocy. Artists are harmless beings who do not have powerful lawyers. Unlike politicians, they do everything publicly and they offer their work to be judged by the public, despite the fact that their mandate is strictly personal and their responsibility is only to themselves. Politicians, on the other hand, have our mandate and they are accountable to us; and yet, no politician has ever publicly presented their work. There are no annual festivals or exhibitions in which politicians would display their achievements of the past year.

This is the paradox that Janez Janša symbolically destroyed when he offered the public an insight into everything that

Janša does. For the gist of art is precisely to ask questions that are never asked and to cross boundaries that are never crossed in everyday life. In everyday life, borders and boundaries are not a challenge—rather, they are an administrative fact. Just like, for instance, the name Janez Janša is an administrative fact.

This is why, you see, Janez Janša is an idiot. If for no other reason than because we have no way of knowing who we are dealing with when the name is mentioned, even if everyone reading this text knew exactly which Janša is an idiot for me and which one is not. On top of this, Janez Janša, just like Janez Janša, has also changed his name. He was born as Ivan. And this it not all: Janez Janša and Janez Janša are not the only Janezes Janšas. Another couple of Janša's friends and collaborators, alternative artists Žiga Križ and Davide Grassi, have also changed their names to Janez Janša. The confusion is now perfect. And what if I wrote that three Janezes Janšas are pure geniuses and only one of the lot is an idiot? But if we recall the incident from a few months ago with the dog on YouTube whose name was also Janez Janša, there is no way of telling who is an idiot and who is a scoundrel. Janša's artistic act has a practical side as well. Just like in the joke about Mujo and his four kids, (Prime Minister of Croatia) Ivo Sanader is going to call Janez Janša and

say, "Janša, give us a beer!". And suddenly, there are going to be four beers on his table. This is definitely less dangerous than, if Hrvatin, Žiga and Davide had changed their names and surnames a couple of years earlier, and Sanader ordering, instead of a beer, a smaller border incident.

I have, thus been inspired to use a pen name for this issue of Dnevnik. No, not Janez Janša. As we can see, everybody is called Janez Janša these days. I could be called, say, Ivo Sanader. Yes—Ivo Sanader. As Ivo Sanader, for instance, I could come to a few agreements with Janez Janša about a few border issues, without involving the International Court of Justice in The Hague. For starters, we could deal with those borders and boundaries that exist only in human minds and which can be crossed without documents issued to Janez Janša or Ivo Sanader. We could deal with borders and boundaries that do not separate but rather bring together and whose sole purpose is to be crossed. The boundaries of decency? Indeed, where is the line separating an acceptable way of saying "Janša is an idiot" from an unacceptable one? In the middle of the Gulf of Piran? Somewhere along the Mura? For there is, indeed, a line, a limit—in human minds, in limited human minds. Of course, if you disagree with me, you can always say: what a cardinal idiot this Ivo Sanader is!



**Janez Janša**

**I'M NEITHER AN IDIOT NOR A COMMON FOOL**

In the article entitled "Is Janez Janša an Idiot?", which was published in *Dnevnik's Objektiv*, page 9, on September 1, 2007, the author Ivo Sanader writes:

"Janez Janša is the biggest idiot in the universe."

"Janez Janša is a common fool."

"This is why, you see, Janez Janša is an idiot."

These statements are completely unsubstantiated, deeply offensive, and detrimental to my honour and good reputation. This is why I demand a public apology from Mr. Ivo Sanader to be published in a visible place in your newspaper no later than September 22, 2007. In the case that no such apology is offered, I will seek justice and legal satisfaction.

Regards,

Janez Janša

-

Originally published as "Nisem kreten in ne ena navadna budala"  
in *Dnevnikov Objektiv*, 8th September 2007

Translated by Polona Petek

Proofread by Camile Acey



Wedding, 2007

On August 11, 2007, Janez Janša and Marcela Okretič [got married](#). Janez Janša was the best man of the bride, and Janez Janša the best man of the groom. The guests were unaware of the artists' name change and learned of it during the ceremony directly from the marriage registrar at the Municipality of Ljubljana. The marriage certificate is the first official document signed by all three Janšas together.

The Janša marriage is an effective example of a private event that was—unwillingly?—turned into a public performance, and a political issue, as a consequence of the name change. Janez and Marcela were

married by Branko Franc Grošl after Zoran Janković, the Mayor of Ljubljana and a political rival of Janez Janša the politician, refused to conduct the ceremony. Moreover, this marriage was publicly discussed in *Mladina*, the main weekly current affairs magazine of the left in Slovenia, in relation to the awaited, but not yet celebrated, marriage of Janez Janša the politician and Urška Bačovnik, who would finally get married in 2009.

Made to celebrate their tenth anniversary, Marcela and Janez's wedding album documents the event in both its private and public dimensions.





### LISTINA O SKLENITVI ZAKONSKE ZVEZE

Datum sklenitve	11.08.2007
Kraj sklenitve	Ljubljana
Mož	
Priimek	Janša
Ime	Janez
EMŠO	0712970500723
Priimek po sklenitvi zakonske zveze	Janša
Žena	
Priimek	Okretič
Ime	Marcela
EMŠO	2812970506065
Priimek po sklenitvi zakonske zveze	Okretič

Zakonec:

*Janša Janez*

*Grosi Franc Branko*

Priimek in ime pooblaščenice osebe

Sifra:

200000955

Priči:

*Janša Janez*  
Priimek in ime priče  
*Janša Janez*  
Priimek in ime priče

*Marko Vlasta*  
Priimek in ime matičarja



MAT/REG-5



Novopečeni Janezi Janša

## JANEZ JANŠA SE JE POROČIL

NAMESTO PREMIERA JE DAHNIL USODNI „DA“  
INTERMEDJSKI UMETNIK

VANJA PIRC

Minuli vikend je ponovno završalo, da naj bi se predsednik vlade JANEZ JANŠA in njegova partnerka URŠKA BAČOVNIK poročila. To naj bi storila naskrivaj, velika in javna poroka pa naj bi se obetala kasneje, ko bi bil čas primernejši za takšno slavlje. Recimo naslednjo pomlad, med predsedovanjem Slovenije EU in pred jesenskimi parlamentarnimi volitvami.

Ker se informacije o tem, da naj bi se Janša in Bačovnikova poročila, tokrat niso pojavile prvič, smo kabinet predsednika vlade povprašali, ali sta Janša in Bačovnikova dejansko že poročena. In če sta, kdaj sta se poročila in kje? *„Spoštovani, vprašanja, ki ste jih zastavili, se nanašajo na zasebno življenje predsednika vlade in kot take niso informacije javnega značaja. Zato se nam tega ne zdi potrebno komentirati,”* so nam odgovorili iz kabineta. Odgovor ni naveden le zato, ker pušča precej prostora za ugibanja, temveč tudi zato, ker Janša in Bačovnikova živita še kako javno življenje, saj se že nekaj mesecev skupaj udeležujeta javnih prireditev, skupaj obiskujeta tuje državnike, pri čemer stroške letalskih vozovnic za oba krijejo davkoplačevalci, vlada pa je medtem tudi spremenila protokolarna pravila, v katerih so bile doslej navedene le soproge funkcionarjev, in Bačovnikovi omogočila naziv partnerka. Je torej vprašanje o tem, ali sta se Janša in Bačovnikova poročila, res stvar zasebnega življenja? Sploh potem, ko je Urška Bačovnik za velenjski časopis Naš čas povedala: *“Poroka pa, seveda bo, ni pa nujno, da letos. Ko bova določala njen datum in ko se bova odločala za otroka, bo to izključno našina zasebna stvar in pri tem nikakor ne misliva upoštevati nobenih drugih interesov.”*

Kljub skopim informacijam iz premierovega kabineta pa je minule dni zaznamovala vsaj ena poroka, na kateri je v vlogi ženi nastopil Janez Janša. V soboto, 11. avgusta, sta se na ljubljanskem gradu poročila Janez Janša in MARCELA OKRETIČ. Mladoporočenec je bil sicer slovenski intermedjski umetnik, do nedavna znan pod imenom DAVIDE GRASSI, ki se je pred nekaj dnevi skupaj s še dvema umetnikoma, režiserjem in publicistom EMILOM HRVATINOM in performerjem ŽIGO KARIŽEM, uradno preimenoval v Janeza Janšo. Vsi trije naj bi se tudi včlanili oz. želeli včlaniti v Janševo stranko SDS. Da gre za temeljit projekt, dokazuje že spletna stran Zavoda Maska, kjer je kot direktor po novem namesto Hrvatina naveden Janez Janša, spremenjena je tudi njegova biografija. Trojica svoje odločitve za zdaj še ni javno komentirala, pravijo le, da gre za njihovo intimno odločitev.

Čeprav umetniki tega niso potrdili, gre gotovo tudi za duhoviti performans, ki bo najbolje viden, ko se bo začel Janez Janša v javnosti pojavljati kot vizualni umetnik, avtor plesnih predstav in slikar. Odločitev trojice umetnikov lahko najverjetneje še najbolj pojasni njihova nedavna akcija *Triglav na Triglavu*, s katero so se odločili problematizirati ideološko povezovanje dogodkov iz pretekle in polpretekle zgodovine, zasnovali pa so jo na ponovni izvedbi znamenitega dela *Triglav*, ki so ga člani skupine OHO predstavili leta 1968. ✕

Janez Janša Got Married, 2007  
Magazine cut-out

**Vanja Pirc**

**JANEZ JANŠA GOT MARRIED.**

**THE MIXED-MEDIA ARTIST SAYS "I DO", INSTEAD OF THE PRIME MINISTER.**

The rumours erupted again last week that the Prime Minister JANEZ JANŠA and his partner URŠKA BAČOVNIK tied the knot. Supposedly they did so quietly while a big public wedding would be held later, at a more convenient time for such a celebration - like next spring, during the Slovenian EU Council Presidency and before the autumn parliamentary election. Since this was not the first time that the rumours about the wedding erupted, we rang the Prime Minister's cabinet to ask whether or not Janša and Bačovnik had actually already gotten married, and if so, where and when did this happen? *"Dear Sirs, your questions concern the Prime Minister's private life, and, as such, they do not require public answers. Therefore, we believe no comment is needed,"* the cabinet replied. The response is unusual not only because it leaves much space for speculation but also because Janša and Bačovnik live emphatically public lives, attending public events together and visiting foreign politicians (with the costs of their travels being paid - for both - by the Slovenian taxpayers). The government went as far as to change the rules of protocol, which have thus far referred only to the Prime Minister's spouse, to accommodate Bačovnik as the Prime Minister's partner. So is the issue of Janša and Bačovnik's wedding indeed a private matter? Especially after Bačovnik's statement for the Velenje newspaper Naš Čas (Our Time)? *"Of course there will be a wedding, but not necessarily this year. When we get around to setting the date and making plans about children, this will be our private matter and we do not intend to consider any other interests."*

Despite the laconic reply from the Prime Minister's cabinet, the last few days did see a wedding in which one Janez Janša appeared in the role of the groom. On Saturday, 11th August, Janez Janša and MARCELA OKRETIČ got married at the Ljubljana Castle, but the newlywed was actually the Slovenian mixed-media artist, who was known until recently as DAVIDE GRASSI, and who - together with two other artists, the director and publicist EMIL HRVATIN and the performer ŽIGA KARIŽ - formally changed his name to Janez Janša a few days ago. All three are also said to have joined, or rather, to have wanted to join Janša's party SDS. Further proof of this all being an elaborate project can be found on the website of Maska Institute, whose director is no longer listed as Emil Hrvatin but rather Janez Janša, and whose biography has also been accordingly adjusted. The trio has not yet offered a public explanation of their act; all they say is that this was a personal decision. While the artists have not confirmed this, this must also be a witty performance, which will become evident once Janez Janša starts appearing in public as a visual artist, the choreographer of dance performances, and a painter. For now, the artists' decision is probably best clarified by their recent action *Triglav on Triglav* [*Triglav na Triglavu*], in which they decided to problematize the ideological linking of past and recent events and was conceived as a re-enactment of the famous work *Triglav*, staged by the members of the OHO group in 1968.

