

## SUMMARY OF W4W1

Phase One/Book One of W4W is a structuralist-inspired survey and exposé of the immanentist paradox artist-scholars inhabit in the post-contemporary transition from modernist and post-modernist reflexivity to forms of cultural production that favour no singular *raison d'être* or socio-cultural, socio-economic, and socio-political bias. The study establishes a set of working principles, via iterative and generative time-senses for works, toward a new class of works in artistic scholarship that have no relation to market ideology.

*Works for Works: Book 1, Useless Beauty* (Punctum Books, 2022)

Preface: (Ir)real Subsumption – Acknowledgements – Introduction: The Artist-scholar – *Privilegio* in the Venetian Renaissance – The Editioning of Works – Lived Law and “Works for Works” – Prior Art and Things Given – In Search of Benevolent Capital – The Spilled Cup: Part I – The Spilled Cup: Part II – The Icons of IRWIN – Preposterous Presentism – Agent Intellect and Black Zones – “The Law Disappears ...” – Appendix A: Topological Glossary – Appendix B: Notes on Language and Its Other – Appendix C: A Short History of the Project – Annotated Bibliography

## CONTENTS + DISCURSUS

*Works for Works: Book 1, Useless Beauty* (W4W1) – as literary-artistic preparatory rites for *Works for Works: Book 2, “No Rights”* (W4W2) – involves a structuralist critique of the knowledge commons (formerly General Intellect) as embodied in the post-contemporary, art-academic industrial complex and the resultant neo-liberalization of subjective states via algorithmic and vectoral means [c.f., Agamben and Savà, 2014; Bourdieu, 1988; Collini, 2017; Eagleton, 2015; Giroux, 2015; Hall, 2011; Harvey, 2005; Moulner Boutang, 2011; Osborne, 2005; Petersen, 2020; Standing, 2009]. It proceeds from a general overview of cultural production to forms of artistic scholarship to intentional and elective abandonment of intellectual property rights under the rubric, “No Rights” – a linguistic construction influenced by socio-cultural critique, yet departing socio-cultural critique [c.f., Bourdieu, 1993; Buchloh, 2000; Cacciari, 1996; Cacciari, 2018; Clark, 1999; Collini, 2012; Eve, 2020; Giroux, 2008; Holmwood, 2018; Holmwood and Servós, 2019; Hudson and Williams, 2016; Hugenholtz, 2000; Juergensmeyer, Nocella II, and Seis, 2020; Sousa Santos, 2007]. This construction (inclusive of scare quotes) does not imply an abandonment of authorial rights and privileges such they works may be subsumed and or appropriated upon the election of the “No Rights” idiom. Instead, “No Rights” implies another set of rights, but for works versus for authors.

As a review of the current state of affairs within cultural production, W4W1 also departs engagement at the level of conventional circular and citational critique for what is proposed as a new set of principles for artistic scholarship no longer established in mere opposition to capitalist hegemony and cultural paternalism. The oppositional/oppositional dyad operative across the historical summary vanishes as the prospects for “No Rights” appear – such prospects to be further developed in W4W2 through a further deconstruction of the historical exception known as “moral rights”. What is or was appropriate is no longer in opposition (i.e., constructed as counter-argument). Positionality and conditionality merge (positionality *qua* conditionality). These terms, while notably structuralist in spirit, are also indicative of the passage out of structuralism to the poststructuralist decades of the late-twentieth century and the immanentist argumentation given to scholarship of the early twenty-first century [c.f., Adorno, 2005; Adorno, 1991; Adorno, 1952; Agamben, 2018; Agamben, 2009; Badiou, 2005; Barthes, 1967; Barthes, 1953; Benjamin, 1969; Benjamin, 2005; Benjamin, 1996-; Clark, 1999; Clark, 2000; Clark, 2017; Courtine et al., 1993; Debray, 1995; Debord, 2009; Derrida, 1993; Deleuze, 2001; Hobsbawm, 1998; Janicaud et al., 2000; Kioupiolis, 2012; Levinas, 2003; Levinas, 1948; Marion, 2002; Marion, 2004; McDonough, 2002; Nancy, 1991; Rancière, 2004; Severino, 2016].

The book opens with a discussion of late-capitalist subsumption (an intentional distancing via syntactical neologism from classic Marxist subsumption) and moves quickly to a sketch of the terms of engagement artist-scholars must endure today to negotiate and/or substantiate works. The origin of intellectual property rights in the Venetian Renaissance is examined for how and under what circumstances the idea of the artistic exception first emerged [Brown, 1891; Castellani, 1888; Gerulaitis, 1976]. A close reading of IPR proper is bracketed for a focus on the effects and affects of such law it crosses works and disciplines – an evocation of the faux-matheme, “Art + Law”. The focus remains, nonetheless, the Arts and Humanities – or that set of disciplines most imperiled by the capitalist assault on knowledge production.

