UNIVERSIDADE CATÓLICA PORTUGUESA

STREET (M)AR(KE)T:

HOW AN AESTHETIC PRACTICE HAS BECOME A MARKETABLE PRODUCT

Dissertation submitted to Universidade Católica Portuguesa to obtain a Master's Degree in Culture Studies – Management of the Arts and Culture

By

Paola Serafino

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Under the Supervision of

Prof. Dr. Luísa Santos Silva

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List of Acronyms

- CDPA: Copyright Design Patents Act
- COA: Certificate of Authentication
- FAAM: Fine Art Auction Miami

Abstract

The removal of street artworks from urban walls, their restoration, and their (re)contexualisation into institutional and regulated frames, such as art museums and galleries, as well as the decision to sell them to the highest bidder, are aspects that not only raise moral and legal issues, but also seem to deprive street art of those peculiarities that make it different from other artistic expressions produced to be inside artistic institutions or private (either institutional or non-institutional) spaces. This study aims at shedding light on the effects of the museumification and institutionalization of street art, on the pro and cons of regulating a phenomenon born "to challenge and call into question dominant uses of public spaces in contemporary global metropolises" (Baldini, 2018:29). Art dealers, city inhabitants, artists, curators' viewpoints are here critically analysed to try to understand how the ways to approach street art have changed over the last two decades as well as to find out if street artists' self-claimed purpose of making a gift to city dwellers to make them feel part of the city life (Young, 2014) is still alive. Indeed, as Young claims after interviewing several street artists such as Pure Evil, Kaff-eine, CDH and many more: "Street art is often motivated by generosity: the artist seek to make a gift of the artwork to the spectator, the neighbourhood and the city itself" (2014:27). A gift that according to Waclawek, often comes from artists' wish to "create a space for reflection and observation in otherwise utilitarian streets and to motivate people to reconsider their environments" (2011:76). This inquiry seeks to bring out under what circumstances and to what extent the logic of profit has taken over the idea of accessible gift in the street art world.

Keywords : street art, museumification, urban context, public space, visuality, art market.

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Introduction

Nowadays, it is increasingly common to stumble upon works of art made on urban surfaces such as billboards and building façades. The landscapes of both big metropolises and small cities have radically changed over the last few decades. Beside the ubiquitous and legitimated billboards and the official and commissioned public art, unsanctioned artworks have appeared on public and private walls, arousing contrasting feelings among political authorities, urban inhabitants and institutions in general. The initial indignation of the authorities at the unauthorized uses of the urban visual space, and their perception of street artworks as something able to threat the public order and decorum (with the consequent removal of those pieces), have gradually been replaced by the wish to encourage street artists' activities, and by the choice to financially support urban art festivals and projects in the name of a supposed requalification of degraded city areas. City dwellers' casual encounters with street artworks, the shock triggered by the unexpected discovery of pieces of art just by walking around the corner, are becoming less and less genuine and authentic experiences, because of the massive presence of street artworks and graffiti pictures disseminated online (Waclawek, 2011), on websites or pages dedicated to urban artistic expressions. Websites such as the streetartcities.com, and the globalstreetart.com collect and publish photographs of street pieces, and often provide online maps with detailed info about street artworks location, transforming the unexpected encounters with street works into a planned experience and, by doing so, they deprive city dwellers of the sense of wonder provoked by those chance encounters. As Waclawek comments: "By mediating a personal engagement with the work, the internet dilutes the viewing experience. The true gift of graffiti and street art as an element of surprise, encountered accidentally, vanishes" (2011:179).

Auction houses and art institutions, once they became aware of the hype around street artists and their works, have started to detach those layers of walls hosting street pieces in order to sell or exhibit them in closed spaces. The relocation of street artworks for profit reasons in museums, galleries and private collections, often justified with the preservation argument, (Bengtsen, 2016) has undoubtedly chipped away what Young defines street artworks' "democratic nature" (Young, 2014:27) and, according to Bengtsen, has also entailed "a significant trade-off in terms of the loss of their original context, which often adds meaning to the artworks" (Bengtsen, 2016:427).

Indeed, once relocated in art institutions or private collections, street pieces are no longer freely and indistinctly accessible to anyone, but only to the ones that are willing or can afford to pay a ticket. Moreover, if street artists' choice to paint on urban surface comes, as Young pinpoints, from the wish to make city inhabitants feel part of those cities they cross every day (Young, 2014) or, as Irvine suggests, from the desire to oppose the visual pollution of the cityscapes invaded by advertising and slogans, what would be street pieces' function in a context that has nothing to do with city streets and walls? (Irvine,2012)

In the light of the foregoing, the aim of this study is to investigate how a phenomenon born as a "desire to reclaim the city" (Young, 2014:29) against the excessive use of the visual space by private companies (Irvine, 2012) was transformed into a commodity, how a criminal and so punishable behaviour has, depending on the situation, been promoted as a creative and aesthetic expression, and if it still makes sense to distinguish street art from public art and other traditional artistic practices. The purpose is to understand where the necessity to frame street art in more institutional and traditional contexts comes from, how it could affect the way people look at it, and if street art is today still alive or as Jones comments: "Street art is dying- and it's our fault" (Jones, 2011). Considering that the ways we perceive, approach and deal with street art is constantly changing, it will be an almost impossible task to give an encompassing definition of what street art is and which kind of works falls into this category. The decision, in this specific study, to consider street art under the notion of "field", introduced by the French sociologist Pierre Bourdieu in *The Field of Cultural Production*, and so to look at this form of art as a sort of space in which multiple agents move, act, take decision according to their power, their capital and personal interests (Bourdieu, 1993a) provide an interesting point of discussion about the ethical issues deriving from the incoherent and contradictory choices of those agents, often disrespectful towards street artists' positions. To better understand street art nature, what is at stake and what is irreparably compromised when street pieces are deprived of their original location, this study frequently refers to Walter Benjamin's thoughts in *The Work of Art in the Age of Mechanical Reproduction* (1935) regarding the "aura" of works of art. The conventional institutional places and the art market street art has been dragged into will be considered, in Appadurai's terms, as a sort of "commodity situation", namely "a situation in which its exchangeability for some other thing is its social relevant feature" (2013:13), and presented as something in

contrast to street artists' idea of making a gift to the urban community by painting on surfaces (Young, 2014), visually accessible to a broader public.

Following this brief overview about the theoretical basis, the sources and the cases that dig up contradictions and interests of those people moving within the street art field, this study starts by focusing on street art academic definitions, trying to highlight their limits and to bring out those peculiarities and aspects that make street pieces different from other artistic expressions inhabiting the urban context. The first chapter of this study provides also a comparison between street art and other artistic expressions located in the urban spaces, such as graffiti, public art and urban art, describes their differences and similarities, and reflects upon the positive and negative outcomes of street pieces removal, restoration and relocation. The second chapter talks about art institutions' choice to restore and relocate street art pieces, explaining why it is important to keep street artworks in their original location. It shows how restoration does not necessarily mean relocation. The third chapter investigates the reasons behind art institutions and art dealers' decision to take street artworks over, not for preservation reasons, but to make profits out of them. Considering that, by removing something that was supposed to be a gift (Young, 2014) without asking anyone's permission, they inevitably trigger street artists and city inhabitants' reactions, some questions arise: who is entitled to take possession of street pieces? And in which terms? The fourth chapter attempts to solve these questions, explaining if , and in which terms street artists might rely on the current legislations (specifically on the Italian and the UK ones). The fifth chapter describes the steps through which street artworks have gradually been transformed into profitable goods and why, at some point, some people feel legitimated to detach layers of walls hosting street works. To conclude, an aspect long discussed in the first chapters, namely the importance of the street when dealing with street art pieces, gets back in the last part of this study which considers street artworks in the frame of urban art festivals, trying to prove that in even some specific regulated contexts, street artists' original intentions to make a gift to urban communities, to beautify a location, to stimulate critical thinking about the surrounding spaces, to encourage "playful, momentary pauses" (Waclawek, 2011:90), is still alive.

This inquiry tries, through an inductive and qualitative approach, to show the limits and the opportunities of displacing street artworks in protected and closed spaces, and to understand if, today, it still makes sense to talk about street art and to distinguish it from other artistic expressions someone may find in the urban space. The analysis of a large number of specific episodes regarding the exhibition and/or the sale of street pieces (e.g. the removal of Blu's pieces in Bologna, Banksy's street artworks stolen and auctioned in San Francisco and London) reported by books, academic articles, dissertations, newspapers, magazines, along with the study of the reactions of curators, art dealers and artists involved in those events, have been the two fundamental steps to understand how and why street art has become a marketable product, and to have a clear idea of street art developments. The geographical frame of this study is Europe, with particular references to the street art scene in Italy, Portugal and England since, having lived in these three countries, I am more familiar with the approach of their governments and inhabitants to this artistic expression. Moreover, I first became aware and interested in street art when, in 2010, some artists using Grottaglie[1]'s surfaces as their canvas, caught my attention, turning what for me was the typical boring, hot and muggy Apulian city, into a place worth discovering and experiencing. Even though this study is mainly focused on the European context, there are also some references to the American one, as most of the street artists I am talking about in this study have worked in the US and in Latin America. The qualitative and descriptive data used in this study come from sources selected for their capacity to look at street art as something more than an artistic expression and a criminal behaviour: a combination of interactions among different individuals, such as curators, writers, street artists, art dealers, city dwellers, and local authorities. To be specific, Alison Young's works *Street Art, Public City* (2014) and *Street Art World* (2016), and Peter Bengtsen's *The Street Art World* (2014) have been chosen since they provide a detailed overview of gallerists, institutions, street artists, street art aficionados' positions about the most appropriate ways to look at street artworks and to deal with them. These viewpoints have been read and interpreted in the sociological frame offered by Bourdieu's in *The Field of Cultural Production* (1993). Bourdieu's considerations about the social conditions in which artistic products are created, perceived and consumed have been helpful not only to bring up the incoherencies of some ways to approach and spread street art, but also to formulate hypotheses regarding the personal interests, often hidden,

[1] Grottaglie is an Apulian city in the south of Italy. From 2008 to 2012, it hosted the street art festival *Fame*.

behind them. To conclude, the study of street artworks, the reactions they have provoked, and the consequences resulting from their relocation have led to the consideration that, beyond any economic or political use of street pieces, as long as these artworks will be able to make us aware of the surroundings and encourage to experience the city and live within it in a more conscious way, it makes sense to talk, discuss and reflect on street art and the opportunities it may offer in terms of reshaping the inhabited spaces to make them more welcoming and pleasing to the eye.

PART I

Street Art: definitions, approaches and contradictions

The first part of this study is an overall introduction to street art and to the ways it has been described and defined in academic contexts. The first chapter seeks to detect street artworks' inner peculiarities and those aspects that make it different from graffiti, urban art and public art. The second chapter tries to understand if these features are compatible with contexts and environments far from the ones in which street art is usually created.

CHAPTER 1

What we talk about when we talk about street art: definitions and peculiarities

1.1 Introduction

A preliminary discourse about what street art is and which kind of artworks tend to be identified under this expression is the key to understand paradoxes and contradictions taking place in this field of cultural production, especially since this phenomenon has stepped into more institutional areas. However, all the attempts to frame street art within the academic and artistic fields by drawing up a definition of it, or by making a list of its most recurrent peculiarities, seem to be incomplete and to forget its most recent expressions. Street art has been considered on a case-by-case basis, a crime, an artistic movement, an act of rebellion, a source of profits and, more recently, a practice of urban regeneration. As the art historian and sociologist Peter Bengtsen pinpoints:

> "the fact that the negotiations about the meaning of the term street art are multifaceted, often contradicting, and continuously ongoing, makes it impossible to […] arrive at an all-compassing definition of the phenomenon. In other words, any narrative […] will be selective" (Bengtsen, 2014:29).

All the definitions tend to be too inclusive or too exclusive, too narrow or too broad, and to give one once and for all would mean reducing a phenomenon constantly changing to a mere expression, without considering its changes. Nevertheless, it is still possible to identify some essential features of street art that may help to distinguish it from graffiti, public art, advertisements, and all the visual expressions inhabiting the urban environment. This distinction is neither an academical nor speculative exercise, but rather a way to clarify the limits and benefits deriving from the institutional and market approaches, whose interests frequently collide with the street art nature and purposes. Moreover, as a preliminary work, it is necessary to be clear about the kind of art the expression street art is referring to in this specific study, and to specify which kind of location the street stands for.

1.2 Street art and site-specificity

John Fekner describes street art as "all the art in the street that's not graffiti" (qtd in Lewinson, 2008:23). Although the definition may be too wide and generic, it already offers

two of the peculiarities of street art: its location and its being different from graffiti. The limit of Fekner's definition relies on the fact that, along with street artworks, there are also other forms of visual expressions placed as well in the street such as urban art, public art, and advertising billboards that, just like street artworks, considerably differ from graffiti. The philosopher Nikolas A. Riggle, when trying to define street art in academic terms, suggests that the location, namely the street, is not a sufficient condition to claim that an artwork falls into the category of street art (even recognizing later the importance of the place that hosts street artworks) (Riggle, 2010). Taking the distance from Feckner's definition, Riggle believes that "the notion that street art is placed in the street is […] misleading as it suggests that street art is made and then subsequently placed in the street. This is true of some works but in many cases the street is employed in the production of art" (Riggle 2010: 244), adding that "[a]n artistic artwork is street art if and only if, its material use of the street is internal to its meaning" (Riggle, 2010:246). Given that by the street is meant the urban environment, it is important to clarify two aspects about Riggle's ideas: in which terms the use of a specific place should be seen as something deeply related to the meaning of street artworks, and the role that urban spaces have in identifying street art expressions. The philosopher suggests the conditions an artwork must comply to be considered a street one: the street must be used in material/physical terms, "just as the painters use canvas, paint, frames, galleries, street artists use elements of the street" (Riggle, 2010:245); or immaterial terms, "the use of the street must be internal to its significance" (Riggle, 2010:245). Riggle's considerations are going to be a starting point not only to distinguish street art from other forms of urban art, but also to detect its most recurrent characteristics. By proposing a connection between the place in which street artworks are placed and their meaning, Riggle already targets one of what he considers street art's fundamental peculiarity: being a site-specific form of art. "A notable feature of much street art is that its meaning is severely compromised when removed from the street" (Riggle, 2010:245). Although site-specificity belongs to some street artworks, it might not be an accurate criterion to differentiate street art from other forms of artistic expressions placed in the urban environment. In fact, also public artworks inhabiting cities are site-specific. Before talking about the inadequacy of the site-specificity when comparing street art to other artistic expressions, it would be useful, in this context, to clarify what site-specific stands for. The Tate Modern states that "site-specific refers to a work of art designed specifically for a

particular location and that has an interrelationship with the location" ("Art Term, Site Specific", n.d.). Nick Kaye describes site-specificity as a sort of exchange between "the work of art and the place in which its meanings are defined" (2000:1). "If one accepts that the meanings of utterances, actions and events are affected by their 'local position', by the situation they are part, then a work of art, too, will be defined in relation to its place and position" (Kaye, 2000:1). In other words, when the relationship between the artwork and its site identifies the message the artwork wants to convey, it can be considered as a site-specific one. To give an idea about what a site-specific artwork is, it might be helpful to report Richard Serra's words against the removal of his work *Tilted Arc* (1981): "I want to make it perfectly clear that *Tilted Arc* was commissioned and designed for one particular site: Federal Plaza. It is a site-specific work and as such not to be relocated. To remove the work is to destroy the work" (Serra, 1994:194). He also adds about site-specific works: "the scale, size and location of site-specific works are determined by the topography of the site" (Serra, 1989:47). However, site-specificity should not be intended only in spatial or physical terms, as Serra did. By location is also meant a particular socio-cultural context with its political issues and dynamics site-specific artworks have a dialogue with. The site, as a cultural context with "the contingencies of locational and institutional circumstances" (Kwon, 2002:29), identifies what the curator Miwon Kwon defines site-oriented art and practices. The expression site-oriented rather than site-specific has been adopted by Kwon for two reasons. First, to take distance from site-specific art driven by commercial practices and "weaken and redirected by institutional and market forces" (Kwon, 2002:3) (e.g. *Tilted Arc*); and second, in order to replace an obsolete expression that used to identify site-specific artworks and practices as they were at their very beginning, more focused on the studies of "physical attitude of a particular location (size, scale, texture)" (Kwon, 2002:3) rather than on the cultural, social, political context. Kwon definitions seems to fit better to street art practices, neither commercial nor based on the geography of a specific space, but context-oriented. Since cities are plenty of site-specific public art whose meaning is deeply related to the place in which they are located (Bacharach, 2015), a question arises: what is the difference between street art site-specificity and public art site-specificity, if there are any? Some examples of site-specific artworks locating in the urban environment might give an idea about that.

The *9/11 Memorial* (2011) by Arad and Walker is a site-specific monument that would not have the same impact if located somewhere else. It was built as a tribute to the 2,977 people killed in the terrorist attack at the World Trade Center in the place where, before 11 September 2001, the Twin Towers stood ("About the Memorial" n.d.).

Jennifer Bolande in *Visible distance/Second sight* (2017) created, for the *Desert X*[2] exhibition, a series of site-specific billboards that blend in with the surrounding space to advertise the south California Landscapes (Richman-Abdou, 2017) (Figure 1). Those billboards, as representing the same panoramic views that they partially hide, if placed somewhere else would not reproduce the same effect. The land artwork *Grande Cretto* (1985) by Burri was realized in the Sicilian city of Ghibellina, destroyed by an earthquake in 1968. Burri, under the Ghibellina's City council commission, decided to create an artwork to tribute the victims and survivors that lost their families, covering the city (abandoned right after the earthquake and reduced to a heap of ruins) with white concrete blocks. *Grande Cretto*[3] was built using rubble found on the site and its cracks among the blocks (Salerno, 2019). *Tilted Arc* (1981) by Richard Serra was commissioned by the General Services Administration and designed specifically for the Foley Federal Plaza (Brenson, 1989).

Figure 1 Jennifer Bolande , *Visible Distance / Second Sight, 2017 Site specific project, produced by Desert X, in Palm Springs, CA*, (2017), USA, *Jennifer Boland*

[2] *Desert X* is a contemporary art exhibition that "activates the California desert through site-specific installations by renowed artists from all around the globe" . Desert X, (n.d.), *Desertx*. Retrieved from https://www.desertx.org/ (accessed in June 2019)

[3] Cretto in Italian means crack, gap. The title reminds to the ground opening up during an earthquake

In 2010, in the midst of the Italian economic recession, *L.O.V.E.* (2010) the statue that gives the finger by Maurizio Cattelan was located just in front of Milan stock exchange. The historical moment and the location in which it was placed make the statue a sort of protest against the financial world and its cynical interests. Cattelan donated the statue to the city under the condition that the city council kept it on the same site it was designed for (Cirillo, 2012). All the mentioned examples are forms of site-specific public art, whose existence and meanings are deeply connected to the site hosting them, but they differ from street art in many respects. Public art tends to be not only site- specific but also site-oriented, which means, in Kwon's terms, that the concept of site is broader, "[d]ispersed across […]cultural, social, and discursive fields […]" and can be "as various as a billboard, an artistic genre, a disenfranchised community, an institutional framework, a magazine page, a social cause, or a political debate" (Kwon, 2002:3). Regarding street art, site-specificity would be a term too restrictive if by site is meant one of the specific locations already mentioned, like a square (like in of *L.O.V.E.* and *Tilted Arc*), or a land (like in *Visible distance/Second sight* and *Il Grande Gretto*). Even if the expression site-oriented sounds more appropriate to describe street art, since the meaning of street artworks are often related to the social, cultural, political background in which they are realized, it should be noticed that neither site-specificity, nor site-oriented are features that belong to the totality of street artworks. Street art is, first of all, a re-appropriation of the urban places, a political act against the regime of visibility imposed by private companies that overwhelm cities surfaces with their advertisements, billboards and announcements (Irvine, 2012). In this sense, the specific sites of street art are all the visually accessible spaces in which street artworks might compete with the invading advertisements and marketing campaigns. As Waclawek claims:

> "Although some street artworks are inseparable from the sites they occupy, generally speaking street art can be understood as site-specific if the term site is not contingent on a particular geographical location or if it is broadened to include types of sites, such as billboards, rooftops, walls or simply city streets. Sometimes works are specifically chosen for already politicized locations, while other times they are put up in arbitrary places" (Waclawek,133:2011).

Street artworks, as a political act aiming the re-appropriation of the urban space, could be seen as site-specific ones only if by site is meant, as described by Waclawek, not a specific

and determined place, but urban surfaces in general. Street artworks' site-orientation regards, instead, not the act of painting on city walls but rather contents and messages street artworks try to convey (when and if those are linked to the reference context). When it is about street art, the role played by the site has not to be intended in strict terms, as Riggle did, as a specific place playing a decisive role in determining the meaning of the artwork. Using McLuhan's words, the medium, which in this case is a generic urban surface, is already the message as the sense of a street art piece relies primarily on its being on the street[4]. Urban surfaces are accessible sites through which street artists can question the excessive use, in commercial terms, of the visual space. "Surfaces are political because they are accessible and visible, despite attempts at control and predictability" argues Andron (Andron, 2019:210). To paint on open-air surfaces is a meaningful act regardless what artists decide to draw, whereas, when it is about contemporary public art, the context is "a vital element in how the artwork is conceived, created, located, understood and even authored. It is within this triangulation of the artist, the situation (context, place, […]) and public […] that the public artwork gets made" (Shaffrey,2010:14). Shaffrey offers some interesting thoughts about one more aspect that street art and public art share: the audience. Street art, just like public art, tries to stimulate critical thoughts about the surrounding environment. Street art's fight against the domain, in visual terms, of commercials, inevitably involves all urban inhabitants condemned to the visual ads pollution of their city. It is a "desire to reclaim the city, […] encourage people to feel a sense of engagement with and ability to transform public space" (Young, 2014:29). A notable difference between public and street art is their different way to interact with city dwellers. Street art is more likely to be altered by urban inhabitants than public art (Bengtsen, 2014) which, for its institutional background and the sense of reverence that conveys, discourages any kind of modification (also because of the risk to be reported for vandalism, as it happened to Graziano Cecchini when poured red paint on Trevi's Fountain in Rome[5]). Street art, on the contrary, is participatory in the sense that not only institutions, graffiti writers, homeowners or other street artists but also "the general

[4]According to Marshall McLuhan, the medium used to convey a message owns a certain power that goes beyond the specific content it carries. For a detailed explanation see: Marshall McLuhan (1964), *The Medium is the Massage*, London:Penguin

[5] In 2017, Cecchini was denounced for interrupting a public service and defacing a monument. For a detailed explanation of the episode, see: "Fontana di Trevi colorata di rosso, sempre opera di Cecchini" (2017), *Ansa.* Retrieved from http://www.ansa.it/lazio/notizie/2017/10/26/fontana-di-trevi-colorata-di-rosso-fermato-vandalo_b059e02d-2d28-467d-82a6-3dbd52311632.html (accessed June 12, 2019)

public, the passers-by" can "paint over it, destroy it, add something to it, complete it" (Blanché, 2015:37). Susan Hansen, when describing the reaction that the removal of Banksy's work *Slave Labour* (2012) provoked (after the removal appeared on the same wall some stencilled paste-up related to that episode) talks about street art as a sort of "democratic multiparty conversation" (Hansen, 2015a:6) in which interlocutors have the right to express their disapproval, appreciation, reflections, not only verbally but also through actions. Public art, conversely, usually stages two monologues, one performed by the artist and the other by the urban wayfarer, not encouraging any kind dialogue between them. However, things are slowly changing. Some public artworks, even if not officially created to interact with the public and not supposed to be altered, have been creatively modified by urban citizens. An example for all is the Duke of Wellington statue in Glasgow that, since someone added a traffic cone on the Duke's head, has become the symbol of the city. After condemning it as an act of vandalism, the city council, pressed by petitions of locals and a Facebook campaign "Keep the cone", decided to keep the statue in its "altered" form (Chalmers, 2017). The so-called New Genre Public Art[6] seeking to involve the audience in the production of public artworks and performances, has adopted a new approach towards the spectators. The performance *In cosa posso esserti utile?*[7] (1994) by Pietroiusti is a significative example of the new crucial role that the audience might play also in the public art. The participatory element seems to be a weak criterion to make a distinction between public and street art for two reasons. First, because of the above-mentioned examples of an audience that, legitimised or not, modify already existent public artworks or take part in the creative process. Second, street art is becoming more and more appreciated and recognized as art by institutions, to the point that in some cases any kind of participation or intervention on street artworks is discouraged by authorities[8]. City councils, in this sense, have gone

[6] Suzanne Lacy describes New Genre Public Art in the following terms: "Departing from the traditional definition of public art as sculpture in parks and plazas, new genre public art brings artists into direct engagement with audiences to deal with the compelling issues of our time". For further details, look at: Lacy, S. (n.d.) "Mapping the Terrain: New Genre Public Art", *Suzanne Lacy*.
Retrieved from http://www.suzannelacy.com/mapping-the-terrain (accessed July 3, 2019)

[7] It means, in Italian, "How can I help you"? (My translation) The public performance consists in random people asking favours to the artist, who then did some of them like cleaning the basement, take a dog for a walk, introducing a person (Pietroiusti,2016).

[8] Authorities and institutions have, in fact, decided to covered street art pieces with layers of glass to protect them and prevent damages or alterations, like it happened with Banksy's *Designated Graffiti Area* (n.d.) in London, or *Madonna with a Pistol* (2011) in Naples.

further. They have not only covered some street pieces with layers of glass to prevent city dwellers from painting or writing on them, but have also financed restorations of destroyed or altered street pieces, like it happened in Madrid when Elena Gayo with other restores convinced the local authorities to keep and preserve a signature by Muelle[9] (Abarca, 2016a), or in Leipzig when in 2012 the municipality and a real estate investor donated 9000 euros to preserve Blek Le Rat *Madonna with child* [10]1991) ("Restauriertes Streetart", 2013).

1.3 Street artworks as unauthorized protests

One more difference between street and public art regards the fact that the latter, unlike the former, is always produced, financed and/or located under commission, approval, permission of private or public institutions. Public art contributes to creating a kind of ordering complex or, in de Certeau's words, a "place" which is

> "the order in accord with which elements are distributed in relationship of coexistence. It thus excludes the possibility of two things being in the same location. The law of the 'proper' rules in the place: the elements […] are beside one another. Each situated in its own and distinct location, a location it defines. A place […] implies an indication of stability" (de Certeau 1984:117).

