

Nyau Philosophy: Contemporary Art and the Problematic of the Gift – a Panegyric

Samson Kambalu

A thesis submitted in partial fulfilment of the requirements for the practice-led degree of
PhD in Fine Art at the University of the Arts London

August 2016

Director of Studies: Professor Neil Cummings

Second Supervisor: Dr Michael Asbury

Abstract

Societies in Southern Africa remain largely gift economies, their art conceived as an infrastructure within everyday life, and yet art from the region continues to be read within the values of mimetic art where art is conceived as part of the superstructure of restricted Western economic and social thinking. My research on how the problematic of the gift and Bataille's theory of the gift, the 'general economy', animates various aspects of my art praxis has set out to correct this discrepancy. It includes a re-examination of the general economy of the modern African society, which Achille Mbembe has described as the 'postcolony', and how it has impacted on the development of my work as an artist.

My research is reflexive and practice-led. The specific praxis considered has included a body of work – published novels, films, installations, multimedia artwork and personal experiences – stretching back to 2000, when I made my first conceptual work of art, as a professional artist in Malawi. The problematic of the gift within my work has been explored alongside contemporary African art with a focus on Meschac Gaba's *Museum of Contemporary African Art*, and contemporary art at large with a focus on Situationist theory and praxis.

I grew up in Malawi, a Chewa, and my research identifies the aesthetic sensibility in my art praxis as being directly influenced by the *Nyau* gift giving tradition which manifests in Chewa everyday life through play and a robust masquerading tradition, *Gule Wamkulu*, now a UNESCO Intangible Cultural Heritage of Humanity. This thesis compares aspects of the animistic and all-encompassing Chewa *Nyau* philosophy to Situationism as rooted in Dada and Surrealism. In light of the recent marginalisation of *Gule Wamkulu* in modern Chewa society, my research identifies the contemporary artist after Situationism as the new creative elite, *Gule*, akin to *Gule Wamkulu* in the heyday of Chewa prestation society.

In my praxis, *Nyau* philosophy identifies the 'cinema of attractions' (manifest in the Malawi of my childhood as 'Nyau Cinema'), the internet and the internet bureau, as new *bwalo*, arenas, to orchestrate play and invariably gift giving within the liminal spaces of modern spectacular cultures and commercial networks in what Negri and Hardt have described as the age of Empire.

My thesis is presented as a 'general writing', a form of gift giving described by Derrida, and is communicated through an intellectual panegyric with an extensive appendix documenting the nature of my art and research as praxis. The appendix includes a detoured Facebook timeline (2011-16) and legal documents from a Venetian court regarding my installation *Sanguinetti Breakout Area* at the Venice Biennale 2015. The panegyric is what has united the theoretical and practice components of my research into one on-going inquiry into the problematic of the gift within everyday life.

Acknowledgements

There are many people and organisations who have helped me to make the realisation of this research possible. I dare not annul the gift they have given me just yet by mentioning them here.

‘Problem: Where are the Barbarians of the twentieth century?’

– Friedrich Nietzsche, *The Will to Power*

Contents

Abstract - 2
Acknowledgements - 4
Introduction - 7
Prologue (<i>Bwalo</i>) - 13
<i>Nyau</i> - 18
The Beast with a Heart in its Mouth - 25
St Pius - 34
<i>Gule</i> - 42
Nyau Cinema - 51
Holy Ball - 56
Man of the Crowd - 63
For Real - 70
<i>Hostis</i> - 74
Uccello's Vineyard - 81
The Great Prayer - 93
<i>Mzinda</i> - 100
<i>Homo Ludens par Excellence</i> - 106
Nyau President - 116
<i>Homo Academicus</i> - 123
Cyberspace Bwalo - 128
Epilogue (Nyau Empire) - 133
Bibliography - 138
Appendix I (<i>Praxis 2011-16</i>) - 150
Appendix II (<i>Venice Biennale Defence by Massimo Sterpi</i>) - 185
Appendix III (<i>Court of Venice Judgement by Judge Luca Boccuni</i>) – 202

Introduction

My practice-led PhD research in Fine Art looks at how the problematic of the gift and the general economy animates various aspects of my art praxis. The nature of the research and its reflexive methodology have determined that my PhD thesis comes in the form of an intellectual panegyric. My basic reading of the gift is Bataillean; the gift as described by the French philosopher as the 'general economy' – indispensable excess and surplus wealth in a given system. In my praxis, the gift as excess has been read through 'Nyan' (a Chewa word for 'excess' and a philosophy of excess) within the general economy of the indigenous and postcolonial Africa of my formative years and in my current work as a contemporary artist.

The limits of 'objective' academic writing have been explored by Jacques Derrida in *Writing and Difference* (1978): from a deconstructionist reading all writing comes in excess and therefore I intend to approach academic writing as a form of gift giving – a 'general writing', or what Georges Bataille had previously described as a 'sovereign activity'. Derrida's position can be traced back to the Dutch philosopher Johan Huizinga who identified in *Homo Ludens* (1971) the origins of academia in the totality of play, citing the sophists and the Greek penchant for the scholarly riddle as prototype ludic academia in antiquity. Bataille, Friedrich Nietzsche, Julia Kristeva and Achille Mbembe are other modern scholars who have approached academia as a form of gift giving and subjected academic writing to play, lyricism and poetic critique. My preoccupation with the problematic of the gift means I have had to follow in their footsteps. It is the ever-present supplement in academic writing that has been embraced as a 'gift' in my thesis, playfully masquerading as a panegyric in the form of autobiographical anecdotes, poetic snippets and aphorisms accompanied by animated photographs.

The panegyric also includes an appendix of online social network photographs, legal court papers from my controversial project *Sanguinetti Breakout Area* at Venice Biennale 2015, and a separate practice documentation list on an accompanying USB stick of illustrated selected works created during the course of this research. These include *The Last Judgement*, an interactive installation of four hundred footballs plastered with pages of the Bible; *Sanguinetti Breakout Area*, an interactive multimedia installation based on the research conducted at Yale University in the archives of the Italian Situationist Gianfranco

Sanguinetti; and *Hysteresis*, a multimedia 'Nyan cinema' installation. These three projects featured at Venice Biennale 2015, and were submitted as part of the practice component of my research.

Guy Debord's memoir *Panegyric* (2004) describes a panegyric as a form of eulogy that 'entails neither blame nor criticism' on the subject in question. When a self-eulogy is delivered with such irony it no doubt becomes an exercise in radical subjectivity. The eulogy becomes a general writing then – and if done really well, without too much self-indulgence but a real desire to communicate, it becomes a passionate poetic sovereign activity. In this panegyric exercise I have been inspired by playful self-eulogies driven by what Wark (2011) has described as 'low theory' such as the aforementioned Debord's memoir, Nietzsche's *Ecce Homo* and the numerous posturing hip-hop music tracks I listened to while growing up in a postcolonial Africa. According to Wark, the aim of low theory is to open up thinking as a process and as a pretext for action rather than a passive search for finalised knowledge – it is a way of thinking that leads to radical subjectivity and prodigious gift giving. Low theory is thus instirically linked to general writing in this research.

My panegyric, *Nyan Philosophy*, comes in three parts, not necessarily chronological. The first part explores the general economy of Chewa *Nyan* prestation culture and its contemporary corollary identified in this research as the 'postcolony' described by Achille Mbembe (2001). The second part of the panegyric traces the general economy of the postcolony and *Nyan* static economics and culture as an influence in my art praxis using Situationist playful strategies inspired by the aporia of the gift – *detournement*, *psychogeography*, and *unitary urbanism*. The third part proposes *Nyan* cinema (a Malawian form of heterogeneous cinematic dispositif appropriated as a framework in my approach to filmmaking) as a catalyst for *Nyan* praxis in the modern age.

The first appearance of the specific gift animating my praxis comes in the form of *Nyan* masks in *Prologue (Bwalo)*. These are the very masks that enchanted every aspect of my life growing up as a Chewa in Malawi and as this research will demonstrate, continue to do so now in my adult life. I have worked as a professional artist since 2000 when I left Malawi for Europe through marriage, and throughout that time I have been driven by a certain active and playful aesthetic that has rendered my work more a praxis than mere practice:

for me art is more than the studio, the gallery or a career. It is a way of life. My research reveals that at the heart of this heterogeneous praxis is a gift whose values contrast sharply with those of the market economy of late capitalism.

The first chapter *Nyau* introduces Bataille's unified theory of the gift, the 'general economy', and the relationship between the aporia of the gift and Chewa prestation culture as orchestrated by *Nyau* masks through play – *Gule Wamkulu*. An examination of the gift through various scholars, from Mauss to Derrida, leads to the question of non-linear time and how it animates various aspects of Chewa everyday life and ways of looking at the world in modern times. My initiation into the general economy of Chewa society through the *Nyau* secret society is explored in *The Beast with a Heart in its Mouth*. While getting schooled in *Gule Wamkulu* as a teenager, little did I know that the education I was getting at *dambwe* was all the basic preparation for the sensibility needed to work as a contemporary artist when my formal Western art education was done after graduating from the University of Malawi in 1999.

The chapter *St Pius* explores a heterogeneous Malawian form of cinema dispositif, identified by Gunning (1986) as 'cinema of attractions' in early cinema, as a new *bwalo* (arena) of 'technological repetition' (to borrow Paul Klee's phrase) where Chewa peoples like me, displaced from the villages, found a place to experience our 'blossoming' and highly subjectivised selves within modern physis. *Gule* draws parallels between Chewa and Situationist conceptions of art as infrastructure within the social fabric of everyday life, as opposed to the mimetic superstructure of classical conception and consumerism. Situationist 'gift' driven praxis around avant-garde cinema has been compared to Chewa *Nyau* culture around *Gule Wamkulu* as the two influence my own praxis as a contemporary artist. The chapter *Nyau Cinema* explores the heterogeneous 'cinema of attractions' of my childhood as a framework in my current art praxis in which filmmaking is approached as a sovereign activity. Just as the *Nyau* cinema of my childhood included other side acts, so have I accompanied my psychogeographical *Nyau Cinema* with interactive installations and live performances. The chapter *Holy Ball* explores transgression as a strategy in creating 'situations' – moments where a gift can be given without incurring a debt – in Chewa culture and in my interventions as a contemporary artist.

Man of the Crowd traces the role of the flâneur in my praxis by drawing parallels between

artist Meschac Gaba's methodology as a flâneur and my own as a psychogeographical filmmaker. My *Nyau Cinema* dispositif is presented as a counter-gift to Meschac Gaba in the form of an imaginary 13th Room of his *Museum of Contemporary African Art*. The general economy in Meschac Gaba's heterogeneous *Museum of Contemporary African Art* has from the onset been identified with my own Chewa tendencies as a contemporary artist coming from the prestation societies of Southern Africa. Gaba allows me to explore the general economy of the postcolony within my praxis without getting too solipsistic. Moreover, to look at Gaba's *Museum* critically is to re-evaluate contemporary African prestation cultures in light of the encroaching predatory capitalism and individualism that has led to failures of Pan-Africanist thinking, manifest as bad governance, civil wars and various pandemics. This has been addressed in the chapter *Homo Ludens*.

For Real explores the idea of marriage as a gift in matrilineal Chewa society within the patriarchal capitalism described by Irigaray (1985) and Cixous (1986) from my own experience of marrying a Western woman, Susan Reynolds from Perth, Scotland. *Hostis* explores the idea of the immigrant as the bearer of a gift (identified as *hostis* by Benveniste (1973) in pre-republican Roman society), through my own struggles of settling in to the consumerist United Kingdom as an artist and 'foreigner'.

Uccello's Vineyard explores the relationship between the problematic of the gift, the Reformation and the rise of capitalism as traced by Bataille in the *Accursed Share* (1991). *Uccello's Vineyard* and its scatological Lutheran coda anticipates my approach to religion as a form of gift giving inspired by the general economy of traditional *Nyau* religion and contemporary charismatic churches in Africa in the chapter, *The Great Prayer*.

Mzinda compares the Chewa conception of the city as an arena for play and prodigious expenditure rather than work and utility to the Situationist idea of 'unitary urbanism' rehearsed in Constant Nieuwenhuys' *New Babylon* (1959-74), and as reflected in my own praxis as a psychogeographical filmmaker. *Nyau President* examines the role of cinematic dispositif in the creation of subversive and charismatic identities in African liberation movements from Tom Mboya (1930-1969) to Barack Obama, and from my father Aaron Kambalu to myself. *Homo Academicus* sees my research within academia as a form of gift giving through play as introduced above while *Cyberspace Bwalo* explores the internet and the (African) internet café as a new arena for *Nyau* cinema within contemporary physis.

Nyan Philosophy closes with an epilogue in which cinema as a sovereign activity is proposed as one area in which *Nyan* culture could be revitalised for modern times, the *Gule Wamkulu* having been marginalised and reduced to anthropological and tourist curiosity. Finally ‘*Nyan* Empire’ is introduced within my praxis as a film production company that could orchestrate prodigious gift giving around the world within the liminal spaces of the commercialised terrain of late capitalism in contrapuntal to the values of the so-called ‘Empire’ – decentralised global capitalism as described by Hardt and Negri (2000).

Gule Wamkulu is now part of our world heritage, since 2005 one of UNESCO’s 90 Masterpieces of the Oral and Intangible Heritage of Humanity (see Boucher, 2012, p.257). *Nyan Philosophy* is a counter-gift to the Chewa peoples of Southern Africa – it is not directed to one particular individual. The sharing of knowledge among the Chewa where no known written language has been identified is oral and communal. The written *Nyan* knowledge communicated in this research has been sourced from various anthropologists and historians, mainly Western Christian missionaries working in Africa such as J.M.W. van Breugel, Claude Boucher and J.M. Schoffeleers. Malawian scholars such as E.S.T. Mvula and D.D. Phiri were also consulted but to date most of the prominent scholars of *Nyan* culture have been European. The absence of individualised African scholarship on *Nyan* and the problematic of the gift is no doubt one of the urgencies behind my research as an African but my work should not be seen as addressing a negative discrepancy. As Derrida has proposed in this research, a gift that’s seen is perhaps no gift at all. The research reveals that the Western idea of the individualised author and a restricted dispenser of knowledge would, at best, be regarded by the Chewa as a crude form of gift giving.



Sepia Rain, installation view, Stevenson Johannesburg, 2014

Prologue

Bwalo

Synopsis (*Snowman*, 2014): In medieval Suzdal, Russia, a man steps to and fro in a snowscape. He wears a large Ushanka, long overcoat and long military leather boots. – 32 secs

1

There were two parties who could criticise Dr Hastings Kamuzu Banda¹ openly without risk of imprisonment or being fed to the crocodiles² – elderly women and *Gule Wamkulu*. During Banda's crop inspection tours, politicians and official panegyrists up and down the country would line up to the microphone and shower the self styled 'Life President' with eulogies and gifts in return for his wise leadership, especially with regard to what was most crucial for the survival of the Malawi nation – agriculture. They told him that thanks to his insightful and dynamic leadership there were bumper harvests everywhere and all his people were healthy, well clothed and belly-full. Everybody knew it was a lie and waited for the moment when the truth could be told as clearly as the blazing blue sky over the *bwalo*. This was habitually assigned to one senior female politician, Mai Manjankhosi, who would contradict the consensus and tell Banda the way it really was with his people – "These people are lying *Bwana*. The crop has failed. We are starving! The hospitals have no medicine. There are potholes everywhere.' World Bank statistics³ can confirm that Malawi is one of the poorest countries in the world and it was no different under Banda, beyond all the pomp and ceremony of the official propaganda. Mai Manjankhosi was merely elaborating what had already been insinuated by *Nyau* masks⁴ at the climax of the political rally.

Chadzunda's tattered dress was in fact a parody of the president's three-piece suit. His trousers were elaborate chicken feathers with an obscene backside that looked like the face

¹Dr Hastings Kamuzu Banda was Malawi's first president at independence from the British in 1964. He declared himself 'Life President' in 1967, and remained in office until 1994.

²An ancient Chewa form of human sacrifice employed by Banda for political expediency; see Schoffeleers, 1992, p.102.

³The World Bank Development Indicator (2016) currently classifies Malawi as the poorest country in the world; I don't see it necessarily as a negative. As this research will show prestatation social structures of the country makes her naturally resistant to values of the global market economy.

⁴Collectively known as *Gule Wamkulu*, an ancient masquerade performance of the Chewa peoples of Southern Africa. Nobody knows its origins. The Chewa say, where there are people there is *Nyau*. See van Breugel, 2001, pp.132-135.

of the sun. *Chadzunda*'s charcoal wooden face resembled the Life President's in comatose.⁵ There were feathers flying all over the place when he danced barefoot, like a phenakistoscope,⁶ raising a cloud of red dust engulfing thunderous drummers and a delirious chorus of women. *Popi Galu Wachizungu* (Poppy the European Dog) was in fact a rendition of a poodle. He wore a threadbare and soiled 'football' strip. He had a feather duster for a head. He danced pretending to cut off bits of his own body and throwing them to invisible crocodiles, obviously dramatising simultaneously one of Banda's political victims and Banda himself.⁷ But why did Banda make criticism from elderly women and *Nyau* masks an exception in a country where free speech was illegal? Because for the matrilineal Chewa – his tribe – *Nyau* masks, *Gule Wamkulu*, literally the Great Play (see Morris, 2000, p. 131), are keepers of time and therefore 'sovereign', existing beyond good and evil.⁸ He who wears a *Nyau* mask is beyond the law and common morality and exists in the sacred 'real' world as *Gule*, the Great Play. By declaring himself 'Life President' (*Wamuyaya*), Banda had appropriated the sovereignty of a *Nyau* mask for political expediency, and so to censor *Nyau* masks and *nankungwi*, who are honorary members of the secretive cult largely exclusively for initiated men, would be to undermine not only the fetish of his own authority but also that of his tribe.⁹

The Dutch historian, Huizinga (1971), in *Homo Ludens*, traces various aspects of culture outside the world of work as originating from play, whether in politics, religion, law or academia. Play is what moves society. For Huizinga masks are in fact symptomatic of a society built around the totality of play. When play has ossified into institution, society loses its essential vitality. For the Chewa, *bwalo* – arena – is where aspects of culture, good and bad, are once more revealed in their arbitrariness and revitalised through creative play,

⁵*Chadzunda* was known as the 'chief' of *Gule Wamkulu* masks in pre-colonial times. He was thus the most obvious parody of Banda's sovereign rule; see Father Boucher's archive of Chewa masks or see Boucher (2012b). Kasiyamaliro.org, [online]. Available at: <http://kasiyamaliro.org/> Watch *Chadzunda* perform at a political rally here on https://www.youtube.com/watch?v=_YO2v0OsHP8 (uploaded by Zaki Kay).

⁶A cyclical prototype cinema contraption.

⁷An incessant anglophile, Banda was regarded by some of his opponents as a 'poodle' of the West. Watch *Popi* perform at a political rally, online. Available at: <https://www.youtube.com/watch?v=C4oAug56gLA>

⁸On the sovereignty of the *Nyau* mask see van Breugel, 2001, p.130: 'They (masks) are *Nyau* (*virombo* – 'animals'), we cannot judge *Nyau*', van Breugel quotes one Chewa chief on the limits of his office.

⁹Various *Nyau* masks such as *Bwandi* questioned Banda's rule as the 'chief' throughout his autocratic rule from 1961-1994. See Boucher, 2012b. Kasiyamaliro.org, [online]. Available at: <http://kasiyamaliro.org/pdf/bwandi.pdf>. The Chewa, one of the oldest tribes in Malawi, have been known to assimilate other newer tribes and maintain influence through the power of *Nyau*; see Boucher, 2012.

Nyan.¹⁰ In pre-colonial times whatever happened at *bwalo*, the so-called ‘place of the skull’ (denoting prodigious expenditure and ritual sacrifice), was sanctified like *Nyan* masks and therefore beyond judgement from everyday morality or reproach. The *bwalo* orchestrated by *Gule Wamkulu* then offered every person an arena that guaranteed them freedom of expression and the exercise of their radical subjectivity, in whatever form their nature moved them (see Boucher, 2012, p.22).

2

My art praxis is *Nyan*, that is to say, like *Gule Wamkulu*, play and transgression are central to my research, aesthetic practice and its exhibition. I contributed three projects to the Venice Biennale 2015 during the course of my PhD: *The Last Judgement*, 400 footballs plastered with pages of the Bible; *Sanguinetti Breakout Area*, a detoured re-presentation of the papers of the Italian Situationist, Gianfranco Sanguinetti, recently bought by Yale University; and *Nyan Cinema (Hysteresis)*, a Malawian version of what the American film theorist Tom Gunning (1986) would describe as ‘cinema of attractions’. They are all works conceived with *bwalo* in mind. When Sanguinetti heard of my installation in the Arsenale he immediately sued the Venice Biennale and me, citing breach of copyright and personal privacy. He demanded that the installation be taken down and the Biennale catalogue pulled from the shelves, with a 20,000 Euro penalty for any day of delay. After months of wrangling with Mr Sanguinetti in court in Venice, we won the case citing *Nyan* as my rationale.¹¹

I believe *bwalo* is what Okwui Enwezor had in mind when he curated Venice Biennale 2015 around the idea of the Arena (Kambalu, 2015). Okwui Enwezor was *mwini mzinda*,¹² the orchestrator of what he has called a ‘parliament of forms’, *All the World’s Futures*. With the arena he turned Venice into *mzinda*, the place of prodigious expenditure, the Great Play. There were gathered multitudes from all over the world, bearing gifts and grievances. In a globalised world, where social, economic and political urgencies risk immediate

¹⁰*Bwalo* serves the same function as the medieval festival, as observed by Bakhtin, in *Rabelais and His World*, 1984 – a place where the arbitrariness of things and power relations can be revealed, thereby uniting and rejuvenating society.

¹¹Details of this court case including the Venice Biennale defence led by Massimo Sterpi, Sanguinetti’s lawyer’s case and the judge’s ruling (Dott. Luca Boccuni) can be seen in the appendix and can be downloaded from my website. Available at: <https://samsonkambalu.com/2015/11/10/news-33/>

¹²A Chewa chief who has right of *bwalo*, and therefore the licence to hold *Gule Wamkulu* festivals in their village (van Breugel, 2001, p.186).

commodification upon their conception,¹³ Enwezor's Biennale, the Arena, attempted to offer an anti-reification sanctuary and a place of unmitigated generosity, at least creatively.

Starting with Marx, the arch-critic of reification and restricted economics, his sanctioned *Capital* was rejuvenated and gifted as literary drama in the Giardini. Within the Arena, Marx was not meant to be studied or monumentalised, as presumed by some sections of the media (see for example Yahav, 2015), but employed as a catalyst for a universal celebration of culture, the *Gule Wamkulu*. It is in this way that we were to read the various works of featured artists from all over the world, and especially for our purposes those from Africa.

In *All the World's Futures*, the world was presented as a complicated and bleak place (for example, see Genocchio, 2015), from the sacrificial orgy of Barthélemy Toguo's wooden torsos, the *Danse Macabre* of Marlene Dumas' skulls, to the superfluous ferocity of civil war in Gonçalo Mabunda's utility art and Adel Abdessemed's panga sculptures, but for me this only served to highlight the urgency of *bwalo* in the age of globalisation. Dostoevsky said, in his novel *The Idiot* (1868-9), 'Beauty will save the world': in Enwezor's *All the World's Futures* as in my work, including *Sanguinetti Breakout Area*, it is play which will save the world. The Venetian judge, Dott. Luca Bucconi, seems to agree with me, something that has elicited a wry comment from Sanguinetti's American translator, Bill Brown, describing me as the first 'situationist' to be defended by the government and not persecuted by it (Brown, 2015). But in what way will play save the world? The one short universal answer is through the gift, or what the Chewa at *bwalo* elusively call *Nyan*.¹⁴ It is the very thing posited and explored in this intellectual panegyric as animating various aspects of my heterogeneous art praxis.

¹³Jameson, 1991, recognises this phenomenon as 'postmodernity' – an era of late capitalism marked by an incessant obsession with the present, accompanied by a re-presentation of history as a series of consumable pastiches. Hardt and Negri, 2000, call this phase of global capitalism the 'age of Empire' marked by decentralised corporate business and NGOs operating across national boundaries.

¹⁴*Nyan* is a multifaceted word in Chewa cosmology and social life. Its variable meanings as 'gift' will become more apparent according to various contexts within this study. I am tempted to equate *Nyan* with *Hau*, a mysterious agency behind Maori prestation social structures as studied by Mauss and Levi-Strauss. See Schift's *Logic of the Gift*, 1997. It would be an interesting task for an anthropologist to explore whether there is an historical or genealogical link between the two gift phenomena. *Nyan* may also mean a horizontal aesthetic that stands against established hierarchies and difference – a levelling 'third term'.



Snowman, 2014, digital video, colour – 32 secs

Nyau

Synopsis (*Pickpocket*, 2013): A man appears on the streets of central London wearing a large trench coat from the 19th century. Another man appears behind him wearing a 21st century trench coat. They follow each other through the streets until there is only the man with the 21st century coat. –

47 secs

Synopsis (*Bombardier*, 2012): A man attempts to mount a long-range artillery installation in Dover, by the muzzle. He makes two attempts. – 34 secs

1

The aporia of the gift is rehearsed in a typical Chewa prestation – a welcoming drink.¹⁵ If you present a drink to a visitor, you must drink it yourself first. Even during *dambule*, the libation ceremony at the graveyard, you must drink from the gourd yourself first before offering the drink to ancestral spirits (*mizimu*), and relatives (*achibale*). The act of drinking itself is always communal. The calabash is passed round with the offertory, *wawa*. One telltale sign of a witch, *mfiti*, is a man who insists on drinking on his own, or does not drink from the calabash first before passing it round or pouring it to the ground. Those who know the meaning of the gift will not drink with such a man. They will not eat with him in their home for he will finish all the food and clean the plates, maybe even with his tongue like *Padza Achakoma*.¹⁶ Such a man is ‘accursed’ and is a ready target for the witch doctors, as a sacrificial victim, at the next drinking of the poison.¹⁷

The aporia of the gift is universal. The French anthropologist Marcel Mauss notes the ambiguous etymology of the word ‘gift’ in Germanic languages – it can mean both ‘a present’ and ‘poison’ (Mauss, 1997, pp.28-31). In Indo-European languages, the root of the word for giving, *do*, can mean ‘give’ or ‘take’, the origins of the mysterious phrase, ‘to give a reception’ (Benveniste, 1997, pp.34-5). The most particular thing about a gift, the American philosopher Ralph Waldo Emerson noted, is that it is luxurious – it contains an intimate

¹⁵The account given here is from personal experience growing up as a Chewa in Malawi. For an account of Chewa libation and drinking practices see van Breugel, 2001, p.89 and various videos by Father Claude Boucher, 2012b. Kasiyamaliro.org (online). Available at: <http://kasiyamaliro.org/video8.html>

¹⁶A gluttonous *Nyau* mask; see Boucher, 2012b. Kasiyamaliro.org (online). Available at: kasiyamaliro.org/pdf/padza_achakoma.pdf

¹⁷An ordeal called *mwavi* designed to restore the soul of the village – *chijanjano*; see chapter *Holy Ball*, and van Breugel, 2001, pp.220-222.

part of us, and always leaves the donee feeling inferior.¹⁸ It is in fact an obligation that demands reciprocity, as observed by Mauss (2002) in his studies of prestation social structures of 'archaic' peoples of Pacific Northwest (*potlatch*), Polynesia (Maori animistic concept of the *Hau*) and Melanesia (*kula* exchange rituals). This research observes the same dynamic in aspects of *Nyan* culture of the Chewa peoples of Southern Africa, Malawi in particular.

In *Thus Spake Zarathustra*, Nietzsche (1967) sees giving a gift as dangerous, a *pharmakon*, which demands tremendous skill to give. His post-Christian transvaluating sage, Zarathustra, wonders how he can give his new knowledge to people without inciting indebtedness, petty exchange or resentment. After a concerted soul searching he finds himself not 'poor' enough for the asymmetrical and calculated alms giving of his Judeo-Christian heritage and instead finds a more 'luxurious' model for gift giving in the selfless generosity of the sun. He presents this wisdom to his disciples as a *potlatch* symbolised by a golden ball, which he throws to incite them to 'play' with him. But what exactly is a gift if not a present or charity?

In *Accursed Share* (1991), the French philosopher Georges Bataille posits a compelling unified theory of the gift inspired by Mauss' anthropological data on the gift (see Mauss, 2002) and aspects of Nietzsche's thinking on the genealogy of morality (Nietzsche, 1998). Bataille's 'general economy' sees the gift as 'excess', the surplus wealth in any given economic system, which must be expended without return if the carrying limit of that system is to be sustained. Bataille's unrestricted economic theory is materialist and animistic but also scientifically observed as entropic dynamics in the working of the universe.¹⁹ Just as it is in the heaven with the sun, so it shall be on earth – excess is indispensable to the work of energy and nature. Surplus wealth in a given society shall be *gifted* or say expended, gloriously, without return, through the arts, pointless ritual and spurious monuments or catastrophically through war, environmental catastrophe and social strife. To put it bluntly a society that does not give a gift is a restricted society, mean, calculating, and destined for catastrophe. Writing the *Accursed Share* after the ravages of

¹⁸Ralph Waldo Emerson observes that the gift has something to do with 'luxury' and that a real gift demands that a real part of us is given away – home grown flowers and fruits are his preferred gifts – and should one give away jewellery it should be invested with our 'time', with our 'pain'. Ready-made presents are thus always a poor gift. Emerson, 1997, pp.25-27.

¹⁹In his notes for *The Accursed Share*, 1991, Bataille points out that he had worked with a nuclear scientist, Georges Ambrosino, to develop the theory of the general economy, which he dubs the second Copernican revolution in thinking.

World Wars I and II and in the age of the atomic bomb, Bataille attributed modern industrialised warfare and indeed European colonial expansion and imperialism on the problem of surplus within the ‘restricted’ economic models of capital, profit and accumulation of the industrial West which he traces back to the puritanical elements of the Reformation.²⁰

Bataille sees many pre-industrial economies as animated by a tendency to ‘excess’ (Gasche, 1997, p.101), and demonstrates the general economy at work in, among others, the orgiastic human sacrifices of the Aztecs, the monastic institutions of Tibetan Lamaism, and in the cathedrals and aristocratic opulence of the European Middle Ages. These so-called gift or ‘static’ economies have expenditure of surplus resources, *la dépense*,²¹ as their primary aim, rather than production and accumulation as seen in classical economics. The gift economy is primarily driven by the exchange and squandering of surplus time and resources, usually in the form of jewellery and food at festivals, rather than the trade in commodities. For Bataille, the gift’s circulation, reciprocity and ultimately dissipation (dramatised in Chewa communal beer drinking) parodies the sun, which gives without return – one also thinks of the feathered backside of *Chadzunda* at *bwalo*. To give a gift is a declaration of sovereignty, which is to be like God – *Chanjiri* (The Exuberant One).²² This is why the donee will always feel inferior to the donor, and why there is an obligation to return the gift. As observed by Mauss (2002) and insighted by Nietzsche’s Zarathustra, charity or almsgiving could not be regarded as gift giving as charity is one sided and does not allow the donee to redeem themselves by returning the gift.²³

2

Various scholars have attempted to describe the meaning of the *Nyanu* phenomenon among the Chewa – the results have often been dubious, especially those coming from colonial officers and Christian missionaries, which have been biased from the onset.²⁴ Reading *Nyanu* culture through the restricted economics of colonialism, the British officer Rangeley (1949-

²⁰See chapter *Uccello’s Vineyard*.

²¹It should be noted that Georges Bataille (1991, p.25) has used the term general economy not only for his theory of excess but also as an alternative term for prodigious expenditure, *le dépense*.

²²The Chewa believe in one God. He has many names and manifestations as explored by van Breugel (2001, pp.29-31), reflecting various social and religious interests.

²³The donee’s ambivalence towards charity is explored in the *Nyanu* mask *Mwathandizadi*, ‘You have really helped’. He carries a battery powered torch which could be read as a metaphor for charity’s tendency to create one-sided dependency; see Boucher, 2012b. Kasiyamaliro.org, (online). Available at: kasiyamaliro.org/pdf/mwathandizadi.pdf.

²⁴Linden (1974) presents an early historical study of *Nyanu* resistance against colonialism and Christian missionaries.

50) dismissed *Nyau* as responsible for keeping the Chewa ‘backwards’. Other scholars have been more empathetic of *Nyau*: an ideology of local autonomy against the authority of territorial chiefs and a cathartic dance for men (Schoffelleers, 1968, 1978); a fertility dance and the core of Chewa identity (van Breugel, 2001); the celebration of life and death (Aguilar, 1996); the interpretation of dreams (Mvula, 1992); a hunting ritual (Kispin, 1993); and a moralising agent through a reversal of roles (Marwick, 1965 and Boucher, 2012). These interpretations in my reading are either cynical, limited, biased or perhaps just plain uninformed. They fail to accommodate the sovereignty of *Gule Wamkulu*, in the good and the bad, and do not explain why in spite of *Nyau*’s glaring amorality and seeming active nihilism²⁵ the phenomenon has continued to act as a vehicle for forging solidarity among the Chewa peoples for hundreds of years to this day. From years of study and indeed my own experience growing up as a Chewa in Malawi I propose a reading of *Nyau* through the problematic of the gift and the general economy for a better understanding of Chewa culture.

The aporia of the gift would give a good account of why Chewa society is built around a *Nyau* secret society and its performative corollary, *Gule Wamkulu*, the Great Play.²⁶ *Nyau* is in fact the ‘accursed share’ – the sacred ‘cold’ energy you cannot use,²⁷ a gift whose ultimate purpose is expenditure without return, *la depense*. Play, as Zarathustra discovers, can be a form of gift giving that allows for circulation and dissipation of the gift while eliminating any lingering feeling of indebtedness. Gift giving in play, which is always in excess, parodies the generosity of the sun and rises above petty exchange or the demeaning potential of almsgiving and charity which emphasises the donee’s impotence and incapacity.

The Chewa subscription to the general economy can be glimpsed in the prestation that demands that a portion of every consumed food be left aside for ‘ancestral spirits’, more so during *phwando* (sacrificial feast) and *Nyau* festivals (see van Breugel, 2001, pp.60-62). A Chewa *phwando* differs from the utilitarian buffets, receptions and banquets of the restricted economics of late capitalism that make sure all the food is ‘used up’ at whatever cost to the body, community or the environment. Capitalist waste which is directed and calculated for business rather than generosity should not be confused with the glorious squandering of

²⁵That *Nyau* has been associated with evil by many who do not understand the phenomenon has been acknowledged unanimously by scholars; see Boucher, 2012.

²⁶*Nyau* as a total social phenomenon has been explored by Probst, 1995.

²⁷For Chewa dualistic conception of energy see the chapter, *Holy Ball*.

the gift which is in harmony with the animastic workings of energy and nature formulated in Bataille's general economy, and celebrated in Chewa *Nyanu* culture.

Almost every aspect of Chewa culture is geared toward *la depense* orchestrated by *Gule Wamkulu* masks, as various scholarship on Chewa traditional beliefs and social practices, from Schoffeleers (1997) to Boucher (2012), will demonstrate:²⁸ ceremonies are marked by incessant sacrifices and libation to ancestral spirits, *dambule* (see Boucher, 2012, 2012b);²⁹ personal relationships are playful and full of aggravated tensions and marriage, *chikamwini*, is uxorilocal, often leaving men frustrated and constantly scheming³⁰ – some claim the limited female membership of *Gule Wamkulu* is to counterbalance power between men and women (Saidi, 2010, p.70);³¹ long standing social and family grievances are often settled, playfully, by 'magic' from a diviner, *ula*, a type of 'agony aunt' or counsellor (*kboswe*) for a price (van Breugel, 2001, p.245); funerals, initiations and other various social ceremonies led by *Nyanu* masks are elaborate and obligatory, often keeping people from work for days (pp.97-124); witchcraft accusations leading to murder are frequent (see statistics, pp.237-8); ancestral spirits demand to be appeased by lavish *Nyanu* dances at every opportunity, through dreams, diviners and spirit mediums (*obwebweta*) (pp.77-8); competitive altruism in social etiquette and 'good' behaviour animates Chewa everyday interactions (pp.208-9 and p.230). Sexual habits hemmed between stringent taboo (*kudika*) and ritual coitus (*kulongosola*) appear to me more as erotic exercises, than as sex for reproduction (van Breugel, 2001, p.226-7) – the breaking of such taboos risks death from the mystical illness, *tsempo*, and can only be expiated by a witch doctor after a costly consultation. Chewa technology too is geared towards 'intimate expenditure' – a bicycle is preferred to autonomous modern machines such a car or a mill (*chigayo*) (van Breugel, 2001, p.226-7). Such accumulative technology is parodied and detoured in sexual innuendo in *Nyanu* masks such as *Njinga ya Bwera*, 'The motorcycle has come';³² *Mdondo*, 'snake train';³³ and

²⁸For an introduction to Chewa traditional beliefs and practices among the Chewa see Schoffeleers (1997), Morris (2000), van Breugel (2001), and Boucher (2012).

²⁹Video clips of some of these ceremonies are available at kasiyamaliro.org, (online).

³⁰The *Nyanu* mask *Chimaimba*, 'He keeps singing', is a caricature of a whingeing husband – *nkamwini*; Boucher (2012b). [kasiyamaliro.org](http://kasiyamaliro.org/pdf/chimaimba.pdf), (online). Available at <http://kasiyamaliro.org/pdf/chimaimba.pdf>.

³¹The limited membership of women in *Gule Wamkulu* is most probably a misunderstanding of gender role play in *Nyanu* on the part of some scholars. Boucher (2012, pp.36-37) and van Breugel (2001, p.133) have in fact observed that women have their own *Gule Wamkulu*, called *chinkhombwe*, and that real *Gule Wamkulu* is a synergy between the great dance and the women's chorus; some *nakungwi* also play the female characters of *Gule Wamkulu* (Boucher, 2012, p.37).

³²See video of *Njinga Yabwera* on Boucher (2012b). [kasiyamaliro.org](http://www.kasiyamaliro.org/video2.html), (online). Available at: <http://www.kasiyamaliro.org/video2.html>.

³³See video of *Mdondo* on Boucher (2012b). [kasiyamaliro.org](http://www.kasiyamaliro.org), (online). Available at: <http://www.kasiyamaliro.org/video2.html>.

Chigalimoto, a ‘car’ made of sacks carrying three characters – two white colonial officers and a tall black driver (Boucher, 2012, p.32). Where the community is built around sharing and gift giving, accumulation of riches is frowned upon (van Breugel, 2001, p.225). The Chewa general expenditure is exacerbated by *Nyanu* masks, most notorious of them the ancient troupes of *Panimbira* (Boucher, 2012, p.126), who conduct a form of ongoing potlatch perennially, in the form of sudden raids, where excess resources and useful items such as mortars, firewood, baskets, cooking food, pots and bundles of grass left outside homes are literally destroyed (van Breugel, 2001, p.139).³⁴

Bataille’s formulation of the gift has led to philosophers such as Derrida and Gasché to criticise Mauss and the structuralists for focusing too much on the utilitarian workings of the gift such as exchange at the expense of the animastic nature of the gift.³⁵ In *The Time of the King*, 1992, Derrida’s rendition of the gift goes out of the way to playfully propose that as monumental as Marcel Mauss’s *The Gift* is, it speaks of everything but the gift. Bourdieu (1990) in his studies of prestation societies of Algeria, recognises the general economy at work as a secretive event disguised in the time lag between gift and counter-gift.³⁶ If a gift is surplus time as asserted by Bataille, a gift hastily reciprocated is at best crude and impoverished. An ontological reading of the gift by Heidegger (1999) sees the gift as an aspect of being as an event – *Ereignis*: the unfolding or blossoming of the happening being in time (Schrift, 1997, p.8). For Derrida, a philosopher of Algerian origin, a gift that is identified as a gift is no gift at all, and he sees real gift giving as divorced from material exchange – something like a mother’s love for her child. Ultimately, like Heidegger and Bataille, Derrida sees the gift as nothing but time – the act of giving is an end in itself, which is also a time for forgetting, a moving on towards the impossible. It is the kind of giving dramatised in Zarathustra’s sun-blessed indifference, and typical of the general economy in certain lifestyles I experienced growing up in Malawi.

³⁴A milder form of raid might be carried out by the mask *Senza*, ‘Carry’, who confiscates property left outside homes and takes them to the chief to be ransomed.

³⁵Rodolphe Gasché’s ‘Heliocentric Exchange’ (in Schrift, 1997, pp.100-117) is a criticism of Mauss’ structuralist reading of the gift using Bataille’s animastic theory of the general economy.

³⁶I identify this secretive event everywhere in Chewa everyday interaction – for instance the Chewa have a penchant for convoluted and meandering dialogue. It is rude to speak straight to the point.



The Situationists read the papers, with silverware: (Venice?) 1969, digital photo, 2015

The Beast with a Heart in its Mouth

Synopsis (*Snowball*, 2015): A snow-covered Kinnoull Hill in Scotland, a man stands in the middle of the road trying to put his shoe back on without hands. He is swept away by an invisible circle travelling in perspective through the picture. – 21 secs

1

When you look at the photographs of Malick Sidibé, Seydou Keita or Chief S.O. Alonge these could very well be photographs of my parents. I grew up around flamboyantly dressed people – well, not always flamboyant but there was a consciousness of fashion, of a ‘look’. I think generally, in Malawi, we like to dress up and hang around, doing nothing in particular. Joza, a popular cartoon by Vic Kasinja (1957-2007) featuring an indifferent yet adventurous and dandyish family, always trying to avoid lucrative employment, celebrated this way of life.³⁷ You wonder where this comes from. It’s more likely because we inherited the general economy of the villages – a certain non-linear conception of time that still hangs around with us; it’s in Dakar, it’s in Johannesburg, it’s in Lilongwe, it’s with me here in London. You can see it around the African internet bureaus in Kensal Green and Harlesden, where I like to hang out to read or surf the internet. In this alternative conception of time, time is literally something to be ‘wasted’ – productively where possible, and not managed or capitalised; a gift as opposed to the commodity – ‘Time is money’. It is in fact time as *Nyan*³⁸ so I suppose one dresses up to ‘waste time’ gloriously like *gule*.

