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VISUAL ARTS

wbur arts

Illegal Art

A new exhibition features art works that manipulate corporate marketing images and raise awareness of the complexities of intellectual property ownership.

by Margaret Weigel



"The Sacrifice of Sprout"

[View more images](#)

painting by Dick Detzner artistic? Maybe. Silly? Sure. But illegal? It's up to the courts.

The painting looks harmless enough. In it, the Jolly Green Giant looks homicidal, about to throttle little Sprout, his offspring. But he's restrained from murder by the hand of a comforting blonde angel. All is well: the Green One will not julienne Sprout, at least not today. Is this

Detzner's "The Sacrifice of Sprout" is a colorful example of the art showcased in the "Illegal Art" exhibit, a collection of creative pieces which have recently run afoul of intellectual property laws. (The exhibit is making limited stops throughout North America this fall). This collection of outlaw art includes a mix of banned works that range from Kieron Dwyer's [bastardization of the Starbucks logo](#) to Todd Haynes' [campy yet tender retelling](#) of Karen Carpenter's struggle with anorexia featuring vintage

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Carpenters songs and a cast of Barbie dolls.

For some artists, the most appropriate way to critique corporate America is to lambaste its advertising images. Back in the days when Joe Camel was still all the rage, Vancouver, Canada's anti-materialist magazine "Adbusters" responded with a series of imitation print ads featuring "[Joe Chemo.](#)" Joe is shown in a hospital bed, his eyes brimming over with tears as he ruefully fingers his super cool black sunglasses. At the bottom, the ads' version of the Surgeon General's warning reads "smoking is a frequent cause of wasted potential and fatal regret." Kieron Dwyer's "[Consumer Whore](#)" parody alters the appearance and the meaning of a corporate logo to explicitly condemn consumer-driven culture. The politics of "[Adbusters](#)" and [Dwyer's work](#) speak for themselves, as do images of fractured Nike swishes and edited signs for "Y'all Mart."

Other artists use corporate icons for creative ends, moving beyond satiric cultural commentary into a search for the beautiful. In Aric Obrosey's work "[Oily Doily.](#)" the logos from three oil companies are arranged to create an abstract shape that resembles both an antique doily and an oil spill. In another of the artist's works, "[The Symbolic Lotus of a Thousand Colonels.](#)" the bearded head of the genial KFC icon spins hypnotically against a vivid orange background. Obrosey, Detzner, and other artists employ corporate imagery in their work, but address issues of rampant consumerism indirectly.



"Consumer Whore"
[View more images](#)

Ironically, while the works in the "Illegal Art" exhibit have provoked litigation, other images that draw heavily on intellectual property, such as "Adbusters" [faux ads](#), have not. In the eyes of the law, "Adbusters" traffics in parody: the publication pokes fun at corporate marketing images, and that is defended under the First Amendment's right to free speech. "Weird Al," Yankovic's take-offs on pop songs as well as Topp's "[Wacky Packages](#)" are safeguarded by the Constitution. The law on intellectual property rights exempts "comparative advertising, news reporting, and commentary, for noncommercial use." An educator can air and critique a Disney film, or commentaries like this one, can cite the website containing the deadly Green Giant.

It's the use of intellectual property for non-parodic

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ends that gives the champions of intellectual property fits. The law currently prohibits the use of such property as a means of drawing attention to unrelated material, a [Wacky Packages parody sticker](#) can get away with calling a can of tomatoes 'rotten' because it directly references Del Monte's product. But Detzner's "[Sacrifice of Sprout](#)" is problematic, since it eschews peas and carrots in favor of casting the Jolly Green Giant and Sprout as actors in an allegorical fable.



"De-Mented"

[View more images](#)

But while the threat to free speech is disturbing, there is hope. In a sense, when it comes to intellectual property rights, corporations have been hoisted by their own petard. Their success is their weakness: marketing images has infiltrated American culture to the saturation point Ad jingles are remembered long after the product is forgotten, the dude from Dell computers becomes an ironic cultural icon, and a spouse is asked in jest, "Can you hear me now?" without fear of Verizon delivering a subpoena to the door.

In other words, the stuff of commercial representation is now part of a universally accepted language. So, while the legal validity of art made with corporate **elements** remains controversial, the omnipresence of advertising lends legitimacy to the creative manipulation of logos and icons. An artist is free to **subvert the** property's official, 'proper' meaning, much in the same way a child uses an inverted chair as a fort or a skateboarder transforms a concrete stairway into a skate ramp.

The good news is that the current tour of illegal art raises **awareness** of the complexities of intellectual property ownership, free speech, and the rights of artists to create as they see fit. The bad news is that **intellectual property** lawsuits are increasingly employed to suppress legitimate works of art and cultural criticism. In the short run, that will be a losing battle, though in the long run, the corporations have won: their marketing images are immovable pieces of America's mental furniture.

Still, marketers are no doubt angry they have limited control over **how** their valuable labels are treated. For them, intellectual property laws are the only thing standing between us and barbarity: the sight of the Jolly Green Giant posed to commit infanticide.

The "[Illegal Art: Freedom of Expression in the Corporate Age](#)" exhibit is currently on tour in North America. Its next stop is the Nexus Gallery in

Philadelphia, PA, from October 3 - November 2, 2003.

**Margaret Weigel reviews visual arts for [WBUR](#), Boston's
NPR News station.**

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