

The Problem of Contemporary Graffiti

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1. Introduction to the problem of contemporary graffiti

This thesis is about the normative question as to whether graffiti should be encouraged, tolerated, or discouraged in our public places. The definition of the term is highly contested, as will be discussed in these pages. For present purposes it will suffice to characterise graffiti, approximately, as unsolicited public inscription. Thus, to employ Stewart's taxonomy, graffiti includes everything from agnominal, or personal name; amorous; obscene; intellectual; and protest graffiti (Stewart, 1989, p.16). There are, broadly, three possible positions to take with regard to whether graffiti should be allowed in public spaces:

- (1) The Restrictive View: Graffiti should not be allowed (all graffiti is harmful)
- (2) The Moderate View: Graffiti should be allowed in some cases and not in others (some graffiti is harmful, some has value)
- (3) The Permissive View: Graffiti should always be allowed (all graffiti has value)

The Permissive view is the least plausible view, since it is difficult to make the case that all graffiti has merit, or that its right to be is not sometimes trumped by further considerations - therefore this view will receive little attention here. Austin's view of contemporary graffiti was extremely favourable; it may be considered as borderline between the Moderate Art Defence and the Permissive views:

[T]he cultural forms that writers developed in New York City constitute what is perhaps the most important art movement of the late twentieth century (Austin, 2002, p. 6).

To date the debate on the value, or lack thereof, of graffiti has been between advocates of the Restrictive View and those advocating an Art Defence of the Moderate View: the view that all graffiti is harmful has opposed the view that graffiti with sufficient aesthetic merit should be allowed. According to the Restrictive View there are a number of reasons to never tolerate graffiti. Reasons include conceiving of graffiti as vandalism, a source of fear and anxiety, and as a cause of more serious crime. Wilson and Kelling's

‘broken windows’ theory has been employed to justify the immediate removal of all graffiti: it is argued that graffiti is like a broken window, and just one unrepaired broken window sends a signal that nobody cares, which invites further criminal offending (Wilson and Kelling, 1982).

The official New York City response to the contemporary graffiti which originated there in 1969 was based on the Restrictive View that all graffiti is harmful. The legal response and defamatory ways of describing graffitiists and graffiti, by officials and the media, has been influential on subsequent law and policy in the United States and elsewhere. Early examples of the Restrictive View are exemplified in the following two statements:

Graffiti pollutes the eye and mind and may be one of the worst forms of pollution we have to combat (no author mentioned, the reported statement of the president of the New York City Council, Garelik, ‘Garelik Calls for War on Graffiti,’ *New York Times*, May 21, 1972, p. 66).

[The] defacing of public property and the use of foul language in many of the writings is harmful to the general public and violative of the good and welfare of the people of the City of New York (no author mentioned, the reported statement of a spokesperson for the New York City Council General Welfare Committee, ‘Stiff Antigraffiti Measure Passes Council Committee,’ *New York Times*, September 15, 1972, p. 41).

Gomez summed up the more nuanced Art Defence of the Moderate View as follows:

Although they cannot capture fully the entire spectrum of graffiti, two particular classifications encompass most types of graffiti and the motivations behind it. First, ‘graffiti art’ describes graffiti-type works that exhibit many of the characteristics of pieces normally termed ‘high art’ or ‘folk art.’ ...Second, ‘graffiti vandalism’ describes those mere scrawling that are motivated by a desire to mark territory, create notoriety, or show one’s defiance of the law and society (Gomez, 1993, pp.634-5).

So, to date the main defence of contemporary graffiti writing has been mounted by those who consider the activity to have artistic merit. We should, it is argued, allow graffiti which exhibits sufficient artistic merit:

The only effective means of controlling graffiti is to develop laws and policies which accommodate graffiti art while discouraging graffiti vandalism and which attack the root causes of graffiti (Gomez, 1993, p.635).

The motivation for this view is something like: art is meritorious, and we should therefore encourage graffiti art; vandalism counts as harm, and we should therefore criminalise graffiti vandalism. So, according to the Art Defence, graffiti should be tolerated if and only if it demonstrates sufficient aesthetic merit. Such a view fails to recognise that graffiti which does not aspire to, or fails to obtain, the status of art might nevertheless count as a valuable cultural production. Historically genres of graffiti writing have ranged over a wide range of human interests. Even where artistic productions are highly valued it does not follow that unsolicited public artistic inscription should be valued more highly than alternative genres of unsolicited public inscription. After all, a thing might be meritorious for other reasons, and aesthetic merit does not appear to be a universal requirement for sanctioned public inscription, or public space generally. Public space is often employed for advertising, and yet advertising is not required to exhibit a particular level of aesthetic merit, and so the Art Defence is not consistent with aesthetic requirements for public space more generally. To date the 'problem' of contemporary graffiti has been framed as an ontological dispute between advocates of crime and art theories of graffiti. Here it will be argued that this issue points to another question - of how public space is managed and of who gets to decide what we see and do there. It should be considered, as Cresswell did:

'How do places (and actions in them) get the meanings they do? Who gets to say that certain meanings are appropriate?' And, eventually, 'Whose world is it?' (Cresswell, 1996, p.61).

In this thesis I will be arguing for a Moderate View, but in a way that differs from the Art Defence. Instead I propose a broader Cultural Defence of graffiti, recognising that although some has significant aesthetic merit, there are also further meritorious properties. Positive aspects of graffiti practices include its historical value as an ancient tradition, the sporting and game-like properties of contemporary graffiti, social merit, democratic merit, and aesthetic merit.

(2) The Moderate View: Graffiti should be allowed in some cases and not in others (some graffiti is harmful, some has value)

The Art Defence: Graffiti should be allowed if and only if it demonstrates sufficient aesthetic merit

The Cultural Defence: Graffiti should be allowed if and only if it demonstrates sufficient cultural merit

In chapters 5 and 6 I will argue that the Art Defence of graffiti is problematic as a theory, and in practice. Its reduction of the value of contemporary graffiti to aesthetic merit undermines graffiti's unique potential for self or co-curated public art. Contemporary graffiti practitioners, independently or in groups, directly engage with the curation of public space. This sets graffiti apart from other artistic practices, guarded as they are by their various gate keepers, who decide which work to present and how. This democratic curatorial independence was critical to the evolution of contemporary graffiti aesthetics, which have been judged mainly by peer group opinion, rather than by art experts or municipal authorities. Stewart, Austin, Waclawek, and others considered that contemporary graffiti is highly significant as an autonomous youth-directed art movement (Stewart, 1989; Austin, 2001; Waclawek, 2011).

The wish to sanction only art-like graffiti introduces a problem of curation. Ideas about art are many and varied, and there are deep disagreements about where to draw the line between art and not art. Tomas Kulka argued that:

Originality and artistic innovation, which are generally considered positive features of works of art, often challenge the accepted representational canons (Kulka, 1988, p. 22).

But by insisting on recognisably art-like properties there is a danger of reducing the artistic potential of graffiti to kitsch, insofar as graffiti will need to conform to already accepted representational canons in order to stand out as art. Kitsch, as Kulka argued, '...invariably uses the most conventional, well tried and tested representational canons' (Kulka, p.22). Some graffiti is in any case kitsch, but there is no good reason to confine graffiti to this genre. Aesthetically its strength sometimes subsists in the interaction of a wide variety of genres. This is not to say that advocates of graffiti as art intend to delimit its legal practice to kitsch. Rather, as will be argued in Chapter 6, it is an

unintended consequence of introducing an art requirement. For this reason, unexpectedly, a Cultural Defence does a better job of preserving graffiti art, broadly construed, since it does not insist on aesthetic properties. Furthermore, because the Cultural Defence does not reduce the possible value of graffiti to aesthetic merit this view does not invite the inevitable disputes about what counts as art, about which there are widely diverging opinions.

My objections to the graffiti art vs. crime dichotomy are grounded in several empirical claims: that historically attitudes towards graffiti were tolerant of a wide variety of unsolicited public inscriptions, and that contemporary graffiti practitioners are motivated by concerns which go beyond those delineated in the art vs. crime debate. In Chapter 2 the focus is on the mid-nineteenth century induction of the 'graffiti' term into English and its rapid extension to include informal public inscription generally. Such inscriptions appear to have been particularly prevalent in pre-industrial urban settings, but have continued unabated until the present time: graffiti represents one of our oldest continuous literary traditions, and it has been widely practiced and sanctioned by literate urban people living in free societies. In Chapter 3 it will be argued that contemporary practitioners have primarily valued graffiti as a sport, and that this aspect has consistently trumped aesthetic concerns in determining graffiti success. These considerations indicate that an Art Defence of contemporary graffiti is an incomplete defence.

To endorse the Cultural Defence is not to agree that we should always tolerate all graffiti - the most egregious cases of vandalism included. But it is surely reasonable to hold that graffiti, in all its genres, artistic, sporting, political, amorous, and so on, forms a rich and ancient tradition of unsolicited public inscription - and that as such it deserves a place in our shared public spaces. I think the Art Defence misses out on something by not straightforwardly appreciating graffiti practices for their own sake, as everyday democratic public self-expression of whatever sort, artistic or otherwise. Therefore the cultural view of graffiti defended here is a defence both of contemporary graffiti and of graffiti practices more generally.