A man is not considered truly Chewa if he has not been initiated into the *Gule Wamkulu* secret society (Salaun, n.d., p.77). One is excluded from the everyday workings of the village, and should you encounter *Nyan* in the bush you could be beaten up, kidnapped or fined heavily for looking in his face, standing in his way or not giving the right answer to his riddle. In pre-colonial times you could even be killed and disappeared. *Gule Wamkulu* seldom kills now but in the remote areas the possibility is still there (see van Breugel, 2001 and Boucher, 2012). When I was old enough, and in secondary school at Kamuzu

³⁷See the Vic Kasinja biography in *Comics Reporter* (24 January 2007), (online). Available at: http://www.comicsreporter.com/index.php/vic_kasinja_1957_2007/. The subliminal influence of such cartoons in my performative work such as *Nyan Cinema* cannot be discounted.

³⁸Anthropologists Marwick (1965, p.68) and van Breugel (2001, p.208) have noted, for instance, how aspects of taboo still influence Chewa social life even after the onslaught of modernity.

Academy, I sought ‘to buy the path’ (*kugula njira*)³⁹ into the *Nyau* secret society in my father’s home village, Misi, in Dowa. I found a *phungu*, or ‘sponsor’, in one of my cousins who stripped and blindfolded me in a black cloth and took me to *dambwe*, in the bush, carrying a live rooster and a basket full of provisions to last us for a week – the length of a full *Nyau* initiation.⁴⁰

I can see everything through the blindfold today. We are welcomed to the *dambwe*, with songs and a thunderous beating of drums, from a distance. One song haunts me: *Mwana alirayo abwere, adẓaone, yee. Mwana alirayo abwere adẓaone chinyama, yeee.*⁴¹ ‘Let that weeping child come near and see, yeee. Let that weeping child come and see the beast.’ As soon as we enter the bushes a group of people, the *mkulu wakuthengo*,⁴² spit at me and beat me with sticks, subjecting me to verbal abuse. They call me *Kamluẓu*.⁴³ ‘Come here *Kamluẓu*! Do this *Kamluẓu*!’ They tease and bully me all the way to the enclosure, made of sticks and thatched grass.

The *dambwe* is in the middle of a graveyard. The beast I had to see was *Kasiya Maliro*, an ancient *Nyau* animal structure shaped like a pregnant horned antelope – it is in fact an abstraction of an inverted woman’s pubis, with the thinly disguised mouth and tail representing her sexual organs (Boucher, 2012, p.107). For the Chewa, *Kasiya Maliro*, literally ‘one who leaves corpses behind’, represents *Makewana*, *Mwali*, the mythical Chewa Mother who brought forth the tribe into the world after a mystical union with God who came to her in a form of serpent, *Thunga* (Boucher, 2012, p.106-7). *Kasiya Maliro* danced round and round the *dambwe* like a phenakistoscope, raising a cloud of red dust in which more and more initiates appeared throughout the afternoon.

There were no everyday niceties in the *dambwe*. Here was the general economy of the Chewa village presented with virulence and primordial gusto. Vulgarity was the rule of the day orchestrated by the obscenity of *Kasiya Maliro* reaching up to the sun with her backside,

³⁹Code for *Nyau* initiation – see van Breugel (2001, p.143).

⁴⁰See Boucher, 2012, p.257. For an anthropological description of *Nyau* initiation which this personal account parallels see van Breugel, 2001, pp. 142-147; Hodgson, 1933, pp.123-166; Mlenga, 1982.

⁴¹Van Breugel, 2001, p.144: ‘Let that weeping child come near and see, yeee. [T]hat weeping child see a huge beast, yeee.’

⁴²Traditionally the people responsible for the preparation of the initiation area, the *dambwe*; see Morris (2000), p.134.

⁴³Meaning ‘whistle’; a euphemism for ‘ejaculation’, which alludes to Kamuzu, Banda’s middle name. I was studying at the notorious Kamuzu Academy, the so-called ‘Eton of Africa’, on a scholarship at the time, and that was a swipe at both the Life President and his protégé. *Nyau* resistance to Western education is well-accounted for; see Linden (1974).

to sexually explicit songs. She was spurred on by the master of the proceedings, *Kapoli*, a mask covered in mud and chicken feathers. There was no distinction between old and young – only between initiates and non-initiates. *Kapoli* and the *phungus* spoke to us in nothing but obscenities (*zolaula*) – songs, jokes, banter, and ancient wisdom, *mvambo*, communicated in metaphors confined to eating and its corollary (van Breugel, 2001, p.152). We were put through ordeals: some boys were made to hang suspended from trees and swung over fire to scare them to death; we were rolled in grass and itching beans (*chitedze*), and doused in cold water to induce a severe reaction; somebody threw human excrement at us as we scratched ourselves (see Morris, 2000, p.136).

We were beaten with sticks and taught about women. It felt like I had arrived on the other side of the world.

In *Eroticism* (1962) Georges Bataille associates transgression with the sacred. In the ritual transgression of everyday norms the isolated self through the world of work and necessity loses itself to identify with the larger scheme of things through communal crime. There I was in a cloud dust, my heart welled up with enthusiasm, and yet if one got carried away with the delirious atmosphere you were whipped back into place by the initiated. *Kapoli* administered corporal punishment for ‘disobedience’, both justified and arbitrary, frequently directing it toward the initiates’ backsides. It got so absurd I began to associate the whole scene with the incessant butt kicking in the slapstick comedies of Arbuckle, Keaton and Chaplin. One didn’t know how to act and remained on the edge the whole time in a sort of liminal state, which the anthropologist van Gennep (1960) would describe as caused by the anticipation of rebirth as men. Our rebirth from *Kasiya Maliro*’s loins in the mire was accompanied by more virulent expenditure: various sacrificial ceremonies, which ensured the separation of the ‘accursed share’ from real initiates. It quickly became apparent that not all of us were destined to become men. Some of the initiates would come still-born.

Deep into the night various beasts come out of the graveyard to test our bravery and determination in the middle of the *dambwe*. Each beast has an oozing heart in its mouth, and the initiate has to wrestle the beast and snatch the heart out of its mouth to pass the test. There were so many bleeding hearts on the ground all around you as you wrestled with the beast, under the silver moonlight. Those who couldn’t snatch the heart out of

their beast's mouth were sent home into the night, others still were buried alive in the graveyard in a symbolic ritual.⁴⁴ At sunrise those who had been buried alive in the graveyard overnight were exhumed before our eyes and dusted down. We were then herded to the *dambo* (marshes) like sheep, for a cold bath in a muddy pool. After the bath, in an event called *fulang'ona* (see description by van Breugel, 2001, p.144), our private parts were tied and connected in circles of up to ten initiates each. We were made to run in different directions like the rays of the sun, on a big rock, by *Kapoli*, brandishing a long tearing guava stick. The whole ceremony happens within seconds. The pain to the privates is exquisitely excruciating. If I had known of this part I probably would not have come to the village to get initiated. The *fulang'ona* ends with the testicles of one of the initiates on a rock as he breaks free from the circle. He is carried away immediately; his agony drowned in frenzied singing and rapturous beating of drums. *Mwana alirayo abwere, adzaone, yee. Mwana alirayo abwere adzaone chinyama, yeee.* We never saw the victim again. Some *phungus* said it was a goat's testicles we had seen on the rock. I did not believe them. I thought *fulang'ona* was yet another ritual sacrifice, this time human and pertaining to fertility. Sacrifice, which is in fact an extreme form of transgression, is another moment, identified by Bataille, when the reified self with the world of work and necessity is delimited into the universal through a communal crime – in this case the ritual castration of the *accursed* victim.

What followed *fulang'ona* was a ceremony less horrifying but equally ominous called *khudabwi*, the impaling of chickens. Each one of us had to impale their own live rooster on a special stick (*chabzera*). 'This is what will happen to you if you reveal what you see here,' *Kapoli* said.⁴⁵ Here was a ritual confirmation of *Nyau* as essentially built around the totality of play. In *Homo Ludens* Huizinga (1971) posits secrecy as what ensures the efficaciousness of play among the adepts – it's really the enshrining of the rules and boundary of the game. To reveal the secret is simply to negate the game: there is nothing superstitious to *Gule Wamkulu*, secrecy is only a concerted effort to keep the gift, *Nyau*, circulating through strict reinforcement of the ethos of play.

For our first night as *Gule Wamkulu* we were dressed as *Panimbira* (Boucher, 2012, p.126) – in banana leaves, mud and jute – and went on derive into the village to conduct a potlatch

⁴⁴Another form of 'liminal' ritual described by Hodgson, 1933, p.136.

⁴⁵My additional references beyond personal experience for these ceremonies have been indicated in the notes and in the bibliography. I am especially indebted to van Breugel's *Chewa Traditional Religion* (2001), which contains a comprehensive study of the *Nyau* initiation ceremony.

of destruction of excess property and useful items, left outside people's homes, armed with the questions: *Where do virombo come from? When gule comes from the fields what's happening?*⁴⁶ Those we encountered who gave the wrong answer or stood in our way were beaten up badly, or fined.

2

There was great anticipation when *Kapoli* told us we would eventually get to meet the 'spirits of the deceased', our ancestral forebears, but when the day came we were told bluntly by the *phungus* that *nobody knows what happens when you die*. Instead we would be shown how to make masks and play like *virombo*, animals, because that's what we really were. *Gule Wamkulu*. If *Nyau* has a real secret here it was in broad daylight – the Chewa were essentially an elective body of sovereigns, and *Gule Wamkulu* reminded them of this, their sacred origin in animality and unknowing.⁴⁷ For Bataille (1993) the sovereign is an individual existing beyond common morality and work, which are the world of necessity: necessity negates the consecration of existence in the present moment for future realisation, necessity therefore enslaves and reduces people to a restricted economy in the world of 'things'. In all human activity outside the world of work Bataille (1991) sees a yearning for the human to return to the animal state of grace and innocence; play, which is always of the general economy of the present, allows us to return to our sovereign self as *virombo*, animals.⁴⁸ For the Chewa then *Gule Wamkulu* is not for disguise but rather a radical expression of our 'real' gift giving selves, in the here and now.

We walked and derived the bushes, the woodlands and the villages gathering material with which to make masks. You picked up whatever stirred your imagination as *gule*. By the end of the day there was a mountain of building material in the middle of the *dambwe*: raffia, banana leaves, jute, animal skins, palm leaves, maize husks, grasses, colourful fabric offcuts, ash, mud, tree trunks, sticks, recycled old clothes and shoes, traditional paint (*mtoto*) in various colours for painting the face of the masks and parts of the body. 'These are your ancestors,' *Kapoli* said, a muddy finger indicating the mountain of chaos and surplus.

⁴⁶For initiation codes see van Breugel (2001, p.145ff).

⁴⁷The *Gule Wamkulu* as return to animal sovereignty is alluded to in the Chewa creation myth which traces a past in which animals and men lived in harmony; see Schoffeleers, 1976, p.63 and Morris, 2000, p.132.

⁴⁸See Bataille, 1993, pp.247-9; for a collection of Bataille's writings on sovereignty see Richardson, 1998, pp.188-201. See also Bataille, 1989, in which the philosopher explores the relationship between sovereignty and man's self-reconception as an 'animal' in various cultures.

More prodigious expenditure prevailed over the *dambwe* with our ancestors in our midst. The masks and dance workshops were accompanied by more ritual sacrifice of animals and libation over the grave mounds; incessant spitting, which we are told is an antidote to nightmares; and rude contests on expletives and swearing. We were taught in a secret language where the common meanings of words were replaced by other meanings, rendering an esoteric atmosphere.⁴⁹ Grass (*udzu*) for instance was referred to as fur (*bweya*) and a stick (*mtengo*) was called a rib (*nthiti*). A sisal string (*khonje*) was *nkhweza*.⁵⁰ One was fined by the *Kapoli* for using the wrong word. There were many *Kapolis*. Soon nothing had a stable meaning as if under the scrutiny of Derridian deconstruction. In that delirium we were made to handle various ‘disgusting’, abject, smelly media – we laughed at misfortune and death then - human hair, nails, bones, ash, mud, blood, raffia, spit.⁵¹ We are all united in these abject and base materials like our ancestors lying and decomposing in their graves, nourishing the earth.⁵²

A few days later the whole *dambwe* is teeming with masks and structures, *gule*, ranging from the human (*visudzo*) to the theriomorphic (*mikhwala*):⁵³ some of the *gule*, such as *Chinko-madziansatsi*, *Gocho Ali n’Nzeu Popogona*, ‘impotent man’, and *Kasiya Maliro*, ‘one who leaves funerals in her wake’, are traditional, dating back to ancient times (van Breugel, 2001). *Maria*, ‘Virgin Mary’, *Simoni*, ‘Simon Peter’ and *Nyoronyo* are from the colonial period. Others like *Ndatola*, ‘profiteer’, *Mwana watenga amwenye*, ‘bastard’, *Makuponi Avuta*, ‘Government coupons’, and *Njinga Yabwera*, ‘a bicycle has come’, are contemporary. The anthropomorphic figures thus tend to be detoured figures from history while the theriomorphic ones are timeless and explore the work of nature, such as fertility and regeneration of life (see Morris, 2000, p.140). Many of the masks are camp and androgynous (see Morris, 2000, p.150), and are often twinned, no doubt to emphasise their other-worldliness, accursedness, baseness, ubiquity and anonymity. All the masks and structures behaved transgressively and amorally like animals, *virombo*, and reflected the psychogeography of the bush and the social-political zeitgeist of the villages and the

⁴⁹Huizinga (1971) explores how the totality of play among adepts may build intimate connection among adepts manifest in a secret language. This is more evidence of the general economy at work during *Nyau* initiation.

⁵⁰See Morris, 2000, p.136 for the use of secret language in *Nyau* initiation.

⁵¹As described in van Breugel, 2001, p.148.

⁵²These are representative of the Batailleian ‘base materialism’, and Kristeva’s (1984) ‘abjection’ within the symbolic order – the destabilising yet creative ‘third term’ within a system.

⁵³For basic categories and descriptions of *Nyau* masks and structures see Morris, 2000, pp.138-150.

country.⁵⁴ The *Gule Wamkulu* which dances at *bwalo* dances repetitious variations on *Kasiya Maliro*'s cosmic routine to a rapturous array of drums, and a chorus of delirious women.

Not all the masks and structures are worn. The persistent memory of the *Nyau* cinema of my childhood⁵⁵ had brought me here and I was particularly intrigued by the remotely operated masks that performed at night to hide the mechanism that animated them.⁵⁶ *Nkwali* and *Nkhubzikuzi* flew around the *bwalo* on strings operated by *Kapoli*; a bamboo snake, *Thunga*, with a burning string along its side glowed amongst the graves like a neon light. The anonymous competitive spirit among the initiates fuels more destructive *Nyau* derives through the villages and at *bwalo*, where we compete for who would win most pledges from the audience, for dance, artistry or sheer guts for transgression.

A reading of *Gule Wamkulu*'s tendency to amorality, transgression, the semiotic⁵⁷ and the abject through Bataille's concept of sovereignty reveals *Nyau* as a system of which Georges Bataille would call 'non-knowledge'. In *Guilty* (2011, p.24), Bataille describes 'non-knowledge' not as a glorification of ignorance but a system of knowledge which 'depends on its ability to make any conclusive image of the universe possible'. He continues that this 'knowledge destroys fixed notions and this continuing destruction is its greatness, or more precisely, its truth'. In *Nyau* nothing stands by the end of the day – even God is parodied as *Chanta* in his arbitrariness and sacrificed to the general economy of *Gule Wamkulu* (Boucher, 2012, p.214).

Wearing my mask *Cicero*, after the notorious Roman orator and inspired by my classical education at Kamuzu Academy, I feel superhuman. I almost touch the sky in those stilts, a big red tongue hanging out of my forehead, but there were a few of us in this kind of gear. The mask totally deprives me of an identity. I am pure movement in space, a pure presence in the sky. I feel like a star, a swirling painting by Surville. I am an animal, the living

⁵⁴Van Breugel, 2001, p.154 summarises the position of Marwick (1965, pp. 235-236), along with many other scholars, as describing *Nyau* 'as the setting up of behaviour patterns which call for detestation' (van Breugel, 2001, p.154). I wholly concur with his observation from personal experience.

⁵⁵For a description of *Nyau* cinema see chapter, *St. Pius*.

⁵⁶For examples of remotely operated *Nyau* masks see Boucher, 2012, pp. 252-253.

⁵⁷Kristeva (1980) has classified the semiotic as the musical, the poetic, the rhythmic, and that which defies structure or meaning. Ultimately, like the Bakhtinian festival (see Bakhtin, 1984) of the 'carnavalesque and grotesque' of the Middle Ages, a *Gule Wamkulu* performance is the affirmation of life on a universal scale, even in the face of death and suffering symbolised by the location of the *dambwe* at the graveyard and the chief's skull that is buried at *bwalo* before every performance. *Gule Wamkulu*'s accursedness should not be confused with the sanctioned contemporary carnivals of say Notting Hill or Rio which are largely a parade of youthful sexuality, passion and mirth.

dramatisation of the universe. I am a living semiotic, a body without organs,⁵⁸ and I am even given money and gifts for it, which I share indifferently with fellow initiates back at the *dambwe*. We all go back home laden with gifts.⁵⁹

⁵⁸I see *Gule Wamkulu* in Deleuze and Guattari's description of the subversive body without organs – an undifferentiated and unhierarchical realm that lies deeper than the world of appearances which might be deployed to defy reification in late capitalism; see Colebrook (2002).

⁵⁹For *Gule Wamkulu* as gift exchange (*kufupa*) see Boucher, 2012, p.23.



'Elvis', *Nyanu* Mask, Malawi, 1977, Brooklyn Museum

St Pius

Synopsis (*Flamingo Pond*, 2012): A pond full of flamingos in Africa, their heads synchronised and buried in the water. – 52 secs

Synopsis (*Two Mushroom Clouds*, 2011): A scientist is interviewed in a grainy television excerpt. In his hands he carries two mushroom clouds. – 32 secs

1

In the general economy of the village where sharing and squandering of wealth was the rule, anything bland in fashion betrayed a calculating miser and hoarder – the miller, the grocer, the moneylender derided in *Gule Wamkulu* as *Maloko*, ‘one who locks up everything’ (see Boucher, 2012, p.248). To dress ostentatiously in Gucci shoes, Rolex watches, Pierre Cardin shirts (most probably counterfeits from China) and hang out in salons about town, as rehearsed in Meschac Gaba’s *Museum of Contemporary African Art* (1997-2002),⁶⁰ listening to Papa Wemba and Fela Kuti while drinking exotic beers, tearing up dollar bills before the ladies at the bar, and inciting patrons to acts of rival squandering, was to show an optimism in the abundance of life, and trusting people to always return the gift. If one could not afford designer or tailormade clothes one improvised, as is seen in the *Summer Collection* of the same *Museum of Contemporary African Art*. There were many second-hand clothes for sale in the markets, which could be modified to rival any on the haute couture scene in Milan or Paris. But sometimes one chose threadbare chic when wishing to give the impression that all one’s earnings had already been shared with friends and relatives. Van Breugel (2001, p.263) has explored how the fear of being accused of witchcraft inspires an extremely austere fashion of dress among the Chewa. It is an alternative to the fancy dress of the city. The two extreme fashions make sense within the unrestricted values of the gift.

Dressed in fancy haircuts and clothes we took *Nyanu* as an excuse for licence from the political rallies to the playground and into town where dancing *Nyanu* was accompanied by transgressive behaviour: skipping school to watch the steam trains at Wenela exporting men to work in South African mines, with bird feathers in their hats; setting fire to forests on Njamba and Soche hills and enjoying the spectacle of frantic forestry men trying to put them out with branches and leaves; running through the maize fields like a herd of

⁶⁰See the chapter *Man of the Crowd* for an exploration of the general economy of Meschac Gaba’s *Museum of Contemporary African Art*.

elephants on a stampede. The derive, a potlatch of destruction, went on and on, and in that frenzy my friends and I formed lasting friendships. But the influence of *Nyan* licence was much more immediate at our favourite pastime at night, cinema. It was a special kind of film experience animated and screened in the open air or in improvised cinema halls and tents. We called it *Nyan* cinema.

One of the most popular venues for *Nyan* cinema was St Pius Catholic Church Hall in Nkolokosa A, Blantyre, in the late '70s and early '80s. By parental decree we were supposed to be in bed when the doors at St Pius' hall opened, so we escaped through the bedroom windows to these film shows. Having no money for entry we forged the rubber stamps on our palms using biro. But even without money or biro *Nyan* cinema was always possible at night. By a local tradition which no doubt grew out of the static economies of the villages, the last reel was for free, watched with the doors wide open to allow in those who could not afford the entry fee from the beginning.

That the film star communicates with his audience as a 'mediated absence' has been explored by the German philosopher Walter Benjamin (1892-1940). The celebrity actor aware of the technological distribution of his identity as a 'star' acts not for his audience but for the film industrial apparatus. It is this liminal absence of direct communication that allows the audience to project their own desires on the star and become stars themselves (Benjamin, 1996). I read this relationship between the film star and his audience as rather like that of the member of *Gule Wamkulu* whose body is made present yet 'absent' by the *Nyan* mask.⁶¹

Benjamin's formulation resembles the French film theorist Christian Metz's conception of the film star as an 'imaginary signifier' (Kracauer, 1995, p.59). According to Metz (1986, p.49) the 'absent presence' of a film star has the effect of making the audience 'pure lookers' in a transcendental way. One thinks of the delirium one is thrown into watching a performance of *Gule Wamkulu*. It is this feeling of being a 'pure act of perception' that makes the film audience identify themselves as sovereigns, as part of a larger scheme of things: in the case of *Gule Wamkulu*, *virombo*, transcending the limitations and conventions of everyday life and the world of necessity. The liminal absence of the film star, enhanced

⁶¹It is taboo to identify a mask as an individual. He is an 'ancestral' spirit or an 'animal', *chirombo*, a blossoming other. *Gule*. To accidentally reveal one's everyday identity at *bwalo* comes with a heavy fine and prolonged exile from the village; see Boucher (2012).

by the skilful intervention of the seasoned projectionist, is no doubt what made cinema a new *bwalo* for a modern Malawi, where I was able to encounter my profound ‘moi’, in the company of fellow spectator sovereigns.⁶²

Like *Gule Wamkulu* masks, the cinema at St Pius had to be created out of nothing from appropriated film footage from abroad and Banda’s propaganda newsreels. Run-down comedic two reelers of early silent film were the opening mascots of these shows: Roscoe ‘Fatty’ Arbuckle, Charlie Chaplin, Buster Keaton. The transgressive otherness of their films and their insatiable appetite for the joyful destruction of valued property and propriety in slapstick felt familiar. The incessant backside kicking summoned the dramaturgy of *Nyanu* for the discerning, the Bataillean ‘solar anus’, proclaiming a gathering of sovereign beings, *virombo*, in the Catholic church hall. Arbuckle’s immeasurable body and devilish grin and Buster Keaton’s wooden-faced stunts were accompanied by lurid commentary and shouts of *Iwe! Iwe! Iwe! Iwe!* from the audience. Charlie Chaplin was *Kalulu* the trickster, the mythical *Gule* and dramatic personification of the allusive *Nyanu* itself cutting across hierarchies and social difference, bringing people together through what Faure has described as ‘sacred’ laughter (Moussinac, 1927, pp.16-17).⁶³

In fact there was no ‘audience’⁶⁴ and no main feature film at *Nyanu* cinema. There were a few exceptions to the rule, especially with ballistic⁶⁵ spaghetti Westerns which kept you on the edge from start to finish. Generally after Chaplin had disappeared into the machine more *Nyanu* reels followed: Hollywood movies, anonymous film noir reels, Bruce Lee films and Banda’s propaganda newsreels would be chopped up or cut to size by the projectionist – the conversation would be edited out to offset boredom. The chronological narrative would be broken up – the films were often interrupted by reels from other films, whole sections repeated, speeded up, slow-motioned or reversed to communicate a more animated and visceral experience of film.

In many ways *Nyanu* cinema resembled the exhibitionist ‘cinema of attractions’ of the early

⁶²Paul Klee saw modernity as the ‘relaxation of individuality’ – which I read as a form of *Nyanu* – and saw technological repetition as a new arena for encountering our profound ‘moi’; see Wild, 2015, p.102.

⁶³At *bwalo Kalulu* is always the first mask to perform; see Morris, 2000, p.149.

⁶⁴The importance of audience participation in *Nyanu* has been explored by Mvula (1992). *Nyanu* spectatorship is always active, pertaining to the communal values of *Gule Wamkulu*.

⁶⁵See Wild (2015) on the excitable cinema of ballistics from early film.

20th century described by Gunning (1986),⁶⁶ as characterised by the presentation of discontinuous visual attractions and moments of spectacle rather than narrative, but *Nyau* cinema went further in making the cinema experience more visceral: it included a live projectionist and spectacular side acts, such as fire eating magicians (the famous Haja Fosaja frequented the hall at St Pius), self-styled vendors of food and drinks, acrobats and boxers, such as Jetu, Short Man, and Philemon Ayesu, which all contributed to the animation and generosity of the atmosphere.

The *Nyau* cinema projectionist did everything in the open in the middle of the hall. You heard and saw his machine at work during the film show. You would see his shadow fiddle at the machine, with great dexterity, wads of filmstrips falling down from his shoulders and arms like *Kapoli* operating the remote *Nyau* structure in the bushes. There were wires everywhere holding up the screen and electrifying his act. Sometimes he would stop the tattered large speaker ahead of him to moralise or add a witty comment from the shadows. If his projector was taking longer than expected to restart or reload, or there was a blackout, he would pass the floor to the side act, and a magician or a pair of pugilists would take over to keep the audience going.

2

The American film scholar Jennifer Wild (2015) identifies the nature of early film stardom as ‘diagrammatic’. The identity and mystique of the actor – one thinks of Musidora or Chaplin – were not only around their work, as was seen with the ‘celebrity’ players of traditional theatre, but also through a ‘chaotic’ distribution of the actor’s visual currency manifest in promotional discourses, photographs, film, print culture and advertising, and nascent fan culture material – posters, advertising signs and leaflets (Wild, 2015, p.80). This ‘technological repetition’,⁶⁷ as Klee would describe it, made film viewing conceptual and changed the masses from passive beholders of culture to active spectators. The

⁶⁶In *Encyclopedia of Early Cinema* (2005, p.124) Tom Gunning describes two different aspects of early cinema: “‘the cinema of attractions’... characterized the earliest phase of cinema as dedicated to presenting discontinuous visual attractions, moments of spectacle rather than narrative. This era of attractions was followed by a period, beginning around 1906, in which films increasingly *did* organize themselves around the tasks of narrative.’ But even in the narrative cinema that followed Wild (2015) identifies the persistence of the cinema of attractions as the cinema of ‘ballistics’ as seen in the playful editing of some American Westerns.

⁶⁷‘Modernity is a relaxing (allégement) of individuality. Upon this new terrain, even repetitions can express a new sort of originality, becoming never before seen forms of *moi*, and this isn’t to speak of weakness when a certain number of individuals gather together in the same place: each waits there for the blossoming of his profound *moi*.’ (Paul Klee, quoted by Wild, 2015, p.102.)

phenomenon of the diagrammatic of the film star encircled the globe. According to Kracauer (1995, p.59) the conceptual nature of film stardom in fact turned the whole world into a 'photograph' – in my reading a kind of photographic *bwalo* – in which participants were aware of being photographed as 'stars' and contingents of history themselves. Thus we experienced it as *Nyan* cinema at St Pius, in Malawi.

Nyan cinema, like *Gule Wamkulu*, quickly became a total social phenomenon encompassing the general economy of Malawian everyday life. President Dr Hastings Kamuzu Banda, the Life President of the Republic of Malawi, dressed and behaved like a film star – he must have fancied himself as a Humphrey Bogart: Savoy three piece suits, long trenchcoat and shiny shoes, a homburg on his head and Saratoga dark glasses across his eyes. He always entered the stadium surrounded by a sea of dancing women,⁶⁸ like *Chadzunda* and his *mbumba*, a fly-whisk in hand, in a dirty Land Rover – but a gleaming red Rolls Royce carrying his mistress: 'the official hostess' Mama C. Tamanda Kadzamira always rode in front of him as part of a long police escort. The Hollywood sized lights on Soche Hill blinked LONG LIVE KAMUZU in orchestrated succession but every now and then, even if it was only for a few moments, there would be a fault in the wiring, and Soche Hill would loom over the city of Blantyre simply saying LIVE, or LONG KAMUZU, LIVE KAMUZU even. Other days Soche Hill simply said LONG. Some of these electrical faults were likely deliberate mistakes created by the technician for subtle subversion.

Everyday life was a corollary of *Nyan* cinema: the fancy haircuts at the barbershops were from cinema, most definitely the shaolin skinhead; there were self styled thieves and nunchaku-wielding gangsters in the neighbourhood; fancy fashion – this was the age when second-hand clothes were not liberally allowed into Malawi and the tailors on the shop verandas competed in who would design the coolest clothes worthy of a rapturous *Nyan* cinema screen; everyday language was fancy, Chichewa peppered with English and Chinese phrases from the reels. Girls talked and behaved like *Atsikana Amakono*.⁶⁹ The daytime

⁶⁸Banda always travelled up and down in the country in the company of dancing troupes of hundreds of women in colourful attire from every district in Malawi. Some have blamed the immorality among these itinerant dancers as partly responsible for the spreading of HIV in Malawi in the early 1980s when Banda was at the height of his powers; see Boucher (2012b). Kasiyamaliro.org (online). Available at: http://www.kasiyamaliro.org/pdf/bola_akufawa.pdf. Banda styled his political rallies like a *Nyan* festival, with himself mirroring *Chadzunda*, lord of the *Gule Wamkulu* dance – hence the elaborate gift giving ceremonies that marked such rallies.

⁶⁹A *Nyan* mask in heavy pink and red make-up, meaning 'modern girls', which in the village performed at funeral vigils, initiation ceremonies and commemoration rites. She wears a notorious short skirt; see Boucher (2012b). Kasiyamaliro.org (online). Available at: http://www.kasiyamaliro.org/pdf/atsikana_amakono.pdf.

popular drama group at the church hall, Kwathu Drama Group, under the spell of *Nyau* cinema, performed whole segments of their plays in slow motion and sudden lurches in quickened time.

One of the earliest scholarly reports on *Nyau*, from the British colonial officer and anthropologist, W.H.J. Rangeley (1949-50, p.35), communicated that *Nyau* was one tradition responsible for keeping people backward in Malawi. The report could be read as yet another commemoration for the well-known power of *Nyau* as a subversive cultural phenomenon since ancient times.⁷⁰ In the postcolonial era marked by capital, lucrative labour, and restricted economics, *Nyau* cinema was a continuation of the Chewa gift culture around *Gule Wamkulu* by other means. It was a rebellion against teleological history, utilitarian values of capital and a denial of death embedded in the linear and structuring narratives of film as explored by Wild (2015); it was a rebellion against the corollary of colonial arbitrariness analysed by Achilles Mbembe in *On the Postcolony* (1997) – the African dictator, in this case Banda; it was a cinematic rebellion against the individualistic classical idea of art as representation and separation from real life, and of the audience as detached and ‘voyeuristic’ beholders rather than active spectators.⁷¹ It was an amoral *Nyau* rebellion against the alienating influence of dualistic Christian morality within everyday life.⁷²

The *Nyau* cinema projectionist differed from the secretive projectionist at the official cinema houses, the Apollo and the Drive In Cinema at the city centre, which showed ‘proper films’, with a beginning and an end. My sister and her boyfriend took me to the Apollo once to watch a proper film. I didn’t like it. There were MCP flags outside the cinema which said UNITY LOYALTY OBEDIENCE AND DISCIPLINE. Everybody knew what those words meant: death by crocodiles if one disobeyed. I was terrified by the projectionist staring down at us from a small cut in the wall at the back. You saw his darting red eyes and thick eyebrows. I thought it was Dr Hastings Kamuzu Banda himself keeping an eye on us making sure we behaved and stayed still in those velvet red seats. No wonder there were not many of us in there – some wanted to come in but because they

⁷⁰Many *Nyau* masks, such as *Simoni* (colonial officer), *Bambo Bushi* (missionary) and *Maliya* (The Virgin Mary) express resistance against colonial rule (*chitsamunda*) and religion; see *Nyau* mask archive in Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://www.kasiyamaliro.org/>.

⁷¹See Wild (2015) on spectatorship in early cinema which resembles many aspects of *Nyau* cinema.

⁷²Rangeley (1949-50) specifically noted *Nyau* resistance against the Christian missionaries’ attempts to stamp out *Gule Wamkulu* and the many other cultural aspects that surrounded the ‘cult’. The colonial aim in Southern Africa in the footsteps of the explorer David Livingston came in three Cs – Christianity, Civilisation and Commerce.

were late the doorman wouldn't let them in. He spoke to them behind a glass screen saying they were late. You had to stay to the end of the film at the Apollo. I was dying for the toilet but I dared not go with those eyes watching me. At St Pius you came and went as you pleased, talked when you were bored even. You would even ask the projectionist to speed things up a little. Here at the Apollo there was no life, only film and a searchlight. I slept and woke up and the film was still on.

The age of *Nyan* cinema ended abruptly with the advent of VHS tapes in the mid '80s – I went back to St Pius once and they were watching *African Queen*, and there were no breaks. Some *Nyan* cinema elements had morphed into adverts selling soap and cars. Another time we kids were not allowed in as they were watching pornography. So ended *Nyan* cinema but not before it had left a lasting impression on me.



Two Mushroom Clouds, digital video, colour, 2011, 32 secs

Gule

Synopsis (*Nude Ascending Stairs*, 2011): A man climbs up a stairway inside a flat on Harrow Road. He wears nothing but a pair of trainers. He touches his crotch with a fast rhythmic motion as he does so. He disappears behind a door to the left at the top the stairs. – 19 secs

1

I am *gule*, a *Nyan* cinema star. I want to live the *real* life, in the here and now. I see *Nyan* in the French philosopher Clement Rosset's proposition in *The Real and its Double* (2012) that to embrace life is to live in the immediate present where anything is possible. I would rather be called the prodigious expender than an artist, which would restrict my life to a world of 'things', a tailored lifestyle criticised by Bataille in *The Accursed Share* (1991). My art emerges because of the way I want to live. My *Nyan* praxis is a series of raptures like *Gule Wamkulu*, an other-worldly play. Among the Chewa, *Nyan* manifests in different aspects of culture and everyday life which Huizinga identifies as originating from the totality of play: literature, music, religion, philosophy, art, sport; and it's the same in my work. My *Nyan* praxis is playful and manifests itself in heterogeneous ways: in my films, in my writing, in my installations, in site-specific work, my research, performance, in the way I relate with people. I am the *gule* of media and social relations. I refuse to specialise or ossify in any one medium. I believe in art as qualitative and difference, a process and part of social infrastructure, rather than the superstructure of capital as the Western mimetic tradition and Romantic traditions would propose.

As an artist I consider myself part of the creative elite, a modern day member of the *Gule Wamkulu* secret society – a contemporary artist. My approach to creativity is as a sovereign whose outline Rosset (2012) glimpses in Vermeer's shadowy self-rendition as a faceless artist in *Painter in His Studio* (1666). But I am more than a mark on a piece of paper or canvas. I am more than the observed. I am not interested in mere abstractions. I look for what Wark (2011) has described as 'low theory' and the 'active aesthetic' grounded in the real world: as my *Nyan* praxis will testify my philosophy of everyday life is not complete until it is exercised in transgressive and critical acts within social structures and received ideas. Its ideal is non-knowledge and absolute freedom.

As a Chewa, modern art begins to interest me when some avant-garde artists in the early

20th century, inspired by the advent of film, abandoned the idea of art as metaphor and allegory for the study of the qualitative nature of modern reality;⁷³ art became *Nyau* then, a sovereign activity, an expression of radical subjectivity rather than a servile profession to the empty promise of mimetic art. I see *gule* in Picasso's *Les Femmes d'Alger* and *Assemblage with Guitar Player* when the artist, inspired by Grebo masks and the intimate experience of early film,⁷⁴ attempted a new approach to art beyond representation by breaking down the gap between the pictorial space and the viewer.⁷⁵ I see *Nyau* in the avant-garde's recognition of the diagrammatic nature of the unfolding of film as a new framework for the expression of radical subjectivity through painting, a painterly blossoming. I see *gule* in the painted 'films' of Survae (*Coloured Rhythm*), Kupka and Charchounne. I see *Nyau* in Picabia, Duchamp and Tzara's fascination with film stardom.⁷⁶ I see *Nyau* in the diagrammatic rendering of their subjective experiences as detoured 'film stars'; Picabia after Napierkowska; Duchamp as Rose Sélavy and Tzara as Chaplin. Dada and Surrealist manicules point to *Nyau* cinema but it is really the Situationists who take art back to Africa for me.⁷⁷

There were no art galleries in Malawi. Art was always part of everyday life as proposed by Situationist praxis.⁷⁸ Formed in 1957 by the French avant-garde filmmaker Guy Debord and his friends from various nationalities (including African Situationism) they set out to correct the 'social failures' of Dada and Surrealism. Unsatisfied with art that confined itself to the aesthetics of representation removed from social interaction, the Situationists wanted to act in society and life itself. Having divorced themselves from the art world they reconceived art as qualitative, a form of *diagram* and an 'active aesthetic'⁷⁹ within everyday

⁷³Wild (2015) explores the relationship between early film and the avant-garde artists cited in this passage.

⁷⁴In 1916, Picasso's friend, and editor of *Comodeia*, Gaston de Pawlowski, proposed that 'Cubism is nothing but the application of the cinematograph to painting.' (Wild, 2015, p.56.)

⁷⁵Wild, 2015, pp.23-61, paints a picture of Picasso and working partner Braque as avid students of African masks and frequenters of the early film houses of Montmartre and Montparnasse, activities which were critical in the development of Cubism.

⁷⁶From Duchamp's self-reconception as the 'star' Rose Sélavy to Tzara's self promotion as the avant-garde's answer to Charlie Chaplin; see Wild, 2015.

⁷⁷Formed in 1957 to correct the 'social failures' of Dada and Surrealism, ultimately the Situationists were opposed to art as representation. They also ridiculed its contemporary 'non-mimetic' manifestations from Abstract Expressionism to 'neo-dada' seen in Happenings, Fluxus, Nouveau Realisme, Tachisme and Pop Art. By 1967 most artists making pictures for galleries had been expelled from the movement, including those of the German collective Gruppe Spur who attempted to limit Situationist interventions within the realm of culture. See Wark, 2013.

⁷⁸See Stracey, 2014, and Venice Biennale's Massimo Sterpi's analysis of Situationism in the appendix.

⁷⁹As experienced in the Age of Cinema (1900-1923). According to Wild, 2015, the Age of Cinema came to an end when Charlie Chaplin made *The Kid* (1921), subjecting cinema to the narrative linearism of state sanctioned cinetheatre. It is from then that many avant-garde artists and the Situationists considered him a sell-out.

life (Wark, 2011, p.55). Reading from Karl Marx and György Lukács the Situationists regarded late capitalism as ‘an organisation of spectacle’, where every aspect of life had been reified into commodity including art (see Debord, 1995 and Plant, 1992). As an antidote to reification they proposed a revolution of everyday life⁸⁰ and referenced Mauss, Bataille and Huizinga amongst others (Wark, 2013). The Situationists, having understood the problematic of the gift (Debord, 1995), advocated play and the potlatch as the best way of approaching creativity and indeed life itself. They assembled merrily in cafés and town squares to share their ideas as if at *dambwe* or *bwalo*. Everything was to be given away indifferently in open defiance to the restricted economics of late capitalism. Members, especially those attracted to the promises of a secure career within the art world, were continually ‘sacrificed’ through expulsions to maintain membership and to protect the authenticity of their objectives (Wark, 2013, p.72).

The Situationist praxis within the social fabric of everyday life could well be a modern form of *Nyau*. Like the Chewa, the Situationists developed different playful creative devices in which the gift could be given without incurring a debt, the main ones being *detournement*, *psychogeography* and *unitary urbanism*. Detournement is where the Situationists treated all culture as common property and played with canon transgressively, as the Chewa did as *kudula* during *Nyau* festivals and the ritual breaking of the taboo (see van Breugel, 2001). Many acts of detournement have been recorded during pre-Situationist days when founding members of the organisation were part of the Litterist International led by the Romanian poet and avant-garde filmmaker Işore Isou (1925-2007). One, Michel Mourre, dressed as a Dominican monk, which reminds me of the *Nyau* masks, *Apapa* (Boucher, 2012, p.54) or *Father Bushi*,⁸¹ is said to have attempted to read a sermon on ‘the death of God’ during the Easter High Mass in the cathedral of Notre Dame, only to have impassioned Nietzschean extrapolation drowned out by an interrupting organist. Mourre was subsequently ejected and arrested but his *gule* message had been delivered into posterity (Wark, 2013).

The Situationist early detournement of cinema resembled aspects of *Nyau* cinema and many of its members were fans of Charlie Chaplin’s early visceral and instantaneous films (see Wild, 2015). Guy Debord’s film *Howls for Sade* (1954) was literally black and white. It

⁸⁰See Vaneigem (2012). De Certeau’s post-Situationism *The Practice of Everyday Life* (2011) is also especially pertinent here.

⁸¹See Boucher (2012b). Kasiyamaliro.org, (online). Available at: https://www.youtube.com/watch?v=P5C_-tocVcY.

featured no images. The cut-up narration with long awkward pauses, taken from appropriated texts from various sources and read by his girlfriend Michèle Bernstein and Gil Wolman, only came on when the screen was white. There were long silences in the narrative and the film strip went silent when it was black. The film caused an animated reaction from the audience and no doubt the gift was transmitted. The film ends with 24 minutes of black silence.

Debord described Psychogeography as ‘the study of the precise laws and specific effects of the geographical environment, consciously organised or not, on the emotions and behaviour of individuals’ and *derive* as a ‘mode of experimental behaviour linked to the conditions of the urban city’ (Coverley, 2010, p.93). His *A Guide to the Psychogeography of Paris* (1955) is a cut up map of Paris corresponding to the artist’s psychological experience of the city, which could also be regarded as a form of detournement, or say transgression, of the conventional workings of the city. Unitary urbanism, which I discuss specifically in the chapter *Mzinda*, is where they reconceived a city not for utilitarian purposes but for play, rather like the Chewa *mzinda* – a village with the right to hold *bwalo* for *Gule Wamkulu* performances and derives.