-

Originally published as "Janez Janša se je poročil"

in *Mladina*, 25th August 2007



*Marcela in Janez: Poroka*, 2017  
Wedding album





*Bodoča mladenorodjenca spričama.  
Nevesta Marcela ima oči samo za svojega Janca.*



*Nevesta Marcela, ženin Janez ter priča Janez in Janez  
zbrano poslušajo maticarja.*



*Premenjava prstanov in poročni poljub zapечатita zvezo.*

92 Homonymy can be a problem for administrative systems. [\*Pick Up\*](#) is a short video clip recorded with a photo camera at the administrative office where you go to get your new passport. Janez Janša went to pick up his own, and the official looked for it in a heap on her desk, showing him the passports of Janez Janša and Janez Janša, who had not picked them up from the office yet. First she smiled and went to look for the correct passport, and then, at the end, said, “Obviously, there are more of you,” and Janez Janša replied with the SDS slogan, “The more we are, the faster we will reach our goal.”

This video shows the sometimes comic implications of homonymy, and the ambiguity of personal names, that we treat as unique signifiers even if they aren’t—the only unique signifier being one’s personal code, which is an impersonal number.





94 *Double Citizenship* could be described as the portrait of an individual in a state of precarious freedom from the boundary of existing under a single legal identity. The diptych features two passports of Davide Grassi, who as a Slovene citizen was allowed to change his name to

Janez Janša in 2007. On July 6, 2007, the Slovene Republic issued a passport with the new name, expiring on July 6, 2017. As an Italian citizen, Janez Janša also contacted the Italian authorities, to have his new name recognized and documents updated. In an informal conversation, he

*Double Citizenship, 2007–ongoing*



documents are the material proof of one's existence and identity, Davide Grassi / Janez Janša can exist, and travel, under two different identities, related to two different citizenships.





REPUBLIKA HRVATSKA  
URED DRŽAVNE UPRAVE U  
PRIMORSKO-GORANSKOJ ŽUPANIJ  
SLUŽBA ZA OPĆU UPRAVU  
ISPOSTAVA OPATIJA

KLASA: UP/I-222-02/15-01/01  
URBROJ: 2170-12-02/6-15-4

Opatija, 10. veljače 2015.

Ured državne uprave u Primorsko-goranskoj županiji, Služba za opću upravu, Ispostava Opatija, na temelju članka 6. stavak 3. Zakona o osobnom imenu (Narodne novine, broj 118/12) rješavajući po zahtjevu Emila Hrvatina iz Ljubljane, Republika Slovenija, Slomškova 27, u upravnom predmetu promjene imena i prezimena, donosi

**RJEŠENJE**

1. Odobrava se Emilu Hrvatinu, OIB 23387951283, državljanin Republike Hrvatske, rođen 08. veljače 1965. godine u Rijeci, od oca Viktora Hrvatina i majke Marije Hrvatin promjena imena i prezimena iz Emil Hrvatin u novo Janez Janša.

2. Promjena imena i prezimena iz točke 1. izreke upisati će se u matici rođenih odmah po pravomoćnosti rješenja, a od dana upisa u matici rođenih osoba je dužna u pravnom prometu koristiti se novim imenom i prezimenom.

**Obrazloženje**

Emil Hrvatin iz Ljubljane, podnio je ovaj Ispostavi zahtjev za promjenu imena i prezimena iz Emil Hrvatin u Janez Janša. Uz zahtjev priložen je izvadak iz matice rođenih, domovnica te uvjerenje Općinskog suda u Opatiji.

Zahtjev je osnovan.

Uvidom u rodni list izdan od Matičnog ureda Opatija a verificiran od strane nadležnog matičara, utvrđeno je da je činjenica rođenja imenovanog upisana u maticu rođenih koja se vodi za matično područje Rijeka (Stari grad), za godinu 1965. pod rednim brojem 170. U rečenoj matici upisano je da je rođen pod imenom i prezimenom Emil Hrvatin dana 08. veljače 1965. godine u Rijeci, od oca Viktora Hrvatina i majke Marije Hrvatin. U rubrici „Naknadni upisi i bilješke“ upisano je da je dana 22. prosinca 1990. godine u Matuljima sklopio brak sa Vericom Jablanović i pri tome zadržao svoje prezime.

Uvidom u uvjerenje Općinskog suda u Opatiji Posl. br. 49Su-38/15-74 od 26. siječnja 2015. godine utvrđeno je da se protiv imenovanog ne vodi kazneni postupak.

Uvidom u podnesak Ministarstva pravosuđa Republike Hrvatske broj Klasa: 740-02/15-03/8422 od 04. veljače 2015. godine utvrđeno je da prema raspoloživim podacima kaznene evidencije imenovani nije osuđivan, a čime su ispunjeni uvjeti za promjenu osobnog imena propisani u članku 8. Zakona o osobnom imenu.

*Name Change, 2015*  
Documentation

Together with *Double Citizenship*, *Name Change* presents the clash between an apparently universal identification system and the local regulations shaped by local history and politics. Born in a Croatian city in the former Yugoslavia, Emil Hrvatin was living in Ljubljana when, in 1991, both

Croatia and Slovenia became independent countries. He got both citizenships, but he never asked for Croatian documents. After changing his legal name to Janez Janša in Slovenia in 2007, he was informed that in order to have valid Croatian documents with the new name, he should also apply



Iz utvrđenog proizlazi da podnositelj zahtjeva ispunjava sve zakonske pretpostavke koje su potrebne da bi se zatražena promjena imena i prezimena odobrila te je ova Ispostava na temelju članka 6. stavak 3. Zakona o osobnom imenu odlučila kao u izreci ovog rješenja.

Točka 2. izreke Rješenja temelji se na odredbi članka 9. i 10. Zakona o osobnom imenu.

Upravna pristojba u iznosu od 70,00 Kn po Tbr. 1. i 2. Tarife upravnih pristojbi Zakona o upravnim pristojbama ( Narodne novine broj 8/96, 77/96, 95/97, 131/97, 68/98, 66/99, 145/99, 30/00, 116/00, 163/03, 17/04, 110/04, 141/04, 150/05, 153/05, 129/06, 117/07, 25/08, 60/08, 20/10, 69/10, 126/11, 112/12, 19/13, 80/13, 40/14, 69/14, 87/14 i 94/14 ) naplaćena je, a državni biljeg na zahtjevu poništen.

#### UPUTA O PRAVNOM LJEKU

Protiv ovog Rješenja može se izjaviti žalba Ministarstvu uprave, kao drugostupanjskom tijelu. Žalba se predaje u roku od 15 dana od dana primitka rješenja ovoj Ispostavi.

Pismena se žalba predaje neposredno ili putem pošte, a usmeno se daje na zapisnik. Upravna pristojba za žalbu iznosi 50,00 Kn po Tbr. 3. Tarife upravnih pristojbi Zakona o upravnim pristojbama.

Stranka se može odreći prava na žalbu u pisanom obliku ili usmeno na zapisnik, od dana primitka rješenja od isteka roka za izjavljivanje žalbe.

Odricanje od žalbe ne može se opozvati.



#### DOSTAVITI:

1. Emil Hrvatin,  
Slovenija, Ljubljana, Slomškova 27,
2. Matični ured Rijeka, za matično područje Rijeka (Stari grad), koji vodi maticu rođenih za imenovanog pod rednim brojem 170 za godinu 1965., radi bilješke o promjeni imena i prezimena,
3. Pismohrana, ovdje

**Obavijest o promjeni osobnog imena dostavlja matičar koji vodi maticu rođenih prema odredbi članka 9. stavak 2. Zakona o osobnom imenu:**

- Matičnom uredu Matulji, za matično područje Matulji koji vodi KD za imenovanog pod rednim brojem 2847, na strani 285 radi bilješke o promjeni imena i prezimena,
- Matičnom uredu Matulji, za matično područje Matulji koji vodi MV za imenovanog za godinu 1990 pod rednim brojem 23, radi bilješke o promjeni imena i prezimena,
- Policijskoj postaji Opatiji radi bilješke o promjeni imena i prezimena u evidenciji prebivališta i evidenciji o osobnim iskaznicama,

for the name change in Croatia. He finally did this in 2015, after living for about seven years under two different legal names. However, when, on February 17, he received the decision of the Croatian authorities, he realized that the change in name had been applied to another Emil Hrvatin, based in

Matulji, Croatia, where the artist grew up. This "temporary" Janez Janša got notified of his new name, and the incident was reported in the news. Then of course the "real" Janez Janša reported the mistake, and received the decision with the correct data.

**Boris Dežulović**  
**WHO IS THE REAL JANŠA?**

One morning, when Emil Hrvatin woke from troubled dreams, he found himself transformed in his bed into Janez Janša. That would have been the famous sentence with which Franz Kafka – had he been born a hundred years later – would have opened his famous novella *Die Verwandlung*, or *The Metamorphosis*, the story of a traveling salesman who transforms into a giant insect, first published in 1915, exactly a hundred years ago.

You know the story – I don't mean Kafka's *Metamorphosis* and Gregor Samsa, but the story of the conceptual artist, theater director and performer Emil Hrvatin, who, together with fellow artists Davide Grassi and Žiga Kariž, changed his name to Janez Janša. As I said, you know the story. Or you thought you did.

But you don't know Franz Kafka. A hundred years later, in the story of three artists who change their names to Janez Janša, the protagonist would have already been Janez Janša from before. Kafka's story is thus different – in a 2015 *Die Verwandlung*, Emil Hrvatin does not decide to change his name to Janez Janša as an artistic act; instead, Kafka's Hrvatin does in fact wake up from troubled dreams one morning to find himself transformed in his bed into Janez Janša. The story is worthy of Kafka indeed: The said Emil Hrvatin, a.k.a. Janez Janša, is – as his erstwhile last name indicates – a Croat from Croatia, born in Matulji near Opatija, and he decided to conclude his performance in his native country, where he was still registered under his old name: He was thus Janez Janša in Slovenia, and still

Emil Hrvatin in Croatia. In order to avoid any misunderstandings, be they bureaucratic or artistic, he filed a request with the register office in Opatija to change his name to Janez Janša, adding to his application 70 kunas worth of fiscal stamps and a juridical record extract showing that he was not the subject of criminal proceedings. The matter was quickly resolved, and back in Ljubljana, Janez Janša received the decision of the Opatija City Office for General Administration that henceforth, Emil Hrvatin from Matulji was officially registered as Janez Janša in the registers of the Croatian Central Public Administration.

What follows is a Kafkaesque turn. I know, Franz Kafka did not go down in the history of world literature for his unexpected dénouements, and there is no such thing as a “Kafkaesque turn” in literary theory, but this – I'm not sure I can explain this well – is not about there being a Kafkaesque turn as such, but about a turn that turns out to be truly Kafkaesque – the decision of the Opatija City Office for General Administration ended in the hands of the wrong person.

Okay, you must have had an inkling of such a twist. Now you are guessing whether the certificate which stated that henceforth his official name in Croatia would be Janez Janša was received by the wrong Janez Janša, say, the fourth person of that name, the former prime minister of Slovenia? Not true. That would have been a comic twist – a nice premise for a classic Hollywood comedy of errors, and not a Kafkaesque turn. In the Kafkaesque turn, the one from real life rather than some run-of-the-mill

Eddie Murphy comedy, the Opatija register office decision applied to the wrong – Emil Hrvatin.

Due to a mistake of the Croatian public administration, the name Janez Janša was thus given to another Emil Hrvatin, a guileless, guiltless – and clueless – individual. Simply, “one morning, when Emil Hrvatin woke from troubled dreams, he found himself transformed in his bed into Janez Janša.”

So, had Franz Kafka been born a hundred years later, he could have based *Die Verwandlung*, his famous novella about the loneliness and alienation resulting from individual selfishness and the senselessness of bureaucratized society, on the life of the insignificant, universally lonely Gregor Samsa or Emil Hrvatin, no matter which one, say a traveling salesman from Matulji near Opatija, who “woke from troubled dreams,” transformed into Janez Janša.

The chief clerk who barges in the Samsas’ apartment that morning in Kafka’s story to inquire why Gregor has not shown up for work comes to the Hrvatins’ a hundred years later to inquire why Janša has failed to appear in court. Incredulous, Emil’s mother and father stare at the chief clerk’s legal documents – everything is accurate there, the address, the father’s name, profession, date and place of birth, population register number – realizing in horror that their son has overnight transformed in his room into Janez Janša. They open the door to his room, and in it, there is – it’s true – Janez Janša.