The unpredictability of street art (nobody knows when, where, how a piece comes up and how long it will last) makes it not only a part of the space, which, according to de Certeau, represents the ambiguous, unpredictable, attitudes that characterized human actions, but also a space-maker. "Space is a practiced place" (de Certeau, 1984:117) and street art asserts itself in urban places not as a planned, calculated, "permitted […] activity but as an emergent auto-poietic practice" (Young, 2014:145). On the contrary, public art fits in the geometrical and rational place, it is projected to keep, corroborate or re-establish the order (as it happens with the above mentioned Grande Cretto by Burri in Ghibellina), thought, designed and

[9] Muelle is the signature of Juan Carlos Argüello Garzo, one of the pioneer of graffiti art in Madrid. For further details, see: Abarca, Javier (2016a), "Comienza la restauración de la firma de Muelle en la calle Montera de Madrid", *Urbanario*. Retrieved from https://urbanario.es/comienza-la-restauracion-de-la-firma-de-muelle-en-la-calle-montera-de-madrid/ (accessed June 12, 2019)

[10] For more info, see: "Restauriertes Streetart-Werk von Blek Le Rat in Leipzig enthüllt - "Madonna mit Kind"" (2013),*Leipziger Volkszeitung*. Retrieved from https://www.lvz.de/Nachrichten/Kultur/Restauriertes-Streetart-Werk-von-Blek-Le-Rat-in-Leipzig-enthuellt-Madonna-mit-Kind (accessed in July 10, 2019)

realized for a specific location. Public art belongs to the "legislated city, a space in which a particular kind of experience is encapsulated and produced through the regulation of space, temporalities and behaviour" (Young, 2014:41); on the contrary, street art "dissolves the obduracy of cities. It renders their permanence open to the effect of change" (Young, 2014:94). Street art is an unpredictable practice that goes beyond the scheme of stability and order that public art aim to establish, at least in visual terms.

However, someone might rightfully argue that there are some examples of street art expression commissioned and created under a sort of legislation, with the purpose to bring order and undertake a process of urban regeneration, as it happened in the dodgy neighbourhoods of San Basilio[11], in Rome, or Quinta do Mocho[12], in Lisbon. Those forms of commissioned urban art, which differ from the unauthorized street art, their peculiarities and the way they change the surrounding environments, are going to be the subject of the last chapter. For the moment, in the attempt of identifying street art peculiarities, only un-commissioned street artworks will be taken into consideration.

Back to the differences and similarities between street and public art, Sondra Bacharach finds in the *aconsensuality* and street art's defiant and activist power the essential keys to make a clear distinction between them (Bacharach, 2015). Street artists, when painting without consent and/or permission on private and public surfaces, try to subvert the rules that regulate the use of urban visual spaces, mainly granted to private companies and for advertising purposes under the payment of certain amounts of money. The illicit use of the urban space, treated by law as an act of vandalism and so punishable, is considered by street artists, at odds with street art criminalization of street art, a sort of defence:

> "The people who truly deface our neighbourhoods are the companies that scrawl giant slogans across buildings and buses trying to make us feel inadequate unless we buy their stuff. They expect to be able to shout their message in your face from every available surface but you're never allowed to answer back. Well, they started the fight and the wall is the weapon of choice to hit them back" (Banksy, 2005:8).

[11] San Basilio is known for being one of the most dangerous neighbourhood in Rome. It hosted the project of urban regeneration: *SanBa*. For more details, see: Bimbi S.(n.d.), "Arte urbana e riqualificazione: il caso di San Basilio", *Meme Cult.* Retrieved from http://www.memecult.it/arte-urbana-e-riqualificazione-il-caso-di-san-basilio/ (accessed May 23, 2019)

[12] Quinta do Mocho neighbourhood in Lisbon has hosted *Loures Arte Publica* festival. For more details, see: Par, Alain (November 15, 2016), "Festival Loures Arte Pública, Quinta do Mocho – Loures, Lisbonne", *Street Art Avenue*. Retrieved from https://street-art-avenue.com/2016/11/festival-loures-public-art-quinta-mocho-lisbonne-17166 (accessed May 23, 2019)

Young, when describing street art, indicates, “the illegality of the work existing either as a result of its placement without permission or through the assumptions about the work brought by the spectator” (2014:8) as one of street artworks’ distinctive feature. To use the word “illegality”, and so to evoke a legislative dimension, might be tricky in the street art field, especially if considering the environmental reverse graffiti (or clean graffiti) which represent a grey zone in legal terms (Waclawek, 2011). The so called reverse graffiti is made with sustainable techniques that do not require the use of paper or paints, but only consists in removing layers of grime from the urban surfaces, where dust and pollution are deposited (Figure 2).

Figure 2 Moose, *Untitled* (2008), USA, *Widewalls*

Street and graffiti artists are usually convicted for damage to public or private properties. Since the creation of reverse graffiti consists in the removal of layers of grime with the purpose to raise awareness about urban pollution and contribute to clean dirty walls, to consider them as damages and consequently condemn their authors for vandalism would seem an overreaction. As already stressed street art’s challenging approach to the urban reality disregards the social, political, message it may or not convey and comes as a reaction against the monopoly of the visual space held by private companies (Irvine,2012) and as “a desire to reclaim the city” (Young, 2014:29). The overwhelming presence of advertising

messages is tacitly permitted by institutions, especially when private companies offer to restore ancient works of art in exchange for the free use of their surfaces. Citizens become prey to marketing campaigns. In 2014, the private company Urban Vision took care of *Tritone* (1643), *Leoni* (1823) and *Acqua Paola* (1610-1614) fountains' restoration in Rome, receiving in exchange from the Municipality of the City the free use (for more than seven months) of strategic public surfaces for sponsoring purposes (Boccacci,2014). When looking at the urban space, it seems that the logic of profit is the only one having the authority to determine what deserves to inhabit cities' walls and what must be left out. The massive number of billboards, posters and other forms of marketing aiming to "generate capital by hosting consumerist messages" (Andron, 2019:191) seems not only tolerated but also promoted (especially when it brings money to those who owns the hosting surfaces) by local authorities; on the contrary street artworks that often try to raise awareness and critical reflections about the surrounding contexts and whose creation is not subjected to marketing reasons, are considered acts of vandalism. Deeping the concept of *aconsensuality* introduced by Bacharach, it should be stressed that street artists deliberately choose not to ask any permission to paint on public or private walls in order to be completely free from any kind of approval, limitation, judgement that might compromise street art's defiant power. In other words, *aconsensuality* is not about permission not given, but rather a permission never asked. The unauthorized use of urban surfaces allows street artists to act freely, to move towards what Janna Graham considers "less manipulative and more collectively determined use of the means of producing and reproducing life" (Graham, n.d.:10). Street artists political autonomy may be understood in Graham terms "as a deep and critical inhabitation of conditions, using them as the basis for a struggle for liberation" (Graham, n.d.:10) in a context (the urban environment) in which the oppressors are the ever-present ads promoting a consumerist attitude. Street artists' freedom regards not only the choice of street artworks' locations, but also their contents. To give an idea about the importance for street artists to take on an artistic project without any kind of interference from institutions, authorities or buildings' owners, it would be useful to mentioned what happened at the Museum of Contemporary Art (MOCA) in Los Angeles. In December 2010, Jeffrey Deitch, art dealer and MOCA's director, organized the exhibition *Art in the Street* to depict the evolution of graffiti and street art and invited, among many others, the Italian street artist Blu to perform on the north wall of The Geffen Contemporary. Blu, free to express himself through his art,

decided painted soldiers' coffins covered by huge one-dollar bills instead of the American flag (Figure 3).

Figure 3 Blu, *Untitled* (2010), USA, *BSA*. © Casey Caplowe

The artwork was interpreted as a critique of the economic interest behind the wars, an explicit reference to low value given to soldiers' lives (its meaning was emphasised by the fact it was just in front of *Go for Broke Monument* (1995), a commemorative monument for the Japanese-American soldiers died during the Second World War) and Deitch, because of the controversies it might have triggered, decided to paint it over. The removal of Blu's artwork was largely criticized by the street art community as an act of censorship (Bengtsen,2014). Marc Schiller, founder of the street art blog Wooster Collective, criticising Deitch's choice, comments:

> "We want, and expect, museums to defend our free speech. We want, and expect, museums to provide a home for provocative thought. We want, and expect, museums to provoke and inspire debate. What we should not want is for museums to be so constrained and commercial that they add very little to the public debate" (Schiller, 2010: n.d.).

Schillers' considerations offer interesting point of discussion about the relationship between street art and museum that will be later discussed. What happened at MOCA was an attempt to show how, when the creation and exhibition of artworks are subjected or simply linked to external forces (art institutions in this specific case), street artists' freedom of expression and so the power to stimulate a critical thinking through their artworks, might be compromised or even denied. To be *aconsensually* produced does not make an artwork, a show, or a performance, an example of street art. *Aconsensuality* must be supported by a specific use of the urban space which may concern either the re-appropriation of the city surfaces, as an act of rebellion against overwhelming advertisements invading cities, or a more politically-engaged attitude that aims at stimulating the critical thought of city dwellers, or both. As Young pinpoints, when talking about street art, "[…] placement in public space […] becomes an integral aspect of the work" (Young, 2014:8). To get an idea of the importance of the location when identifying street artworks, it might be useful to compare two similar performances made by two street artists. On the 5th of October 2018, during a Sotheby's auction, Banksy's painting *The Girl with Balloon* (2006) has been shredded by a hidden mechanism built into its frame, right after being sold for more than £ 1 million. (Sawer, 2018). Banksy commenting about the episode on his account Instagram, wrote: "A few years ago I secretly built a shredder into a painting…in case it was ever put up for auction".[13] In April 2014, the street artist Farewell did a similar performance. He destroyed sliding advertising posters placed in Paris City Centre with the same shredding mechanism (he had probably inspired Banksy), manifesting his disapproval towards the invasion of commercial advertisements in the public space. Both performances Bandes de Pub/ Strip box (2014)[14] by Farewell and Banksy's one were *aconsensual* (Banksy destroyed a painting belonging to someone else without his/her consent). The former was a protest addressing the commercial use of the visual urban space; the second was a provocation directed to the art market, responsible for pushing up the price of Banksy's artworks. Banksy's pieces, in fact, after being bought at reasonable prices from the artist or from people charged by him, usually

[13] For further details, look at Banksy's post on his Instagram account: Banksy (2018), "The urge to destroy is also a creative urge (Picasso)", *Instagram*, October 6, 2018.
Retrieved from https://www.instagram.com/p/BomXijJhArX/ (accessed October 3 ,2019)

[14] For further details look at the video: Farewell (2014), "Bandes De Pub/Stripbox", *Vimeo*. Retrieved from https://vimeo.com/92609964 (accessed May 3, 2019). Bandes de Pub means, in French, stripes of advertisements and refers to the posters cut up into pieces by Farewell.

reach prohibitive costs once re-sold in secondary markets. It happened in 2013, when a woman after buying two Banksy's pieces for £70 , sold them at auction for £125,000, after a few months (Furness, 2014). Both performances were *aconsensual* polemic acts against those practices that usually take place in their respective contexts. Farewell's performance can fall, unlike the Banksy's one, within the category of street art because of its power to stimulate reflections about the urban reality and the ways to inhabit it. As Waclawek stresses, giving a hint about street art peculiarity, "[p]roducing art on the street is in itself a form of resistance to sanctioned imagery" (Waclawek, 2011:73). Neither Banksy's painting, made to be sold, nor its destruction, planned to mock the art market, can be considered an attempt to challenge that "sanctioned imagery" city inhabitants are accustomed to. Having clarified the peculiarities of street art is going to be easier to distinguish it from public art and graffiti. Public art, unlike street art, is usually made under commission or request of permissions, financed, and is subjected (in terms of content or meaning) to the approval of governmental authorities, private and public institutions. Most of the time, public art is supposed to last over time, for this reason, institutions protect, preserve and restore instead of removing it as they tend to do with street artworks. The stability and inviolability of public art is in contrast with the ephemerality of street artworks. Street pieces tend, in fact, to disappear for several reasons. First, because of weather factors: "wind and weather, sun and rain destroy most unprotected artworks" (Blanché, 2015:37). Secondly, because street artists accept any kind of alteration, modification, destruction of their pieces, made accidentally or on purpose, as a natural and inevitable consequence of occupying illegally surfaces accessible to anyone (Denise, J. and Pontille, D., 2019).

1.4 Street art and Graffiti

It is not uncommon, in the everyday language, the use of the word graffiti to denote all the unauthorised drawings and paintings inhabiting urban surfaces. Though graffiti differs from street artworks in many respects. Usually considered street art's ancestor, graffiti was born during the late 1960s in Philadelphia and became later popular in New York. Lone or with their crew, graffiti writers started the illegal practice of writing their names (most of the time pseudonyms) on subways trains and around the city, only with the intention to mark their presence in a specific suburb. Graffiti writers, unlike street artists, do not have any interest

in conveying a message to the urban communities, or in protesting against the commercial use of the visual space. By *bombing*[15] the city with their pseudonyms written in a simple style, easy and quick to execute (*tag*[16]), and by showing off their skills through complex and colorful *pieces*[17] graffiti writers try to fuel a rivalry with other graffiti crews, to start a competition whose winners are the ones able to write on the largest possible number of surfaces with the most sophisticated and intricate techniques (Waclawek, 2011). Being a representation of numbers and names difficult to decipher and not understandable to laypersons, graffiti has more difficulty in gaining the approval of urban communities (which are not, anyway, graffiti writers' privileged interlocutors) and is more likely to be perceived as an act of vandalism. Their coded language made by letters, symbols and a wide variety of fonts, is inaccessible to most people and easy understandable only by members of graffiti crews or people familiar with their subculture. The gap between street art and graffiti is also a matter of the technical materials adopted by the artists to execute their pieces. Along with spray-paints cans and markers (usual tools for graffiti writers), street artists have also experimented a large array of materials like stencils, stickers, posters that facilitate and make quicker the creation of their works (Waclawek,2011).

1.5 Urban Art

Urban environments, galleries, museums, auction houses host, more and more often artworks that, even similar to the street ones for the style or the subject depicted, lack the two fundamental aspects, mentioned so far, to identify a street artwork: site-specificity, where by site is meant the accessible urban space, and *aconsensuality* in relation to street artists' creative process, free from any external approval and/or influence. In this context the

[15] To bomb in graffiti slang means to paint many surfaces in an area. For more details, look at the 2nd chapter of: Waclawek, Anna (2011), *Graffiti and Street Art*, London: Thames and Hudson Ltd.

[16] *Tags* are the simplest and the most popular form of graffiti. They are stylized signatures, usually made using just one colour. For more details, look at the 2nd chapter of: Waclawek, Anna (2011), *Graffiti and Street Art,* London: Thames and Hudson Ltd

[17] *Piece* stands for masterpiece. They are complex, big, elaborate, colourful graffiti and require a great amount of time and effort to be made. Pieces are usually decoreted with symbols: arrows, stars, crowns, etc. For more details, look at the 2nd chapter of: Waclawek, Anna (2011), *Graffiti and Street Art*. London: Thames and Hudson Ltd

term urban art will be referred to all those artworks that, even looking like the street ones, are made to be sold or exhibited, created under commissions or subjected to authorizations/approvals and do not have any significant link with the urban environment.

Among the various examples of urban art can be included also artworks realized for street art festivals, whose creation is financed and/or sanctioned by authorities, city councils and /or institutions; open-air museums like the Rotterdam Street Art Museum, whose organizers after selecting artists and asking them to make drafts, submits those proposals to locals and government who then make the last decision about the works deserving to occupy Rotterdam's public walls[18]. Besides, with urban art are also identified paintings that "have never been outside a studio or a gallery" (Young, 2014:9), "commercial art products made by artists who are somehow associated with the street art world" (Bengtsen, 2014: 66). The edge between urban art and street art will be further discussed in the next chapters. For the moment it would be useful to stress how street art tends to keep a certain level of independence from authorities, institutions and economic interests. "Street Art in the narrower sense applies to all art in urban spaces that are not limited by law or by the taste of authorities like sponsors, homeowners, or the state - art that is not directly commercial" claims Blanché (2015:34). Young, about the peculiarity of street art, considers "the aims of the artist as primarily being the creation of an image such that commercial or informational concerns are secondary or absent" (Young, 2014:8). As Blanché and Young pinpoint, although street art was not born as commercial product, it could always become a source of profits. However, it must be drawn the attention on the fact that more and more often such economic interests regard art institutions or private citizens who tries to make profit out of street pieces. Street artists, of course, have economic interests as well, but those are more related to street art-flavoured products not to unauthorized street artworks[19]. Who, more and more frequent, drag street art into not-urban realities without artists' consent, are art

[18] Look at: Annex A- Questions to the organisers of the project Rotterdam Street Art Museum

[19] For further details, look at chapter 5 :"Street Art towards legitimation: a matter of profits?"

institutions, private companies and flippers[20], aware of the huge profits that may result from the hype around street art.

[20] A flipper is, according to the *Urban Dictionary*, a "person who buys limited edition items at normal price, knowing they will sell out, then immediately turns around and sells them". For further details, look at: "Flipper" (n.d), *Urban Dictionary.com*. Retrieved from https://www.urbandictionary.com/define.php?term=flippers (accessed June 3, 2019)

CHAPTER 2

Taking a walk on the institutional side: what is at stake?

2.1 Introduction

The popularity street art has been gaining in the last decades has attracted the attention of the established art world that often organizes exhibitions and events street art-centric. Despite street artists' efforts to keep clear the distinction between studio works, intended to be shown in museums, galleries and/or to be sold, and street creations, whose displacement street artists strongly oppose to, it is not uncommon to come across street artworks in locations like museums, galleries or auctions houses. The following paragraph will take into account the pros and cons of the museumification of street artworks', starting from the decision of the Italian street artist Blu to wipe out all his artworks in the city of Bologna to prevent cultural institutions from taking over and exhibiting them in museums or galleries.

2.2 A matter of preservation: pros and cons

In the night between the 11th and the 12th of March 2016, the Italian artist Blu whitewashed his street artworks in Bologna. The extreme gesture of an artist deleting his artworks did not go unnoticed and still fosters an interesting discussion about street art relationship with art institutions, its conservation, and the risks street artworks may incur when relocated to institutional places. Blu's choice was, in fact, a reaction against the organizers of the exhibition *Street Art. Banksy & Co. L'arte allo stato urbano*[21] (2016) who, a few days before, had removed and placed in Palazzo Pepoli some of his street pieces (Fig.4, Fig.5) without his consent. The exhibition triggered a heated debate about the legitimacy of taking possession of street artworks without their authors' permission. The curator Christian Omodeo, among the organizers of *Street Art. Banksy & Co. L'arte allo stato urbano* (2016), attempting to minimize the severity of the act, declared that only a small part of the artworks exhibited were street pieces[22] (Viti, 2017). The majority of the artworks were, in fact, canvas created to be sold, documents, videos, pictures, installations and works in general that had

[21] The exhibition co-curated by Christian Omodeo, Luca Ciancabilla and Sean Corcoran took place from the 18th of March to the 26th of June 2016 in Palazzo Pepoli, Bologna. For further info, look at: "Street Art – Banksy & Co. L'arte allo stato urbano", *Genus Bononiae*. Retrieved from https://genusbononiae.it/mostre/street-art-bansky-co-larte-allo-urbano/ (accessed June 3, 2019)

[22] Omodeo, interviewed by Silvia Viti (2017), said (original Italian version): "Gli street pieces erano solo una piccola parte delle opere esposte" (Viti, 2017:15).

never belonged to the urban space. The ambitious aim of *Street Art. Banksy & Co. L'arte allo stato urbano* was, according to Omodeo, to compare all the conservative approaches related to street and urban art that they had been studying for years (Viti, 2017:156). One of the many controversial aspects regarding the exhibition was about its name, mentioning street art and art in the urban dimension[24] even if most of the artworks, being urban artworks created in a studio, had nothing to do neither with the urban environment, nor with street art. Moreover, being street artworks not meant to last, what would be the sense of, as Omodeo stated, showing techniques to preserve them?

The institutional realities, when approaching street artworks, seem to forget the reason behind street artists' choice to perform on city surfaces and not somewhere else. Fabio Roversi, president of *Genus Bononiae*, the institution that financed and organized the exhibition, justified the removal of Blu's pieces by saying that his intention was to save them from an imminent destruction, since the private building hosting Blu's artworks was going to be demolished. He also commented that street artists should be grateful to people saving their pieces instead of protesting[25] (Fantauzzi, 2016). He did not considered, though, that street artworks are not designed for galleries, museums, shops and are not supposed to be conserved or protected. Street artists are aware their artworks are going to be affected by pollution, corroded by weathering, destroyed by anti-graffiti policies, altered by other artists or urban inhabitants. Street art's ephemerality is part of the game accepted by the artists to keep it accessible to anyone. "Our art is developed with this attitude in mind, that is not going to last, and it is never going to exist forever" claimed the British artists Ben Eine[26] (Day, 2017: 00:17:40- 00:17:50).

[24]"Art in its urban dimension" is my translation of the title of the exhibition *L'arte allo stato urbano*.

[25] Roversi, interviewed by Fantauzzi, said (original Italian version): "Quelle opere le abbiamo salvate e non ho nulla di cui giustificarmi[…],le abbiamo salvate dalla distruzione e dovrebbero ringraziarci". For further details, see: Fantauzzi, P. (March 14, 2016), "Blu cancella i murales per protesta, l'organizzatore della mostra: "Li abbiamo salvati, dovrebbero ringraziarci", *L'Espresso*.
Retrieved from https://espresso.repubblica.it/attualita/2016/03/14/news/blu-cancella-i-murales-per-protesta-l-organizzatore-della-mostra-li-abbiamo-salvati-dovrebbero-ringraziarci-1.253951 (accessed June 3, 2019)

[26]For further info, watch the documentary: *Saving Banksy* (Day,2017).

Figure 4, Blu, *Untitled* (n.d), Italia, *Artribune*

Figure 5, Blu, *Untitled* (n.d), Italia, *Artribune*

Street Art. Banksy and Co. L'arte allo stato urbano had undoubtedly a merit: it developed a groundbreaking debate about the future of street art and, above all, about the limits and benefits deriving from its relocation in very different contexts from the original one. As already said, the aim of the exhibition was restoring, conserve and preserve street artworks that otherwise would have been destroyed or lost forever. Ciancabilla claims that modern art museums must restore and take care of contemporary art expressions and so it would make sense to adopt the same policy towards street artworks (Falchini,2017). The argument according to which the relocation of street pieces into museums would be an effective measure against their destruction, has a strong point: street art, once in a museum, can be accessible to future generations. The conservation is a long-term policy that allows museums' audiences to appreciate street artworks in ten, fifty, one hundred years or more. However, the conservation argument implies also some drawbacks. When bringing street artworks into more institutional places, only people willing to pay a ticket or to visit them can have the opportunity to appreciate these artistic expressions. In this sense street art, from being the most democratic form of art, accessible to anyone for free and without walking through an entrance door, becomes available only to the small (or at least smaller than the urban community) number of people that usually visits museums, galleries or art institutions in general. It is also true that, in terms of public, both street art and cultural institutions might benefit from street pieces relocation. Indeed, "the inclusion of street art related material into a museum can attract a new audience to the institution" (Bengtsen, 2014:102) and, at the same time, street art, once shown into official cultural circuits, might gain recognition and appreciation also among people skeptical about its artistic value, still perceiving it as an act of vandalism. Regarding the relationship between street artists and museums there is an aspect that deserves, for the moment, only to be mentioned, and that will be further investigated later on. Street artists, whose street artworks are removed to be relocated, or who deliberately participate in exhibitions after being invited to show their pieces, have already gained a certain kind of popularity among urban inhabitants. Art institutions usually rip off, host, exhibit, and tend to preserve street artworks made by street artists that already belong to the star system of the urban environment, aware that their presence would attract a new audience. Blu, before being dragged into Palazzo Pepoli, was

already worldwide known for festivals and exhibitions he had taken part all over the world[27] and, along with him, also other artists participating in the show, such as Invader, Swoon, Obey and the duo Os Gêmeos. Institutions seem to be attracted more by street artists' fame rather than the artistic value of their works. When Camillo Tarozzi, the painting restorer who took care of the removal and restoration of Blu's pieces for the exhibition in Bologna, commented on Blu's protest saying: "the museum is something to glorify not a graveyard" (Ford, Jeannot and Liu, 2017), as if Blu should have been grateful for the relocation of his pieces, seemed to forget Blu already had his glory days. Indeed, in 2011, the designer and author Tristan Manco, considered Blu and Os Gêmeos' piece in Lisbon one of the top ten best street artworks in the world, and defined them "giants of the worldwide street art scene" (Manco,2011). Moreover, even considering museums as the ultimate step for an artist to reach glory and recognition, as Tarozzi did, it should be underlined that street artists' decision of painting on urban walls has nothing to do with the art circuits. It is an act of defiance against the profit-driven use of urban spaces and not a criticism against the traditional art places. Street artists do not aspire to be in the official art world, at least not with their street pieces, and the choice of painting on cities' surfaces should not be interpreted as a challenge or a way to keep distance from museums and art institutions' practices (Tommasini, 2012). Riggle stresses this point by saying that street artworks are "largely disconnected from the artworld because their significance hinges on their being outside of that world" (Riggle 2010:243). These aspects do not exclude, of course, a collaboration between art institutions and street artists, who are often asked to paint a wall or show their artworks in museums and galleries. But, the result of those collaborations cannot be considered street art anymore. When the Italian street artist Good Guy Boris, trying to detect the reasons behind art institutions' choice of exhibiting street artworks, asked Ciancabilla (co-curator of Street Art. Banksy & Co. L'arte allo stato urbano) why the choice had fallen on Blu's street pieces, the curator replied: "Because Blu is one of the most important painter of this century" (The Grifters, 09:45 – 09:50). At this point, someone might wonder if the exhibited street pieces in *Street Art. Banksy & Co. L'arte allo stato urbano* would have been saved and restored if they had belonged to an unknown street artist. Street

[27] Before the exhibition at Palazzo Pepoli in 2016, Blu already had a prolific career and high popularity all over the world as prove the numerous festival he took part in: *Murales de Octubre* (2005) in Nicaragua; *Segundo Asalto* (2006) in Spain; *Names Festival* (2008) in Prague*; Århus Festuge* (2008) in Denmark and many more. For further datails, look at: "Blu (artist)", *Wikipedia*. Retrieved from https://en.wikipedia.org/wiki/Blu_(artist) (accessed June 3, 2019).