2. The historical apprehension of graffiti

Despite its public aspect, until recently we have known relatively little about historic attitudes towards graffiti, because in general it has been little documented or conserved. This has led to its peculiar status as an ancient and uncompromisingly public activity which has nevertheless remained virtually invisible to history. Yet it must count as one of our oldest continuous literary traditions. And in this sense graffiti might be considered valuable - as something like an ancient informal public literary practice.

This chapter will explore the introduction of the term ‘graffiti,’ and the context within which this occurred. The aim is to go beyond present preoccupations with graffiti as crime, and gain some insight into historical attitudes towards such practices. Historically graffiti appears not to have been distinguished as a particular category of writing, and generated little positive or negative interest. Graffiti was nevertheless a popular pastime, and practiced by literate people of various ages and classes from ancient times until industrialisation. As such, walls and other public surfaces have until recently acted as a site for democracy - where different voices converge to converse, argue, and otherwise declare on matters close to the heart, or which seemed important at the time. Changing technologies supplanted graffiti to some degree after Industrialisation, and public communication and self-expression afforded by graffiti is now achieved using different technologies. Yet, it is only since 1970 that graffiti practices have come to be, at least officially, considered as vandalism and a transgression of the property rights of others. The situation of graffiti has transformed, from being an inscription in shared public space to the defacement of property owned by others. Changing attitudes can be attributed to distinctive properties of contemporary graffiti practices, as well as to an alteration of attitudes towards shared public spaces, which have become increasingly dominated by what might be referred to as corporate graffiti, or advertising.

In the previous chapter I introduced a new Cultural Defence, suggesting that some graffiti should be tolerated on account of its cultural merit. This view was posited as an alternative to the predominant defence of graffiti to date, the Art Defence, or the idea that graffiti should be tolerated if and only if it demonstrates sufficient artistic merit. In this chapter it will be argued that the Cultural Defence also happens to be the closest fit,

of the four views presented, with the prevailing view of graffiti since ancient times. This is not to say graffiti was valued as high culture. Rather, it appears to have been tolerated as a widely practiced form of low-cultural activity, and as such was considered an appropriate use of public space.

2.1 Etymology

‘Graffiti’ has been neatly described as the ‘indispensable loanword from Italian’ (Peters, 2004, p.234). The term entered English, being derived from an Italian verb meaning ‘to scratch’ (Mau, 1902, p.491). Philips offered an alternative explanation as follows:

The term ‘graffiti’ derives from the Greek *graphein* (‘to write’). Graffiti ...or Sgraffito, meaning a drawing or scribbling on a flat surface, originally referred to those marks found on ancient Roman architecture. ...examples of graffiti have been found at such sites as Pompeii, the Domus Aurea of Emperor Nero ...in Rome, Hadrian’s Villa at Tivoli... (Philips, *Oxford Art Online*, 2011).

Philips’s etymology is quite typical, and is quoted here for the purpose of disagreement. Although the Italian verb meaning ‘to scratch,’ *graffio*, may have originally been derived from a Greek verb meaning ‘to write,’ it is misleading to present ‘graffiti’ as derived from the Greek, having been so only indirectly some thousands of years later via Italian, while its first documented employment was French. Neither did the term particularly ‘originally refer... to those marks found on ancient Roman architecture.’ There is nothing exclusively Roman about the first graffiti so-called, either in terms of the language or surface of inscription. The term was initially coined solely in relation to the informal inscriptions found at Pompeii, a city conquered by Rome only at a relatively late date, having previously been home to the Oscans, Greeks, and Samnites, in that order (Mau, 1902, pp.8-9). Informal inscriptions at Pompeii may be seen in various languages, including, Oscan, Greek, ancient and Roman Latin, and in mixtures of these. Like the resident populations and languages employed, a variety of architecture, including the later Roman, is found at Pompeii. The oldest known building is the Greek style Doric temple in the Forum Triangulare, built around the sixth century BCE. Roman and other ancient unsolicited public inscriptions may be seen at a number of locations, including those mentioned by Philips, and also at the often mentioned

catacombs at Rome, and these were available for public and scholarly inspection before the excavations at Pompeii were undertaken. It is part of the story of graffiti that no significant interest was earlier taken in these inscriptions, and therefore that no particular term was coined with which to refer to them. Finally, both Hamilton (1786) and Garrucci (1856) observed that round columns were a popular site for such informal inscription. As will be discussed subsequently, apparently the first published reference in English to such inscriptions, by Hamilton, related to Greek and Latin graffiti on round columns at Pompeii.¹ Rather than necessarily the ‘flat surface’ stipulated by Philips, the preference was for a smooth surface.

Graffiti, as Mau and Garrucci described, were often scratched (Mau, 1902; Garrucci, 1856). They can be distinguished from those painted election and other public notices at Pompeii, often produced in large red Roman capitals by the professional ‘scriptor’ (Tanzer, 1937). Such productions are analogous with later billstickers, billboard advertising, and public notices found in the newspaper, and as such form a separate category to graffiti, as it is paradigmatically understood. Conversely, the original graffiti so-called were small, personal, and scratched upon the ancient stucco wall, often with a sharp stylus more properly designed for writing on a wax tablet.

No particular term predates graffiti to refer to these inscriptions: during the nineteenth century they were variously referred to as ‘wall literature’ (*John Bull and Britannia*, 1859), ‘wall scribbling’ (*Punch*, 1859), and ‘inscriptions’ (Wordsworth, 1837). When it is considered that such ‘wall literature’ dates back to ancient times, the lack of a particular term is surprising. Also surprising is that interest in Pompeii qua Pompeii lagged behind its excavation by nearly a century, and even then appears to have been largely accidental. The history of the discovery of Pompeii and the interest later taken in its ‘wall literature’ is evidence of another history - of changing scholarly and public attitudes towards the lives and artefacts of ordinary people. Such changes were necessary before any interest whatsoever was taken in the town itself, the everyday activities of the people who lived there, and by extension, their everyday informal inscriptions.

¹ Also, columns were popular for formal carved inscriptions, several examples of which may be found at the National Archaeological Museum at Naples, stored in the courtyard near the exit.



Figure 1. Public notices at Pompeii, as were usually painted by a professional 'scriptor.'

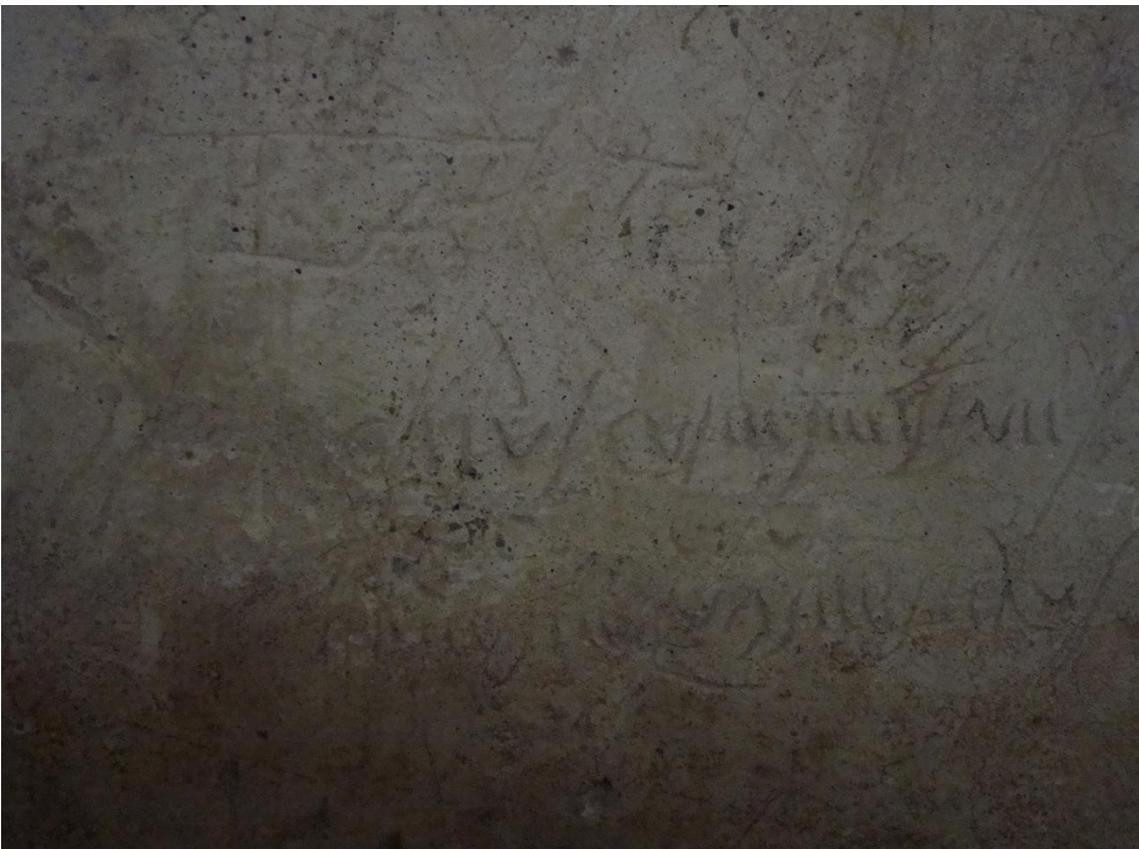


Figure 2. A typical example of Pompeian graffiti. The language is Etruscan-based and pre-dates Roman Latin. It is possible that Hamilton mistook this script for Greek at the Stabia Gate.