There in his room, Emil Hrvatin feverishly struggles to fathom who he is now: Is he the plaintiff or the defendant, is he the Janez Janša suing the Slovene journalist Boris Jež for libel, for having spread the slander that he had spent the war in safety at his computer, or is he the Janez Janša being sued by the Croatian artist Krešo Mustač for insulting the Republic of Croatia by desecrating a flag during a performance at the Museum of Contemporary Art in Rijeka when he shredded it?

You know how it goes from here: Emil desperately tries to leave his room to explain the whole matter to his family, but only some incomprehensible words in Slovene come out of his mouth, and, swatting at him, his father drives him back inside, locking the door and keeping his son locked up in his room like in a prison cell, to hide the shame from the neighbors and the world.

Because it is unclear which is worse: That his son should have transformed into a Slovene prime minister or a Croatian artist?

What happened to the hapless Hrvatin afterwards remains unknown, and is not really relevant. Janez Janša’s – whichever one he is now – art-in-progress and identity performance broke loose from their author and ran over to Kafka. There, freed of artistic manipulation and returned to real life, the real Janez Janša is – finally you get it – an unimportant, low-ranking public servant, universally alone in his locked cell.

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Originally published as “Kdo je pravi Janša?” in *Dnevnikov Objektiv*,

28th February 2015

Translated by Tamara Soban







Žiga Kariž was allowed to change his name to Janez Janša on July 5, 2007. Janez Janša was allowed to change his name to Žiga Kariž on November 26, 2008. Since then, he has on occasion used the name Janez Janša as a pseudonym. On May 26, 2017, he successfully applied for a new name change, from Žiga Kariž to Janez Janša, and then again, in December 2017, he

“refreshed” his identity to Žiga Kariž, as his current, valid ID card proves. He did this, again, for personal reasons. What this installation – which changed during the exhibition as a consequence of the new name change – presents are the results of these life events: from three to four expired ID cards and one valid ID card. And the process might not be over.



*Auction, 2010*

Can a valid identification document be exhibited and sold as a work of art? Can it exist under this double condition—as an object with use value and as a useless artefact with conceptual value? And under two different administrative systems, simultaneously? On November 18, 2010, the conceptual artwork *PB0241891 (Passport)* by Janez Janša, Janez Janša, Janez Janša was [sold at auction](#) for 1,900 euros to an Austrian private collector. The auction, organized by curators Alexandra Grausam and Elsy Lahner as part of the event *Hard to Sell, Good to Have*, took place at Palais Sturany in the city of Vienna and was run by the Director of Sotheby's Austria, Mag. Andrea Jungmann. The auction's catalogue declared the artwork (Lot No. 12) to be “valid also as an identification document, expiration date: 06.07.2017,” a condition

that required the writing of a custom set of terms and conditions in the sales contract. The contract invites the eventual buyer to accept two different modes of ownership—the ownership of the artwork in its immaterial, conceptual form and, only after the date of expiry of the passport forming the artwork, the ownership of the artwork in its physical form. The contract also asked the potential buyer to consider the eventual alterations or damage to the artwork over this time, due to its use value. The passport expired on July 6, 2017, but the artwork is still raising crucial questions. What does the collector really own? An actual artwork, or the—damaged, due to expiration—remains of something that could be considered an artwork only in its hybrid nature of an aesthetic object and functional item?

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## CERTIFICATE OF AUTHENTICITY

### Information on the Artwork

Name and surname of the authors	Janez Janša, Janez Janša, Žiga Kariž (a.k.a. Janez Janša)
Title of the work	<b>PB0241891 (Passport)</b>
Year	2007
Edition	1
Technique or Medium	Booklet, print on paper and cardboard
Dimensions	Spread 17,5 x 12,5 cm
Other characteristics	The Artwork functions as an original artistic conception/idea and is therefore conceived as an immaterial art object, while at the same time the Artwork is a material object, used as a valid official identification document, which is issued by the Republic of Slovenia. The Artwork as the material object must remain in the possession of the Artist Janez Janša until the date of its expiry: 06.07.2017.

**Information on the Authorized representative**

Full Name of the Representative	Aksioma, Zavod za sodobne umetnosti, Ljubljana
Address	Neubergerjeva 25, SI-1000 Ljubljana, Slovenija
Deputy Director	Marcela Okretič
Contact	+386 41 250 830 / +386 591 90876 / aksioma@aksioma.org



### Signature of the Artists

Janez Janša

Janez Janša

Žiga Kariž (a.k.a. Janez Janša)

Signature and stamp of the representative



Place and date of issue: Ljubljana, 18.11.2011



002199616 (Identity Card), 2007

In April 2010, the public institute Moderna galerija, Ljubljana, expressed its interest in acquiring the personal identification documents of Janez Janša, Janez Janša and Janez Janša. As a public institution, each year the Moderna galerija prepares a plan for purchasing artworks and submits it to the Ministry of Culture for approval. Since this specific acquisition regarded artworks that were also valid official public documents, the Moderna galerija first contacted the Administrative Unit, Municipality of Ljubljana (April 19, 2010) and, following their response (April 29, 2010), the Ministry of Interior Affairs (July 7, 2010) as the issuing authority, to

find out if there were any reservations or restrictions which might prevent them from purchasing the personal identity cards from their holders. They also included an expert valuation from a court-certified art appraiser. On July 19, 2010, the Ministry of Interior Affairs (MIA) replied saying that, as valid public documents, two of the three ID cards had a travel and identification function and were intended only for personal use; as such, the sale or purchase of a valid identity card would constitute an unlawful act that could be punished, according to the Identity Card Act. In light of this, they suggested purchasing



REPUBLIKA SLOVENIJA

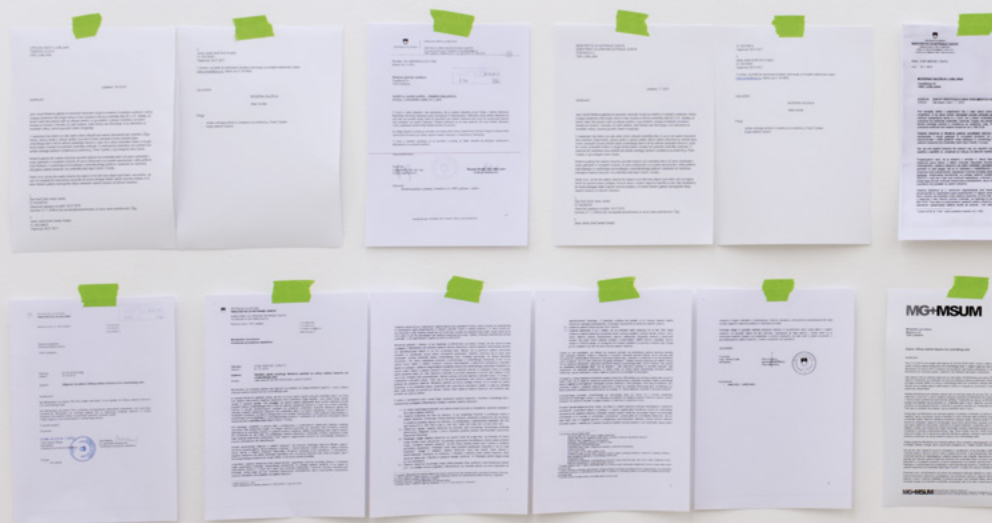
001500125

Osebnostna izkaznica  
Identity Card

Janša  
Janez

28.05.1973  
04.07.2018

002359725 (Identity Card), 2008



*ID Cards for Permanent Collection, 2010–ongoing Documentation*

the identity cards once they had expired. Three years later the Moderna galerija took up the issue again, when the museum director Zdenka Badovinac wrote a letter to the Ministry of Culture, inviting it to help in the case. Badovinac noted the conflict between the Identity Card Act and the individual's freedom of scientific and artistic production, as well as the issue of copyright over an original creation, as protected by the Slovene Constitution. She thus suggested that the dual status of the objects concerned—valid public documents and works of art—should be considered, and not ignored. The Ministry of Culture merely acted as a bridge with the MIA,

without taking an explicit position in the case. In their second response, forwarded by the Ministry of Culture to the Moderna galerija on October 15, 2015, the MIA extensively questioned the artistic nature of Janez Janša's and Janez Janša's ID cards, reporting in detail the production process to which public documents are subject—thus essentially invalidating the role of both the Moderna galerija and Ministry of Culture as cultural authorities. This issue was raised again in the latest public development of this story, Badovinac's reply to the Ministry of Culture, sent on February 26, 2016. In this, Badovinac questioned the MIA's right to provide an opinion “on



what can or cannot be considered a work of art,” and invited the Ministry of Culture to also respond to the MIA, defending “the conditions necessary for free creative artistic processes,” and to actively look for a solution to “this conflict between two different rights”—the one concerning public documents and that concerning artworks. Whatever the final outcome of this process might be, these documents illustrate how artworks and artistic activity manifest themselves within an institutional framework, in ways that might eventually influence the possibility of recognizing their artistic nature. The functional nature of these artefacts—their existence as valid

public documents—here works as a trigger for a very simple truth to emerge: an artwork is an artwork only by virtue of an institutional system strong enough to make it accepted as such. Art experts, museum directors, critics and curators, museums and cultural authorities, along with them experts, exhibitions and reviews, are part of a power system established with the purpose of turning a more or less shared belief—that a given artefact is a work of art—into a truth.

The entire correspondence between Moderna galerija, the Slovenian Ministry of Internal Affairs and Ministry of Culture is available in the [Appendix](#) of this book.











OHO, *Mt Triglav*, 1968



IRWIN, *Like to Like / Mount Triglav*, 2004



Janez Janša, Janez Janša, Janez Janša,  
*Mount Triglav on Mount Triglav* (detail), 2007

On August 6, 2007, Janez Janša, Janez Janša and Janez Janša performed the action [\*Mount Triglav on Mount Triglav\*](#), a re-enactment of the performance in which, on December 30, 1968, at Zvezda Park in Ljubljana, members of the OHO group (Milenko Matanović, David Nez, and Drago Dellabernardina) posed under a large blanket to pay tribute to the three-headed silhouette of Mount Triglav, the national symbol of Slovenia (which was part of Yugoslavia at the time). In 2004, the IRWIN group staged the piece for a photo session at the same location as part of their *Like to Like* series. Three years later, *Mount Triglav on Mount Triglav* moved the scene to Mount Triglav itself, and a new layer of political meaning was added by effect of the artists' recent name change. The performance was documented, and the media image of the event—literally, the final print was derived from a scan of the picture circulated in the printed media—is now part of the MSUM collection, and displayed next to OHO's original performance and Irwin's re-enactment. Presented on a heap of stones from the Alps, the *Monument to National Contemporary Art (Golden Triglav)* is a golden sculpture inspired by this iconic image. In this work Triglav, the national symbol of Slovenia which—thanks to OHO and IRWIN—has also become an emblem of Slovene art, has completed its process of monumentalisation: from object to symbol, from symbol to reinterpreted, subverted icon, to image, to monument.





*Monument to National Contemporary Art (Golden Triglav), 2008*

112 [\*350 Janez Janša Bottles\*](#) is a pop readymade that playfully adopts and subverts cosmetic customization—the use of flexible computer-aided manufacturing systems to produce custom output. The bottles have been produced by exploiting the personalization procedure offered by the Coca Cola Company to replace the name of the product with that of Janez Janša. The process is subverted because Janez Janša is—as a name—both personal and shared by at least four public figures, and because it has been printed on 350 bottles—a small number that doesn't conform to the idea of personalization implicit in mass customization. As a readymade, its peculiarity lies in the fact that it's not a mass-produced item turned into an artwork by an individual act of signing, repurposing or displacement, but the output of a process which is totally embedded in the current means of production and distribution. But, like most works by Janez Janša, Janez Janša, Janez Janša, this playful intervention also raises uncomfortable questions: what distinguishes an artwork from an everyday object? Are these bottles a conceptual statement, shameless self-celebration or, even worse, an act of political propaganda or even corporate advertising, as the name has become a registered trademark? Is a name change nothing more than a cosmetic gesture? Would Coca Cola taste different with the name Janez Janša?



