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**PROFESSORIAL  
PLATFORMS  
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**CHELSEA COLLEGE OF ART AND DESIGN**

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**THE CREATIVE ACT Revisited**

**New Ways of Working – New Challenges**

Chelsea College of Art and Design

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## THE CREATIVE ACT Revisited New Ways of Working - New Challenges

'All in all, the creative act is not performed by the artist alone; the spectator brings the work in contact with the external world by deciphering and interpreting its inner qualification and thus adds his contribution to the creative act.'

Extract from Marcel Duchamp's lecture on *The Creative Act* at The American Federation of Arts, Houston, Texas, April 1957



Marcel Duchamp & Eve Babitz, Pasadena Art Museum,  
Duchamp Retrospective, 1963

The overall theme and stimulation for this platform is Marcel Duchamp's the lecture on *The Creative Act* delivered at The American Federation of Arts at Houston, Texas in April 1957. Duchamp argues that the role and responsibility of the creative artist is to bring work to the spectator, who 'adds his contribution to the creative act', and concludes that 'this becomes even more obvious when posterity gives a final verdict and sometimes rehabilitates forgotten artists.' I find this final sentence both ironic and moving. In 1957 Duchamp's reputation and standing and influence were relatively minor, certainly compared with his current powerful influence and iconic status throughout the art world, and beyond. He removed traditional boundaries of creative practice and, in the four decades since his death in 1968, inspired and continues to influence subsequent generations of artists to think in new ways and work in far more varied modes of practice than ever before.

Using examples drawn from the work of contemporary artists working today, in the post-Duchamp era, this platform explores some key questions about the relationship between creativity and practice:

- are creative practitioners 'above the law'?
- can they do anything they like in the name of art?
- how do you persuade legislators and bureaucrats to allow the extraordinary?
- how can you make a living out of non-conventional creative work?
- can the conventional art market be changed/subverted?

## BANKSY



South Bank 2, London



Wall and Peace, 2005

Until recent years Banksy had no gallery or representation. Initially operating from the early 1990s as a free-hand street graffiti artist, then increasingly using stencils to facilitate the swifter execution of work – and avoidance of detection and arrest for criminal damage or trespass to other people’s property. He was an urban guerrilla artist, using the built environment as both his canvas and his gallery to convey messages to the general public against war and capitalism and the establishment with images and often with text. He had no objects for sale.

In recent times, Banksy has responded to his increasing popularity (and requests from people wanting – somehow – to own one of his works) by making reproductions of his publicly sited pieces. Some are printed on paper and offered for sale via eBay; others are printed on canvas and sold, more expensively, to selected collectors. He appointed his old college-days friend, Steve Lazarides, as his dealer until May 2009, when he established *Pest Control*:

“*Pest Control* is a handling service acting on behalf of the artist Banksy. We answer enquiries and determine whether he was responsible for making a certain piece of artwork and issue paperwork if this is the case. The process does not make a profit and has been set up to prevent innocent people from becoming victims of fraud. Please be aware that because many Banksy pieces are created in an advanced state of intoxication the authentication process can be lengthy and challenging. *Pest Control* deals only with legitimate works of art and has no involvement in any kind of illegal activity. *Pest Control* is now the sole point of sale for new work by Banksy, of which

there is currently something/nothing available. Banksy is not represented by any other gallery or institution. All enquiries and complaints should be directed to: customerservices@pestcontroloffice.com”.

The urban guerrilla artist extended his brand by adopting adapting mainstream art business practices: creating and selling authorised versions of his works, and in signed limited editions; occasionally accepting commissions (e.g. artwork for the album *Do Community Service* by the Bristol-based breakbeat band Monk and Canatella, in 2000); exhibiting in galleries (at 33 1/3 gallery in Los Angeles in 2002, and the Bristol City Museum and Art Gallery in 2009); curating and participating in an exhibition of selected graffiti artists, *The Cans Festival*, in a road tunnel beneath London’s Waterloo station, in 2008; having his works bought by celebrities such Christina Aguilera and Damien Hirst; being the victim of forgery and fraudulent selling; and having his works re-sold at prestigious London auction houses for substantial and increasing hammer prices. In 2007 Sotheby’s achieved £96,000 for *Ballerina With Action Man Parts*, *Glory* £72,000 and *Untitled (2004)* £33,600 on the first of two days of sales. By the start of the second day Banksy had updated his website with a new image of people bidding at auction with title/text *I Can’t Believe You Morons Actually Buy This Shit*; later that year Bonhams hammered ‘*Space Girl & Bird*’ for £288,000.