artists' fame, more than the artistic value of their works, seems to arouse art institutions' interest, up to the point it would be licit to question the preservation argument, used by Ciancabilla, (The Grifters, 08:52 – 9:40) and to doubt about the real aims of the exhibition. What really motivates art institutions to set up an exhibition about a kind of art whose fundamental peculiarity is being made and located on open urban spaces, will be investigated in the following chapters, also by mentioning some other street art shows. It is important to analyse, for the moment, how the removal and the consequent relocation of a street artwork may considerably affect the way it is perceived. If hosting street pieces represent a big opportunity for museums to broaden their traditional audiences, there is also, on the other side, an urban community that once a piece is removed loses forever the pleasure to stumbling upon street artworks. Hansen, when analysing urban inhabitants' reactions generated by the relocations of Banksy's pieces *No Ball Games*(2009) and *Slave Labour* (2012), describes their removal as "a pleasure stolen from the poor", (Hansen, 2015b:1) an act of depriving a community of a gift, only with the intention to generate profits (*Slave Labour* ended then up in several auctions)[28]. To bring street artworks into museums means inevitably to compromise street art democratic nature. In fact, some people cannot afford to pay a museum ticket or, more simply, are not willing to pay for something that is supposed to be freely accessible. Of course, the problem might be easily solved by granting free access to street art exhibitions. However, when street artworks are brought to museums, galleries or whatever place that considerably differs from the urban space, there is something at stake that goes far beyond its accessibility in economic terms: their aura. The analysis of Benjamin's considerations in *The Work of Art in the Age of Mechanical Reproduction* (1935) might be helpful to shed a light on the way the relocation of street artworks alter their nature and affect how the public perceive them. "Even the most perfect reproduction of a work is lacking in one element: its presence in time and space, its unique existence at the place where it happens to be. This unique existence […] determined the history to which it was subject" states Benjamin. (Benjamin,1969:3). If, as Benjamin underlines, the uniqueness of an artworks relies on the specific place and particular time in which it was born, this aspect is even more marked when referring to street artworks, whose location represents their essence. Urban walls are much more than just material supports: they represent the starting point of

[28] In 2013, *Slave Labour* appeared in the online catalogue of Fine Art Auction Miami. Its estimated price was between $500,000 and $700,000 (Luscombe, 2013). It was then auction off and sold by Sincura Group for $1.1 million (Brooks, 2013).

street artists' creative process. Indeed, a street artwork without its original location, the street, would lack all its above-mentioned peculiarities making it a street piece and not something else. The precise time-space dimension in which it has been created constitutes, along with the interactions with the surrounding environment that it capable to generate, its aura. The urban contexts in which street artworks were born have a crucial impact on the way inhabitants, city dwellers, passers-by react and perceive those pieces. Susan Hansen, on her study about Tottenham community's reaction after *No Ball Games* (2013) removal, reported the following consideration of a local: "shame! I used to walk past *No Ball Games*, on my way to work every morning. It's not a particularly attractive part of town. […] [it] gave my dreary walk to the tube a bit of a focal point" (Hansen, 2015b:13). By approaching artworks in no-institutional open spaces, without any kind of curatorial view or mediation, accidental spectators are given a certain kind of freedom in the way they relate to those street artworks and interpret their sense. Moreover, as already said, street art is participatory to the point that is "almost living art form" (Blanché, 2018:25). The physical interactions between city dwellers and street pieces is not only allowed but also encouraged. When appearing on the urban scene, street artworks are the "first utterance in a performance" (Mulcahy and Flessas, 2015: 9), where all the urban community is invited to take part. On the contrary, in more institutional art places like galleries or museums, any kind of contact with the artwork is strictly forbidden. Once in a museum, the physical interaction and intellectual engagement between street artworks and the public is lost, and those artworks appear as dead bodies, deprived of that involving power making them lively and dialoguing entities (Mulcahy and Flessas, 2015). To give an idea about the importance that those interactions between spectators and street artworks may have, also as indicators of the political climate in a neighbourhood, city or even a country, it would be interesting to mention a recent episode happening in Italy about an (apparently) controversial street piece. One of the last Tvboy's street artwork, realized in the island of Sicily, has raised a political, social, cultural debate about the topic of immigration and the way the European Union is dealing with it. The street piece depicts Carola Rackete, the ship captain working for Sea-Watch, a non-governmental organisation that rescues refugees in the Mediterranean Sea, in the guise of the patron saint of refugees (Fig.6). In June 2019, Carola's decision to disembark on the Sicilian island Lampedusa to bring 43 migrants to safety, despite the Italian interior minister's ban on landing on Italian territory, divided public opinion about the reception of immigrants and the

defense of national borders. The heated debate was transposed into Tvboy's piece, smeared by a member of the extreme-right political party Lega Nord that wrote on it: "We are with the Italian State […]. First the Italians and those who defend them"[29] (Monti, 2019).

Figure 6 Tvboy*, Santa Carola protettrice dei rifugiati* (2019), Italy*, Tvboy*

The indignant reaction provoked by the representation of Carola as a saint saving immigrants would not have been possible if Tvboy's artwork had been exposed in a museum. As Lewinson states: "when art is placed in the street without the input of a sanctioning body, everything around the image becomes important: the social context and the political context. If you take the same work and put it in a museum, all this extra meaning is lost" (Lewinson, 2008:137). The extra-meaning mentioned by Lewinson is not the only thing lost when a street pieces is relocated into a museum. There is also a sort of sensorial experience, generated by the casual encounters with street artworks in the urban spaces, hard to reproduce into the aseptic spaces of museums and that Mulcahy and Flessas describe in the following terms: "Our experiences of street art were mediated by the taste of pollution; the smell of dog excrement or takeaway food; the noise of cars and conversation" (Mulcahy and

[29] Partial translation from the Italian of the full sentence. For further info, see: Monti, Vera (2019), "Santa Carola Rakete. L'ultimo murale di Tvboy imbrattato da un esponente leghista a Taormina", *Artslife*. Retrieved from https://artslife.com/2019/08/11/santa-carola-protettrice-rifugiati-murale-tvboy-imbrattato-leghista/ (accessed August 12, 2019)

Flessas, 2015:11). When the noisy, chaotic and lively space of the city is replaced by the protecting walls of museums or galleries, where visitors are asked to lower their voices, not to touch or to get closer to artworks, spectators from being free performers are turned into controlled guests. Museums become, to use Lewinson's words, "sanctioning bodies". Back to Benjamin's thoughts, the philosopher describes the difference between the work of the painter and the work of a cameraman in the following terms: "There is a tremendous difference between the picture they obtain. That of the painter is a total one, that of the cameraman consists of multiple fragments which are assembled under a new world" (Benjamin, 1969:14). In a very similar way, street artworks when displaced to museums or galleries become something different, the result of several aspects (or "multiple fragments") previously arranged by someone else, and that inevitably affect the way spectators experience the artworks. When attending a street art exhibition, visitors are forced to take the specific path the curator has created, to follow his/her narration, to see street artworks under his/her lens. The relationship between spectators and street artworks, when mediated by the curator's sight, loses the typical spontaneity of the open urban space. The curator's surgical procedure takes place even before the exhibition, it already starts with the selection of the artworks that deserve to be shown in a museum. By choosing some street artworks over others, curators inevitably create a sort of hierarchy between what they believe is worthy of appreciation and falls with the category of art, and what does not. Bengtsen, comments about a street art exhibition at at MOCA museum:

> "[A] selection has been made and […] someone for one reason or another has decided which of the expression of the street are worth paying attention to, which names are important to remember and which not […] the feeling that someone else has made the choices for me influenced my experience of the exhibition profoundly" (Bengtsen, 124:2014).

The criteria according to which some street artworks and street artists are, by the official circuits of art, preferred to others, will be discussed in the next chapter. Some recent episodes regarding the relationship between street art and institutions might, though, provide a clue to better understand what is behind the increasing attention shown by institutions towards a specific kind of urban and street art. From November 2018 to April 2019 the MUDEC museum in Milan hosted *A Visual Protest. The art of Banksy*, an unauthorized retrospective

of Banksy. The Municipality of Milan, among the main sponsors of *A Visual Protest*, decided, while celebrating Banksy's street art, to take strict policies against graffiti and street artists (Francio Mazza,2018). In January 2019, in fact, the Italian street artist Ivan Tresoldi was condemned to pay a fine of €500 for defacing (with his artworks) some walls in Milan (Giorgi, 2018). The incoherence behind the choice of dedicating an unauthorized retrospective to one of the most famous street artist and, at the same time, of treating as a criminal a definitely less known artist, leaves some doubts regarding the aims of street art exhibitions, especially considering that what happened in Milan was not an isolated case. Also in Bologna authorities' attitude towards street artworks looks quite ambiguous. In 2016, Alice Pasquini was ordered, by the court of Bologna, to pay a fine for the two pieces she had realised in the city centre (Trunfio,2016) while, at the same time, *Palazzo Pepoli* in Bologna was hosting the exhibition *Street Art.Banksy and Co. L'arte allo stato urbano.* What it is behind institutions' ambivalent approach to street art, and the distinction they draw between good street art (allowed to enter into museums) and acts of defacement, will be further discussed in the third chapter, by analysing and questioning their interests starting from specific episodes and curatorial choices. Among the drawbacks deriving from street artworks relocation, there is one that does not concern the street artwork in itself, but it is more related to city dwellers' experience when glimpsing street pieces. The pleasure of discovering something new in a well-known place, just by turning the corner, is a certain kind of feeling that neither the maps, nor the path ideated by curators can offer. The amazement in front of something unique, differing from billboards' flatness and that interacts with the surrounding context, is a gift that a museum rarely provide. The power of street art relies, among others, on its being something unexpected and unpredictable. Most of the times, visitors walking into museums already know, or at least have an idea of what they are going to see and what to expect. On the contrary, street artworks for their being outsiders may offer city inhabitants a new perspective on the urban environment, trigger reflections and curiosity about the surrounding space and "function as […] a focal point for reflection on the condition of urban existence" , "allow[ing] those who are willing to change their view of seeing-if only for one moment- to incorporate new understandings […] of their common-sense perceptions of the reality that they have created" (Armostrong 2006:5). Andrea Baldini, in light of what happened in Bologna and the following rumors caused by the removal of Blu's street pieces, has strongly supported the idea that street artworks must be brought into museums, by

arguing that institutional contexts help street pieces to keep and even boost their subversive and rebel power (Baldini, 2016). To clarify how it could be possible, it is necessary to define in what street art's subversive power consist of. First, as underlined, street art, regardless of its content, is a protest against the rules regulating the use of the public space. Secondly, as most of the time happens, its subversive power might be linked to its depicted contents aiming to create awareness about social, political, cultural issues of the surrounding contexts. Baldini, when arguing that street art can occupy museums and institutional places in a rebel way, subverting their nature and uses, does not, however, make clear how street art would be able to do that in an environment different from the one it belongs to. Rebel, by definition, is something that goes beyond rules and authorities and, street art in this sense tries to overcome the ones dominating the urban realities, deciding what is legitimated to occupy the visual space and what must be prohibited. How could street art be transgressive in a place whose rules are different from the urban ones? Transgression is, in Foucault's words,

> "[a]n action which involves the limit. The limit and transgression depend on each other […]: a limit could not exist if it were absolutely uncrossable and, reciprocally, transgression would be pointless if it merely crossed a limit composed of illusion and shadows. But can the limit have a life of its own outside of the act that gloriously passes through it and negates it?" (Foucault,1977:34).

In other words, there would be no transgression without limits and there would be no limits without the opportunity to go over them. At this point it would be licit to wonder what are the rules, if there are any, that street art can question in more traditional art places like museums or galleries. Street artworks could, of course, keep a sort of transgressive and rebel nature, as Baldini believes, once in a museum, but it would be only related to the contents they depict and the message they convey[30]. Once the rules governing the use of the cities' surfaces and the opportunity to break them disappear, street art, as a practice, would lose any subversive power. The only fact that it would enter into museums legitimately, namely with the consent of curators, museums' directors or whoever in charge to allow its access, implies a sort of submission to their rules and selective criteria. If, when in museums, street artworks'

[30] At this point it is important to underline the difference between commissioned and curated artworks. The former are the ones whose content is decided and prescribed to artists by someone else. The latter refer to the ones selected, interpreted, documented by curators for a set up exhibition. Relocated street artworks belong to this second category.

transgressive power does not rely on the act of painting without authorization on urban walls, but only on the message their convey, it would not make any sense to keep a distinction between street art and other traditional form of art. There are, in fact, a lot of artworks that even not being street ones, might be considered subversive for their content or the way the challenge some rooted practices. One example deserving to be mentioned are the posters created by the feminist art activist group Guerrilla Girls. Those posters, targeting art institutions and criticizing ethnic and gender bias usually taking place in museums, exhibitions and all the places that do not promote diversity as they should do, have been shown in numerous museums and galleries all over the world[32]. One of Guerrilla Girls' most famous posters, *Do women have to be naked to get into the met. museum?* (2012), states: "Do women have to be naked to get into MET Museum? Less than 4% of the artist in the Modern Art section are women, but 76% of the nudes are female" (Guerrilla Girls, n.d.). As underlined, the removal of Blu's street artworks in Bologna and the choice to display them at Palazzo Pepoli was, according to their curators, motivated by conservation and restoration reasons. (Viti, 2017). In this respect, someone could licitly wonder if street artworks' conservation must necessarily take place in the institutional form of museumification. Omodeo, referring to Blu's pieces, declares that street artworks relocation into museums is able to guarantee their duration over time[33] (Viti, 2017), ignoring that it is possible to preserve street artworks in situ, without involving the providential intervention of museums, galleries or private institutions. Melbourne, London, Naples are only a few examples of cities hosting Banksy's pieces covered by a layer of Plexiglas to protect them from being whitewashed, removed, marked by other artists. In Naples, a private citizen paid to cover Banksy's piece *Madonna with a Pistol* (2011) with a layer of glass (Parlato, 2016). In London, the *Designated Graffiti Area* (n.d.) by Banksy located in a night club, has become a touristic attraction endlessly photographed.

[32] For more info, see: Guerrilla Girls (n.d.), "Posters, stickers, billboards, videos, actions: 1985-2019", *Guerrilla Girls.* Retrieved from https://www.guerrillagirls.com/projects (accessed May 3, 2019).

[33] "Musealizzare un'opera significa anche garantirne la perennità" said Omodeo. For further info, see: Viti, Silvia (2017), "Street Art come patrimonio. Quale musealizzazione?", *Ocula 18*, Retrieved from https://www.ocula.it/files/OCULA-18-VITI-OMODEO-Street-art-come-patrimonio.pdf (accessed June 8, 2019).

Figure 7 Banksy, *Madonna with a pistol* (2011), Italy, *Napolitoday*

If street artworks' preservation in situ can give street art aficionados the opportunity "to enjoy the art in the same environment in which it was created" (Bonadio, 2019:38), it may present some drawbacks as well. To protected street artworks inevitably means to approve them as pieces worthy of being recognised as art and the risk is that passers-by, influenced by the presence of a layer of glass covering street artworks, might passively accept those protected street pieces as masterpieces, without reflecting on their aesthetic or artistic value. The Plexiglas, from being a tool to preserve street artworks, might become a sort of filter leading city inhabitants to assume, without adopting any critical approach, that they are in front of something that is worth looking at. Young stresses that "measures such as Plexiglas, while they allow a spectator to see the work, irrevocably transform it from a street artwork into a civic amenity or, worse, a cultural commodity" (Young, 2016:182). To conclude, the decision to bring street artworks into cosier environments like museums or galleries with the aim to preserve them is undoubtedly a long-time term approach helping to keep street artworks visible and accessible for long periods, or at least longer than their average lifespan.

However, this kind of approach underestimates the impacts on the overall aesthetic experience deriving from street artworks' relocation and the nature of those artworks, whose peculiarities rely on their being temporal and on their constant and vivid relationships with the surrounding environment.

PART II

The importance of being profitable

Over the last fifteen years art museums, art galleries, auction houses, authorities, enterprises have shown a growing interest towards the street art world. In 2008, the auction house Lyon and Turnbull tried to sell five street artworks made by Banksy (Collett-White, 2008). The same year, the Tate Modern set up the exhibition *Street Art*, inviting six among artists and artist collectives to paint its river façade, Blu from Italy, Sixeart from Spain, Fail from the USA, Nunca and Os Gemeos brothers from Brazil, JR from France, and organizing street art-related events. The journalist Francesca Gavin commented about the event: "Street art is now mainstream" (Gavin,2008). Young considers *Street Art* "a milestone in museums' cognizance of street art" (Young ,2016:139). A few years later, in 2011, Jeffrey Deitch organised *Art in the Streets* at the Museum of Contemporary Art in Los Angeles, aiming to "trace the development of graffiti and street art from the 1970s to the global movement it has become today" ("Art in the Streets", n.d.). Nowadays is not unusual to come across commissioned urban artworks, usually promoted with the aim to requalify slum areas. In 2015, the project *Big City Life*, taking place in the problematic neighbourhood of Tor Marancia, in Rome, and financed by the Rome City Council and the cultural association 999Contemporary, tried to change Tor Marancia's residents lives by inviting international street artists to paint on their buildings (De Angelis, 2016).

High-couture brands, more and more often, look at street art as a powerful marketing tool: in 2014, the Italian brand *Cavalli* used MSK Crew works for one of its collection[34] (Zerbo,2015); in 2017, the brand *Gucci* asked the illustrator Angelina Hicks to paint a massive mural to advertise the collaboration with her for a limited edition collection (Jensen,2017).

The above-mentioned examples suggest that new forces have gradually joined the street art world, where now unusual collaborations between artists and entrepreneurs, sometimes intended and some others not, take place. To better understand how the approaches towards street art have changed over time, which agents move within the street art world and from which interests they are moved, it could be useful to frame street art under the notion of field of cultural production introduced by Bourdieu. A cultural field is made, according to

[34] In 2014, the artists Revok Williams, Victor Reyes Chapa, Jeffrey Steel Rubin members of MSK Crew sued the Italian fashion brand Cavalli for reproducing, without authorization, one of their murals on its Girls Spring/Summer Collection 2014. For further info, see: Zerbo, Julie (2015), "Graffiti Artists Fight Copying by Fashion Brands", *Business of Fashion*.
Retrieved from https://www.businessoffashion.com/articles/intelligence/graffiti-artists-fight-copying-fashion-brands (accessed May 3, 2019)

Bourdieu by "objective relations" that constitute its structure and "orient struggles aiming to conserve or transform it" (Bourdieu,1992:205). The artistic production and so the field of street art consists as well in the space of artistic position-takings and in the space of artistic positions, in forces, in struggles constantly redefining the boundaries of the field, in the decisions taken by individuals that, even not being directly involved in the creative process, play an important role in defining street art and in determining, in line with their purposes, what the most appropriate approaches to it should be. The artistic position occupied by a specific subject in the field is defined by the "possession of a determinate quantity of specific capital (recognition)" (Bourdieu, 1993a:30), and the artistic position-takings, inseparable from the artistic positions, are, according to Bourdieu, all the acts, "manifestations[…], pronouncements, polemics" (Bourdieu, 1993a:30) of the subject moving within the field. To consider street art, in Bourdieu's terms, as a field where individuals act, interact and conflict among each other, according to the capital they possess, could be helpful to understand how street art, from being despised or simply ignored by cultural or political institutions, has rapidly acquired success in contexts different from the ones in which it was born. Street art is not just something that appears and then disappears in the urban environment, but rather a form of art that tends to move in spatial dimensions, from open to enclosed spaces, and also in a temporal one, from temporality to eternity.

The following chapters provide an overview of the way street art has changed over time, who are the persons responsible for this, and from which interests those agents are moved.

The third chapter analyses the problem of street artworks removal from governments, street artists, art institutions and art dealers' viewpoints. The fourth chapter looks at street art from a legislative perspective trying to understand if and how street artists can prevent those unauthorised appropriations of their works. The fifth subchapter will investigate the reasons behind the increasing attention towards street art, the steps through which it has been legitimated as a form of art, the process of street art commodification and how it has become a full-fledged marketable product. Commodity will be intended in Appadurai's terms as a sort of situation in which street art "socially relevant feature" becomes "its exchangeability (past, present, or future) for some other thing" (Appadurai, 2013:13). What exchangeability consists of and how the exchangers (street artists from one side and art institutions and authorities from the other side) move within the street art field, may give an idea of why, as Young stresses, "[m]any street artists in the mid-2000s began to rethink their aesthetic or

political resistance to gallery space" (Young,2016:129). The sixth and last chapter reflects on street art and its recent developments: festival and city regeneration projects.

CHAPTER 3

Street artworks without the street: is it all about money?

3.1 Introduction

The third chapter aims to understand why, more and more often, street works are whitewashed or detached in order to be relocated. The second subchapter focuses mainly on governments' choice to remove street pieces, trying to find out its reasons and interests. The third subchapter looks at one of the main problems art institutions and dealers deal with when deciding to sell or exhibit a street art piece in a museum or gallery: its authenticity. The fourth subchapter describes street artists and city inhabitants' reactions to street pieces removal. The last subchapter gives voice to art dealers and curators, showing how they defend themselves against the accusation of stealing, for economic interests, artworks that supposedly belong to the urban communities.

3.2 On the removal of street artworks: who and why

There might be several reasons behind the choice of buffing[35] unauthorized street artworks. Usually, the decision of whitewashing street artworks is motivated by the perception of painted walls as threats to private property and public order, as it happened in 2010, when the curator Bryan Grief saved a Banksy's piece located in a private building in San Francisco from being erased. At that time, there was an anti-graffiti ordinance into force in the city: the owners of vandalized buildings had to remove street art or graffiti pieces from their surfaces, otherwise they would have been fined (Day,2017). San Francisco is just one, among many other cities, that has adopted anti-graffiti[36] measures. In 2010, Rome's Major approved an ordinance foreseeing fines between €300 and €500 and the obligation to clean the walls for those who wrote on public, private walls or monuments.[37] In 2005, the London City Council fixed a fine from a minimum of £ 75 up to £ 5000 and up to six months in jail for graffiti writers (Takac, 2015). A recent ordinance in Madrid sanctions writers with fines

[35] In the graffiti/street art terminology, *to buff* means to paint over artworks or to remove them with chemicals or other tools (Cooper and Chalfant, 2015).

[36] By anti-graffiti is meant also anti-street art. The anti-graffiti policy concerns indistinctly all kinds of unauthorized expressions placed in the urban environment.

[37] The mentioned ordinance was signed by the Major Giovanni Alemanno. It was published on the 3rd of February 2010 with the object: "Disposizioni per contrastare atti vandalici di danneggiamento e/o imbrattamento di patrimonio pubblico e della proprietà privata". *Amaroma*. Retrieved from https://www.amaroma.it/public/files/pdf/ordinanza%20sindaco%2038-3.02.10-atti%20vandalici%20e%20graffiti.pdf (accessed 20 November, 2019)

between € 300 and € 6000 (Sarrià, 2019). In 1999, the city of Paris started its war against graffiti with the intention to delete 90% of them within one year (Denis and Pontille 2019). The obsession with cleaning urban surfaces from graffiti was undoubtedly influenced by the "broken window theory" (Kelling and Wilson,1982) spread by J.Wilson and G. Kelling and based on psycho-social experiments. The idea behind the theory is that any episode of vandalism or carelessness in a specific context or neighbourhood, like a window left broken or, in this specific case, a surface painted illicitly, it is perceived as a signal of people and institutions' indifference and, thus, would probably lead to similar episodes (Denis and Pontille 2019). On the contrary, a context that appears to be orderly, clean and well-kept discourages any activity that might compromise its security or order.

> "[…] at the community level, disorder and crime are usually inextricably linked […]. Social psychologists and police officers tend to agree that if a window in a building is broken *and is left unrepaired,* all the rest of the windows will soon be broken. […] One unrepaired broken window is a signal that no one cares, and so breaking more windows costs nothing" (George L. Kelling And James Q. Wilson, 1982).

Persuaded by Kelling and Wilson's theory, authorities keep erasing un-commissioned pieces, firmly convinced that a hood already hosting street pieces, will be more likely to be chosen by other street artists for creating their artworks (Denis and Pontille, 2019). The broken-window theory shows, however, some evident limits when used to support the idea that street artworks could make an area unsafe, and so to justify the decision to buff them. Street artworks share the urban space also with commissioned urban artworks. However, most of the city dwellers cannot easily distinguish a commissioned artwork from an illegal one. As Young stresses: " […]The spectators who stumble across an artwork may not be able to determine whether an artwork was authorized or not; sometimes passers-by assume an artwork is illegal simply because it is in the public space or it is painted in a particular style" (Young, 2014:4). Further evidence regarding the difficulty in differentiate approved licit artworks from illicit ones, are given by cleaning service companies who, hired by city councils to paint over street artworks and graffiti, have often ended up erasing commissioned urban artworks. In 2016, in the city of Reims, the anti-tag squad wiped off Guémy's commissioned pieces by mistake (Jardonnet, 2016). In 2015, the authorized fresco made by the artists Jace and Dan23 in Le Havre was erroneously canceled. (Jardonnet, 2016). The same happened in Rome in 2019, when the big wall of Appagliatore Market, which used to

host international artists' works (Carlos Atoche, Diamond, Guerrilla SPAM, and many more) and was cleaned up by accident (Nicolini, 2019).

Urban environments are inhabited by different kinds of artworks that, even looking similar for their style, contents and materials used, are approached differently: some, like the unauthorized ones, are condemned as vandalism; some others, the authorised or commissioned one, are seen as a form of beautification or regeneration able to requalify slum areas.

The organizers of the urban art festival *SanBa*, taking place in Rome in 2014 and 2015, invited several street artists to paint on private buildings to make the outer and dodgy borough of San Basilio better looking, to promote interactions, moments of dialogue and social inclusion among its inhabitants and to allow them to escape from an everyday life where crimes are a daily occurrence (Bimbi, n.d.). In 2013 and 2014, the project *O Bairro i o Mundo* (2013-2015) in Loures Municipality (not far from Lisbon) has tried to give a new life, by changing its appearance through urban art, to a poor hood forgiven by institutions and generally perceived as dangerous, known for its frequent episodes of violence, robbery and drug trafficking (Carvalho Silva,2015). The curators of the programme *B-Art* that took place from 2011 to 2015 in *Barriera di Milano*, a hood in Turin noted for its social emergencies and poverty, made the effort to requalify the suburb in physical, economic and cultural terms also by realizing urban art projects[38].