*350 Janez Janša Bottles*, 2017









Together with [350 Janez Janša Bottles](#) and [Credits](#), this Nutella jar is another output of Janez Janša, Janez Janša and Janez Janša's exploitation of the process of cosmetic customization—the use of flexible computer-aided manufacturing systems to produce custom output—for creative purposes. Like a few other companies, Ferrero allows customers to order its product with their own name on it—written in the characteristic Nutella logotype. Jars with common first names such as Anna or Marco are even available on the retail market. At the same time, the work extends to commercial products the practice of colonizing available spaces by using the personal name as a tag, as happened in the [Signature](#) series.

116 What's the personal, legal and artistic value of a signature, when you legally change your name? Twenty-seven paintings commissioned by Janez Janša, Janez Janša and Janez Janša and painted by artist Viktor Bernik are assembled in [nine triptychs](#). Each of them depicts the signature "Janez Janša" painted in thick acrylic paint; each artist's signature has been turned into an image, and then signed, in the bottom right corner, by the artists in different ways, testifying to their different statuses as artists and individuals: signing as single artists, and as a trio; using their current signature name, and the old ones (still valid for Davide Grassi and Emil Hrvatin in their countries of origin, Italy and Croatia; while Žiga Kariž, who returned to his original name in 2008, has since been using Janez Janša as a pseudonym). The paintings differ from each other visibly only due to the manual manufacture of each signature's image. Each triptych presents a unique combination of signature-as-image and signature as the author's mark on the canvas. But what's an author, anyway? Bernik's involvement makes the answer to this question even more uncomfortable. He's not a mere, nameless executor, like those in Chinese painting workshops. He's not an amateur painter, like those used by John Baldessari in his *Commissioned Paintings* from the sixties, raising questions about the relationship between avant-garde and kitsch. He's an artist and an author, with a respected career and his own signature. However, his signature is missing here.



*Signature*, 2010



1000

1000 1000 1000

1000 1000

1000 1000 1000

Janez Janša

*Janez Janša* podpis

120 The [\*Signatures\*](#) series explores, in a playful way, the philosophical, symbolic and conceptual implications of the signature, while working, like every “tag,” as the public reaffirmation of an identity. The series consists in putting the name and readymade “Janez Janša” on display in different public contexts, and in different forms: from media façades to beaches and public monuments, mimicking the modes of production of land art, street interventions or media performances. Although always bringing the same result—the public display of an individual name—the gesture produces different meanings as it interferes with different contexts and activates different processes: written with stones in a valley under Mount Triglav’s peak, it conjures national history and current affairs, the high language of land art and the vernacular practices of pilgrims. Stamped on the Hollywood Walk of Fame, it plays with celebrity culture; displayed on an institutional media façade, it deals with spectacularisation in the art world; arranged with umbrellas on the beaches of Copacabana, it becomes a colourful, playful smart mob; inserted on a public screen designed by another artist via online participation, it becomes a way to appropriate and subvert from inside a designed framework. Signatures as events in context.



*Signature (Hollywood Walk of Fame), 2007*  
*Signatures series*





*Signature (Kunsthhaus Graz), 2008*

*Signatures series*



*Signature (Copacabana), 2008*  
*Signatures series*



*Signature (Konjsko sedlo), 2007*

*Signatures series*

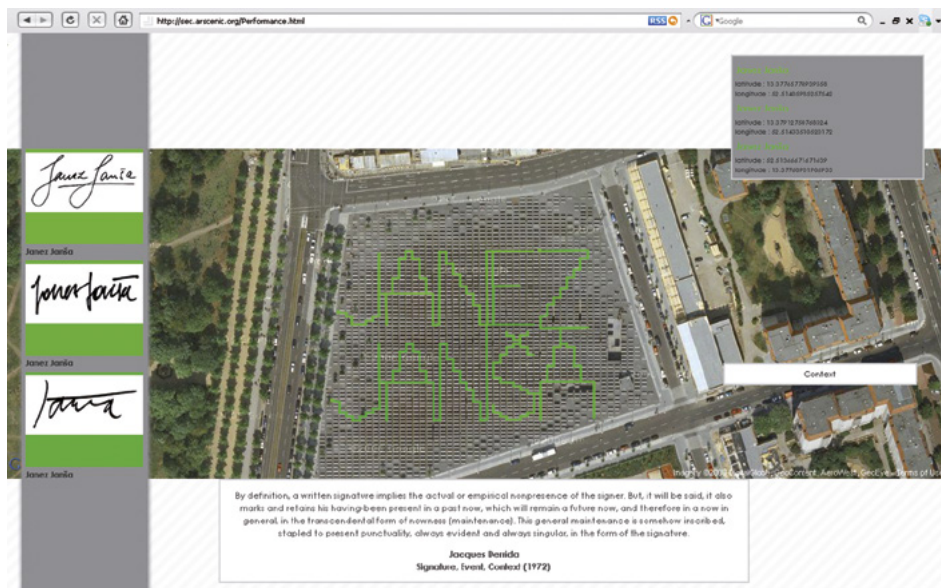




*Signature (Monnaie de Paris), 2014*

*Signatures series*

Contribution to John Baldessari's *Your Name in Lights*



Signature Event Context, 2008

On January 28th, 2008, Janez Janša, Janez Janša, and Janez Janša performed [Signature Event Context](#) at the Holocaust Memorial in Berlin, a walking action in the corridors of the Memorial. Each of the artists, equipped with a GPS device, covered a different path within the Memorial's structure this way, together assembling a common signature visible only online, on a dedicated web page. During the [performance](#) the artists continuously repeated "Jaz sem Janez Janša" ("My name is Janez Janša"). The performance is both a take on the meaning of signatures—one of the daily practices affected by the name change—and on the meaning of memorials. The artists refer to Derrida's famous statement on a signature

and its paradoxical relationship with originality and repetition: "By definition, a written signature implies the actual or empirical nonpresence of the signer. But, it will be said, it also marks and retains his having been present in a past now, which will remain a future now, and therefore in a now, in general, in the transcendental form of nowness (maintenance). [...] For the attachment to the source to occur, the absolute singularity of an event of the signature and of a form of the signature must be retained: the pure reproducibility of a pure event."<sup>(1)</sup> The Holocaust Memorial in Berlin, designed by Peter Eisenman and focused "on the living memory of the individual experience,"<sup>(2)</sup> provides an apt context for this signature event.

(1) Jacques Derrida, "Signature Event Context" in *Margins of Philosophy*, tr. Alan Bass, pp. 307–330

(2) Peter Eisenmann, "Memorial to the Murdered Jews of Europe, Berlin", 2005. Online at [www.pbs.org/wgbh/pages/frontline/shows/germans/memorial/eisenman.html](http://www.pbs.org/wgbh/pages/frontline/shows/germans/memorial/eisenman.html)



128 In 2013, Janez Janša, Janez Janša and Janez Janša bought some “I ♥ Germany” t-shirts, and started posing in front of buildings and monuments with different symbolic values around Europe. Although “I ♥” t-shirts are very common around the world, the “I ♥ Germany” t-shirt is not so widespread; and when a man named Janez Janša wears it in front of, say, Buckingham Palace, the combination of these four elements (Janša, love, Germany, the UK) may become disruptive. Germany is the most powerful and influential country in the EU. Germany is the country of the Bund, the 10-year bond used as a benchmark to calculate the stability of another country’s economy and rate it. While the UK... When this picture was shot, Brexit was not even on the horizon, but Euroscepticism has long been strong in the UK, which never left the Pound for the Euro. In the aftermath of the Brexit vote the picture acquired a new meaning, as made explicit in this animated GIF: the back and forth stride of the Palace guard, next to the static, standing Janez, becomes an ironic visual translation of this political and economic melodrama.



*I ♥ Germany (Brexit), London, 2016*

*I ♥ Germany series*



*Evzoni on Visa, 2013*

*I ♥ Germany series, Credits series*

[\*Credits\*](#) is a series of miniature works comprising motifs from Janez Janša, Janez Janša and Janez Janša's works, or motifs related to them, which are printed on bank cards. Like many works by the Janšas, these customized credit and debit cards are the output of a collaboration with an external body—in this case, a company—performed by following and challenging their protocols and procedures. They thus have a hybrid status of objects with a use value and as works of art, which interferes with both their production and display. They are also subject to hybrid ownership: as cards, they belong to the bank; as artworks, they belong to the artist or eventual collector. In *Evzoni on Visa*, the combination of the two layers (the credit card and featured image) is particularly effective. The card features *Greece* (2013), a picture from the “[I ♥ Germany](#)” photo series. With Germany as the emblem of how economics runs the European Union, and the Greek Parliament as proof of how this can bring countries to the brink of collapse, the VISA logo on the credit card completes the picture in an appropriate manner.

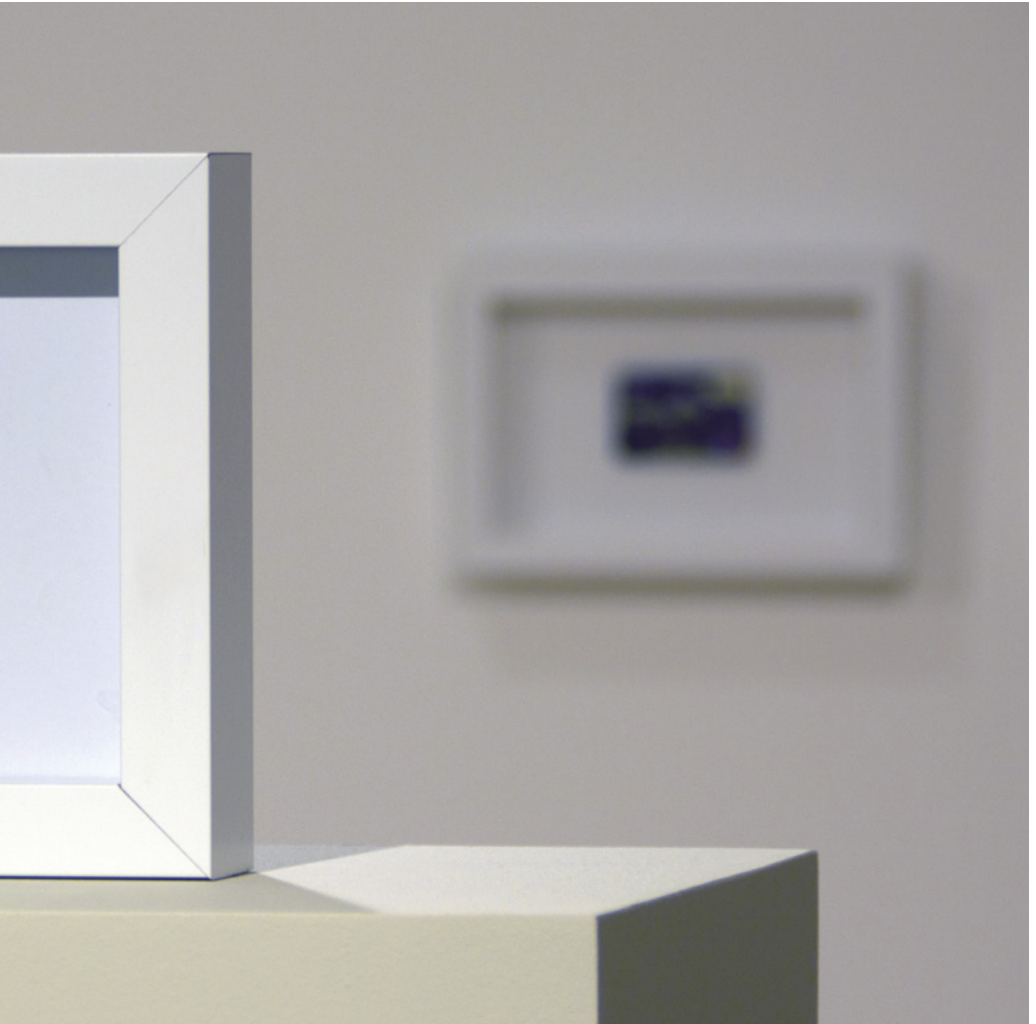
132 To make the triptych [Signatures on Maestro](#) (from the series [Credits](#), 2013), Janez Janša, Janez Janša and Janez Janša simultaneously ordered from the same bank (Abanka) and on the same service (Maestro) a customized credit card featuring one work from the [Signature](#) series (2010). The three cards are thus identical, except for the featured image and data related to the bank account and

account holder. When they received the cards, they organized a meeting, unboxed them, put their three signatures on the back of each of them and went out for a coffee, which they paid for using the three cards. Framed in a way that allows us to see them on both sides, the cards lose their use value, and become artefacts questioning the value of signatures on many levels: the investigation on the value



of signatures carried on in the original work featured on the front relates to the functional value of signatures on credit cards, which can be only signed by the holder, and with the functional value of signatures on works of art, which implies that each work must carry the signatures of the three artists to be recognized as an artwork produced by the trio.