Banksy’s practice and career development have been unique – despite or perhaps because of his skilfully guarding his true identity as skilfully as his avoidance of legal challenges to his public graffiti escapades.

## ALISON JACKSON



Alison Jackson

Alison Jackson came to wide public attention in 1999 when she published her lookalike photographs of celebrities in compromising positions that she developed into the BBC 2 series, *Double Take*, for which she won a BAFTA in 2002.

Jackson uses conventional mainstream broadcast media and publishing, as both her art form and dissemination medium (as well as exhibiting in art galleries). When using broadcast media she works not as a conventional television director, but as an artist: the aims and objectives of her work are determined exclusively by artistic parameters. Jackson uses media to subvert and question notions of celebrity, and toys with the ‘it’s on television/in print, so it must be true’ response by viewers: “My aim is to explore the blurred boundaries between reality and the imaginary – the gap and confusion between the two. I recreate scenes of our greatest fears which we think are documentary but are fiction.”

In order to expose and continue to expose such works to the public, Jackson employs great skill and judgement to avoid conflicts with laws relating to defamation of character, indecency, insults and abuses.

## **CHRISTO & JEANNE-CLAUDE**



*Wrapped Reichstag, Berlin 1971–1995*



*Running Fence, 1972–76*

When Christo set out to erect a fabric fence across twenty-four miles of California ranch land, he encountered massive resistance from landowners and bureaucrats alike, in addition

to conservationists who thought he would harm the landscape. The fence extended across the rolling hills of northern California to the Pacific Ocean, and provided what Christo referred to as 'an obstructive membrane' that he hoped would change public perception of the land. Permission was eventually obtained from county, state, and federal agencies and scores of private land owners; although they were fined \$60,000 for not obtaining permission from the California Coastal Commission.

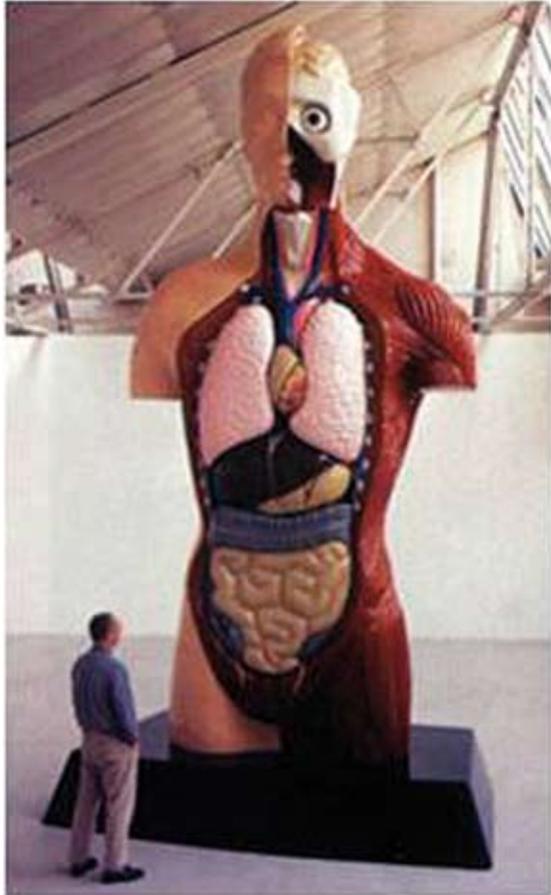
The artists have used the environment as a gallery since their first 'wrapping' project in 1968–69, when they wrapped a section of the coast of *Little Bay* in Sydney, Australia with 9,300 square metre of synthetic fabric and 56 kilometres of rope. Similar to Banksy in subsequent years, their work is made in the spectator's environment, rather than placing it in a gallery to which spectators are then invited.

The realisation of their works present huge challenges requiring the acquisition and successful use of non-artist skills: technical, legal, dealing with bureaucracy, business negotiations; and income generation. Each work is effectively a business project; some have been described as artworks using the law as a medium.