In contexts in which illicit and licit artworks coexist, it remains to be clarified why legal, commissioned and/or authorized artworks have, according to the authorities, the power to make an area welcoming and safer, and the unauthorized ones to make the same area neglected and untidy. Given for valid the reason behind anti-graffiti policies (and so behind the broken window theory), and considering that urban inhabitants do not easily distinguish authorized from unauthorized pieces, there is the risk that also neighbourhoods hosting licit urban pieces might be paradoxically perceived as abandoned and forgotten by institutions, and so this aspect may encourage unlawful conducts.

The decision to buff street artworks, when based on security reasons, is inconclusive, especially considering that, so far, there are no reported cases of neighbourhoods whose

[38] In 2014, one of the urban art projects involved in the Italian urban artist Millo who painted 13 huge surfaces on private buildings surfaces in Barriera di Milano hood in Turin. For more info, see: Bordino, Francesco and Giurgiu, Isabela (2015) ,"B.ART e il Pittore volante" , *Youtube*.
Retrieved from https://www.youtube.com/watch?time_continue=492&v=nEfEICUJe8I&feature=emb_title (accessed 23 November,2019)

crime rate has significantly raised because of the presence of street artworks. The hypocritical choice to paint some artworks over for their illicit nature and, at the same time, to invite street artists to paint on some public and private walls, seems to suggest that the motivations pushing authorities to take actions against street artworks go far beyond a matter of security or public order, as suggested by the broken window theory. "The people who run our cities […] say graffiti […] is symbolic of the decline in the society. But graffiti is only dangerous in the mind of three types of people: politicians, advertising executives and graffiti writers"[39], Banksy comments (2005:8). His consideration, especially regarding the way politicians perceive street art, could give us a hint about the motivations behind anti-graffiti policies. Street art researchers have largely commented on street art political strength. Andron underlines how street artworks are not just painted walls, "but they are also political contentions, as they communicate and convey meaning about a variety of claims. Surfaces are political because they are accessible and visible" (Andron, 2019:209-210). Young claims that street art "is thought to be capable of communicating on many levels: as a political device, inviting reflection on attitudes with a view to social change" (Young, 2014:25,26). Then, she further adds: "[T]he capacity of street art to function as a potent form of political communication was recognised by many artists" (Young, 2014:25,26). Street art, as a political communication tool, may offer an explanation regarding the anti-graffiti policies adopted all over the world. Usually, street artworks with their critical eye on contemporary societies, shed a light on the issues of the surrounding environments and on their political and economic contradictions. Blu's street artwork *Estado Asesino* (2015) realized in Mexico in 2015, has been interpreted as a critic towards Mexican Authorities, culpable, according to the public opinion, for the Ayotzinapa mass kidnapping where 43 students disappeared[40]. In Blu's Mexican flag each colour stands for Mexican State political and social problems: corruption (green dollars), drug trade (white cocaine) and police and military violence (red blood) (Gray,2015) (Fig.8).

[39] In this case by graffiti is meant street art as well and all the artworks made in the urban environment

[40] Estado Asesino literally means, in Spanish, Murder State. For more info regarding the Ayotzinapa massacre, see: "Mexico missing students: Questions remain five years on" (2019, September 19), *Bbc.* Retrieved from https://www.bbc.com/news/world-latin-america-35539727 (accessed September 30, 2019)

Figure 8 Blu, *Mexico:Estado Asesino* (2015), Mexico, *Blublu.*

In 2013, the organizers of *Acheronte Street Art Festival* in the Tamburi district of Taranto (Italy), aware of the evocative power street artworks could have, asked the hosted artists not to paint anything related to the closer Ilva, one of the biggest steelworks in Europe blamed for being the cause of extremely high mortality rate for cancer in Taranto county, not to remind his inhabitants the urging and dramatic problem they had to handle (Pin et al. , 2016). In 2016, Justus Becker and Oguz Sen drew, near the main river footpath in Frankfurt, the Syrian refugee child Alan Kurdi, who drowned with his family trying to reach Europe, to "have people emotionally rethink their selfish fears of refugees coming to Germany" (Pfaffenbach, 2016), and to criticize Europe's migration policies (German Mural, 2016)[41]. The above-mentioned examples might explain the authorities' urge to control the use of urban surfaces, particularly when the subjects depicted on them address controversial topics. Andron believes authorities supervise visual spaces by adopting two different strategies: criminalisation of unauthorized pieces, when they cannot control artworks' contents; recognition of the status of art for those authorized murals, whose content is

[41] The mural was then vandalized with the slogan: "Grenzen Retten Leben",which means in German "Borders save lives" (My translation) (Voigts, 2016).

previously decided and/or approved (Andron, 2019). "Criminalise surface inscription, and you can achieve clean surface through removal and erasure; artify inscriptions, and you can police them by using an aesthetic argument" (Andron, 2019: 210).

To give an idea of the power that a specific content or message could have once located in an accessible space, it might be curious to mention that Mussolini himself used to commission urban pieces and stencils, scattered all over Italy, depicting his face or fascist' mottoes as tools for his propaganda. [42] (Sequeira,2016).

If someone might be interested in buffing street artworks for their political messages, someone else, on the contrary, look at street art as a marketable product to preserve: art dealers.

3.3 Street Art pieces: a matter of authentication

When it is about restoring and saving street artworks from the risk of being erased, art institutions are not alone. More and more frequently, art dealers detach layers of painted surfaces to trade them or run the purchase of street pieces on behalf of the owners of the painted walls. Several Banksy's pieces like *Slave Labour* (2012), *No Ball Games*(2009), *Donkey Documents* (2007) have ended up in auctions, without the artist's consent, thanks to art dealers.

It might happen, however, that both art dealers and authorities' interests clash with private citizens' purpose to preserve street pieces for their artistic value. In 2010, the curator Brian Greif tried to save a Banksy's street artwork from both anti-graffiti policies and art dealers' interests. Grief's efforts were documented by Colin Day in his documentary movie *Saving Banksy* (2017). "What would you do if you were offered a fortune for a painting the artist did not want to be sold?" asks Colin Day to his spectators, putting them in Greif's shoes (Day, 2017: 04:12-04:20). The American curator preserved Banksy's *Haigh Street Rat* (2010) notwithstanding city councils' blind policies that (unwilling to recognise street art artistic and social value) wanted it to be whitewashed.

[42] In 2008, the French street artist Blek Le Rat, universally considered the father of stencil graffiti, when talking about his passion for stencil art at Tate Modern, confessed that his technique was inspired by fascist stencils he saw for the first time during a trip in Italy. For more info listen to "Street Art Talks- The History of Street Art" (n.d.), *Tate*. Retrieved from https://www.tate.org.uk/whats-on/tate-modern/exhibition/street-art (accessed November 29, 2019)

Figure 9 Banksy, *Haigh Street Rat* (2010), USA, *Hoodline.*

Grief, persuaded by the idea street art must be preserved and be accessible to everyone, and knowing that San Francisco's City Council would have soon painted the piece over, asked the building's owner the permission to take it, with the idea to then donate *Haight Street Rat* (2010) to a museum. However, Grief's plan was not that straightforward as it looked like, and it triggered an escalation of negotiations that never came to an end. First, Grief had to pay the building's owner (already determined to sell it on eBay) for removing and taking possession of Banksy's Rat, and then he had to restore both the building's facade and Banky's piece at his own expense (he spent around $ 40,000). Once he got it, his first attempt to donate the *Haight Street Rat* (2010) to a museum failed. San Francisco Museum of Modern Art refused the gift because lacking of Banksy's signature. John Zarobell, SFMOMA's curator justified the rejection stating that "some artists do not want their art to survive and, if that is the case, it is not museum's business to preserve it against the wishes of the artist" (Day,2017: 34:16- 34:42). Zarobell's refusal, though, was not just a matter of respect towards Banksy's wish. Indeed, Zarobell then claimed the condition to accept Greif's donation was Banksy's signature or an official document admitting Banksy was the author of the *Haigh Street Rat* (2010). The authenticity of uncommissioned artworks represents an issue for museums, auction houses and street artists for very different reasons. Art

institutions do not exhibit artworks whose authenticity is questionable. Street artists, on the other side, do not sign or formally authenticate their artworks, as a signature would be an implicit sign of guilt and so they might be prosecuted. Some auction houses have decided as well not to sell unsigned and unauthenticated street artworks. In 2014, the private company Sincura Group organized in a hotel in London the exhibition *Stealing Banksy* (2014), showing and aiming to sell ten of the most iconic Banksy's pieces. The unsigned artworks had been ripped off London, Liverpool and Berlin's walls. Ralph Taylor, director of the UK board of contemporary art at Bonhams, commented on Sincura's market operation: "People need to know what they are buying. Bonhams and other auction houses would not entertain the selling of an artwork that does not have a certificate of authenticity. It is up to the living artist to say what is legitimate or not" (Ellis-Petersen,2014). The auction house Christie's, taking distance from who trades with unauthenticated pieces, warns potential Banksy's pieces collectors on its website: "When buying a Banksy on the secondary market, our specialists advise to buy from a trusted source such as a big auction house or a reputable dealer. All Banksy artworks offered at Christie's come with Pest Control certificates" ("A guide to collecting Banksy", 2019). Pest Control is "a handling service acting on the behalf of the artist Banksy" ("What is Pest Control", n.d.), in charge to authenticate Banksy's pieces, by issuing a COA. Pest Control was born to avoid the circulation of fake Banksy's artworks and do not authenticate Banksy's street pieces, but only studio artworks made to be sold. The official Banksy's authenticator "deals only with legitimate works of art and has no involvement with any kind of illegal activity" ("What is Pest Control", n.d.). The existence of an organism that officially recognizes whether a piece is made by Banksy or not, seems, though, not to impact that much on Banksy's pieces purchase. His street artworks even without signatures, implicit declarations of paternity[43], and /or experts' authentications, are still being offered for sale, supplying a highly flourishing business from which street artists, unlike art dealers or buildings' owners, do not benefit at all. Indeed, in 2014 *Kissing Cops* (2005) by Banksy was sold in an auction in Miami for £575,000 (Denham, 2014) ; *Out of Bed Rat* (2002) also by Bansky was bought for $400,000 from Keszler Gallery (Albrecht, 2013). Back to Greif's vicissitudes, the American curator after two years receiving museums' refusals, (three more museums were offered Banksy's piece

[43] Even if an official authentication is not provided for unauthorized pieces, it may happen that Banksy himself recognises to be the author of his street pieces by posting pictures of them on his official website www.banksy.co.uk

and none of them accepted unless they were given also an authentication signed by the artist) had, at last, the opportunity to show it. He was offered the chance to display the *Haight Street Art* (2010) at the Miami Art Fair by one of the most popular art dealers in the street art world: Stephan Keszler. The Miami Art Fair was a great occasion for Grief to show the piece to a large public, and to (hopefully) find an institution willing to accept the donation. Keszler, on the other side, was persuaded by the fact that once given Grief a space to exhibit his Banksy's artwork, the curator would have returned the favour by selling him *Haigh Street Rat*. Right after the fair, several art dealers (included Keszler) tried to purchase the piece (Grief was offered up to $700,000). However, Grief, firmly convinced that street artworks have to be freely and widely accessible, refused to sell it and still today lends Banksy's Rat to museums and galleries willing to accept his conditions: they must be free and promote the value of graffiti (Day,2017). Not all Banksy's pieces shown in the Miami Art Fair shared the same destiny. Some of them were put on sale: Banksy's *Kissing Cops* (2005) was sold for $575,000 (Denham, 2014) along with *Out of the Bed Rat* (2012), and the Palestinian pieces *Wet Dog* (2007) and *Stop and Search* (2007) (Day,2017). None of them was signed or authenticated by Pest Control, proving, one more time, that the strategy adopted by artists to protect their artworks do not prevent art dealers from making profits out of them. Many more Banksy's illegally made pieces have been detached and sold (and not only at the hands of Keszler) generating a lot of controversies, as it happened with *Slave Labour* (2012) by Banksy. The illegal piece appeared on the wall of a Poundland shop in London and represents a child sewing little Union Jacks, probably for the Diamond Jubilee of Elizabeth II and the Olympic Games taking place in London in 2012. The choice of the location was not casual. In 2010 there was, in fact, a scandal regarding child exploitation, when the story of a seven years old child working one hundred hours per week in an Indian sweatshop that used to supply Poundland came up. *Slave Labour* disappeared from the wall, to then pop up again at FAAM In February 2013 to be auctioned off, triggering a round of protests from the Wood Green community, who reclaim the piece as a present given to the locals and perceived its removal as a theft. They led to a temporary success as the street piece was withdrawn from the auction in Miami. But, the enthusiasm for the saved artwork did not last that long. *Slave Labour* (2012) never got back to the Wood Green community. It was, in fact, auctioned a few months later by Sincura Group who, deputizing for building's owners, sold it for more than £750,000 (Wilson, 2013). Art dealers are not always, and not the only ones, directly

responsible for the removal and purchase of street works. It might happen, in fact, that who owns the surfaces chosen by street artists as their canvasses, contact them to manage street pieces sale. In 2013, the firm Sincura Group cut out Banksy's *No Ball Games* (2009) to auction it off. Its director, Tony Baxter, declared then that someone had approached and asked him to sell it. (Banksy's No Ball Games mural, 2013). When *Kissing Cops* (2005) by Banksy was found on a pub's wall in Brighton, his owner Chris Steward sold it for $400,000 (Huggett, 2014). When *Season Greetings* (2018) by Banksy appeared on a garage wall in Port Talbot, his owner Ian Lewis sold it to an art collector, John Bandler, on the condition of keeping it in the city to be displayed to Port Talbot's community for no less than three years (Morris, 2019). As emerges from the episodes referred to, when street artworks are detached and then sold, street artists cannot do much. To prevent people from turning gifts made to urban communities into private properties is a tough challenge, especially considering that art dealers and buildings' owners feel entitled to take over those pieces for the fact they are made illicitly.

3.4 Public and artists' reactions

Street artists tend to strongly criticise who removes their pieces for relocation or profit reasons, sometimes just by using though talk, some others by taking actions. As seen, in 2016 the street artist Blu, to prevent *Genus Bononiae* foundation to exhibit in a museum, as they had already done, more of his creations, he erased all the remaining artworks he had painted in Bologna. When talking about the show *Stealing Banksy* (2014) curated by Sincura Group, Banksy defined "disgusting" the fact that people could exhibit his wall pieces without receiving any permission from him (Vincent,2014). He also commented, through his publicist, on his pieces popping up in auctions: "For the sake of keeping all street art where it belongs I'd encourage people not to buy anything by anybody unless it was created for sale in the first place" (Mendick, 2008). The artist Ben Eine states: "Street art is not painted to be sold[…].This is one reason I do not sign my street, and, like other artists, would never authenticate it- it's not made to be sold but to be enjoyed" (Shaw, 2012); and adds in the documentary movie *Saving Banksy*: "the stuff we paint on the street […] it is for the people. It is for fun. [...] It is not to turn up in auctions" (Day, 2017: 00:39.30- 00:39:49). The artist Risk seems to share Eine's opinion when declaring: "I do a lot of kinds of artwork but there

is a lot of stuff I do not want in a gallery. It is not meant to be in a gallery. It is not meant to be in an auction. […] Give me the right to say what is going to be in a gallery. Give me the right to say what I want to sell or not sell" (Day, 2017: 00:39:50- 00:40:05). The artist Invader, describing his feelings about property owners detaching his artworks: "if it is because [they do not] like it, that's ok. If it is to sell it on eBay or to put it in [their] living room that doesn't make me happy. Street pieces are made […] for the people in the street to enjoy them" (Turco, 2013). Street artists critical positions towards the purchase of their street pieces are based on two arguments: first, street art is made to be enjoyed by all urban inhabitants, no one excluded; secondly, they create, along with street pieces, artworks intended for the art market, usually similar for contents and techniques to their street pieces, that can be purchased at accessible prices. When is about street artworks' preservation artists' standpoints are, on the contrary, quite heterogeneous. In 2010 the Foundry, an art space in London hosting a Banksy's piece, was decided to be demolished and, on that occasion, Banksy explicitly asked not to save his work (Iqbal, 2010). Interviewed about the future of his pieces the Italian artist 2501 declared he was more interested in the way his pieces could be modified by time and external agents and acquire new meanings rather than in their preservation[44] (Tommasini, 2019a). When Mazi Kretzschmar, a girl fascinated by Blek le Rat's stencil *Madonna with Child* (1991), found it covered by posters and decided to restore and protect it in situ, Blek le Rat, delighted by the choice of preserving and keeping one of his oldest stencils, stated: "It would be nice if the graffito could stay here, because it means a great deal to Sybille and me"[45] (Schilling, 2012). Ben Eine, after claiming street art belongs to the street, says: "Right now I would not want one of my paintings preserved, a hundred years' time, when I am dead and none of them exists, I would love for one of my paintings to be preserved" (Day,2017: 01:01:55- 01:02:17). The artist Lee Bofkin has, as well, contrasting feelings when it is about people taking off street artworks: he believes, in fact, that their behaviour "deprives the public of something was left there for all of them. But in a weird kind of way it also validates some artists' work" (Proserpio, 2018: 01: 12:50-

[44] My translation. In the original Italian version, 2501 says: "La conservazione delle opere non è una mia priorità, al contrario penso sia interessante capire come un segno possa modificarsi nel tempo e come, grazie ad agenti esterni, possa acquisire nuovi significati". For further details, see the interview: Tommassini, Alessia (2019, October), "Da Milano a San Paolo. Intervista a 2501", *Artribune*.
Retrieved from https://www.artribune.com/arti-visive/street-urban-art/2019/10/intervista-2501/ (accessed November 23, 2019)

[45] The stencil was dedicated to a woman called Sybille, who then became his wife (Schilling,2012)

01:13:02). To protect street pieces, in situ or ex-situ, aiming to preserve them is seen by some street artists as a sort of recognition of their artworks' value. To save them would mean to keep a record of much more than an art movement, of a way to communicate and to inhabit the urban environment. Of course, as already pinpointed, the preservation argument to justify street artworks relocation has pros and cons. To save something for posterity means inevitably to turn street art pieces into something different and, especially when preservations imply relocations, street pieces cease to be accessible to all urban inhabitants. Greif, while believing street pieces must be preserved, remained puzzled when he saw Banksy's *Haight Street Rat* in Miami Art Fair: "I do not know how I feel about this, it is like when you see a deer in the wild it is cool, when you see a deer's head on the wall it is not so cool" (Day, 00:48:20- 00:48:30). Street artists tend to be very critical when their pieces are placed somewhere else, but their attitude radically changes when authorities, in the name of public order or new urban plans, wipe off their creations. The whitewashing or destruction of their artworks is seen as a natural consequence of making something against the law, an aspect even belonging to street art's ephemerality, a kind of unspoken rule of the street art game. The Italian artist Alicè admits she is not fond of her artworks as she is aware surfaces can be demolished at any moment[46] (Tommasini, 2018). The collective Guerrilla Spam has declared it would not protest against people wrecking or taking their paste-up over, as once they work on the street, they are not responsible anymore for the future of their artworks[47] (Tommasini, 2019b). To summarise, whatever kind of displacement with the purpose to market street artworks is considered disrespectful of street artists' will and street art nature. Street pieces are considered gifts to the urban community, not to whoever can afford to buy them in art auctions. The artist Ron English seemed to act complying with this golden rule when, in November 2018, to protest against thefts and commodification of street art pieces, he purchased *Slave Labour* for $730,000 in an auction aiming to paint it over, commenting: "We're tired of people stealing our stuff off the streets and re-selling it so I'm just going to buy everything I can get my hands on and whitewash it". (Livni,2018). Steve Lazarides,

[46] For further details, see: Tommasini, Alessia (2018), "La Street Art, il Molise e l'essere donna. Intervista ad Alice Pasquini", *Artribune*. Retrieved from https://www.artribune.com/arti-visive/street-urban-art/2018/08/street-art-alice-pasquini-intervista/ (accessed December 21, 2019)

[47] For further details, see: Tommasini, Alice (2019b, May) :"Street Art e coscienza critica. Intervista a Guerrilla Spam". *Artribune*. Retrieved from https://www.artribune.com/arti-visive/street-urban-art/2019/05/intervista-guerrilla-spam/ (accessed November 23,2019)

Banksy's ex-agent, underlines how street art "is for the enlightenment of general the population, to make the city a more beautiful place[…]. It is not meant to be there forever but it is also not meant to be stolen by idiots that try to resell to some other idiots" (Proserpio, 2018: 45:00- 45:20). There are, though, some exceptions regarding street artworks sale. In 2014, Banksy preferred one of his street pieces to be sold rather than letting the City Council of Bristol show and preserve it in the Municipal Museum. When Dennis Stinchcombe found a street artwork, visibly belonging to Banksy, on a public doorway in Bristol, he peeled the piece off and donate it to *Broad Plain Boys' Club*, an institution providing after-school programs to Bristol's youth and which, by that time, was on the verge of shutting down for financial problems. Stinchcombe's idea was to use the artwork (either by selling or exhibiting it) to raise funds and save the club. Once the artwork, later titled *Mobile Lovers* (2014), was taken down, it was replaced by a note stating: "The new Banksy piece is being held in our club to prevent any vandalism or damage being done. You are free to come and view but a small donation will be asked of you. Thanks". Bristol City Council, after claiming the ownership of the artwork (since it was located on a public surface), displayed it at the *Bristol Museum Art Gallery*. Then, Banksy himself unexpectedly intervened and, through a letter addressed to Stinchcombe, not only admitted to being the author of the piece, but also transferred ownership rights of *Mobile Lovers* to Broad Plain Boys' Club. In a letter addressing Stinchcombe, the British street artist wrote:

> " […]This was meant to be a small visual gift for the area- but apparently a financial one would have been more useful. I don't normally admit to committing criminal damage, but seeing as it looks like charges won't be brought any time soon you have my blessing to do what you feel is right with the piece […]". [48]

Mobile Lovers was then sold to a private collector for £403,000, and the sum was used by Stinchcombe to keep the Youth club open (Gander, 2014). Street artists usually adopt the same indulgent attitude when the removal and/or the protection of their pieces, either on or ex-situ, is not driven by profit reasons. The impression is that, when museums or institutions

[48] The letter, written by Banksy, can be read at Gander (2014): "Banksy's Mobile Lovers: Youth club owner who sold artwork in Bristol receives death threats", *Independent.* Retrieved from https://www.independent.co.uk/arts-entertainment/art/news/banksy-mobile-lovers-sold-owner-of-youth-club-where-artwork-appeared-in-bristol-received-death-9695327.html (accessed December 3, 2019)

are not directly involved, or at least do not seem to be interested only in raising their visibility and visitors, the wish to save street art pieces appears to be more genuine and truly motivated by the recognition of artworks' value, and this aspect makes street artists more compliant and not that critical towards preservation. Since street artists' positions are very diversified, someone might rightly claim that the final say should be left to the artists. As the artist Good Guy Boris points out, the whole issue about street art preservation and/or relocation might be easily solved by respecting artists' wishes. Good Guy Boris admits if someone asked him the permission to remove one of his street pieces and keep it in a museum because of its cultural, artistic, historical importance, he would be pleased to give his consent and see his artwork in a museum. "But if you do not ask me, I am going to take actions", he threats (Proserpio, 2018: 01:13:10- 01:14:20). Someone sees the whole question regarding street pieces relocation just a matter of permission not asked, someone else a matter of undermining street artwork meaning, some others a matter of depriving a community of a gift. The disappearance of street pieces provokes reactions also among urban communities. Susan Hansen, after collecting five hundred Tottenham community's reactions about the removal of *No Ball Games* (2009)[49] by Banksy, noticed that the community was internally divided into two sects: pro-removal residents, whose motivations were mainly related to the illegal nature of street art and their perception of the street piece as a damage to a private property that could have been encouraged young people to break the law; against-removal residents that considered the artwork as a present to Tottenham's community and perceived its removal as a theft (Hansen, 2015b). In 2015, when some volunteers painted over Pao's artworks in a small park in Milan, aiming to clean up the city walls, residents protested claiming that Pao's paintings were appreciated by the community and had become a symbol for their neighbourhood (Gastaldi,2015). In 2013, the removal of *Slave Labour* (2012), later auctioned off by Sincura Group, left Haringey community disappointed and upset to the point that the leader of Haringey Council, Claire Kober, declared himself willing to evaluate "all the options to bring back Banksy to the community where it belongs" (Batty, 2013). When making decisions about street art pieces, to respect artists' position which, as seen, may vary regarding street pieces preservation but is pretty clear about marketing street

[49] The firm Sincura Group took care of No Ball Games removal in 2013, and his president declared he had been asked to sell it. For further info see: "Banksy's No Ball Games mural removed from Tottenham wall" (2013), *Bbc*. Retrieved from https://www.bbc.com/news/uk-england-london-23461396 (accessed December 13, 2019)

artworks, and to take into account local communities' standpoints, is the most reasonable approach. In 2006, Bristol City Council, originally determined to whitewash *Well-Hung Lover* (2006) by Banksy, decided, after citizens request not to buff the artwork, to send out an online poll asking its citizens whether or not the artwork should have been kept. 97% of voters resulted to be in favour of it, and the artwork became an ex-post authorized piece (Jones, n.d.). Bristol City Council's decision to consider public opinion appears to be, however, an isolated episode. Most of the time, in fact, art dealers and owners of painted façades have the last say on street artworks removal and/or relocation. Their positions are going to be discussed in the next sub-chapter.