Nyau thus constitutes what Debord called ‘unconscious situationism’,⁸² or rather put from my Chewa perspective many Situationist actions point to the ancient *Nyau* praxis. But the Chewa, like Bataille, would argue that reification isn’t unique to capital. The world of work and necessity itself is what reifies (Bataille, 1962) – reduces sovereign beings (*virombo*) that people really are to the world of ‘things’.

As an artist I have employed Situationism as a framework to translate the gift giving aspects of my tribe into aspects of my *Nyau* praxis as this thesis will demonstrate. *Nyau* masks, many of them animal structures, express the varying psychogeography of the bush and community.⁸³ If Chtcheglov’s ideas of *psychogeography* and the *derive* anticipated Deleuze and Guattari’s ‘nomadism’ as form of self-analysis (Wark, 2011) so my *Nyau* cinema (see chapter *Nyau Cinema*) is evidence of a subjective interpretation of the psychogeography of my social environment and a playful lifestyle built around film. As a globe trotting ‘hobo’

⁸²See Debord (2008) on the ‘unconscious situationism’ of the Watts riots.

⁸³Examples of *Nyau* animal structures include *Kalulu* (hare), *Njobvu* (elephant) and *Kasiya Maliro* (antelope). Other ‘animal’ masks include a detournement of social and historical characters: *Simoni* (Simon Peter), *Demu* (dame), *Maliya* (the Virgin Mary), and *Njinga* (bicycle). See van Breugel, 2001, pp.156-166.

and prodigious gift giver I have made psychogeographical films on almost every continent, from Europe to Asia, Africa to America. Situationism thus is the most Chewa approach to art I have come across in Western art, more so with its attempt to situate its values beyond the restricted economic values of late capitalism.

2

As the Marxist philosopher and theoretical precursor of Situationism Henri Lefebvre (1901-91)⁸⁴ discovered struggling to prevent himself from drowning at sea, to play the game of life is to challenge oneself in the real world. By exposing oneself to life's 'contingencies, accidents, appearances and ornaments' one opens up ready 'situations' in which the gift can be given or experienced. In a time when everyday life has been 'colonised' by the commodity (Lefebvre, 2014) and the role of community experience diminished, Lefebvre has proposed the 'challenge' as an alternative way in which to create moments of intimate experience (Wark, 2011, p.99).

The Situationists' lives offer inspiring examples of living *gule* – detoured lives of Romantic dissenters⁸⁵ – after the 'active aesthetic' and life as a challenge (Wark, 2011). They too rejected a life of specialisation and careerism in pursuit of sovereignty and the challenge: you have Guy Debord (1931-1994), a 'drunken' chameleon who believed theory should be deployed like strategy (see Debord, 2003) – he was a great seducer as a theorist as a few have testified (Kaufmann, 2006). Debord believed if theory no longer works it should be discarded. Throughout his life Debord was many things – a slacker, filmmaker, philosopher, editor of books, a panegyrist – all these masks registered his real, *Nyanu* self, as Vincent Kaufmann argues in *Guy Debord: Revolution in the Service of Poetry* (2006). Debord celebrates his detoured Romantic role models in his *Panegyric* (2005). They include the vagabond pugilist and poet Arthur Cravan, a larger than life hero of the surrealist and Dadaist; the 17th century political agitator and memoirist from the Fronde Jean François Paul de Gondi, Cardinal de Retz; and the diplomat Francois-Rene Chateaubriand (1768-1848), a devout Catholic, writer, and Romantic – all who saw their real lives realised

⁸⁴Lefebvre's theory of 'moments' was a big influence on the Situationists' formulation of 'situations'. See Wark, 2011, p.94.

⁸⁵In *The Real and Its Double* (2012), Rosset sees the Romantic as a narcissist in love with his 'double', rather than his real self. And since individuation is only possible within social life, Rosset describes the Romantic as one who exists only on 'paper'. The detouring of the Romantic life, in Situationist terms, is therefore the practice of Romantic dissent within everyday life and in the community. In aesthetic terms it is an approach to art as part of the infrastructure of social life rather than its superstructure as proposed by the classical mimetic tradition.

through adventurous and questioning lifestyles.

Debord's Situationist comrades offer an approach to life no less ludic (see Wark, 2011, pp.75-82): Michèle Bernstein, in semi-autobiographical novels, *All the King's Horses* (2008) and *The Night* (2013), explores relationships as ephemeral things, a game, which calls for constant reappraisal and mediation as is seen among the Chewa.⁸⁶ The Scottish Situationist, literary pornographer and prototype blogger Trocchi proposed to spend his life doing 'time' and experimented with duration ('time wasting') through opium and unresolved writing (see Wark, 2011, pp.125-134). Chtcheglov let psychosis be his muse during his productive days (Wark, 2011, p.57), as if he was some kind of modern day spirit medium (*wa azimu*, of the spirits). Constant was obsessed about meeting his real self in his long term *Mzinda* project New Babylon (1959-74) (see Wark, 2011, p.57); perhaps, with my ongoing project in *Nyan* I am an obsessive too, but personally, like Debord, I am fascinated with the life of the trickster *Kalulu*, a cunning hare, from Chewa folklore – a living dramatisation of *Nyan* itself, the sanctified energy you cannot put to use.

3

Thus I was shocked to hear the Situationist Gianfranco Sanguinetti had sued me after installing a playful détournement of his archive, that he had sold to Yale, at Venice Biennale 2015. I voiced my concern at first to Le Monde, which published on the pending case on 19 October 2015. The article *L'écrivain italien Sanguinetti porte plainte contre la Biennale de Venise* was by Roxana Azimi. When summoned by the judge to testify at Court in Venice I wrote a rationale using my PhD research and drawing parallels between elements of *Nyan* and Situationism. I was obviously being ironic, questioning Yale's wisdom in purchasing a Situationist archive. I was also interested to see how the Venice Biennale would handle the exhibition of my reappropriation of the archive. Denunciation and expulsion are well-known Situationist strategies for maintaining the authenticity of the movement when a member strays (Wark, 2011). There are many ways to give and receive a gift. In fact when Guy Debord and Sanguinetti dissolved the movement in 1972, it was less capitulation and more to accommodate inclusive and diverse ways of creating situations from the wider world (see Debord, 2003). Maybe Sanguinetti had given up on the gift in his later years, but I haven't. Like Lefebvre or De Certeau I believe that within the liminal spaces of the commercial world it is still possible to give and receive a gift (Wark, 2011).

⁸⁶See van Breugel, 2001, pp.244-5, where the 'ludic' diviner (*ula*) acts as unreliable 'agony aunt'.

Reification is not unique to capital as Bataille has pointed out. Where there is work and necessity there will be alienation, and *Nyan* called for. I offer *Nyan* to Situationism, and to the world. When I saw Bill Brown's letter on the online portal *notbored.org* denouncing Sanguinetti's sale of his papers to Yale I thought he was being ironic too, and this actually inspired my approach to the installation.⁸⁷

My playful installation in the Arsenale, *Sanguinetti Breakout Area*, was composed using elements of Debord's *Game of War*, with diagrammatic mountains, forts and arsenals serving as plinths. One of the walls was turned into a diagonal black and red anarchist flag. The other two walls were covered in a large wallpaper in the form of an angry Bill Brown letter denouncing Sanguinetti for selling out. 100 detoured and framed photographs in various sizes, from A5 to A3, were displayed on these walls diagrammatically in an act of detournement of the architecture of a white cube gallery. The photographs showed my hands handling various letters, photographs and papers that make up the archive, in the study of the Beinecke Library at Yale. I'm working spontaneously in a playful way, and they look like an esoteric sign language. Some of the photographs were hung beyond eyelevel, either too high or too low. The installation appeared to be breaking out of the Arsenale like a frenzied political rally, or high Mass. A 3000 page large red bound *Sanguinetti Theses* was placed on two of the plinths – the mountain pass – looking altar-like. There were three sculptural copies of the *Theses* on the plinths. A further 400 postcards bearing Sanguinetti's photographs, letters (some to and from Debord) and Situationist ephemera were placed on two smaller plinths, the arsenal and garrison. Visitors were encouraged to flick through the *Theses* and the postcards and re-photograph everything to share them online with the hashtag *#SanguinettiBreakoutArea*. Another plinth bore Sanguinetti's publications including the satirical *The Last Chance to save Capitalism in Italy* and a copy of Guy Debord's *Game of War*.

Sanguinetti Breakout Area was made up of disagreeing parties but within the heat of exchange and betrayals I had hope that the Situationist gift would be passed on – from Guy Debord to Sanguinetti, from Sanguinetti to Bill Brown, from Bill Brown to Samson Kambalu, from Samson Kambalu to Venice and to the world. Within the detournement of Sanguinetti's archive there is a ready critical satire of the apparent betrayal by Sanguinetti of the principles of Situationism that he contributed to and diffused for many years; *Sanguinetti*

⁸⁷Notes in Debord (1995) allude to the indispensability of excess in systems, and laments that capital's failure to recognise this contributes to continuing separation and alienation among people.

Breakout Area is actually also an optimistic work that seeks to sustain ideas of praxis through the economy of the gift which the Situationists advocated, through their manifesto and acts, and which I certainly embody coming from the prestation societies of Malawi. Fortunately the judge in the contested legal case saw my praxis as an extension of the Situationist spirit and exonerated me – legally, through citing criticism and parody – under the freedom of expression act. *Kalulu* thus escaped yet again to live another day. There is hope for the future of unrestricted economic systems.



Sanguinetti Breakout Area, 2015, 56th Venice Biennale, installation view



Alice Becker-Ho, Gianfranco Sanguinetti and a Friend, 2015, digital print
(Photos taken by Guy Debord)

Nyau Cinema

Synopsis (1876, *On the Penny Farthing*, 2012): In the Museum of London, a man attempts to mount a stationery penny farthing. He tries again and again, without success. – 1 min 2 secs

1

It was the heterogeneous visual culture that developed around *Nyau* cinema which drew my attention to the study of visual arts from an early age – the arresting cinema posters (some original, some improvised) that hung on the trees that lined the road leading to school and the insistent manicule that led you all the way to St Pius. They were more an exhibition than advertising – an unconscious detouring of the globalised channels of commercial cinema distribution. One film show would be advertised with different posters often with conflicting information, and you would not necessarily see the film the posters promised. A film noir poster would turn out to be publicising a martial arts flick from Hong Kong. But it didn't matter. The effect was the same if you knew how to read those posters.⁸⁸

I wanted to draw or collage the maniculed posters just as the projectionist had rendered them – with a shotgun barrel pointing out at you to make you shudder and shiver in the spine, the flying ninjas and tuxedoed Bond, Charlie Chaplin and Fatty Arbuckle. And like everybody else in the playground I wanted to be a movie star. But that was a distant dream. There was no Hollywood in Malawi. What was more realistic was to be the projectionist so you could draw and photocopy all those posters yourself; make people walk backwards or fast forward; you could make Jesus walk on water or the Life President Dr Hastings Kamuzu Banda repeat the same words again and again, in the newsreel, like a crazy *gule* – 'literally naked', 'literally naked', 'literally naked'.⁸⁹

My psychogeographical *Nyau* films are spontaneous and involve site specific performances using readymade 'film sets' on the streets. I walk around on a derive with my camera in my bag, as if in the bushes looking for materials for a *Nyau* structure with *Kapoli*, and when I spot my *gule* self flitting by in film and in the psychogeography of a given place I stop a

⁸⁸The *Nyau* of the poster, its ability to rupture continuity of the present moment, of language and narrative, has been described by Desnos (1929) as 'psychic action' cutting through conventional vision, hierarchies and mores. The poster's communication, which infuses language with the power of the image, is immediate and instant, creating a situation in which one is able to experience their real self; see Wild, 2015, p.190.

⁸⁹Dr Hastings Banda posited himself as 'saviour' of the Malawi nation, and kept reminding his opponents in his speeches that when he came back to the country from his studies abroad he had found them 'literally naked'.

stranger and say, ‘Can you film me?’ I do a performance which totally mystifies the stranger. I have the idea of a filmstrip in my head but the onlooker filming is also part of it. ‘What are you doing?’ they ask me. There’s the intervention, interaction and connection with people I otherwise would not speak to in public. I have made friends like that; I have met people in parks, in museums, on the street, and have gone on to befriend them on social networking sites and in real life.

In a lot of my films, the actions and activities that I perform, such as jumping up and down on a bench in a park, are a-narrative, a-historical and repetitious like *Kasiya Maliro’s* cosmic routine. These filmic ‘rants’ also recall aspects of primitive cinema, ‘cinema of attractions’, historical film clips, and the re-animated cinema of my childhood as they grapple with various social issues inspired by the found film set. Cyclical like the phenakistoscope or diagrammatic as if in parody of the chronophotography of Eadweard Muybridge and Étienne-Jules Marey, they are things that a little tramp or a drifter might also do in disrupting linear time and the utilitarian interpretation of the city. My *Nyau* cinema thus detourns not only the reified public space and its histories but also the conventional linear narrative structure of film for its diagrammatic ‘blossoming’, which is of the here and now. When performing before the camera I often feel as exhilarated as a *Gule Wamkulu* dance, creating patterns of subjectification in my mind no less colourful and brilliant than the ‘painted films’ of Surville, Kupka or Charchounne.⁹⁰

My *Nyau* cinema star is different from the alienated film actor identified by Benjamin and Metz. *Nyau* cinema is film making as a sovereign activity – a way of creating situations within social, historical and aesthetic narratives – and ultimately a form of gift giving.

2

Nyau cinema is thus more than cinema; it’s not just the flickering image projected but the whole dispositif of filmmaking and its distribution and presentation. *Nyau* cinema is filtered in iMovie, Instagram or Final Cut to emphasise its diagrammatic nature, otherness and its preoccupation with time and gift giving. The sepia look is the look of life/death identified by Aguilar (1996) in *Gule Wamkulu* – the dusty aesthetic of ‘the place of the skull’ *bwalo* and the muddy skin of *gule* – alluding to the nothingness and the field of unknowing from which *Gule Wamkulu* comes. The editing is brutal like a hacked wooden *Nyau* mask in rags

⁹⁰See Wild (2015) on the relationship between early film and avant-garde painting.

and raffia, and like the instantaneous real-time editing of the projectionist at St Pius. The aesthetic is that of a broken down film, or a primitive filmstrip. The films last less than a minute, and end abruptly like an accidental clip. Let's say I make the film longer than a minute, somehow it doesn't work. *Nyau* films are mostly made by aimless wandering, a derive into the unknown, and when you're walking there are these passing moments and situations – somebody crossing the road, a car passing by – these are the duration of the film. It is the duration natural to the Chewa conception of time as manifest in the subaltern *Nyau* cinema of my childhood where time was conceived as a series of ruptures in an affirmation of transience and of the present moment as advocated by *Gule Wamkulu*⁹¹ and the French philosopher Gaston Bachelard (1884-1962; see Bachelard, 2013, p.47) in opposition to time as *la duree* of Bergson (2001) which has parallels with the accumulative values of the world of necessity, work, and the market (see Wild, 2015, p.221).

In an act of detournement of the distribution of commercial film the dissemination of my *Nyau* films is also diagrammatic. In fact a *Nyau* film is not complete until its intervention in the liminal spaces of commercial and social networks. Like Hollywood, *Nyau* cinema encircles the globe. First when the film is complete it's immediately uploaded onto Facebook and YouTube. My followers at these sites number in the thousands. From there *Nyau* film spreads to other social networking sites like a virus: Tumblr, Twitter, Google Plus, Vimeo, Wordpress etc. When I am invited to show in a gallery or theatre I select films that have done their time online first. *Nyau* cinema on Facebook is accompanied by a visual diary of my everyday life, travels and derives around the world – from New York to Moscow, from London to Cape Town – which includes advance stills from the found film sets, notes from my reading and research, and photographs from my various social encounters. This is the place of praxis. Many beautiful muses and people I have met on the road around the world are featured there, and so are my drinking buddies. Press reviews and events around my work are also streamed down the feed with the films. In the gallery the *Nyau* cinema exhibition is accompanied by elaborate publications, postcards, invites, posters and tongue in cheek adverts in newspapers (see samples in the appendix).

3

Like the heterogeneous *Nyau* cinema at St Pius, I have combined my *Nyau Cinema* screening with live performances, and other conceptual art works and happenings. It is not

⁹¹For an exploration of the interplay between life and death see Aguilar, 1996, p.232.

by chance that when Okwui Enwezor invited me to the Venice Biennale, we included two other performative projects to accompany the *Nyau Cinema* installation, *Hysteresis*, in the Giardini, *Sanguinetti Breakout Area* and *The Last Judgement* at the Arsenale. As elaborated above, *Nyau* cinema is not just films, it's a total art practice and a way of looking at the world. Like *Gule Wamkulu*, to the Chewa in the village, *Nyau* cinema is the very thing orchestrating my contemporary *Nyau* praxis.



Runner, 2014, digital video, colour, 50 secs

Holy Ball

Synopsis (*A Spear*, 2013): In a deserted backstreet, North West London, a man is struck in his stomach with a spear. He reels and crashes to the ground on the street. – 13 secs

1

Holy Ball, a football plastered in pages of the Bible which I conceived in 2000, is a popular work, loved by Christians, skeptics or heathens. It was the first conceptual work of art in Malawi, and has been featured in numerous exhibitions and live performances including in two cultural events organised by FIFA at the World Cups in Germany and South Africa.⁹² *The Last Judgement* at the Venice Biennale in 2015 was a culmination of 15 years of a fruitful relationship with the *Holy Ball*. 400 *Holy Balls* were given out to visitors to ‘exercise and exorcise’ with over the five-day vernissage, by the canal side in the *Garden of the Virgin* at the Arsenale. The work was inspired by the ‘playful’ fresco *The Last Judgement* by Michelangelo in the Sistine Chapel, where a cosmic Christ the Judge appears like a ‘football’ in the middle of swirling muscular figures. The security police at the Biennale couldn’t believe you could kick a work of art and tried to stop us kicking, again and again. Balls fell into the river and had to be rescued by lifeguards where possible.

Holy Ball came out of my revaluation of my Christian upbringing, an attempt to rediscover the sacred, *Nyau*, in play (Huizinga) in the wake of what Nietzsche has described as the ‘death of God’. I was living in Zomba, Malawi, when I first made the ball as a work of art, taking a break from painting one hot afternoon. My art training at Kamuzu Academy had been traditional and classical. We drew highly mimetic landscapes, still lives and portraits but it was the paintings of Cezanne’s flattened apples and landscapes on my father’s bookshelf that haunted me. As soon as I graduated from the University of Malawi’s Chancellor College, with distinctions in fine art and ethnomusicology, in 1999, I abandoned the subject of nature and allegory from my training for the study of the aesthetic, psychical and material address of culture in a fast-changing modern Africa. Inspired by the early 20th century avant-garde I experimented with *Nyau* masks in my paintings and with movement after Surville, Kupka and Charchounne. Here already were

⁹²The exhibition in Germany was in conjunction with the Museum of Modern Art in Leipzig. Other featured artists included Kendall Geers, Greg Colson and Wim Delvoy. See the publication *Ballkünstler* (2006). In South Africa the exhibition, *Dialogue Among Civilisations*, in which I worked in collaboration with the Malawian writer and poet Stanley Kenani, was presented by Art for Humanity and included artists Mel Edwards, Amadou Kane Sy and Bogdan Hoffman.

the seeds of my *Nyan* cinema. To the movements in my paintings, I added a chronophotographic shadowy *gule* figure dancing under various phases of the moon – always in several panels, usually three. The *Moon Dancer* and my other painting experiments were popular with expats, hotels and tourists – they said they liked the colours. I made decent money, was employed as an Associate Lecturer in Fine Art at Chancellor College and was getting more and more daydream time in my studio: I didn't think I had gone far enough in doing what really mattered to me as an artist. Cezanne landscapes still haunted me and my heart longed for something else beyond painting as proposed by Picabia and Duchamp – something like I had experienced at *Gule Wamkulu* festivals in Dowa. Arthur C. Danto's curious pronouncement of the 'death of art' (1998) after Warhol's Brillo Box and the idea of relational aesthetics – art as intervention in the real social space – proposed by Nicolas Bourriaud (1998) spurred me to think about and research new ways of communication as an artist. I discovered Situationism. The 'death of art' took me all the way back to the 'death of god' and Nietzsche, something I had already grappled with as a teenager going through the inevitable existential questioning. I bought a plastic football to play with as I was thinking in the studio, and in the kicking *Nyan* took hold of me. 'God is dead', Nietzsche said, 'a transvaluation of all values is called for.' God is dead, *Nyan* is called for, I said. Read Huizinga. But *Nyan* too was dead to modern physics – new *Nyan* adapted to modern realities was called for. I began tearing bits of Bible pages and sticking them on swirling watercolours like *Nyan* medicine. I took one of these Dadaesque 'holy' watercolours to a Vatican Monsignor visiting Zomba and he reluctantly signed them, even though he wasn't sure what it was – thus causing a situation in the name of art, and the detouring of religious faith. I thought I was on to something there.

When I conceive the *Holy Ball* that afternoon there is a plastic football, a Bible and books of Nietzsche from the library on the floor, and I am reading *The Gay Science*. Looking up mid passage I see the Bible pages wrapping up the plastic ball like an African rag ball and that's what I do. I rip my Bible apart using a pair of scissors and plaster the pages one by one on to the ball using PVA glue. When the ball dries it gleams in my hands like a fire. I realise this then is my first day as a conceptual artist.

Michel Serres (1982, pp.166-7) has described the ball as 'nothing' in itself. The ball only gains any meaning in use, and subjects anyone who holds. It is a form of a gift that can only be passed on in play, just as Zarathustra was compelled to pass on his golden ball to

his disciples. Now that I had the ball in my hands I had to pass it on. I made 24 *Holy Balls* and installed them in one of the studios of the Department of Fine and Performing Arts, and everybody was invited to kick the balls. I called the exhibition *Holy Ball Exercises and Exorcisms*. A week of joyous chaos made by Christians and heathens alike followed in the room. My patrons were mostly people who had never stepped into an art gallery before but we kicked together, threatening the architecture and academic perspectivalism of Chancellor College. I did not sense the huge chasm between their idea of art and mine as I did during an exhibition of paintings. Here was an art audience as I had seen it in a *Gule Wamkulu* festival and indeed *Nyau* cinema: active spectators rather than passive voyeuristic beholders of art. The exhibition generated a book of comments as massive as the Bible itself. Wherever I have shown since then *Holy Ball* has mostly generated positive interest both in Christians and philosophers. It's a uniting work for those with an open mind.

Holy Ball, as a work of art and potential object of play and ritual, appears to embody both taboo (the Chewa *mdulo*) and transgression (*kudula*) rather than mere sacrilege. Play as seen earlier is of the moment (Richardson, 1998, p.93), that is to say an absolutely primary category of life, which makes it a ready expression of Chewa non-linear time, *Nyau*. *Kudula* is not mere negation. According to Bataille (1985), transgression can make even more apparent the very thing one is transgressing; it can be used to highlight a taboo: 'transgression does not deny the taboo but transcends and completes it' (Bataille, 1962, p.63). Where negation does away with the object, transgression highlights and opens up other perspectives and possibilities within the taboo or authoritarian structures represented by a 'sacred book' such as the Holy Bible. Perhaps this is why Nietzsche is considered a 'Christian' philosopher despite his virulent atheism and antagonistic criticism of the figure of Christ.⁹³ If transgression does not recognise the limit of the structure it transgresses it can be pure negation, it cannot then be constructive. There's a difference between a transgressor, *gule* or *Chirombo*, the sovereign, and a libertine - between Marquis de Sade's and Bataille's conception of 'evil' (Surya, 2010). The libertine negates, transgression is more a conversation, a process within the social fabric or a given system. Furthermore, for Bataille, transgression can be a moment of a 'religious experience', a 'situation' in which the individual reified within the world of work and necessity experiences themselves as 'sovereign', a part of a larger scheme of things, through a communal crime as stated earlier.

⁹³See Nietzsche's virulent *The Antichrist* (2007).

In *On Nietzsche* (2004) Bataille reads the philosopher as a sovereign transgressor beyond the will to power (Surya, 2010), a *Nyan* figure - *gule*. His Zarathustra is a passer of the ball, an incessant giver and squanderer of gifts modelled on the feverish generosity of the sun – the self-sacrificing god, *Chanjiri*. This is what I also aspire to within my *Nyan* praxis, my ball in hand.

The optimism of the *Holy Ball* as *Nyan* I had already seen in the Hegelian synthesis enacted in the ritual marriage of *Chadzunda* (the father figure of the *Gule Wamkulu*) and *Mariya* (the Virgin Mary, representing the Christian Church and civilisation) at *Gule Wamkulu* performances in the villages.⁹⁴ In making the *Holy Ball* I have taken something very puritan and I bring some sort of Catholicism to it⁹⁵ and ultimately *Nyan*, which is to say the universal through the totality of play.

2

Traditionally *mdulo* and *kudula* among the Chewa is playfully and conveniently connected to the general economy of sexual relations. There is no metaphysical concept of ‘good’ and ‘evil’ in Chewa cosmology. Morality is determined by the animastic workings of energy within everyday life, which in Chewa conception is twofold, ‘hot’ or ‘cold’ (van Breugel, 2001, p.173), rather like Bataille’s Gnostic conception of energy in his theory of the general economy (Stoeckl, 1997). The cold energy is considered at once ‘accursed’ and sanctified. It is manifest in *Nyan*, in old women, *Gule Wamkulu*, spirit mediums, children, culture, the dead (*mizimu yamakolo*, ancestral spirits). The Chewa regard ‘useful’ things ‘hot’: salt, a menstruating woman, sexual activity, sexual fluids etc. A crossing of these energy categories (*kudula*) may bring about bad luck in the community – in other words (and according to our specific reading of these animastic beliefs through Bataille’s theory of the general economy) surplus should not be put back to use but should be expended prodigiously and gloriously, if social strife and environmental catastrophes are to be averted.⁹⁶ An adulterous wife or menstruating woman cannot put salt in food, for instance – and this prevented many from cheating. Transgressing this taboo risked death from the mystical illness *tsempho*

⁹⁴ See the ritual marriage ceremony video on Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://www.kasiyamaliro.org/video2.html>.

⁹⁵ The Catholicism I refer to here has been explored by Huizinga (1971) in the playful aspects of the Renaissance, which culminated in the Baroque and Rococo.

⁹⁶ The teaching of *mdulo* during initiation ceremonies is assigned to an ancient mask, *N’nkunza Mwambo*. He wears a calabash for a head. Available at: <http://kasiyamaliro.org/pdf/nkunuzamwambo.pdf>.

and demanded heavy fines to restore balance. *Nyau* festival is a time of excessive erotic transgression led by lurid *Gule Wamkulu* and a chorus of delirious women singing sexually explicit songs but sexual coitus is forbidden when the masks are at *bwalo* in a custom called *kudika* (van Breugel, 2001, p.153); as it is when the wife is pregnant, or chickens have laid eggs, and so on. Tying taboo and transgression to sexuality is punishing, but in the end, like tying the demand for *Nyau* festivals to ancestral demands in dreams, it is an assurance that excess wealth among the people will be expended on a universal scale. Taboo is thus also a form of population control (van Breugel, 2001, p.209), perhaps more manageable than orgiastic human sacrifices.

If taboo and transgression did not incite perennial expenditure of surplus among the Chewa, in pre-colonial times *mwavi* was called for by the Chief and designated specialist witch doctor. The tribe would queue before the witch doctor to drink a special hemlock, *mwavi*, which would prove their virtuousness. Those that survived the poison showed they were pure, while those who died were thought to have broken a grievous taboo or were witches, *mfiti*. The witch doctor would usually administer the lethal form of the dosage to candidates suspected of 'witchcraft' (usually hoarders, misers and the unresourceful). Sanction by *mwavi* became so addictive among the Chewa people that many queued for the poison in the hope of surviving the lethal dosage and proving they were pure of character (Marwick, 1950, p.87-8).

Van Breugel (2001) has reported that the constant fear of *mdulo* among the Chewa has made taboo medicine big business, with a flourishing 'creative' market that resembles the *vodun* markets of West Africa rehearsed in the *Religion and Art Room* of Meschac Gaba's *Museum of Contemporary African Art*. These *mdulo* markets can easily be dismissed as primitive superstition or outright nonsense to the restricted thinker. However, when read as driven by the recognition of the indispensability of excess as demonstrated in Bataille's theory of the 'general economy', *mdulo* reveals an ancient wisdom about being in the world. Just as the medieval community was kept in static equilibrium through the squandering of wealth by building cathedrals and opulent palaces and engaging in wars and tournaments, *mdulo* paraphernalia, rituals and sacrifices could be read not as mere ethnographic curiosities but as creative ways for Chewa communities to maintain social cohesion and spirituality.

The rise of individualism in modern Malawi has meant many Chewas like me forsaking

communal values for restricted economic values, thereby breaking many social taboos that demand to be expiated by *mdulo* medicine.⁹⁷ As the Chewa have come under the influence of foreign cultures, the witch doctors have ended up incorporating everything in sight as a remedy for *kudula*, and to avert the mystical illness *tsempho*. This may involve ingredients borrowed from other religions brought by the missionaries and merchants such as the Buddha, Christ, the rosary, the Qur'an and indeed art as suggested in Meschac Gaba's *Religion and Art Room* of his *Museum of Contemporary African Art* and various *Nyau* masks exploring the influx of foreign religions such as the ironic *Kuli Mtendere Kwa Yesu*, 'There is peace in Jesus',⁹⁸ and *Mariya*. This latest development, of what could be described as syncretic magic and aestheticism, is yet another example of 'unconscious situationism'⁹⁹ in contemporary Chewa culture which has no doubt influenced me as an artist hence the conception of the work *Holy Ball*. To 'exercise and exorcise' with the *Holy Ball* really is to create a quasi 'religious' situation in which a gift can be given without incurring a debt even in the age of globalised capital.

⁹⁷The steady rise of individualism due to modernisation in Malawi since the mid 20th century has been criticised in the impressionable *Nyau* Mask *Dzakonda*, the 'selfish pursuer of happiness' which appeared in the 1940s; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://kasiyamaliro.org/pdf/dzakonda.pdf>.

⁹⁸ See Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/kuli_mtendere.pdf

⁹⁹See Debord (2008) on the 'unconscious situationism' of the Watts riots and Viénet (2006) on the same issue.



The Last Judgement, 2015, 56th Venice Biennale, Italy (installation view)

Man of the Crowd

Synopsis (*Bacchus*, 2013): A man wearing a black trilby and trench coat brandishes a stock whip in the gardens of Versailles, France. He whips the air with it. He hands the whip briefly to a tall blonde woman standing nearby. Then he whips the air once more. All along the passersby around him walk backwards. – 40 secs

1

The French poet and philosopher Charles Baudelaire (1821-1867) was the first to posit the idea of the *flâneur* from his reading of a mysterious man with a ‘strange visage’ who appears in Edgar Allan Poe’s story *The Man of the Crowd*, written in 1840. The mysterious man, both part of and stranger to the busy urban crowd around him, wanders the city haphazardly from the centre to the suburbs, until his pursuer concludes that the man’s wandering was aimless (Coverley, 2010, p.60). This man appears like *gule*, bestriding the old world and new world, between static economics and capital. From this figure Baudelaire conceived the *flâneur*, a modern hero who wanders the increasing commercialised spaces of the modern world challenging its utilitarian values and speed with his aimless journeys and ambulatory pace. Through the Surrealists Baudelaire’s *flâneur* was re-interpreted as a playful and subversive figure who treats the city as an arena for experimentation and prodigious gift giving as seen in the work of the Situationists with their conception of unitary urbanism, the *derive* and psychogeography. Ultimately Baudelaire’s *flâneur* is a composite figure – a dandy, vagrant, stroller, artist and detective (Coverley, 2010, p.65).

The dandy aspects of the *flâneur* are captured in the peripatetic *Nyau* mask *Zayenda Mmanja*, ‘Those that are carried in the hands’, who dances with a modern handkerchief in his hands at *bwalo*. He appeared on the scene during intense modernisation in Malawi in the 1940s. He displays traits ideal to Baudelaire’s conception of the dandy.¹⁰⁰ For Baudelaire, the dandy aspirant must have ‘no profession other than elegance... no other status, but that of cultivating the idea of beauty in their own persons... The dandy must aspire to be sublime without interruption; he must live and sleep before a mirror’.¹⁰¹ This stands in contrast to

¹⁰⁰See Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/ziyenda_mmanja.pdf.

¹⁰¹Writing on Constantin Guys, Baudelaire (2010) defined dandyism as a form of religion challenging the functionalist conception of self of modern commercialism: ‘dandyism in certain respects comes close to spirituality and to stoicism’ and ‘These beings have no other status, but that of cultivating the idea of beauty in their own persons, of satisfying their passions, of feeling and thinking.... Dandyism is a form of Romanticism. Contrary to what many thoughtless people seem to believe, dandyism is not even an excessive

the commercialised sapeurs of the Congo, as seen in the recent Guinness advert where their sovereign activities are portrayed as a 'leisure' pastime from the world of work. This is a totally corrupt interpretation. The origins of the sapeurs among Congolese civil servants during the colonial period paints a more complex picture of cultural resistance (see Tamagni, 2009). The freedom of leisure time can only be defined against work, it is not free time in itself. It is not sovereign time. Real sovereign time operates outside the division of labour. To dress up on a Sunday so you can work hard the rest of the week, that's not *Nyan*. The real *gule* will survive by other means. His preoccupation is with gift giving and he will be resourceful, but not necessarily pick up a full-time job.

In the private photographs of the Situationists that I discovered in the Sanguinetti archives at Yale's Beinecke Library, they are always wearing hats, they dress up and hang about town; Sanguinetti, Debord, Becker Ho, all of them. Some have commented that despite all their plans the Situationists don't seem to have made a lot of (art) work (see Coverley, 2010, p.99), and I say, 'What are you talking about? It's all in the photographs.' The Situationists party, drink, fool around in the streets like they are on holiday but they are not. They were productive, yes, but they never worked. Having disbanded the Situationist International in 1972, with the aim of allowing the ghost of the movement to permeate and move in other guises within society,¹⁰² Guy Debord spent the rest of his days wandering around Europe, dabbling in leftist politics and living on the kindness of strangers – in Florence in the old artisan district of Oltrarno he flirted with local women and drank fine Italian wines and grappa, reading Machiavelli and Dante; in Spain he searched for *duende* (the real life) in the footsteps of Orwell and Genet, amongst the remnants of flamenco and Gypsy sensuality, in Barcelona, Cadiz and Seville. He found time to write poetry and make *Nyan* films: *In Girum Imus Nocte et Consumimur Igni* (*We Spin around in the Night Consumed by Fire*) (1978) and *Stances sur la Mort de son Pere* (1980) (Merrifield, 2005).

The Guy Debord dictum 'Never Work!' would be true to the African dandy. And so the contemporary artist, who approaches art as a way of life, has to be resourceful; one has to find creative ways to live with the ever-present danger of having to work.

delight in clothes and material elegance. For the perfect dandy, these things are no more than the symbol of the aristocratic superiority of mind.'

¹⁰²See Guy Debord's *The Real in the International* (1972).

Walter Benjamin did not see Baudelaire's flâneur in heroic terms, but rather as a tragic figure – a mere cog in the barbaric machine of the modern metropolis. He first scales the city as a disinterested outsider, he is gradually lured in to become a window shopper (Coverley, 2010, p.64). Eventually the shop swallows him up and he is recuperated into the system. 'The department store was the flâneur's final coup.' (Benjamin, 1997, p.170.) This appears to have been the fate of many lines of 'flâneurs' in the 20th century.

Psychogeography in the United Kingdom led to punk (McLaren, 2007) whose culmination appears to be Vivienne Westwood's designer shop on the high street and an advert of Johnny Rotten selling Country Life butter. Recuperation appears inevitable in late capitalism but as Lefebvre and de Certeau have demonstrated within the liminal spaces of the working of the market a gift could still be expended. Meschac Gaba's flâneur appears more optimistic than Benjamin's in this way: realising the radicality of the urban African marketplace, Gaba, a self-confessed flâneur (Gaba, 2013), has appropriated its forms to construct works of art that challenge the domain of the commodity in the globalised world. Gaba's flâneur is akin to de Certeau's 'street walker', a purveyor of difference on street level who contrasts with the homogenous view of the 'voyeur', the urban planner or a city trader in a skyscraper (de Certeau, 2011, p.92). He enters the shop but does not succumb to the passive consumerism that marks advanced consumerism, instead he sets about colonising the shop with 'gifted time'. With a penchant for harnessing the diagrammatic recoding natural to commodity products, like Marcel Duchamp, Meschac Gaba's witty nomadic *Museum of Contemporary African Art* appropriates the 'unconscious situationism' in the informal markets, by walking the city of Cotonou. Gaba often recodes his readymade by decorating or marking them with devalued West African currency. He uses these now gifted commodities to detourn the traditional architecture and workings of the traditional museum. The *Museum of Contemporary African Art* does not have a collection; instead its twelve rooms display curious objects and installations from aspects of everyday life. The rooms are *Marriage Room*, *Architecture Room*, *Museum Shop*, *Game Room*, *Museum Restaurant*, *Music Room*, *Art and Religion Room*, *Library*, *Salon*, *Summer Collection* and *Humanist Space*. The *Draft Room* serves as a kind of introduction to Gaba's general aesthetic approach: a fridge-freezer box filled with ceramic pieces of chicken has a plexiglass cover decorated with banknote dots. The large red text across the plexiglass says 'Reclame'; an enamel tray on the floor mounted on a plastic bucket displays a heap of ceramic chicken legs, banknotes and coins; white metal shelving displays three gold-plated ceramic breads and a gold-plated

drumstick; pieces of cast ceramic fruit and vegetables glazed in red occupy one corner of the room; a plaster and pigment abstract relief painting in three panels (triptych) hangs on the wall; cylinders of compressed bank notes wrapped in plastic and bags of shredded notes are displayed, marketplace style, on cloths of African print on the floor.

The *Museum of Contemporary African Art* is designed not for beholding but for participation which creates a general atmosphere of intimacy and generosity: one may feast at the museum (*Museum Restaurant*); one can play games in the museum, from chess to puzzles (*Game Room*); one can have their fortune revealed by *ula*, a tarot reader (*Religion and Art Room*); one can idly browse the eclectic books in the museum (*Library*); one can ‘window shop’ in the museum (*Shop*); one can listen and play music and dance in the museum (*Salon*); like the Pan-Africanist Kwame Nkrumah one can dream up marvellous buildings and *Nyau* cities of *la depense* in the *Architecture Room*, using the wooden building blocks found there; one can borrow a bicycle at the museum and go ride around town with it in an intimate way (*Humanist Space*); one can surf the internet in the museum (*Library*)...

The *Museum of Contemporary African Art* appears to me not as a place of accumulation and capital as is generally the case with a Western museum of late capitalism but indeed a place of play and prodigious gift giving, *bwalo*, a place of *Nyau*, sacrifice and *Gule Wamkulu* (the Great Play), an arena of dreams. Gaba’s *Museum of Contemporary African Art* is my own conception of an ideal museum.

The *Museum of Contemporary African Art* and its playful props and animated readymades often resembles a *Nyau* or slapstick film set – Buster Keaton and the sticky fake money scenes in *Haunted House* (1921), Roscoe ‘Fatty’ Arbuckle and food fights in *The Butcher Boy* (1917)... I imagine the 13th Room of the *Museum of Contemporary African Art* would be ‘Cinema’ – *Nyau Cinema* to be specific – yet another room for situations and prodigious gift giving as was seen at St Pius and in the primal atmosphere of the ‘cinema of attractions’ of early film. Because really, the *Nyau* cinema star could be regarded as the flâneur before he enters the shop and begins to colonise its commodities with *Nyau*. The *Nyau* cinema star’s diagrammatic recoding and qualitative perception of the world outside the shop, using film, is really the recoding of the readymade, like Gaba with devalued currency. Like Gaba, the *Nyau* cinema star detournes the spaces of the city and its vicinities which have also been turned into a spectacle by capital in order to let the gift come through. *Nyau Cinema* has ten rules developed from its evolution which would hang comfortably on the nomadic walls of

the 13th Room of the *Museum of Contemporary African Art*. If not the 13th Room then at least a dedicated facsimile of the rules could be offered as a formal gift to his *Marriage Room*, in which are displayed presents from well-wishers, along with the bride's wedding dress, shoes and handbag, a marriage certificate, guest book and video of the wedding at the Stedelijk Museum in 2000:

Nyau Cinema: Ten Rules

1. *Nyau film must be conceived as a clip no longer than a minute.*
2. *Performance should be spontaneous and site specific to found architecture, landscape, or object.*
3. *There must always be a conversation between performance and the medium of film.*
5. *Costume must be from everyday life.*
6. *Acting must be subtle but otherworldly, transgressive, and playful.*
7. *Editing must be limited to the aesthetics of primitive film and silent cinema.*
8. *Audio must be used sparingly, otherwise it must be performed live at film screenings.*
9. *Screening of a Nyau film must be in specially designed cinema booths or improvised cinema installations that complement the spirit of the films.*
10. *Nyau cinema must encourage active participation from the audience.*

— Samson Kambalu 26.8.13

The *Nyau Cinema* installation in the *Museum of Contemporary African Art*'s 13th Room is aesthetically specific. Its dispositif is 'transparent' like that of *Nyau* cinema at St Pius and the general open African market style display of Gaba's *Museum*. The walls are painted black – to detourn the architecture of the white cube.¹⁰³ The films are displayed in the room like paintings. The projector plinths are naked wood, and the wires show. Their monitor lights glow before the film projections like fireflies. There is no sound. The films dance at one another like *Gule Wamkulu*. You have to keep walking and turning to see the whole installation. The films encourage active spectatorship rather than passive intellectual absorption. You are always implicated in the installation – with animated movement – but you don't have to stay here forever. The films last less than a minute each. Like the open *bwalo* in the bush you can come and go as you please, talk to whoever you want, and take with you whatever you have brought to them.

¹⁰³*Nyau* cinema, like *bwalo*, a dusty clearing in the bush, is anti-architecture. Bataille sees architecture as 'the predominant taste of authority, whether human or divine' and symptomatic of utilitarian values. See Hollier, 1992, pp.31-33.

This playful dispositif is what I employed for my first solo show of *Nyan Cinema*, *Sepia Rain*, in South Africa with Stevenson Gallery Johannesburg in 2014. I exhibited ten films. *Sepia Rain* is the very show Okwui Enwezor saw when he invited me to the Venice Biennale. *Nyan Cinema (Hysteresis)* in the Giardini was located in a walkway connecting the Karl Marx arena and Thomas Hirschhorn – we installed 15 *Nyan* films in there, the small and awkward passage having demanded so many films. *Nyan Cinema (Hysteresis)* was one of The Telegraph’s highlights of the Venice Biennale 2015.