2.2 Looking for graffiti

A survey of English literature up until the first half of the nineteenth century reveals no employment of ‘graffiti’ whatsoever in connection with unsolicited public writing and drawing. While a number of works document English tours of Italy during the sixteenth and seventeenth centuries, they generally did not refer to informal public inscriptions of any kind, even though, as Philips noted, they might have been found at any of a number of sites. Such travellers certainly left their own informal inscriptions at significant sites.² Among their observations travellers catalogued the architecture, statues, paintings, mosaics and formal inscriptions that they came across; interest was confined to the high arts and official history.

A rare reference to a less than official inscription can be found in Bromley’s account of his 1691 tour of Italy. He described a visit to the tomb of the poet Actius Sincerus Sannazarus, near Naples, which contained two ‘excellent’ statues of Apollo and Pallas, which, the story goes, were due to be removed by a local official to Spain, under the pretext of being profane and unsuitable for a church. Bromley recounted:

[I]t coming to the knowledge of the Fathers, they in the night blotted out the names, and infcribed under them *David* and *Joshua*, thereby fecuring their Statues; for then to have taken them would have been Sacrilege (Bromley, 1705, pp.203-4).

In 1775 Hamilton presented a paper to the Antiquarian Society in London entitled ‘Account of the Discoveries at Pompeii.’ His opening remarks described an engraving of a ‘View of the Place of Arms at the little Gate of Pompeii towards Stabia,’ as follows:

A Colnade, round a fquare court, not yet cleared from the rubbish of pumice ftones, and afhes ...by which the city was overwhelmed. The columns are of courfe ftone, coated with plaifter or ftucco, and coloured. On many of the columns, the foldiers have idly fcratched their names, fome in Greek, and fome in Latin (Hamilton, 1786, p.160).

Eighty-four years after Bromley, Hamilton did not find *graffiti* in Italy, only that the names of soldiers had been somewhere scratched. Yet Hamilton’s comments appear to

² See Fig. 3, p. 20, this work.

be the first reference in a British publication to a paradigmatic case of ancient graffiti. It would be a further eighty years until a particular term to refer to such ancient informal inscriptions was inducted into English. Garrucci's 1856 work, *Graffiti de Pompéi*, is the first known publication to employ the term 'graffiti' to describe such inscriptions:

Les Premières données relatives aux *graffiti* de Pompéi se trouvent dans le Journal des fouilles (Garrucci, 1856, p.8).³

Garrucci described the graffiti as inscriptions generally engraved with a stylus, and occasionally also made with coal, and less frequently still, with a brush (Garrucci, pp. 5-6). His work was of a specialist nature, relating to the upright style of the inscriptions, such as those seen in Figure 2, above. On the advice of friends and colleagues Garrucci published a second edition immediately after the first, which included iterations of the graffiti into a readily understandable standardised font. That is to say, while Garrucci was mainly concerned with the manner of writing, others were more interested in their content. Within three years this work was available in Britain, and, like the content of the everyday inscriptions at Pompeii, the term 'graffiti' appears to have then quickly captured the public imagination.

In 1859 the *John Bull and Britannia* published a small article in response to an *Edinburgh Review* piece about the second edition of Garrucci's work. This provides valuable confirmation of the newness of 'graffiti' at this time, the growing interest in ancient everyday life, as well as hinting at the kinds of writings which the term was coined to pick out:

The other notice... is occupied with a comparatively new subject of great interest – the *Graffiti* or street scribbling still to be found of rude pictures and inscriptions on the walls and houses of Pompeii. ... [F]or the most part the inscriptions are of a very trivial character: - Some are expressions of affection for a friend, or of respect for a master or benefactor. Some simply record, in the very same terms that the writer was on the spot on such or a day. Some are mere names, or names accompanied by an epithet, complimentary or otherwise, as the case may be (no author mentioned, *John Bull and Britannia*, 1859, p.683).

³ In this passage 'graffiti' is italicised, as in the original text. By so-doing the author appears to direct the reader to a special or unfamiliar term.

Several days later *Punch* ran an article satirising Garrucci's work. Entitled 'Graffiti of London,' it gently mocked the idea that the everyday inscriptions of ordinary people should be of interest. Like the *John Bull and Britannia* article, the adjacent explanation of the term provides evidence of its newness at this time. It is explained to the reader that:

The word (which has already thrown the Wiscount into despair, and made Mr. Hadfield wish, as he is remarking, that hauthors would honly write Hinglish), means the Scribbling on the walls and other scribbling places (no author mentioned, *Punch*, 1859, p.174).

In both *John Bull and Britannia* and *Punch* graffiti is defined as a kind of scribbling. Although 'scribble' is now often employed to mean something 'hastily or carelessly' written, there is evidence suggesting that at this time it might be employed to simply refer to something written in one's own hand-writing, in contrast to something produced by letterpress, or by a professional stone mason. *The Oxford English Dictionary* includes several excerpts as examples of the early employment of 'graffiti,' which also suggest such an extension to the employment of 'scribble.' The first is Edwards, *A Thousand Miles up the Nile*, the second is Dowden, *The Life of Percy Bysshe Shelley*:

[The site was] visited by crowds of early travellers, who have as usual left their neatly-scribbled graffiti on the walls (Edwards, 1877, p.653, quoted in the *Oxford English Dictionary*).⁴

She sang pleasantly; and could scribble such graffiti as may be found in school-girls' copy-books... (Dowden, 1886, p.179, quoted in the *Oxford English Dictionary*).⁵

In the Edwards example it does not at all appear that we are being informed that the travellers' scribbles were hastily or carelessly done. 'Neatly-scribbled graffiti' would be a contradiction if this were the only sense we could make of it. It should rather be understood that the travellers carefully made informal inscriptions in their own hand writing to record their presence at a particular site along the Nile.

⁴ The provided page reference of 653 is incorrect, since the work does not contain more than 600 pages. Chapter xxi begins at p. 453, but the reference is not on this page either, nor could it be found subsequently in this chapter.

⁵ The provided quote is incorrect, Shelley's new wife, Harriet, is described as singing 'pleasingly,' rather than 'pleasantly,' and 'graffiti' is italicised in the original (Dowden, 1886 (first edition), p. 179).

Likewise, if we take the employment of ‘scribble’ literally in the Dowden example, above, then it would also be difficult to make sense of, since ‘hasty and careless writing’ is unlikely to be referred to as a school-girl achievement, alongside singing pleasingly. In the second *OED* example of early usage both ‘scribble’ and ‘graffiti’ are being employed in a certain aloof tone, designed emphasise the ordinariness of the educational attainments. The example does not suggest educational failure.⁶ This second example also suggests that in less than thirty years since its introduction into everyday discourse ‘graffiti’ was already so well established in English that it could be employed in an unusual or non-literal manner.

Some sources give an earlier date of 1851 for the introduction of ‘graffiti,’ apparently based on the *Oxford English Dictionary* entry of this date, relating to the publication of Wilson’s *The Archaeology and Prehistoric Annals of Scotland* in this year.⁷ However the date of the second edition, 1863 is bracketed after the quote, and it is not at all likely that the term was actually included in the 1851 first edition: this date is not consistent with the indication of the newness of the term in 1856 by Garrucci, or with its employment in the *John Bull and Britannia*, and *Punch*, both of which publications included explanatory notes regarding the term eight years later. Wilson did not offer an explanation of the term, but rather employed it causally, indicating that it is already well understood, and so for the above reasons, the date of 1851 is simply implausible: the quote appeared in a revised later edition. As such, the quote provides further evidence of the rapid uptake of the term, appearing as it does seven years after the publication of the first edition of Garrucci’s work.

2.3 The discovery of Pompeii

We owe the ‘graffiti’ term to the interest eventually taken in the ancient southern Italian city of Pompeii, which, as everybody knows, was buried by volcanic ash during the 79CE eruption of Vesuvius. Mau argued that Pompeii was not forgotten and supposed

⁶ This interpretation is supported by the text, where Harriet is described as: ‘...of a sweet and pliable disposition; strength of intellect and strength of character were lacking in her. She had received the education of a school-girl of sixteen...’ Dowden, 1886, p. 179.

⁷ ‘The slight scratching of many of the Maeshowe Runes, and the consequent irregularity and want of precision in the forms ...of what, it must be remembered, are mere graffiti’ Wilson, 1863.