3.5 Art dealers' reactions

Street art dealers trying to make money with unauthorized pieces are usually depicted as greedy profiteer by street artist community or, as Ben Eine defines Stephan Keszler, known for trading Banksy's street artworks, "a shyster, a villain" (Day,2017: 37:08-37:18). To take down an artwork which is supposed to belong to the city inhabitants and purchase it without artist's consent sounds morally reprehensible for both city dwellers and artists, but not for art dealers and walls' owners. Keszler, criticized by the street artists community for exhibiting several Banksy's street pieces at Miami Art Fair in 2012, without the artist's permission, justified his choice by pointing the finger at Banksy's incoherence. According to Keszler, as Banksy paints on private walls without asking any authorization to walls' owners, his artworks are the results of a criminal act and so he loses every right on his street pieces. Keszler's justification relies on the illegality of Banksy's pieces: just as the British artist feels entitled to paint on someone's surface with authorisation, he feels allowed to take possession of his works without asking him (Day ,2017). The same kind of argumentation has been put forward by Luca Ciancabilla, one of the curators of the exhibition *Street Art. Banksy and Co*. The exhibition, taking place in Bologna in 2016, provoked an intense debate since Ciancabilla, along with his collaborators, decided to peel off and display some Blu and Ericailcane's street pieces without the artists' permission. Ciancabilla defended his choices claiming that since street artists, when painting on surfaces, do not care about private and state-owned properties and so, in the same way, curators and art historians should feel free (just like the artists) to bring into museums street pieces, without worrying about street

artists' intentions (Falchini,2017). Ericailcane, in response to the disrespectful act of the organizers of *Street Art. Banksy and Co.*, drew a rat busy scratching a wall (a not-so-subtle reference to the curators) and called them thieves, artworks' unpunished kidnappers, unscrupulous restores; he also commented his illustration was dedicated to people who do not respect common good and other people's work, only able to steal and live like parasites (Ericailcane, n.d.).[50] Blu, as a protest, painted over all his remaining street pieces in Bologna. Roversi Monaco, president of *Genus Bononiae*, the foundation that financed and took care of Blu's pieces removal in Bologna, further commented about Blu's reaction that the walls removed were privately-owned and who paints on privately-owned buildings loses the physical property of his artwork[51] (Proserpio, 2018). Curators, art dealers, art institutions often justify the immoral and disrespectful act of depriving the urban community of street artworks, by underling their illegal nature. They first condemn street artworks as illicit and unauthorized pieces that have to be removed and then, even more despicably, make profits out of them. There is one more reason that makes art dealers and art institutions feel legitimated to take over street pieces: if left on the street, they would disappear forever. So, by displacing them, they would offer the public the opportunity to appreciate street artworks' for a period much longer than street artworks span life. Ciancabilla remarks how behind street artworks relocation there are people making the effort to save and protect them for posterity (Baccarani, 2012). The Sincura Group director,Tony Braxter, believes that if it were not for them, street art pieces would have disappeared (Proserpio, 2018). Keszler believes that "it is better to take from the wall, […] than to have a white paint over them, because then they are gone forever" (Day, 2017). The removal of street pieces is, from the perspective of art dealers, more a favour to the urban community rather than an act of deprivation. There is an option, though, they do not take into consideration: preservation in situ. A layer of glass covering street works may indeed affect the way passers-by perceive those pieces but, at least, it would not compromise street art's democratic nature.

[50] Ericailcane posted on his website *ericailcane.org* his drawing and commented (original Italian version): "Zona derattizzata. Area Bonificata da tombaroli ladri di beni comuni sedicenti difensori della cultura restauratori senza scrupoli e curatori prezzolati, massoni, sequestratori impuniti dell'altrui opera d'intelletto adetti del dio danaro e loro sudditi" (n.d.), *Ericailcane*. Retrieved from http://www.ericailcane.org/sito2/?p=437&fbclid=IwAR1W6t2oEGiPgx_r17jtJDiqmlmnnQLPb76A8KFp9-4V95FMxqyvBKQRB-A (accessed May 3, 2019)

[51] According to the Italian Law the author might not be the owner of the physical work, but he still holds moral rights on it. For more info see the subchapter "Who legally owns street art?"

At this point, someone might argue that when street artists choose to paint on private and public surfaces without authorization, they should accept all the risks coming from their illicit acts, from the whitewashing to the sale of their street artworks. However, it is important to underline that if alterations or buffing operations are natural consequences of creating on open and accessible spaces, it cannot be said the same when street pieces are peeled off for private interests, especially considering that street artworks are made for the pleasure of all. The frequent episodes of misappropriation of street artworks denote the lack of specific laws able to protect street artworks and their authors' wishes. Even being the given doctrine too narrow to solve the growing number of controversial regarding appropriations and purchases of street artworks, an overall view of it might help to understand who owns street pieces and if there is anyone entitled to make profit out of them.

CHAPTER 4

A crime called Street Art

4.1 Introduction

The removal and the purchase of street artworks by art institutions and art dealers usually trigger locals and artists' protests who perceive those pieces as something created for the pleasure of all city inhabitants.[52]

The following sub-chapter, through overall references to the Italian and the UK legislations, takes into account the relationship between street art and copyright law, trying to clarify who is entitled to make decisions about street art pieces and their potential relocation[53].

The Italian law will be mentioned in the attempt to show if the artist Blu could have protected his pieces from being relocated without his consent.

Considering that a large number of the cases mentioned in this study regards peeled and auctioned off street artworks belonging to the English street artist Banksy, the UK CDPA (Copyright, Design and Patents Act) will be examined to see which measures British artists can adopt to prevent people from taking over his street pieces.

The difficulties to apply the existing laws to street artworks rely mainly on the fact street artworks can be considered, at the same time, artistic expressions and the result of criminal acts.

According to the UK Criminal Act: "A person who without lawful excuse destroys or damages any property belonging to another intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged shall be guilty of an offence"[54]. The UK Act does not specify, however, what is meant for damage, so the courts have interpreted liberally which kind of alterations might be included or not under the definition of damage. Article 639 of the Italian Criminal Code[55] condemns

[52] Blu's vicissitudes about the removal of his street pieces, then exhibited in *Street Art – Banksy & Co. L'arte allo stato urbano* have been discussed in the previous subchapter "On the removal of street artworks:who and why". Regarding locals protests, it might be interesting to look at Harringay community's demonstration in 2013. For more details, see: Quinn B. (2013), "Haringey council: Banksy mural belongs in our community", *The Guardian*. Retrieved from https://www.theguardian.com/artanddesign/2013/feb/19/haringey-council-banksy-mural (accessed December 13, 2019)

[53] This chapter offers just a general overview of the Italian and the UK legislations and their copyright law since my expertise is not in law and legislation, but I believe these references are extremely relevant to my study

[54] UK Criminal Damage Act 1971- section 1.

[55] The Criminal Code is named in Italian *Codice Penale*

whoever deface or smear properties belonging to another with a fine or, in some specific cases, with jail.[56] When talking about street art, it remains to explain under which circumstances a street piece can be regarded as a damage, especially if it increases significantly the value of the property on which is painted, or as an act of beautification rather than a defacement. Moreover, neither the section 1 of the UK Criminal Damage Act, nor the article 639 of the Italian Criminal Code mention graffiti and street artworks. They do not even discern street art from defaced walls, for obvious reasons: first, because they are only driven by the interest of protecting private and public properties, so being both street artworks and defaced walls the result of illicit acts, they blindly condemns whatever result as an alteration of protected surfaces; second, there are no objective criteria to define what is art and what is not, what improves and what worsens walls' appearance, hence a painting on a surface might be considered, depending on the viewer, a piece of art or just scribbles. Besides, who is responsible for judging upon episodes of defaced walls, is not required to have a knowledge of the street art world and/or urban artistic expressions in general. The evident limit of the law is that it might equate banal and or vulgar form of writings such as declarations of love, offences to political, and sport rivals, with paintings whose aim and aesthetic value have nothing to do with that. The artistic value of street artworks, even not officially recognised by law as criterium (for their subjective nature) to condemn or not street artists, has, though, been taken into consideration in some case law, becoming a decisive factor in determining street artists innocence. In 2011, the Italian artist Sqon was sued by police for smearing walls, after painting on some buildings in Venice. The artist was acquitted of the charge thanks to the owners of the painted buildings who declared, during the trial, that Sqon's artworks contributed to making their dirty and horrible walls better looking than before, and appreciated his gifted artworks (Avoledo, 2014). Sqon's episode is not an isolated case. The street artist Manu Invisibile, denounced for painting on a wall

[56] The Article 639 of the Italian Criminal Code condemns who defaces on real estate, public or private transports to pay a fine up to €1000 and/or to prison (up to 6 months). If the defaced surface has an artistic or historical value, the penalty will be a fine between €1000 and €3000 and imprisonment up to one year. The original Italian version of the Article 639 states that: "Chiunque, fuori dei casi preveduti dall'articolo 635, deturpa o imbratta cose mobili o immobili altrui è punito, a querela della persona offesa, con la multa fino a centotre euro.
Se il fatto è commesso su beni immobili o su mezzi di trasporto pubblici o privati si applica la pena della reclusione da uno a sei mesi o della multa da 300 a 1.000 euro. Se il fatto è commesso su cose di interesse storico o artistico, si applica la pena della reclusione da tre mesi a un anno e della multa da 1.000 a 3.000 euro." *La Legge per Tutti*. Retrieved from For further details, look at:
https://www.laleggepertutti.it/codice-penale/art-639-codice-penale-deturpamento-e-imbrattamento-di-cose-altrui (accessed May 3, 2019)

without permission in Milan, was found not guilty by the judge that, when giving the judgement, took into consideration the artistic value of the Manu Invisibile's works and the very poor condition of the surface, already dirty and ruined before the artist creations (Mulas, 2014). It might happen that the presence of street artworks on private and public buildings besides improving their appearance, it also increases their economic value. The house on which Banksy painted a migrant child in Venice in 2019, whose market value was estimated at around € 1.2 million, was put up for sale for € 4.5 million right after being vandalized (Fullin,2019). The acquittal verdicts and the frequent support of urban citizens have not led, however, to street art depenalization. In 2016, the artist Alicè, worldwide known for her street pieces, was condemned to pay a fine of €800 for painting on public walls in a deprived area in Bologna. AliCè defended herself stating that her unauthorized pieces, realized on an already degraded area, had brought aesthetic value to the city . The judge, on the contrary, motivated her sentence declaring that when judging a crime, personal evaluations like the beauty of an artwork (usually influenced by personal tastes and fads), cannot influence the verdict and so, regardless the artistic value Alicè's paintings, she had to be punished for the offence committed (Rotondi, 2016). To paint on public and private surfaces without permission is always considered a crime by law, irrespective of the artistic value of the work. The final decision, when there is an official complaint, is up to judges who have to interpret on a case by case basis a law that does not consider the peculiarities, the developments and the social perception of an urban phenomenon gaining more and more appreciation among the general public. Regarding the acquittal verdicts motivated by the beauty and artistical value of paintings, the lawyer Domenico Melillo, better known in the Italian urban art context as the street artist Frodo, stresses an interesting point. The fact that a judge, does not convict a street artist or a writer for vandalism (or infringement of the article 639 of the Italian Criminal Code) does not imply his street pieces are protected by copyright. It just means that the judge, because of the absence of what the Italian Criminal Code calls *dolo* or *elemento psicologico del reato*, has not judged street artworks as the result of a criminal act.[57] The Italian law means by *dolo* the wish to damage or endanger someone or something[58]. As seen, street artists paint on urban surfaces intending to improve their aspect

[57] Annex B, Questions to Domenico Melillo.

[58] My translation. The definition of *dolo* or *elemento psicologico del reato* is given by the Article 43 of the Italian Criminal Code (Codice Penale). " Il delitto: è doloso, o secondo l'intenzione, quando l'evento dannoso o pericoloso, che è il risultato dell'azione od omissione e da cui la legge fa dipendere l'esistenza del delitto, è

and so, if the judge recognises there is no *dolo*, namely there is no intention of damaging them, street artists cannot be condemned, by law, for committing a crime. However, the fact that a street piece is not considered as the result of a criminal act does not mean that it will be consequently seen as an artwork, and so protected by copyright laws. The thorny issue about who has rights over street pieces relies on the fact that, unlike it happens with other artistic expressions, who creates the intangible artistic work does not own the tangible support.

4.2 The Italian Legislation

The Italian Law no. 633 of 1941 for the protection of copyright and related rights[59] follows the core principles of Berne Convention, an international copyright agreement signed in 1886 (and then updated in Berlin (1908); Rome, 1928; Brussels, 1948; Stockholm, 1967; and Paris, 1971). Berne Convention rests on mutual recognition of copyright law across all the countries that "being equally animated by the desire to protect, in as effective and uniform a manner as possible, the rights of authors in their literary and artistic works"[60], signed it. Thanks to Berne Convention, a citizen holding copyright can have his work protected also outside his country both in artistic and economic terms. Berne Convention protects literary and artistic works, meaning by that, "every production in the literary, scientific and artistic domain, whatever may be the mode or form of its expression, such as books […]works of drawing, painting, architecture, sculpture[…] works of applied art; illustrations, maps, plans, sketches"[61]. The Italian law no. 633[62] adds further details to the

dall'agente preveduto e voluto come conseguenza della propria azione od omissione". For further details, see: "Art. 43 codice penale: Elemento psicologico del reato". *La Legge per Tutti*. Retrieved from https://www.laleggepertutti.it/codice-penale/art-43-codice-penale-elemento-psicologico-del-reato (accessed May 3, 2019)

[59] The law is named in Italian "Protezione del diritto d'autore e di altri diritti connessi al suo esercizio".

[60] Berne Convention for the Protection of Literary and Artistic Works (Paris Text 1971). *Legal Information Institute*. Retrieved from https://www.law.cornell.edu/treaties/berne/ (accessed December 12, 2019)

[61] Article 2 of the Berne Convention for the Protection of Literary and Artistic Works (Paris Text 1971). *Legal Information Institute*. Retrieved from https://www.law.cornell.edu/treaties/berne/2.html (accessed May 3, 2019)

[62] From now on all the mentioned articles,unless otherwise stated, refer to the Italian Law no. 633 of 1941

general regulation of Berne Convention, as it specifically requires two conditions that have to be fulfilled to consider a work copyrightable: a certain level of creativity, and the expression of that intellectual creativity in a specific way or form[63]. Article 1 protects intellectual works of creative nature belonging to art, science, literature, music, etc., regardless of the form in which they are expressed. Even though there are no objective criteria to determine if an object is creative enough to be protected, the originality excludes, with no doubts, vulgar and/or banal form of writings or drawings that deface the surfaces on which they are realized. Article 6 further explains that a work, in order to be copyrightable, has to be an expression of its author intellectual work, which, in other terms, means that it has to be perceivable. To elucidate what is meant by expression of intellectual work, it would be helpful to notice that an idea, if not externalised by the author in a particular and perceivable form (written, oral, etc.) cannot be protected. Street artworks, falling within the categories of drawing, painting, sculpture, mentioned by both Berne Convention and Italian Law no. 633, and inasmuch as they are original and expressed in a perceivable form, as required by articles 1 and 6, can be protected by the copyright law, even being made illicitly. Neither Berne Convention nor Italian legislation mention any kind of restrictions regarding works illegally made, works transgressing standards of public decency or works that might encourage illegal acts. This aspect may lead to the paradox that a street artist can be condemned for his illegally made street artwork and, at the same time, enforce moral and economic rights over his illicit works.

[63] Those conditions can be found in the articles 1 and 6 of the Italian law no. 633. The original version of the article 1 states: "Sono protette ai sensi di questa legge le opere dell'ingegno di carattere creativo che appartengono alla letteratura, alla musica, alle arti figurative, all'architettura, al teatro ed alla cinematografia, qualunque ne sia il modo o la forma di espressione […]". *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019) The original version of article 6 states: "Il titolo originario dell'acquisto del diritto di autore è costituito dalla creazione dell'opera, quale particolare espressione del lavoro intellettuale." Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019

4.3 Moral rights

The Italian law no. 633 grants the author moral and economic rights. Moral rights, recognized by the articles 20,21,22,23,24[64] are eternal and, unlike the economic ones, cannot be transferred to someone else. The author of a work, according to Berne Convention "shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honour or reputation"[65]. The Italian law complies with the Berne Convention, by giving the artist the right to keep his artwork in the same original form it was created or, in other terms, the right to oppose to whatever modification that could damage his reputation or honour[66] ; and by giving the right to be recognised as the author of his work. In the case of street art, the relocation of a street artwork represents with no doubt an act of distortion that, as seen in the first chapter, considerably alters not only the artwork itself, created specifically for the urban environment, but also the way the public perceives it. The re-appropriation of the urban visual space contaminated with ubiquitous advertisements intended by street artworks, along with the immediate and unmediated[67] relationship with urban inhabitants, are only two of the numerous aspect that are lost when street artworks are displaced in contexts differing from their original ones, such as museums, private

[64] The article 22 and the article 23 of the Italian law no. 633 refer respectively to the inalienability and to the eternity of moral rights. The original Italian version of the article 22 states: "I diritti indicati nei precedenti articoli sono inalienabili." *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019).
Article 23 states: "Dopo la morte dell'autore il diritto previsto nell'art. 20 può essere fatto valere, senza limite di tempo, dal coniuge e dai figli e, in loro mancanza, dai genitori e dagli altri ascendenti e da discendenti diretti; mancando gli ascendenti ed i discendenti, dai fratelli e dalle sorelle e dai loro discendenti." *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019)

[65]Article 6-bis of the Berne Convention. *Law Information Institute*. Retrieved from https://www.law.cornell.edu/treaties/berne/6bis.html (accessed May 3, 2019)

[66] The article 20 of the Italian Law no. 633 states: "Indipendentemente dai diritti esclusivi di utilizzazione economica della opera, previsti nelle disposizioni della sezione precedente, ed anche dopo la cessione dei diritti stessi, l'autore conserva il diritto di rivendicare la paternità dell'opera e di opporsi a qualsiasi deformazione, mutilazione od altra modificazione, ed a ogni atto a danno dell'opera stessa, che possano essere di pregiudizio al suo onore o alla sua reputazione.[…]". *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019)

[67] By immediate and unmediated relationship is meant that the public come across street artwork casually, without going to a museum, paying a ticket and attending an exhibition curated by someone that has already made a selection of street pieces deserving to be shown and chosen specific exhibition criteria that might influence the way spectators perceive street pieces

collections, auctions. The relocation of street artworks, even maintaining intact their material characteristics (as usually happens), would imply the mutilation of their aura, and may also have implications on artists' reputation and on the idea they want to convey about themselves and their works. There is, as Young pinpointed, an

> "implicit hierarchy within street art culture [that] tends to give greater significance or credibility to works created without permission, and artists who call themselves street artists but who have never or rarely put up illicit work can be regarded as less authentic, or as attempting to benefit from street's fashionability" (Young,2014:4).

In the street art field, credibility and recognition do not come only from peers like street artists or street art experts, but also from the casual spectators. Urban citizens, Banksy writes, "look at an oil painting and admire the use of the brushstrokes to convey meaning. [they] look at graffiti and admire the use of a drainpipe to gain access" (Banksy,2005:205). Along with the improvement of buildings' visual appearance, street works are, as Banksy claims, also appreciated for the high risk taken by street artists to create them.

The illegality of street pieces and so the risks taken by street artists, whether supposed or real[68], is an element that arouses communities' admiration. The idea of street artists as modern Robin Hoods who take possession of urban visual space for the benefit of entire communities fails when an illicit piece, originally located in the urban environment, is found in a museum, gallery, auction or private collection. The public and the street artists' environment might, in fact, misperceive the relocation or the sale as something wished by the artist for profit and visibility reasons. To let pieces created for the street take a step into the institutional art world could be misinterpreted as a betrayal of those values and beliefs behind the street art movement, like artworks free accessibility (not only in the sense there are no tickets to pay but also free from any curatorial mediation between street artworks and urban communities), the idea of street artworks as donations, the re-appropriation of urban visual spaces. Street artists, in this sense, instead of being appreciated for making the urban environment a better-looking place, may look like opportunists using public and private surfaces as showcases to overexpose their art up to the point they become popular; in other words, people might have the impression that street artists use and exploit urban spaces as a

[68] As Young, pinpoints, an illegal artwork might trigger the same feelings of a commissioned one, if this one is perceived as an illegally made. Young states illegality of street pieces "exist[s] either as a result of its placement without permission or through assumptions about the work brought by the spectator." (2014:8)

stepping stone before entering into institutional art contexts. By putting the question in this way, it is easy to get how the relocation of street artworks could damage street artists' reputation.

What happened to Blu's street pieces in Bologna, removed and shown without his authorization at *Street Art-Banksy and Co. L'arte allo stato urbano* exhibition, might fall within the cases of moral rights violations mentioned in the article 6-bis of Berne Convention and the article 20 of the Italian Law. However, Blu, instead of suing people responsible for his street pieces' removal, has shown his dissent by whitewashing all his remaining pieces in Bologna.

Street artists do not denounce improper uses of their pieces for different kinds of reasons. First, by claiming the paternity of street works they would implicitly admit to being their authors, and so they might be prosecuted by law. Moreover, if they want to have the chance to win a legal battle against who takes possession of their pieces for inappropriate uses, a condition must be fulfilled: their street pieces have to be recognized by judges as artistic works deserving to be protected by the copyright law and, at the present day, no court has ever made official statements about copyrighting street artworks. Last, but not least, to break the law when creating an artwork, and then invoking the legislative system for protecting it, would sound incoherent. To criticize a system that, in the name of profits, lets city inhabitants be overwhelmed by advertising campaigns, and then ask for its protection, is obviously contradictory. However, Bonadio seems not to share this idea when arguing that:

> "[i]t is known that most street art and graffiti are anti-establishment. Artworks are often placed in the streets, for example to oppose war, criticise consumerism and question the function of modern media. [W]ould it be paradoxical to allow street artists ask for protection to the very state they criticise? I do not think so. Indeed, traditional work of art might be also anti-establishment, yet protecting them through copyright certainly does not constitute a paradox" (Bonadio, 2017:38).

Bonadio's argumentation, based on the comparison of traditional artworks to street artworks, understates, though, a few aspects. Traditional artworks, even when their content is anti-establishment, are universally recognized as art and so artists do not need to struggle for recognition of moral or economic rights over them. It is obvious that any illicit use of traditional art would be punished, and so this aspect tends to discourage people from reproducing those artworks or taking possession of them without artists' permission (they would be, in fact, charged for theft). On the contrary street art, whether for its self-authorised

nature, or its unusual and non-institutional location, although it is increasingly valued as art, has not gained yet, at least not on a large scale, this universal and indisputable status. Furthermore, traditional artworks may or may not be subversive and anti-establishment for their content. Street artworks are anti-establishment for the way they occupy the public space and not necessarily for their content (not necessarily always controversial). As Baldini suggests: "The subversive power of street art is in effect primarily (though not exclusively) direct against the commodification of public space. This is particularly true in conventional contexts of creation of street art, that is, neo-liberal cities" (2018:74).

If street artists invoking protection over their pieces sound, unlike traditional artists who paint on their studios, hypocritical, it is because by painting on urban surfaces they call into question the same system of laws that should protect them.

Davies believes that "graffiti writers have strong non-commercial and anti-corporate ideology" and when someone takes possession of their artworks street artists have two choices: "[e]ither they must rely on the apparatus of the state they critique to protect their interests, or they cede the rights to their works to the public domain" (Davies, 2012:45). Which, in other terms, means that they either decide to act incoherently or, by letting someone take possession and use their pieces, they accept any prejudicial consequences on their reputation deriving from that. The only way to overcome this impasse would be, as Bonadio pinpoints, that "judges explicitly confirm that artworks illegally placed in the street are also capable to attract protection and recognise artists that have produced them enforcement rights" (Bonadio, 2017:37)

The copyright law includes, besides moral, also economic rights. Back to Blu's case, the Italian artist could have initiated legal proceedings also for a violation of his economic rights, considering that the public had to pay an admission ticket to see his works at *Street Art – Banksy & Co. L'arte allo stato urbano* exhibition. Article 12 and 13 state that the author has the exclusive right to publish, reproduce, and exploit his works in any form, original or derivative[69]. Article 17 further specifies that the author holds the exclusive right to market

[69] Article 12 of the Italian law no. 633 states: "L'autore ha il diritto esclusivo di pubblicare l'opera. Ha altresì il diritto esclusivo di utilizzare economicamente l'opera in ogni forma e modo, originale o derivato, nei limiti fissati da questa legge, ed in particolare con l'esercizio dei diritti esclusivi indicati negli articoli seguenti.[…]", *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore.
Article 13 states: "Il diritto esclusivo di riprodurre ha per oggetto la moltiplicazione in copie diretta o indiretta, temporanea o permanente, in tutto o in parte dell'opera, in qualunque modo o forma[…]" , *Altalex*. Retrieved

and share with the public the original work or authorized (by the author himself) copies of it[70]. An artist claiming economic rights over his donated street artworks would sound, though, even more hypocritical. As noticed, street art was born to reclaim visual spaces, largely used by private companies for private interests. When painting on public and private surfaces, street artists try to give back those spaces back to city-dwellers, not to make profits out of them. It is important to remind that economic rights concern also street artworks reproductions. To invoke economic rights over screen prints and merchandising, usually labelled as street art products, would not, though, sound contradictory since those commercial items are licitly made with the purpose to be sold and generate profits. As Baldini underlines:

> "Extension of this variety of proprietary rights over the design of these products can thus help street artists generate venue, which is, of course, a positive thing. The profit generated[…] can support both street artists' everyday needs and their activities, free" (Baldini,2018:70).

Whether or not street artists will decide one day to count on the existing legislation to prevent any unauthorized and illogical use of their street pieces, the described scenario does not seem to respond properly to their needs. What emerges from the current legislation is the lack of new and updated laws, specifically built not only to protect street art from any immoral, damaging and commercial uses, but also to balance artists, urban inhabitants and building owners' wishes.

Regarding building owners' rights, one question arises: who protects their interests, especially when they do not want their surfaces to be painted? Even owning street artworks' physical supports, if a street artist invoked copyright law, they would neither hold moral rights that, by law, the author cannot transfer or sell to someone else[71], nor economic rights

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from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019)

[70] Article 17 states: "Il diritto esclusivo di distribuzione ha per oggetto la messa in commercio o in circolazione, o comunque a disposizione, del pubblico, con qualsiasi mezzo ed a qualsiasi titolo, dell'originale dell'opera o degli esemplari di essa e comprende, altresì, il diritto esclusivo di introdurre nel territorio degli Stati della Comunità europea, a fini di distribuzione, le riproduzioni fatte negli Stati extracomunitari", *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019)

[71] See footnote n.66

(unless the author decides to hand them over for free or after receiving a remuneration[72]). Moreover, according to the Italian law, once an artwork is protected by the copyright law, owners of the tangible support have no right to exploit them in commercial terms. What if they want to paint over street artwork found on their surface? As said, article 20 grants the author the right to oppose to whatever modification, mutilation, damage of his artworks which could affect his reputation or honour, but it does not directly mention the act of destroying a work as prejudicial for the author. Yet, a broad interpretation of article 20, seems not to exclude the destruction of a work as an act that may affect negatively the honour of its author. On the other side, the article 936 of the Italian Civil Code states that if someone builds or realises something on someone else's property with his own materials, the owner of the property has the right to keep it or oblige the person who has built or realised something on his property to remove it[73]. There is an evident conflict between owners and artists' rights that the Italian legislation is not able to solve. By now, there are no reported cases (in the Italian context) of street artists suing building owners or cleaning companies for whitewashing their pieces and, therefore, for damaging their reputation. First, because street pieces are not supposed to last or to be preserved and their authors are perfectly aware that, for one reason or another, they are going to disappear sooner or later. Ephemerality, as already noticed, belongs to street art nature[74]. Second, it would be hard to prove in legal proceedings that a street artist's reputation has been sullied by the buff of his pieces.