*Signatures on Maestro, 2013*  
*Credits series*















138 *Trust* is a participative project based on a website where anyone from all over the world can download images of the Janšas' artworks and use them to create their own customized credit card. This should then be sent to the artists, who will sign it—thus making the card become an artwork—and send it back to the participant. In this process, the audience is entrusted with different roles: co-author, co-owner and collector of an artwork, which keeps its status as a personal and functional object. The project has been the occasion for some performative presentations, in which the artists signed the cards of audience members, gave out certificates of authenticity, invited them to exchange their bank cards and pin codes for a week, arrange a meeting and then send them

a picture with that day's newspaper as a proof of the week they lived with someone else's credit card.

As seen in its very name, *Trust* questions the role of credit cards in the system of trust on which the whole financial sector is based, while at the same time pointing to the peculiar relationship that artists establish with their audiences. Janez Janša, Janez Janša and Janez Janša are addressing issues such as the virtualization of economics, the way contemporary biopolitics sanctions our existence in a legal, political and economic context, and many topics related to the nature of artworks in the contemporary environment.

*Trust*, 2015



















*All About You, 2016*

[\*All About You\*](#) is a triptych consisting of three collages, each made up of one hundred customized credit and debit cards issued by Nova Ljubljanska banka. Each collage reconstructs the image of the ID card of one of the three artists—the one to whom the credit cards belong.

For this project, Janez Janša, Janez Janša and Janez Janša magnified the images of their ID cards tenfold, then partitioned each into a hundred equal parts, and finally started applying for a new personalized

Visa®, Maestro® and MasterCard® card every week. Each request was subjected to the scrutiny of bank's employees, who could accept or deny the submitted image in accordance with what was stated in the bank's image guidelines. This turned the production into a time-based relational performance, where the relation between the artist and producer coincided with the relation between the customer and bank. As a result of this process, only one of the three compositions is complete—





the other two have a few missing tiles which visualize the partial failure of the relationship between the customer and the banking system. Each credit card expires when the new one is issued—which means that each collage features three valid credit and debit cards among the many expired ones.

Incidentally, it should be noted that every single bank card in this piece is signed, on the reverse side, by the three artists in the place that should bear the signature of

the card holder. This makes the signatures useless for administrative purposes, but useful to prove the authorship of the work of art. But since the triptych is framed, the signatures are invisible, and believing in their existence becomes a matter of trust—a hint to how issues like trust and the value of signature are transversal in the work of Janez Janša, Janez Janša and Janez Janša, present as an active line of thought even when they are not the main topic.



146 “*Jaz sem Janez Janša*” extends to a number of people a game started with the interviewees featured in the movie [\*My Name Is Janez Janša\*](#): friends and strangers, art world celebrities and ordinary people are invited to say “Jaz sem Janez Janša”—which can be translated as both “I’m Janez Janša” and “My name is Janez Janša—in front of a camera. The result is an eight-channel video installation inviting us to reconsider the issue of property in relation to personal names, as well as making a reference to Stanley Kubrick’s *Spartacus* (1960). If, in the sixties movie, “I am Spartacus” expressed a form of political solidarity for the slave who wanted to stop slavery (and, metaphorically, for those accused of being Communist sympathizers during the McCarthy Era who were blacklisted, like *Spartacus*’ screenwriter, Dalton Trumbo), claiming “*Jaz sem Janez Janša*” responds to an even more complex and layered societal structure, and calls for a wider range of rights and freedoms: the right to privacy; the right to free artistic expression; the right to escape the normative power of names. At the same time, the installation could be seen as a comment on the SDS’s slogan, “The more we are, the faster we will reach our goal;” or even an imaginary leap into a world in which all people have the same name. However, most of the participants in this project were probably unaware of these implications, and just playing the social game of temporarily and freely using a name that did not belong to them.





*"Jaz sem Janez Janša", 2017*



HRVATIN, EMIL

1964 - 2007

POČASNOG POSREDOVANJA UPOSREDOVANJE 1995 - 2006  
<http://www.pocasnogposredovanja.com.hr>  
 ZAPOSLOVANJE I POSREDOVANJE U POSREDOVANJE

GRASSI, DAVIDE

1970 - 2007

POČASNOG POSREDOVANJA UPOSREDOVANJE 1995 - 2006  
<http://www.pocasnogposredovanja.com.hr>  
 ZAPOSLOVANJE I POSREDOVANJE U POSREDOVANJE

KARIŽ, ŽIGA

1973 - 2007

POČASNOG POSREDOVANJA UPOSREDOVANJE 1995 - 2006  
<http://www.pocasnogposredovanja.com.hr>  
 ZAPOSLOVANJE I POSREDOVANJE U POSREDOVANJE

JANŠA, JANEZ

POČASNOG POSREDOVANJA UPOSREDOVANJE 1995 - 2006  
<http://www.pocasnogposredovanja.com.hr>  
 ZAPOSLOVANJE I POSREDOVANJE U POSREDOVANJE



*Life Span*, 2017

Janez Janša, Janez Janša and Janez Janša's work often explores and responds to the ways different institutional, bureaucratic and power systems deal with their choices, starting from the name change. *Life Span* was inspired by the way this life event was processed and implemented into *Pojmovnik slovenske umetnosti 1945–2005*, an online database of Slovene art. The entries dedicated to the three artists under their original names feature their dates of birth and present 2007, the year of the name change, as that of their passing. On the other side, there is a single entry for "Janša, Janez," featuring no date of birth, nor death. Of course, the fact that Janez Janša changed his name to Žiga Kariž (in

2008) did not make Janez Janša dead, nor did it make Žiga Kariž live again. No other information is provided on the pages, except for links to their fields of activity. Although it's hard to date these pages, the copyright note at the bottom of the site refers to 2008–2014; arguably, they have now been online for a long time. With dark humour, *Life Span* shows how the faithfulness to a given identity is crucial in contemporary art, and, more broadly, the role of names in authoritative contexts; but it also finds in this encyclopaedic failure a poetic opportunity to stress the nature of the name change as a symbolic death.

150 In February 2017, Janez Janša, Janez Janša and Janez Janša applied to the European Union Intellectual Property Office (EUIPO) to have their name registered as a trademark. Their application was successful, and for ten years hereon they will hold the rights to use the “word mark” Janez Janša® for all the activities protected by the trademark.

According to the definition provided by the European Parliament, “A trade mark may consist of any signs capable of being represented graphically, particularly words, including personal names, designs, letters, numerals, the shape of goods or of their packaging, provided that such signs are capable of distinguishing the goods or services of one undertaking from those of other undertakings.”<sup>(1)</sup>

*Janez Janša*® is an urban intervention and advertising campaign promoting the new trademark in Ljubljana and the rest of Slovenia. The advertising campaign is another step in the public performance of the name, started with the *Signatures* series, and developed through various interventions in which the name is written, or spoken, in public spaces. The registration of the name as a trademark, on the other hand, is part of their ongoing research into the many ways in which the signifier of the proper name is regulated

in the age of biopolitics. As a registered trademark, the proper name acquires the status of a commodity, of a property that one can legally protect. “Your trade mark is the symbol your customers use to pick you out. It distinguishes you from your competitors. You can protect and build upon your trade mark if you register it.”<sup>(2)</sup> The registration strengthens the relationship between the artists and their artworks, that is the material results of their activities, which are now protected (at least, in Europe) by the Janez Janša® brand. This may potentially affect the status of works whose nature of artworks was put into question, for their conceptual nature or for their ability to be artworks and objects with a use value at the same time, bypassing the regulations on artistic copyright. But more than providing answers to existing questions, this move raises more questions: how will political and cultural institutions relate to an artist acting under a registered trademark? How will other companies deal with it? Will other subjects respect the rights allowed to the artists by the trademark? Will the artists defend these rights? As other key actions performed by Janez Janša, Janez Janša and Janez Janša, *Janez Janša*® is a gesture that can stay dormant and go unnoticed, or can potentially have consequences, produce other gestures and provoke responses and reactions.

(1) Article 2, Directive 2008/95/EC of the European Parliament and of the Council, referenced at <https://euipo.europa.eu/ohimportal/en/trade-mark-definition>.

(2) Ibid.







# Janez Janša®

Janez Janša® je registrirana blagovna znamka, katere imetniki so Janez Janša, Janez Janša in Janez Janša.

Janez Janša® je blagovna znamka, registrirana pri Uradu Evropske unije za intelektualno lastnino (EUIPO) in je s tem pod brežično varstvo.





OPENING























































































# A P P E N D I X

## **Purchase of Identification Documents as Works of Art 190**

A full transcript of the correspondence between Moderna galerija, the Slovenian Ministry of Internal Affairs and Ministry of Culture, regarding the acquisition of Janez Janša's ID cards for the museum collection. Cf. pp. [104](#)–107 for reference text.

## **Urša Chitrakar**

## **BETWEEN COPYRIGHT AND TRADEMARK**

**206**

190 **MG+MSUM**  
**Museum of Modern Art + Museum of Contemporary Art Metelkova**  
**Tomšičeva 14, SI-1000 Ljubljana**

ADMINISTRATIVE UNIT OF LJUBLJANA  
TOBAČNA ULICA 5  
1000 LJUBLJANA

Ljubljana, 19 April 2010

To Whom It May Concern:

Among other activities it engages in as part of its ongoing mission, the Public Institute Moderna galerija, the Slovenian national museum of modern and contemporary art, collects visual art pieces from the 20th and 21st centuries. Each year, Moderna galerija prepares a plan for purchasing artworks and submits it to the Ministry of Culture for approval. Naturally, at the time of submitting the plan, we must have collected all the relevant information necessary for the potential purchase, or information that even makes such a purchase possible.

For the purpose of expanding our permanent collection, our plan for next year is to purchase three artists' personal identification documents (Žiga Kariž, Janez Janša and Janez Janša), whose original creative approach gave these documents the status of artworks, and which have been exhibited multiple times both nationally and internationally, receiving critical acclaim from Slovenian and international art experts. We have also obtained an expert valuation from a court-certified art appraiser, Mr Pavel Toplak, which you will find enclosed.

Moderna galerija wishes to use these personal identification cards exclusively as works of art and display them in its galleries and museums, exhibit them to the public and potentially reproduce them in the form of graphic catalogues and similar promotional materials for exhibitions, and also intends to keep the purchased personal identity cards as artworks in the museum on a permanent basis.

Since these two of the personal identity cards are still valid and as such constitute official public documents, we hereby ask you as the issuing

authority to advise us if there are any reservations or restrictions involved, which might prevent Moderna galerija from purchasing the following personal identity cards from their holders:

1.

Žiga Kariž (formerly Janez Janša):

Personal ID card no.: 002359725

Expiration date indicated on the card: 04.07.2018

Note: The card was voided with a hole punched through it on 27 November 2008, when Janez changed his name to Žiga.

2.

Janez Janša (formerly Davide Grassi):

Personal ID card no.: 002199616

Expires: 06.07.2017

3.

Janez Janša (formerly Emil Hrvatin):

Personal ID card no.: 002199341

Expires: 06.07.2017

If you require any additional information, please use our e-mail address maks.sorsak@mg-lj.si or call 01 2416802.

