

CAVEAT!!! and Philippe Thomas

LODGERS
19 May - 23 July 2017

Thursday 22 June, 17-21h & Friday 23 June, 15-18h

Free entrance

M HKA top floor, Leuvenstraat 32, 2000 Antwerp, Belgium

A series of presentations and debates revolving around the work of Philippe Thomas with Agency, Patrick Bernier & Olive Martin, Antony Hudek, Judith Ickowicz, Sven Lütticken, Daniel McClean, and Julia Wielgus.

CAVEAT!!! is a three-year programme on contracts performing the legal and economic position of artists and cultural producers in contemporary society. A prologue to CAVEAT!!! which addresses authorship is hosted by JUBILEE in the LODGERS programme of M HKA and AIR Antwerpen.

On 22 and 23 June, CAVEAT!!! focuses on issues related to the work of French artist Philippe Thomas (1951-1995) while presenting a selection of works in the space.

In Philippe Thomas works, authorship and co-authorship were intensely questioned and displaced, to the point where it led to “the ultimate erasure of [the artist’s] name”, inviting “collectors to take authorial responsibility for his works”.¹ For instance, the specific example of *readymades belong to everyone*®, the corporation-like agency created by Thomas, allows us to focus more broadly on authorship as it relates to the viewer in general and explore the specific point of the ready-made as the result of a speech-act (“this is an artwork”), of a tacit contract between the artist and the viewer or the institution (“I agree that ‘this is an artwork’”), but also on how the ready-made it relates to questions of production, of delegated production, and of the copy. Furthermore, a large number of Philippe Thomas works displaced the legal notion of authorship as a juridical fiction in order to make it an artistic fiction, therefore underscoring the fictional dimension of both.

CAVEAT!!! will go further into these questions while at the same time opening them up to the current situation, work, authorship, labour condition of the artist, in particular through the question of law and of the contract. During these two days, artists, theorists, curators, and experts from the fields of art history, law, and economy are invited to research, share knowledge, and negotiate future realities.

On the first day, June 22, Antony Hudek will address Philippe Thomas’ publications, centering on the idea of duplication and duplicity. For Thomas, the published text was not merely a substitute for the image; more fundamentally it crossed the image out, and the author-creator with it. Yet fragments of the biographical, or at least the first-person narrative, survive even Thomas’ most tenacious scrubbing. The question then becomes: who or what lies behind the ‘I’ of the author? Daniel McClean will Skype in to discuss some of the primary uses of certificates and contracts in contemporary art, as well as the legacy of Seth Siegelaub and Robert Projansky’s seminal artists’ contract. Art historian and theorist Sven Lütticken will present recent research,

1 Antony Hudek, ‘History can wait (Part 2)’, in: *Newspaper Jan Mot*, No 98, August 2015.

looking into artistic personae as well as into the concept of the 'legal person', and into how these two might overlap and interact. Finally, Agency will present *Thing 001539 (India Wins Freedom)*. Furthermore, there will be ample time for questions and critical debates with and between the contributors.

On the second day of the program, June 23, we will set off with a lecture (in French) by Judith Ickowicz, author of the book *Le droit après la dématérialisation de l'œuvre d'art*², on the work of Philippe Thomas as a case study, reflecting on how authorship is displaced by the artist both within the artistic and the juridical field. Julia Wielgus from Jan Mot gallery will discuss how a gallery interacts and deals with these issues at stake in the work of Philippe Thomas. The second moment of the day will be devoted to opening up these questions to collaborative and relational artistic practices. Patrick Bernier and Olive Martin will focus for this occasion on the many interdisciplinary interactions that have been part of their collaborative practice, specifically addressing their work with legal experts, scholars, and lawyers. This moment will represent an opportunity to go further into the of the subject matter of *relational contracts* and into how this notion would actually give food for thought for many artists and their work in the future.

CAVEAT!!! is a three-year research programme by Jubilee, platform for artistic research and production. Please find more information about CAVEAT!!! on the [project's website](#).

2 Judith Ickowicz, *Le droit après la dématérialisation de l'œuvre d'art*, Presses du Réel, 2013.

Contributors:

Agency is an international initiative that was founded in 1992 by Kobe Matthys and has office in Brussels. Agency constitutes a growing “list of things”, mostly derived from juridical cases and controversies involving intellectual property (copyrights, patents, trademarks, etc...) from the 17th century until today and from various territories of capitalism around the world. Agency calls these “things” forth via varying “assemblies”. Agency looks at the operative consequences of the apparatus of intellectual property for an ecology of diverse art practices and aims at generating their singular modes of existence.

Patrick Bernier and Olive Martin, currently based in Nantes, France, first met at the Ecoles des Beaux-Arts in Paris. They have worked collaboratively for over a decade, developing a varied body of work that combines writing, performance, installation, photography and film. Their projects explore the issues of hospitality and hosting, as well as the porousness of identity. Their works are nourished by open collaborations with storytellers, lawyers specialized in author and foreigner rights, an American auctioneer, and chess players, among others.

Antony Hudek is a researcher and a curator interested in display as an educational device. Hudek was formerly the director of Objectif Exhibitions, and is currently a curatorial fellow at M HKA. He is co-founder of the non-profit publishing house Occasional Papers. Currently, he is working on a book about the Artist Placement Group.

Judith Ickonicz is a law researcher. She is the author of the book *Le droit après la dématérialisation de l'oeuvre d'art* (Les presses du réel, 2013) which proposes an exhaustive cartography of the relationships between the law and contemporary art and a concrete programme on how to connect legal practice and artistic practice. Her book and critical writings displace the frontier between the jurist and the art critic, crossing the boundaries between social sciences, law and aesthetics.

Sven Lütticken teaches art history at VU University Amsterdam, and art theory at the Dutch Art Institute in Arnhem. Recent books include *Cultural Revolution: Aesthetic Practice after Autonomy* (Berlin: Sternberg Press, 2017), *History in Motion: Time in the Age of the Moving Image* (Berlin: Sternberg Press, 2013), and *Idols of the Market: Modern Iconoclasm and the Contemporary Spectacle* (Berlin: Sternberg Press, 2009).

Daniel McClean is a lawyer specialized in art and cultural property law working with different sectors of the art market. He advises clients on a range of contentious and non-contentious issues from disputes involving the ownership, export and authenticity of artworks and antiques to the drafting of agency, consignment, commissioning and sale agreements. In addition to his consultancy work, McClean finds intersections between art and law through curatorial projects. He is actively involved in the art world as an independent curator and writer and has commercial gallery experience.