[72] Art. 107 of law no. 633 states: "I diritti di utilizzazioni spettanti agli autori delle opere dell'ingegno, nonché i diritti connessi aventi carattere patrimoniale, possono essere acquistati, alienati o trasmessi in tutti i modi e forme consentiti dalla legge, salva l'applicazione delle norme contenute in questo capo." *Altalex*. Retrieved from https://www.altalex.com/documents/codici-altalex/2014/06/26/legge-sul-diritto-d-autore (accessed May 3, 2019)

[73] Article no. 936 of the Italian Civil Code (Codice Civile) states: "Quando le piantagioni, costruzioni od opere sono state fatte da un terzo con suoi materiali, il proprietario del fondo ha diritto di ritenerle o di obbligare colui che le ha fatte a levarle". *La Legge per Tutti*. Retrieved from https://www.laleggepertutti.it/codice-civile/art-936-codice-civile-opere-fatte-da-un-terzo-con-materiali-propri (accessed May 3, 2019)

[74] Street art ephemerality has been largely discussed in the first chapter: "What we talk about when we talk about street art: definitions and peculiarities"

4.4 The Copyright, Designs and Patents Act

To better understand if Banksy could oppose the unwanted removals and consequent relocations of his street artworks, and the extent to which a street artist can ask copyrights to be enforced over his street pieces, it would be useful to refer to some of the Copyright, Designs and Patents Act sections. The CDPA is an official Act signed by the Parliament of the United Kingdom in 1988. According to the first section of the CPDA copyright is a property right that protects original literary, dramatic, musical or artistic works, sound recordings, and films.[75] The section 4 points out that by artistic work is meant graphic works (namely painting, drawing, diagram, map, chart or plan)[76], photographs, sculptures or collage, irrespective of artistic quality, works of architecture and work of artistic craftsmanship. Street artworks, as long as they are original works, might fall within the copyrightable works categories, but the fact that they are illicitly made could be an obstacle for the UK legislation. The CDPA does not specifically mention illegality as a factor precluding the possibility of enforcing copyright but, in several cases, UK courts have refused to protect works with copyright for their immoral content. In the law case *Glyn v Weston feature Film Co*.(1916) the author of a novel sued a director for infringing copyright but the Court refused to recognise the novel as copyrightable because of its alleged immorality[77] (Burrell and Allison, 2009). In a more recent case *Hyde Park v Yelland* (2000) the court has clarified that it could "refuse to enforce copyright if the works is: (i) immoral, scandalous or contrary to family life;(ii) injurious to public life, public health and safety or the administration of justice; (iii) incites or encourages others to act in a way referred to in

[75] Section 1(1a, 1b, 1c) of the CDPA(1988) states:" Copyright is a property right which subsists in accordance with this Part in the following descriptions of work - (a)original literary, dramatic, musical or artistic works,(b) sound recordings, films [F1or broadcasts], and (c)the typographical arrangement of published editions." , *legislation.gov.uk*. Retrieved from http://www.legislation.gov.uk/ukpga/1988/48/section/1 (accessed May 3, 2019)

[76] Section 4 (2a,2b) of the CDPA (1988) states: "In this Part- "building" includes any fixed structure, and a part of a building or fixed structure; "graphic work" includes- (a)any painting, drawing, diagram, map, chart or plan, and (b)any engraving, etching, lithograph, woodcut or similar work; "photograph" means a recording of light or other radiation on any medium on which an image is produced or from which an image may by any means be produced, and which is not part of a film; "sculpture" includes a cast or model made for purposes of sculpture. *legislation.gov.uk*. Retrieved from http://www.legislation.gov.uk/ukpga/1988/48/section/4 (accessed May 3, 2019)

[77] For further info, see: Burrell, Robert and Coleman, Allison (2009), *"Copyright Exceptions: The Digital Impact"*, Cambridge University Press: Cambridge. The authors mention the court case *Glyn v.Weston Feature Film Co. (1916) 1 Ch 261* at pages 264-265

(ii)"[78] (Hyde Park Residence Ltd v Yelland,2000). It remains still unclear, though, if street art might be included in one of the above-mentioned categories or not. To treat street art as an injury to public life would be an overstatement, first because of its growing popularity and second because, if there were damages, they would be to the private property of a citizen and not to the entire community or public life. Once an artwork is protected by the copyright, an artist can invoke moral rights over it, which include the right to be identified as the author or paternity right[79], and the right to object to derogatory treatment of work or integrity right[80]. The CPDA states the author "has the right […]not to have his work subjected to derogatory treatment"[81]. The derogatory treatment concept encompasses any distortion or mutilation of the work or otherwise, that prejudices the honour or the reputation of the author[82]. In the UK scenario, there have been numerous episodes of street pieces' relocation that, for the above mention reasons regarding street art site-specificity and the idea that urban inhabitants have about street artists and their art, might be classified as damaging not only street pieces nature but also artists' public image[83]. As one of the authors of Graffoto website pinpoint:

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[78] For further info, see: "*Hyde Park Residence Ltd V Yelland, News Group Newspapers Ltd, News International Ltd, Murrell: Ca 10 Feb 2000"*. *Swarb*. Retrieved from https://swarb.co.uk/hyde-park-residence-ltd-v-yelland-news-group-newspapers-ltd-news-international-ltd-murrell-ca-10-feb-2000/ (accessed May 3, 2019)

[79] Right to be identified as author or director and its exceptions are included in the sections 77 ,78, and 79 of the CDPA (1988).
For further info, see: http://www.legislation.gov.uk/ukpga/1988/48/part/I/chapter/IV/crossheading/right-to-be-identified-as-author-or-director (accessed May 3, 2019)

[80] Right to object to derogatory treatment of work and its exceptions are included in the sections 80, 81 of the CDPA 1988. For further info look at the following footnotes (n.80,n.81)

[81] Section 80 (1) of the CDPA 1988 states: "The author of a copyright literary, dramatic, musical or artistic work, and the director of a copyright film, has the right in the circumstances mentioned in this section not to have his work subjected to derogatory treatment.", *legislation.co.uk.*
Retrieved from http://www.legislation.gov.uk/ukpga/1988/48/section/80(accessed May 3, 2019)

[82] Section 80 (2a, 2b)of the CDPA 1988 states: "For the purposes of this section- (a)"treatment" of a work means any addition to, deletion from or alteration to or adaptation of the work, other than- (i) a translation of a literary or dramatic work, or (ii) an arrangement or transcription of a musical work involving no more than a change of key or register; and (b)the treatment of a work is derogatory if it amounts to distortion or mutilation of the work or is otherwise prejudicial to the honour or reputation of the author or director; and in the following provisions of this section references to a derogatory treatment of a work shall be construed accordingly". Retrieved from http://www.legislation.gov.uk/ukpga/1988/48/section/80 (accessed May 3, 2019)

[83] The following are just some of the numerous cases of street artworks removals. (1) In 2014, the iconic *Girl with Balloon* by Banksy was removed by the Sincura Group and then sold. (McDermott,2014). (2) In 2016, *Love Plane* (2011) by Banksy, found in Liverpool, was removed to be shown in a museum, triggering locals' protests. (Neuendorf,2016). Old Skool (2006) by Banksy was removed and then auction by Sincura Group in 2014. (Ellis-Petersen, 2014)

> "As for it being street art, shifting it indoors has a traumatic effect on the look and feel of these street pieces. Gone is any sense of the relationship they had to their environment. Admiration for the vandal taking risks to create this piece – the "Wow, how did he get away with that?" factor is completely absent.[…] [T]hey don't feel at all like street art. They actually look completely out of place in this situation and one would hazard in any indoor location" [84](NoLionsInEngland, 2014).

Yet, the CDPA and particularly the section 80 (2)(a)(b) does not mention as a derogatory action any de-contextualisation of the copyrighted work or whatever act which may include relocation. As Brown-Pedersen notices the CDPA, gives an interpretation too narrow of the article 6-bis of Berne Convention which, unlike CDPA, recognises the author the right to "object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honour or reputation"[85] and so, among those "other derogatory action", might incorporate displacements of street pieces (Brown-Pedersen, 2018). The fact that the CDPA does not include any "other derogatory action" among the ones damaging artists' works and/or reputation would probably make it harder for a street artist (in the UK context) to oppose the displacement and exhibition of his pieces in a museum, gallery or private collection. In fact, derogatory actions in the CDPA include only distortions and mutilations, without mentioning any modification or change of the context in which the work is originally located. Bearing in mind the CDPA integrity right, its tendency to refuse copyright protection to works that might be "injurious to public life", and the fact that there are no reported cases of judges explicitly declaring that unauthorised works fall within the category of the copyrightable ones, it is hard to predict if Banksy could have any chances to win a trial against unapproved uses of his street artworks. To conclude, all the references to the Italian and UK legislation regarding copyright law result to be a speculative exercise since, to date, nor Italian neither UK street artists have officially invoked moral rights against the removal of their unauthorised street pieces. What

[84] The full article can be read at: NoLionsInEngland (2014), "Stealing Banksy", *Graffoto*. Retrieved from https://graffoto1.blogspot.com/search?q=stealing+banksy (accessed December 13, 2019)

[85] Article 6-bis of Berne Convention for the Protection of Literary and Artistic Works (Paris Text 1971) (1) states: "Independently of the author's economic rights, and even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honor or reputation.". *Legal Information Institute*.
Retrieved from https://www.law.cornell.edu/treaties/berne/6bis.html (accessed May 3, 2019)

emerges from these few general observation is the lack of a specific legislation able to offer protection to street artists when their artworks are taken over and/or sold without their consent and without respecting street art inherent nature, and able to discern (also taking into consideration urban inhabitants' feelings) what damages from what improves surfaces' aspect, urban environment and the way they are perceived.

CHAPTER 5

Street Art towards legitimation: a matter of profits?

5.1 Introduction

So far, street art has been presented from the perspectives of different parties, namely street artists, art dealers, cultural institutions, city councils, and urban inhabitants that, moved by contrasting or by simply different interests, try to enforce their positions regarding how to handle street artworks. These positions may vary among individuals of the same group (as noticed not all street artists has taken a clear stance about moving their pieces into the cosier museums environments), or when the context of reference changes, but all of them seem to agree in considering street art as an artistic expression.

Since the early 2000s art galleries and art museums have started a process of street art legitimation by hosting street and urban art exhibitions. Such a process has gradually involved also local authorities who, more and more frequently, look to street art as a tool for urban regeneration. In the last few years, there have been numerous urban art festivals or simply murals commissioned and/or sponsored by the same institutions that used to hire cleaning companies in order to clean up what, until some years ago, were considered vandalised walls. The project *Galeria de Arte Urbana* (GAU), founded in 2008 in Lisbon and financed by the cultural heritage department of the city council of Lisbon has organised the three editions of the urban art festival *Muro*[86] with the aim to promote the creation of street artworks and graffiti in legal and authorised contexts and, by doing so, to contrast illegal vandalism[87]. The art project for the urban regeneration titled *Big City Life*, taking place in 2015 in Tor Marancia neighbourhood in Rome, was sponsored and co-financed by the Rome City Council ("The Project", n.d.). The political institutions' interests and openness to street art have not come forward only in the legal and controlled form of urban art festivals. In 2016, *Ama*, a cleaning company hired by the City Council of Rome to clean the city's walls from any political, sexist, racist, religious writing, drawings or paintings, considered Maupal's street piece depicting Pope offensive and decided to cancel it. A few days later, the Mayor of Rome and her Councillor for Culture invited the artist Maupal to

[86] The last edition of *Muro* took place in 2019 in Lumiar neighbourhood. The first was realized in Padre Cruz neighbourhood (2016), and the second one in Marvila neighbourhood. For further details look at: "O Muro está de volta!" (n.d.), *Galeria de Arte Urbana*. Retrieved from http://gau.cm-lisboa.pt/muro.html (accessed March 2, 2020)

[87] For further info, please look at: "O Muro está de volta"(n.d.), *Galeria de Arte Urbana*. Retrieved from http://gau.cm-lisboa.pt/muro.html (accessed March 2, 2020)

their headquarter. They manifested their disappointment at Ama's choice of buffing his work and even offered the artist a symbolic compensation for moral damages (Tonelli, 2016). This episode proves how even political institutions, for years engaged in fighting the unauthorised works realised on public and private surfaces, seem today ready to welcome street art in their cities, willing to recognise the artistic value of street works regardless of their illicit nature.
It is not uncommon to see art galleries and art museums inviting street artists to show and/or sell their pieces[88], or even allowing them to paint on their outside surfaces, as it happened with the exhibitions *Street Art* at the Tate Modern in London in 2008, and *Art in the Streets* at the Museum of Contemporary Art in Los Angeles in 2010.
This subchapter will try to investigate who and what is behind the growing interest towards street art, arguing that the wide recognition street art has reached in the last few years is more the result of its capacity to generate visibility and so, indirectly, profits, rather than the result of an authentic judgement on its aesthetic value. It will be also shown how the way art institutions have legitimated street art, that is by promoting collaborations with street artists and hosting their works, has gradually led to its commodification. These collaborations that, in the street art context, usually reflect economic and personal interests, recall those kinds of partnerships encountered and investigated by the curator Maria Lind in the contemporary art world. The Swedish curator describes the more and more partnerships taking place in the contemporary art projects, performances, exhibitions "as alternatives to the predominant focus on the individual so often found in the field of art" (Lind, 2007:16) and sheds a light on an aspect that has actually occurred also within the street art field: "collaborations […] run the risk of being swallowed up and incorporated into the very systems against which they are reacting". (Lind,2007:17)
These kinds of interactions and the way they affect the street art field may be illustrated by using as a theoretical background two references, able to provide a critical overview about street art transformations: Bourdieu's considerations about the dynamics taking place in a

[88] Among the first urban art exhibitions set up by museums, showing pieces made by the artists in their studios deserve to be mentioned: *Banksy versus Bristol Museum* that took place at Bristol Museum and Art Gallery in 2009 and displayed over one hundred works made by Banksy. For further details look at "Banksy versus Bristol Museum" (n.d.), *Bristol Museums.* Retrieved from https://www.bristolmuseums.org.uk/bristol-museum-and-art-gallery/whats-on/banksy-versus-bristol-museum/); *Sweet Art Street Art* that took place in Milan at Padiglione d'Arte Contemporanea in 2007 and displayed Italian street artists and writers' works. At the end of the exhibition the pieces were auctioned off by the auction house Porro & C. For further details look at :"Dalla cultura hip hop alla generazione 'pop up' Street Art, Sweet Art" (n.d.), *Pac*. Retrieved from http://www.pacmilano.it/exhibitions/street-art-sweet-artdalla-cultura-hip-hop-alla-genereazione-pop-up/ (accessed September 2, 2019)

whatever field of cultural production, intended as a "field of forces but also as a field of struggles tending to transform or conserve this field of forces" (Bourdieu,1992:205) or, in other words, as a sort of structure in which every player moves according to his own interests; and Appadurai's observations regarding that process that is slowly turning street pieces into *commodities by diversion*. (Appadurai, 2013).

5.2 Taking a walk on the market side: the street art field and its protagonists

When street artworks started to pop up in cityscapes, the first players[89] in the cultural field of street art were street artists and city inhabitants that, regardless of the fact they felt irritated or pleased by street pieces, were "arrested by the street artwork, halted in [their] passage through public space and everyday life, suspended in a momentary relation with an image" (Young, 2014:45).

The sense of surprise deriving from these unexpected encounters has stimulated curiosity and interest towards street art world up to the point that some people, particularly intrigued by this new urban expression, created street art forums for discussing and keeping up-to-date about street art news and the latest street pieces popping up on urban surfaces all over the world. Blogs like the *Wooster Collective*, *Ecosystem*, *Vandalog*, *Urban Art Association* can be seen as the first collective recognition of street art as an artistic movement (Bengtsen, 2014).

As already illustrated, street artists activities within underground contexts such as abandoned buildings and degraded and suburban areas, are usually free from any kind of political or economic interference: their illicit pieces are not made under commission, urban surfaces were freely used as canvases without building owners or authorities' permissions, and street artists were not paid for painting on public or private surfaces. Their works were mostly inspired by street artists' wish to improve the visual aspect of urban environments, seeking "to make a gift to the spectator, the neighbourhood and the city itself" (Young, 2014:27). For all these reasons, it would be reasonable to say that street art field has been dominated, at least at its beginnings, by what Bourdieu defines the *autonomous principle of*

[89] Street art is described, in this chapter, in Bourdieu's terms as a sort of field. For this reason, I often refer to street artists, art dealers, governments and art institutions as "players" moving within the street art field.

hierarchization. This principle directs the creation of cultural products in "total autonomy with respect to the laws of market" (Bourdieu,1993:38) and opposes the heteronomous principle "which favour those who dominate the field economically and politically" (Bourdieu, 1992:216). In other words, the creative process resulting in street artworks can be seen as an anti-economic one, "founded on the recognition of the value of disinterestedness and on the denegation of […] economic profits" (Bourdieu, 1992:42). At this first stage, neither street artists aficionados' value judgements about street art on their blogs, nor street artists' creations on urban surfaces seem to direct their respective activities towards the logic of profit.

However, the fact that the creation of illicit street pieces is not driven by economic interests, does not mean that street artists were totally disinterested in producing marketable products. In fact, even when they were barely known in institutional contexts and their works were topic of discussion only among small online communities, street artists have been engaged on two fronts: the underground front or the street one, and the overground front, namely the institutional and/or commercial one. In the early 2000s, some street artists started to create and market products (mostly prints) inspired or reminding (for the techniques and for the subjects depicted) to their street art pieces. The best example of this attempt to capitalize the social recognition or, in Bourdieu's words, the symbolic capital[90] they had gained among urban inhabitants, is represented by *Picture on Walls*, a sort of street artists' e-commerce. In 2003 street artists such as Banksy, Invaders, D* Face, Faile, began to sell their prints on *Picture on Walls*, a website founded by Banksy and his ex-agent Steve Lazarides, who explained in these terms their entrepreneurial adventure:

> "POW was started in 2003 by a loose collection of artists, graffiti writers and illustrators who were shunned by the controlling influencers of the day - so we set about producing and distributing our own art. The invention of the internet […] enabled us to circumvent the centuries-old grip of the established art world and we laid waste to their cronyism and vested interests and good taste. We delivered a new generation of art directly into people's homes" (Pictures on Walls, n.d.).

When transposing their work on canvases, street artists have conveyed the idea that their prints were a democratic kind of art, affordable for its reasonable price and far from the

[90] In *Distinction. A Social Critique of the Judgement of Taste* (1984), Bourdieu refers to the symbolic capital as "the acquisition of a reputation for competence and an image of respectability and honourability" (Bourdieu, 1984:291).

expensive, elitist, and inaccessible to most people art found in the art galleries. The project has, in fact, been quit after fourteen years since it started to move in a direction quite different from the one the artists had outlined: "Despite attempts at price fixing regrettably some POW prints have become worth tens of thousands of pounds" (Pictures on Walls, n.d.) said the artists selling on POW. The step into the commercial world was taken keeping in mind that any profit deriving from their prints was a result of the popularity and the symbolic capital they had gained among street art fans, and therefore an evident commercial transaction would have seen by street art fans inconsistent with street art principles. Bourdieu claims that even an anti-economic production "oriented to the accumulation of symbolic capital" is "capable of assuring under certain conditions and in long terms, economic profits" (Bourdieu, 1992:142) and street artists, in this sense, have intuited that the main condition under which the symbolic capital deriving from street art could have generated revenues was the coherence with street art values. If, by painting on urban surfaces, street artists have brought art to open spaces and made it accessible in physical terms, by realising affordable screen prints they have brought art "directly into people's home", made it reachable also in terms of costs. The accessibility of the underground front has been translated, in the overground one, in affordability. Dickens underlines that Banksy and Lazarides "[a]ware of the danger of being seen to be 'totally corporate' were keen for their POW project to be focused on 'bringing art to the masses' "(Dickens, 2010:70). The risk to lose credibility when combining economic profits of an economic enterprise with the symbolic capital of an intellectual activity might be avoided, according to Baumann, only by "demonstrat[ing] sufficient disinterestedness" (Baumann,2007:57), or in Bourdieu's terms "by avoiding the crudest form of mercantilism and by abstaining from fully revealing their self-interest goals" (Bourdieu,1992:142), and this is exactly what street artists have done by giving a wide public the opportunity to buy (at low cost) their creations. The balance between economic interests and the autonomous parallel activity of painting on the street, rewarding as well but in symbolic terms, has been compromised when along with street art aficionados, attracted by the idea of purchasing and receiving at their homes low-priced prints reminding to street pieces for their content and style, also speculators have started to buy studio works. Those new forces, taking advantage from the fact that prints were made only on limited-editions, never enough to meet the demand of street art fans and collectors, have started to buy and then sell them at much higher prices on e-commerce websites like eBay, creating a secondary

market of urban art (namely street art-flavour pieces,-prints, canvases, studio works made to be sold) (Tommasini, 2012). The practice of buying and reselling almost immediately artworks at increased prices called *flipping*[91], the consequent hype it generated around street artists' pieces, has triggered galleries and auction houses' interest in putting on exhibitions and sale of street artists' works. In 2007, *Andipa Gallery* in London organised the first Banksy's exhibition and sale with pieces coming from the secondary market (so bought directly from the artists to be then resold). (Young, 2016). One year later, the Bonhams auction house arranged its first auction completely dedicated to urban art (Young, 2016). These new players, namely speculators, galleries and auction houses, excluded by street artists from both the underground and the overground productions, when began to manage the sale of the studio works, have completely refused the original street artists' idea of creating affordable art. Pieces originally put on sale on the POW website for a few hundred pounds have been then auctioned off by Bonhams for tens of thousand pounds. Just to give some examples, Banksy's *Kate Moss* (2005) has been resold for £96,000[92] and *Moona Lisa* by Walker (2006) for €60,000 (Braun,2014). In 2017, the POW Project, no longer able to carry out the idea of an independent of market laws art, died:

> "POW has remained an independent artist-run operation, hosting landmark exhibitions and pioneering the concept of a shit pop-up shop long before it became fashionable. However, inevitably disaster struck - and many of our artists became successful. Street Art was welcomed into mainstream culture with a benign shrug and the art we produced became another tradeable commodity.[…] Either unable or unwilling to become part of the art market we once so self-righteously denounced - we called it quits" (Pictures on Walls, n.d.).