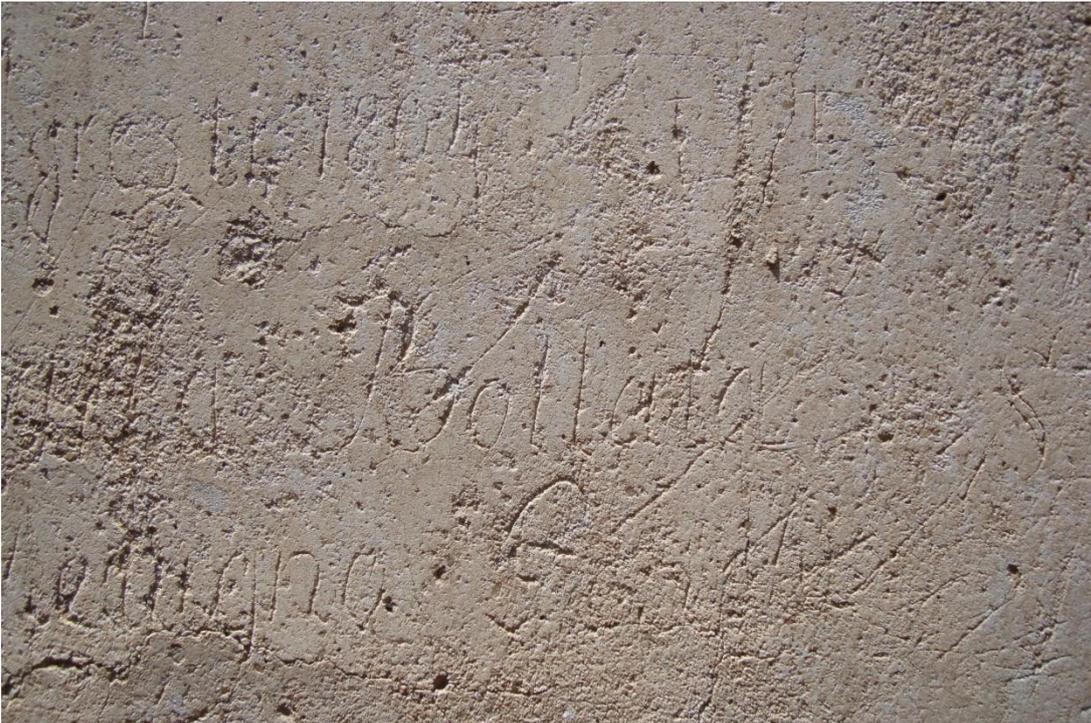


Figure 3. Post-excavation visitor graffiti is still visible on the exterior of a small temple covering the spring of Isis at Pompeii. The date '1804' can be made out at the top, left of centre. As suggested in the *A Thousand Miles up the Nile* excerpt, above, and in other sources, such tourist graffiti appears to have been widely practiced. Although difficult to decipher, it can be seen that this graffiti is also 'neatly-scribbled.'

taller buildings protruded for many years: the site was subsequently known, he said, as *La Citiva* (Mau, 1902, p.25). An architect, Fontana, found evidence of the ancient city in the sixteenth century, while constructing a water channel. He apparently found 'several inscriptions and many buildings with frescoed walls' (Maiuri, 1954, p.6). Nevertheless, methodical excavations did not begin in the area until the mid-eighteenth century, and then only with the intention of retrieving valuable objects.

What is known about the excavations at Pompeii from the mid-eighteenth to the mid-nineteenth centuries is widely attributed to Fiorelli, who compiled the notes of excavators at Pompeii as reported in their excavation journals.⁸ These journals provide valuable first-hand accounts of the developments at Pompeii, as initially directed by Charles VII of Spain. Garrucci explained their provenance as follows:

Les premières données relatives aux *graffiti* de Pompéi se trouvent dans le Journal des fouilles. Ce journal publié par les ordres du gouvernement était formé des

⁸ Garrucci, Mau, Tanzer, and the Cooley's all noted Fiorelli's important contribution in this respect.

procès-verbaux que le préposé aux fouilles devait adresse chaque jour et chaque semaine au ministère de la maison du roi (Garrucci, 1856, p.8).⁹

The Pompeii journals clearly indicate that initial interest in the town was confined the valuables buried there. An entry on March 23 1748 records that a Don Juan Bernardo Boschi reported that approximately two miles from Torre in the Bay of Naples:

...there have been found some statues and other ancient remains of the town of Stabiae... I have arrived at the firm belief that some monuments and ancient treasures could be found there (Fiorelli in Cooley and Cooley, 2004, p.173).

The site was in fact Pompeii. No time was wasted. Boschi was able to report the following several weeks later on April 6 1748:

...the first thing... discovered is a painting 11 feet long and 4 1/2 feet tall, which contains two large festoons of fruit and flowers, a very large and well-executed head of a man; a helmet; an owl; various birds... I think that it is one of the better pieces of painting found up until now. And after the sculptor had come here this morning... I gave instructions for it to be cut out on Tuesday... (Cooley and Cooley, 2004, pp.173-4).

Daily reports indicate that activities proceeded in this manner for some years. The entry for 7 April 1769 is informative. It contains a report by a La Vega of a visit to Pompeii by Charles VII son, Ferdinand IV, his wife, the Hapsburg Emperor, the English ambassador (Hamilton), and others. The following report suggests that Pompeii was only beginning to be treated as valuable for its own sake in 1763:

La Vega showed to the Sovereigns a plan, which fixes the location of all the buildings excavated in Pompeii, and what had been done at other times... The Emperor asked what there was of those buildings which they had not seen, and was assured that they had been covered over again... And he asked the King why he allowed this. His Majesty replied that it had been done in the time of his Esteemed Father (Charles VII); and La Vega added that it had been done 20 years ago [1749]

⁹ An approximate translation of the passage is as follows: 'The primary data relating to the *graffiti* of Pompeii are found in the *Journal of excavations*. These journals were published by order of the government, and were comprised of the minutes which the official overseeing excavations had to address every day and every week to the minister of the home of the king [Charles VII of Spain].'



Figure 4. Example of a wall fresco cut out and removed from Pompeii; now housed at the National Archaeological Museum at Naples.

when there was no sign that the site could be a town; but being assured about 6 years ago [c.1763] that it was Pompeii from an inscription found near the site where they were, they had left the buildings uncovered, no measures having been taken before this other than for a museum (Cooley and Cooley, 2004, pp.201-202).

These justificatory comments are incompatible with the early excavation reports, and also with the local knowledge supposed by Mau. As was seen above, the Pompeii journals indicated that when excavations began in 1748 the site was believed to be the ancient town of Stabiae, which Mau considered a more significant find than Pompeii, due to the superior class and wealth of its residents (Mau, 1902). It is unclear from La Vega's comments whether he considered that the buildings could only be of interest if they formed part of a larger city, or only if they belonged to Pompeii in particular. An account of the excavations at nearby Herculaneum, began ten years earlier than those at Pompeii in 1739, and under the same authority, give a good idea of the state of affairs otherwise:

There have since been found other Paintings, as a naked *Hercules*, as large as the life; a Satyr holding a nymph in his arms; *Virginia* accompanied by her Father, and

Icilius her spouse ...But ...there are some Things which perhaps are not known to others, (since that an infinite Number of things found lye in Confusion, or are buried in Heaps)... (Venuti, after 1739, p. xi).

The author proceeded to describe an unsuccessful attempt to piece together an inscription found at the theatre, which really was ruined:

As the Diggers broke and deftroyed every Thing, fo this Architrave, though whole in the Ground, was shattered to Pieces; fo that perhaps different Things were put together, and by that Means every Thing confufed. It was indeed propofed, that every Thing fhould be preferved; but that could not be obtained; only the more precious Things are preferved, and placed as Ornaments in the Royal Villa of *Portici*... (Venuti, after 1739, p. xii).

Much that has been learned about the everyday life of the Pompeian has been inferred from the numerous public inscriptions, informal and formal, at the town. Prior to there being an interest in these sites for their own sakes, the Pompeii excavation journals and Venuti's report clearly demonstrate that both Pompeii and Herculaneum were valued solely as sites from which to retrieve ancient valuable objects. And these in the first instance were destined for the Charles VII's villa at Portici, rather than a public museum.

By the nineteenth-century there was a growing fascination with the tragic fate of the Pompeian people. Bulwer Lytton's 1834 novel *The Last Days of Pompeii* is testament to this new interest. This highly popular novel detailed the daily lives of the Pompeians up until its destruction. The final chapter owes much to Pliny the Younger's account of the 79CE Vesuvius eruption. This new interest in the everyday lives of the Pompeian accounts for, if not the graffiti term itself, its wide adoption and subsequent continuous use.

William Wordsworth's younger brother Christopher took an early particular interest in the Pompeian graffiti. Wordsworth visited Pompeii in 1832, and was much struck by the informal public writing uncovered there. He published a book in 1837 entitled *Inscriptiones Pompeianae*. In the opening pages it is explained that he was motivated to publish his observations, since the inscriptions at Pompeii had been largely ignored in the literature on the town to date:



Figure 5. This cast of a victim of Vesuvius is on display at Pompeii. The Pompeii journals indicate that early interest in the town was confined to the valuables recovered there. By the 1830s there was a growing popular sympathy for the fate of the Pompeian people, who died, overcome by toxic fumes, and were subsequently buried by volcanic debris, as detailed in the account by Pliny the Younger.