Meschac Gaba

Draft Room

From *Museum of Contemporary African Art 1997–2002*

Installation at Kunsthalle Fridericianum, Kassel, 29 August – 15 November 2009

Photo: Nils Klinger © Meschac Gaba



Nyan Cinema (Hysteresis), 2015, 56th Venice Biennale, Italy (installation view)

For Real

Synopsis (*Dancer in the Woods*, 2014): A man in a straw hat stands in thick woods in Noank, Connecticut. The picture jumps several times shaking his right leg. – 34 secs

1

Nyan cinema re-imagined as the 13th Room of the *Museum of Contemporary African Art* is a counter-gift. I first came across Gaba's work in Amsterdam in 2000 when the artist presented the *Marriage Room* of his nomadic museum at the Stedelijk Museum in a performative work called *For Real*. I had just arrived from Malawi and was doing an artist residency at the Thami Mnyele Foundation. That morning I had gone to see the painter Marlene Dumas for a mentoring session; she took me to a wedding instead, in a museum. I took my *Holy Ball* with me.

Gaba and his bride, Alexandra van Dongen, arrived in a horse drawn carriage, wearing appropriate wedding attire, all clad in white, Western style, but the rest of the ceremony was more like an art opening, except there was no usual cheap wine here, only lots of sparkling champagne. Gaba's witness at the wedding was Chris Dercon at the time director of the Museum Boijmans van Beuningen in Rotterdam. Not every one was happy (as reported by Greenberg, 2014): some of the artist's friends were uneasy that he should make such an intimate and private occasion public, but Gaba had to have a wedding in a museum for it to be a *real* wedding, which like art is in essence a gift, which communicates something beyond calculation. In times of budgeted weddings, however, I realised that Gaba was not asking an easy question.

Cixous (1986) has argued the difference between restricted economic models of accumulation and those of the gift as dependent on engendered unconsciousness. She sees capital as patriarchal and driven by typically masculine fears: 'the fear of expropriation, of separation, of losing the attribute'. 'Feminine economies' on the other hand, open the possibility of giving without return, in an affirmation of generosity, as women seek not to secure an exchange or profit but to establish relations. Luce Irigaray's essay *Women on the Market* (1997, pp.174-189) draws a Marxist critique of the exchange of women as commodities in marriage in phallogentric economies as elaborated by Cixous. According to Marx, commodity fetishism substitutes relations between people for a relationship between

things. For Irigaray, in restricted masculine economies women are objectified and exchanged as fetish objects as men establish relations with each other using the power of the phallus. Gaba's *Marriage Room* proposes an entirely different economy to that of capital in which an exclusive, budgeted wedding takes place. By allowing unrestricted access to his wedding in a public museum, Gaba had wanted to communicate a union and intimacy beyond calculation in direct intervention of phallogentric exchange.

In *The Gender of the Gift: Problems with Women and Problems with Society in Melanesia* (1988), Marily Strathern has observed the coercive nature of gift giving in Melanesia. For Melanesians, as in the Chewa prestation, *Nyau*, gift giving is for the re-establishment of communal ties – paternal to maternal kin, clansmen to the soil they subsist on, descendants to ancestors. This contrasts sharply with gift giving in consumer society, where the gift becomes an expression of personal sentiment. It is perhaps from such sentiments that some of the people were uneasy about Meschac Gaba's open wedding at the Stedelijk Museum.

2

I was very much at ease with Gaba's wedding. I drank lots of champagne, kicked the *Holy Ball* around the museum with strangers and was inspired. When I got engaged to my Scottish fiancée a year after Gaba's wedding I was really pleased that I would avoid the Chewa marriage ceremony and the gauntlet of taboos that came with it! Even now a Chewa marriage in its modified form has been known to bankrupt parents and the newly weds. In a clash between capital and gift a wedding might be an occasion for some agents to accumulate capital. The Chewa are a matrilineal society, but that is not to say that women are the 'boss' and men are subordinate. The practice of taboo and communal values ensures a steady contested equilibrium in relations concerning men and women. Out of necessity, a man lives with his wife in an uxorilocal arrangement called *chikammuni* (van Breugel, 2001). When the couple has raised the children to adulthood, he may have the freedom to move back to his own home village taking his wife with him if she so wishes.¹⁰⁴

The Chewa traditional marriage arrangement contrasts sharply with the Christian patriarchal one described by Cixous and Irigaray. When a suitor locates a girl for marriage, he builds his own house and clears out a new allotment in the bush. He sends his uncles

¹⁰⁴This alternative marriage arrangement is called *chitengwa*; see kasiyamaliro.org/page3.html.

(*khoswe*) to the girl's counterparts to ask for her hand in marriage. The boy's *khoswe* take with them a rooster as a gift. The wedding ceremony occurs after a pubescent girl's initiation. By then the chief would have already taken away her virginity in a ritual coming of age ceremony, *chinammali* (van Breugel, 2001). The Chewa marriage ceremony is another opportunity for prodigious expenditure as rehearsed in Gaba's *Marriage Room*. The marriage is open to the whole village but it works as everybody comes to the wedding to give too – *kusupa*. In fact a big element of the wedding is the families of the bride and groom trying to outdo each other in giving. The extravagance is big enough to allow a young couple to start a family on the proceeds but this is a modern innovation, likely inspired by capital. After the wedding the marriage has to bear fruit right away, if not a 'hyena' is sent to impregnate the woman (van Breugel, 2001). Thereafter taboos at once erotic and contraceptive follow. A woman's pregnancy is accompanied by various sexual taboos in the later stages although in the early stages the father is allowed to 'feed' the child, *kulimbisa*. There are heavy fines if a woman dies in childbirth for it is blamed on her husband's adultery. A man must not have sexual relations with his wife during planting season for instance, or when the child is consecrated, *kumeta*. Often Chewa men complained that if they followed all the taboos in marriage they would have no family. When the husband dies the wife is passed on to his brother, if she so wishes. Even the institution of marriage among the Chewa then is driven by the general economy rather than individualistic sentimentalism.

3

Susan and I opted for an austere Presbyterian wedding ceremony, having obtained a dispensation from the Catholic Church. Still I made sure the wedding was as generous as possible. I carried the *Holy Ball* with me throughout the wedding ceremony to the amusement of the minister and the congregation, but I was serious. After the church service we went to the park to pose for the photographs and there I released the *Holy Ball*, and kicked it about with strangers, my bride tagging along. There was more kicking with the ball at the wedding dinner. One guest of ours smashed the ball towards the ceiling and sent the crystals hanging on the chandelier flying about the room.



Samson and Susan Kambalu, Marriage (with *Holy Ball*), Perth, Scotland, 2001

Hostis

Synopsis (*The Same River Twice*, 2014): In Dunkeld, Scotland, a man in the snow steps in the same river twice. – 22 secs

Synopsis (*An Artist Makes a Head*, 2013): An artist puts a plastic bag over his head until he cannot breath any more. – 39 secs

Review (*The Jive Talker or How to Get a British Passport*, 2008): ‘Samson Kambalu’s memoir of growing up in Malawi ends with the death of his beloved mother. She is the sixth in his family to die from Aids, including his father. But this is no misery memoir. On the contrary, it is often very funny, as well as original and earnest. That it took an hour to walk to primary school could be an opportunity for self-pity. But for Kambalu, his first walk to school, toddling along beside his mother, is one of the happiest memories of his life.

Born in Malawi in 1975, just over a decade after its independence from Britain, Kambalu is a conceptual artist living in London. This is his own portrait of the artist as a young man, with a crisis of faith, the discovery of sex, and a commitment to art. But the portrait is framed by a thoughtful intelligence that looks far beyond the concerns of adolescence.

Kambalu’s father is a government clinical officer, but is posted from job to job, struggling to support his eight children. In remote districts, there is no running water or electricity. In the city, there is nothing to bring home but the scraps off the plates of medical students. Hungry, the children help themselves to dog food.

But they are individuals, not fodder for pity. ‘Don’t let the tourist take your picture,’ warns his father – or ‘next thing you know, you are in an Oxfam appeal.’ The young Kambalu resists when a Scottish tourist orders him to remove his shoes for a photograph. He gives in, but poses with his hands on his hips, ‘figuring that she couldn’t use that picture for an Oxfam appeal because a hungry person wouldn’t look so full of himself’. This spirit of defiance resonates throughout the book.

Kambalu’s nuanced characters bring Malawi to life. The most compelling is his father, an avid reader and thinker, who gives the book its title. His ambition to become a doctor was shattered at school, when a Boer teacher called him a ‘native’ as he worked in the gardens. He threw his hoe at the teacher and was expelled.

His son is driven by the will to succeed. He wins a place at Kamuzu Academy, founded by Dr Hastings Kamuzu Banda, the President for Life until 1994. It was modelled on a British public

school and took a third of the education budget, but pupils were selected on merit and given scholarships. It has remained ‘the most beautiful place I have ever been’, with its irrigated green acres under the scorching African sun.

Coming of age as an art lecturer, Kambalu stages the first conceptual art exhibition in Malawi – a display of footballs wrapped in pages torn from the Bible. Nothing is sacred to him. For, as he shows in this riveting, brilliant book, there is always more than one way of understanding the world.’ – *Susan Williams, The Independent, 3 July 2008*

1

The Jive Talker or How to Get a British Passport is a portrait of the artist as a young man aimed at portraying myself more as *hostis*, bearer of the gift, rather than a parasitical foreigner. Aspects of my relatively ‘luxurious’ and ‘eventful’ Malawian upbringing are presented within the conflict between the general economy of indigenous Africa and the restricted values of contemporary Africa in an age of globalisation. *The Jive Talker* is anecdotal and aphoristic in style – my childhood experiences and coming of age are communicated ‘diagrammatically’ by associating myself with different books, world history, popular culture and various aspects of traditional Malawian life, fast disappearing to capital. The book is more a novel than a typical memoir. The book took me three years to put together and I wrote it to mark my becoming a British citizen in 2005. I regard the writing of the book the way I regard all my literary writing, a form of *Njau*. When I finished it I posted the manuscript in Angel, Islington, where a few days earlier I had bumped into my childhood pin up, the singer Sade, at a cinema incognito. I considered it a good omen. She was alone, wearing jeans and a cap, chewing gum as we filed out of the theatre. Nobody paid her attention but I recognised her in the dark, said hello and managed to get her autograph in my notebook.

Within two weeks of posting my manuscript I had an agent and within another two weeks I had four publishers interested in the work. I went with Random House in the Commonwealth and Simon and Schuster in America. I also managed to sell German translation rights, which went to Unionsverlag in Switzerland.

The book got favourable reviews in the national papers with the novelist Aminatta Forna calling me an ‘African Huckleberry Finn’ in *The Telegraph*. I couldn’t complain. I raised my expectations but alas the 2008 financial crisis happened at the same time my book was

at the printers. Random House was cutting costs and decided not to promote the book in paperback. Simon and Schuster followed suit in 2009. *The Jive Talker*, though very popular with critics, hardly reached its intended readers. I did readings here and there, the highlight being the Edinburgh International Book Festival, but soon the world moved on – until 2010, when Unionsverlag in Switzerland published the book in German.

The Jive Talker is most popular in Europe. I toured with the book in happenings combining art and literature: as usual my book readings were followed by ‘exercises and exorcisms’ with *Holy Balls* and conversations with members of the audience.

‘Why did you call your fellow Africans “natives” in the book?’ they asked me.

‘I have donned a colonial mask there. I am writing in character. Among the Chewa one does not take the position of the “victim”, even the victim in *Gule Wamkulu* has a dark side as a sovereign – there is logic to it.¹⁰⁵ To do such a thing is to centralise the very problem you would like to see disappear. Laughter is the leveller¹⁰⁶ – that or be a worm gnawing away at the problem obliquely. Poetry, a sovereign act, should never be subjected to politics. *Nyanu* criticism is more strategic than magical that way.’¹⁰⁷

When not doing readings I walk the city or visit museums with my ball – the security guards are worried but they let me keep the ball as it’s art. *The Jive Talker or How to Get a British Passport* is one of the Telegraph’s books of the year in 2009, it wins The National Book Token Global Reads in 2010, and is presented at the prestigious Rauris Book Festival in Austria and Frankfurt International Book Festival in Germany. With *The Jive Talker* I thought the gift had been returned to my parents and to Malawi.

2

The journey to London and *The Jive Talker* was quite a challenge – a ready recipe for plenty of *Nyanu*. Moving to the UK following my marriage, I gave up my place at the Chicago Institute and the scholarship that awaited me there and applied to study at the Slade. I

¹⁰⁵ The reversal of roles is a well-known communication strategy in *Nyanu*. Almost all *Nyanu* characters are based on bad behaviour and transgress everyday morality; see Boucher, 2012, p.12. In my reading this is to emphasise their sovereignty and their sanctity as excess and other.

¹⁰⁶ Bataille (1991b) has explored the potential of laughter as an antidote to suffering.

¹⁰⁷ Debord and the Italian Situationist Gianfranco Sanguinetti announced the disbanding of the Situationist International vowing to continue to struggle against reification by other means, having given up hope in a ‘magical’ revolution of overt political activism (Debord, 2003).

attended an interview at the Slade carrying nothing but the *Holy Ball*. I said I made this work of art during the revaluation, or rather the transvaluation, of my Malawian Christian upbringing but I don't really know what it means. I should like to find out here – see if any work can come out of it. I got in, but I followed my wife to Nottingham where she had found a job teaching Religious Education in Derbyshire. I enrolled for a Masters at Nottingham Trent University instead, having given up my place at the Slade, for something I thought more challenging and less predictable. I considered the move yet another gift to an unknown future.¹⁰⁸

My Masters at Nottingham Trent University looks at the 'displacement of religious emotions'. My project is based around Debord's observation in his book *The Society of the Spectacle* (1967) that in Late Capitalism 'life that was once lived has been reduced to mere spectacle' – and that this spectacle was presented as 'the material reconstruction of the religious illusion' (Debord, 1995, p.18). Inspired by Marx and Lukacs, Debord argued that the experiences of removal, alienation, and mystification that arose from religious meditation from priests, demands for sacrifice, and deferred gratification in pre-industrial times, were now being reproduced within the workings of consumer society. My methodologies are the playful techniques employed by the Situationists International – detournment and psychogeography. I create playful site-specific installations and works of art that challenge the functionalist values and commodity fetishism of my new adopted home in Europe.

The Fall of Man (2003) is a multimedia installation I create for the Museum De Paviljoens in Almere, for a group show *Black My Story*, made of four colour field murals that interspace other works in the show, including the quasi-fetishist sculptures of Jimmie Durham, the Native American artist. On these colour field walls in red, black and green are 'zip' lines running top to bottom like film strips down the shoulders of a *Nyan* cinema projectionist – the lines are a continuation of one line made up of all the words of Genesis 3 in alphabetical order. The words read like an esoteric chant. They are about time and unfold like a *Nyan* cinema reel. Thrown on the floor alongside these colourful walls were two thousand Granny Smith apples and 24 *Holy Balls*, for exercising and exorcising with. The museum is like an exedra with its large open window spaces, and the green apples on the floor draw the trees in. The interactive installation appears in the national papers with a full

¹⁰⁸Henri Lefebvre considers the 'challenge' of the modern basic form of gift giving which has replaced the 'gift'. See Wark, 2011, pp.93-108.

photograph. I stand tall before the esoteric zips and the hundreds of recoded Granny Smith apples, like a 'star'. I am a rising gift giving art star.

I graduated from Nottingham Trent with a distinction and was selected for Bloomberg New Contemporaries 2004, which featured at Liverpool Biennial. The art critic Tim Marlow thought my work *The Goalkeeper*, a 'sinister' suitcase filled with African rag footballs, the best piece he had seen at the Biennial.

3

All the while Nottingham was proving difficult for a conceptual artist. Working on the road in the streets, and in real life, I don't need a studio to make art but every now and then I have to make things for a project. I need a studio on standby. I am unable to find studio space in Nottingham as the collectives there find my approach to art 'incomprehensible'. 'Black' artists find my work 'too white' while the 'white' artists find my work not black or African enough. The two camps are too preoccupied with the idea of art and identity as representation to discern any other way of making art or being in the world. My social space shrank, made worse by the fact that living in a consumer society means my identity was now that of a 'foreigner'.¹⁰⁹ In semi-prestition countries like Malawi, the *hostis*¹¹⁰ is still possible. Malawians will usually welcome strangers with open arms, as they are sure to benefit from the exchange. *Mulendo ndiye abwela ndi kalumo kakuthwa*, 'the stranger is the one who brings the sharpest knife', goes the saying. The Nyan mask *Takonda* explores the dynamics of this exchange.¹¹¹ But in a society built around capital where accumulation is the order of the day the stranger is seen as a threat who has come to 'take'. It was virtually impossible for me to make a living until I heard of supply teaching. I joined an agency for part-time work. Supply teaching is hardly teaching. It's about covering for teachers who have fallen off the treadmill owing to inner city school stress and tribulations. My job was to contain the ensuing chaos, to keep the door shut, so the surviving teachers could continue trying to teach. In a place where education is now utilitarian and directed towards profit and use rather than virtue (Plato) or 'play' (Huizinga), the real meaning of education seemed to have long disappeared in the British education system.

¹⁰⁹The first four years of my residency in the UK had various immigration restrictions that made functioning as a member of society limited. For instance, I had to study as an overseas student, paying eight times more in tuition fees than my British colleagues.

¹¹⁰Benveniste, 1997, p.38, explores the origins of the 'foreigner' in Roman history which contrasted with *hostis* of its pre-civic era.

¹¹¹See Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/tawakondadi_takonda.pdf

Virtually penniless, I see an advert for the Decibel Award from the Arts Council worth £30,000 for artists from 'diverse backgrounds' but I hesitate, as diverse there meant 'black'. I was not sure about positioning my art in the black art movement. I discerned some level of 'symbolic violence' in the black art movement whose articulation I find in Achille Mbembe's *On the Postcolony* (2001). Mbembe regards the movement too 'classical' to deal with alternative African experiences. There are also other thinkers along Mbembe's line such as James Baldwin and Keorapetse Kgositse (a South African poet and anti-apartheid activist) who think art should not confine itself to the service of Western conceptualisation of race. The writer Wole Soyinka has criticised aspects of Pan-Africanism such as *negritude* and believes that by deliberately and outspokenly taking pride in their colour, black people were automatically on the defensive: *Un tigre ne proclame pas sa tigritude, il saute sur sa proie*, 'A tiger doesn't proclaim its tigerness; it jumps on its prey' (Abiola, 1990). Hardt and Negri (2000) have observed how the 'black movement' in the diaspora has propagated its political agenda at the expense of difference among black and African peoples. This is most certainly parodied in Chris Ofili's 'Afro' and Blaxploitation themed paintings. But £30,000 was really generous so I reasoned here was a chance to change things perhaps. I apply, proposing to write a portrait of the artist as a young man – *The Jive Talker or How to Get a British Passport*. Supporting the application with my 'incomprehensible' art I win the award – the only black artist to win it outside London. I went to the British Museum to receive my cheque and took a picture of myself standing next to a *Nyau* structure, of *Kasiya Maliro* – whose trademark routine at *bwalo* is to dance round and round just as the earth moves. It was obvious London was the place for me. I never went back to Nottingham.



Kasiya Maliro, Kafulama Village, Mua, Malawi, September 1993

Photo: Claude Boucher

Uccello's Vineyard

Synopsis (*And the Blues Came Along*, 2014): A musician with a black guitar case stands on the shore of a lake in Noank, Connecticut. He is blown away by a ball. – 15 secs

Synopsis (*He Walked on Water*, 2014): A man in a straw hat and a pair of swimming trunks walks on water at the beach in Clinton, Connecticut. – 45 secs

Synopsis (*Uccello's Vineyard*, 2012): At the turn of the 16th century, Uccello, a Franciscan monk in Arezzo, Italy, discovers the secret of 'shadow painting' (photography) and sends shock waves through the Roman art world. Fearing that photography might undermine the authority of the Church as the printing press had done, Pope Alexander VI bans the 'diabolical' art throughout Christendom. What he does not manage to contain, however, is a backlash against classical mimetic painting among the artisans, in favour of a return to the spiritual values and directness of early Christian art. Primitivism, as the new style is called, acts as a catalyst for the religious and social revolutions that spread throughout Europe, spearheaded by Martin Luther in Germany and complicated by the rise of the Anabaptist libertine kingdom in Münster.

1

Uccello's Vineyard (2012) is a detoured fictive narrative of photography and art set in the Middle Ages and a playful exploration of art as a parable of various conflicting religious beliefs and ideals – it playfully invites, by way of satire, a re-examination of the phenomenon of mimetic art that since the 15th century has been increasingly regarded as an expression of secular values. When I wrote the book, however, I was also interested in following the Reformation in history as the problem of the gift as explored by Bataille in *The Accursed Share*.

Bataille proposes that the Reformation happened because of excess wealth coming in from the East; the Crusades had opened up new trade routes, which exasperated surplus wealth which the Church was not able to absorb fast enough through the building of cathedrals. This created a decadent aristocracy and clergy. The banalisation of heaven followed as the Church tried to create alternative ways of expenditure such as indulgences. Luther's attempt to stop the rot by divorcing heaven from the world of 'things' Bataille regards as

‘naïve’ and ‘half-peasant’ as Luther sought to bring about this change by religious ‘magic’. Luther’s coupling of sovereignty (conscience) with salvation was in line with the very ‘evil’ revolution of the millenarians he opposed such as the antinomian Anabaptists in Münster and their ‘tailor king’, Jan van Leyden. The Anabaptists openly led a life of excess and gift giving as they waited for the end of days: Luther did the same, flaunting his favour with heaven by excessive drinking, outrageous behaviour and foul language deployed in superfluous debates and hot-tempered quarrels with the Pontiff and his envoys. Thus even as he criticised the banalisation of heaven in Rome, at heart Luther remained a ‘Catholic’, an expender of excess still grounded in the ‘gift’ economic ethos of the Middle Ages. For Bataille, Calvin was the true Reformer. The impossible coupling of sovereignty and the ‘world of things’ is what Calvin’s revolution skillfully embraces, through a stringent approach to the world of necessity and thereby, according to Weber, giving birth to capitalism.

Uccello’s Vineyard is where the different factions of the Reformation are united in the morality of play – the gift. But not only the Reformation; also the revolution of modernity and modern art after photography (see Danto, 1998) which in *Uccello’s Vineyard* is revealed as bearing similarities to the millennial ideals of the Reformation. My follow up project *Dear Devil: Lutheran Scatology for Beginners* was a series of detoured scatological phrases from Martin Luther’s writings and sayings, presented in the form of Dadaesque poems, which when read to the *chisamba* rhythms of *Nyan* sounds like hard core rap, on the fringes of the market and common morality.

1

Take a big bite! Get lost Satan.

Eat them round your neck. And if that is not enough for you, Devil, I have also farted. Is that down on your list as well?

2

And yesterday, Devil, I also

pissed, so wipe your mouth with it.

3

Kiss my arse, Satan

Kiss my arse.

Take a big bite!

Kiss my arse, Satan

4

*Is not true what you think. Lick my arse. And yesterday, Devil, I also
pissed, so wipe your mouth with it,
down on your list as farted.*

5

Take a fart for a staff. Kiss my arse. Wipe your mouth with it. And take a big bite! Get lost Satan.

6

Eat. Lick my farted arse. Shit in your trousers and hang and take a big bite! Get lost Satan.

7

Shit in your trousers and hang farted.

8

Farted. Enough for you devil. List and eat farted.

9

Wipe it. Take a fart. Kiss my arse. Shit in trousers and hang your arse, Satan.

10

Shit in your trousers. Take a fart. Kiss my arse, Devil.

11

*Don't. Take a fart. Kiss it. Take a fart for a staff. Kiss my shat arse, Devil. My shit you eat. Here is my
shit, why don't you eat?*

12

*Well? Shit in your trousers and hang
and take a big bite! Get lost Satan, eat. Take a fart for a staff. Kiss my arse.*

13

Shit in your trousers and hang.

Why don't you eat and take a big bite! Get lost Satan, eat well? Shit in your trousers and hang!

14

Farted. Get lost Satan!

15

Take a fart for a staff. Kiss my arse, it. Kiss my arse, it. Satan, lick my. Take my fart, it. Take a fart for a staff.

16

Lick my. And take. Bite! Get lost Satan!

17

Satan, eat a big Devil. Take and hang a big Devil. Farted.

18

On your list as it as well? And

I have also shat and yesterday.

19

Arse, here is my shit. Devil, on your list. Shit. Farted and farted. Wipe your mouth. Farted.

20

Trousers and

I have also shat

Satan, eat

Bite! Get lost

And take a big

And if that is not

Your neck

Them round

*What you think
Them round your neck
And pissed
Arse, it
Farted*

21

Kiss my arse!

22

Is that? Well, Satan shit in your trousers. Farted.

23

*Take a fart Devil. Kiss my what you is not true think. You eat. Lick my shit, arse, here Devil. As that
down farted on your list. Hang in your trousers. Shit trousers and that is not and your neck them round.
And if that so shat or you, Devil, enough, I have with it, so wipe and pissed your mouth. Satan, eat a big
bite and take a get lost Satan.*

24

*For a staff a big bite!
What you shit
Is my shit!
And yesterday
That down
In your trousers
Kiss my get lost Satan
Think. Lick.*

25

*Take a fart them round is not and pissed is not true enough for shat and take Arse. Here and pissed with
it, your own it as well? And take, eat
Farted. Is Well? Shit. Take a fart, it
Is not my Arse, it arse. Here you eat, eat I also well? Shit, hang
As them round it is not Hang enough.*

26

*I have also shat
Them round your neck
And if that is not
On your list as
Take a
Arse, it
Them round your neck. And if that is not
Well?*

27

*And pissed
And take your own
Arse, it
My
You eat
I also
As
Hang*

28

*Is that down?
Yesterday.
Yes.
Arse.
A bite big.
As for staff them round.
Devil, shit what you don't eat!*

29

*You eat
My
Arse.*

30

*For a staff,
What you
Is my shit,
And yesterday
That down
In your trousers
And your neck
For you, Devil,
So wipe
A big bite!
Shit!*

31

Fart. Arse. Lick. Arse. Farted. Shit. Shat. Pissed. Bite. Shit!

32

*Take a fart. Kiss my arse. Lick my arse. Eat it. Shit in your trousers. Hang them round your neck. Wipe your mouth with it. Take a big bite!
Get lost.*

33

*Is not. Arse. It as well. Farted. Is that
Well? Shit in your. Take a fart for a staff. Kiss my arse. Them round true what you think. Lick enough for here is my shit, why yesterday and down.*

34

*Neck. And if? Shit in your
Devil, I have round your
Wipe your mouth for you,
Bite! Get so
You big bite
Shit, why what*

*Yesterday, Here is my
Down on your well? And you
Trousers and.
Is that down?*

35

*Mouth with it
Enough for you, Devil.*

36

*I have also shat on your list as
well. Shit in your trousers. Take your mouth with it. Arse, it. With it
It as well? And take a big it as well.*

37

*Farted
Well?
Them
And
It is well
And you farted
Is that well?
Shit in them and
And
And
And take
Yours truly, wipe your mouth
Devil, I also,
Get lost Satan.
Shit. Why don't you eat?
It is not true what you think.*

38

And yesterday

*That down
In your trousers
And your neck.
You Devil!
Why don't you,
Devil,
On your list?
And if that
Shit!
And if that
Devil!
For a staff.
Kiss my
What you think
Is my shit,
Why don't you?
And yesterday, Devil, down on your list,
In your trousers,
And neck,
Wipe your mouth.*

*39
Your own shit?
Don't you eat, Devil?
It farted.
Arse is not true.
Enough for you, Devil.
Kiss.
Shit.
Hang.
Bite.
Get lost, Satan!*

40

Satan, eat. Arse your trousers.

Shit! Down on your lick. Think, kiss, bite, shit. Shit! Why don't you eat?

Shit! In your trousers! Kiss! As pissed. Shat. Devil, Devil.

Bite! So wipe. Take fart, take farted.

Satan, eat.

41

Dear Devil,

that is not enough.

Shit hang.

42

Own shit! Dear Devil is not enough.

My arse, it is. That, then you farted. Is that down on your list?

43

Than that then

Then

For my

Farted. Is that down on your list as

Yesterday, Devil?

Lost

If no time

Kiss.

Don't, Devil, I

List as

Them

Enough.

44

Down on trousers. Don't. You can lick my, is my. And get lost Satan

45

Do no better for you today

Lick my arse, Satan!

46

If you eat your think

And if that think

Than that, then you

Is not enough

Then you can

Think than that, then you

Do no better.

47

Why, here is my hang them

Down yesterday, Devil,

I Devil, if you can, hang them

48

Take a fart for

For you, Devil, dear Devil

And down on trousers and

If that is not

Also shat, shit in your trousers

Can lick my arse. I

Is my. And

And have a

Is that

Than that, then?

49

My arse, it is

Do no better

Do no better

50

Why no don't here?

Well Satan then you can

Why with hang them

Your own better

Do not lick my fart for a staff

Take a no better than a fart

A why

52

Dear do no

Is not arse

It is for you, Devil

Your neck lick

Can arse

The Great Prayer

Synopsis (*Voyage*, 2014): A sailor approaches a wheel on Captain Scott's Discovery in Dundee. The picture freezes as soon as he positions himself at the wheel. – 21 secs

1

Looking at the rise of African charismatic churches like the *Synagogue Church of all Nations* of T.B. Joshua in Nigeria or the *Enlightened Christian Gathering* of Shepherd 'Major 1' Bushiri in Malawi, Zimbabwe and South Africa some people think that religion in Africa is merely primitive superstition and exploitation of the undiscerning by gifted charlatans and conjurers (*The Economist*, 2014), but there is more to it than that. Religion, like art, in Africa is its own truth as insinuated by *Holy Ball* and the *Religion and Art* room in Meschac Gaba's *Museum of Contemporary African Art*, where art objects are displayed alongside religious artifacts, and where religious ritual doubles as art happening.¹¹² As seen in the chapter *The Beast with a Heart in its Mouth*, if you understand what the gift means the *Nyanu* masks don't 'represent' – a lot of scholars and anthropologists say they represent ancestral spirits – they *are* ancestral spirits.¹¹³ Likewise if you know the meaning of religion as play, you don't even need to 'believe' in a metaphysical God. Play may require a suspension of disbelief but that does not mean it won't be effective in ritual. Many people still faint or shed tears before a good play at the theatre, or before a good witch doctor (*sing'anga*).¹¹⁴ The placebo in hospital or the doctor's kindness has healed others. The maverick African preacher is armed with this intuitive knowledge while engaged in a make-believe world with his congregation. It takes tremendous talent to keep the charade going and no wonder they are well paid by their followers. For good or bad, charismatic churches and their dramaturgy are part of the general economy of the social fabric of contemporary society in Africa. My work has not shunned this fact.

Georges Bataille deduces the meaning of religion from an observation that what's valuable about every religion is contrary to what's sensible in it, for instance the life of the Christian

¹¹²The *Museum of Contemporary African Art* includes a video of the artist bashing Dadaesque music out of three large enamel plates with coins attached to the edges, appropriated from the improvised tambourines used in the Catholic liturgies of Benin; see the *Music Room* inventory in Greenberg (2013). The *Religion and Art Room* features a live tarot reader (in Chewa – *ula*); see Greenberg, 2013, p.106.

¹¹³For an exploration on the Chewa connection to the life and death cycle through 'ancestral spirits' see Morris, 2000, p.227.

¹¹⁴On the role of play and make-believe in archaic societies see Huizinga, 1950, p.23.

mystic is poignant in that it will not admit mortality (Bataille, 1997/Richardson, 1998). This is the general economy at work in religious systems. My approach to religion within the general economy of postcolonial Africa has therefore been to playfully emphasise what's 'excessive' yet meaningful about religion. The *Holy Ball* is the Bataillean book of 'unknowing' – a *Nyau* book that acknowledges the limits of rationality and discourse, and is detached from concern of the future and celebrates the present moment in play.¹¹⁵

I have thrown *Holy Ball* into the world indifferently and the ball has often been returned to me with interest: the first conceptual art exhibition in Malawi staged in 2000; my first residency in Europe at the Thami Mnyele Foundation where I saw Gaba's work under the mentorship of Marlene Dumas and was encouraged; my first international exhibition at Exedra in Holland (2000); the ball has been a muse for a playful lifestyle that led me back to *Nyau* cinema and works of art such as my novels *The Jive Talker* and *Uccello's Vineyard*; numerous art exhibitions, including participating at two FIFA World Cup cultural events; performance work at international art venues such the Cabaret Voltaire, the Edinburgh International Book Festival, and the Venice Biennale. I got married carrying the *Holy Ball*, and have created my own religion *Holyballism*. My *Last Judgement* at the Venice Biennale, in which I released 400 *Holy Balls* to the world, marked the Kingdom Come for me, which is the Holyballist kingdom of the gift and the general economy – *Nyau* Empire.

2

Holyballism is an attempt at a modern day *Nyau* religion around the *Holy Ball*. *Holyballism* has its own dialectic which attempts to retrace Christianity to the work of 'energy' – *Nyau* – using Sigmund Freud's psychoanalytic reading of monotheism in *Moses and Monotheism* (2010) and Nietzsche's thoughts on morality in the *Genealogy of Morals* (1998). According to Freud, the founder of monotheism, the Egyptian pharaoh Akhenaten (1356-1336 BCE), who is believed to have influenced Moses, or might be Moses himself, worshipped the sun as the one true God: he bypassed traditional Egyptian religious cosmology and learned from the sun the meaning of life, including the general economy as is evidenced by his insistence on prodigious expenditure at Armana (Kemp, 2012). For his naturalist observation Akhenaten/Moses has been described as the first 'individual' in history but his

¹¹⁵Many *gule* carry what I would describe as 'Nyau Books' – 'object' books that are never read but 'played' with in performance. *Nkhumbetera*, 'locust', carries a hardback and *Apapa*, 'Pope', a character created after Pope John Paul II's visit to Malawi in 1989, dances with the Bible at *bwalo*. This is a Bataillean non-book at the 'end of history' as discussed by Stockl, 1997, pp.246-247.

beliefs did not hold well with the authorities in polytheistic Egypt. He was deposed. After leading a group of Jewish followers into the desert he was murdered by his followers who, according to Freud, have since then longed for his return as 'Messiah' in order to expiate their guilt. *Holyballism* is an attempt to return Christianity to its monotheistic universality through the totality of play – *Gule Wamkulu*. The Messiah comes back in a form of the gift as intuited by the mask *Kuli Mtendere Mwa Yesu*, 'There is peace in Jesus', in the villages.¹¹⁶

The Chewa call *Nyan* religion the 'The Great Prayer' (van Breugel, 2001, p.152). *Nyan* religion is an archaic, animistic and a-historical form of religion.¹¹⁷ Its only truth is the self-evident work of energy exemplified by the sun – Akhenaten's God – a god who lives in his absence and his dying like a *Nyan* mask. *Gule Wamkulu*'s primordial virulence often comes into conflict with Chewa establishments led by priests, chiefs, spirit mediums, diviners and witch doctors. *Nyan* masks have since ancient times existed outside common morality, beyond good and evil as Nietzsche would put it, and therefore hard to control and regulate. The carnivalesque and the grotesque which drive the spirit of *Nyan* are levelling as Bakhtin has demonstrated in *Rabelais and his World* (1984). They reveal the world as it really is, beyond social hierarchies and arbitrary truths. The laughter *gule* generates through visceral theatrics and the obscene, *zolaula*, is equally sanctified. In *Essence of Laughter* (1855) Baudelaire recognises laughter generated by the 'grotesque' as serving to connect human beings to their primordial feelings. Furthermore Bataille (1991) has linked existential laughter with the 'impossible', the abyss in which all meaning high and low collapses into an ineffable 'mist'. It is a factor that has made *Nyan* religion – The Great Prayer – an enduring form of resistance against centralisation.

Bataille assigns the origin of the grotesque mask, *gule*, in suffering and defiance in the face of death and the gods. (Richardson, 1998, p.223). Before laughter the fear of death and a metaphysical God who judges becomes absurd. *Nyan* religion is older than the metaphysical concept of God as is evidenced by various masks detourning the concept of God such as *Chanta* or lately *Kuli Mtendere Mwa Yesu*. When the Chewa are asked where *Nyan* comes from, they reply 'Where there are people there is *Nyan*' (van Breugel, 2001, p.168).

¹¹⁶Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/kuli_mtendere.pdf

¹¹⁷There is no known separation between religion, philosophy or art among the Chewa. They are all linked to the general economy of the tribe, through play, *Nyan*; see Morris (2000).

As seen earlier there is no concept of morality in Chewa culture, this starts with *Nyanu* religion which is animistic and amoral. In *Genealogy of Morals* Nietzsche traces archaic religion and morality in ‘bad conscience’: when an adventurous nomadic tribesman is conquered and subjugated his instinct for adventure is turned inwards, unto himself, taking the form of a ‘tortured soul’. Bad conscience is thus a human yearning for lost freedoms and sovereignty. The priest comes in and in his desire for power and influence in a community attributes this alienation to the myth of estrangement from the God that requires redemption, which only he himself being the servant of God can provide. The history of Chewa *Nyanu* religion seems to have taken this trajectory.

Around 1200 the roaming Banda clan who lived in clusters scattered across the savanna of Central and Southern Africa seem to have been conquered by the Phiri who imposed a centralised government led by chiefs and priests.¹¹⁸ *Nyanu* religion was then designated to *bwalo*, the festival and *mdulo*. But *Nyanu* persists in Chewa religion as its sovereign other, the religion of the people, and has proved a lasting form of social and centralising resistance, from pre-colonial times to this day.¹¹⁹ The Chewa country has seen waves of other hostile invasions since the Phiri in 1200, which include the Yao, Arabs, Ngoni and the British, and *Nyanu* has successfully resisted and assimilated these people into the decentralised general economy of *Nyanu* culture (Boucher, 2012). When I became preoccupied with the concept of the gift, of time, of play through the *Holy Ball*, I decided to give my modern religious heritage, which is Christian (I was brought up by a Presbyterian father and a Catholic mother), a *Nyanu* treatment¹²⁰ – hence *Holyballism*.

In the wake of the so-called ‘death of God’, some philosophers, theologians and mavericks have attempted to answer Nietzsche’s call for a ‘revaluation of all values’, from Aleister

¹¹⁸See Boucher (2012), p.2, also as deduced by scholars Ott (2000), Smith (2001) and Zubueta (2006, 2009). The conflict between the Banda and Phiri clans has been celebrated in the *Nyanu* mask *Padza Achakoma*, ‘Here comes Mr Nice’, which has marked the power balance between the two parties for hundreds of years. It appears with a red face when the Phiri bureaucracy has the upper hand, and black when the Banda have reasserted *Nyanu* over the community; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/padza_achakoma.pdf

¹¹⁹See Rangeley (1949-50), van Breugel (2001) and Boucher (2012).

¹²⁰The conflict between the Christian Church and *Nyanu* has been celebrated in various masks including *Abambo Bushi*, ‘Father Boucher’, and *Aroma*, ‘Romans’, since the late 19th century; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://www.kasiyamaliro.org/pdf/aroma.pdf>. The *Abambo Bushi* video is available at https://www.youtube.com/watch?v=P5C_-tocVcY. In the aftermath of the Second Vatican Council the Roman Catholic Church has attempted to reconcile its teaching to aspects of *Nyanu* to accommodate native resistance, through enculturation. The results are often dubious as satirised in the Jesus mask *Kuli Mtendere Mwa Yesu* – *Nyanu* amorality sits awkwardly with Christian morality and is evidenced in Father Boucher’s often contrived explanation for immoral aspects of the *Nyanu* mask; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://www.kasiyamaliro.org/>

Crowley's amoral utopia of Thelema to Don Cupitt's *Solar Ethics* (1997). Bataille, in his bid to restore the experience of real sacrifice and sovereignty lost in Christianity in the quest for 'salvation' and religious control, created the secret society, *Acephale*, with close friends, and proposed the obelisk at the Place de La Concorde as a place where real religious experience could be resurrected. Acephale, meaning 'headless' after a Greek mythical headless monster, was a society of elective members who saw in the irreverent installation of the obelisk (once a sacred symbol of Egyptian pharaohs' divine right) in post-Revolution Paris as emblematic of the 'end of history', when sovereignty was open to all, not just priests, kings and mediums. The sacrifice of one of its members was proposed by Bataille to institute the secret society but when none of the Acephale members volunteered to be its first victim, the organisation had to be disbanded. Bataille must have realised then that the formal institution of such a religion would have merely given birth to a new breed of controlling and opportunistic priests. *Holyballism*, like *Nyan* religion in the villages, has no official creed or members. Being animastic it doesn't need them as where there are people there is *Nyan*. Like Chtcheglov's 'Schwambrania' and *Gule Wamkulu*, *Holyballism* proposes a new dynamic in the relationship to the cosmos emphasised by the general economy and perpetual movement rehearsed in *Kasiya Maliro*, hence the *Holyballist* slogan 'Exercise and Exorcise'.

3

For my Yale fellowship in the summer of 2014 I had the opportunity to work from the original prints and watercolours of William Blake, among them 'Jerusalem' in the archives of the Yale Center for British Art. It was an exhilarating experience. William Blake was a prototype Situationist and Holyballist. Not only was he a *Nyan* religious revolutionary, subjectivist and a leveller – 'I must create my own system or be enslaved by another's' – but he was also a psychogeographer, he was a drifter (see Coverley, 2010). Like Nietzsche, who says don't trust an idea that was not conceived while you were walking, Blake used to walk around with a notebook: he composed all his poems walking around the streets of London.¹²¹ A lot of people that look like angels in his work, when you scrutinise them are actually beggars or tramps, and even chimney smoke becomes like clouds or the sky becomes text... He saw all kinds of fairies and monsters when he was deriving. Blake saw angels and fallen angels, but usually when I'm walking around, a modern man, I become a contingent of history; I see tramps, dandies and anonymous historical figures, which are

¹²¹Walking as a creative aid has been explored by Coverley (2012), looking at the working lives of various authors, philosophers, and artists.

but avatars of my sovereignty and subjectivity – these often end up as *Nyan* cinema. It's not so obvious in Blake but actually the whole of Blake's aesthetic process, 'Exuberance is beauty' and 'religion' is about movement, about energy, the energy you cannot use, the energy that moves as a gift, *Nyan*.¹²² Blake's poems and unique religious vision were a way of coping with London when it was industrialising, from the gift economy of the Middle Ages to capital of modern times. He would have thought London was a totally impossible place, with its 'Satanic mills', but he tried to make something positive out of it through the 'Great Play'. This is what I'm doing when I approach the city as a place of possibility.