Street artists' reactions, though, against a profit-driven art market only interested in maximising profit, were not long in coming. In 2013, Banksy to mock the art market let an elderly man sell some of his signed prints for $60 each, in a small stand in New York. His works grossed $420 and their total value was estimated at around $200,000 (Robehmed,

[91] Art flipping is described as "the rapid and financially advantageous resale of an under-priced artwork" (Velimirović, 2018). For further details about how art flipping works and its consequences, look at: Velimirović, Andrey (2018), "How Does Art Flipping Work?",*Widewalls.* Retrieved from https://www.wide walls.ch/art-flipping/ (accessed March 1,2020)

[92] The piece was sold in February 2008 during the auction Urban Art organized by Bonhams. It belonged to the lot number 20 ar. For further details look at: "Banksy (British, born 1975), Kate Moss (2005)" (n.d.), *Bonhams*. Retrieved from https://www.bonhams.com/auctions/16259/lot/20/ (February 3, 2020)

2013). In 2018, he destroyed, through a shredded placed inside the frame, his *Girl with Balloon* (2002) right after it was auction off for $1.4 million. (Liptak, 2018) After POW project, numerous urban art galleries were born with the street art core idea of keeping the art accessible and continued to offer the opportunity to buy street artists' prints at reasonable prices. The Italian gallery Studio Cromie sells Vhils, Swoon, Ericailcane, Blu, Revok and other well-known street artists' prints for a few hundred euros[93]. In 2010, the Portuguese artist Vhils founded *Underdogs*, a cultural project consisting in a gallery, a public art programme, and in "the production of original and affordable artist editions" ("About Underdogs", n.d.) whose price ranging between a few tens and a few hundred euros. Auction houses and galleries making deals with urban art second market are not the only ones who have seen in street artists an opportunity that might have brought commercial advantages. The visibility generated by street artists' prints secondary market, the curiosity triggered by Banksy's solo show *Barely Legal* in Los Angeles in 2006, even among people were not familiar to street art, and the obvious business opportunities that street art-flavoured products might have generated along with the "accelerated sales of street artworks", played, according to Young, "a role in encouraging to put on exhibition by street artists" (Young,2016:132). In the early 2000s, several art institutions began to commission artworks to those street artists that, up to that time, had been seen as vandals. In 2008 the exhibition *Street Art* at Tate Modern, represented the official attempt of museum institutions, usually not explicitly profit-driven as galleries, to take part in the street art field. But, in order to do that, the new forces had to "pay an entry fee which consists in recognition of the value of the game and in practical knowledge of the principles of the functioning of the game" (Bourdieu, 1993b:74). To establish a position inside the street art field and exploit the symbolic capital street artists had gained, museums had to accept or, at least, pretend to share the same yet consolidated values of street art. Bourdieu stresses that the new entries in a cultural field, museums in this case, show peculiarities close to those that already occupy the field, "and this favours the relationship of trust and belief which is the basis of an exploitation presupposing a high degree of misrecognition on each side" (Bourdieu, 1993:40). To carve out a place within the street art world, art institutions first had recognised street art as an artistic expression and therefore as something that deserves to be shown and promoted in their closed spaces. When

[93] For more info look at: "Store"(n.d.), *Studio Cromie*. Retrieved from http://studiocromie.org/products-page/ (accessed March 3, 2019)

in 2008, *Street Art*, one of the first street art exhibitions took place in London at the Tate Modern, six street artists were selected (Blu; the artist collective Faile; JR ; Nunca and Os Gêmeos ; Sixeart) and asked to paint on the museum river façade. ("Street art at Tate Modern", n.d.) By placing the artworks outside the museum, the Tate Modern has kept the original idea of street art as an artistic expression easily and freely accessible but, at the same time, by choosing some specific artists, introduced some selective criteria never belonged to the urban environment. In fact, "[p]icking out participant is a natural part of a gallery or museum show, but it is somewhat antithetical to what goes on in the un-curated context of street art where all kinds of expressions appear, disappear and are transformed continuously" (Bengtsen, 2014:124). What should be questioned in this context is not the selective process *per se*, since the Tate Modern could not, obviously, invite all the representatives of the street art scene, but rather the criteria of selection. By stressing that the invited street artists were "six internationally acclaimed artists […] represented in major collections and regularly shown in gallery exhibitions and biennales" ("Street art at Tate Modern", n.d.), the Tate Modern seems to suggest that the popularity and visibility those artists had already gained, were among the reasons why they had been hosted. Young, astonished by the fact that the commissioned artworks were painted over right after the exhibition, comments: "when a museum removes an artwork, […]it suggests that the art has less value than the Hirsts and Maleviches and Lichtensteins stored inside, works that are painstakingly conserved and protected[…]" (Young, 2016:141), insinuating, not very subtly, that the aesthetic value of street works had not been appreciated (by the Tate Modern) as much as the fame of their authors. Whether the choice to set up a street art exhibition was a marketing operation resulting from the hype around this artistic expression or not, it should be highlighted that also street artists' decision to take part in an exhibition organized by a worldwide known museum was not disinterested. Considering, in fact, that the Tate Modern is visited by about five millions people every year (Lock, 2019) and that *Street Art* "represented a milestone in museums' cognizance of street art" (Young, 2016:139) able to convince also the most sceptical people about the artistic credibility of the movement, it undoubtedly boosted street artists' visibility, which means an increase of the symbolic capital related to their street works and so, consequently, of the profits deriving from street art flavoured products. Just to give an idea of how popularity may generate, for street artists, more profits than the ones

coming from the sale of prints (from which they usually earn a few hundred dollars)[94], it is worth to mention the success of Banksy's products: his book *Wall and Piece* (2005) has been a best seller in the art sector for several years, and his documentary *Exit Through the Gift Shop* (2010) has grossed more than 5 million dollars at the box office (Abrams,2018). The Tate Modern was not the only art institution looking at street artists in profitable terms. In 2011, Jeffrey Deitch organised the exhibition *Art in the Street* at the Museums of Contemporary Art of Los Angeles (MOCA), to "trace the development of graffiti and street art from the 1970s to the global movement it has become today" ("Art in the Streets", n.d.). Deitch invited for the occasion some of the most popular artists of the urban scene such as Banksy, Shepard Fairey, Os Gêmeos, and even let Blu paint a mural on the north façade of The Geffen Contemporary at MOCA. The controversial and debated aspect of the show was Deitch's decision to paint over Blu's mural because considered offensive[95] (Fig.3) (Wallin, 2010). The act of censorship was clearly in conflict with street art rebellious and free nature and made street art experts think about the show as a marketing operation. As Bengtsen comments:

> "the choice to bring non-institutional art into museums was most likely not just made in an effort to push the boundaries of society's perception of art;[…]the exhibition has been a deliberate attempt to reach a new audience which might help secure the survival of the museums" (Bengtsen,2014:121).

Noting that the exhibition was attended by 201,352 visitors, Deitch's attempt was, with no doubt, successful (Ng, 2011). In 2007, the Italian museum Padiglione d'Arte Contemporanea set up the show *Street Art, Sweet Art*, and invited Italian street artists, writers and graffiti artists such as Blu, Ericailcane, Tvboy, Bros, Ozmo to display their pieces in its spaces. The exhibition has been curiously described on the Pac website as both a starting and an arrival point for the invited artists. By arrival point is meant that street artists, once exhibiting in museums, can be finally appreciated also outside the subgroup of street art fans and so increase their symbolic capital; and, at the same time, institutional street art show may serve

[94] To have an idea of how much street artists earn from the sale of their urban artworks it might be useful to look at some galleries' websites selling their pieces like Studio Cromie (http://studiocromie.org/), Underdogs (https://www.under-dogs.net/), Blackline Gallery (https://blacklinegallery.com/).

[95] Regarding the reasons behind Deitch's decision, look at the sub-chapter 1.3 "Street artworks as unauthorized protests"

as a starting point to convert that symbolic capital into an economic one. Indeed, the exhibition at the Pac facilitated further profit-driven collaborations between street artists and players: the pieces on display at *Street Art, Sweet Art* were, right after the show, auctioned off by the Italian auction house *Porro & Co*. (Tomassini, 2012). It is important to underline that, the street artists hosted at Pac were already quite famous in the Italian art scene and beyond, since they had already taken part in institutional and non-institutional street art-oriented events (Tomassini, 2012). Indeed, just to name a few examples, in 2005 Blu and Ericailcane participated in *Murales de Octubre*, an urban art event in Managua (Nicaragua) (Formusa, 2014); in 2005, Tvboy exhibited his works at the Adamson Gallery in Washington (U.S.) and, one year later, in 2006, at Centre De Cultura Contemporània and Niu Espai Artístic Contemporani in Barcelona (Spain), and at Centro de Historia in Zaragoza (Spain) ("Expos", n.d.); in 2004, Ozmo showed his works at Assab One cultural space in Milan (Italy) (Larentis, 2020). Street artists' exhibitions are, with no doubt, a great chance for both art institutions and street artists: the former have, in fact, reached a broader audience[96]; the latter have reached the status of artists (even if, as seen, this official legitimation was more the result of their consolidated reputation rather than their artistic and expressive capacities). The value of a work derives, as Bourdieu states, not only from "the direct producers of the work in its materiality (artist, writer, etc.)" (Bourdieu, 1992:229) but also from

> "the ensemble of agents and institutions which participate in the production of the value of the work via the production of the belief in the value of art in general and in the distinctive value of this or that work of art. We may include critics, art historians, publishers, gallery directors" (Bourdieu, 1992:229).

Baumann as well recognizes the importance of political and art institutions in the process of art legitimation, stressing that museums by mobilizing resources for displaying art, they take "an enormous control over the value, visibility, and survival of cultural productions" (Baumann, 2007:55). In the light of Baumann and Bourdieu's thoughts, there is an aspect that must be highlighted. In the case of street artists, this process of legitimation has involved not only their commissioned, authorized or studio creations, namely the ones that have been

[96] This is proved by the fact that the above-mentioned exhibitions had a great public success. *Street Art, Sweet Art* (2007) in Milan was visited by 20,000 persons in the first two weeks; ("Continua l'occupazione dei 'pirati' ", 2007) *Banksy versus Bristol* at Bristol Museum was visited by more than 300,000 in less than three months (Brown, 2019); Art in the Street in New York had more than 200,000 visitors. (Ng, 2011)

shown into the traditional art contexts, but also their unauthorized and illicit street artworks, whose creation has always been independent of economic interests. The legitimation process, extended to all street artists' works, has then resulted in street art commodification. Before deepening the concept of commodification, it is important to point out that street artists, as widely illustrated in the previous chapter, have always tried to draw a sharp line between street works and the production of the profit-oriented urban art by using different techniques. "[S]ome artists negotiate the divide by maintaining different practices for the street works and for gallery work; others utilize a street name and a fine art name.[…] Other artists deliberately exhibit the same type of work they would place in the street" (Young, 2016: 129). This sort of balance between underground works and urban art productions has been definitively compromised when galleries and museums, by taking over street art pieces without street artists' consent, have extended the logic of profit also to street artworks, whose creation had been intentionally kept independent and not subordinated to economic interests. If the boundaries of the field had already been pushed by bringing urban artworks into institutional contexts[97], they have been considerably moved further ahead when art institutions and galleries took street artworks over. They are, in Bourdieu terms, "those through whom the logic of the 'economy' penetrates to the heart of the universe of production for producers" (Bourdieu, 1992:216) thanks to the combination of two different dispositions: "economic dispositions which, in certain sector of the field, are totally foreign to the producers, and intellectual dispositions near to those of the producers whose work they can exploit only in so far as they know how to appreciate it and give it value" (Bourdieu, 1992:216). The entry of street artworks in auction, galleries, fairs and museums represents a turning point in the street art field, since it has converted those artworks into objects considered having a certain exchange and market value or, in other words, into commodities. To be a commodity has not to be intended as a permanent condition but as a state or of situation in which, the exchangeability of a thing "for some other thing is its social relevant feature" (Appadurai, 2013:13). In this discourse, the commodification process regards artworks that, unlike studio creations or screen prints, have never been designed as products to put on the market or to be exchanged for something else, and that some forces (galleries, art dealers, private citizens, etc.), once consolidated their position within the street art field, have dragged into unusual and unintended (by street artists) contexts. The commodity

[97] Studio pieces were not initially supposed to be exposed in museums or galleries

situation is based, in this case, on a non-consensual trade whose conditions and terms are decided and imposed by art dealers and institutions, without consulting or taking into consideration urban inhabitants and street artists' positions. These players, when detaching street pieces, tend to present themselves as the only ones able to guarantee street art accessibility over time, as they can protect those artworks from the weather, the destruction of their physical support or any other alteration in their closed places. This sort of immortality, usually promoted under the name of preservation, is the argument used by Fabio Roversi[98] and Christian Omodeo to justify Blu's pieces removal without his permission, or by Stephan Keszler, when accused of stealing Banksy's street artworks for private interests[99]. Art institutions and art dealers offer street artists the opportunity to oppose something tolerated as the natural inevitable consequence of locating their pieces in open space: its caducity; and they claim, in exchange ,the physical possession of street pieces that, just like other street artists' works, are able to generate for their symbolic value massive revenues. This apparent immortality might be provided also by covering street artworks with Plexiglas, without necessarily moving them into closed spaces as art dealers and institutions have done. The option, though, is not contemplated by art institutions since those street pieces, once preserved in their original sites, would not generate any profit. Street artworks have become, what Appadurai would describe as "commodities by *diversion*, objects placed into a commodity state though originally specifically protected from it" (Appadurai, 2013:16), whose decontextualization or diversion has determined the enhancement of their symbolic value (Appadurai,2013), and so the capacity to generate profits. Street artworks are constantly peeled off in the name of their alleged artistic value

[98] Fabio Roversi, president of the cultural foundation Genus Bononiae, was the organizer of the exhibition *Street Art-Banksy & Co. L'arte allo stato urbano* in Bologna. Strongly criticized by Blu and the Italian street artists' community, he declared that he saved those Blu's pieces that were about to be demolished, and so the community should have been grateful to him. For further details, look at the interview realised by Paolo Fantuzzi (2016): "Blu cancella i murales per protesta", *L'Espresso*. Retrieved from https://espresso.repubblica .it/attualita/2016/03/14/news/blu-cancella-i-murales-per-protesta-l-organizzatore-della-mostra-li-abbiamo-salvati-dovrebbero-ringraziarci-1.253951 (accessed March 2, 2020). Omodeo, when talking about the benefits of bringing into museums street artworks, underlines how art institutions have the merit to safeguard the future of street works condemned, if left on urban spaces, to disappear. For further details look at: Viti, Silvia (2017) "Street art come patrimonio. Quale musealizzazione?", *Ocula.* Retrieved from http://www.ocula.it/metadata. php?id=457 (accessed March 2, 2020)

[99] In the documentary *Saving Banksy* (2014), Keszler, when contested for having removed Banksy's pieces without his permission, says it is better to remove and save those street artworks, rather than see them disappearing because someone decides to paint them over. For further details, watch the documentary: *Saving Banksy* (2014) by Colin Day.

worth preserving which, as seen, usually comes from the prestige of the artist and his/her works (and so from the revenues they might generate) rather than disinterested aesthetic judgements. If private citizens, art dealers and institutions keep removing and taking possession of street art, the risk is that in the near future it will be accessible only to the ones willing to pay a museum ticket or to the few that can afford to buy street pieces in private auctions. In the light of the foregoing, it seems that the discussion about street art and the issues raised by this kind of artistic production, have been gradually shifted from its impact on urban contexts to the economic value street artworks have on the art market and to the revenues they could potentially generate. However, the increasing number of street art festivals all over the world, usually supported and/or financed by local institutions, appears to be an attempt to reconsider street art for its artistic, social and political value rather than for its profitability. The following chapter will try to figure out if authorities' openness towards street art comes from a genuine interest and/or acknowledgement of its practices, or it is more the result of that attitude typical of the cultural industry that, as described so far, acts according to a principle that Adorno and Horkheimer describe in the following terms:

> "Everything has value only in so far as it can be exchanged, not in so far as it is something in itself. For consumers the use value of art, its essence, is a fetish, and the fetish—the social valuation which they mistake for the merit of works of art—becomes its only use value, the only quality they enjoy" (Horkheimer and Adorno,1947:128).

CHAPTER 6

Back to the urban spaces: street and urban art festivals

6.1 Introduction

When defining street art's peculiarities in order to distinguish it from public art, urban art, graffiti, and street artists' studio works, two points that have been repeatedly highlighted: first, street artworks are painted *aconsensually*, the result of street artists' free exploration and use of the urban spaces without any kind of imposition, suggestion, commission that might have an impact on the subject depicted or on the choice of specific surfaces over others; second, street art has been described as an act contesting the dominant use of the urban space, namely the commercial one. In the light of those considerations, one might wonder whether the artworks that lawfully occupy city surfaces decreed as paintable by authorities, and created in the framework of the so-called street or urban art festivals, fall within the category of street artworks or it would make more sense to consider them as public art. The following chapter will provide a general overview of commissioned urban artworks as expressions of governments and city councils ' openness towards street art, trying to clarify their mission, and if and how they have the power to reshape the surrounding spaces. There is one big issue, related to those festivals, deserving to be investigated: whether authorities' choice to promote and finance street art-oriented projects comes from the acknowledgment of the role that those artworks may play in reshaping urban visual spaces, or it is more the result of the hype around street artworks, and so consequently of the tourist flow that the high concentration of those pieces might generate in a specific neighbourhood or area.

6.2 Street Art vs Urban Art: a matter of size

"Large scale, institutional murals have little to do with street art. Although they are nowadays usually advertised under the term street art, institutional murals would be more accurately described as a form of public art" argues Abarca (2017: 115). The urban curator and art historian Simona Capodimonti recommends to see public art and street art not as two incompatible opponents, but rather as expressions of contemporary art in the urban space, claiming that this distinction is a matter of contexts in which street artists work. (Giossi, n.d)

Also the organizers of *Nuart Aberdeen* seem not to see any considerable difference between public and street art when describing their festival as an "international public art festival created to present the most interesting and relevant Street Art of its time"[100]. In this context, to avoid any misunderstanding that may derive from terminological issues, the general expression urban art is used to identify all the sanctioned artworks realized on urban surfaces and reminding, for their aspect and the adopted techniques to street artworks. Abarca draws a clear distinction between urban and street art by mentioning two aspects, unusual for street artworks: huge dimensions and the presence of institutions commissioning or authorising those works. Regarding murals' intimidating sizes that Abarca describes as "inhuman, monumental" (Abarca, 2016b:62) remindful of "architecture and advertising- a kind of visibility imposed from power that many have learned to distrust" (Abarca, 2016b: 65), there is one point that must be pointed out: street artworks' smaller sizes and murals' bigger dimensions are not inherent qualities, but rather a consequence resulting from the contexts in which street artists decide or are invited to intervene. Street artists, when intervening on private or public surfaces without permission, run the risk of being caught by the police, that is the reason why unauthorized works must be small and quick to make. They even adopt specific techniques helping them to easily and faster execute their pieces, like single or double-layer stencilling, paste-up and stickers (Young, 2014). The institutional and legal framework of festivals, conversely, allows street artists to focus on bigger and more elaborate paintings. It is not uncommon, though, to stumble upon street artworks whose dimensions are comparable to the murals ones. They are usually painted in inaccessible locations, hard to reach or where the risk of being spotted is low[101], such as rooftops (Fig.9) and abandoned places: the so-called *heaven spot* or *heavens*[102] in street art and graffiti jargon. In other words, it is important to clarify that the size of a work is determined also by the context and its specific contingencies rather than, as Abarca seems to suggest, only by street artists or institutions' intentions. He claims, in fact, that the firsts decide to paint human-

[100] For further info, see: "About Nuart Aberdeen" (n.d.),*Nuart Aberdeen*. *https://2019.nuartaberdeen.co.uk/.* Retrieved from https://2019.nuartaberdeen.co.uk/ (accessed February 2, 2020)

[101] Blu's street pieces street artworks exhibited in Bologna, have been made on surfaces of abandoned buildings. (Fig. 4, Fig. 5) Banky's *Haigh Street Rat* (Fig.8) has been painted on a rooftop where the British artist could not been seen.

[102] The definition of heaven can be found at: "Street art and graffiti words – the ultimate glossary" (2018), *Berlin Street Art.* Retrieved from https://berlinstreetart.com/graffiti-words/(accessed February 2, 2020)

sized street artworks to leave a kind of "human trace", "the visible presence of a fellow human being" (Abarca, 2016b:62) and by doing so "engaging passers-by in an intimate way" (Abarca, 2016b:62); on the contrary, urban art, created with "superhuman devices", because of its inhuman and intimidating scale is more difficult to relate with, and represent a sort of "portrait of the way in which power relates to the environment, which is most often a blind, imposed monologue", "an instrument for exerting control over the environment and its population" (Abarca, 2016b:62). Assuming that the size of street artworks is the result of multiple factors, usually independent from artists' wishes, it cannot obviously be the only aspect taken into account when drawing a line between urban and street art. There is one more difference, undoubtedly more evident that deserves a deeper investigation: the presence of political institutions, private and public foundations, cultural associations inviting street artists to perform in regulated and legitimised artistic projects. Their role and the influence they could have on artists' works will be discussed in the next sub-chapters.

6.3 Alternatives to the traditional visuality

Street art, in its self-claimed mission of giving back to city dwellers the visual urban spaces, whose use is regulated exclusively by governments and private companies is presented by Armstrong as "an antidote to our mausoleum of consumption and corporate imagery" (2006:6) against the "anti-vandalism campaigns promoting a grey unity of clean surfaces and state-sanctioned advertisement" (2006:6). Because of its purpose to offer new perspectives to the way city dwellers experience and live urban spaces, street art can be seen as an example of what Mirzoeff defines as countervisuality. The concept of countervisuality introduced by Mirzoeff in his 2011's book *The right to look. A counterhistory of visuality* indicates acts, images, and words struggling in the attempt to offer a new interpretation of reality, different from the dominant one (which is called *visuality*) imposed by who holds political and economic power. Visuality, namely the official "visualization of the history" (Mirzoeff, 2011:2), might be interpreted as a sort of cage made by "information, images, ideas" (Mirzoeff, 2011:2), assembled by authorities and through which reality has been organised and controlled. The urge to look at the world differently, 'the right to look' that Mirzoeff describes as "the claim to a subjectivity that has the autonomy to arrange the relations of the visible and the sayable" and to "spontaneously invent new forms" (2011:1)

can be seen as a form of resistance to the only possible way of living urban spaces citizens are given. In a scenario where the city life is already organised according to schemes, traffic signals prescribe how to move, advertising billboards try to convert city dwellers into consumers by generating needs and desires, street artworks "create these instants of aesthetic experience" (Armstrong,2006:9), and work with the surrounding space "to silently re-imagine the uses and abuses of city surface" (Armstrong, 2006:9). Public artworks as well, when taking on the function of spatial landmarks, as it happened for example with Eisenman's *Memorial to the Murdered Jews in Europe*(2005), or Calatrava's *City of Art and Science* (2009) in Valencia might play a significant role in influencing how people explore the city (Januchta-Szostak,2010). The risk is that city inhabitants and/or tourists by following ordered and already designed path leading to those works, lose the opportunity to discover something new, unknown to the most, to feel pleased by unplanned encounters. In the space of the legislated city, in which experiences are "encapsulated […], framed by discourses of cartography, planning, criminal law, municipal regulation […]" (Young, 2014:41) street artworks are, according to Riggle, able to offer those moments of serendipity that pre-arranged or usual situations are really unlike to donate:

> "Walking down the street, on the way to work, a friend's house, a dinner, a bar, a lecture, one haphazardly glances in the right direction and BOOM! -an unsolicited aesthetic injection. One is jolted out of whatever hazy cloud of practical thought one was in; one is forced to reconsider one's purely practical and rather indifferent relationship to the street, and a curiosity to explore develops" (Riggle, 2010:249).

Back to the concept of countervisuality, there is an aspect that should be underlined. Street art is not about blindly subverting the structures that regulate the way people live, behave, cross urban spaces, but is more a practice aiming to reflect upon those rules, to transform city dwellers from simple consumers or passive walkers to active components of the city live, able to think critically with respect not only to the surrounding spaces but also to the reality in general (especially when street artworks refer to socio-political events), "to transcend the pre-fabricated worldview of the average modern city dweller" (Armstrong, 2006:5). Accordingly, Young underlines how those moments of "enchantment" provided by street artworks "can point us towards new ways of being citizens […] in the legislated city" (Young, 2014:48). Considering that nowadays is quite common to come across large murals

realised for the so-called street or urban art festivals, financed, promoted and/or commissioned by city councils, authorities, private or public institutions, a question arises: whether these expressions of sanctioned art might still work as a sort of countervisuality, as an "attempt to reconfigure visuality as a whole" (Mirzoeff, 2011:24) or, for their being designed and realized into more institutional frameworks, they are more in line with the imposed visuality. To look at urban artworks peculiarities and urban art festival might give a hint about their function in the urban space. As said, the aspect that, above all, marks the difference between street and urban art regards the presence of someone commissioning, authorising or simply inviting artists to paint on predetermined locations. Needless to say, those external forces might compromise artists' freedom. Indeed, as previously commented, Blu's piece on the north façade of Geffen Contemporary, commissioned by MOCA museum has been censored for its controversial content (Fig. 3). The agents behind the creative process could, according to Abarca, affect street artists' works not only in the explicit form of censorship, but also in a more subtle way.

> "Corporations and institutions tend to be the forces behind the production of a mural, and they of course have their own interests, which can translate into censorship. But, more interestingly, artists can also censor their own work simply because they feel that is their responsibility to do so when working on a prominent permanent piece, or when working with public money. In contrast, in the conception of a smaller, ephemeral street art piece an artist will usually feel more free to use difficult images or messages" (Abarca, 2016b:65).

It must be said, though, that some urban art projects, even being carried out in more institutional frameworks, aim at addressing social, political and controversial issues. *Cities of Hope* an urban art festival taking place in Manchester in 2016 and in 2018, claim to have the goal "to raise awareness of social issues, challenge injustice and champion the voice of the powerless" ("Cities of Hope – Manchester", n.d.). The German artist Case Maclaim who, in 2016, participated in the first edition of *Cities of Hope* decided, in collaboration with *Back on Track*, a charity providing "the opportunity to learn for people affected by homelessness, mental health problems, drug and alcohol misuse"[103], to paint something resonating with the delicate and neglected

[103] For further details, see: "About us, Our vision and mission" (n.d.), *back on track.* Retrieved from http://www.backontrackmanchester.org.uk/mission/ Back (accessed February 2, 2020)

issue of people with mental health problems. His work *Human Dignity is Inviolable* (2016) depicts a man that seems to look for respite (Fig.10).

Figure 10 Case Maclaim , *Human dignity is inviolable* (2016), England (2017), photograph by Paola Serafino.

Street artists have also used urban artworks to express a strong disapproval and a harsh criticism of political choices made in the areas where they are invited to paint. That is the case of Blu and his work *Estado Asesino* (Murder State) (Fig. 8), clearly in opposition to the Mexican Government, realized for the *ManifestoMX* street art festival in 2015. Or his earth cake made of trash, *Torta* (2010), made during *FAME* festival in Grottaglie in Italy (Fig.11). The cake is a subtle reference to Grottaglie's City Council decision to sell out a big plot of land for the enlargement of the local dump. (Abbruzzese and Milano, 2017)

Figure 11 Blu, *Torta* (2010), Italy, blublu.org

The above mentioned cases are just a few of the numerous examples proving that urban art can be controversial, political and socially committed just like street art. When there is someone paying for a wall to be painted, street artists are, of course, more likely to follow his instructions and/or wishes, but this does not necessarily mean that their freedom of expression is always subjected to his interests. Moreover, to collaborate with institutions and/or associations may also have some positive aspects for both artists and local communities. In 2011, the association Comitato Urban Barriera di Milano along with the no-profit foundation Contrada Torino Onlus published a call for proposal named *B.Art* open to artists, architects and graphic designers, asking them to think about artworks to be realised on 13 blank buildings facades in the Barriera di Milano area in Turin. The innovative aspect of *B.Art* was the fact that a local jury made by students, teachers, business owners and in general people whose building were about to be painted (all living in the Barriera di Milano area) took part, along with an expert one, to the selective process ("Call for Application", n.d.). This process gave voice and agency to people without an expertise

in (street) art but who will (have to) live with it. The organizers of *B.Art*, believing that projects of urban regeneration must involve those citizens living in the regenerated area, let the local jury and the Barriera di Milano residents free to discuss with Millo, the winner artist, details regarding the subjects to paint. When it is about street art, the relationship with residents or passers-by usually occurs *ex post*, once the work is done. The urban art project *B.Art* made this relationship possible *a priori*: Millo was, in fact, open to get advices and receive suggestions from residents who better knew the Barriera di Milano area and its walls; local residents were given the power to decide how to make those surfaces better-looking. If urban art is, as Abarca believes, a "one way communication channel monopolised by power" where "the viewer is a passive spectator and a consumer" (Abarca, 2016b:63), *B.Art* project and its works represent, with no doubt, an exception. *B.Art* demonstrates how also urban works, even realized in institutional and regulated frameworks, may achieve what Young identifies as one of street artists' goals when painting illegally on urban surfaces: to "encourage people to feel a sense of engagement with and ability to transform public space" (Young, 2014:29).