I should indeed have abstained from this undertaking as unnecessary, had any notice whatever been taken of these fragments to which I now invite your attention, by any of the writers who have described the antiquities of Pompeii. The Neapolitan antiquaries and topographers have altogether passed them by; and in the numerous guidebooks written by Ultramontans, there is scarcely any allusion to their existence. As they seem to me to possess some little interest, and as the communication of them to others has, at least, the merit of novelty, I have thought it worth while to put them here upon record (Wordsworth, 1837, p.2).

Wordsworth's introductory comments pointed to the novelty of interest in unsolicited public inscription. This interest was unusual at a time when legitimate culture was considered to be high culture - it perhaps represents a shift from Enlightenment to Romantic thought and values. Wordsworth was mistaken in his conclusion that the informal inscriptions were not documented: Garrucci referred to the earliest reference in the Pompeii excavation journals, October 18 1765, and a 1792 Nuremberg publication

(Garrucci, 1856). Yet these were specialist publications, and he was almost certainly correct that nothing was to be found in the tourist literature. In contrast to Garrucci, Wordsworth was interested in what the graffiti communicated about the everyday lives of Pompeii's former residents. He was interested in the poetry scratched on the walls: the same Virgil and Ovid verses that he had learned at school - the verses quoted represent a shared interest with the ancient Pompeian graffitist. He corrected what he supposed to be the poor spelling of slaves, although the graffiti at Pompeii is usually taken as evidence of the general high standard of literacy among Pompeians, including the slaves. From the walls of the Basilica, or court, Wordsworth transcribed: SOMIUS CORNEILIO IUS PENDRE, which, his corrections aside, might be translated as: SOMIUS THREATENS CORNEILIO WITH AN ACTION THE DAY AFTER TOMORROW (Wordsworth, p.14). Wordsworth found the Pompeii graffiti invocative, from the old scratched words he conjured up slaves with poor spelling, young men like himself with a love of romantic poetry, and the ancient everyday nothings of public life.

2.4 Early modern to modern graffiti

Above it was demonstrated that, despite their antiquity, a particular term referring to unsolicited public inscriptions did not enter everyday English before 1859. Fleming argued that the relative lateness of the introduction of a special term is explained by it being the case that the distinction between graffiti and other writing was simply not made in earlier times:

Early modern English contains no term to denote graffiti writing – a fact suggesting not so much that the vice was unknown, but that the activity was not distinguished from other writing practices, and not yet considered a vice (Fleming, 2001, p.33).

In the introduction to this chapter it was stated that historically graffiti was not considered a transgression, and this idea will be further explored. The further claim that such inscriptions were not even distinguished from other writing seems an amazing claim, since at present such practices are very distinguished indeed. Yet the claim has good explanatory power in terms of the lack of a special referring term, and is therefore

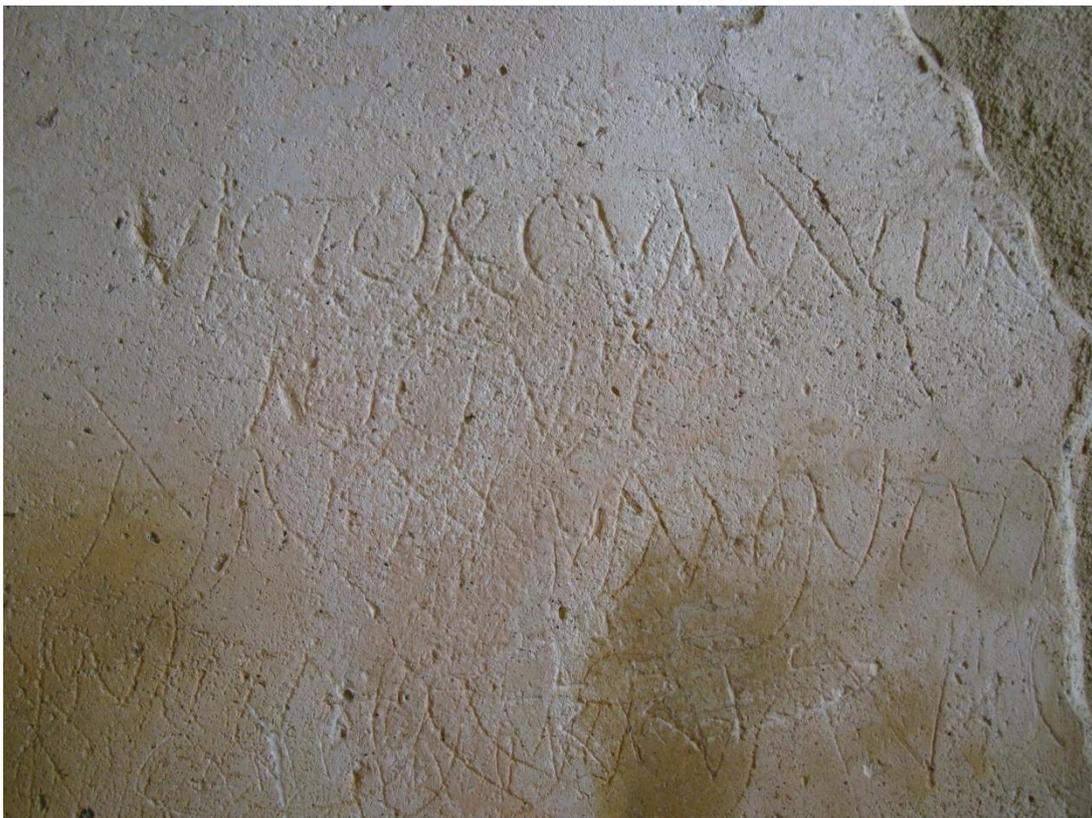


Figure 6. Ancient graffiti at Pompeii. At the top left 'Victor' has left his name for posterity, in a style consistent with the Roman Latin alphabet at this time. The other lettering is incomplete so that it is difficult to distinguish between the native Oscan language, ancient Latin, and possibly some combination of these.

worth consideration. Fleming's view is based on evidence pertaining to the English early modern period, that is, approximately, from the sixteenth to the eighteenth century. During this period both prior to, and during early industrialisation, paper was not yet freely available for everyday use, and so people from every class '...wrote (usually in chalk, charcoal or marking stone) on walls, furniture and other suitable surfaces' (Fleming, 2001, p. 9). Fleming argued that while such informal writing practices are well documented, such evidence has been previously explained away, since it did not conform to contemporary expectations of the period:

During the English Renaissance, language entered into relations with the material world that are sometimes surprising to modern readers. Where evidence of these relations survives – where, for example, a poem describes itself as having been written upon a window (John Donne's 'A Valediction on my name, in a window') – we have tended to ignore them. So the locations that such poems claim for themselves are understood to be imaginary, and their evocation within the poems

duly 'conceited.' But paper was not necessarily the most obvious, or suitable, medium for writing in early modern England... (Fleming, 2001, p.10).

We are asked to take literally the proposition that Donne's poem was written upon a window. Some wore 'writing rings,' with 'diamonds set in high bevels with one point outwards ...designed to mark glass' (Fleming p.55). Freeman described the sixteenth century as a time when:

[I]t was natural and intelligible for a man to scratch an emblematic poem on his friend's window pane, taking the brittleness of the glass as his 'picture' and his theme (Freeman, 1967, p.5).

Freeman discussed such practices in relation to Elizabethan courtship rituals. Roberts' eighteenth century anthology, *The Merry-Thought: or, The Glafs Window and Bog-House Miscellany* (Published in London under the pseudonym 'Hurlo Thumbro,' from 1731) was dedicated to inscriptions written in defiance of such good taste, although also: 'Written in Diamond by Perfons of the firft Rank,' and copied from 'windows, mirrors and drinking glasses of England' (Roberts, from 1731, title page). In the second volume an example is recorded of the kind of inscription discussed by Freeman: the words were inscribed upon a window by a 'defponding Lover in the Prefence of his Miftrefs:'

This Glafs, my Fair's the Emblem of your Mind,
Which brittle, flipp'ry, pois'nous oft we find.

Her Anfwer underneath.

I muft confefs, kind Sir, that though this Glafs,
Can't prove me brittle, it proves you an Afs (Roberts, after 1731, Vol. 2, p.27).

In a different vein, the following was transcribed from a window in Yorkshire:

Sir – was chosen our Recorder,
Hoping he'd put our Wrongs in Order:
But, in Truth, the young Gentleman prov'd fuch
a Rake,
That he kifs'd all our Wives, and made all our
Heads ake (Roberts, after 1731, Vol. 4, p.17).

And again differently, on a drinking glass:

Guard well your Credit, for 'tis quickly gone:

'Tis gain'd by many Actions, loft by one (Roberts, Vol. 4, p.16).

The *Bog-House Miscellany*, as the volumes are collectively known, on their own demonstrate that the production of unsolicited public inscriptions was a popular pastime during at least the eighteenth century. Freeman's research further demonstrated that such public writing was a fashionable activity, insofar as it conformed to Elizabethan notions of 'good taste.' Novak supposed the *Bog-House Miscellany* was intended to send up such notions of taste - the notions of which, he argued, were so strict that merely being a female author was sufficient to offend against them (Novak, 1983, p.iii).