¹²²Bataille's conception of energy described by Allan Stoekl in *Bataille's Peak* (2007) has its predecessors in ancient dualist conceptions of energy as found in some Gnostic beliefs, such as that propagated by Bruno. According to Stoekl, Bruno's discernment of the accursed side of energy can be glimpsed in his insistence on God as sovereign energy, the energy you cannot use, which Blake associated with exuberance.



Pickpocket, 2013, digital video, colour, 47 secs

Mzinda

Synopsis (*Dinosaurs are Birds*, 2014): Peabody Museum at Yale University – a man in sepia flaps his arms like a bird while surveying a display of large skeletons of dinosaurs. – 39 secs

Synopsis (*Amistad*, 2014): A man pulls a series of large chains on Mystic harbour in Connecticut. The people passing by walk backwards. – 57 secs

1

We live in the era of zero-hour contract jobs. Hardt and Negri (2000) call this current economic paradigm postmodernisation – alternatively they suggest informatisation. They trace three distinct moments in the history of capitalism since the Middle Ages leading to postmodernisation. The first paradigm was dominated by agriculture and extraction of minerals; the second, industry and the manufacture of durable goods; this third and current one, information and services, marked by non-guaranteed labour. The undercurrent of the zero-hour contract is part-time employment, ‘working from home’, ‘self-employment’, piece work, ‘internship’, and freelance work. The volatility of labour often leaves us with a lot of contingent time on our hands. As evidenced by the proliferation of digital devices, some people have set out to capitalise on this by gathering our digital imprint and creating predatory algorithms as part of the subjection of the promise of sovereignty in cybernetics, in the age of informatisation - to the internet of ‘things’.¹²³ But the alternative to your digital devices and passive internet surfing is the physical city of play where the urban environment is designed not only for function or profit but rather to allow for prodigious gift giving and the production of intimacy – a *Njau* City.

The Situationist Constant Nieuwenhuys (1920-2005) looked beyond the promise of freedom in cybernetics and proposed a city of ‘aesthetized technology’ as an antidote to instrumentalisation (Wark, 2011) – a city that seeks not to work against nature but rather to produce a new relation to it as a totality. Constant’s ‘new urbanism’ in the conception of *New Babylon* (1957-74), a city as an arena for *le dépense*, resembles the Chewa conception of *mzinda* – a continuous city of play, on a universal scale. *New Babylon* has a rooftop set above the world of necessity and work below; for *Njau*, the Chewa *mzinda* was complete with

¹²³As noted by Wark (2011), the cybernetic theories of Norbert Wiener (1894-1964) saw cybernetics, the ability to connect anywhere and anytime, as an opportunity to free sovereignty from necessity. Any attempts at the administration of cybernetic space would result in what Wiener called the ‘fascist anti-state’.

bwalo which connected to *bwalos* of other *mzindas* so that the practice of *Nyanu* was endless among the Chewa (van Breugel, 2001, p.136) – one could follow *Nyanu* from one village to another throughout the year as *mizimu* made more and more demands for expenditure through the people's dreams.

Constant's interpretation of the city of play and aesthetised technology is already there in Africa, especially in the sub-Saharan region – a place that has persistently resisted the workings of restricted economics, even in the age of postmodernisation.¹²⁴ For instance, when you go to Dakar or Lilongwe people wonder why the buildings are never finished¹²⁵ and it's because there's a different perception of time there. You don't know why the man is building the house, it might not be for utilitarian reasons as you might assume. A 'city that ends nowhere', an immeasurable city, is the equivalent for me to building a Bataille cathedral of orgiastic sacrifice, the destruction of capital, and the 'wasting' of time.

The technology of *mzinda* as a totality in relation to nature is intimate: the logic of gift economy thinking with regard to technology is explored by the philosopher Heidegger in his critical essays on the use of technology in the modern world, *The Question Concerning Technology* (1982). Heidegger recognises two main kinds of technology – *techne* and *poiesis*. *Techne* is technology realised wholly according to human needs and ideals without consideration of its implication for nature, the environment and the larger scheme of things. Technologies that depend on stored, calculated and accumulated energy such as cars, computers and aircraft are typical *techne*. *Poiesis* is technology conceived as a casual model where the human being only plays a part (Stoekl, 2007, pp.128-136). The bicycle, the windmill and the shovel are given as examples of this 'intimate technology' operating with an awareness of the general economy in nature and the environment. The Chewa have a mistrust for autonomous technology, associating it with *chizimba*, witchcraft. The discovery of dead young women (zombies) who have been imprisoned to work the miller's machines is frequent (van Breugel, 2001, p.226); cars, aeroplanes and motorcycles have been parodied and detoured in *Gule Wamkulu* as 'sex machines' with *Njinga yabwera*, *Mdondo* and

¹²⁴See Hardt and Negri, 2000, p.288. The authors describe the region as 'excluded from capital flows and new technologies, and they thus find themselves on the verge of starvation'. My experience and research shows that the African economic condition in relation to globalisation is more complex than that. The African gift economies such as that of the Chewa, a large tribe covering large swaths of Southern Africa, can't be disregarded as ready resistance to capital.

¹²⁵See a series of photographs of Dakar by the Senegalese artist Mame-Diarra Niang, *Sabel Gris* (2013) and *At the Wall* (2014), (online).

Chigalimoto as stated earlier.¹²⁶ Walking or cycling is the best form of exploring the modern *mzinda* which can be found in every city if one looks carefully. In advanced consumer countries one finds ready *mzinda* within the fringe informal economies, in Paris, Berlin, London, New York, even Osaka and Moscow. One may travel to these places using a plane, if fortunate enough but, as Hardt and Negri (2000, p.398) show, underground highways are already in operation connecting the immeasurable ‘multitudes’ (the barbarians of the 21st century) from one *mzinda* to another across the world, in defiance of border controls instituted by the dominant economies in the age of ‘Empire’. The so-called ‘migrant’ route across the Sahara connecting the Sub-Sahara to Europe is one example of a *mzinda* highway, which will soon be part of the infrastructure of a global *Nyau* Empire. As my chapter *Nyau President* will demonstrate, an offspring of this *Nyau* Empire, an empire no less subversive than St Augustine’s *City of God* to the Roman Empire, already rules the world. During his reign I have carried *mzinda* on my feet the world over, from Malawi to London, and from Moscow to Washington.

2

October 2010, Frankfurt International Book Fair, Germany. I was there reading from *The Jive Talker or How to Get a British Passport* and taking part in a panel discussion. I had with me the mammoth book of Bourdieu *The Weight of the World: Social Suffering in Contemporary Society* (2000). After my reading at the festival there was nothing to do – boredom ensues.

Bourdieu’s images and complaints of the unemployed tribal people of Algeria haunt me lying in my hotel room.

In his anthropological studies of Algeria, the French sociologist Bourdieu posits a vivid example of the ongoing ‘conflict’ between gift economies and global capitalism. Bourdieu (2000) observes that late capitalism is marked by the transformation of the social space into a kind of game of ‘football’ into which agents (players), grouped into self regulating *habitus*es of shared interests compete for the gaining of social capital both monetary and symbolic. The ever-changing demands of global capital often leads to *hysteresis*. This is when agents of a particular *habitus* find themselves out of synch with their social field of play. In postcolonial communities this often means displacement from the rural areas into towns, when tribesmen whose ‘feel for the game’ (*doxa*) are for the traditional gift economies, find themselves thrown into an unfamiliar social space, that of global capitalism. Bourdieu

¹²⁶See various illustrations and photographs of *Gule Wamkulu* in Boucher (2012).

asserts that this *hysteresis* leads to apathy, and the breakdown of traditional social relations. Bourdieu argues that often the peasants often have no language or skills to articulate what's happening to them so that they cannot even begin to find an effective solution. Those who get on with it have one choice and that is that they have to continue living as best as they can using their outdated *doxa*. Bourdieu gives an example of Don Quixote's misadventure as knight errant similar to those of a victim of *hysteresis* in modern times. Bourdieu (2014) illustrates Algerian *hysteresis* through numerous photographs of aspects of peasant life clashing head on with capital infrastructure – women in full burka stand beside a stall selling French high-heeled shoes; men wearing suits and Muslim headgear idle around in city arcades waiting to be employed. He could as well be describing characters from *The Jive Talker or How to Get A British Passport* and my *Nyan Cinema* installation, *Hysteresis* at the Venice Biennale, one way or the other. Often my father, with his *Nyan*, felt like a fish out of water, his *Jive Talker* character really came from his estranged *Nyan* other. *Hysteresis* may also explain the 'surrealism' in my work such as *Nyan Cinema*, *The Fall of Man* or *Holy Ball Shop*, and in Meschac Gaba's *Museum of Contemporary African Art* where commodities are re-presented in the liminal space between gift and commodity.

In Algeria, Bourdieu found that the only thing that seemed to connect the diverse displaced peoples was religion – Islam, in an ineffectual way. In Malawi there is a similar hysteretic dynamic but here the connecting religion is Christianity – a phenomenon insinuated in my quasi religion, *Holyballism*. Bourdieu calls such suffering 'symbolic violence'. For Bourdieu the whole point of art, philosophy or sociology then is to induce 'metanoia' – a 'new gaze' on one's social field and habitus as an antidote to symbolic violence. In a way this has been the purpose of my work from *Holy Ball* to diagrammatic cinema – to induce a more reflexive approach to the problematic of the gift to offset some of the problems brought by the encroaching late capitalism.

In Frankfurt the following day I asked my guide to take me for a walk around the city. It quickly turned into a derive. The walk takes us to the edge of the city in an anonymous forest. We ended up in a glade of fallen trees, and the psychogeography there is different from the concrete jungle of the city. The city, overwhelmed by advertising boards, fights for your attention, your mind is never at rest – trees in the forest let you be. Your imagination then is free to dance. I want to be a frog jumping all over these logs, so I fish out my camera and hand it over to my guide. She films me hopping amongst the fallen

trees like the lizard mask, *Gulo*. I am *chirombo* then – *gule*. I walked out of the forest feeling tall like *Makanja* – the skyscrapers of Frankfurt could not move me, I could sway like them, and the motorcars could not surpass the feelings of exhilaration to which they moved me. I felt bigger than Frankfurt and looked down on it like a *Nyan* cinema star.

Back in London, I reveal the footage from the forest in Frankfurt. It's pretty banal and heavy editing is needed if I am to make anything out of it. Recalling the experience of watching *Nyan* films growing up in Malawi and the feelings of universal elevation I felt making the clip I filter my frog film in sepia, chop it up and speed it up into a playful and more animated sequence. I call the film *1910 (The Aftermath)*. I had made short films before but this is my first real psychogeographical film. Here I am aware of approaching hysteresis as a catalyst for creativity – I am an African Don Quixote, a Huckleberry Finn as one of the reviewers of *The Jive Talker* had called me. The film is no more than 30 seconds long but within it I discover my own version of Constant's *New Babylon*, my own *mzinda*. From then on I walk the streets of London and other cities I visit around the world looking for *Nyan* films inspired by the psychogeography and 'unconscious situationism' of the urban environment and its contingent histories. Bland hotels and endless tourist information had been putting me off travelling during my book tour but with the onset of new films, I enjoy travelling again – looking to make the places I visit my own. The photos of the bumming unemployed Algerian tribesmen in Bourdieu's report, *Picturing Algeria* (2014), could be stills from my *Nyan* cinema films.



American Silverscreen, 2014, installation view, Stevenson Cape Town

Homo Ludens par Excellence

Synopsis (*Dram*, 2013): A man blows in the wind like a piece of cloth. Both his hands rest on an ATM machine. – 44 secs

Synopsis (*Monsieur Lavardin*, 2013): A man stands in the middle of the street in the Champs Elysees, Paris. He wears an overcoat and hat, all in black. He controls the crowds of shoppers around him with his hat. He can move them backwards and forwards at his will. – 52 secs

1

Mbembe reads the postcolonial state as driven not by the restricted values of capital but by the communal ties and social obligations of traditional economies, albeit in grotesque and vulgar modern forms. Mbembe (2001, p.102) describes the postcolony as ‘characterized by a distinctive style of political improvisation, by a tendency to excess and lack of proportion, as well as distinctive ways identities are multiplied, transformed, and put into circulation.’ Bearing no social contract the sovereignty of the postcolony – the *commandement* – assumes the arbitrariness and unconditionality of the colonial sovereignty over the so-called natives (Mbembe, 2001, p.25). As seen earlier, with Banda’s toying with the sovereignty of *Gule Wamkulu*, political leadership creates power relations in the form of the ‘big man’ simulacra where the leader is presented as a ‘fetish’ (*gule*) that rules convivially with the people in a state of play, make-believe, often resulting in mutual zombification (powerlessness) (Mbembe, 2001, p.104). This system of power relations, Mbembe further elaborates, is replicated throughout the social structure of the postcolonial state.

Within Mbembe’s description of the postcolony one identifies elements of Bataille’s *la depense*. Resourcefulness (*luntha*) takes the form of ‘corruption’; the ‘allocation’ of public funds and the squandering of the gift (*kengawana*) becomes the ‘redistribution’ of public funds to relatives and political affiliates. Coercion is replaced with the systemic application of violence, both physical and symbolic. The ‘buying of the path’ into the general economy of the village is reduced to an obligation to buy the party membership card. Traditional ceremonies and art are employed to animate the propaganda of the state and the *commandement*. Sacrifices take the form of civil wars, public executions and theophagy of the coup d’état (Mbembe, 2001, p.112). More surplus wealth is squandered in the form of grandiose projects, such as Félix Houphouët-Boigny’s Basilica of Our Lady of Peace of

Yamoussoukro;¹²⁷ the school of my formative years, Kamuzu Academy, the so-called Eton of the Bush (Caroll, 2002); and Kafkaesque bureaucracy run by what Bourdieu has described as ‘state nobility’¹²⁸ – self-serving civil servants and extortionist policemen, gendarmes and bureaucrats. Transgressive and taboo sexual relations identified by Bataille in static economies (*kudika* and *kulongosola* among the Chewa) now resemble the libertarian world of the Marquis de Sade.¹²⁹

The ideology of postcolonial Africa that tends to alienate aspects of the unrestricted economies of indigenous heritage can be traced back to the philosophies of Pan-Africanism, such as the provocative *negritude* movement proposed by Leopold Senghor of Senegal and his associates in exile, with famous support from the philosopher Jean-Paul Sartre, in *Black Opheus* (1976). Inspired by Marxist philosophies and the Harlem Renaissance writers, Langston Hughes and Richard Wright, *negritude* took matters beyond race and advocated communal African traditions as the most suitable for governance in Africa. The philosopher Frantz Fanon advocated violent revolution by the ‘lumpen proletariat’ of the bush to re-establish this idyllic Africa of pre-colonial time. Various leaders such as Julius Nyerere of Tanzania, Jomo Kenyatta of Kenya and Modibo Keita of Mali advocated the one party state as the government most fitting for what they regarded as the classless communities of Africa (Meredith, 2013). The fruits of this Pan-African atavism, often tragic, have been explored at length by Meredith in *The State of Africa* (2013). Pan-Africanism in practice came at a heavy cost.

Hardt and Negri (2000) have noted how sovereignty in subordinate postcolonial nations is limited to staving off interference from economically dominant nations. This has an effect of doing away with difference within a nation, in the effort to create one united and robust

¹²⁷Ivory Coast’s Basilica of Our Lady of Peace of Yamoussoukro built by President Félix Houphouët-Boigny (1905-1993) holds the Guinness World Record for the biggest church in the world having surpassed the previous record holder, St Peter’s Basilica, upon its completion in 1989. It cost US\$300 million, doubling the country’s debt. The basilica is spurious and not a functioning cathedral. The nearby Cathedral of St Augustine is used for everyday church services. Less than a third of the population of Ivory Coast are Christian; even fewer are Catholic; see Mark (2015).

¹²⁸These are parodied in the *Nyan* mask *Sayinani*, ‘Sign here’; see Boucher (2012). Available at: <http://kasiyamaliro.org/pdf/sayinani.pdf> (Accessed on 23 February 2016)

¹²⁹Mbembe (2001, p.127) contrasts ‘sexualized’ gift exchange of indigenous African economies with the ‘baroque’ and predatory sexual practices of the postcolonial bureaucrat, parodied in the androgynous *Nyan* mask *Kwakwase* – ‘the one who sweeps every woman in his way’; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://kasiyamaliro.org/pdf/kwakwase.pdf>. See also *Kambulumbunde*, ‘sexual deviance’, http://kasiyamaliro.org/pdf/kambulumbunde_kamwaza_mtumbira.pdf. The female equivalent of *Kwakwase* is *Gulugufe* (the restless butterfly); see <http://kasiyamaliro.org/pdf/gulugufe.pdf> (accessed on 23 February 2016).

defence against external pressure. Pan-Africanism quickly descended into tyranny and farce in the aftermath of Africa's independence from colonial powers. It often manifested in the carnivalesque and grotesque akin to what Lewis Hyde identifies in the destructive potlatches of the Native American chiefs of the Northwest and Canada as their static economies came under pressure from the interference of settler goods and Western commodities.

Kwame Nkrumah (1909-1972) came to power following Ghana's independence from Britain advocating 'scientific socialism' (Nkrumaism), and yet his rule of prodigious profligacy, entirely logical in the unrestricted gift economics, looked more like a one man farce as he desperately tried to consolidate his political vision and the fetish of his rule as bearer of the gift before predatory capital. Like the insatiable *gule Chadzunda*, Nkrumah lived on eulogy. The radio sang songs in praise of his wise and dynamic leadership; newspapers which all belonged to the government portrayed him as the Messiah who had delivered Africa from oppressive colonial rule. Nkrumah took for himself many titles – Man of Destiny, Star of Africa, His High Dedication and *Osagyefo*, the Redeemer. As if in parody of real *gule*, his presence was made omnipresent, from *mzinda* to *mzinda*. His stony face appeared on banknotes, coins, postage stamps and in shops and offices. His birthday was made a holiday.

Nkrumah showed no respect for currency in his performative Pan-Africanism, presumably as a sign of his noble spirit and disdain for the restricted economics of capital. His penchant for the spurious is legendary. He signed cheques for millions of pounds for numerous projects which did not amount to anything. He opted for a spectacular industrial Ghana when agriculture was really what was needed to develop the market economy of the country. He spent most of his time not attending to the details of government, but on a drawing table fleshing out his vision of a large country made up of all the newly independent African States, the *United States of Africa*, with himself as its first head of state. Nkrumah spent millions of pounds building its headquarters, dubbed Job 600, in Accra but as no other African leader subscribed to Nkrumah's dream, the project turned out to be yet another abject failure – and Nkrumah's profligacy did not circulate around Ghana. While he pursued his African vision with predatory world financiers, factories were starved of raw materials, hospitals had no drugs and food queues and beggars were everywhere; by the time Nkrumah was deposed via a coup while on a vanity diplomatic trip to China, Ghana's

unrestricted economy was bankrupt, the country now heavily indebted (Meredith, 2013). This sort of inconsequential profligate governance was being repeated up and down the African continent while newly independent African countries found themselves mere pawns in the political and economic manoeuvrings of global super powers.

Benin's own former president Mathieu Kérékou (born 1933) came to power through a coup in 1972, in the name of African socialism, and purportedly financed his government partly through accepting radioactive waste from Russia and France. The money was squandered according to the general economy of the postcolony, that's to say immediately, but again it never circulated among the people of Benin. According to a World Bank report, Kérékou set up a series of bogus companies worth \$500 million for the allocation of funds to members of his inner circle. His Malian advisor, Mohammed Cisse, it was later discovered, frequently took over the running of the manager's office at the Commercial Bank. In 1987 alone Cisse transferred an estimated \$370 million to his bank accounts abroad (Meredith, 2013). Such irreverent use of currency immediately calls to mind Gaba's *Architecture Room* in which a sculpture of a tree made of banknotes seems to say that in the *Museum of Contemporary African Art* money grows on trees.

The introduction of World Bank and IMF structural adjustments in the 1980s in which African countries were required to open up their markets and devalue their currencies for free trade in return for aid and loans, seemed to spell an end to African experiments with Pan-Africanism, but as Mbembe and Meschac Gaba's dramaturgy of situations around decommissioned African currency and indeed my own experiences growing up in Malawi as portrayed in the *The Jive Talker* and various *Gule Wamkulu*, this is far from certain.

2

As in *Gule Wamkulu* the carnivalesque is not entirely without function in the postcolonial state: according to the Russian philosopher Mikhail Bakhtin, the vulgar and the grotesque is what ordinary people use to ridicule official culture and the powerful to show how arbitrary social systems and power relations are (Bakhtin, 1984). In *On the Postcolony* Mbembe corrects Bakhtin to say that the burlesque is not only the preserve of ordinary people and explores the role of the vulgar in postcolonial regimes.¹³⁰ The Chewa *Nyanu* tradition which assigns the vulgar to the highest office in the land, the *Gule Wamkulu* secret society, appears

¹³⁰See the chapter 'The Aesthetics of Vulgarly' in Mbembe, 2001.

to back up Mbembe's thesis. According to Mbembe the vulgarities of the postcolonial state are in many ways a parody of power relations in the wider world.

As stated earlier Mbembe sees the replication of the epistemology of power relations and the general economy of the postcolonial state within the daily life of the subject of the modern African. Mbembe elaborates that this duplication is a necessity – if the subjects were to detach themselves they would lose the ability to escape absolute subjugation by the state. For this reason Mbembe sees the subject of the modern African state as *homo ludens par excellence*, bearing multiple identities as he negotiates his way through the structures of power in society. I have been subject to the postcolony growing up under the dictatorship of Dr Hastings Banda and I should like to think I have something of *homo ludens par excellence* in my approach to life. I am *Kalulu*. My *Nyanu* praxis has many influences from around the world, but in essence it speaks in one universal language: energy, entropy, exuberance, the general economy, the gift. As an international artist and citizen of the world the masks I wear are many. I am a hunter-gatherer, a dreamer, a street hustler, a witch doctor, an airport artist, a *Nyanu* mask, a panegyrist, a voodoo priest, a *Nyanu* cinema star, a dictator, a knight in shining armour, an academic, a medieval king in an opulent palace, an Aztec warrior, a Buddhist monk, a soothsayer, a Catholic priest, a philosopher, a *Nyanu* cinema projectionist; but my many masks serve the same specific purpose: the ostentatious and intimate expenditure of surplus resources and time, through play, prayer, contemplation, the production of luxury gifts, spurious goods and structures, games, idle activities and rituals. I am a contemporary artist.

3

When I heard Meschac Gaba had created the *Museum of Contemporary African Art* to address the shortage of art galleries in Africa I was highly bemused: he was obviously being ironic, trying to create a situation, as Africa, at least as far as Malawi is concerned, has never had a problem with mimetic art. At *Documenta* Gaba presented the museum's *Humanist Space*, a collection of bicycles which visitors could borrow and ride around Kassel, all for free. Gaba said that charity work had become the most fashionable thing in Africa: there was an aid agency for every aspect of contemporary life, from boreholes to second-hand clothes (Fusi, 2010). For him therefore the prestigious platform of *Documenta* was an opportunity for 'charity', except this time it was from Africa to Europe. To me, this seems to be an ironic gesture that recalls the antics of the likes of Idi Amin, who once volunteered to send

aid to the United Kingdom during a miners' strike (Schroeder, 1974). But I saw method to Gaba's gesture – the artist was actually criticising the idea of aid by *returning* the gift. As explored in our introduction to the gift in the chapter *Nyan* and elsewhere, anthropological studies of the gift, from Mauss to Strathern, have revealed that one of its main features is reciprocity, as the gift's main purpose is to create intimacy and mutual dependence among people (Schrift, 1997). This is the opposite of the idea of charity that underpins Western aid in late capitalism, which is distant and keeps Africa in a demeaning one-sided dependency (Moyo, 2010). The difference between gift exchange and commodity exchange (the imperative behind charity) has been explored by Gregory (1982, p.41). His analysis is that '[c]ommodity exchange establishes objective quantitative relationships between object transacted, while gift exchange establishes personal qualitative relationships between the subjects transacting.' My view was that through the *Humanist Space* Gaba was revealing the values of a specific economic system with which he had aligned himself when he created the *Museum of Contemporary African Art* – the universal gift economies of his native Benin – and it turns out this was not the first time he had proposed gift exchange in his work.

Right from the beginning, at the museum's conception in 1997, Gaba has sought to annul 'charity' from his patrons and instead proposed reciprocity as part of the museum's conceptual framework. When the museum's first room, *Draft Room*, was presented at the Rijksakademie while the artist was completing his residency there, he conducted fundraising for the project by presenting his patrons with symbolic brooches made from banknotes and safety pins. Throughout the museum are further examples of Gaba's dramatisation of symbolic gift exchange, some obvious, others more abstract. The museum's *Library* includes a coffin decorated with circles of banknotes in which Gaba's deceased father is immortalised as his son's panegyrist: a recording representing the old man's voice narrates Gaba's illustrious art career from Cotonou to Amsterdam. *Library* also features a curators' monument on which I am reading – a wooden table decorated with banknotes on which feature books written or edited by curators who have worked with Gaba. *Architecture Room* features a monument in the form of two metal poles spray-painted gold on which are mounted 18 pairs of plexiglass inscribed with the names of institutions and curators connected to the museum's exhibition history. In the *Marriage Room* wedding presents, photographs of guests and witnesses to Gaba's wedding at the Stedelijk Museum in Amsterdam, and the bride's wedding dress and shoes, are 'immortalised' as works of art.

Gaba has held numerous *phwandos*¹³¹ for curators and members of the public in the museum's *Restaurant*. The centrepiece of the museum *Restaurant* is also a counter-gift, to the first animal that was killed for the restaurant's *Broedmathers Menu*: a video of a live rooster on the museum floor waiting apprehensively for his fate. Curators who have written on the *Museum of Contemporary African Art* such as Chris Dercon have been paid in mock cheques that bear the name of the imaginary *Bank of the Museum of Contemporary African Art* (Dercon, 2013, p.9). In *Symbolic Exchange and Death* (1993), the French philosopher Jean Baudrillard has extrapolated that, in late capitalism, symbolic exchange as practiced in the gift economies of pre-industrial societies, which still survive in aspects of contemporary African culture as seen with *Nyan* in Malawi, has the potential to upset the utilitarian value exchange of currency and commodities.

As cheerful, witty and welcoming as it is, I find that the romanticism of Gaba's *Museum of Contemporary African Art* has dark undertones. Gaba's museum appears to be an aesthetic replication of the general economy of the Pan-African utopia of an Africa of communal values conceptualised in Nkrumah's big man dreams of the United State of Africa without question – all the work, in Gaba's *Museum of Contemporary African Art*, with only a few exceptions, is by the artist. None of Gaba's critics have pointed out this aspect, as to what the artist might be implying.

In true Bakhtinian *Nyan* parody and replication of power relations in the postcolonial social fabric, observed by Mbembe, Gaba is the *commandement* of his museum. Plate music and scratch music from the record player in the *Music Room* forms the basic sound track to the chaotically pluralistic aesthetic of the museum. Gaba's coffin autobiography in the *Library* reads like a political panegyric, aimed at building a myth around a political leader by use of excessive language. Gaba's 'big man' omnipresence in the museum is marked by the presence of his trademark banknote décor everywhere from furniture to musical instruments. Music and noise are employed as if to hypnotise the visitor into submission as they stroll through the museum. There are opportunities for lounging, drinking and dancing everywhere to keep the visitor bamboozled into the museum's unspecified propaganda. The economic profligacy of the postcolony is parodied in the form of the artist's playful use of currency; as seen earlier, in the *Museum of Contemporary African Art* money grows on trees. By the time the visitor gets to the *Architecture Room*, like Nkrumah's

¹³¹A Chewa feast akin to Roman *daps* or Greek *liturgy*. See Benveniste, 1997, p.40.

dreams of the United States of Africa, the significance and meaning of Gaba's museum is to be found in its very implausibility, boundless excess and ultimately, non-existence.

In his methodology of appropriation, Gaba makes no effort to criticise or explore aspects of the Pan-Africanism and *negritude* that informs his museum in a self-conscious or direct way. Irony is not enough as some dictators were playful too like Bokassa or Idi Amin and they still ended up with murder on their hands. Achille Mbembe (2001) has considered many aspects of Pan-Africanism too classical and Eurocentric to reflect postcolonial reality. The application of restricted economic and political models on the qualitative African way of life, as marked by Nkrumah's rule, have no doubt led to tyranny and civil strife as predicted by Hardt and Negri. Bourdieu warns of the dangers of 'common sense' in a world plagued with symbolic violence. He had observed in Algeria that the romanticised 'lumpen proletariat' were often divided, rendered helpless and apathetic by a phantom agent, *hysteresis*. Their means for self-liberation were often provided by the very system they sought to free themselves from and were therefore ineffective in the long run. Such was also Che Guevara's experience with the 'revolutionary' peasants in the Congo (Meredith, 2013). Unconscious situationism in Africa appropriated by Gaba's *Museum of Contemporary African Art* in the presence of predatory global capitalism has contributed to many tragic aspects of contemporary Africa such as ineffectual governance and AIDS.¹³² Since 2003 a pale *Nyau* mask, *Dziko Latha*, has appeared on the scene to declare the 'the (old) World is finished' following the HIV epidemic.¹³³ A more critical approach to the general economy of Africa in the face of global capitalism and new technologies is called for, and this is what my *Nyau* research attempts to do.

Although Bourdieu has regarded the state as the 'last arbitrator of symbolic violence' he has defended it for its potential to act for the common good carrying humanist reform. In *The Accursed Share Vol. 1* (1991) the philosopher Georges Bataille, who was a fervent critic of dictators such Hitler and Mussolini, has proposed a new model of a gift society where sovereignty at the 'end of history' and in the wake of the so-called 'death of God' is not only the preserve of kings, dictators and priests but every citizen of the state. The task of every modern government then, according to Bataille, is to ensure the right of every citizen

¹³²Whiteside (2008) has explored how labour movements orchestrated by apartheid South Africa contributed to the spreading of HIV in Southern Africa.

¹³³See Boucher, 2012b. Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/dziko_latha.pdf (Accessed on 23 February 2016).

to sovereignty (Stoekl, 1997, p.246). A self-conscious conception of art as infrastructure and sovereign other, *Nyan*, rather than a mimetic superstructure would contribute to this vision. The judgement against the recuperated Situationist Gianfranco Sanguinetti in Venice is perhaps a testimony that governments can be involved to see this vision through.



The Last Judgement, 2015, 56th Venice Biennale, Italy (installation view)

Nyau President

Synopsis (*Strange Fruit*, 2015): A cowboy stands in the middle of the Arizona Desert, at the foot of Superstition Mountain, along the Apache Trail. A blossomed cactus tree throws fruit at him. – 20 secs

Synopsis (*Nyau President*, 2015): A teenage Barack Obama dressed like a calypso singer sits on a sofa, smoking a joint. – 30 secs

1

My father did look like Nat King Cole as stated in the first chapter of *The Jive Talker or How to Get a British Passport*. And he knew this, as looking at his photographs he presented himself as a diagrammatic *Nyau* cinema film star as he charmed his way through an impoverished but stellar career, as a clinical officer in the Ministry of Health. His postings were all over Malawi, where he managed various clinics and hospitals. It is most likely *Nyau* that killed him. He worked very hard but liked to dress up and stay out late, drinking and dancing. Coming home from his parties in the early hours of the morning he would wake us up for one of his drunken philosophy lectures including those on Emerson, Nietzsche and Winston Churchill. He lost himself irretrievably along the way and died of AIDS in 1995. On his last day at home, before he was admitted to hospital in Lilongwe, he rose from his sick bed and danced a variation of *Kasiya Maliro's* cosmic dance before me until he collapsed. My mother died of the same disease in 2002 as had many of my friends' parents of the same generation. The euphoria and optimism that had swept across Africa following independence from colonial powers had disappeared with my parents' tragic generation. The collapse of social structures due to IMF and World Bank structural adjustments and the relentless mobilisation of labour for profit in Southern Africa played major roles in the spreading of HIV throughout the region. Whiteside (2008) has explored how labour movements orchestrated by apartheid South Africa contributed to the spreading of HIV in Southern Africa. In Malawi, Boucher (2012) has stated that AIDS was exacerbated by the movement of Banda's notorious troupes of female dancers, *mbumba*, who, freed from the traditional taboo of the villages, were given to casual sexual affairs and prostitution.¹³⁴ That

¹³⁴ Banda styled his political rallies like a *Nyau* festival, with himself mirroring *Chadzunda*, lord of the *Gule Wamkulu* dance which included the female chorus, *mbumba* – hence the elaborate gift giving ceremonies that

I am still living is probably just down to luck. Governments in Africa had lived in denial of the epidemic for a long time. But by the time I was at school there were posters everywhere, and my generation was well aware that the world had truly changed. Modernisation was a matter of life and death. It was following the death of my mother that I decided to discard the Pan-African romanticism and atavism that I perceived in my parents and in Meschac Gaba's *Museum of Contemporary African Art* for a more self-conscious and critical reappraisal of modern physics in a post-AIDS epidemic Africa.¹³⁵ *Nyau* needed revaluation in the face of predatory globalisation. The best place to start for me in this process of revaluation was to trace the origins of my father's diagrammatic and qualitative self-conception.

2

The unravelling of African gift economies dates back to the 'Scramble for Africa' in the late 19th century, when the continent was carved up into seemingly arbitrary boundaries as European powers fought over its natural resources. The introduction of the notorious hut tax in British colonies forced self-sufficient tribesmen into the employ of others.¹³⁶ The devastating consequences of the hut tax in Southern and Central Africa are well documented and dramatised in *Gule Wamkulu*¹³⁷ and Pier Paolo Pasolini's insightful *Notes for an African Oresteia*. Gifts were hoarded and turned into commodities for sale;¹³⁸ traditional ceremonies and festivals became anthropological and tourist curiosities; labour migration destabilised whole villages¹³⁹ and the squandering of surplus wealth and human

marked such rallies. Like *Chadzunda* and *Gule Wamkulu* in pre-colonial times, Banda was supposed to act as a catalyst for the incessant distribution of wealth after harvest. This was not necessarily the case, as a lot of the wealth he collected from the people went into consolidating his own political power and boosting state capitalism. See Boucher's general commentary of Banda and *Nyau* resistance (2012b) (online). Available at www.kasiyamaliro.org/pdf/bola_akufawa.pdf (Accessed on 23 February 2016). For the general economy of the post-colonial state explored by Mbembe (1997) see the chapter, *Homo Ludens par excellence*.

¹³⁵The emaciated and spotty *Nyau* mask *Matenda Asautsa*, 'This disease has really made us suffer,' is a cry out for reform after the devastating effects of AIDS on the social fabric of contemporary Chewa society; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/matenda_asautsa.pdf

¹³⁶Meredith (2013); Boucher, 2012, p.5. The introduction of the money economy in Malawi is marked by *Kachala*, 'Long Fingers', a *Nyau* mask, which appeared on the scene in the 1930s. *Kachala* usually dances at the end of the *Gule Wamkulu* festival driving people home with his aggressive routine; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: <http://kasiyamaliro.org/pdf/kachala.pdf> (Accessed on 23 February 2016).

¹³⁷The *gule*, *Tatchipa Lero*, 'We have become cheap today', explores the demeaning consequences of modern lucrative employment. *Tatchipa Lero* is also known as *Akapolo Alerofe*, 'We the slaves of modern days'; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/tatchipa_lero_akapolo_alerofe.pdf (Accessed on 23 February 2016).

¹³⁸The *gule Maloko*, 'Locks', parodies the culture of hoarding that came with colonialism in Malawi; see Boucher, 2012, p.248.

¹³⁹Many men from Malawi (then Nyasaland) were trafficked to work in South African mines for money to meet the fiscal demands of colonial authorities. In the 1950s around 150,000 were leaving the country each year (Boucher, 2012, p.5).

labour began to take the form of the general economy of the postcolony explored by Mbembe (1997).¹⁴⁰ Various African ‘big men’, under the pretence of vague Pan-Africanist philosophies or otherwise, took advantage of the continent’s uncertainties, cultural alienation and debilitating poverty to set up autocratic regimes following independence from colonial powers. By 1967 Dr Hastings Kamuzu Banda of Malawi had declared himself ‘Life President’ (Meredith, 2013), *Wamuyaya*, assumed the sovereignty of *Gule Wamkulu* for political expediency and had begun to feed his opponents to crocodiles. The *African Oresteia* unfolded steadily well into the late twentieth century, and it was on this uncertain terrain that my father was trying to find his way in life while raising a family of eight. This after he had been dismissed from school for attacking a missionary who had called him a ‘native’ while he laboured in a garden (Kambalu, 2008). He must have considered himself too ‘cool’ to be called a ‘native’. The liberation movement for Malawi’s independence was already underway then. But where did his diagrammatic identity which had come to replace his native Chewa one come from? The most obvious answer would be through education but the dramaturgy of this identity most likely came from cinema, which by then, according to Kracauer (1995), had already turned the whole world into a ‘photograph’ in which everyone became aware of being photographed as a contingent of history, with film stars as the mascots of this modern technological phenomenon. My experience of cinema at St Pius in Blantyre would have been my father’s experience of cinema in Dowa.

During my summer fellowship at Smithsonian Institution’s National Museum of African Art in Washington, 2015, I discovered evidence of ‘cinematic’ self-conception as a way of life and even as a form of political resistance in Africa dating back to the colonial times in the early 20th century. A close scrutiny of photographs of the Kenyan liberation politician Tom Mboya (1930-1969) at the Elisofon Archives reveals glimpses of his employment of diagrammatic techniques akin to those of early film distribution to create for himself a ‘star’ mystique that might as well be credited for his famed arresting fetishist charisma. In Elisofon’s photographs Mboya is portrayed as the ‘star’ of a photographic *bwalo* and his audience of equally animated characters and admirers in cool modern dandyish attire attest to the magic of his diagrammatic blossoming.

¹⁴⁰On labour migration and sexual disease, see Boucher, 2012, p.7. The ironic *Nyau* mask *Maliro Andikola*, ‘I am bored with funerals’, could be a lament of the farce of funeral ritual in the face of so many people dying from pandemic diseases, such as AIDS; see Boucher (2012b). Kasiyamaliro.org, (online). Available at: http://kasiyamaliro.org/pdf/maliro_andikola.pdf (Accessed on 23 February 2016).

Elisofon's series of photographs of Mboya were commissioned by Life magazine but never used, Time got there first, according to my conversations with the archivist, Dr Amy Staples. My opinion is that the photographs look too playful to be taken seriously by an undiscerning editor. Mboya borders on looking like the stereotypical 'childish' African politician but in my opinion his 'great play' is precisely the secret of his diagrammatic magic: on 7 March 1960 Time featured Mboya on its cover as the future of African politics. The photos of Elisofon could be used to animate the diagrammatic cover: Mboya at work in an office; Mboya writing in his study early in the morning; Mboya at tea; Mboya making a speech; Mboya eating a biscuit; Mboya with a brand new car surrounded by his admirers; Mboya standing by the clock tower: Mboya is a modern African who 'does time' and creates his identity out of 'nothing', like a *Nyau* mask. Elsewhere Mboya's diagrammatic self-conception extends internationally as he works his magic abroad – he is plainly a darling of the West as the Time feature testifies. Mboya is seen with the British royal family, Luther King, Kennedy, Nixon, members of the Congress and so on. No wonder he created enemies within the expedient tribal politics of Kenyan politics: Mboya was from the minority Luo tribe, a factor which not even his international diagrammatic mystique could transcend. Following Kenya's independence ten years after the Elisofon photo session Mboya was assassinated by a mysterious man who attributed the killing to 'the big man', who many presume to be Kenyatta, the first president of Kenya from the majority Kikuyu tribe. But not before Mboya, the incessant gift giver, had meticulously arranged and fundraised an 'air lift' for Obama's father, Barack (a fellow Luo), and hundreds of other African students, to study in the United States.

3

Like Mboya, Obama's father too, no doubt, must have employed his *Nyau* cinema persona to attract the fancy of a Hawaiian student, Ann. In photos his looks and posture are that of Nat King Cole, as Obama observes in his *Dreams of my Fathers*. Obama narrates how one time when he met his estranged father he gave him African fetishes (figurines), a couple of groovy records and showed him some exotic dance moves. Growing up with an absent father Obama's mother encouraged her son to think of himself in a 'diagrammatic way', as a sovereign contingent of history, in order to offset the restricting side effects of rabid racism, by exposing him to film clips of black heroes from the civil rights movement, popular musicians and film stars. Obama fancied himself a 'star', no less handsome than

the dashing Harry Belafonte whom his mother had described as ‘the most handsome man on earth’. Obama went on to smoke marijuana – there is a series of diagrammatic photos of him smoking a joint with his father’s star gait and he has admitted he would ‘snort the occasional blow’ as a teenager, but fear of ending up as another failed black man (his father died a bitter civil servant in a car accident in Kenya, his dreams unfulfilled) led him to look for *Nyau* elsewhere – the animated early political clips of the likes of Malcolm X and Martin Luther King inspired him to become a community organiser. His weapon? *Nyau*, the creation of solidarity in inner city communities through creativity and play: song, story telling and dance. It is through his imagining of himself as a contingent of American civil rights history as he scaled the Chicago cityscape that he managed to make alien Chicago his own (Obama, 1995, p.145):

And as I drove, I remembered the whistle of the Illinois Central, bearing the weight of the thousands who had come up from the South so many years before; black men and women and children, dirty from the soot of rail cars, clutching their makeshift luggage, all making their way to Canaan Land. I imagined Franklin in a baggy suit and wide lapels, standing in front of the Regal Theatre, waiting to see Duke or Ella emerge from a gig. The mail man I saw was Richard Wright, delivering mail before his first book sold; the little girl with glasses and pigtails was Regina skipping rope. I made a chain between my life and the faces I saw, borrowing other people’s memories. In this way I tried to take possession of the city, and make it my own. Yet another sort of magic.