6.4 The emotional impact

When drawing a clear distinction between urban and street art, Abarca refers also the feelings evoked by the search for street artworks. Street art implies, according to Abarca, a kind of discovering experience, as "the viewer needs to be attentive, [...] to explore on [his] own the surrounding space" (2016b:63) in order to find street pieces. "Street art is a call to action-it empowers the viewers" (2016b:62) he adds. To look for street artworks becomes, in this sense, a sort of game in which the viewers, (who, under Abarca's perspective, are supposedly street art lovers) are given the opportunity "to explore parts of the city that they would rarely visit otherwise […] to follow unfrequented paths across the city" (Abarca, 2016b:63) instead of the usual and official routes urban and public artworks take to. In the city spaces where street artworks pop up and disappear at any moment and anywhere, the viewers become a sort of urban India Jones trying to seek out works before they are buffed. On the contrary, urban artworks, being created in well- known time-space coordinates that everyone can easily get, do not require much effort to be found. They are not, Abarca states, "something

the viewer can actively search for", indeed "their presence is conspicuous, and in many cases they are featured in a printed map, and are a part of the itinerary of a guided tour" (Abarca, 2016b:63). It goes without saying that whatever is expected, predictable, easy to find (urban artworks in this case), cannot offer the urban *flaneur* those moments of serendipity that, according to Riggle, are usually generated by chance encounters with street artworks. When, following these considerations, Abarca argues that "the most obvious" difference between street and urban art "has to do with the element of surprise", he seems not to consider that those kind of dazzling and unforeseen encounters with street artworks are, nowadays, more unlikely to happen. It is, in fact, not unusual for street art lovers, tourists, city dwellers and people in general to look pictures of street artworks up on the internet, to search info about how to reach them or about neighbourhoods with a high concentration of artistic creations. The website *Flickr,* founded in 2004 and giving its subscribers the opportunity to share photos and videos has become, according to Rojo and Harrington:

> "a world-wide community of Street Art photographers, fans, and street artists adopt the site as their default home for sharing with, learning from, and educating each other about ephemerous art in the street. With 4,400 uploads per minute, Flickr has revolutionized how people share visual information, and has become a clearinghouse for Street Art images globally" (Rojo and Harrington,2010).

The social network Instagram hosts, under the #streetart hashtag, more than 50 million of photos[104] depicting street and urban artworks and graffiti. A further evidence of the fact that more and more frequently the first meeting with street artworks takes place online is given by *Street Art City*, described as "the biggest street art community in the world"[105]. *Street Art City* was founded in 2016 as an online platform aiming to map street and urban artworks all over the world and so to help out street art lovers to easily find street pieces in their own or visited cities. In a few seconds users, after selecting the city of interest, have access to urban and street art pictures, artists' names and spatial coordinates to reach those works. For street/urban art lovers there is also the opportunity to become an official hunter by sharing photos of the discovered pieces. The "explosive growth in the number of hunters, artists,

[104] The data was collected on the 3rd of May, 2020
[105] For further info,look at: www.streetartcities.com

cities, app users and partners that have joined the platform" ("The Street Art Cities Community", n.d.) has convinced *Street Art City* founders to launch also an app which has been named Street Art. Alongside the website's traditional features, the app suggests street art routes and events. *Street Art Cities* has, to date, published photos of 27160 of street artworks scattered across 642 cities and 79 countries. [106] Websites like *Street Art City*, Instagram accounts such as *Street Art New*s, *Urban Art NOW*, and Facebook pages like *Street Art Utopia*, *Global Street Art,* that post photos and news regarding street and urban art have undoubtedly the merit to making street art accessible beyond any geographical and temporal boundary. Armstrong underlines that "[w]ith the advent of digital photography and high-speed Internet access, street art has become even more democratic in its pursuits" (Armstrong, 2006:9). Waclawek notices how "graffiti and street art are becoming 'internetized', meaning that the amount of written, visual and personalized information found on the internet surpasses the possibilities of an individual's actual engagement with these art traditions" (Waclawek, 2011:184). The massive presence of street art photos online has, though, completely eradicated the sense of wonder that usually accompanies the first encounter with those artworks, making them more similar to arranged rather than unexpected meetings. The live experience of a street work that has been already seen online might generate a feeling of disappointment or, what Bengtsen describes as a "sense of desensisation" (Bengsten,2014:156). In 2011, Bengtsen during his first visit to New York had the opportunity to see some of the Bast and Fail's street pieces that he had previously looked up on street art blogs and websites. He comments on the overall experience:

> "[U]nlike the elated feeling that I had while discovering stickers, stencil paintings and paste-ups by Faile in Copenhagen years before, seeing the artworks on the walk around Williamsburg left me somewhat underwhelmed. By virtue of my preceding exposure to images of the artworks, it seemed as if I already knew what was going to see. And when I saw what I expected, it felt like there was nothing left for me to experience" (Bengtsen, 2014: 158).

[106] The data was retrieved from the homepage of www.streetartcities.com

Considering that nowadays the flaneur[107] described by Baudelaire is gradually turning into a cyber-flaneur, and that to stroll through the Internet is the preamble to every experience, to keep thinking about street artworks as something that, for their being unexpected, are able (unlike urban artworks) to surprise and enchant city dwellers sounds quite outdated, especially if this aspect is used to distinguish (as Abarca does) commissioned urban art from street art. Considering that "the internet is not only a source of information about graffiti and street art, but is also swiftly becoming the primary vehicle for an encounter with the work" (Waclawek, 2011:184), it does not make much sense to draw a distinction between urban and street art based on the surprising effect that the latter, in contrast to the former, would be able to trigger. Beyond these considerations, it must be said, though, that street artworks, just like the urban ones, have still the power to generate those serendipity moments Riggle refers to, but it lasts just for a short period of time, that is exactly until someone uploads picture of them to the Internet.

6.5 The mission(s)

Some institutions, associations, private citizens claim to have, through urban art, the great ambition to change people's lives, and refer to their festival as projects of urban, social and cultural regeneration[108]; others try to make art more accessible, indeed they "seek to inspire people and promote public art for everyone"("About Artscape", n.d.) and "are dedicated to promoting art as part of people's everyday lives, to bringing art and artists out of studios, basements and institutions and on to the city streets" ("About Nuart Aberdeen", n.d.); and still others want to transform "some of the lesser visited areas into striking examples of creativity and beauty" ("About Waterford Walls", n.d.) The organizers of *Artscape* festival taking place in the Swedish city of Ljusdal since 2014 seem to act in line with street artists purposes when stating: "We believe that the dominance of the advertising boards in the modern cityscape needs to be challenged. Great art shouldn't be confined to only galleries and museums!" ("About Artscape", n.d.). The Irish artist Caoilfhionn Hanton looks at the

[107] Flanuer means in French stroller, loafer. Baudelaire uses this word to describe a gentleman wandering, observing and exploring the city. For further details,look at: Baudelaire (1863), *The Painter of Modern Life and Other Essays* (trans. Jonathan Mayne), London: Phaidon Press

[108] As declared by the organizers of *Big City Life* projects in Rome. For further info, see: "The Project" (n.d.), *Big City Life.*. Retrieved from http://www.bigcitylife.it/hello-world/(accessed March 2, 2019)

Waterford Walls festival in Ireland as a way to "regenerating disused spaces and ugly walls and transforming the city into the most interactive art gallery you could find." ("An interview with Irish street artist Caoilfhionn Hanton", n.d.). The idea of urban art as a tool contributing to cities beautification or as a way to make art accessible to a broader public evoke those street art's peculiarities that have been previously mentioned. Young, in her 2014's book *Street Art, Public City* frequently refers to street art's democratic nature. Regarding the act of beautifying cities through artworks, Banksy comments, "some people become vandals because they want to make the world a better looking place" (Banksy, 2005:9). There is, although, a new concept that often comes up when talking about urban art festivals or projects, and that, up to this point, has never been discussed: urban regeneration or requalification. In 2008, the Departamento de Património Cultural (Department of Cultural Heritage) of the Câmara Municipal de Lisboa (Lisbon's City Council) created GAU or Galeria de Arte Urbana (Gallery of Urban Art), trying to fight against the increasing number of illegal artworks that, by that time, were scattered around the historical neighbourhood of Bairro Alto, by offering artists "an alternative space specifically dedicated to the Urban Art, where it was possible to exercise the activity in a legal and structured way"[109]. Among GAU's principles and values are mentioned: "[…] the aesthetic / visual qualification of the public space, by urban art interventions" and "[…]the requalification of degraded area"[110]. Indeed, one of the initiatives supported by GAU is the urban art festival *Muro* (*Festival de Arte Urbana de Lisboa*). *Muro* took place in areas far from the traditional touristic routes[111] with the intention to regenerate them and to encourage its residents to appropriate public spaces, also through several activities organized within the frame of the festival such as urban art workshop, conferences, shows ("O Muro está de volta!", n.d.).

[109] GAU's mission is explained in: "Urban Art Gallery (GAU), GAU's mission" (n.d.), *Galeria de Arte Urbana.*. Retrieved from http://gau.cm-lisboa.pt/en/gau.html (accessed November 3, 2019)

[110] Ibidem

[111] Look at the footnote n.87

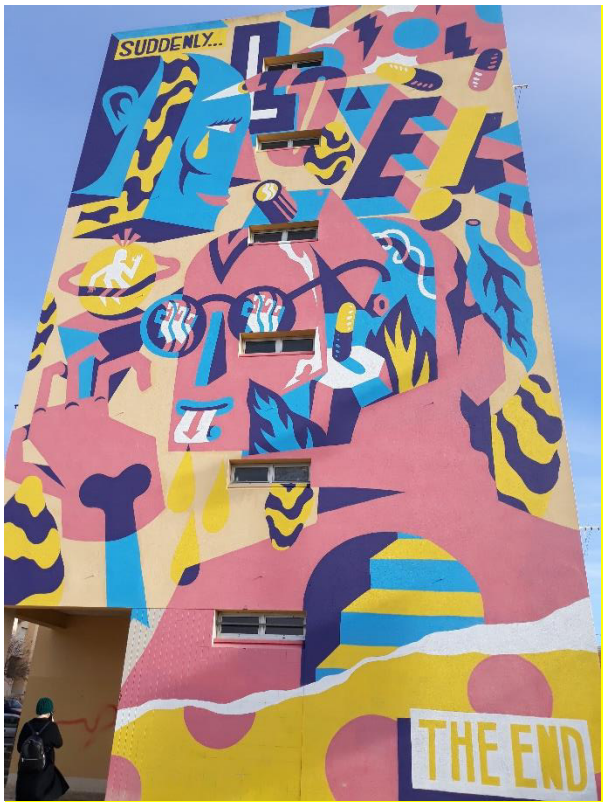

Fig.12 AkaCorleone, *Suddenly…the end.* (2016), Portugal (2018), photograph by Paola Serafino

In 2015, the organizers of the project *Big City Life*, taking place in Rome and financed by the cultural association 999Contemporary, the private foundation Fondazione Roma, and Rome City Council, invited twenty-two artists to realize monumental works on some building facades in Tor Marancia, a deprived urban area in the southeast of Rome. *Big City Life* is described on its official website as a project for the urban, social and cultural requalification of Tor Marancia neighbourhood[112]. In 2015, the International Network on Writing Art Research and Development, better known as INWARD, launched, along with other local associations, its program of artistic and social redevelopment in Ponticelli suburban neighbourhood in Naples, known for its highest rate of early school leaving and unemployment. INWARD invited eight Italian artists to paint on eight building surfaces and organized dance, music and workshops with the purpose to start the gradual process of social-economic and cultural redemption of Ponticelli's residents[113]. The above mentioned are just some among the many urban art projects and festivals that refers to urban regeneration or requalification as their main goal. It remains unclear, though, what is meant

[112] For further details, visit: www.bigcitylife.it

[113] For further info, see: "Il Parco" (n.d.), *Parco dei Murales*. Retrieved from http://www.parcodeimurales.it/il-parco/ (accessed February, 2020)

by urban regeneration and how urban artworks could contribute to this sort of cities rebirth. Eliana Cangelli underlines how the term urban regeneration

> "contains a variety of cultural and planning approaches intended to bring about the economic, social and environmental improvement of urban areas, with the ultimate goal of upgrading the value of the existing habitats by increasing their liveability, the quality of their building stock, the distribution of services and the efficiency achieved in the use of resources" (Cangelli, 2015:59).

Those approaches are defined by Alpopi and Manole as a "process focused on solving important problems of the city[…] such as: the lack of identity of a residential area, the total lack of public spaces and the high urban density, which makes it impossible […] green areas creation, planting trees, etc." (Alpopi, Manole, 2013:179). All over Europe, the long-term initiatives adopted included in the programs of urban regeneration and aiming at improving living standard have, according to Alpopi and Manole, achieved important results in terms of: "renewal of urban infrastructure, arrangement of parks and green areas, construction of buildings with cultural and recreational functions, improving education buildings[…] improving the aesthetic appearance of building facades" (Alpopi, Manole:2013, 183-184). The process of urban regeneration involving the Spanish city of Bilbao from the early 1990s, has, in more than ten years, significantly improved the aspect and the services of the Basque city: in 1995, the first Metro line of the city was inaugurated; in 2000, the new terminal of Bilbao Airport, designed by Santiago Calatrava; the port has been enlarged and modernized; abandoned areas such as Abandoibarra have been revitalised thanks to the construction of new buildings and cultural attractions (Abandoibarra hosts the Guggenheim Museum Bilbao, inaugurated in 1997); the creation of protecting houses reserved to low income families (Plöger, 2007). The urban regeneration megaproject (URMP) realized in the Polish city of Lodz over the years 2013-2016 has, according to Kazimierczack and Kosmowski, contributed to the "overall improvement of the quality of public space" (Kazimierczack and Kosmowski, 2017:50) thanks to spatial and functional transformations such as the refurbishment, demolition and reconstruction of degraded buildings; the creation of two new tramway lines; the construction of a playground for children, etc. The authors also mention the creation of an area of mural paintings in the city centre of Lodz to modernize that part of the city, underling how those paintings "play a significant role in the process of reviving the

urban landscape" (Kazimierczack, Kosmowski 2017:49). Keeping in mind the above considerations about urban regeneration, it is undisputable the fact that urban art contributes to making dirty and ruined urban surfaces better-looking and by doing so, it may change the aspect of suburban areas turning them in more welcoming and attractive spaces, at least for tourists or passers-by. However, to look at urban art as a tool that alone is able to improve people's lives sounds an overstatement. To make a people-friendly area is not just a matter of changing its visual aspect, it requires also long-term investments in infrastructures, green spaces, libraries, services and assistance for people in need. Capodimonti believes that the idea of street artworks as urban paintings able to requalify city slums is a big illusion people should get rid of. The curator stresses how urban art has undoubtedly turned the spotlight on suburban areas and their problems, often forgotten by institutions and unknown to most people, but those urban art festivals without large-scale investments in the renovation of infrastructures, streets, buildings, etc, able to turn those areas into more liveable ones, are completely useless. (Giossi, n.d.) Also the urban artist Giulio Vesprini remarks a general tendency to give too much responsibility to painted walls when describing them as tools able to requalify a specific area. (Casicci,2019) . The new appealing look and so the new identity given by the urban artworks to the invisible suburbs, along with street and urban art popularity, have inevitably turned those areas into touristic attractions. It is not uncommon to find in travel books, guides, blogs specific sections dedicated to street and urban art, or to come across urban art tours, often included among the experiences suggested in touristic cities with a high concentration of painted walls (Campos and Sequeira, 2020). It is hard to say if this touristification process, defined by Sequeira and Campos as "the social process that gradually converts something of little or no interest in tourism into a resource with tourism potential" (Sequeira and Campos, 2020:188), is a consequence intended by institutions and associations organizing and promoting urban art festivals (street and urban art tours might, in fact, be a source of profits) or it is more an unexpected effect. However, the words used to describe some urban art projects may give some hints. *Big City Life* project in Tor Marancia is presented on the official website as a project of urban museumification, a new attraction for the city of Rome ("The Project", n.d.) and also as a museum. The artworks realized during the urban art festival *O Bairro i o Mundo* taking place in the neighbourhood of Quinta do Mocho (Loures, Lisbon) in 2015 are listed, by Loures city council, among the museums and galleries to be visited and are grouped under the name of

Galeria de Arte Pública (GAP) da Quinta do Mocho (Public Art Gallery of Quinta do Mocho)("Galeria de Arte Pública", n.d.). The urban art festival *Memorie Urbane* in Gaeta, Italy, has been described by its founder and curator as a project offering an alternative way to live the city and to create tourism (Rossillo,n.d.). Also street and urban art tours, usually organized by local associations or tourism entrepreneurs play an important role in this touristification process. (Campos and Sequeira, 2020) Several outlying districts, distant from the classical tourist routes, are now discovered and visited thanks to those tours: Walthamstow area in the north-east of London[114], Bairro Padre Cruz in Lisbon[115], Ostiense in Rome[116]. Skinner and Joliffe, commenting on the attractive power of painted walls, have coined the expression "mural tourism" as a kind of

> "niche tourism [that] specifically consists of visiting locations and destinations with murals. A variety of organized mural tourism products have been developed for consumption, ranging from both guided and self-guided murals tours to murals festivals to murals souvenirs such as postcards, books and t-shirts" (Skinner and Jolliffe, 2017:9).

To conclude, whether urban art is a product for tourism "manifactured […]for consumption" (Campos and Sequeira, 2020:188) or an attempt to make neighbourhoods more appealing in visual terms, it cannot be denied its capacity to shape, just like street art, cityscapes. It is important to stress that, beyond any definition and distinction, whatever artistic project able to make people aware of the surrounding realities and to promote a constructive dialogue among locals, artists and institutions, should be promoted as an opportunity for the economic, social and cultural growth of those neglected areas.

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[114] For further info about the tour of street and urban art in Walthamstow, organised by the association *Wood Street Walls*, look at: "Take a Tour" (n.d.), *Wood Street Walls*.
Retrieved from https://www.woodstreetwalls.co.uk/map (accessed February 2, 2020)

[115] The cultural association *Boutique da Cultura* arranges urban art tours at Bairro Padre Cruz. For further info, see: "Street Art Carnide" (n.d.), *Boutique da Cultura.*
Retrieved from https://www.boutiquedacultura.org/copia-sobre-nos (accessed February 2, 2020)

[116] The tour operator Fragance Tour arranges street art tours in Tor Marancia, Ostiense and Torpignattara areas in Rome. For further details, see: "Street Art Tour: visita ai murales più belli di Roma" (n.d.), *Fragrance Tour*.
Retrieved from https://fragrancetour.com/attivita/street-art-tour-roma/(accessed February 2, 2020)

In the light of this, urban art can be seen as the new street artists' approach to the urban contexts: to paint walls is not anymore just an act against the exaggerated use of the visual space in commercial terms, but it is also the effort to build or rebuild the visual identity of those invisible districts forgotten by institutions.

Conclusion

Along the lines of the current research, street art has been analysed by using the perspectives of art institutions, art auctions, governments, city councils, artists, spectators, digital platforms, which together make the realities that, in one way or another, have contributed to give an ever-changing shape to this artistic expression. These shapes have significantly impacted the way we perceive, experience and think about it, up to the point that the art critic Jonathan Jones argues that "street art is dying- and it's our fault", adding that street art has become part of the establishment and the time "when painting a wittily satirical or cheekily rude picture or comment on a wall was genuinely disruptive and shocking […] is gone." (Jones, 2011). When commenting on the death of his unauthorized street art festival *Fame* in Grottaglie in Italy, Angelo Milano explains how the success and approval that the festival had gained both locally and internationally, convinced him to put an end to *Fame*, which he felt was no longer able to shock, provoke, stimulate curiosity and critical thinking about the surrounding context (Abbruzzese and Milano, 2017). This investigation aimed to determine whether or not it still makes sense to talk about street art today, in a time when it seems to have been absorbed in a sort of phagocytosis by the same practices and realities it was born to oppose. Beyond any definition or academic discussion, this study has tried to point out that as long as this artistic expression is able to reshape the environment hosting it, to let city dwellers stop, even for just a second, and to let them think about their of being in the world, to reflect on how they experience cities, how they move within them, where their economic, political, social, cultural choices are taking them, street art is still alive. Rather than seeing street art as a dead body, because of its legitimisation, or as a survivor, because of its strong capacity to bring new life to the surroundings despite the initial oppositions of governments and political authorities, it must be seen as a productive protest. Indeed, after years struggling against the private and profit-oriented uses of the visual space that have made city inhabitants nothing more than passive targets of advertising campaigns, and have transformed cities in aseptic and all identical spaces, street art has been finally not only accepted, but also promoted as a tool to make urban environments more appealing and to make their citizens feel an active subject of their cities. The success of street art relies in its capacity to force people to stop and stare, to reflect over the surrounding reality, to slow down when the continuous and rapid changes overwhelm us, helping us to become aware of them. When in 2012, the architect Giovanni Caffio titled his book "Street Art is dead. Long live Street Art", he was not completely wrong. Street Art, if meant as an artistic protest may be considered

dead. It was, however, reborn as an artistic expression still committed to opposing the "visual pollution" of our cities, but in more institutional frames, accepting the opportunities and also the risks that collaborating with political, private, public institutions and/or association implies.

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Annexes

Annex A - Questions to the organisers of the project Rotterdam Street Art Museum

E-mail sent to: contact@rotterdamstreetartmuseum.com

24 October 2019 13:49

Notes

Rotterdam Street Art Museum is an open-air museum born in 2017. It is accessible for free by anyone and is located in the neighbourhood of West-Kruiskade in Rotterdam (The Netherlands).

I find your museum quite original and I just want to ask you some info regarding how your open-air museum works, especially with regards to the process through which you select the participating artists. Do you invite some specific artists to paint on West-Kruiskade's surfaces, or first you run a contest and then you choose the sketches you like most? Is there any kind of agreement or approval about the content of the artworks, or you let the artists completely free to paint whatever they want? Thank you for your collaboration.

E-mail received from Lennard

24 October 2019 22:25

We first select the artists and then they could design an example of their work on the specific wall (with Photoshop or something). If we like it, we show it to several parties, such as shop owners, building owners, locals and the government. If those parties agree, we then continue and finalise the work. Hope this explains it.

Annex B - Questions to Domenico Melillo

Domenico Melillo

Writer, Street Artist and Criminal Lawyer

E-mail sent to: dott.melillo@gmail.com

23 January, 2020 10:24

Notes

Domenico Melillo, better known as the street artist Frode, is one of the protagonist of the Italian street art. He has investigated the relationship between law and street art. As a lawyer, he usually defends street artists and writers from the charge of defacing and/or smearing public and private walls.

Gentile Frode, ho alcuni dubbi che spero Lei potrà aiutarmi a chiarire sulla questione relativa a chi ha diritto, sul piano legale, a prendere possesso di street artworks realizzati senza autorizzazione su superfici pubbliche/private. La legge Italiana n. 633 sul diritto d'autore non menziona alcun limite di natura morale/legale sull'applicabilità del diritto d'autore. A quanto pare, dunque, un'opera di street art realizzata illegalmente può potenzialmente essere protetta. Vorrei chiederLe, dunque, chi e in base a quali criteri decide se l'opera può essere protetta dai diritti d'autore. Nel caso in cui, molto improbabile, un artista dovesse denunciare una violazione dei diritti morali perché una sua opera è stata esposta in un museo senza la sua autorizzazione (vd. caso Blu a Bologna), in base a quali criteri si stabilisce se l'opera è protetta da diritti d'autore, e dunque se la violazione è realmente avvenuta? In altri termini, chi e come riconosce lo status di "arte" alla street art? Nel caso in cui si riconosca un'opera di street art (realizzata illegalmente) come protetta da copyright, l'autore potrebbe opporsi alla sua distruzione? Un episodio recente mi ha lasciato alcuni dubbi. L' artista Squon è stato denunciato dalla polizia per alcuni disegni su un palazzo a Venezia. Il giudice ha poi optato per l'assoluzione perché il reato di vandalismo non sussisteva (diversi residenti hanno sostenuto che Squon avesse migliorato e non peggiorato l'aspetto estetico del palazzo). In tale episodio, i graffiti di Squon sono dunque protetti dal diritto d'autore, in quanto non considerati vandalismo dall'autorità? O sono come in una sorta di limbo? Né arte, né vandalismo? Le sarei grata se potesse chiarire questi dubbi.

E-mail received from Domenico Melillo alias Frode

30 January, 2020 15:24

Gent.ma Paola,

La domanda che poni è frutto di attenzione da molte parti. La legge italiana in realtà non distingue in merito alla provenienza o natura dell'opera creativa, in altre parole la legge è completamente indifferente rispetto al modo in cui l'opera è venuta ad esistere. In molti aspetti il diritto morale d'autore italiano è simile al Visual Artists Rights Act americano (VARA).

L'autore può rivendicare la paternità di qualsiasi sua opera e di essere posto in relazione con essa.

L'autore ha diritto ad essere universalmente riconosciuto come tale rispetto la sua opera, a rivendicarne la paternità e soprattutto anche ad opporsi a qualsiasi mutilazione o deformazione, o modificazioni che pregiudichino anche la reputazione dell'artista. Ed ha diritto quindi di rivolgersi al Giudice ordinario per ottenere la tutela di tali diritti, inalienabili, imprescrittibili. La legge italiana tutela le opere originali e le elaborazioni creative, assegnando all'autore diritti morali e diritti di utilizzazione economica.

I temi che tu proponi sono tanto attuali da non avere risposta univoca. Ma con due precisazioni importanti. La prima è che il versante penale e quello civile sono due versanti diversi dello stesso problema, ma si approcciano al medesimo in maniera molto differente.

Per il diritto penale invece è completamente indifferente la valenza "artistica" della condotta, non c'è riferimento nel codice penale al termine arte, ma rileva semmai l'elemento psicologico del reato, in assenza del quale un reato non può essere e spesso quello che leggi sui giornali sulle sentenze che riguardano street art sono per lo più invenzioni giornalistiche, lo dico per diretta ed amplia conoscenza.

Ad ogni modo riconoscere che il disegno di un writer apporti miglioria estetica ad una superficie precedentemente imbrattata o rovinata, riconferma semmai i primi precedenti in materia in Italia che ottenni negli anni passati (che se vuoi ti giro), ma non equivale a parlare di diritto d'autore che è cosa differente e che attiene al campo civile ed ai diritti connessi. Quindi non è corretto dire che i graffiti di chiunque si stia parlando siano "protetti dal diritto d'autore", ma semmai il giudice in quella particolare situazione, proprio come quella di molti altri che artisti che ho difeso, ha semplicemente ravvisato che non sussiste il reato.

Sono a disposizione per ogni altro chiarimento. Buona giornata

Annex C – Articles from Berne Convention, Italian Legislation and UK Legislation

Berne Convention

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