That implements for the production of such unsolicited public inscriptions were advertised in the newspapers strongly suggests that such writing was not only common and fashionable but also sanctioned. A seventeenth century newspaper advertisement depicts a hawker with a marking stone writing upon a pillar. The accompanying verse reads:

Buy marking ftones, marking ftones buy. Much profit in their ufe doth lie; I've
marking ftones colour red, Paffing good, or elfe black Lead (*Cries of London*
broadsheet advertisement, c.1620, reproduced by Fleming, 2001, p.11).

Not only was informal writing common on public surfaces, but around the home as well. The first page of *The Welfpring of Wittie Conceights* announced its purpose, to provide the reader with 'certain worthie fentences ... to be written about a bedchamber, or be *fetup* in any convenient place in a houfe' (Phiston, 1534, p.1). These 'worthy sentences' include advice geared towards a number of self-improving purposes, including to fear God, to live well, and to obey elders and parents. For example, to live well:

We ought not always walke one and the felfe fame way, but to tende our courfe to
one & the fame ende (Phiston, 1534, p.19).

This and comparable anthologies strongly suggest that writing around the home was considered to be a worthwhile exercise. Granting this, and that informal public writing in public was also sanctioned, and that, furthermore, paper was not yet freely available during this period, it is not at all inconceivable that what is now referred to as graffiti

was not distinguished from other kinds of writing during the early modern period, as it is at the present time.

Since both the surface interiors and exteriors of homes were regularly whitewashed, such writing practices did not constitute a permanent alteration. This was also the case in the ancient world, where the wall was considered an appropriate location for the practice of school lessons, as well a site for public notices, personal comment, conversations, and sports results. Walls served a similar function in medieval Rus. The cathedral walls provide a record of everyday observations, business contracts, the weather, and prayers, and these were produced by all demographics, including royalty (Bushell, 1990, p.5). Graffiti has also been recovered from civic structures, including the medieval city gates at Kiev and Vladimir. Bushell therefore concluded:

These few surviving fragments of masonry civil structures ...suggest that the inhabitants of medieval Rus scratched their graffiti on any accessible wall, be it civil or religious or somewhere in between (Bushell, 1990, p.5).

During the period of Industrialisation many people underwent a transition from producers to consumers of their own cultural artefacts. This transition was a disastrous for self or locally produced arts and crafts of all kinds. The advent of cheap, mass-produced decorative and useful objects, coupled with the transition for many from working in a rural to an industrial setting meant that the economics of home and local production were no longer as viable for the unlesured classes. The careful construction of items for the home, and all the long traditions such productions imply, were within several hundred years largely replaced with cheap mass-produced kitsch. The traditional arts and crafts of Europe were thereby much diminished. This loss may not have concerned the drivers of Industrialisation, since the artefacts and traditions of the unlesured classes were not yet considered culturally valuable. Nevertheless, although traditional arts, crafts, and graffiti were to some extent superseded by new technologies, this is not to say that these activities thereby came to be perceived as a transgression of social norms. And in the current climate of official culturally diversity, being low culture or folk art no longer counts as an argument against a cultural practice or activity.

During the nineteenth century graffiti continued to be popular with children and young adults. A French cartoon by Bouquet, originally published in *Caricature* in 1833, depicts children drawing caricatures of the French king in black charcoal upon the

white-washed wall of a cottage (reproduced in Sheon, 1976, p.16). Another, from *Cent proverbes* in 1844, is a self portrait of an artist, Grandville, depicted drawing on a graffiti-covered wall, he is drawing beside child graffitiists in what Sheon interprets as a compliment to children's naive aesthetic (Sheon, p.17). Writing in Washington a century later, Tanzer suggested that graffiti practices were then very common. She discussed the graffiti of her time in order to make the point that what is remarkable about Pompeian graffiti is not that there should be any, but rather, that it survived:

In these days of plentiful lead pencils and crayons no plane surface in public places anywhere from garage door to public monument is likely to escape such inscriptions (Tanzer, 1939, p.5).

Likewise Levitt's photographs of New York during the 1930s and 40s demonstrate that writing and drawing in chalk on the pavements and walls was a popular pastime for both children and young adults at this time (Levitt, 1965). These drawings of people, animals, boats and so forth may be compared to historic productions in ancient, medieval, early modern and industrial times. As Stewart argued, there is little discernable difference in either the style or content of graffiti from ancient times until 1970 (Stewart, 1989). Neither is there evidence that such informal everyday inscriptions were unwelcome or unsanctioned.

Graffiti has been considered an appropriate use of public space since ancient times. This is not to say that historically graffiti was considered an appropriate use of all public space, rather, particular locations were deemed acceptable. Early dictionary definitions of graffiti characterise the activity as 'wall scribbling' and similar. I argued that the earliest employment of 'scribble' in relation to graffiti was intended to indicate handwriting, in distinction to commercial lettering, rather than rough, careless, and rude inscriptions, as more recent dictionaries so often inform us. The earlier descriptions are then deeply informative of the history of graffiti: graffiti was handwriting on a wall: the 'scribbling on the walls and other scribbling places' (no author mentioned, *Punch*, 1859, p.174). In his account of Medieval Russian graffiti Bushell argued that given certain conditions, namely high levels of public literacy and good stonemasons, graffiti will immediately follow (Bushell, 1990). From ancient times until the renaissance towns and cities were often encircled by a substantial wall. Wordsworth, Bushell, Crone and Moreh have all made reference to the use of town walls as an important site for graffiti

(Wordsworth, 1837; Bushell, 1990; Crone and Moreh, 2000). The smooth stone and plastered walls at Pompeii served a number of visual purposes, including commissioned murals, painted election and public notices. The graffiti which has survived is generally scratched, but it might be supposed, as Garrucci conjectured, that graffiti in chalk or coal did not survive. Unsolicited public inscriptions at Pompeii, which the 'graffiti' term was coined to refer, and those produced subsequently, were not considered a transgression, or it seems, as Fleming argued, even particularly distinguished from other writing before the modern period. Rather, writing of various kinds on its walls was the accepted norm. That this should be so is consistent with the Cultural Defence of graffiti to be developed in the subsequent chapter.

3. Contemporary Graffiti and the Cultural Defence

That graffiti was not historically considered a transgression does not prove the case for the Cultural Defence. But it does indicate that the concepts of graffiti and vandalism come apart. The historic sense of graffiti and vandalism as separate issues has been lost in recent years. It is now supposed that graffiti was 'traditionally called vandalism' (Vaughan, 2010, p.55). This view is also presented by advocates of the Restrictive View (all graffiti is harmful): graffiti is described as 'graffiti vandalism,' as though the first entailed the second. In this chapter it will be argued that contemporary graffiti practitioners are not particularly motivated by a desire to vandalise and neither do their activities always constitute vandalism, at least where this is understood as the spoiling of a surface. Cresswell connected the idea of graffiti as transgression to 'matter out of place.' The transgression of graffiti is not universal. Greece's sculptural architecture is considered fortunate to have received Byron's graffitied name. But when Greek New York youth graffitied subway cars, which Chalfant described as 'deferred maintenance wrecks,' they were considered vandals (Chalfant, foreword to Lewisohn, 2008, p.8).

Cresswell argued that the asymmetry of the offence reveals transgression as a tool of the dominant ideology. In labelling graffiti vandalism and therefore crime, particular voices are being suppressed - namely, the voices of those perceived as a disorderly ethnic lower class. Historically official New York attitudes to ethnic working classes were also defamatory. Descriptions focussed on these demographics as dirty, disorderly, and a source of disease (Cresswell, 1996; Chronopoulos, 2011, Orum and Neal, 2010). It is therefore predictable that contemporary graffiti activities, mistakenly understood as subcultural activity of poor black and Latino youth, would be perceived as a new kind of lower class ethnic dirty disorder. Graffiti itself is described as a disease which blights buildings, cities, and society itself.

Defenders of contemporary graffiti have not really considered whether there are meritorious properties of the activity besides aesthetic properties. Contemporary graffiti practices are often described as 'graffiti art,' or 'illicit art.' Waclawek echoed Stewart, describing graffiti as 'an art movement begun and sustained primarily by youth' (Waclawek, 2011, p.12). Numerous publications document thousands of inarguably

artistic examples.¹⁰ I have documented graffiti too: the accompanying volume of photographs is testament to a variety of graffiti, including artistic, in the United States, United Kingdom, Italy, France, Australia, and New Zealand. This supplement supports some important fundamental claims. Collectively these photographs confirm that forty years after its early development in New York contemporary graffiti really is a significant aspect of global youth culture, as is often stated. In order to communicate a sense of the scale of the contemporary graffiti movement, the greatest number of photographs were included as was practical. Many of the images support positive evaluations of graffiti's aesthetic merit: there are professionally planned and executed works of a high standard. Some graffiti are cute, others messy. But in this chapter I'll argue that the significance of such graffiti is not confined to the way they look.