Obama’s cinematic magic, which he used to make Chicago and American history his own, is the same magic that William Blake used to make industrialising Britain his own – a new *Jerusalem*; and the same *Nyau* that I have employed to make the world my own in the age of Empire.¹⁴¹ The diagrammatic Obama he paints in *Dreams from my Father*, via his complex identity and social experiences and which he perfects in *Audacity of Hope* as a senator, works its magic and earns him the presidency in the end, and he thereby becomes what I would call the first *Nyau* president of the United States of America. The influence of diagrammatic self conception can be seen in the film star style of the posters ensuing from his political campaign such as ‘Change USA’ by Derek Gores (Faurey and Gross, 2009, p.56) and in my series of films made in America, during my fellowships at Yale and

¹⁴¹Hardt and Negri (2000) take on decentralised economics of globalisation in late capitalism.

Smithsonian, *American Silver Screen* (2014), in which I reconceive myself to various ready made American sites as a sovereign contingent of an often dark and troubled American history.



Dancer in the Woods, 2015, digital video, colour, 34 secs

Homo Academicus

Synopsis (*A Thousand Years*, 2013): In a deserted backstreet of North West London a man wearing a bowler hat dusts himself down. He does not succeed. He is engulfed in a recurring cloud of dust. –

51 secs

1

According to Huizinga, academia, when approached properly, is a form of play – I say consequently a form of gift giving. Huizinga locates the foundation of the academy in ancient sacred riddles, and the Greek obsession with the *aporia* and knowledge contests. The sophist is a prototype academic. A cynical modern form of academia as a game in which agents and adepts compete for influence and accumulation of capital using a secret language, jargon, and specific rules of procedure has been identified by Bourdieu in *Homo Academicus*. It has been satirised by Herman Hesse in *The Glass Bead Game*. In good faith academia is a creative activity that serves its own end, a form of *doing time*, in the here and now. A real academic in this sense is *gule* - somebody who approaches the search for knowledge as sovereign activity. I have thus not disregarded the superfluous side of research in my methodology. I have researched the problematic of the gift in my practice as a form of *Nyan*. My modern models in this endeavour are Nietzsche, Bataille, Derrida, Debord and Kristeva. Like these scholars I have subjected knowledge, politics and social criticism to poetry and play.

When I first saw Gaba's *Museum of Contemporary African Art* in its entirety at Museum De Paviljoens in Almere, 2009, it looked like a riddle, a challenge, a contest. I knew if I could undo it I would do well. And the answers came to me as an epiphany in a bath, in 2013, after so many years of trying – the gift is what animates Gaba's *Museum of Contemporary African Art*. Even my own work! That's why I have always been drawn to the museum! Our works are different but we speak in the same language inherited from the precolonial societies of Africa. To understand the working of Gaba's work was to understand a persistent tendency in my intuition, poetic sensibility and treatment of time. I ran to my writing desk in the bedroom upstairs dripping wet and reached for pen and paper to test my thesis and everything fell together. And it was then that things started happening to me as an artist and researcher. When Tate Modern took down Gaba's website prior to his

summer show in 2013 I communicated a robust defence for its restitution, reading the museum within the aporia of the gift – the museum had to remain in the public domain in its entirety if it was to retain its meaningful existence. The curator, Kerry Greenberg, found my argument compelling and put the website back up, where it remains accessible for all today. She also invited me to contribute a point of view on the Tate website when the museum went on show (Kambalu, 2013). Soon after my Tate commission I won a scholarship from the AHRC for this PhD research. Research fellowships at Yale and Smithsonian in 2014 and 2015 respectively followed. I got a place at Dakar Biennale 2014. I signed with Stevenson Gallery, one of the most prominent galleries dealing in African art, which also represents Meschac Gaba. I was featured in Okwui Enwezor's *All the Worlds Futures*, the first Venice Biennale ever curated by an African, as a culmination – I am the first artist born in Malawi ever to take part in the Biennale. I have been invited to take part in Liverpool Biennial 2016 and Dakar Biennale 2016. It seems for those who are able to recognise the gift, the sky is the limit.

2

In *Archive Fever* (1998) Jacques Derrida has explored the archive as a potential arena for sovereign activities made more pertinent in light of new information technologies such as the internet. The promise of instant access to information in the electronic age means the traditional view of the archive as a static record of the past becomes questionable. The archive then comes to exist as a 'spectre', a potential place for creative play, where information accessed not only informs but is also engaged in instantaneous re-imagining of the past, the present and the future. In my *Nyan* praxis the archive, from the traditional library to the internet and its platforms – YouTube, Twitter, Instagram and so on – becomes *bwalo*, the arena, a place of ritual transgression and prodigious expenditure in creative play (*Nyan*), with the camera the sacrificial knife. The archive is the victim, whose heart is offered up to *Chanjiri*, the Exuberant One, to open up new perspectives and passions, and to revitalise the present.

Thus a form of 'archive fever' I have carried with me throughout my PhD research, from UAL to Yale and the Smithsonian, has led to various archive-based works within my latest art practice. The use of graffiti photography by the Situationists is well known (Stracey, 2014). In 1953 a young Guy Debord approached a decrepit wall on the Rue de Seine and

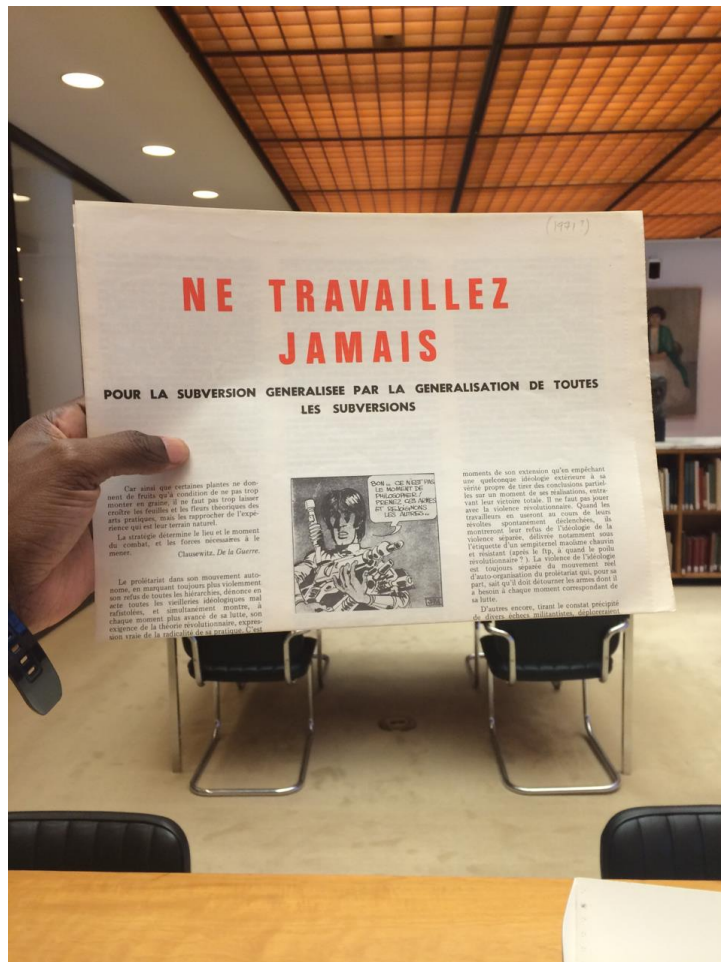
chalked across it in bold: NE TRAVAILLEZ JAMAIS ('Never Work'), and photographed it. The photograph travelled for 57 years before it could deliver its portentous message to me, in a pub in West London, leafing through the index of Guy Debord's *Panegyric* over a pint of lager preparing for my fellowship at the Yale Center for British Art where I intended to study the work of the prototype Situationist, William Blake, by looking at the workings of psychogeography in his original watercolours and prints. I was going to do the same with other Romantic British artists after Blake, within the Center's prestigious Paul Mellon collection. 'Never Work,' said the Debord graffiti photograph. It was then that I decided to approach my time at Yale not as work but as a form of gift giving, *Nyan*, in creative play. As Bataille has stated in the *Accursed Share* (1991), work suspends the present moment for future reward, and in so doing, it reduces us to a world of things. This is the opposite of *Nyan*, the Great Play, a totality which is always about process and the present moment and thus a form of gift giving, and indeed the opposite of an ideal academia as imagined by Huizinga. Just as Debord had inserted his sovereign self into the prescribed Parisian landscape using a photograph, I would insert my radical subjectivity within the academic architecture of Yale and its archives in the true spirit of academia as a sovereign activity.

My feverish search for psychogeography and 'unconscious situationism' in Blake at the Yale Center for British Art quickly led me to the Beinecke Library looking for Situationist material and there I came across the recently purchased archive of the Italian Situationist Gianfranco Sanguinetti. By the time Guy Debord had committed suicide in 1994 in the farmhouse at Champot he had broken off his relationship with Sanguinetti, the two having disagreed on how to address the problem of the use of violence and terrorism in Italian leftist political agitations following the publication of Sanguinetti's incendiary *The Real Report on the Last Chance to save Capitalism in Italy* (1975), published under the pseudonym 'Censor', with Sanguinetti pretending to be a passionate apologist of high capitalism in Italy. Guy Debord no doubt would have protested at Sanguinetti selling his intimate, anti-establishment letters and photographs to Yale, an epitome of state legitimization, and authoritarian form of perspectivalism and architecture. I had read how the French government had to intervene to stop Yale from taking Guy Debord's archive to America (Gallix, 2009), before the University finally succeeded in acquiring Situationist material though one of the last members of Situationists International, Sanguinetti. Maybe Sanguinetti had needed the money. When Okwui Enwezor invited me to take part in the

Venice Biennale 2015 I decided to take Sanguinetti's archive back to Italy, so I set about playfully re-photographing the whole archive over a period of three months, work which culminated in *Sanguinetti Breakout Area*. Taking the archive back to Italy would be my gift to Sanguinetti. His papers at the Beinecke were lifted and photographed like pieces of graffiti, each communicating a singular message to the world, including academia: 'Never Work'.



Sanguinetti Theses, 56th Venice Biennale, installation detail



'Never Work' (Gianfranco Sanguinetti archive, Beinecke Library, Yale), digital print, 2015

Cyberspace Bwalo

Synopsis (*Madison Avenue*, 2015): In Madison Avenue a man walks on the pavement laboured but steady, playing with the ball in his hands, passing a gauntlet of blonde haired elves behind the large shop window. They look like *virombo*, the porcelain models, like a *Gule Wamkulu* chorus. The multitude of shoppers around him walk backwards oblivious to the spectacle. – 45 secs

Synopsis (*I Hold Up a Tree in 1936*, 2014): A man stands in the middle of a forest in Bethel, New York, holding a falling tree up above his head. The year is 1936. – 23 secs

1

The internet appears to be a great arena for gift giving despite all, because of its seemingly democratic and liminal nature, and I have approached it as such. Designed by the US Defense Advanced Research Projects Agency to endure military attack, the internet is a decentralised system which means it can operate from anywhere and is therefore hard to control, even by the US government – encryption and the existence of the dark web has made it even more so. In the age of postmodernisation and precarious employment the internet is a place where people gather via their mobile devices, to ‘waste time’¹⁴² – any serious art praxis cannot ignore this fact. The internet’s ‘rhizomatic’ nature, to use Deleuze and Guattari’s terminology for a non hierarchical and noncentred space, means the web is a readymade virtual *bwalo* – yet another place of ‘technological repetition’ – where *virombo* might gather to exercise their real selves. There are plenty of films and films clips from Malawi online to evidence that the internet is the natural arena for *Nyanu* cinema. Films like *Anthu Usana* (online, 2014) detourn the linear narrative of Hollywood films and of the TV sitcom for an array of ballistics gags orchestrated by witch doctors, witches and computer special effects trick editing. Instant photo filtering, multiple photo uploads, the GIF, all offer opportunities for virtual diagrammatic blossoming as is deployed in my *Nyanu Cinema*. Corporate profiteers such as Google and Yahoo have already colonised the place with tailored advertising and predatory algorithms, but even here can be liminal spaces where the virtual *Nyanu* can happen and where the gift can be given or reciprocated.

The internet café offers a more visceral experience of gift exchange through images and information that cannot be confined to the commercial designs of virtual reality. When I

¹⁴²The English Department at the University of Pennsylvania teaches a course on internet time wasting. See Jones, 2014.

first moved to Europe in 2001 I quickly identified the internet café as a new arena for *Nyan* – prodigious time wasting – for Africans in the diaspora in pursuit of the instantaneous and the communal. I have done some of the research for my PhD online, in the African internet cafés around Kensal Green, Willesden and Harlesden in North West London, where my studio is located. In these cafés everyone becomes their own film projectionist but watching film clips with fellow sovereigns here is not the same as watching them on your own at home or on your smartphone. We are always looking over each others' shoulders to see what the other is looking at. I have seen people learning how to fly aeroplanes in there, I have seen men in chatrooms with scantily dressed women, I have listened to whole Skype conversations on how to skin a goat. Some of those people now know who Mauss, Bataille and Bachelard are. They must have googled these weird names having seen them over my shoulder. Some of them even have the audacity to comment on the contents of my surf and offer pointers on where to go next for better content. They will even snatch the mouse from my hand to show me the link or to rewind a detail that passed too quickly as I watched my *Nyan* cinema clips with them. 'Advertisers will like your films,' one said. 'Why don't you contact Channel 4? You could get a gig there. Look at Steve McQueen. He has done well for himself.' I have made some of my friends in the neighbourhood that way. Now if they want money for a beer or a cigarette they will stop me on the street. They even buy me beer at the off licence in the corner if I don't have any money on me. One time I was going to send one hundred pounds by Western Union to a friend in Malawi as a contribution to a funeral, and one of my friends playing a video game saw me at the counter and approached me. I ended up sending eighty pounds to Malawi instead because the friend said he needed the money to pay for an emergency gas bill. He told me he is a jazz musician and the other day came to my studio to teach me some very fancy blues chords he had seen on the internet. For my first solo show in Sweden at the Galerie Nordenhake in 2017, I would like to turn the whole gallery into an internet café complete with Western Union money transfer, photocopying and faxing. I might be able to install a photo booth or a business card making machine in there too. Who knows, somebody might come in and teach me a few more fancy blues chords.

2

I have shared my research on the problematic of the gift and the general economy in my art praxis online from day one, not on the usual peer-reviewed academic channels with

complex logins to content that no one reads, but on social networking sites – Facebook, Instagram, YouTube and Twitter – thereby re-emphasising the origins of education as a sovereign activity, a form of play as Huizinga would say. My appearance on the web has thus mostly been with an objective to transgress, ‘hack’ and detourn. My Facebook, Twitter, and Instagram accounts, instead of bearing mundane details of my everyday life, bear robust research on the gift, and a series of playful interventions, from *Nyan* films to detourned photographs and passages: cryptic art notes. My photos on Facebook are deposited in batches and so are links to various reviews of my work and my research interests. I have ten thousand photographs on Facebook, thousands more on Instagram and Flickr. My *Nyan* films on Facebook and YouTube are around 500. During my time at Yale and Smithsonian some of my research was streamed on Facebook, Twitter and Instagram, alongside my latest rants and seeds of ideas for new art. At the Yale Center for British Art William Blake was stripped naked of protective covers and frames and displayed on Facebook, his humanity exposed to the world. My ‘archive fever’ extended to the Sanguinetti Archive in the Beinecke Library: like Blake’s work many of my research findings were playfully posted on Facebook and also Instagram. *Sanguinetti Breakout Area* at Venice also encouraged visitors to photograph Sanguinetti’s photographs and share them online as an open archive contrasting with the exclusive one at Yale. The hashtag was #SanguinettiBreakoutArea. While at the Smithsonian in 2015 I deposited the highly guarded photos of Tom Mboya in the Elisofon archives at the National Museum of African Art on Facebook for all to see.

3

People put small talk on social networking sites but for me even in everyday life small talk is particularly hard. Art has always functioned as the way that I communicate with people. Either I make art or I fade into obscurity. I want to live in the here and now even in the age of Information, at least I can announce my presence by putting my aesthetic interests forward. And that’s why some of the work may end up on social networking sites. I’m not thinking of how much the work is worth or how accessible it is, I just want to say I’m alive, here, this is what I saw today, share some moments that I saw passing today.

The ‘like’ button though can be cynical, inciting the petty forms of exchange dreaded by the Chewa and Nietzsche. I have shared on Facebook as a sovereign – an exuberant *Nyan* other. I like people who share like that on Facebook. I like their stuff knowing that they

will not cynically like my stuff back. The 'like' button must be used sparingly and randomly. One must share on Facebook meaningfully and with the great skill demanded when giving a gift. That's why I never share what is expected of me online.

My online *Nyau* gestures have been returned many times. My first commercial gallery signing came via Facebook – I had been putting my *Nyau* films there as interventions for some time and an online German magazine specialising in contemporary art from Africa and the African diaspora came across them and wrote an article on me, complete with live videos which Stevenson Gallery in South Africa saw and signed me on. Two more commercial galleries have taken me on since Venice Biennale 2015: Kate MacGarry in London, and Galerie Nordenhake in Sweden.

My exhibitions extend around the world via the web. One could see all of *Sepia Rain*, *American Silverscreen*, and *Hysteresis* films online – a totally different experience from seeing the work as an installation in the gallery. As indicated above, all my work at Venice Biennale encouraged sharing online and were shared online. The GIF look of some of the *Nyau Cinema* films meant they ended up as memes on other hosted sites such as Vine, Instagram and Twitter. When I released 400 *Holy Balls* to the public at the Arsenale I encouraged people to photograph each other 'exercising and exorcising' with the ball before the water and architecture and spread the news of *The Last Judgement* to the world via social networking sites with the hashtag #theLastJudgementVenice. My *Nyau Cinema* installation at Dakar Biennale 2016, *Mboya's American Dispositif* includes 12 framed Instagram prints combining archival images of Tom Mboya and photographs of Barack Obama sourced from the internet. My *Nyau Cinema* project for Liverpool Biennial 2016 will include an app which will play various psychogeographical films I am making around the city of Liverpool.

The internet is thus for me a great place for *Nyau*, open contest and creative gallantry while it remains a liberated space, from selfies in fancy clothes to rants in exotic places visited. If it's any good put it online and see what happens. One no longer has to wait for approval from the guardians of culture to say their piece.



Internet café
(Sourced from the internet)

Epilogue

Nyau Empire

Synopsis (*Time Piece*, 2013): A man lies on his back, legs akimbo like a dead man. This is on a peculiar pedestrian roundabout before a block of council housing in Willesden. His body moves randomly around the roundabout like an hour hand on a broken watch. – 30 secs

Synopsis (*Branch*, 2014): A man in a straw hat stands on top of a fallen tree, swaying to and fro, at less than 45 degrees to the ground. It is the film that holds him up. – 34 secs

1

Gule Wamkulu is now a world cultural heritage, since 2005 one of UNESCO's 90 Masterpieces of the Oral and Intangible Cultural Heritage of Humanity (see Boucher, 2012, p.257 and elsewhere). *Nyau* thus belongs to the world. The proliferation of cosmopolitan characters in *Gule Wamkulu*, from *Mariya* to *Mdondo*, *Elvis* to *Kuli Mtendere*, shows Chewa awareness of modern physics and burgeoning internationalism. But one doesn't need the traditional *Nyau* mask to experience profound blossoming if they have access to new technology. I'm sure if you were to take a Chewa tribesman to London, if he lived on the third floor of Harrow Road with a smartphone like me, he wouldn't be making wooden masks or animal structures. *Nyau* masks are timeless and reflect contemporary psychogeography and social concerns. The Chewa tribesman will not be making an elephant because he doesn't see an elephant on Oxford Street, or a hyena running down the street in Soho, he will busy himself with what he sees, with what's around him, as masks are a way of establishing relationships with people, the immediate present and the environment through gift giving. In these modern times when technology has turned the whole world into one photographic *bwalo* (Kracauer, 1995, p.59), he will be seeking to take part in the cosmopolitan *Gule Wamkulu* as celebrated in the marriage between *Chadzunda* and *Mariya*.¹⁴³

In any case traditional *Nyau* masks have been marginalised and reified by the market economy and they no longer show the way to what the Letterist and proto-Situationist

¹⁴³See Boucher, 2012, p.261 and video. Available at: <https://www.youtube.com/watch?v=cUxnuGXwhIM> (Accessed on 23 February 2016).

Chtcheglov would call the ‘temple of the sun’, or what the Chewa call real *bwalo*, the ‘place of the skull’,¹⁴⁴ in a profound way. If you have money these days you can go through a fast track initiation – an afternoon instead of a whole week of tests, ordeals and sacrifices. You learn a handful of *Nyau* words and you are done. The mask-making is often shoddy and uninformed, illustrative rather than schematic, no doubt because of the infiltration of Western mimetic values in Chewa art. Anything you can come up with as long as it covers your face will do – even a readymade plastic mask that overlooks the diagrammatic semiotics of *gule*. *Gule Wamkulu* has thus been reduced to mere entertainment and a tourist curiosity. Christianity continues to bully *Nyau* into submission under the guise of enculturation and with its alienating morality and disregard for ‘real’ sacrifice as a means to an authentic religious experience (Boucher, 2012, pp.258-259); modern utilitarian and moralistic interpretations of *Nyau* see the sovereignty of *Nyau* subject to political agendas, business and consumerist lifestyle choices (see van Breugel, 2001). *Nyau* appears dead.

Suggestions have been made as to how *Nyau* could be revived and preserved but so far none of them go far enough. Mtonga (2006) has called for more museums and government funding to preserve the *Nyau* art of mask making and dancing as if *Gule Wamkulu* was a mere ‘art’. Father Boucher, running the Kungoni Art Centre Museum in Mua, has been instrumental in helping the recognition of the *Nyau* as a UNESCO world heritage and numerous scholars, from Linden to van Breugel, have written on *Nyau* in an attempt to understand its working and pass on the knowledge: however all these efforts, as well-meaning as they are, merely suggest the treating of a symptom rather than going to the root cause of the demise of *Nyau*. The reduction of *Nyau* to mere entertainment and a means of generating cash from tourists among the younger members of Chewa society in fact parallels the approach of ‘preserving’ *Nyau* using a mimetic superstructure framework as suggested by Mtonga, and Boucher at the Kungoni Arts Centre Museum. Real *Nyau* does not need interference from authorities for preservation or survival for as the Chewa say ‘where there are people there is *Nyau*’. *Nyau* is the ‘cold’ sanctified energy that defies categorisation or reduction to a human agenda. If *Nyau* is animistic to the general economy of the universe, the challenge now is more to identify where *Nyau* is within social structures of contemporary Africa and affirm its sovereignty there. Thus, a rehabilitation of *Nyau* can only begin with a critical analysis of the general economy of modern African society itself,

¹⁴⁴A deceased chief’s skull buried in the middle of the clearing has traditionally marked *bwalo* as a place of prodigious expenditure and ritual sacrifice. The *bwalo* remains a place of suspicion for ongoing secret human sacrifices as a pre-requisite for *Nyau* performances; see van Breugel, 2001, p.137.

as demonstrated by Mbembe (1997) in *On the Postcolony*. If *Nyau* is a corollary of the unrestricted economy, where are the new arenas of gift giving in modern times and could *Nyau* be revived there in a more self-conscious way as was seen in the villages for thousands of years?

My research identifies photography and film dispositif as one place of technological repetition where *Gule Wamkulu* could be revived within modern physis. The effect of technology, photography and film on everyday life is undeniable, from the cinema of attractions and ballistics of the early 20th century to the *Nyau* cinema of my childhood, the internet and the dark web; the world is one big ‘photographic face’ (Kracauer, 1995, p.59) – *bwalo* in my reading – in which we act as contingents of history. Just as the Chewa built a whole way of life around the economy of the gift orchestrated by the *Nyau* mask so can diagrammatic film inspire an ‘active aesthetic’ lived self-consciously within the liminal spaces of the commercialised terrain of late capitalism – as it did for the Situationists and sections of the African liberation movements.

The advent of new technologies such as the internet, smartphones and personalised editing software has once more subjectified the way we make, distribute and view images. A revival of cinematic dispositif as a new arena for *Nyau* however calls for new experts of *Nyau* equipped with an acute understanding of modern society, the general economy, and the diagrammatic working of *Nyau* communication – art approached as infrastructure as opposed to mimetic superstructure instituted within systems of capital. The contemporary artist with his ability to work within modern social networks has a far wider reach for influence within the general economy of contemporary Africa and the world at large than the reified and marginalised masker in the village.

2

The workings of diagrammatic cinema, whose influence in modern art Wild (2015) traces back to Picasso’s cinema-inspired obsession with the African mask in his quest to break down the pictorial distance between work of art and viewer (*Les Femmes d'Alger*), is what locates the place of the *Gule Wamkulu* in my praxis as contemporary artist. Diagrammatic cinema with its inherent multimedia dispositif, from the gallery and theatre to everyday life, provides a ready framework for *Nyau* and a profound blossoming within

modern physis. I intend to live more, play more and create more with the photograph, moving image, film dispositif and the gift in mind. *Nyau Empire*, a multimedia production studio running in contrapuntal with incorporated business in the age of Empire, is what I hope will make me realise this dream.



Situationist film in the Beinecke Library, Yale, digital print, 2015

Bibliography

- Aguilar, L.B. de (1996) *Inscribing the Mask: Interpretation of Nyanu Mask and Ritual Performance among the Chewa of Central Malawi*. Fribourg: Studia Instituti Anthropos 47. University Press
- Anthu Usana* (2012) Directed by Yusuf Kachingwe and Steven Masamba [film]. Blantyre: Jabroma Studio (online). Available at:
<<https://www.youtube.com/watch?v=dTU6xH4Npuk>> [Accessed on 24 April 2016]
- Appiah, A.K., (1992) *In My Father's House: Africa in the Philosophy of Culture*. Oxford: Oxford Press
- Bachelard, Gaston (2013 [1932]) *Intuition of the Instant* (trans. E. Rizo-Patron). Evanston: Northwestern University Press
- Bakhtin, Mikhail (1984 [1963]) *Problems of Dostoevsky's Poetics* (trans. C. Emerson). Minnesota: University of Minnesota Press
- Bakhtin, Mikhail (1984 [1968]) *Rabelais and His World* (trans. H. Iswolsky). Indiana: Indiana University Press
- Bataille, Georges (1962 [1957]) *Eroticism*. (trans. M. Dalwood). London: Marion Boyars
- Bataille, Georges (1985 [1927-39]) *Visions of Excess: Selected Writings (1927-1939)*. Ed. A. Stoekl, trans. A. Stoekl, C. Lovitt, D.M. Leslie Jr. Minneapolis: University of Minneapolis Press.
- Bataille, Georges (1989 [1961]) *Tears of Eros* (tran. P. Connor). San Francisco: City Lights Books
- Bataille, Georges (1991 [1949]) *The Accursed Share (Volumes I and II)* (trans. R. Hurley). Newton: Zone Books
- Bataille, Georges (1992 [1973]) *Theory of Religion*. (trans. R. Hurley). Newton: MIT Press
- Bataille, Georges (1993 [1949]) *The Accursed Share (Volumes II and III)* (trans. R. Hurley). Newton: Zone Books
- Bataille, Georges (1997) *A perte de vue*, interviewed by Madeleine Chapsal. [film] Amip-France 3, 1997 (online). Available at: <https://www.youtube.com/watch?v=sIaRXE9fZL8> [Accessed on 23 February 2016]
- Bataille, Georges (2001 [1973-88]) *The Unfinished System of Nonknowledge* (trans. M. Kendall and S. Kendall). Minneapolis: Minnesota University Press
- Bataille, Georges (2004 [1945]) *On Nietzsche* (translated B. Boone). London: Bloomsbury
- Bataille, Georges (2011 [1944]) *Guilty*. (trans. S. Kendall). New York: State University of New York Press

- Baudelaire, Charles Pierre (1992) *Selected Writings on Art and Literature* (trans. P. Charvet). London: Penguin
- Baudelaire, Charles Pierre (2010 [1863]) *The Painter of Modern Life* (trans. J. Mayne). London: Penguin Classics
- Baudrillard, Jean (1993 [1973]) *Symbolic Exchange and Death* (trans. Iain Hamilton Grant). London: SAGE Publications
- Baudrillard, Jean (2005 [1996]) *The Conspiracy of Art: Manifestos* (trans. A. Hodges). Newton: MIT Press
- Benjamin, Walter (1997 [1935]) *Charles Baudelaire: a Lyric Poet in the Era of High Capitalism* (trans. H. Zohn). London: Verso
- Benjamin, Walter (2002 [1927-40]) *The Arcades Project* (trans. H. Eiland and K. MacLaughlin). Cambridge: Harvard University Press
- Benjamin, Walter (2006) *Walter Benjamin: Selected Writings*. Cambridge: Harvard University Press
- Benveniste, Émile (1973 [1969]) *Indo-European Society and Language* (trans. E. Palmer). London: Faber
- Benveniste, Émile (1997) "Gift and Exchange in the Indo-European Vocabulary". In: A.D. Schrift, ed. 1997. *The Logic of the Gift*. New York: Routledge. pp.33-44
- Bergson, Henri (2001 [1910]) *Time and Free Will* (trans. F.L. Pogson). New York: Dover Publications
- Berman, Marshall (2008) *All That Is Solid Melts into Air: Experience of Modernity*. London: Penguin
- Bernstein, Michele (2008) *All the King's Horses*. Cambridge MA: The MIT Press
- Bernstein, Michele (2013) *The Night*. London: Bookworks
- Berzok, K.B. (2008) *Benin: Royal Arts of A West African Kingdom*. New Haven: Yale University Press
- Bhabha, Homi K. (2004) *Location of Culture*. London: Routledge
- Boucher, Claude (2012) *When animals Sing and Spirits Dance - Gule Wamkulu: The Great Dance of the Chewa People of Malawi*. Mua: Kungoni Centre of Culture and Art
- Boucher, Claude (2012b) *When Animals Sing and Spirits Dance – Gule Wamkulu: The Great Dance of the Chewa People of Malawi*. Kasiyamaliro.org [online] Available at: <<http://kasiyamaliro.org/>> [Accessed 23 February 2016]
- Bourdieu, Pierre (1977) *Outline of a Theory of Practice*. Cambridge: Cambridge University Press
- Bourdieu, Pierre (1990 [1980]) *The Logic of Practice* (trans. R. Nice). Cambridge: Polity Press

- Bourdieu, Pierre (2000) *The Weight of the World*. Redwood City; Stanford University Press
- Bourdieu, Pierre (2008 [2002]) *Sketch for a Self-Analysis* (trans. R. Nice). Chicago: University of Chicago Press
- Bourdieu, Pierre (2014) *Picturing Algeria*. New York: Colombia University Press
- Bourriaud, Nicolas (1998) *Relational Aesthetics*. Dijon: Les Presses du Réel
- Bourriaud, Nicolas (2009) *Altermodern: Tate Triennial 2009*. London: Tate
- Brown, Bill (2015) *Clarifications concerning Samson Kambalu*. [online]. Available at: <<http://www.notbored.org/Samson.pdf>> [Accessed on 16 January 2016].
- Carroll, Rolly (2002) The Eton of Africa. *The Guardian*. [online] Available at: <<http://www.theguardian.com/education/2002/nov/25/schools.uk>> [Accessed on 23 February 2016]
- Cixous, Hélène, and Clement, Catherine (1986) *The Newly Born Woman*. Minneapolis: University of Minnesota Press
- Cixous, Hélène (1997) “The Time of the King”. In: A.D. Schrift, *The Logic of the Gift*. New York: Routledge. pp.148-173
- Cohen-Séat, Gilbert (1961) *Problemes du Cinema et de L’information Visuelle*. Paris: Presses Universitaires de France
- Colebrook, Claire (2002) *Understanding Deleuze*. Crows Nest, N.S.W.: Allen & Unwin
- Connelly, Frances (2009) *Modern Art and the Grotesque*. Cambridge: Cambridge University Press
- Coverley, Merlin (2010) *Psychogeography*. London: Oldcastle Books
- Coverley, Merlin (2012) *The Art of Wandering*. London: Oldcastle Books
- Cuppit, Don (1997) *After God: The Future of Religion*. London: Basic Books
- Danto, Arthur C. (1998) *After the End of Art: Contemporary Art and the Pale of History*. New Jersey: Princeton
- Debord, Guy (1995) *Society of the Spectacle*, New York: Zone Books
- Debord, Guy and Sanguinetti, Gianfranco (2003) *The Real Split in the International*. London: Pluto Press
- Debord, Guy (2004 [1989]) *Panegyric* (trans. J. Brook). London: Verso Books
- Debord, Guy (2008) “The Decline and Fall of the Spectacle Commodity Economy”, in: *Sick Planet*. Chicago: Seagull Books
- De Certeau, Michel (2011 [1980]) *The Practice of Everyday Life* (trans. S. Rendall). California: University of California Press
- Deleuze, Gilles (2003 [1981]) *Francis Bacon: The Logic of Sensation*. (trans. D.W. Smith).

London: Continuum

Deleuze, Gilles and Guatarri, Felix (2004 [1980]) *A Thousand Plateaus* (trans. B. Massumi).

London: Continuum

Dercon, Chris (2001) *I use money because I refuse to use the word colonisation. Chris Dercon talks to Meschac Gaba*. In: Steevensz, Bert and Stork, Gijs eds. *Library of the Museum Vol. 1*.

Amsterdam: Artimo. pp.12-18

Dercon, Chris (2013) "My museum doesn't exist. It's only a question. A conversation between Maschac Gaba and Chris Dercon". In *Meschac Gaba: Museum of Contemporary African Art*. London: Tate Publishing. pp.8-9

Derrida, Jacques (1992 [1991]) *Given Time: I. Counterfeit Money* (trans. P. Kamuf). Chicago: Chicago University Press

Derrida, Jacques (1997 [1967]) *Of Grammatology* (trans. G. Spivak). Baltimore and London: John Hopkins University Press

Derrida, Jacques (1998 [1994]) *Archive Fever: A Freudian Impression* (trans. E. Prenowitz). Chicago: Chicago University Press

Derrida, Jacques (1978 [1967]) *Writing and Difference* (trans. Alan Bass). London: Routledge

Desnos, Robert (1929) "Imagerie Moderne," *Documents 7*

Dostoevsky, Fyodor (1996) *The Idiot*. Translated by Constance Garnett. Ware: Wordsworth Editions

Emerson, Ralph Waldo (1997) "Gifts". In: A.D. Schrift, *The Logic of the Gift*. New York: Routledge. pp.25-27

Emerson, Ralph Waldo (2000) *The Essential Writing of Ralph Waldo Emerson*. New York: Random House

Enwenzor, Okwui (2002) *Documenta XI: the Short Guide*, Hatje Cantz

Enwenzor, Okwui (2005) *Life And Afterlife: In Benin*. London: Phaidon.

Fairey, Shepard and Gross, Jennifer (2009) *Art for Obama: Designing Manifest Hope and Campaign for Change*. New York: Abrams Image

Ferguson, George (1966) *Signs and Symbols in Christian Art*. Oxford: Oxford University Press

Freud, Sigmund (2002 [1905]) *The Joke and Its Relation to the Unconscious* (trans. J. Crick). London: Penguin

Freud, Sigmund (2010 [1913, 1939]) *Origins of Religion: "Totem and Taboo" and "Moses and Monotheism"* (trans. A. Brill, J. Strachey and K. Jones), London: Penguin

Fusi, Lorenzo (2010) *Touched 2010: Lorenzo Fusi interviews Meschac Gaba*. Liverpool: Liverpool Biennale. Available at: <https://vimeo.com/13450809> [Accessed 22 April 2014]

- Gaba, Meschac (2003) *We are the World – Venice Biennale Dutch Pavilion. Amoraless, Framis, Gaba, Van Heeswijk, Van Lieshout*. Amsterdam: Artimo Foundation
- Gaba, Meschac (2013) *Interview on TateShots about The Museum of Contemporary African Art*, interviewed by TateShots. [film] TateShots, 4 July 2013
- Gallix, Andrew (2009) “The resurrection of Guy Debord”. *The Guardian*, (online). Available at: <http://www.theguardian.com/books/booksblog/2009/mar/18/guy-debord-situationist-international>
- Gasché, Rodolphe (1997) “Heliocentric Exchange”. In: A.D. Schrift, *The Logic of the Gift*. New York: Routledge. pp.100-120
- General Idi Amin Dada: A Self Portrait* (1974) [Film]. Directed by Barbet Schroeder. France: Le Figaro Films
- Genocchio, Benjamin (2015) “Okwui Enwezor's 56th Venice Biennale Is Morose, Joyless, and Ugly”, *Art News*, Friday, May 8. [online]. Available from: <<https://news.artnet.com/art-world/okwui-enwezor-56th-venice-biennale-by-benjamin-genocchio-295434>> [Accessed 18 January 2016]
- Geschiere, Peter (1997) *The Modernity of Witchcraft: Politics and the Occult in Post Colonial Africa*. Virginia: University of Virginia Press
- Greenberg, Kerry ed. (2013) *Meschac Gaba: Museum of Contemporary African Art*. London: Tate
- Greenberg, Kerry (2013) “Meschac Gaba: Framing a Space”. In Greenberg, K. ed. *Meschac Gaba: Museum of Contemporary African Art*. London: Tate. pp.13-23
- Gregory, Chris A. (1982) *Gift and Commodities*. London: Academic Press
- Gunning, Tom (1986) “The Cinema of Attractions: Early Film, Its Spectator and the Avant-Garde”. *Wide Angle*, Vol. 8, nos. 3 & 4 Fall
- Gunning, Tom (2005) “Cinema of Attractions”, *Encyclopedia of Early Cinema*, ed. Richard Abel. London/New York: Routledge. p.124
- Halkes, Petra (2001) *Meschac Gaba Museum*. Amsterdam: Parachute: Contemporary Art Magazine
- Hansen, Miriam Bratu (2011) *Cinema and Experience*. Auckland: University of California Press
- Hard, Robin transl. (2012) *Diogenes the Cynic: Sayings and Anecdotes, with Other Popular Moralists*. New York: Oxford University Press
- Hardt, Michael and Negri, Antonio (2000) *Empire*. Cambridge: Harvard University Press
- Hegel, Georg (2004 [1820-29]) *Introductory Lectures on Aesthetics (1820-29)* (trans. B.

- Bosanquet). London: Penguin
- Heidegger, Martin (1982 [1949]) *The Question Concerning Technology*. (trans. W. Lovitt). London: HarperCollins
- Heidegger, Martin (1999 [1936-8]) *Contributions to Philosophy (From Enowning)* (trans. P. Emad and K. Maly). Indiana: Indiana University Press
- Heidegger, Martin (2012b [1936-8]) *Contribution to the Philosophy of the Event* (trans. R. Rojcewicz and D. Vallega-Neu). Indiana: Indiana University Press
- Hodgson, A.G.O. (1933) "Notes on the Achewa and Angoni of the Dowa District of the Nyasaland Protectorate". In: *Journal of the Royal Anthropological Institute* 63, pp.123-166
- Höll, A., Nicholaisen, J., Theweleit, D., Theweleit, K. and Verspohl, F.J. (2006) *Ballkünstler*. Leipzig: Kerber Verlag
- Hollier, Denis (1992) *Against Architecture: The Writings of Georges Bataille*. New York: MIT Press
- Huizinga, Johannes (1971) *Homo Ludens: A Study of the Play Element in Culture*. Boston: Beacon Press
- Hyde, Lewis (2007) *The Gift*. London: Canongate
- Ireere, F. Abiola (1990) *The African Experience in Literature and Ideology*. Indiana: Indiana University Press
- Irigaray, Luce (1985 [1977]) *This Sex Which Is Not One*. (trans. C. Porter and C. Burke). New York: Cornell University Press
- Irigaray, Luce (1997) Women on the Market. In A.D. Schifft, ed., *The Logic of the Gift*, 1st ed. New York: Routledge. Pages 174-189
- Jameson, Fredric (1990) *Postmodernism or the Cultural Logic of Late Capitalism*. London: Verso
- Jones, Rachel (2014) "Students offered degree course in 'Wasting time' on the internet". *The Telegraph*, (online). Available at: <http://www.telegraph.co.uk/news/newstopics/howaboutthat/11194902/Students-offered-degree-course-in-Wasting-time-on-the-internet.html> [Accessed on 23 February 2016]
- Kambalu, Samson (2008) *The Jive Talker or How to Get a British Passport*. London: Jonathan Cape
- Kambalu, Samson (2012) *Uccello's Vineyard*. London: Appleluck
- Kambalu, Samson (2015) "Entering the Arena: All the World's Futures", *Contemporary And June*. Available from: <http://www.contemporaryand.com/blog/magazines/entering-the-arena-all-the-worlds-future/> [online]. [Accessed on 10 January 2016]

- Kaspin, Deborah (1993) "Chewa visions and revisions of power: transformation of the Nyan dance in Central Malawi". In: Comaroff, J. and Comaroff, J. (eds.) *Modernity and its Malcontents: Ritual and Power in Postcolonial Africa*. Chicago: University of Chicago Press. pp.34-57
- Kaufmann, Vincent (2006) *Guy Debord: Revolution at the Service of Poetry*. Translated by Robert Bononno. Minneapolis: University of Minnesota Press
- Kemp, Barry (2012) *The City of Akhenaten and Nefertiti. Amarna and its People*. London: Thames and Hudson
- Knabb, Ken (1981) *Situationist Anthology*. New York: Bureau of Public Secrets
- Kracauer, Siegfried (1995) *The Mass Ornament*. Cambridge: Harvard University Press
- Kristeva, Julia (1980) *Desire in Language: A Semiotic Approach to Literature and Art*. Translated by Thomas Gora and Alice Jardine. Oxford: Blackwell
- Kristeva, Julia (1984) *Powers of Horror: An Essay on Abjection*. New York: Columbia University Press
- Lamunière, Michelle (2001) *You Look Beautiful Like That: The Portrait Photographs of Seydou Keita and Malick Sidibe*. Cambridge: Harvard Art Museums
- Lefebvre, Henri (2014 [1947]) *The Critique of Everyday Life*. (trans J. Moore). London: Verso
- Linden, Ian (1974) *Catholic, Peasants and Chewa Resistance in Nyasaland 1889-1939*. London/Nairobi/Ibadan: Heinemann
- Lopez, Sebastian (2001) *Library of the Museum: Museum of Contemporary African Art* (Other contributors include Bart de Baere, Nicolas Dings, Jean Bernard Koeman, Anna Tilroe). Amsterdam: Artimo
- Magnin, André (2004) *J'Aime Chéri Samba*. London: Thames & Hudson
- Mark, Monica (2015) "Yamoussoukro's Notre-Dame de la Paix, the world's largest Basilica". *The Guardian*, (online). Available at: <<http://www.theguardian.com/cities/2015/may/15/yamoussoukro-notre-dame-de-la-paix-ivory-coast-worlds-largest-basilica-history-of-cities-in-50-buildings-day-37>> [Accessed on 23 February 2016]
- Martin, Jean Hubert (2005) *Africa Remix: Contemporary Art of a Continent*. Germany: Hatje Cantz
- Marwick, Max G. (1950) "Another Anti-Witchcraft Movement in East Central Africa", in *Africa*, pp.100-112
- Marwick, Max G. (1965) *Sorcery in its Social Setting*. Manchester: Manchester University Press
- Marx, Karl (2001 [1867]) *Capital: A Critique of Political Economy, Vol. 1* (trans. B. Fowkes),

London: Penguin

Mauss, Marcel (1997) "Gift, Gift". In *The Logic of the Gift*. New York: Routledge. pp.28-32

Mauss, Marcel (1990 [1925]) *The Gift: Form and Reason for Exchange in Archaic Societies* (trans. W.D. Halls). London: Routledge

Mbembe, Achille (2001 [2000]) *On the Postcolony* (trans. A.M. Barrett, J. Roitman, M. Last and S. Rendall). California: University of California Press

Meredith, Martin (2013) *A History of the Continent Since Independence*. London: Simon and Schuster

McLaren, Malcolm (2007) "Punk? It made my day". In *The Daily Telegraph* (London). 30 September 2007

Mercer, Kobena (2007) *Pop Art and Vernacular Cultures*. London: INIVA

Merrifield, Andy (2005) *Guy Debord*. London: Reaktion Books Ltd

Metz, Christian (1986) *The Imaginary Signifier: Psychoanalysis and the Cinema*. Bloomington IN: Indiana University Press

Mlenga, D.K. (1982) *Nyan Institution Rites in Dowa District*. Unpublished seminar paper. University of Malawi: Zomba

Morris, B. (2000) *Animals and Ancestors: An Ethnography*. Oxford/New York: Berg

Moussinac, Leon (1927) *La Danse sur le feu et l'eau*. Paris: Cres

Moyo, Dambisa (2010) *Dead Aid: Why aid is not working and how there is another way for Africa*. London: Penguin

Mvula, E.T. (1992) The Performance of *Gule Wamkulu*. In: Kamlongera, C. (ed.) *Kubvina: Dance and Theatre in Malawi*. Zomba: University of Malawi

Niang, Mame-Diarra, *Sahel Gris* (2013) and *At the Wall* (2014), [photographs] (online).