Sincerely,  
MODERNA GALERIJA  
Maks Soršak

Enclosures:

- valuation by court certified art appraiser, Mr Pavel Toplak
- photocopies of the identity cards

192 **REPUBLIC OF SLOVENIA | ADMINISTRATIVE UNIT OF LJUBLJANA**  
**SECTOR FOR INTERNAL ADMINISTRATIVE AFFAIRS**  
**www.upravneenote.gov.si/ljubljana, e: ue.ljubljana@gov.si**  
**1000 Ljubljana, TOBAČNA ULICA 5, t: 01 306 30 00, f: 01 306 32 02**

Number: 021 -5645/2010-2 (1311100)

Date: 28. 4. 2010

Moderna galerija Ljubljana  
Tomšičeva 14  
1000 Ljubljana

**SUBJECT: JANEZ JANŠA - PERSONAL IDENTITY CARDS**

**REF: YOUR LETTER DATED 19. 4. 2010**

In reference to your letter, we hereby inform you that the personal identity card is a public document allowing a Slovenian citizen to demonstrate their identity and citizenship. A citizen may not give or lend their identity card to any other person or use another's identity card as their own, nor may a citizen alter any of the information featured on their identity card. An identity card may not be pledged, nor may an identity card be accepted as a form of security with the intent of insuring any right or benefit.

Your letter and enclosures indicate that the persons Janez Janša (formerly Davide Grassi) and Janez Janša (formerly Emil Hrvatin) still have valid identity cards which they use as identification documents.

With respect to other questions contained in the enclosures, we hereby refer you to the competent ministry (the Ministry of the Interior).

Sincerely,

Prepared by:

Lidija Lovše, dipl. upr. org.  
HEAD OF OFFICE

Marjeta Hvalič, univ. dipl. prav.  
HEAD OF THE DEPARTMENT

Sent to:

- Modema galerija Ljubljana, Tomšičeva 14, 1000 Ljubljana – personal



**REPUBLIC OF SLOVENIA**  
**MINISTRY OF THE INTERIOR**  
Štefanova ulica 2, 1501 LJUBLJANA  
Telephone: 01 428 40 00; Fax: 01 428 47 33  
E-mail: [gp.mnz@gov.si](mailto:gp.mnz@gov.si), <http://www.mnz.gov.si>

Ref. no.: 2120-19/2010/2 (132-01)

Date: 19 July 2010

Moderna galerija Ljubljana  
Tomšičeva 14  
1000 Ljubljana

**SUBJECT: PURCHASE OF IDENTIFICATION DOCUMENTS AS WORKS OF ART**  
In reference to: Your letter dated 7.7.2010

As you have stated, for the purpose of expanding your permanent collection, your plan for next year is to purchase the personal identity cards of three artists whose original creative approach gave these documents the status of artworks which have been exhibited multiple times both nationally and internationally, receiving critical acclaim from Slovenian and international art experts. You also enclosed a certified valuation prepared by a certified court appraiser of artworks, Pavel Toplak, M.A., who estimates the value of each identity card at 2,000 EUR.

Moderna galerija wishes to purchase these personal identification cards to be used exclusively as works of art and publicly display them in its galleries and museums, and potentially reproduce them in the form of graphic catalogues and similar promotional materials, and also you intend to keep the purchased personal identity cards as artworks in the museum, on a permanent basis. Since two of the identity cards are still valid, you requested, via the Administrative Unit of Ljubljana, that we give our opinion on the reservations or limitations regarding the purchase of these documents from their rightful holders.

We would like to clarify that under Article 1 of the Identity Card Act, the identity card is a public document allowing Slovenian citizens to identify themselves and their citizenship, and may also be used to travel across the country's borders in such cases and under such conditions as specified in an international treaty. Holding an identity card therefore ensures its holder free travel across national borders (i.e. travel function), enables them to identify themselves with personal information recorded on the document, both in Slovenia and abroad, and it allows them to execute legal transactions (identification function), and besides the foregoing, it also allows the holder to

194 demonstrate their citizenship, since this information is explicitly indicated on the ID card.

The identity card is closely linked to the individual's ability to perform the aforementioned activities, and is intended exclusively for the individual's personal use. Article 3 of the Identity Card Act stipulates that a citizen may not give or lend their identity card to any other person. Failure to observe said Article of the law constitutes a minor offence, punishable by a fine of 200-830 EUR. An identity card may also not be pledged, nor may it be accepted as a form of security for the purpose of insuring any right or benefit. This also constitutes a minor offence punishable by a fine of 100 to 400 EUR for an individual, and a fine of 400 to 1,200 EUR for legal entities, and a fine of 100 to 400 for the responsible person of the legal entity.

Sale or purchase of a valid identity card would therefore constitute an unlawful act for both an individual and a legal entity.

In light of the above, we advise you to only purchase the identity cards once they have expired. An identity card expires once the expiration date passes, or earlier if the holder should replace it with a new one due to a change in personal details or for any other reason. This results in a physical destruction of the identity card by a competent authority (as was done in the case of Mr Kariž's identity card).

Furthermore, given that you also intend to reproduce the identity cards as you claim, we would like to draw your attention to Article 3.a of the Identity Card Act. Any copying or other reproduction of identity cards is restricted by law in order to protect personal information, therefore we suggest that you obtain the holders' written consent to such actions, even if it involves reproduction of invalid documents.

Sincerely,  
Dušan VUČKO  
DIRECTOR-GENERAL OF THE DIRECTORATE  
OF ADMINISTRATIVE INTERNAL AFFAIRS

SENT TO:

1. The addressee,
2. Administrative unit of Ljubljana - by e-mail;
3. Documentary archives.

**MG+MSUM**  
**Museum of Modern Art + Museum of Contemporary Art Metelkova**  
**Tomšičeva 14, SI-1000 Ljubljana**

Ljubljana, 15 July 2013

Dr. Uroš Grilc  
 Minister  
 MINISTRY OF CULTURE  
 Maistrova 10  
 1000 Ljubljana

Subject: Purchase of identity cards as works of art

To Whom It May Concern:

Moderna galerija wishes to purchase artworks for its permanent collection. These works of art double as the official personal identification documents (ID cards) of three artists (Žiga Kariž - formerly Janez Janša, Janez Janša and Janez Janša). These three artists' personal identification documents derived their artwork status through an original creative approach, and have been exhibited multiple times both nationally and internationally, receiving critical acclaim from Slovenian and international art experts.

Moderna galerija wishes to purchase these personal identification cards to be used exclusively as works of art and display them in its galleries and museums, exhibit them to the public and potentially reproduce them in the form of graphic catalogues and similar promotional materials for exhibitions, and also intends to keep the purchased personal identity cards as artworks in the museum on a permanent basis. These artists' artworks work together with artistic institutions in an effort to explore the relationship between state authorities which regulate various fields, e.g. the connections between regulation of cultural activities and administrative procedures. The essence of the artwork involving these three artists' personal identity cards, which put these personal ID documents into an artistic context, brings into the foreground the conflict between two separately regulated domains, namely between the constitutionally enshrined right of artistic expression and the citizens' right to identification.

Considering that two of the identity cards are still valid and therefore constitute formal public documents, we contacted the Administrative Unit of Ljubljana some time ago, which referred us to the Ministry of the Interior. The latter ministry informed us of the restrictions involving the use of

196 identity cards, as stipulated in the Identity Card Act (Official Gazette of the RS 35/2011). Namely, the law prohibits giving, lending and sale of valid identity cards. It also imposes certain additional restrictions with respect to the use, as described in the preceding paragraph. Please find enclosed the relevant correspondence.

The aforementioned institutions treated the identity cards exclusively as identification documents, and not as works of art. We are of the view that the matter should be regarded more broadly, and that the dual status of the objects concerned should be considered. As mentioned above, the identity cards in fact became works of art through the original creative process. It should be noted in particular that Article 59 of the Slovenian Constitution protects the individual's freedom of scientific and artistic production. Since the Identity Card Act imposes restrictions regarding the use of what is clearly a created work of art, it violates the constitutionally enshrined human right to artistic production. As a result, the Identity Card Act also restricts copyrights which are vested in the author based on the creation of the work itself (Article 14 of the Copyright and Related Rights Act, as well Article 60 of the Slovenian Constitution). This also restricts the material interests of the author or owners of copyrights derived from material copyrights. This places under a question mark even the constitutionally enshrined human right to personal property. We are of the view that personal identity cards which have been recognized the status of works of art should be subject to the normative regulation which govern artworks. We turn to you as the competent ministry to study the matter and assist us in finding a way to acquire the valid identity cards as a work of art for our permanent collection.

If you require any additional information, please contact Marko Rusjan, e-mail address [marko.rusjan@mg-lj.si](mailto:marko.rusjan@mg-lj.si) or call 1 2416802.

Thank you,

Zdenka Badovinac,  
Director

**REPUBLIC OF SLOVENIA**  
**MINISTRY OF CULTURE**  
**Maistrova ulica 10, 1000 Ljubljana**  
**T: 01 369 59 00**  
**F: 01 369 59 01**  
**E: gp.mk@gov.si**

Moderna galerija  
Windischerjeva ulica 2  
1000 Ljubljana

Ref. no.: 62100-25/2014/6^

Date: 14 October 2015

Subject: Reply to the request to purchase a personal identity card as a work of art

To Whom It May Concern:

The Ministry of Culture has received your letter in reference to the *purchase of personal identity cards as works of art*.

Since the assessment of the legality of these actions falls outside the competence of the Ministry of Culture, we forwarded your letter to the Ministry of the Interior, which oversees enforcement of laws and other regulations dealing with internal administrative affairs.  
Please find enclosed to this letter their response.

Kind regards,

Prepared by:  
Vida Koporc Sedej  
Secretary  
Cultural Heritage Directorate

Jana Mlakar  
Acting Director-General  
Cultural Heritage Directorate

Enclosure:

- as above



198 **REPUBLIC OF SLOVENIA**  
**MINISTRY OF THE INTERIOR**  
**ADMINISTRATIVE INTERNAL AFFAIRS, MIGRATION**  
**AND NATURALISATION DIRECTORATE**  
Štefanova ulica 2, 1501 LJUBLJANA

**T: 01 428 44 65**  
**F: 01 428 42 53**  
**E: [dunzmn.mnz@gov.si](mailto:dunzmn.mnz@gov.si)**  
**[www.mnz.gov.si](http://www.mnz.gov.si)**

Ministry of Culture  
Cultural Heritage Directorate

Ref. No: 2120-12/2015/2 (1322-01)

Date: 8 October 2015

Subject: Our position regarding the Moderna galerija request to purchase a personal identity card as a work of art

In reference to: your letter no. 62100-25/2014/59, dated 6 October 2015

You have asked the Ministry of the Interior to explain its position regarding the Moderna galerija letter referring to the matter of purchasing a personal identity card as a work of art.

The letter indicates that Moderna galerija wishes to purchase artworks for its permanent collection. These works of art double as the official personal identification documents (ID cards) of three artists (Žiga Kariž - formerly Janez Janša, Janez Janša and Janez Janša). Moderna galerija claims that these three artists' personal identification documents derived their artwork status through an original creative approach, and have been exhibited multiple times both nationally and internationally, receiving critical acclaim from Slovenian and international art experts. Moderna galerija wishes to purchase these personal identification cards to be used exclusively as works of art and display them in its galleries and museums, exhibit them to the public and potentially reproduce them in the form of graphic catalogues and similar promotional materials for exhibitions, and also intends to keep the purchased personal identity cards as artworks in the museum on a permanent basis.

They assert that the artists' artworks work together with artistic institutions in an effort to explore the relationship between state authorities which regulate various fields, e.g. the connections between regulation of cultural activities and administrative procedures. The essence of the artwork involving these artists' personal identity cards, which put these personal ID documents into an artistic context, brings into the foreground the

conflict between two separately regulated domains, namely between the constitutionally enshrined right of artistic expression and the citizens' right to identification.

Due to the amendments to the Identity Card Act<sup>(1)</sup> since the most recent response prepared for Moderna galerija,<sup>(2)</sup> we would like to explain once again that under Article 1 of the Identity Card Act, the identity card is a public document allowing Slovenian citizens to identify themselves and their citizenship, and may also be used to travel across the country borders of European Union and Schengen area states, as well as other states who agreed to this.

Holding an identity card therefore ensures its holder free travel across national borders (i.e. travel function), enabling them to identify themselves with personal information recorded on the document, both in Slovenia and abroad, and it allows them to execute legal transactions (identification function), and besides the foregoing, it also allows the holder to demonstrate their citizenship, since this information is explicitly indicated on the ID card.