Most projects are wholly or partly self-financed, which raises the inevitable question of how Christo and Jeanne-Claude generate income to support their practice and their living costs. They don't create objects for sale, and the very nature of most of their creations prevents them from raising money by selling tickets to the people to see the results of their transformations of the public environment.

Skilful use of the artists' intellectual property rights has been one answer to income generation. For example, under most international copyright laws artists are given the exclusive legal right to prevent their three-dimensional works being reproduced, and such reproductions being merchandised – so long as the works are not *permanently* fixed in the public environment (unlike, say, a work of architecture or site-specific public sculpture, which can be reproduced and merchandised without the artist's permission). In other words, artists can prevent their *temporary* three-dimensional works from being photographed and the resulting images from being reproduced and published and merchandised, and/or being filmed and broadcast live or later. Consequently, they can use these rights to sell to photographers and film-makers and broadcasters exclusive licences to record their artwork/events; and/or the artists can themselves. Christo and Jeanne-Claude have successfully done this for many years, selling their related drawings, collages, works on paper, photographs, film of their events, and the like. An obvious parallel business model is the selling of licences by a rock/pop band for exclusive media access to performances and related merchandising.

## DAMIEN HIRST



*Hymn*, 1996

Hirst has successfully re-worked the Italian Renaissance *atelier* model for the modern era. His works are in huge demand by collectors, which economically justified his engagement of a production line of employees, creating numerous editions of his iconic works of spots, spins, and butterflies – thereby freeing up Hirst's time for research and development of new and controversial/experimental work, intended to stimulate more demand.

From his earliest years as a fine art student, he was acutely aware of the need to market and promote his works – and himself – by proactively finding his audience, instead of following the more customary approach of most graduates of waiting to be found by gallerists and collectors. In 1988, in his second student year at Goldsmiths he organised a show of his own and fellow students' works, called *Freeze*, in an empty building in London's Docklands, inviting Charles Saatchi, the Royal Academy's Norman Rosenthal, and Tate's Nicholas Serota, all of whom attended. And in 1990 he mounted two further shows in another empty building called *Building One*, at which Saatchi bought his first Hirst work (*A Hundred Years*, 1990) and the following year commissioned the iconic shark work, *The Physical Impossibility Of Death In The Mind Of Someone Living*, 1991.

Hirst continued to extend and diversify his brand, and his market. In 1997 he formed a business partnership with the celebrity chef Marco Pierre White, with whom he re-opened the Soho restaurant, Quo Vadis, with new interior design by Hirst. He also established and interior-designed his own restaurant, Pharmacy, in Notting Hill. In 2007 he conceived the

idea, and commissioned the fabrication of, a platinum human skull encrusted with diamonds worth around £15 million, *For The Love Of God*, which was reportedly bought by a consortium of collectors – including Hirst and his gallery, White Cube – for around £35 million.

One of Hirst's most audacious art business projects was his mould-breaking decision to spend eighteen months making numerous new works specifically for sale at auction by Sotheby's in London in September 2008, when some two hundred and eighteen of the two hundred and twenty lots were sold at one evening and two daytime sessions (some of those unsold were bought privately). The sales attracted a record number of preview visitors to an auction: 39% of the buyers made their first contemporary art purchases, 24% of whom were new clients for Sotheby's. Total sales were £111.4 million. *Beautiful Inside My Head Forever* was the brand name Hirst gave to the whole project.

The mould broken by this project is complex and many-faceted. Artists do not normally consign new works for sale at public auction, usually preferring to control their first/primary sales by consigning or selling them for agreed prices to any dealers they may have, and/or selling them directly to collectors. Dealers in such consigned works, when negotiating first/primary sales, customarily pitch prices at a level below prices already achieved by any of their artists' works at public auction: their intention is to encourage collectors to buy from dealers, rather than at public auction, and at the same time demonstrate to buyers that works can and do appreciate in market value when eventually re-sold at public auction.

Hirst decided to reverse this approach, telling the Sunday Times before the sales, "The first time you sell something is when it should cost the most. I've definitely had the goal to make the primary market more expensive." He appears to have succeeded, and on a mammoth scale: it was widely reported that the prices achieved by his Sotheby's sales were higher than those currently asked by Hirst's dealers. In other words, Hirst appears to have bypassed his dealers, and bettered their sales prices for his works, by dealing directly with Sotheby's.