With a nod to the antecedents of modern copyright (e.g., Early Modern *privilegio* and Enlightenment-era *droit moral*) [c.f., Diderot, 1969-1973; Le Chapelier, 1791; Witcombe, 2004], issues related to contemporary and post-contemporary art and scholarship are merged through a discussion of the subjective states works might take, or command in their own right and rites of passage, and the maneuvers artist-scholars might engage with, toward the editioning of works that do not register as commodity and do not fall prey to patrimonial forms of censure and/or closure. These aleatory methodologies lead, in turn, to an acknowledgment of the significance of the concept of “prior art” as vestige of an elegant non-self-regard, by authors, for the assimilation of past works within new works and the necessity for acknowledging that copyright quite often borders on theft [c.f., Hugenholtz, 2000].

Capital is addressed as the prevailing hegemony ruling the art-academic landscape, while the works-for-works agenda under development engages nonetheless in a search for forms of benevolent capitalism under which a new ecosystem for forms of artistic scholarship might emerge. This search leads to what has become known as the discourse of biopolitics, insofar as the capitalist assault on subjective states and the commodification of subjective states includes measures that are punitive and/or repressive [c.f., Agamben and Savà, 2014; Berger, 2009; Gramsci, 1977; Léger, 2018; Lovnik, 2014; McCarraher, 2019; Wark, n.d.]. This troubled passage for artist-scholars wishing to exit the capitalist commercium is described through a series of dyadic, didactic, and structuralist operations (and summary forensic reports) that lead inevitably to and through negative dialectics and, in the case of the “No Rights” idiom sought for new works of radical-democratic merit, negative theology and an invocation of the primary thematic of W4W2, “Ideational Franciscanism” [c.f., Agamben, 2013]. Experimental works in artistic scholarship via performative means are discussed with the primary gestural moment of such works denoted as “preposterous presentism” [c.f., Breton, 1953; Canguilhem, 2001; Clark and Nicholson-Smith, 1997; Derrida and Thévenin, 1998; Dvorák, 1921-1922; Gagliardi, 2011; Godard, 2010; Godard and Miéville, 2006; Gogol, 2005; Greenaway, 2010; Hauser, 1965; Jarman, 1993; Kleist, 1972; Malraux, 1951; Maritain, 1954; Marker, 1962; Meltzer, n.d.; Proust, 1982; Ruskin, 1956-; Ruskin, 1925; Shelley, 1820; Svetina, n.d.; Turgot, 1844; Valéry, 1964; Ziarek, 2004; Zupančič, 2003] – viz., with preposterous presentism being offered up as a built-in escape route for artist-scholars from the circular and generally endless arguments of and/or for historical agency and its various travails. The specters of ethos and telos disappear – or, more properly, they merge and are no longer at odds through the imposition of teleological misreadings.

Turning to ideational Franciscanism by way of a survey of the concept of Agent Intellect (intimately related to what would come to be called prior art in intellectual property rights law), and through a discussion of the argument conducted by Bonaventure and Aquinas in the Late Medieval period [c.f., Avicenna, 1968-1972; Gilson, 1924; Maurer, 1962; Nejeschleba, 2004; Quinn, 1973; Bonaventure, 1960-1970; Bonaventure, 1955], aspects of the ecosystem sought through W4W2 come into view only to vanish again with the closing essay that invokes the negation of normative law through an elaboration of the aporias present in Late Capitalist critique.

Arguments concerning language (visual and discursive) and what it can and cannot do, in terms of privileging so-called transcendentals, are summarized in the Appendices by way of a nearly fifty-year excursion from the first critiques of culture associated with postmodernism and poststructuralism through to the post-contemporary critique of critique [c.f., Adorno, 1973; Adorno, 1978; Agamben, 1998; Barthes, 1967; Derrida, 1967; O’Doherty, 1986; Sontag, 1969; et al.].

Produced across the years 2017-2020, the contents of *Works for Works: Book 1, Useless Beauty* have their origin in semi-independent research and in collectively produced performative studies associated with research and teaching fellowships and an ad hoc troupe first assembled in India in early 2017. These performance- and time-based works serve as the existential datum that informs the structuralist and often negative-dialectical critique of capitalist hegemony and the artworld and academia, while also serving to test precepts associated with the emergent ethos of the “No Rights” project.

N.B.: W4W2, as PhD project in Philosophy of Art, is meant to embody the principles under study (versus merely discuss them) and the aleatory and experimental methodologies described and sought for through new works in artistic scholarship (a term established in opposition to prevailing norms in present-day artistic research as found in both the artworld and in academia). It is not meant to devolve and/or conform to the premises of “scientific research” as such, but to revivify scientific research from an existentially charged foray into new intellectual and philosophical terrain.

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