The identity card is closely linked to the individual's ability to perform the aforementioned activities, and is intended exclusively for the individual's use, and furthermore, Article 3 of the Identity Card Act stipulates that the citizen is prohibited from giving away, selling or lending his or her identity card to any other person, and all other persons are prohibited from taking, purchasing or using another's identity card as their own. Such actions constitute a violation sanctioned with a fine of 400 to 830 EUR<sup>(3)</sup>.

In the letter addressed to the Ministry of Culture, Moderna galerija asserts that in their explanations, the Administrative Unit of Ljubljana and the Ministry of the Interior treated the personal identity cards exclusively as identification documents, and not as works of art. They assert that the matter should be regarded more broadly, and that the dual status of the objects concerned should be considered. They assert that the identity cards in fact became works of art through the creative process. They note in particular that Article 59 of the Slovenian Constitution protects the individual's freedom of scientific and artistic production. They claim that, due to the fact that the Identity Card Act imposes restrictions regarding the use of what is clearly a created work of art, it violates the constitutionally enshrined human right to artistic production. As a result, they also assert that the Identity Card Act also restricts copyrights which are vested in the author based on the

(1) Official Gazette of the RS 35/11

(2) Letter from the Ministry of the Interior, 2120-19/2010, dated 19 July 2010

(3) In the explanation provided by the Ministry of the Interior, we also expressly emphasized the aspect of reproducing the identity card, i.e. provided an explanation of Article 4 (previously 3.a) of the Identity Card Act, which imposes statutory restrictions on any reproduction of personal identity cards in order to protect personal information.

200 creation of the work itself (Article 14 of the Copyright and Related Rights Act, as well Article 60 of the Slovenian Constitution). This presumably also restricts the material interests of the author or owners of copyrights derived from material copyrights. This allegedly places under a question mark even the constitutionally enshrined human right to personal property. Moderna galerija concludes with the opinion that personal identity cards which have been recognized the status of works of art should be subject to the normative regulation which govern artworks, and therefore they ask for assistance in finding a way to acquire a valid personal identity card (as a work of art) for their art collection.

In light of the above, to put the identity card in the context of a work of art, we would like to provide some information about the issuance and production of identity cards:

1. From the administrative perspective, the identity card is issued in a summary administrative procedure, and has the status of a standard decree.
2. The identity card is issued on a form prescribed by the Rules on the Implementation of the Identity Card Act.

The dimensions, physical properties, layout of the data fields on the form and the graphic manifestation of the data contained in the form, are prescribed in accordance with international standards. ISO 7810 (ID-1-type cards), ISO 7501-3 (type 1), ISO 1831-1980, ISO 3166, ISO 1073/11 and ISO 1831

3. The graphic representation of the identity card is the authored work of recognized Slovenian graphic designer Miljenko Licul, as part of the national visual identity for Slovenian identification documents.
4. The procedure for issuance of the personal identity card at the administrative unit is done so that the citizen demonstrates their authentic identity when applying for said document.

After confirming the identity of the applicant, a public servant registers the application in the official record of identity cards<sup>(4)</sup>, and the applicant may opt for the manner of delivery and potentially priority treatment. The citizen must present a suitable photograph and sign the application.<sup>(5)</sup> They must also pay for the issuance and production of the identity card. The price of the form and personalization (production) is specified in the Order Concerning the Fixing of the Identity Card Fee, and the administrative fee is specified under tariff no. 14 of the Administrative Fees Act. The application process is the same for all citizens.

(4) The central records are maintained by the Ministry of the Interior.

(5) The application procedure and the content of the actual application form is prescribed under Articles 12 and 14 of the Act and in the Rules.

5. The personal identity card is produced by the company Cetis, grafične in dokumentacijske storitve d.d., under a framework agreement signed with the Ministry of the Interior, following a specific, clearly defined procedure. In the production process, the data featured on the personal identity card of each individual is taken directly from personal records.
6. The produced identity card is delivered to the holder.
7. Personal identity cards which are still valid have been produced in the same manner since 1998. Each produced identity card's front features information about the serial number, surname, name, sex, date of birth, citizenship, expiration date, holder photograph, and signature. On the reverse side are details about the residential address, EMŠO number, issuer, issuance date, and OCR-8 strip, which allows fast scanning for checking personal records when crossing national borders. Over two million personal identity cards have been produced to date.

In light of the above, we certainly cannot agree that a personal identity card is the original work of its holder. The Copyright and Related Rights Act stipulates that copyrighted works are individual intellectual creations from the domain of literature, science and art, which are expressed in any form unless stipulated otherwise by said Act.<sup>(6)</sup> In our opinion, the issued identity card does not contain any copyrightable elements<sup>(7)</sup> stipulated under the law, Article 6, nor does it constitute an adaptation of a copyrighted work<sup>(8)</sup>, as stipulated under Article 7 of the Copyright and Related Rights Act. On the contrary, this course of action could potentially cause a dispute as to the actual authorship of the identity card, since the issuance of the personal identity card does not in fact transfer copyright onto the citizens.

(6) Copyrighted works include the following, in particular:

- spoken works, e.g. speeches, sermons, lectures;
- written works, e.g. works of fiction, articles, manuals, studies and computer software; musical works with or without lyrics; theater, musical theater and puppetry; choreography and pantomime;
- photographic works and works produced with photography-like technique; audio-visual works;
- visual art, such as e.g. paintings, graphic art, sculptures;
- architecture, e.g. sketches, plans and structures from the fields of architecture, urban planning and landscaping; works of applied value and industrial design, cartographic works;
- presentations of scientific, educational or technical nature (technical sketches, plans, drawings, tables, expert opinions, 3D renderings and other works of the same nature)

(7) Drafts, elements and titles of copyrighted works, which are in themselves individual intellectual creations, enjoy the same protection as the work itself.

(8) Translations, renditions, arrangements and other adaptations of original copyrighted works or other materials, which are in themselves an individual intellectual creation, are independent copyrighted works. The rendition mentioned in the preceding paragraph must not infringe upon the rights of the author of the original work.

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Based on the description of the process of obtaining a personal identification card, the Ministry of the Interior sees no reason for individual holders' identity cards to be considered works of art, nor does it see how the holders carried out the alleged creative process. It is also clear that in the process of issuing and production of the personal identity card, there was no creation of copyrightable work involved, which could be ascribed to any individual under Article 14 of the Copyright and Related Rights Act<sup>(9)</sup>.

We also see no elements of any creative process, artistic or copyrightable work associated with the preceding change of personal names later used in the production of the personal ID card, since these administrative procedures at administrative units are handled in accordance with the Personal Name Act.

It is therefore entirely groundless to claim that, due to the fact that the Identity Card Act imposes restrictions regarding the use of what is clearly a created work of art, it violates the constitutionally enshrined human right to artistic production or to personal property. A citizen acquires a personal identity card based on having applied for it, and certainly not through artistic, scientific, research engagement or invention, therefore we are of the view that it is impossible to claim any restrictions regarding the material interests of the author, i.e. the owners of the copyright. The identity card holder is required to act with due care, since it constitutes official proof of their identity and citizenship. Careful handling of such documents protects the individual from misuse of their personal details and their identity as such.

The issuance and use of personal identity cards is comprehensively and suitably regulated in the Identity Card Act, which is the fundamental regulation governing this domain, and it is our opinion that no deviation from this law in terms of exemption (i.e. treating identity cards as dual-status objects) can be permitted, especially given the importance we ascribe to identification cards.

Sincerely,

Prepared by:

Mag. Alenka Colja  
Secretary

Nina Gregori  
Director General  
Senior secretary

Deliver to:

1. The addressee - by e-mail

(9) Copyrights are recognized to the author based on their actual creation of the work concerned.



**MG+MSUM**  
**Museum of Modern Art + Museum of Contemporary Art Metelkova**  
**Tomšičeva 14, SI-1000 Ljubljana**

Ministry of Culture  
Maistrova 10  
1000 Ljubljana

Subject: Purchase of identity cards as works of art

Dear Sirs:

On 14 October 2015, we received your response no. 62100-25/2014/63 in reference to our letter of 15 July 2013, concerning the purchase of identity cards as works of art.

In your response, you informed us that the Ministry of Culture is not competent to assess the legality of the matter, and forwarded us the Ministry of the Interior's position on the issue, as the competent authority to whom you forwarded our letter for processing.

Unfortunately, your response does not contain an answer to our query. We contacted the Ministry of Culture as the ministry competent for art as the relevant state authority and custodian of Moderna galerija, in the hopes that you would assist us in finding a solution for buying the art work of three artists, namely Janez Janša, Janez Janša, and Žiga Kariž, since the applicable law evidently does not allow for this, since commercial transactions involving art which doubles as a personal identity card is prohibited by law.

We are well aware of the position of the Ministry of the Interior from our previous communications. Even in our letter, we summarized the responses we received from the Ministry of the Interior in connection with the identity card issue. We therefore had no expectations of them changing their stance on the matter. We were surprised, however, that the Ministry of the Interior also provided an opinion on what can or cannot be considered a work of art. We firmly believe that it is not within the competence of the aforementioned ministry to interpret the Copyright and Related Rights Act or pass decision on the basis thereof.

The ministry is also not competent for making any evaluations as to what may or may not be a work of art.

Besides the fact that the Ministry of the Interior is not competent for

204 making such evaluations, their interpretation of the law is erroneous, since the determination of what constitutes a work of art, i.e. a copyrighted work, requires knowledge of contemporary artistic practices. The numerous exhibitions of Janez Janša, Janez Janša and Žiga Kariž, which have been extensively discussed by experts, clearly show that their performance involving their renaming and changing their personal identification documents, bank cards and other credentials, constitutes a work of art, protected under copyright law. We also included a copy of the Expert Valuation Report prepared by a certified art appraiser, mag. Pavel Toplak, dated 29 July 2008. The fact that the work concerned is a work of art is also evidenced by Moderna galerija's informed expert decision to purchase the identity cards as works of art, as it is in fact the competent national authority for modern and contemporary art. Other explanations presented by the Ministry of the Interior, namely that the handling of the identity cards is restricted, contain no new information, since we already acknowledged their opinion in our letter to the Ministry of Culture. We therefore write to you again, asking whether or not you agree with the opinion of the Ministry of the Interior, namely that it is impossible to make an exemption in the name of art, given the importance ascribed to the personal identity card. We would like to emphasize again that Moderna galerija wishes to purchase these personal identification cards to be used exclusively as works of art and display them in its galleries and museums, exhibit them to the public and potentially reproduce them in the form of graphic catalogues and similar promotional materials for exhibitions, and also intends to keep the purchased personal identity cards as artworks in the museum on a permanent basis, as a piece of cultural heritage.

We are certain that the Ministry of Culture, as the competent institution, should know best how to resolve this conflict between two different rights. Even so, we suggest that the ministry sends a response to the Ministry of the Interior with respect to their position, and attempt to find a solution with them. The Ministry of Culture must create the conditions necessary for free creative artistic processes, since this promotes the public interest in the field of culture. At the same time, it is the ministries' task to secure professional autonomy for national institutions such as Moderna galerija, whose obligation as a museum is to collect and keep the most important works of contemporary art produced in Slovenia.

Ljubljana,  
26 February 2016

Zdenka Badovinac,  
Director

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## **Copyright**

Copyright provides the author with exclusive rights that enable the author to allow others to use his work and set out the conditions for such use or to prevent others from using his work. Unless specifically provided by law the use of copyrighted work is only allowed with the permission of the author. Any unauthorised use of work constitutes infringement of the author's rights. The law provides certain exceptions in the interest of the public such as use for educational or research purposes or reporting on public events. Copyright is also limited in time. It lasts for the life of author and 70 years after his death. After that period expires, the works are in the public domain and can be used by anyone in any way. Copyright protects original artistic

(and scientific) creations, which are expressed in any way. A work is protected by copyright only if it was created by a human being (an author) and bears a stamp of the author's personality. Furthermore, in order to be granted copyright protection the work must be original and expressed in any form that is capable of being perceived by others. Mere ideas, principles and discoveries are not protected by copyright law because the concept of copyright is based on the distinction between an idea (which is not protected) and the expression of an idea (in any form) which can be protected, because only the form is capable of reflecting the author's personality emerging from the artist's work. In contemporary art the idea often supersedes the form (of the artist's expression); therefore, it is questionable if

works of conceptual art can be protected by copyright at all. Some scholars <sup>(1)</sup> deny copyright protection to works such as monochrome paintings, *objets trouvés*, ready-mades, body art or random acts (such as uncontrolled performances). They argue that the mere presentation of objects by an artist or placing such object in an art gallery does not meet the requirements for copyright protection because it does not reflect his own personality. However, such works could be protected by copyright if the artist (in addition to mere presentation of object) added a certain personal creation to it – like an additional treatment, inventive selection or combination, rearrangement or similar.