Available at: <http://www.stevenson.info/artists/niang.html> [Accessed 23 February 2016]

Nietzsche, Friedrich (2008 [1883]) *Thus Spoke Zarathustra* (trans. by G. Parkes). New York: The Viking Press

Nietzsche, Friedrich (1968 [1883-8]) *The Will to Power (1883-8)* (trans. W. Kaufmann). New York: Vintage

Nietzsche, Friedrich (1974 [1882]) *The Gay Science* (trans. W. Kaufmann). New York: Random House

Nietzsche, Friedrich (1998 [1887]) *The Genealogy of Morals* (trans. D. Smith). Oxford: Oxford University Press

Nietzsche, Friedrich (1990 [1888]) *Twilight of Idols* (trans. M. Tanner). London: Penguin

Nietzsche, Friedrich (2007 [1886]) *The Antichrist: Exterminating Texts and Terminal Ecstasies*

- (trans. D. Falls). Chicago: Solar Books
- Njami, Simon (2005) *Africa Remix*. London: Hayward Gallery Publishing
- Njami, Simon (2013) "The World in Twelve Rooms". *Tate Etc.* [Online] 28 (Summer 2013). Available at: <<http://www.tate.org.uk/context-comment/articles/world-twelve-rooms>> [Accessed: 22 April 2014]
- NKA, Contemporary Art Magazines (Ongoing).
- Obama, Barack (1995) *Dreams from my Father*. New York: Broadway
- Obama, Barack (2006) *The Audacity of Hope*. New York: Broadway
- O'Toole, Sean, (2008) *Meschac Gaba*. London: Frieze Magazine
- Ott, Martin (2000) *African Theology in Images*. Blantyre: CLAIM
- Paci, Viva, (2006) "The Attraction of the Intelligent Eye: Obsession with the Vision Machine in Early Film Theories", in the *Cinema of Attractions Reloaded*, ed. Wanda Strauven. Amsterdam: Amsterdam University Press. pp.121-138
- Phiri, Desmond D. (2004) *History of Malawi: From the Earliest Times to the Year 1915*. Blantyre: CLAIM
- Plankensteine, Barbara (2007) *Benin: Kings and Rituals*. Gent: Snoeck-Ducaji & Zoon
- Plant, Sadie (1992) *The Most Radical Gesture: The Situationist International in a Postmodern Age*. London: Routledge
- Pontzen, Rutger (2013) "The Perfect Infiltration". In Greenberg, Kerry. ed. *Meschac Gaba: Museum of Contemporary African Art*. London: Tate, pp.51-56
- Probst, P. (1995) "Dancing aids, moral discourses and ritual authority in Central Malawi." Berlin: Institute fur Ethnologie Arbeitspapiere No 66
- Ranciere, Jacques (2006 [2004]) *The Politics of Aesthetics* (trans. G. Rockhill). New York: Continuum
- Rangeley, W.H.J. (1949) *Nyau in Nkota-kota District*. Zomba: The Nyasaland Journal No.2
- Rein, Wolfs (2004) *We Are the World: Venice Biennale 2003*. Amsterdam: Artimo
- Richards, A.I. (1935) "A Movement of Witch Finders" in: *Africa* 8 (4), pp.448-461
- Richards, A.I. (1935) *Chisungu*. London: Faber & Faber
- Richardson, Michael (1998) Ed. *Georges Batailles: Essential Writings*. London: SAGE Publications
- Roitman, Janet L. (1990) *The Politics of Informal Market in Sub-Saharan Africa*. Cambridge: Journal of Modern African Studies
- Roscoe, Adrian A. and Schoffeleers, J. Matthew (1985) *Land of Fire: Oral Literature from Malawi*. Limbe: Montfort Press

- Rosset, Clement (2012 [1993]) *The Real and its Double* (trans. C. Turner). London: Seagull Books
- Saidi, Christine (2010) *Women's Authority and Society in Early East-Central Africa*. Rochester: Rochester University Press
- Salaun, Noel (n.d.) "Notes on the Achewa" (polycopied), Lilongwe: Language Centre, 124pp.
- Sanguinetti, Gianfranco v Venice Biennale, *Court of Venice Judgement by Judge Luca Boccuni*, [2015], https://samsonkambalu.files.wordpress.com/2015/11/sanguinetti_-fondazione-la-biennale_kambalu_order1.pdf [online]
- Sartre, Jean-Paul (2013 [1948]) *Black Orpheus*. (S. Allen) London: French and European Publications
- Sembereka, G. (1996) "The place of *Gule Wamkulu* in dreams attributed to spirits, nominal reincarnation and spirit possession: the nankumba experience". *Society of Malawi Journal* 29 (1), pp.59-68
- Serres, Michel (1982 [1980]) *Parasite* (trans. L.R. Schehr). Baltimore: John Hopkins University Press
- Schoffeleers, J. Matthew (1968) *Symbolic and Social Aspects of Spirits Worship among the Mang'anja*. Ph.D. Dissertation. Oxford: Oxford University
- Schoffeleers, J. Matthew (1971) "The Religious Significance of Bushfires in Malawi", in: *Cahiers des Religions Africaines* 10 (1971), pp.271-287
- Schoffeleers, J. Matthew (1973) "Towards the Identification of a Proto-Chewa Culture", in: *Journal of Social Science* (University of Malawi) 2 (1973), pp.47-60
- Schoffeleers, J. Matthew (1976) The *Nyau* societies: our present understanding. *Society of Malawi Journal* 29 (1), pp.59-68
- Schoffeleers, J. Matthew (1992) *The Genesis of a Matyr Cult in Malawi*. Madison: The University of Wisconsin Press
- Schrift, Alan D. ed. (1997) *The Logic of the Gift*. New York: Routledge
- Schrift, Alan D. (1997) "Introduction: Why Gift?" In: Schrift, Alan D. ed. *The Logic of the Gift*. New York: Routledge
- Shapiro, Gary (1991) *Alcyone: Nietzsche on Gifts, Noise, and Women*. Albany: State University of New York Press
- Stoekl, Allan (1997) *Bataille, Gift Giving, and the Cold War* In: Schrift, Alan D. ed. *The Logic of the Gift*. New York: Routledge
- Stoekl, Allan (2007) *Bataille's Peak: Energy, Religion, and Postsustainability*. Minnesota:

University of Minnesota Press

Stracey, Frances (2014) *Constructed Situations: A New History of the Situationist International*. London: Pluto Press

Strathern, Marilyn (1988) *The Gender of the Gift: Problems with Women and Problems with Society in Melanesia*. Berkeley: University of California Press

Strauven, Wanda (2014) *The Cinema of Attractions Reloaded*. Amsterdam: Amsterdam University Press

Surya, Michel (2002) *Georges Bataille: An Intellectual Biography*. London: Verso

Tamagni, Daniele (2009) *Gentlemen of Bacongo*. London: Trolley Books

The Economist (2014) "Of Prophets and Profits". *The Economist*, [online] 4 October 2014. Available at: <<http://www.economist.com/news/middle-east-and-africa/21621885-collapsed-building-highlights-international-reach-nigerias>> [Accessed 23 February 2016]

Thompson, Robert K. (1984) *Flash of the Spirit: African and Afro-American Art and Philosophy*. London: Vintage

Van Breugel, J.W.M. (2001) *Chewa Traditional Religion*. Zomba: Kachere Publications

Vaneigem, Raoul (2012 [1967]) *The Practice of Everyday Life*. (trans. D. Nicholson-Smith). Oakland: P.M. Press

Van Gennep, Arnold (1960) *The Rites of Passage*. Chicago: The University of Chicago Press

Viénet, René (2006) "The Situationist and New Forms of Action against Politics and Art". In *Situationist International Anthology* ed. by Ken Knabb. Berkeley, CA: Bureau of Public Secrets, pp.273-77. (First published 1981)

Wark, McKenzie (2011) *The Beach Beneath the Street: the Everyday life and the Glorious Times of the Situationists International*. London: Verso

Weber, Max (2002 [1905]) *The Protestant Ethic and the Spirit of Capitalism*. (trans. P. Baehr and G.C. Wells) London: Penguin

Whiteside, Alan (2008) *Aids: A Very Short Introduction*. Oxford: OUP

Wild, Jennifer (2015) *The Parisian Avant-Garde in the Age of Cinema (1900-1923)*. Oakland: University of California Press

World Bank (2016) *GDP per capita (current US\$)*. [online] Available at: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD?order=wbapi_data_value_2013+wbapi_data_value&sort=asc> [Accessed 30 June 2016]

Yahav, Galia (2015) "Pretentious and Inconsistent, Venice Biennale Falls Short", *Haaretz*, 1 June 2015 [online]. Available from: <<http://www.haaretz.com/life/arts-leisure/.premium-1.659007>> [Accessed 17 January 2016]

Zizek, Słojak (2006) *How to Read Lacan*. London: Granta

Websites:

<http://samsonkambalu.com/>

<http://www.tate.org.uk/whats-on/tate-modern/exhibition/meschac-gaba-museum-contemporary-african-art>

<http://www.museumofcontemporaryafricanart.com/entree.html>

https://twitter.com/kambalu_s

<http://instagram.com/kambalu>

<https://www.facebook.com/kambalu>

<http://kasiyamaliro.org/>

Samson Kambalu

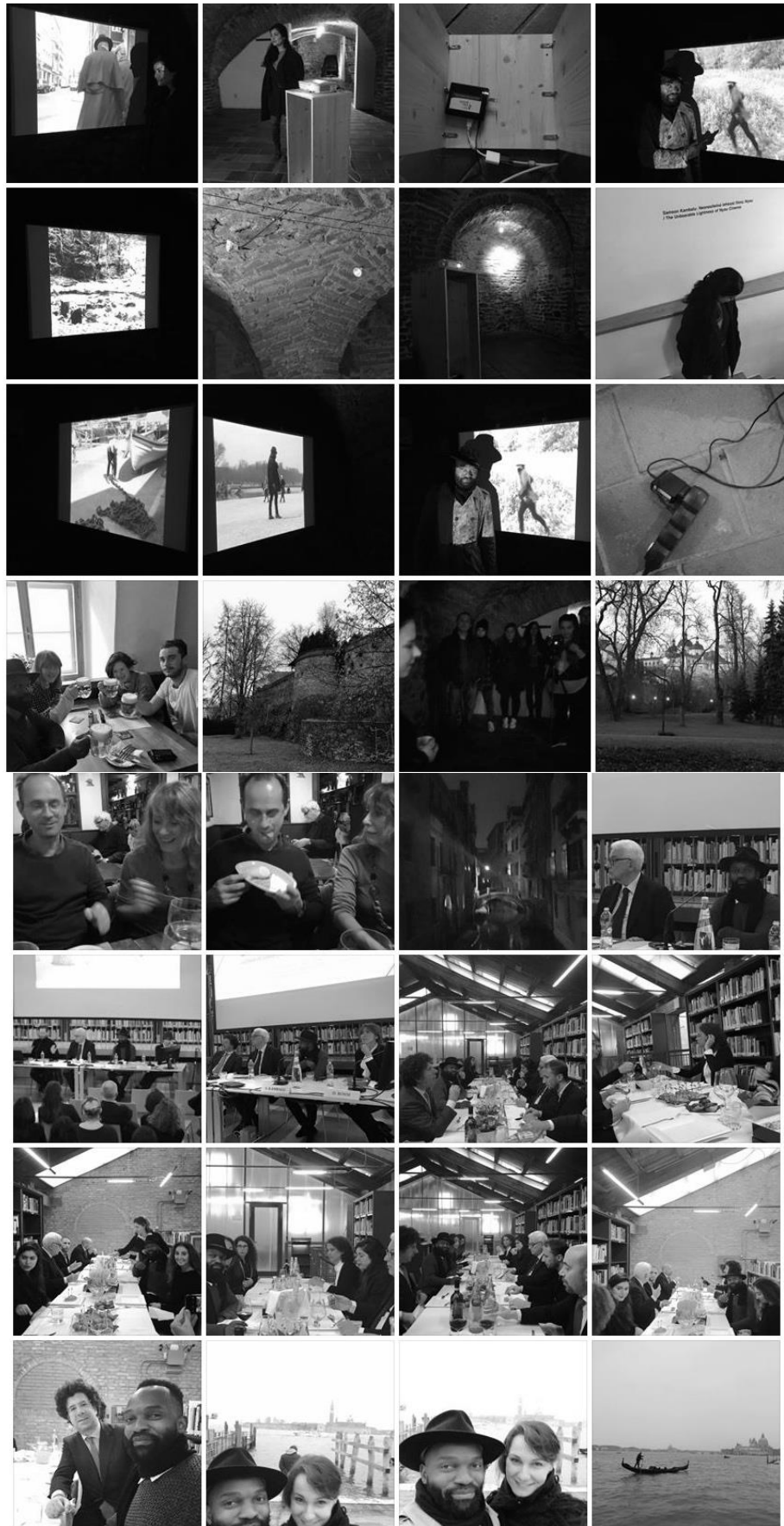
Praxis (2011-2016)

Facebook timeline stills





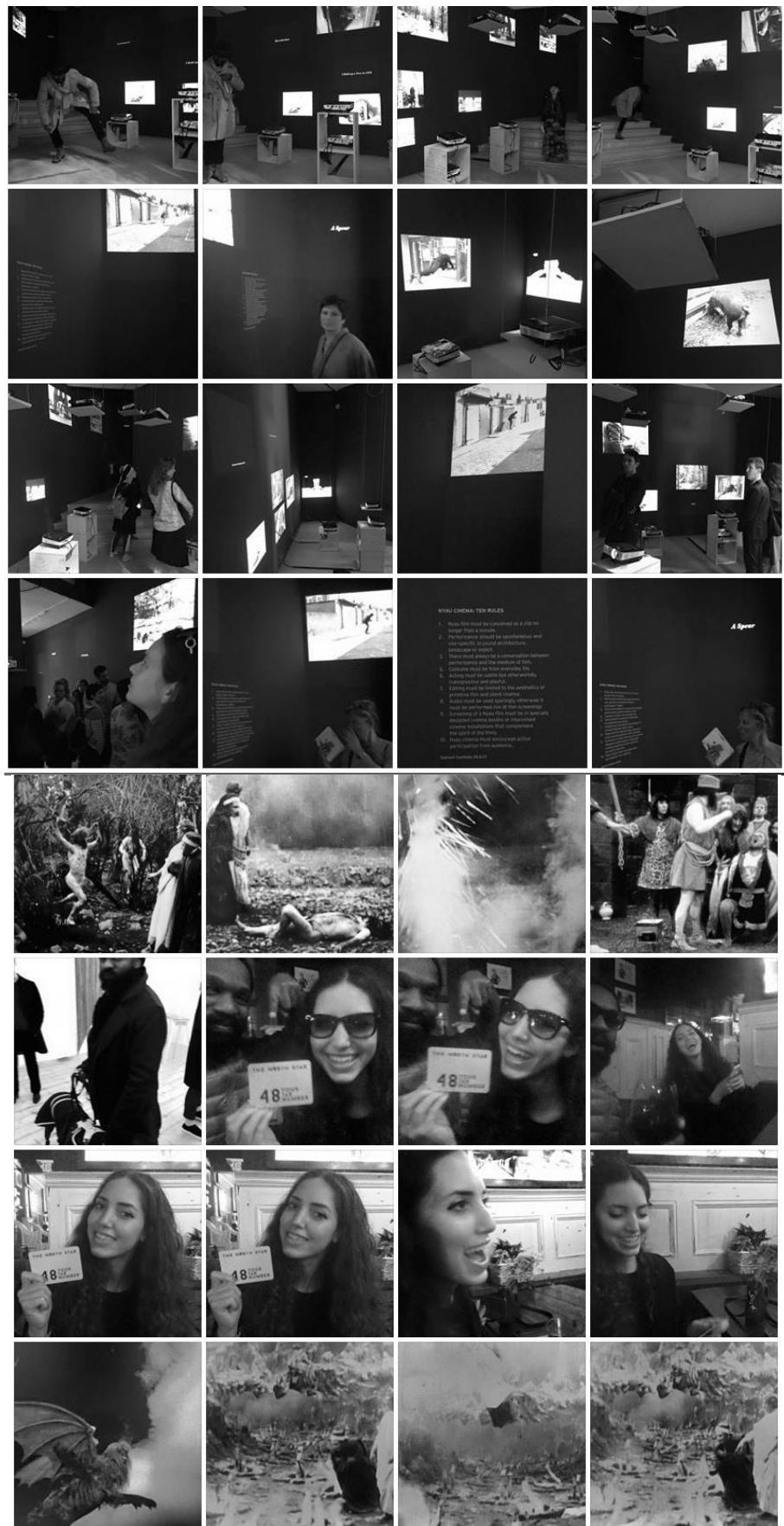


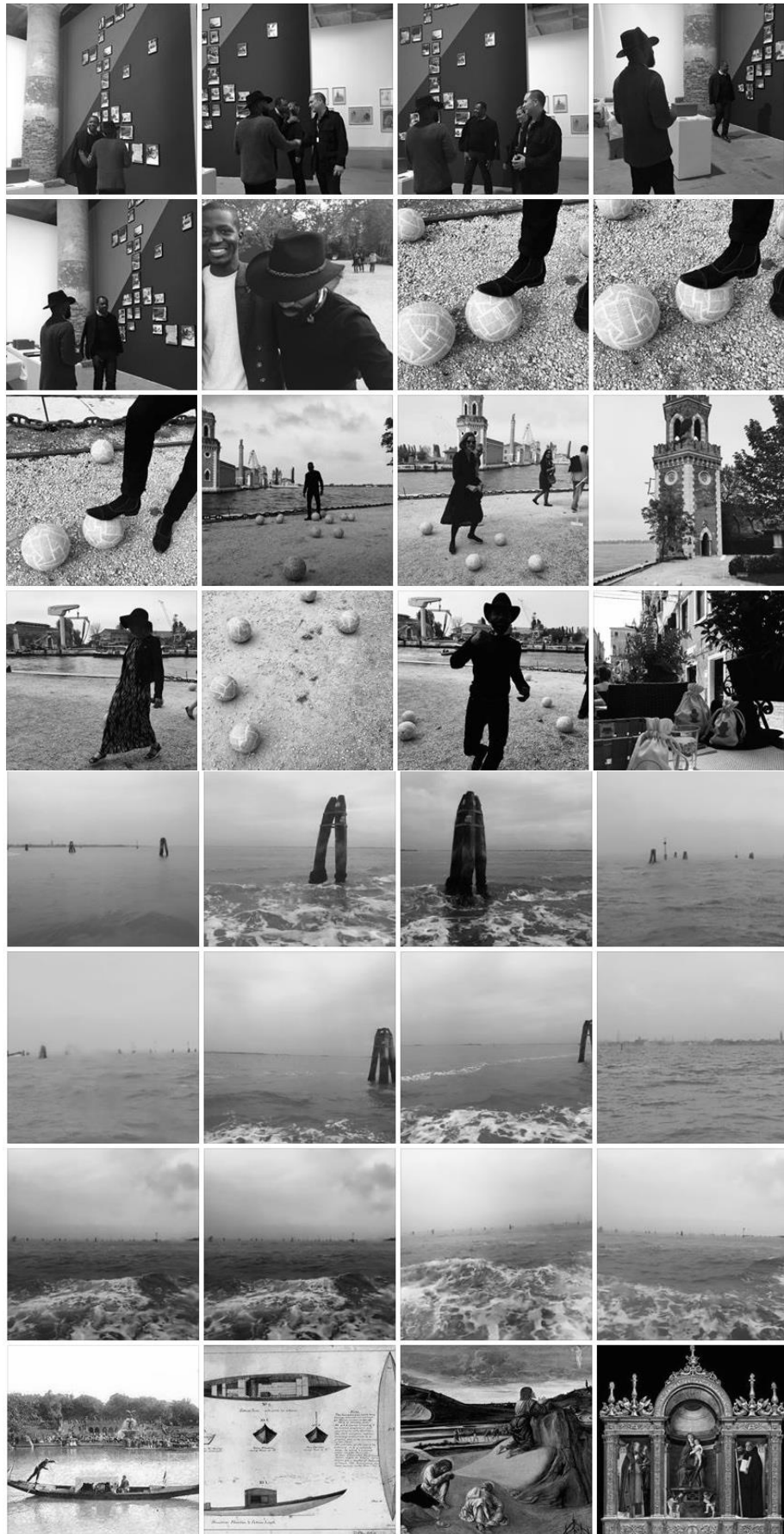




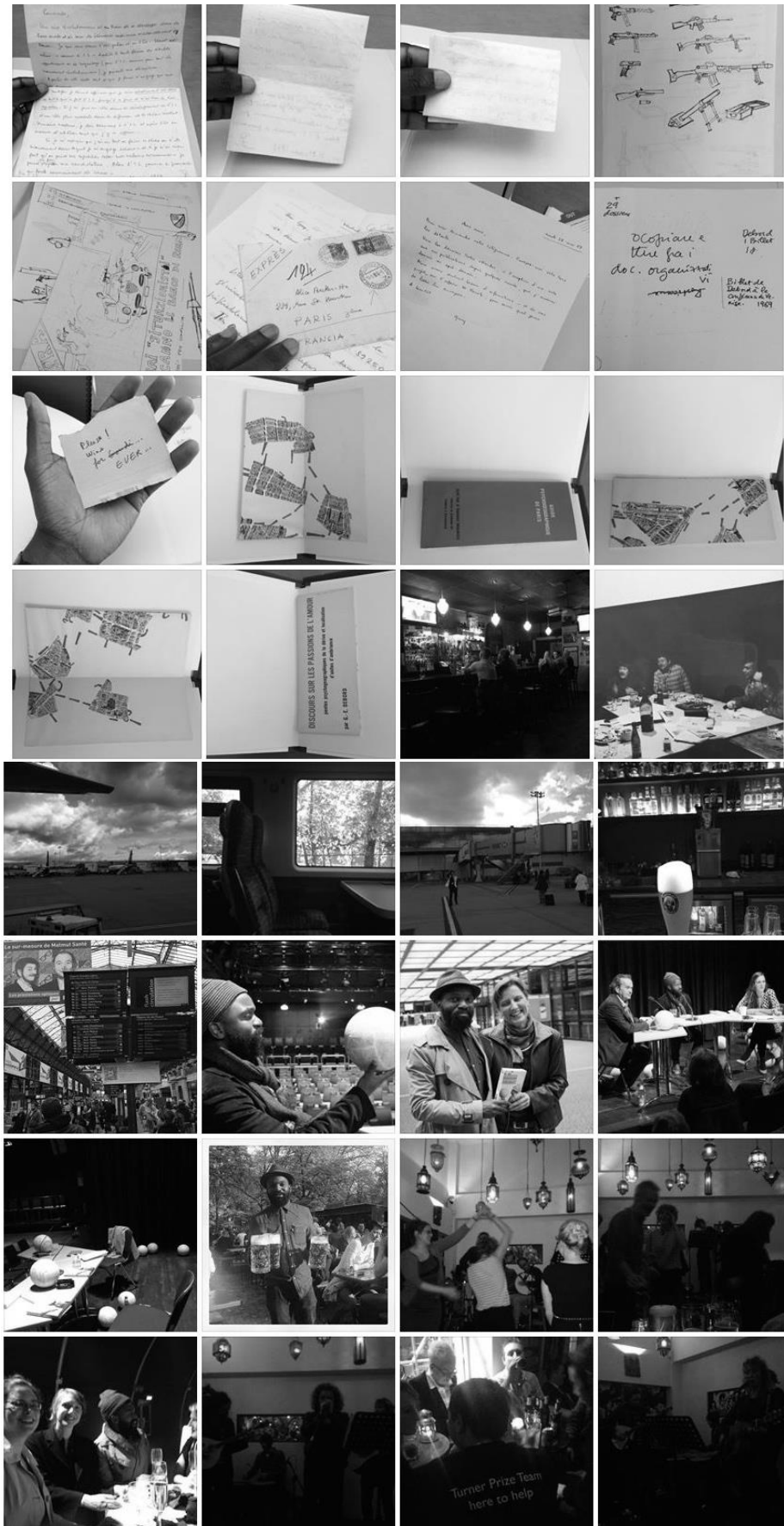




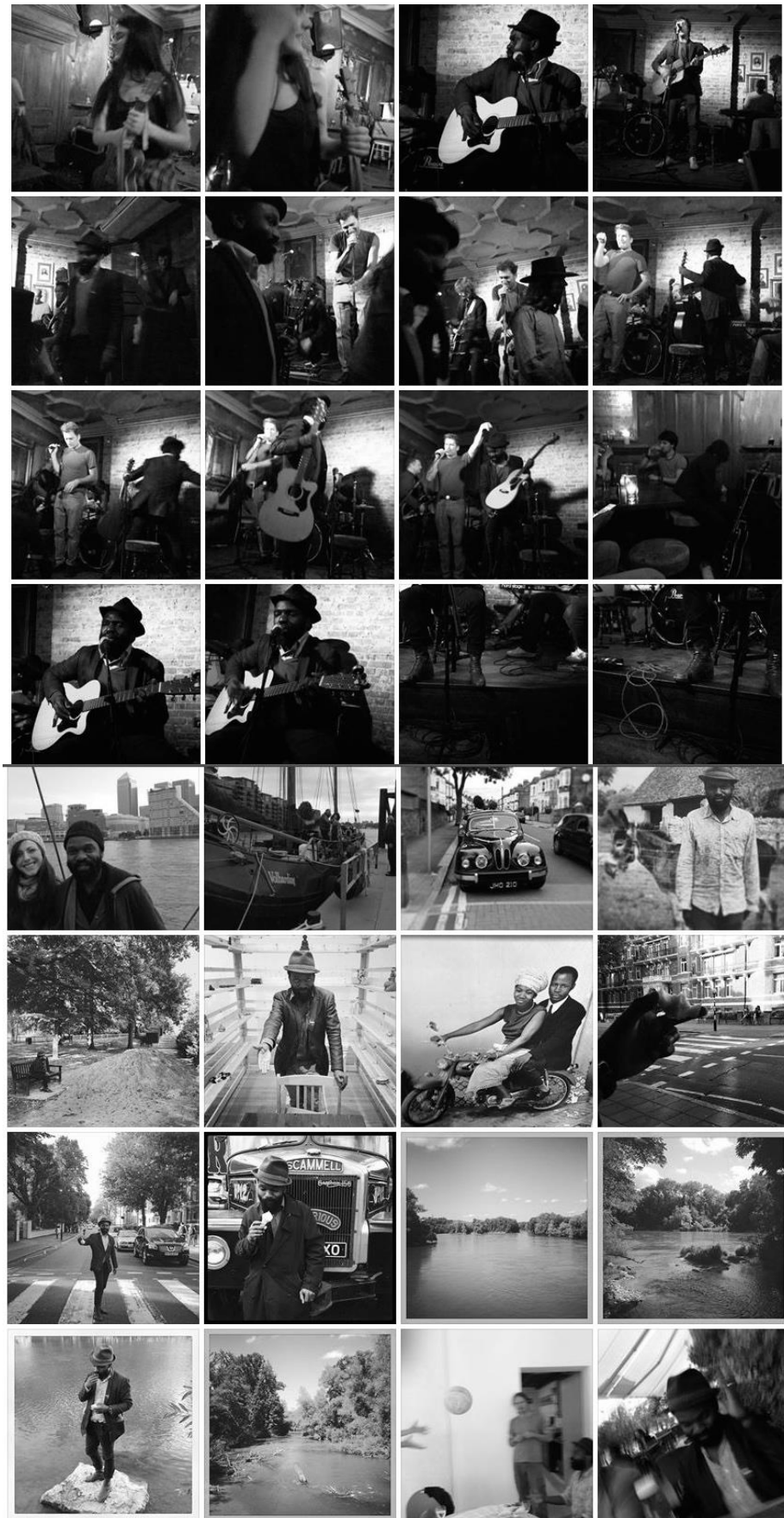










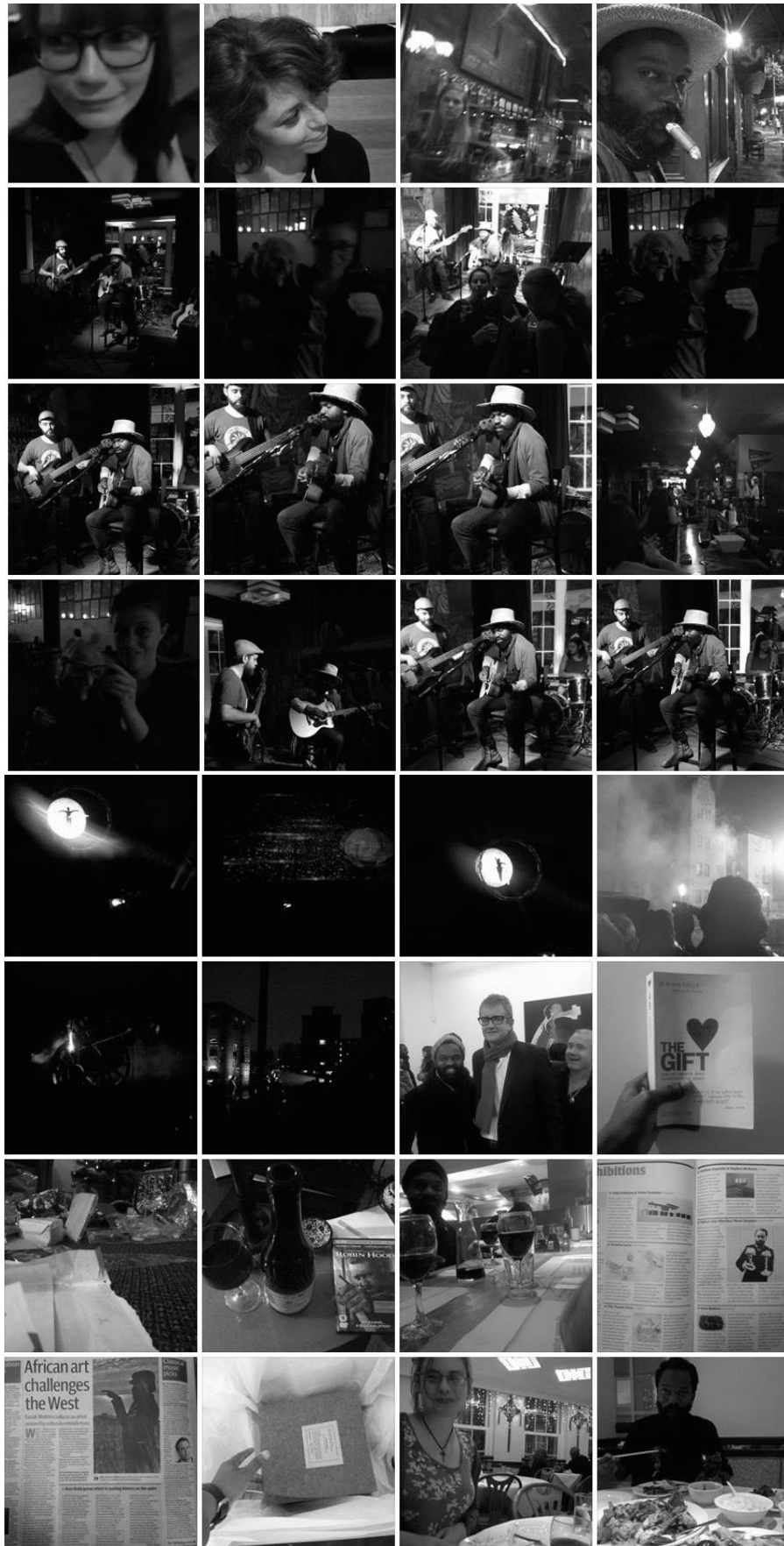




















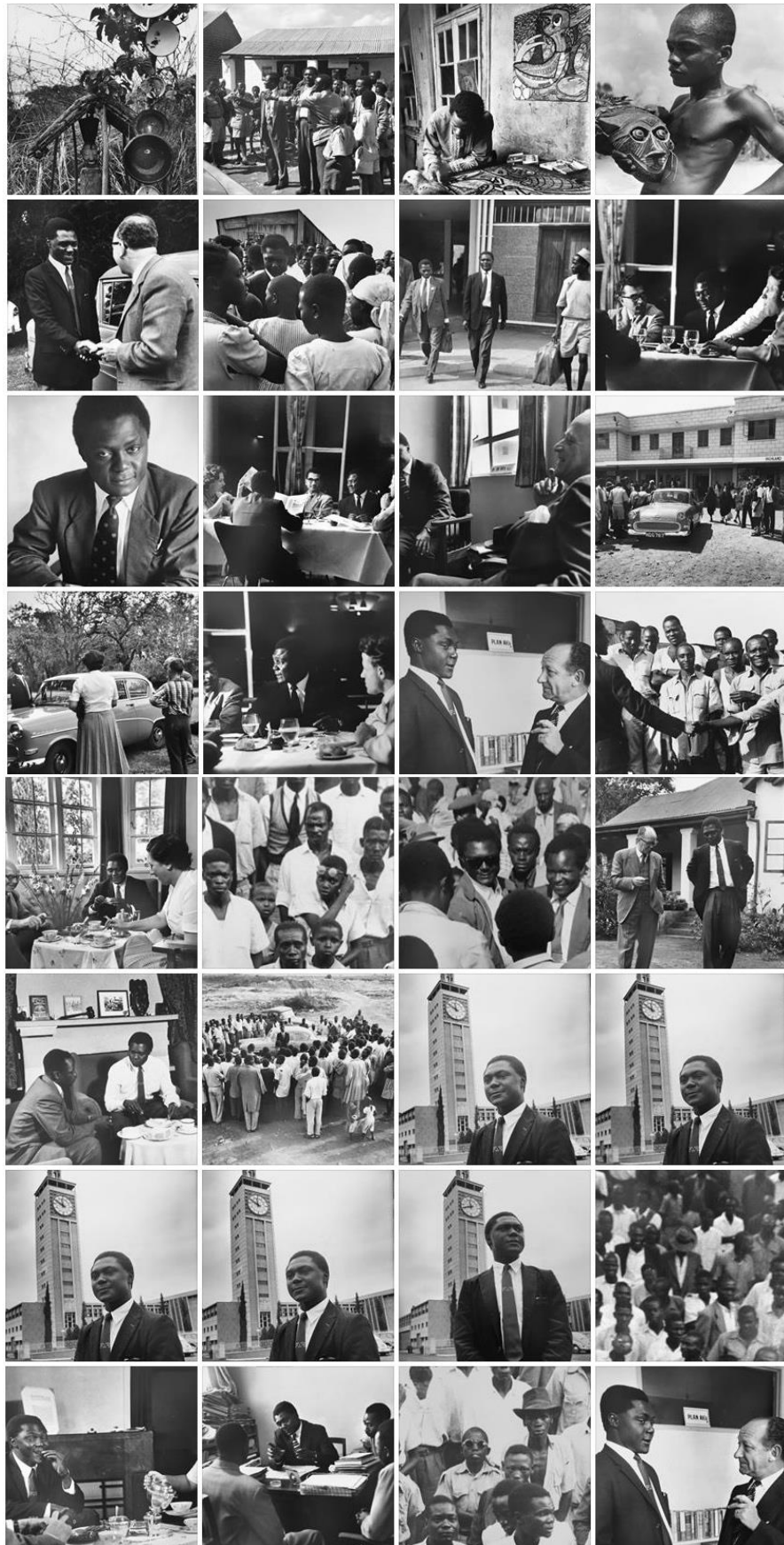








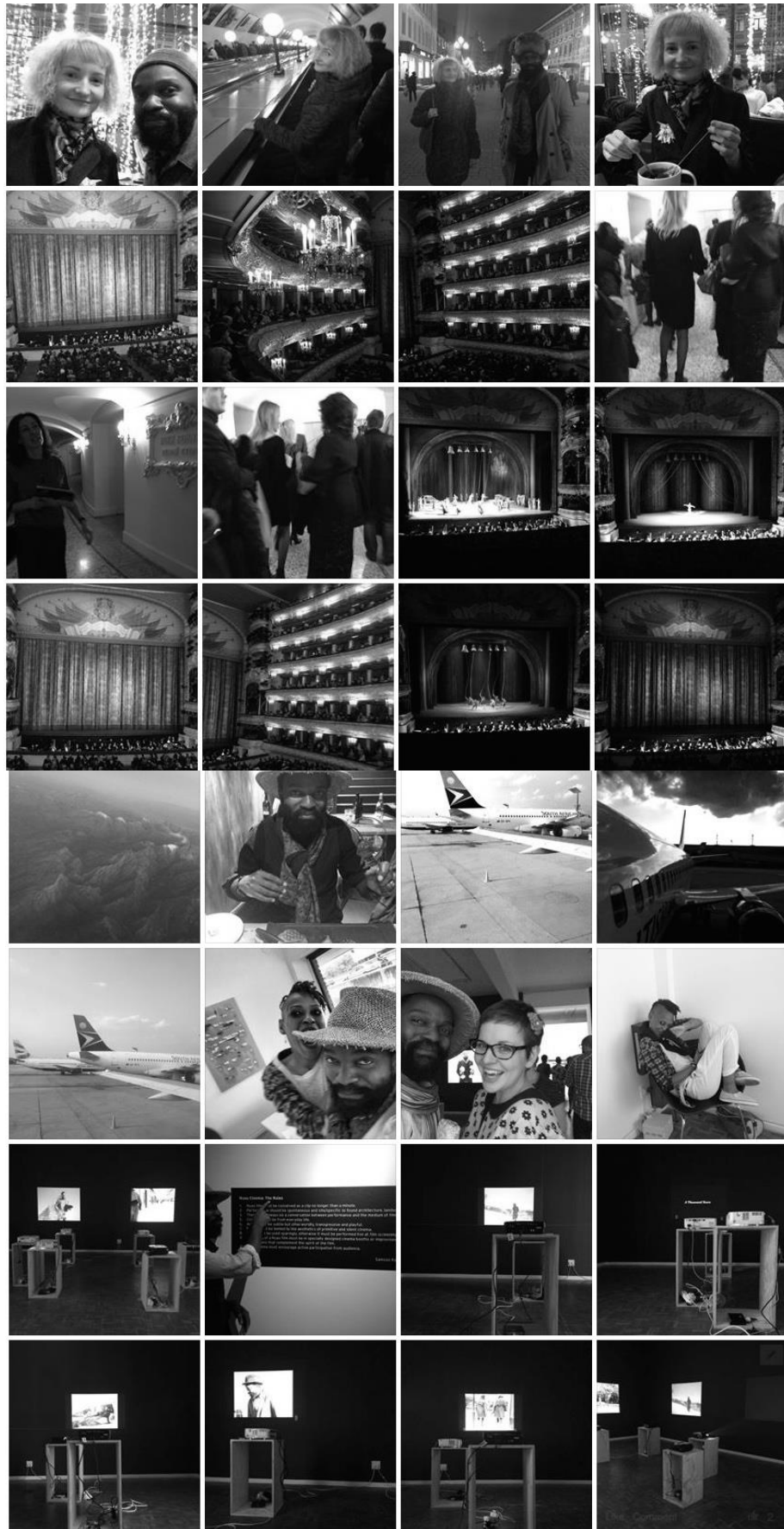












Gianfranco Sanguinetti v Venice Biennale – Samson Kambalu
Venice Biennale Defence by Massimo Sterpi

FUMUS BONI JURIS

(III) On freedom of display of the works

40. As noted in terms of lack of legal standing of the Foundation, it is undisputed that the challenged Work has been created exclusively by the Artist Kambalu, without any intervention of the Foundation.

41. As the Foundation had no role in the alleged illegal reproduction and / or reworking of the Situationist Archive of the Plaintiff, we should determine whether the Foundation has committed some unlawful behavior by merely publicly displaying the alleged reproductions or " détourné " reworking made by the Artist Kambalu of some of Plaintiff's works within its own critical work / satirical work, being clear of the total absence of any commercial exploitation of the works of the Plaintiff by the Foundation (see above).