Finally this year, 2009, saw a collection of twenty-five new oil paintings – autographically by Hirst - entitled *No Love Lost: Blue Paintings* mounted in the upper galleries of the Wallace Collection. It is now unsurprising to read that Hirst's art business entrepreneurship enabled the Wallace Collection to skilfully circumvent its legal constitution that strictly forbids the exhibition of contemporary works in the rooms of the original house. Hirst donated £250,000 to the Collection to fund the refurbishment of the rooms of the original house in which his works were hung.

## **NEW WAYS OF WORKING - NEW CHALLENGES**

This brief review of some notable artists' practices demonstrates that contemporary artists are increasingly working collaboratively – with each other, with others, and in new / different contexts – and with new and different objectives and creative paradigms. Post-Duchamp trends include the making of mixed and time-based artworks; appropriation of material from others; use of open source and content material; www usage; collaborating with curators to make bespoke work for specific spaces; installations and performative works; sound art; sci-art; book art; appropriation art; land art; public art; and conceptual art.

Each and all of these ways of working requires the artist to develop and apply new skills, new knowledge, and a different approach to the process of creation – far beyond the traditional, pre-Duchamp, hand/eye coordination to make images and objects. In an interview given shortly before his death in 1968, Duchamp commented, "Since Courbet, it's been believed that painting is addressed to the retina. That was everyone's error. The retinal shudder! Before, painting had other functions: it could be religious, philosophical, moral. If I had a chance to take an antiretinal attitude, it unfortunately hasn't changed much; our whole century [the twentieth] is completely retinal, except for the Surrealists, and still they didn't go so far!" Perhaps he would be pleased by what is currently happening.

## **Key Challenges**

In the conception and execution of their works, contemporary artists – no longer those based only in the Western world – are increasingly acquiring, developing and using, for example: business and entrepreneurial skills; advanced project management; business support mechanisms; knowledge transfer to themselves from experts and specialists in other fields. These new or extended skills should also be considered in the context of professional practice studies in the creative curriculum at art schools.

Most institutions delivering studio-based visual arts degree courses have developed their own voluntary professional practice programmes, whereby external art business professionals visit to give talks and conduct workshops and seminars to the students – typically on subjects such as book-keeping and accounting, self-promotion and marketing, portfolio and curriculum vitae development, pricing of work, and artlaw. Students' attendance for such visits is normally voluntary, and in the event therefore quite patchy – especially when these sessions are arranged for the end of the academic year, often in the final year, when students are understandably pre-occupied with completing assessed creative work and projects. And therein lies a real problem: invariably, undertaking such professional practice study programmes does not earn students credit units towards their degree awards, and does not therefore require students to submit assessed professional practice work in order to demonstrate their understanding and working knowledge of professional practice skills.

How could professional practice study programmes be delivered more effectively to meet the new and different and developing needs of contemporary practice? There needs to be a serious commitment from art schools to deliver such programmes holistically embedded within the curriculum, on a sustained and co-ordinated basis, throughout their studio-based visual arts degree courses (save perhaps during foundation and first years). Practical subject matter should be delivered by a balanced combination of visiting art business professional experts, and appropriately trained and/or suitably experienced faculty staff. Teaching and learning techniques should include conventional talks and lectures, inter-active workshops and seminars, and consideration of the aims and objectives of students' own practice. Formal student assessment and academic credits should be established, preferably on a pass or fail basis (no grading); a pass being a compulsory academic progression requirement, with the usual re-submission arrangements for first failures. A formal assessment brief could offer students a choice of submitting either an individual written report/essay on specified professional practice areas, or a small group project report/essay or presentation. In these ways, student attendance at – and serious commitment to – such programmes would doubtless increase and, most importantly, the curriculum would recognise the full extent of professional practice as an artist.

Moreover, art schools and their faculty staff could and should derive substantial benefits from establishing such holistically embedded and assessed professional practice programmes. The institutions could rightly say to potential

students, their supporting families, government and other funding bodies, that their studio-based visual arts degree courses aim – amongst other things – to equip students with the basic knowledge and skills necessary to establish and maintain a professional life after art school.

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