Others are critical of the idea/expression dichotomy because most contemporary works of art place the idea at the heart of work; therefore, it is the idea that constitutes the work, regardless of its execution. <sup>(2)</sup> It is the artist's proposition as such that constitutes the work. This proposition reveals itself in the stamp of the artist's personality that emerges in the process of designating an object as work. They suggest that the law should be interpreted in a broader way by accepting that the stamp of the artist's personality cannot always be visible in work but instead is visible in the purely mental creative proposition and must be perceivable by the person contemplating it. <sup>(3)</sup>

## ID cards and passports

In the case of the artists who changed their personal names (from Davide Grassi, Emil Hrvatin and Žiga Kariž) to Janez Janša, it is particularly difficult to distinguish between idea and form and therefore decide whether or not such an artistic act is protected by copyright, because the actual idea (of renaming) was expressed by filing an application to change their names to Janez Janša. Their application was approved, and the new name was registered at the local administrative body in Ljubljana, which then issued the artists personal identification cards and passports. These documents are clearly in tangible form as they are printed on plastic (in the case of ID cards) and on paper (in the case of passports). However, the documents were not produced by the artists themselves, but were printed in a pre-existing and strictly defined form that was designed by others (an administrative body or a designer commissioned by the administrative body). Therefore, it is really not clear to say that the artists' idea was actually expressed by them in a form that contains their stamp of personality, because the form in which their artistic decision is perceivable was actually designed by somebody else. In addition, the artists did not invent a new fantasy name. What they did was merely acquire a rather common name which was in fact already used by several other people in Slovenia, including a well known politician.

(1) See more in: Dr. Miha Trampuž: *Avtorsko pravo in likovna umetnost, primerjalnopravna raziskava*, Uradni list Republike Slovenije, 1996, str. 52 in 53.

(2) Nadia Walravens: *The Concept of Originality and Contemporary Art*, *Dear Images – Art. Copyright and Culture*, Institute of Contemporary Art/Ridinghouse, London, 2002, str. 171–195.

(3) *Ibid*, str. 185.



Trademarks protect signs (such as names, designs, letters and numerals) that identify the origin of goods and services. Trademarks distinguish the goods and services of one provider from those of its competitors. At the same time trademarks provide consumers with information on the origin of goods they buy or services they use. Any sign or symbol or combination of them can be protected only if it is capable of distinguishing goods and services from one another. A word mark contains any words, letters or numbers and gives its owners the broadest protection because it allows them to change the design or logo. However, it is not possible to register words that are descriptive, i.e. it is not allowed to register “water” for selling bottled water. A figurative mark is represented using designs, graphics or images and can be combined with words, letters or numbers. Even three dimensional shapes (such as actual product or its packaging), colours and sounds can be protected as trademarks.<sup>(4)</sup>

Owners of registered trademarks have the exclusive right to use such signs or symbols in trade and can authorise others to use them (by granting them a license for use). The owner of a registered trademark can prevent others from using the same sign for the same goods or services. Once the trademark is registered, the protection

lasts for 10 years, but can be renewed repeatedly. Therefore, unlike copyright, trademark can last in perpetuity. However, the trademark must actually be used, otherwise others can challenge its validity.

### **Janez Janša<sup>®</sup>**

Personal names can be protected by trademarks if they are associated with certain business activity like trading goods or providing services. However, the trademark registration can be disputed if the use of the trademark contradicts an earlier right to a name.

“Janez Janša” is a trademark registered with the European Intellectual Property Office (EUIPO)<sup>(4)</sup> and is protected within the area of all EU member states for a range of activities related to education, entertainment and culture. It is co-owned by three physical persons: Janez Janša, Janez Janša and Žiga Kariž, two of whom bear the same personal name. This means that these three owners are eligible to brand all their activities (registered and listed in EUIPO register) with the “Janez Janša” trademark and prevent anyone else from using the same brand for the same activities.

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Proofread by Philip Jan Nagel

(4) See more information on: <https://euipo.europa.eu/ohimportal/en/trade-mark-definition>

(5) <https://euipo.europa.eu>

(6) More information on registration are available through TM view application: <https://www.tmdn.org/tmview/welcome#>

# Janez Janša®

Janez Janša® is a registered trademark owned by  
Janez Janša, Janez Janša and Janez Janša.

Janez Janša © is a trademark registered at the European Union Intellectual Property Office (EUIPO) on February 17, 2017 under the trademark number 016384364.



BIOGRAPHIES



## Domenico Quaranta

is a contemporary art critic and curator. His work focuses on the impact of the current means of production and dissemination on the arts, and on the way they respond – syntactically and semantically – to the technological shift.

He is a frequent collaborator with several magazines and reviews, including *Flash Art*, *Artpulse* and *Rhizome*. The author of *In My Computer* (2011), *Beyond New Media Art* (2013) and *AFK. Texts on Artists 2011 – 2016* (2016), he has contributed to, edited or co-edited a number of books and catalogues, including *GameScenes. Art in the Age of Videogames* (2006) and *THE F.A.T. MANUAL* (2013).

Since 2005 he has curated and co-curated many exhibitions, including *Holy Fire. Art of the Digital Age* (2008); *RE-akt!* (2009 – 2010); *Playlist* (2009 – 2010); *Collect the WWWorld* (2011 – 2012); *Unoriginal Genius* (2014) and *Cyphoria* (2016).

He lectures internationally and teaches “Interactive Systems” at the Accademia di Carrara. He is a co-founder of the Link Art Center, Brescia.

More info: <http://domenicoquaranta.com>.



For Janez Janša, Janez Janša and Janez Janša, life, artistic practice, theoretical reflection and political involvement are not divided. For over 10 years now, through their work, they have been building a complex narrative structure on topics such as proper names, identity and the signature, particularly focusing on the legal aspect of art practices and on the political imaginary in law. The central characteristic of their production is an ambivalence on multiple layers, crossing the borders of formal and media conventions.

**Janez Janša**

is a visual artist, working in the cross section of traditional visual art practices, conceptual art and new media. In 2003 he represented Slovenia at the 50th Venice Biennial. His work has been shown in the Sao Paulo Biennial, Prague Biennial, Limerick Biennial and numerous other venues. He has been teaching at the Academy of Fine Arts and Design of the University of Ljubljana since 2009.



## **Janez Janša**

is an artist, writer, performer and director of interdisciplinary performances as well as conceptual and visual artworks. His work contains a strong critical and political dimension, and it is focused on the relation between art and social and political context. He is author of the book *JAN FABRE – La Discipline du chaos, le chaos de la discipline* (Armand Colin, Paris 1994) and has been editor in chief of *MASKA Performing Arts Journal* from 1999 to 2006. He is the director of Maska Institute for Publishing, Production and Education based in Ljubljana, Slovenia and has been teaching at the Academy of Theatre, Radio, Film and Television of the University of Ljubljana since 2016.



## **Janez Janša**

is a conceptual artist, performer and producer living in Ljubljana, Slovenia. He is the author of numerous videos, performances, installations and new media works which have been presented in several exhibitions and festivals around the world. He is the director of the film *My Name Is Janez Janša*, co-founder and co-director of Aksioma – Institute for Contemporary Art, Ljubljana (together with Marcela Okretič) and artistic director of the Aksioma | Project Space. He has been teaching at the Academy of Fine Arts and Design of the University of Ljubljana since 2016.

**Bio-Bibliography (2007—2017). Edited by Teja Merhar**

[www.janezjansa.si/media/selected-bibliography](http://www.janezjansa.si/media/selected-bibliography)

COLOPHON



**Janez Janša® – Exhibition**

Janez Janša, Janez Janša, Janez Janša

*Janez Janša®*

[www.janezjansa.si/works/janezjansa-r](http://www.janezjansa.si/works/janezjansa-r)

Curated by Domenico Quaranta

+MSUM – Museum of Contemporary Art Metelkova, Ljubljana

18 October 2017–18 February 2018

**Produced by**

Moderna galerija Ljubljana | Represented by Zdenka Badovinac | [www.mg-lj.si](http://www.mg-lj.si) and

Aksioma – Institute for Contemporary Art, Ljubljana | Represented by

Marcela Okretič | [www.aksioma.org](http://www.aksioma.org) | 2017

**MG+MSUM**



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Bibliography: Teja Merhar

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**Sponsor:** Kamnolom Verd

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## Accompanying programme

### *Proper and Improper Names. Identity in the Information Society*

International conference curated by Marco Deseriis

With: Natalie Bookchin, Kristin Sue Lucas, Gerald Raunig, Ryan Trecartin and Wu Ming  
Kino Šiška Centre for Urban Culture, Ljubljana

17–18 October 2017

### *Janez Janša®*

Guided tour to the exhibition by Domenico Quaranta

+MSUM – Museum of Contemporary Art Metelkova, Ljubljana

19 October 2017

### *My Name is Janez Janša*

Film screening

Kinodvor, Ljubljana

22 October 2017

### *What's in a Name?*

International conference curated by Janez Janša

With: Urša Chitrakar, Konstantina Georgelou, Janez Janša, Mala Kline, Lev Kreft  
and Aldo Milohnić

+MSUM – Museum of Contemporary Art Metelkova, Ljubljana

10 January 2018

### *My Name is Janez Janša*

Film screening

Kinodvor, Ljubljana

10 January 2018

### *Janez Janša and Beyond*

Book presentation

With: Mladen Dolar, Jela Krečič and Robert Pfaller

Kinodvor, Ljubljana

10 January 2018

### *Janez Janša®*

Guided tour to the exhibition and presentation of the catalogue  
by Domenico Quaranta

+MSUM – Museum of Contemporary Art Metelkova, Ljubljana

11 January 2018

## Accompanying programme partners:

Kinodvor. City Cinema. | [www.kinodvor.org](http://www.kinodvor.org)

Kino Šiška Centre for Urban Culture | [www.kinosiska.si](http://www.kinosiska.si)

Maska, Institute for Publishing, Production and Education | [www.maska.si](http://www.maska.si)

Istituto Italiano di Cultura Lubiana | [www.iiclubiana.esteri.it](http://www.iiclubiana.esteri.it)



**Kinodvor.** Mestni kino.  
www.kinodvor.org

**..maska**



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p. 110

OHO

Milenko Matanovic, David Nez, Drago Dellabernardina

*Mount Triglav*, 1968

Performance

Zvezda Park, Ljubljana

Courtesy: Moderna galerija, Ljubljana

Irwin

*Like to Like / Mount Triglav*, 2004

Photographic reconstruction of the OHO group action Mount Triglav

Color photo, 168 x 199.5 x 7 cm

Photo: Tomaž Gregorič

A Cornerhouse Commision

Courtesy: Galerija Gregor Podnar

Janez Janša, Janez Janša, Janez Janša

*Mount Triglav on Mount Triglav* (detail), 2007

Digital print, triptych, 100 x 136, 100 x 142, 100 x 120 cm

Photo: Gaja Repe

Courtesy: Moderna galerija, Ljubljana

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REPUBLIC OF SLOVENIA  
 MINISTRY OF CULTURE



City of  
 Ljubljana

**[www.janezjansa.si](http://www.janezjansa.si)**

# Janez Janša®

In 2007, three Slovenian artists joined the conservative Slovenian Democratic Party (SDS) and officially changed their names to Janez Janša. While they renamed themselves for personal reasons, the boundaries between their lives and their art began to blur in numerous and unforeseen ways.

The catalogue of *Janez Janša®* – the anthological exhibition curated by Domenico Quaranta and presented in 2017 at the Museum of Contemporary Art Metelkova (+MSUM) in Ljubljana – presents a comprehensive selection of works and projects produced by Janez Janša, Janez Janša and Janez Janša over the last ten years – most of them arising as collateral effects of the name change or other life events related to it. The publication raises some universal questions about identity in the age of biopolitics and about art in the age of information, and it casts the Janšas' story into the future by announcing the registration of the Janez Janša name as a trademark for the next ten years.

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