Stewart, Goldstein, and others have noted that contemporary graffiti was practiced as a game or sport, as practitioners competed to produce high quantities of signatures in good locations (Stewart, 1989; Goldstein 1973b). The merit of a location was, and continues to be, assessed terms of difficulty of access and potential public exposure. Stewart, Castleman, Macdonald, and others have argued that the new graffiti culture created a positive and structured social environment for young graffitiists with clearly defined codes of behaviour and goals, and that its popularity helped to reduce gang control of many neighbourhoods (Stewart, 1989; Castleman, 1982; Macdonald, 2001). But these sporting and social merits have not been included in a defence of contemporary graffiti. Perhaps this is because aesthetic merit is considered of higher value than sporting and social merits; the visual arts enjoy high status, and therefore an appeal to artistic properties is considered to be a strong argument for graffiti. The aesthetic aspect of contemporary graffiti is also the most obvious and visible aspect. However, I argue that aesthetic, sporting and social merits are all significantly valuable in their own particular ways, and that a strong defence of contemporary graffiti will therefore appeal to them all.

A further under-considered aspect of graffiti is its democratic value: graffiti is a democratic practice insofar as it is a universally available means of public self

¹⁰ See Cooper and Chalfant, *Subway Art*, 1984; Gastman and Neelon, *The History of American Graffiti*, 2010; Stahl, *Street Art*, 2009; Lewisohn, *Street Art: The Graffiti Revolution*, 2008; Waclawek, *Graffiti and Street Art*, 2010.

expression. While graffitiists may reluctantly accept the label of ‘vandal,’ and commentators state that graffiti has traditionally been regarded as vandalism (Vaughan, 2010), in Chapter 2 it was demonstrated that the apprehension of graffiti as vandalism is recent. In this chapter it will be argued that the vandalism label is strained, since much graffiti neither amounts to the ‘spoiling of a surface,’ nor is intended as such. A more positive interpretation of graffiti activities and practitioners is to describe them as actively democratic.

According to the Cultural Defence presented here a full defence of graffiti encompasses its sporting, social, democratic, historic and aesthetic aspects. It is perhaps not strictly accurate to class social benefits as a cultural benefit: the idea is to suggest a multifaceted approximately cultural defence. This view does not entail that graffiti vandalism be tolerated, or insist that all graffiti is non-trivially meritorious, or that its right to be is not sometimes trumped by further considerations. The Cultural Defence is a variation of the Moderate View introduced in Chapter 1, according to which some, but not all, graffiti has merit and should be tolerated. But neither does the Cultural Defence ring-fence aesthetic properties as the sole source of potential graffiti value. The view I defend is consistent with the historic conception of graffiti argued for in the previous chapter, as an ancient, everyday, informal means of public communication: graffiti has traditionally been tolerated as an appropriate use of public space. This view is also consistent with the limited statistical data regarding public attitudes towards graffiti, presented in Chapter 4.

3.1 Graffiti as a game or sport

At the end of the 1960s graffiti was adopted in New York City as a game or sport. Although it has been described as an ‘illicit art,’ in its earliest years from 1969 - 1971 the new graffiti had no art pretensions, and was only illegal when and insofar as it constituted a significant act of vandalism. In the first *New York Times* article about contemporary graffiti on the subways, the practice is described only as a ‘violation’ since ‘it is barred only by Transit Authority rules, not by law’ (Charles, 1971, p.37). Ronan, the chairperson of the Metropolitan Transportation Authority, complained that the police were ‘hampered by a lack of laws governing this kind of vandalism’ (Prial,

1971). Legislation against graffiti was not passed by the New York City Council until September 1972. According to Waclawek the new graffiti really began in Philadelphia, but like many authors she didn't identify its distinguishing sporting or game-like features:

Writing signature graffiti, or graffiti based on both letters and names, began in the mid - to late 1960s in Philadelphia, exploded as a subculture in New York City in the 1970s, and has over the past forty years become an undeniable ingredient of street culture worldwide (Waclawek, 2011, p.10).

'Signature graffiti' has been continuously produced since ancient times, and was already common in both Philadelphia and New York prior to the 1960s. As Austin said, 'some accounts trace the history of urban youth graffiti back centuries' (Austin, 2002, p.42). Gastman and Neelon identified the initiators of contemporary New York graffiti as a handful of upper Manhattan friends, and its inspiration as local:

In that summer of 1969, Demetrius [TAKI 183] and his friends Phil, Phil, and Greg saw that a kid from Inwood was writing his name and street number with markers on walls, doorways, and light poles: JULIO 204. They had seen the scratched marks of PRAY and JESUS SAVES all over the city, but this was different (Gastman and Neelon, 2010, p.54).

JULIO 204's graffiti differed from other youth graffiti in terms of the quantities in which it was produced. Unlike the PRAY and JESUS SAVES graffiti, there was no religious message, it was just a name and street number. JULIO 204 was an inspiration for the earliest contemporary New York graffiti artists: he represents a transitional figure, since his graffiti was still confined to the Inwood neighbourhood gang territory, and worked to define this territory. TAKI 183 is often credited as the first New York practitioner of contemporary graffiti, but he explained that he was merely the first to be noticed by 'influential' people:

You see, I used to be a messenger, I was sixteen, my first job, a delivery boy, and I used to go all over the east side. That's what made me so popular. I used to write in the areas where influential people would see it, like I would go into a fancy building - I used to deliver cosmetics. All those guys that write for the newspapers, publishers, they all live in nice neighborhoods. So they would see it and they'd say 'AW GOD,' but they'd write about it the next day. If a guy like, I don't know,

JUNIOR, wrote up in Harlem – nobody goes there, only people in the area. That’s why I got the most publicity. I was in all the stations downtown (TAK1 183 interviewed by Stewart, 1989, p.165).

This movement of youth graffiti away from its traditional local neighbourhood confines, to locations where it could be noticed by ‘influential people,’ represents another distinguishing feature of the new graffiti: the focus on location. Visually the new graffiti was not strikingly different to neighbourhood youth graffiti already practiced, on the handball courts and walls close to home. The new graffiti consisted of a name, or a nickname, or an adopted pseudonym, sometimes affixed with a number. GREG 69 affixed the current year; Demetrius joined his Greek nick-name and street number: TAKI 183. Kohl noted that the graffiti convention of adding an identifying street number to a name had been adopted in New York since at least 1967 (Kohl, 1972). Later writers, including HITLER II, added a succession number, while FUTURA 2000 adopted the year of the next millennium. However, away from their usual close-to-home locations these graffiti at first proved mysterious, and as such their significance was a subject of speculation.

Because graffiti is now prohibited it can be supposed alternative names were adopted in order to avoid prosecution. Macdonald said: ‘Graffiti is illegal so writers do not usually use their ‘real-life’ names,’ (Macdonald, 2001, p.70). But this was not the case in the early years. Before late 1972 there was no specific law against graffiti, unless it constituted significant defacement and thereby qualified as vandalism. As a New York Transit Authority employee told the *New York Times*, ‘It’s not a major crime. Most of the time they don’t try to talk their way out if they’re caught (Charles, 1971, p.37). Precautions taken towards anonymity were initially part of the graffiti game:

Well, the main reason I started wasn’t to publicise myself. In fact, maybe five people knew I was writing. The whole idea was to write and be with a group of people, and they’re wondering who this guy is but they don’t know it’s you, so you’d get the reaction of people. That was the whole idea. But between us ... it would be ... you know, who would be seen in Far Rockaway, or upstate. Between us we had a little competition. We would try to hit in the strangest places, like on City Hall, or, you know ... I wrote on a secret service car once, and the guy caught me (TAK1 183 interviewed by Stewart, 1989, p.165).

Two versions of the graffiti game are referred to. Firstly, TAK1 183 described

anonymously reproducing his signature in order to gain his friends unwitting reaction. The second game was a ‘little competition’ between friends who knew each other as graffitiists: the aim being to out-do each other by producing graffiti in ‘the strangest places.’ This second version of the graffiti game was also practiced in Philadelphia:

The writers’ status is so competitive that they try to outdo one another in hitting difficult places. TITYPEACE SIGN sprayed his name in red across the backside of an elephant in the Philadelphia zoo; BOBBY KIDD sprayed a police car while his friend held the officers attention; and CORNBREAD gained the greatest notoriety by spraying a TWA jet which then flew south with his name blazened across its underwing (Stewart, 1989, pp.155-56).

A Tony Auth cartoon published in the *Philadelphia Inquirer* in 1971 confirms that graffitiist’s competed to ‘hit’ difficult and strange, or high profile locations (reprinted in Ley and Cybriwsky, 1974, p.493). The scene is the moon’s surface, with Earth visible in the sky. In the foreground a rock has been spray-painted with various names: DUCK; CORNBREAD; COOL EARL; RUTH; and KIDD. To the left a graffitiist in a space suit lays face down hammering the ground in a tantrum of rage: he or she has been well and truly beaten to this excellent graffiti location. Auth’s faithfulness to the developing graffiti culture extended to the recognisable reproduction of the hand-writing styles of Philadelphia’s most famous graffitiists, CORNBREAD and COOL EARL.

Goldstein spent time with graffitiists in order to research the activity for two *New York* magazine articles in 1973. He also concluded that graffitiists regarded the activity as sport, rather than art:

At home, their writing is often displayed along with trophies and medals, in the center of the household, on top of the TV. The writers themselves seem to regard writing graffiti as though it were a sport rather than an art (Goldstein, 1973b, pp.38-39).