42. The answer is necessarily negative.

43. Among many copyrights reserving exclusive uses to the author of an artwork according to Copyright law (see Art . 12 and following, Law 633/1941), there is not therefore included the right of public display, as already explained above.

44. Then, once the work is out of the author's availability - and in this case one can hardly speak of unpublished works, as with the willing transfer of the same to the Beinecke Library then Sanguinetti made them available to the public, it is clear that none of the works of Sanguinetti's Situationist Archive may be considered unpublished – then they may legitimately be exposed by anyone.

45. Then the request to the Foundation, of not exhibiting works which reproduce Plaintiff's works (which are no longer unpublished) lacks of any legal basis.

(IV) On the attitude of the Situationist movement against the détournement and the general license of use of its own materials

46. As already seen, Kambalu's Work is a critical and satirical application of the basic principles of Situationism, of which the Plaintiff was one of the ideologues and strong exponents (but then he betrayed them with the aforementioned sale to Beinecke Library).

47. It is therefore important to verify if, according to the logic of the Situationism, that Work is unlawful. It would be paradoxical if Situationists supported and encouraged for years the use, appropriation and the détournement of works by third parties - as well as of their own ones - and then suddenly file a lawsuit against those who accepted these

suggestions and put into practice these theses

48. The issue is not only moral or ethical (preach one thing and then practice another), but strictly legal.

49. By inviting third parties to appropriate their own works in order to overcome the concept of art commercialization and barriers to the diffusion of ideas, legally speaking they offer everyone a free and non-exclusive license for the reproduction of the works themselves (according to the scheme of public offering pursuant to art. 1336 of the Italian Civil Code)

50. After making such offer - and Sanguinetti's writings (see below) are the best evidence of that - it is not possible to challenge someone to have adhered to it, usually through implied acceptance by using these works. Indeed, through the implied acceptance by use, the license has become valid and effective.

51. Now we examine how the proposal to license the Situationists' works was made to the public.

52. As already noted, the artistic strategies promoted by the Situationists consisted in the rejection of copyright, in the détournement of third parties' works and in mockery.

53. First of all, the Situationist Movement strenuously professed the rejection of all forms of copyright for the creation of "an art of subversion", as mentioned also by the Plaintiff (see Complaint, p. 3).

54. Moreover, even the magazine " Internationale Situationniste" - the official organ of the Situationist Movement - denies any copyright on situationist works stating "*tous les textes publiés Situationist Internationale peuvent être librement reproduits, traduits ou adaptés, même sans indication d 'origine*" (translator's note": all texts published in the International Situationniste may be freely reproduced, translated or adapted, even without reference to the source ") (Doc. 16).

55. As for the détournement, as explained by the same magazine "Internationale Situationniste " (see Doc. 16, p. 10), it consisted in reusing previous artistic elements in a new unity. The two fundamental elements of détournement are the loss of importance of any détourned independent element and, at the same time, the organization of another meaningful ensemble which confers on each element its new capacity.

56. More specifically, and coming to a fundamental aspect of this case, as briefly explained on the website Anarchopedia (Doc. 17) "**The détournement represents the Situationist denial of the intellectual property** and it is the re-appropriation of discursive fragments of other authors and their reconversion, also in a deformed

way, in other contexts of meaning. (...) Debord and Wolman textually write in their essay "Methods of Détournement": *"During the civil war in which we are, art and creation in general should serve exclusively for partisan reasons, and that is needed to put an end to any notion of private property in these areas. **Détournement is the free appropriation of other people's creations.** Détournement is decontextualization. It goes without saying that anyone is not limited to correct existing works or integrate different pieces of expired works in a new work: you can also alter the meaning of these fragments in any way, leaving idiots to their efforts in maintaining quotation marks"*.

57. In few cases where the Situationists wanted to deny their "no copyright" principle, they did so for paradoxical purposes and, in any case, in such a way that did not prevent anyone from reproducing their works. In this regard, the exchange of correspondence between the Situationists - including Mr Sanguinetti and Feltrinelli (remembered by the Plaintiff's attorney in the letter of 26 May 2015: Doc. 18) - upon request of this publishing house to translate the magazine *Internazionale Situazionista* is emblematic. The Situationists's refusal did not derive, as Mr Sanguinetti clearly explains in such correspondence, from the denial of the "no-copyright" principle, but from a conflict against Giangiacomo Feltrinelli, since he was considered, as expressed in the correspondence, "bourgeois "and" Stalinist ". Here are some passages of a letter from Mr Sanguinetti to a Feltrinelli's agent, from which it is absolutely clear: "You talk against copyright and bourgeois usages - you, you policeman! But it was your publishing house which played, as usual, that bourgeois juridical game, asking for translation rights. (Doc. 18, p. 4).

58. And even more unequivocal in this regard could be considered the sentences contained in the public circular of the International Situationism where the Situationists, in answering to the Giangiacomo Feltrinelli's request of translation, have well-defined instructions, in accordance with the Situationist philosophy, for using situational works : the request of copyright license is considered by them a bourgeois act, therefore , the Situationists deny that license to those who require it , in this case the publishing house Feltrinelli , but do not challenge any appropriation when this occurs in a " pirate" or " revolutionary " way . Here are some passages of such correspondences *"It is your publishing house that has played, according to its custom, this bourgeois legal game, by asking us for the translation rights. And rightly **we refuse them to you, because of everything you are.** If our contempt is immaterial to you, [...], you should not have asked us for anything. Revolutionaries, on their part, have always been able to*

reproduce every SI (Internationale Situationniste, Editor's note) text they have wanted to, and we were never opposed in any way to the multiple pirate editions of our texts and our books in a good number of countries. But the firm of Feltrinelli is not even worthy of pirate editions"... "In any case, even if you ignored our refusal, you can be sure that we would not protest by any juridical and bourgeois route."

59. It is precisely such reasoning on the disregard of copyright by the Situationists and the fact that they preferred the "pirate" use to the authorized ones to have been perfectly and impeccably implemented by the Artist in this Work.

60. The Work of Kambalu, just on the basis of the surrender to copyright expressed and preached by the Situationist movement, exasperates, in an intentionally provocative and satirical way, this concept by combining it with that of the "gift", of détournement and of the maximum flow of ideas. Indeed, in the presentation of the Work exhibited at the Venice Biennale (see Doc. 6) is explicitly explained the mission of conceptual destabilization of the Work, aimed to be a real performance of the Situationist philosophy. The presentation states "In December 2013, the sale by Sanguinetti of its records to the Beinecke Rare Book and Manuscript Library of Yale has caused a furious protest letter from Bill Brown, his former English translator and web host. Kambalu presents a Brown's letter at the Venice Biennale, reproducing it on a large mural made with the stencil, as a "gift" to the Situationist project and as its own extension. The Kambalu's wall will be accompanied by a series of photographs "altered" with images and texts found in the Sanguinetti's collection, modified and re-contextualized through the frame of the picture, the destabilization of their archival importance and the invite to new types of interaction with the past. "

61. The principles of the Situationists are indeed clearly respected - even by the artist with an invitation to the public to spread the "detoured" images on display, which are defined by the Artist in the exposed captions (v. Doc. 5) as " Sanguinetti's 'detoured' documents ", explicitly recalling the strategy of situationist "détournement" and replicating - thanks to the installation and later to the online reproduction by the viewers of the Work - the scheme of this method commonly referred to, as already described, "the integration of current or past productions of the arts in a higher construction of the environment" (Doc. 19).

62. Moreover, the fact that the documents on display are reproduced along with the hand – clearly visible - of the Artist of African origin (Doc. 20) adds “extraneous” elements to the objects portrayed in the photographs themselves (that is, the materials of

Sanguinetti's Situationist Archive today sold to the Beinecke Library), highlighting the access of new non-Western cultures to the Situationist thought (remembering that the Situationist movement was especially a European and North-American movement) and it is another example of artistic representation of *détournement* and of its broader cultural implications.

63. From an artistic point of view, Kambalu's work is, therefore, a **philologically rigorous implementation** of Situationist thought, using all elements of the same thought: the rejection of copyright and of private property in general, the widest possible spread of thought and works and decontextualization ("*détournement*") of reproduced works, as extrapolated from their place of origin and re-proposed in another space and in another time. The fact that the materials have been photographed at the Beinecke Library is not all casual and is, indeed, an essential element to understand Kambalu's work. Indeed, as explained in the same description of the Work, the sale of Sanguinetti's Situationist Archive at the Beinecke Library has been the subject of strong protests (considering that Mr Sanguinetti, after decades spent on criticizing the commercialization of art, did not donate his Situationist archive to some library or archive, but sold it at high price - 650,000 Euros (see Complaint, p. 6) - and even through the very bourgeois Christie's: the unsurprising critics of inconsistency (to say the less) were very numerous. Therefore, the Artist Kambalu has deliberately decided to join and deepen the criticism on the sale of Mr Sanguinetti's Situationist Archive at the Beinecke Library inside another situationist expression: namely, his Work exhibited at the Venice Biennale.

64. From the legal point of view, the situation is very consistent:

- Situationist exponents, among which the Complainant, invited all artists to make free use of any material or work of third parties, including the materials of the same Situationists, as demonstrated by the express invitation contained in the magazine / Bible of the movement, that is *Internationale Situationniste*;
- legally speaking, such invitation - direct or detoured - of Situationist materials is a public offer for a free and non-exclusive license to reproduce or elaborate such materials;
- thanks to his behavior (by the way strongly recommended by the Situationists, inviting to 'hack' their works without asking any "bourgeois" authorization - see correspondence with Feltrinelli mentioned above), i.e. by using the materials and reworking the Situationist material of Sanguinetti's Situationist Archive, the Artist

Kambalu accepted this public offering, agreeing upon the above license;

- as a **valid license** exists, the Complainant has no element to challenge the detoured use of such materials.

(V) On a subsidiary basis, on the lawfulness of satire and freedom of expression and criticism

65. On a subsidiary basis, the Work of Kambalu would still be considered lawful in terms of the right of satire and freedom of expression and criticism.

66. With a refined conceptual operation, typical of the Situationist's style, the Artist has indeed **let the same Situationism mirror itself**- in person of one of its leading exponents, Mr Sanguinetti - reworking an entire archive and highlighting the contradiction between having supported the fight of commodification of art for decades and the freedom of copying and dissemination of ideas, only to commercialize the whole Situationist Archive of Mr Sanguinetti, selling it to 650,000 euro – through Christie's - to a Public Library. This contradiction is so obvious that taking pictures of what happened is the best and most sarcastic satire to the contradictions of Sanguinetti's behavior. Moreover, the title of the work is "Sanguinetti's Breakout Area" and the meaning of the word "breakout" is both a "counterattack" (of Kambalu to Sanguinetti, with the same means of the Situationism) and an "escape / avoidance" (of Sanguinetti from the consistency of the uncommercial Situationist thought).

67. In this regard, we recall what the Complainant has already highlighted, i.e. the fact that the situationist practices have used different means, from cinema, to television, to artistic actions always based "on **scandal** and détournement, the correction or the fraud of identity, the imposture and **mockery**"(see Complaint, p. 3), all elements which characterize- intentionally, given the critical/ parodist purpose– Kambalu's Work which assumes in this circumstance **the features of a true Situationist Work** or, more generally, of a *satirical critic through sarcasm*.

68. Indeed, what is better than to criticize and make fun in a satirical way on Sanguinetti's inconsistency and on his betrayal of the principles of anti-mercantilist Situationism that simply show to the public that Sanguinetti's **whole Situationist Archive** (which, however, also contains many materials which do not belong to Sanguinetti but to other authors) is at the Beinecke Library to which he himself has sold it for more than 650,000 Euros? For this purpose the Artist Kambalu uses:

- (i) the countless photographs taken by the artist Kambalu to the Situationist Archive of Mr Sanguinetti at the Beinecke Library ("altered / detoured" by the presence

Kambalu's hand in the photograph itself, to represent the "signature" of its intervention); and (ii) the anthology "Theses" - curated by the artist Kambalu, as indicated on the front of the same, showing both the name of Samson Kambalu that the date of 2015 (see Doc. 3) - that collects texts and materials of Mr Sanguinetti - or at least part of Sanguinetti's Situationist Archive - found at the Beinecke Library in order to demonstrate that Mr Sanguinetti has sold his **entire** Situationist Archive (although it contained works made by third parties) and not few scattered pieces; as well as, (iii) the open letter from Mr. Bill Brown to Mr Sanguinetti, in order to demonstrate what was the reaction of other members of the Situationism (including, of course, Mr. Brown) to that sale, considered as a betrayal to the anti-mercantilist philosophy of the Situationism (then the betrayal was perpetrated again by Mr Sanguinetti through this - and really paradoxical - proceedings in which he accuses the Artist Kambalu - but he do not sue him ... - to have done what Sanguinetti has always suggested to all artists to do).

69. The exhibited Work, with reference to the (alleged) works of the Plaintiffs for which he claims copyright infringement, has a critical and satirical nature - using sarcasm - against Mr. Sanguinetti and his "escape / avoidance" ("Breakout") from the same principles sustained by Sanguinetti himself, escape realized through the sale of its Situationist Archive to the Beinecke Library. For the purposes of satire and sarcasm, and to make clear what his goal was, the Artist Kambalu expressly appointed Mr Sanguinetti (and his escape / avoidance - "Breakout") in the title of the Work , he reproduced the open letter of Mr Bill Brown which criticized the sale to the Beinecke Library and then exposed photographs of the largest number of materials that are part of Sanguinetti's Situationist Archive today contained in the Beinecke Library, which was also expressly named in the captions of the Work (see Doc. 5). So, not a free appropriation of someone else's works, **but a precise criticism and satire to the contradictions in the behavior of Mr Sanguinetti, showing where his anti-capitalist revolutionary works went - paid at such high price - and what other members of the Situationism thought of that.**

70. The **provocative** and **satirical** content of Kambalu's Work, was also **recognized** by Plaintiff's attorney, that in the letter of 14 May 2015 states: "To say that the Work is a tribute (besides to be appreciated) make me think at the black humor of Swift "(see Doc. 9). Although it deals with "black humor", it deals always with humour.

71. Moreover, it would be paradoxical to prevent from using satire (itself lawful in

general terms: see above) against a movement (the Situationism) and an author (Sanguinetti) which have always used satire and, even, the sneer, as guiding principles of their own artistic activity. How can Mr Sanguinetti ask not to be the subject of satire, having joked and mocked everything and everyone?

72. With regard to the lawfulness of satire, it is sufficient to remember as follows.

73. In Italian copyright law, exceptions to reproduce a work divide between codified exceptions and uncoded ones and among the latter, satire and parody have a prominent place, finding their normative basis in the **constitutional principle** of freedom of expression pursuant to of art. 21, as well as art. 33 of the Italian Constitution concerning the freedom of art.

74. On the other hand, if art. 5, II paragraph, letter. k) of EC Directive 01/29 provided the possibility for Member States to allow free reproduction, distribution and communication to the public of a work when this happens for the purpose of mockery, parody or pastiche, Italy did not consider necessary to incorporate this principle into Italian law as it was clear in our system the principle of lawfulness of the right to satire and parody, and that "*the case-law is so consistent on this point*" that "*an express provision would have been useless*" (see Short Commentary on Intellectual Property and Competition, Fourth Edition, CEDAM, 1512). Parody and satire are, therefore, a constant and ancient theme in the art world, whose lawfulness was confirmed in Italy since at least 1908 (Scarpetta proceedings, Naples Court May 27, 1908, about the work "The son of Iorio").

Already in 1934, on parody an Author (Alfredo Sandulli, Criminal Art, Naples Guide Publisher, pp. 85 et ff.) wrote that "(...) *The parody does not imitate the parodied work. At least the adjective is not chosen on purpose and it should indicate another one because the parodist must keep in mind the original - that is the plot on which new work is embroidered - but it is presented under another aspect and shape. You can more properly speak of transformed imitation. The parodist does not imitate, but alters; do not copy, but turns and puts in ridiculous and the British once again use a word that easily suggests the true content of parody. They say it is the disguise of a serious work. The parody - is said in the ruling by the Court of Naples, in the Scarpetta case - is not a true imitation of the parodied work; but under the same shape (the greater is the identity, the more is the value) you can see a substantial and deep difference: a new individuality. No imitation, since from the contrast, the resemblances, humor appears spontaneous and irresistible and parody would be monotonous and cold if it did not*

*show the humorous side of the same ideas, images, characters, passions and situations, that are found in the serious work, and if the new work does not refer to it to show his different nature and attitude. In parody, imitation disappears and the grimace, the mockery remain (...) It is not a copy and cannot be confused with plagiarism because it is just the **opposite** (...). 'Plagiarism is a copy, parody is a satire' shrewdly observed Giurati and adds: 'The parody always keeps his physiognomy, either if it alters the most moving and tragic episodes, and if it that preserves the voices, rhythms, to use them for a different purpose, that is, imitating the style of others and amplifying the judgments, highlighting the defects'. (...), Parody can be considered as a counterfeit, if this word is used for a different meaning from a legal one. A writer can call parody counterfeiting parody, not the lawyer. On the other hand, admitting the existence of the transformation, implicitly excludes counterfeiting under a legal point of view, the more it is recognized that there is alteration of the spirit of the work. (...) The parody cannot be confused with counterfeiting, primarily because in counterfeiting the true paternity of the author is not altered, as in parody there is always the the author's name of the new production. On the other hand, the counterfeit is a masked, camouflaged imitation, a forgery, and instead the parody is a transformation because the character, the tone, the attitudes, the characters themselves and their situations differ from the original. The parody is the mockery of falsification (...). Arcoleo said: 'Counterfeiting means to replace; person remains identical, that is the creator of the work under the mask, same happens to the sign under the variety, the color, same happens also to the lines under the manifold decorations. Spirit, harmony, the germ, the artistic creation is the subject, in that picture, in that line. The counterfeited work has no existence on its own, it did not have, I would say, a civil status; it is a body, even better, a moral and artistic deformation that does not have precise profiles, it is an apocryphal figure, a subspecies that has no place in the categories of art, but in criminal matters. It requires deception, fraud, it is a work under false pretences; instead than an exercise of freedom by the counterfeiter it is violation of the freedom and of the right of the main author.*

*'Counterfeiting can also change the outward shapes in certain ways, but it remains the seed, the spirit, the creativity that is the mark of counterfeited work. Parody instead has its own content, a relative **independence** in his own aim, which is different through shapes and means that can be more or less similar to the original. Then it has its own existence because of the tone, gender, different, or better opposite emotion, it makes laughing instead of crying: it replaces a marriage to a murder, the joyful solution to a*

catastrophe '. (...) The parodist shall have a complete freedom of action for conducting their work and you cannot impose limits or restrictions, because art has its own strict laws and it does not admit the possibility of impositions or fixed and unmovable charges. The author of the parodied work neither receives pecuniary damages - because, indeed, as has been said before, the fame of his name spreads, while the notoriety of his work increases – nor material damage because the two works are distinct artistic productions which cannot be confused: one calls the other ".

75. In addition, case-law specified that "*parody is an **independent work** with respect to the parodied one as there is appropriation of the ideological core of the parodied work and between the two works there is no identity of representation; indeed parody when compared to the original work realizes the reversal of its substantive meaning. Therefore, on the one hand, **no consent is required by the holder of the moral or economic right on the parodied work**, on the other hand, the publication of a parody can never constitute a violation of the moral rights recognized by art. 20 Law 22/04/1941 n. 633 to the author of the parodied work*" (Court of Naples, February 15, 2000, in *Giurisprudenza Napoletana* 2000, 184; ex multis: the Court of Milan, January 29, 1996, in *Giurisprudenza Italiana* 1996 1,2,749; Court of Milan, November 15, 1995, in *Giurisprudenza Italiana* 1996 1,2,749; District Court of Rome, August 29, 1978, in *Diritto d'Autore* 1979, 967).

76. Also, the Court of Milan , with the decision of 7 September 2004 (in *Rivista Internet* of 2005 , 1 , 27) , said that (i) "*parody, as technique used to reach a satirical effect, though finding his basis in the pre-existence of a previous work, has an **autonomous nature** and therefore it does not need the consent of the author of the parodied work*", and (ii) the right to satire as "*right to criticism exercised in a satirical and ironic way*" recognized *under the freedom of thought protected by art. 21 of the Constitution* " (ex multis , the Court of Turin , June 1, 2010 , n . 3775 , in *Responsabilità Civile e Previdenza* 2010 , 9 1807 ; Court of Piacenza , May 26, 2009 , No. 375 , *Redazione Giuffrè* , 2009) .

77. Finally, the Court of Milan in its decision of 15 November 1995 (*Dir. Industriale* 1996 407) further specifies that "*although the parodist work characterized by its derivation from an existing work and by a comic effect - a burlesque act aimed to reverse the sense of the parodied work, it should be considered as an **independent work** and as such subject to an independent protection. In order to ascertain the existence of the elements of parody it is not relevant a greater or lesser imitation of the parodied*

work, as the critical examination of the parodied text - for the purpose of proper considering it as independently protectable in relation copyright - should be conducted not by highlighting and cutting out the identities and similarities with the original text, but rather considering the work of parody as a whole, in order to determine whether, despite seemingly reproducing in part the parodied work, departs from it for its meaning and expression; that is sufficient to attribute the parodist work originality and creativity, that make it independent from the parodied work.

Once recognized independent value to a work as a true parody, it follows that there is no alleged breach either of Article 70 of Italian Copyright law – considering the lawfulness of the quotes of the original work from the parodist work - and of the alleged damage to the honor and reputation of the author of the original work set out in Art. 20 of the same law. The title of parody is lawful even when involving a coupling to the parodied work, so far as is intimately connected with the intent of parody, so that the substantial result of the total opposition of the content of the two works - that parodied and the parody - determines their destination to different categories of users. "

78. In addition the unanimous case-law confirms that to create a parody there is no need of the author's consent of the parodied work (or its successors), as it is completely irrelevant his dissent.

79. Finally, it is very useful to remember a recent Italian decision, concerning a similar case, namely the creation of an installation by the artist John Baldessari entitled "The Giacometti Variations", which was an express appropriationist parody of Alberto Giacometti's works, who induced the Giacometti Foundation to file a lawsuit for preliminary injunction before the Court of Milan.

80. The artist Baldessari, in fact, used as model the famous *Grandes Femmes* by Giacometti, then he dresses his statues with clothes and objects taken from collective imagination, or from the cinema and art itself, to create an imaginary fashion show.

81. In order to clarify the case, here is a comparison of the works:



Alberto Giacometti John Baldessari

“Grande Femme” “Giacometti Variations”

82. The Court of Milan (order of 13 July 2011, *Rivista di diritto industriale* in 2011 , 6 , p . 347 et ff. - Doc . 21), considering the absolutely legitimate artistic operation of Baldessari, and revoking its order issued *inaudita altera parte*, affirms that there is a *“distinction between revisitation of an artist’s work for the purpose of paying it homage and following, and implementing his teachings (creation of a school, a movement, a trend), or performing a re-elaboration (for critical purposes, parody and the like), and the case of actual plagiarism of the work. In the first two cases, we can speak of a creative, original and independent elaboration, but not in the last case. Creative elaboration differs from falsification insofar as, while the latter consists substantially of a reproduction of the original work, with differences in mere details that are the product not of a creative contribution but of an attempt to mask the falsification, the creative elaboration is characterized by a revisitation, a variation, a transformation of the original work by means of a recognizable creative contribution. The extent of this contribution has to be appreciated in the light of the observation that the creative act receives protection, if susceptible to being exhibited in the outside world, with the consequence that the creativity cannot be excluded only because the work consists of simple ideas and notions included in the intellectual legacy of people having experience of the subject. What matters is not so much the possibility of confusion between two works, as in the case of the judgment of impression used in cases regarding distinctive business signage, but the illicit reproduction of a work of art by another, albeit camouflaged so as not to make the original work immediately recognizable (in this sense*

we can refer to Supreme Court decision no. 2345 of 10.3.1994; no. 20925 of 27/10/2005; no. 581 of 12/01/2007). In this case, while there is no question of the creative work of Giacometti's sculpture, there is a strong disagreement on the part of the plaintiff that Baldessari's work can be recognized as having the value of a creative, new work of art, and not a case of plagiarism, both from the standpoint of its complete expressive content and from that of its originality, as the ability to represent an independent and original creative contribution to the art world (according to the teaching of the Supreme Court in decision no. 24594 del 23/11/2005).

This creative contribution is abstractly apparent even if the work derives from an existing work of art, possibly by another author for whom the right of protection still exists. Works of parody, burlesque or humor, but more in general any works that revisit the work of another (without necessarily inspiring irony or laughter, as they may just as well suggest different, even tragic or dramatic messages), are such in the measure to which they alter the sense of the work parodied, in such a way as to attain the role of an independent work of art, worthy, as such, of independent protection. In this view no final significance can be attributed to the greater or lesser imitation of the work parodied (see Court of Milan, 15.11.1995 in the case of Susanna Tamaro), even if that fact can contribute to the evaluation and may be one of the indices of the creative contribution achieved by the second author. It is true, however, that for the purpose of consideration of the derivative work (this term seems preferable to the rather limiting term of parody) the examination has to be carried out without so much emphasizing the similarity and resemblance with the original work, but considering whether the derivative work, as a whole, though reproducing – to a greater or lesser extent – the original work and in any case inspired by it (in the case in point it has been said that Baldessari wanted to reproduce a "Grand femme" as interpreted by Giacometti and not specifically one or the other of the Master's sculptures), deviates from it to transmit a different artistic message. In this sphere, we must therefore distinguish the person who copies, and thus illicitly reproduces the work of another from the person who reinterprets this work for the purpose of translating it into a different artistic expression, creative in its own right and capable of transmitting its own message. This case has clear precedents in the American case law mentioned by the parties, and in particular in the Mattel case (Mattel vs. Walking Productions, 353 F.3d 792, of 29.12.2003), in the Jeff Koons case (Rogers vs. Koons, 960 F.2d 301 - 2nd Cir. 1992 and Blanch vs. Koons, Docket No. 05-6433-CV of October 26, 2006)."

83. Furthermore, in *Mattel vs. Walking Mountain Productions* , also invoked by the Court of Milan and attached as Doc 22, the US Court of Appeals considered perfectly legitimate, as satirical - critical , the work of photographer Thomas Forsythe , aka " Walking Mountain Productions " , the evocative title of " Food Chain Barbie " (again, the name of the subject is parodied in the title) , consisting of a series of 78 photographs of the famous doll often naked, flanked by electrical appliances or foods (now the head of Barbie in a saucepan for fondue, or Barbie is wrapped in tortillas and covered with sauces) , to be ironic on the American Dream represented by it .

84. It should be noted that the US Court also highlighted how Mattel undoubtedly would never have granted permission to use the Barbie to an artist who would have use the doll to create a critical work which reflects negatively on the image of Barbie (see § 50 of the decision).

85. It is clear that, in this case, the Work of the Artist Kambalu hosted at the Venice Biennale is perfectly legitimate in the light of the principles mentioned before.

86. The installation in question, in fact:

- it is obviously far from being a mere plagiarism of the works of Sanguinetti, being an obvious "reinterpretation" of the same in order of criticism, satire and parody (as highlighted before, the Artist Kambalu "pays Situationist artist Sanguinetti back with the same coin,"

- expressly mentions in the same title (as is the case decided by the Court of Milan or in US "Food Chain Barbie" case) the fact that the work is a satirical and critical review of the works of Mr Sanguinetti ("Sanguinetti Breakout Area") ;

- is not usurpation or masking of counterfeiting, but rather a **clear satirical and sarcastic comment** on the overall work of the Situationist Mr Sanguinetti and its contradictions;

- clearly rises to the role of **autonomous work of art**, because it totally changes the meaning of the original works and conveys a very different artistic message (it is not necessary that the next work inspires irony or induces laughter, it well could suggest different messages, even tragic or dramatic critics: see order of 13/14 July 2011, see. Doc. 21), which is a sarcastic and provocative critic to the sale at high price of the Plaintiff's Situationist Archive to the Beinecke Library, after years of revolutionary

preaching against the commodification of art;

- moreover, revisits some existing works of the Plaintiff to make a satirical criticism - applying the same theory of détournement professed for decades by Mr Sanguinetti.

87. The Work of the Artist Kambalu finally meets all the elements outlined by the recent judgment of the European Court of Justice (C-201/2013), according to **which a parody should not have its own original character, different from the presence of perceptible differences compared to the original parodied work**. In the current case, the union of the title of the Work, of the captions, of Mr Kambalu's hand in altered reproductions of materials of Mr Sanguinetti's Situationist Archive, Mr Brown's critical letter and the critical writings accompanying the Work are well perceptible difference compared to the materials contained in Mr Sanguinetti's Situationist Archive and they do not really leave any doubt as to the satirical and sarcastic aim of the Work towards the Plaintiff.

88. The same judgment of the European Court of Justice C-201/2013 recalls, in compliance with the provisions of art. 5 of Directive 2001/29 / EC, that parody is a form of **freedom of expression** marked by mocking and humorous purposes and constitutes **an exception to the protection of copyright**.

89. It is also to highlight the cultural value of the Work of the Artist and its purpose of stimulating with satire and a critical discussion on a topic of current interest such as Situationism, it seems quite obvious why he chose to display during an exhibition of such a high level such as the Venice Biennale, just to highlight the purpose of criticism and discussion of general interest that this work promotes, so preventing its display would constitute censorship contrary to the aim and purposes of the Foundation, which guarantee the greatest freedom and autonomy of artistic expression to the curator and to the artists invited by him .

90. The function of the Kambalu's Work to stimulate a public and living cultural debate is in full compliance with the principles clearly stated by the European Court of Human Rights, in case Donald Ashby et autres c. France n. 36769/08, concerning the

predominance of the protection of freedom of expression on the copyright when the first one is necessary to contribute to a debate of general interest, as it is clearly in the current case. The same judgment also points out that, with reference to the protection of freedom of expression you should not take into account the commercial nature of the expression but, rather, the participation in a discussion of general interest. In this case, recalling that the Foundation does not participate in any way to the commercialization of the Work (as indeed also admits the Plaintiff: see above), is clear that the Work is precisely aimed to stimulate an artistic debate of general interest on the Situationism and on Mr Sanguinetti, sarcastically emphasizing the contradictions. Therefore, it is perfectly legal.

Gianfranco Sanguinetti v Venice Biennale – Samson Kambalu
Court of Venice Judgement by Judge Luca Boccuni

COURT OF VENICE

Division specializing in business matters

The Judge, Mr Luca Boccuni, in the proceeding n° 5688/2015 filed, according to art. 156 and ff. of law n. 633/1941 and to art. 669 bis and ff. of the Code of Civil Procedure, by Gianfranco Sanguinetti, defended by the Attorneys Giovanni Giovannelli, Alberto Pojaghi and Antonio Gennari, against Fondazione La Biennale di Venezia with the attorneys Massimo Sterpi, Angela Saltarelli and Debora Rossi, besides Samson Kambalu, defended by the attorney Paolo De Santis, deciding after the hearing of 5.11.2015, issued the following

ORDER

With the complaint filed on July, 14 2015, Gianfranco Sanguinetti claimed to be one of the main Italian exponent of the Situationist movement and a member of “International Situationism” - an artistic movement developed between 1960 and 1970, aimed to overcome art when conceived as commodification, which reached also social, economic, political and work criticism thanks to scandal, *détournement*, theft identity, deceit, joke having subversive purposes. The claimant affirmed to be the author of several situationist works such as “*Rapporto Veridico sulle ultime possibilità di salvare il capitalism in Italia*”, published in 1975 with the pseudonym of Censor “*Prove dell’inesistenza di Censor enunciate dal suo Autore*”, published in 1976, “*Rimedio a tutto*”, unpublished, “*Del terrorismo e dello Stato*” published in 1979 and “*Miroslav Tichy – Les Formes du Vrai- Forms of Truth*” published in 2011. He declared that in October 2013 he appointed the auction house Christie’s to sell his own situationist archives including many of his literary, photographic works, besides drawings and letters, which were unpublished for the most part. The Yale University purchased such archive at the price of 650,000 euro, without purchasing his intellectual property rights, prohibiting any reproduction.

According to the claimant, during the exhibition at the Venice Biennial, the installation entitled “Sanguinetti Breakout Area” was displayed. In such installation Samson Kambalu, a Malawi artist, would have been showed, besides some photographs and drawings not created by the claimant, around three thousand photographs, all reproducing documents, writings, drawings and photographs included in the Sanguinetti’s archive existing at Beinecke library, with the warning that such material

can be handled, photographed and shared on line by the exhibition visitors.

Gianfranco Sanguinetti complained the infringement by Samson Kambalu and by the Biennial of the right of reproduction pursuant to art. 13 of copyright law, lacking any authorization for their behavior; the infringement of the right of exposition and distribution according to art. 17 of copyright law; the economic exploitation of the copies prohibited by art. 68(6) Copyright law; the violation of his right of publication for unpublished works, according to art. 12 copyright law. As to the correspondence constituted by some personal letters, which were reproduced, the claimant complained the violation of his privacy rights.

In addition, the claimant declared that the Biennial offered on sale at the price of 8,500 English pounds the book entitled “Theses” and attributed to him, containing the collection of all displayed reproductions. This behavior would constitute counterfeiting, representing an unauthorized reproduction of Sanguinetti’s works without any paternity usurpation, besides constituting the abovementioned infringements.

Given the *periculum in mora*, the claimant requested to La Biennale Foundation to inhibit the prosecution of the installation entitled “Sanguinetti Breakout area”

After ordering to serve the act to joinder Samson Kambalu to the action for the reasons specified in the order of 21.09.2015, the defendants appeared before the Court.

La Biennale Foundation preliminarily raised the exception of its lack of legal standing, as it merely exposed Kambalu’s artistic work and did not perform any commercial activity through the alleged sale of the book “Theses”, that shall be considered attributable to the Stevenson Gallery established in South Africa. On the merits, the Foundation affirmed also that, once the challenged documents were transferred to the Beinecke Library, then they went out from author’s disposal, they were not unpublished works, which none can prevent from being publicly displayed. In addition, the Foundation raised the exception that intellectual work can be appropriated according to situationist theory, in order to make the same work freely available and not commoditized, with the consequence that Sanguinetti, sustaining these theories, would have offered a free and non-exclusive license to reproduce his works, so representing *détournement*, the situationist denial of intellectual property and consisting in the reappropriation of discursive fragments of other authors, reconverting them, also in a deformed way, in other contexts of meaning.

In any case, the Foundation underlined how, just being inspired by the Sanguinetti’s

transfer of his own archive, the displayed work had forced Situationism to look in the mirror by reworking the whole situationist archive and highlighting the contradictions of the commodification of its work through the *détournement* practice, as Kambalu appropriated the work in terms of satirical and mocking criticism. This was clear from the title of the installation “Sanguinetti Breakout Area”, where the term *breakout* has both the meaning of “counterattack”, as to underline the author’s fight with Sanguinetti with the same situationist weapons, and the meaning of “escape”, in order to underline the Sanguinetti’s abandonment of the situationist theories.

As the challenged work has the full status of provocative, satirical, parodistic work, no copyright infringement would have been committed, taking into account the protection of parody provided by art. 21 and 33 of the Constitution.

Considering the lack of *fumus boni juris*, but also of *periculum in mora*, La Biennale Foundation requested the dismissal of all claimant’s precautionary request.

Likely, Samson Kambalu appeared before the Court highlighting, preliminarily, the voidance and inadmissibility of the act of joinder to the action, as Sanguinetti did not make any direct request towards him, as the claimant had exclusively reiterated the requests towards La Biennale Foundation.

On the merits, Samson Kambalu proposed the same defensive reasoning of the other defendant, requesting the dismissal of the counterpart’s request.

Preliminarily, we shall consider the objections raised by La Biennale Foundation and by the third party Kambalu concerning the alleged lack of legal standing and the alleged voidance and inadmissibility of the act of joinder to the action.

As to the first exception, we should consider that the legal standing is affirmed taking into account the reconstruction of facts provided by the claimant, who, in this case, claims the infringement of his copyrights because of the exposition by the Venice Biennial of Samson Kambalu’s installation, which would determine the violation of Gianfranco Sanguinetti’s rights. The exhibition contributes to the alleged illicit behavior, and then, the organizing foundation shall be deemed liable of the same exhibition, together with the author of the work, alleged to be a counterfeiting. Therefore, La Biennale Foundation shall be considered to have legal standing, with reference to the injunction request, concerning the exhibition of the challenged installation, demanded by Gianfranco Sanguinetti.

As to Samson Kambalu’s claim that the act of joinder to the action is void and

inadmissible, since the claimant did not make any direct request towards him, considering that Sanguinetti maintained his injunction request concerning the foundation dealing with the prosecution of the installation entitled “Sanguinetti Breakout Area”, it shall be reaffirmed what already said in the order of 21.09.2015, where I ordered to joinder to the action. Indeed, the injunction necessarily affects the legal sphere of the author, Samson Kambalu, and, more particularly, on the coessential power related to copyright to publish the work. The publication in this specific case takes on particular importance, considering the international relevance of the art exhibition organized by La Biennale Foundation, so that the request to inhibit the exhibition of the installation is a claim itself, which has importance also towards Kambalu, without being necessary to clarify that the urgent removal of the installation is requested by Sanguinetti even towards the author to which the complaint is served.

As to the merits of the proceeding, we shall underline that the installation “Sanguinetti Breakout Area” cannot be deemed a counterfeiting against the claimant, though it refers to writings, drawings, photographs or parts of his works through their photographic reproductions and display, besides to other works or writings, which, though included in Sanguinetti’s archive, are not attributed to him.

Indeed, the counterfeiting consists in the substantial reproduction of the original work, with differences of mere detail, which are not the result of a creative contribution, but rather of the dissimulation of the counterfeiting itself, so we should reject the existence of the illicit behaviors complained by the claimant, as the challenged installation having critical or parodist purposes, is an original and autonomous elaboration, which can certainly be also the revisiting or variation or transformation of the original work, through a recognizable creative contribution showed in the external world.

It is relevant to underline that Samson Kambalu realized an articulated and complex installation which cannot be considered as a mere display without authorization of Sanguinetti’s works or part of his works, taking into account that the installation conveys a creative, original, autonomous, clearly perceptible message. As a whole, using the language of the situationist movement thanks to the use of the *détournement*, of scandal, mockery, he underlined the contradiction between the theorized fight to commodification of the claimant’s intellectual work and the sale by Sanguinetti of his

works.

More particularly, the creative language of the installation is clearly perceptible in the fact that, if not all, but most part of the displayed photographic reproductions show what is hanged in the hands of Samson Kambalu, who, by way of mockery, seems to physically take back the work itself to put it at free disposal of the visitors of the art exhibition, in sarcastic harmony with the claimant's situationist ideal. Moreover, the same warning underlined by the claimant according to which the photographs constituting the installation and exposition "can be handled, photographed and shared online" expresses this concept of free availability of the same Kambalu's work, which, in its turn, can be "handled" "photographed" and "shared", so that the sarcastic criticism to the "situation" targeted by the author can be understood thanks to the reaffirmed conception, expressed in a concrete and physical way, that he conceives art as a gift, a concept which is typical of his national culture, as recognized by the critics who dealt with his artistic production.

The sarcastic and creative message previously mentioned appears to be suggestively stated by the title of the installation "Sanguinetti Breakout Area", considering its double meaning of installation devoted to the critical "counterattack" to Sanguinetti or also of installation committed to the "escape" of Sanguinetti from his situationist ideal. More explicitly, the meaning of the installation is more clear to the visitor from the fact that - together with the display of his photographic reproductions - Kambalu uses as a mural on which the same reproductions are displayed, the open letter of Bill Brown, Sanguinetti's former English translator and web host, with which Bill Brown made a resolute criticism to the claimant, considering the commodification of his archive. Such circumstance is clearly indicated also in the description of the work provided by the organization (doc. 6 of the defendant), so that we cannot understand the reason why the article on the online magazine Artspace raises doubt on the non-intelligibility of the installation for the lack of explicative comments (doc. 44 of claimant).

Also the way the installation was exposed confers creative value to the work, as it is accompanied, taking into account the presentation made by the Biennial, by the presence of some furniture for a relax area based on the "Game of War" of Guy Debord, theorist of Situationism, according to Samson Kambalu's reinterpretation.

The whole installation has its creative consistency and is a message of sarcastic criticism clearly coming from Kambalu, thus it cannot be considered a mere counterfeiting or a plagiarism of Sanguinetti's works or of part of them, as the presence of the aforesaid creativity constitutes the parody exception, according to the principles stated in the decision of the European Court of Justice n. 201 of 3.9.2014 (C-201/2013), being parody clearly recognized as a constitutional right according to art. 21 and 33 of the Constitution.

In addition, the exam of the Work, which is challenged to be a counterfeiting, shall be conducted neither taking into account the quantity, wider or not, of Sanguinetti's material which was photographically reproduced; nor considering that only some Kambalu's photographic reproductions portray the gesture to be held in the author's hand with the clear message previously underlined; but rather questioning if "Sanguinetti Breakout Area" distances from the alleged counterfeited work, bringing a different creative message because of perceptible differences compared with what previously represented. The message has a meaning of sarcastic criticism, aimed to open a discussion on an intellectual issue of collective interest, a discussion already urged by Bill Brown's open letter, considering that the criticized person is a recognized exponent of Situationism.

In other words, it is doubtful that Samson Kambalu plagiarized or counterfeited Sanguinetti's work, in any case already available to the public at the library that purchased the material, since the abovementioned work is simply represented as a image, without any appropriationist purpose of his conceptual content: the photographic image, in the described context, is simply the tool thanks to which the new, creative and iconographic work of the author of the installation is expressed perceptibly and in a recognizable way to the visitor. The work conveys the situationist message of sarcastic criticism.

To conclude, it does not seem that the complaint has an adequate *fumus boni juris*, as it shall be dismissed taking into account all previous considerations, regardless of the requirement of the *periculum in mora*.

The expenses of the proceeding shall be paid by the claimant Gianfranco Sanguinetti, which is then condemned to reimburse what the plaintiff and Samson Kambalu previously paid.

FOR THESE REASONS

The Judge

dismisses all precautionary claims proposed by the claimant Gianfranco Sanguinetti

condemns the claimant to pay to the Venice Biennial and to Samson Kambalu the proceeding expenses, which amount to 3,000 euro each, for professional expenses and other legal expenses.

Venice, 7 November 2015

The Judge
Dott. Luca Boccuni