Aesthetic concerns increasingly became important as another distinguishing aspect of the new graffiti after quantity and location, and all three aspects were practiced competitively. However, the quantity of graffiti produced remained the most important determinant of graffitiist reputation:

Style, form, and methodology, major concerns of most writers, are secondary in significance to the prime directive in graffiti: ‘getting up.’ The term has been used

by [graffiti] writers since the mid-1970s. Before that other terms, including *getting around*, *getting over* ...were used to signify the idea (Castleman, 1982, p.19).

Game-like or sporting properties are well documented by those who have studied or observed contemporary graffiti practices. From 1969 in New York, and from 1965 Philadelphia, contemporary graffiti was practised as a game. There is no evidence of practitioners being motivated by a desire to create art or commit vandalism during the first three years. In the summer of 1971 a second generation of graffiti writers took up the activity in New York and began developing the aesthetic possibilities. Initially this involved the simple decoration of letters, as was earlier seen in Philadelphia. These signatures evolved into sophisticated murals covering entire subway cars by the mid-1970s, and contemporary graffiti aesthetics reached a high point in development by the end of this decade. The work of this period was documented by Cooper and Chalfant. Their 1984 publication, *Subway Art*, became a graffiti bible: it was photocopied and distributed, and influenced the development of an international contemporary graffiti movement throughout the 1980s and '90s (Gastman and Neelon, 2010). But, as Castleman argued, the graffitist's central concern remained 'getting up,' or producing a quantity of graffiti in quality locations. Graffitists lacking artistic talent were forgiven by their peers and able to earn reputations solely based on the quantity of graffiti produced. But the converse was not true: graffitists with significant artistic talent but who failed to 'get up' remained 'toys' or amateurs according to the informal rules determining a graffitist's status. This confirms that contemporary graffiti was primarily practiced as a sport, and that the sporting aspect was more central to the practice than aesthetics. The new aesthetic aspect was also practiced competitively, as graffitists sought to out-do each other with stylistic innovations. This aesthetic competition explains how contemporary graffiti was able to evolve from the simple decoration of letters in 1971 to fully developed and resolved painted murals or (master) 'pieces' several years later. It is unlikely that the celebrated aesthetic merits of contemporary graffiti would have developed in the absence of an intensely competitive atmosphere of development and production. As art, graffiti was, and is, practiced as a competitive art game.

3.2 Graffiti, gangs and neglect

Philadelphia and New York contemporary graffiti appears to have begun independently: initially it was not a fad or craze, spreading between boroughs and cities. Rather, it started anew at each location, as though resulting from local conditions. Stewart identified a number of unusual conditions: the high levels of graffiti during the 1960s; the politicisation of ‘middle’ America over the war in Vietnam, and of black America over civil rights; high unemployment and a perceived lack of options; and the domination by gangs of many neighbourhoods (Stewart, 1989, pp.17-19). He described the environment inherited by the early contemporary graffiti artists as follows:

To understand the importance that this new linear [contemporary] graffiti had for the youths of the more depressed neighborhoods of upper Manhattan, the Bronx, and Brooklyn, one needs to realize that the hopes and aspirations of the Civil Rights Movement produced a new sense of assertiveness among the poor and middle class, but without calming their long-standing frustrations. Those that became the vanguard of the linear graffiti movement were children during the campus riots, the burning of Watts, Newark, Detroit. They had seen the tensions reach flash-point in Harlem and the South Bronx. Neglect was very real to them, and many of them suspected that it was all they had to look forward to (Stewart, 1989, p.169).

Stewart’s view of racial tensions and neglect is supported by an early New York contemporary graffiti practitioner, BAMA I:

[T]hen the sixties kind of died and the flower came in, and things started to get a little settled. But in the neighborhoods, the ghettos, in the outback areas, where people were forgot about, a lot’a tension was still happening. Whereas, ok, now we have equal rights ... but still, I come home to ...this. ...I still have problems getting a good education ... I still get drugs *thrown* at me! ...[The mafia] started feedin’ drugs to elementary schools an’ it was basically hitting the black communities ...When we lived in the middle of the Bronx, I mean people walking up to me in the streets shown’ me how to use a syringe... (BAMA I interviewed by Stewart, 1989, p.170).

This daily reality of drugs, gangs, and a lack of hope in future prospects presented many young New Yorkers with difficult personal challenges. Contemporary graffiti was taken up by those who did not wish to adopt drug and gang lifestyles: they were determined to

construct an alternative, and in an atmosphere of official neglect contemporary graffiti developed as an autonomous youth culture.

Some members of the public experience anxiety and fear in relation to contemporary graffiti. It is said that its presence makes one feel that nobody is in control, and that this is frightening. Gastman and Neelon conceded that even though New Yorker's felt concerned by subway graffiti (Gastman and Neelon, 2010). Yet, in New York things quite clearly were out of control. Young New Yorker's taking up and developing contemporary graffiti culture did so in the midst of an opportunity vacuum. They manufactured a structured culture to be passionate about, out of nothing, out of, as Austin said, the humble handwritten signature (Austin, 2002).

Although the contemporary graffiti styles in New York and Philadelphia were initially visually dissimilar, the earliest practitioners in these two cities offered similar explanations for how it arose: its uptake being attributed to boredom and a lack of opportunities for constructive leisure activities. CORNBREAD was from Philadelphia - he is the earliest documented practitioner of contemporary graffiti and began in 1965:

There isn't much choice of what to do... I did it because there was nothing else. I wasn't goin' to get involved with no gangs or shoot no dope, so I started writin' on buses. I just started with a magic marker an' worked up (CORNBREAD interviewed by Stewart, 1989, p.157).

Although unaware of CORNBREAD's practice, which began four years before his own, New Yorker TAKI 183 offered a similar explanation for beginning:

I was bored, and I didn't want to get involved with drugs, so I started writing my name around... In the neighborhood before there used to be a lot of gangs, with chains, the bicycle chains. Those guys used to write a lot, they used to have their territory. I never wrote with any of these guys. I used to write with other people from the [Washington] Heights there. I wrote with Greg, he wrote GREG '69, '70; he used to put the year after (his name). ... I wrote with GREG, with PHIL, CAESAR, BRONSON, others I can't even remember now (TAKI 183 interviewed by Stewart, 1989, p.163).

Both TAKI 183 in New York and CORNBREAD in Philadelphia saw their graffiti activities as an alternative to gang membership and drug use, and the increasing popularity of contemporary graffiti movement significantly weakened gang control of

neighbourhoods in the 1970s. Whereas gangs were predicated on territorial and racial distinctions, the new graffitiists were in a sense colour blind, and as Gastman and Neelon argued: 'For young people growing up in the racial turmoil of the 1960s to set off an art movement that was blind to race was a very special achievement' (Gastman and Neelon, 2010, p. 29).¹¹ They graffitied across gang territories - a declaration of war according to gang traditions. That graffitiists wandered unarmed writing graffiti across gang territories earned them the respect of gangs members, and without this respect it is unlikely that the contemporary graffiti culture could have provided a genuine safe alternative to gang membership for the many young New Yorkers living in depressed, neglected, violent, racially segregated, and drug saturated neighbourhoods.

Contemporary graffiti culture is considered insular (Waclawek, 2011, p.12). Macdonald compared it with a secret society, and she and Castleman noted that it had its own language (Macdonald, 2001; Castleman, 1982). As an autonomous youth-directed activity contemporary graffiti appears to be a rejection of society - whereas their parents had written political graffiti, the next generation had achieved 'equal rights,' yet things had not materially improved. The originators of contemporary graffiti were not hitting out at society, but attempting to empower themselves and have fun, and in the process they created their own world, with its own rules and values. But the aspirations and rewards of this invented world were initially widely available, regardless of race, gender, or socio-economic status, or where one lived. Contemporary graffiti began as a private game that anybody could play.

Graffiti had its own language and culture which were wholly the creation of kids, my students included. And it gave me faith that no matter how bad things could get to be in the city, young people would always find a way to shine (Castleman interviewed by Gastman and Neelon, 2010, p.115).

3.3 Demographics and racism

Both advocates and opponents of contemporary graffiti assume practitioners to be male ethnic minorities from lower socio-economic classes. Oldenburg's often-quoted

¹¹ See Gastman and Neelon pp. 28-9 for photographs of mixed ethnicity contemporary graffiti groups.

description leaves no doubt where he considered the origins of contemporary graffiti to be:

You're standing there in the station, everything is gray and gloomy, and all of a sudden one of those graffiti trains slides in and brightens the place like a big bouquet from Latin America. At first it seems anarchical – makes you wonder if the subways are working properly. Then you get used to it. The city is like a newspaper anyway, so it's natural to see writing all over the place (Oldenburg quoted by Goldstein, 1973b).

Martinez founded the group United Graffiti Artists (UGA) and became a spokesperson for the contemporary graffiti movement. Puerto Rican himself, he was determined to interpret the new graffiti as a predominantly Puerto Rican activity. As he explained in a catalogue essay for the 'United Graffiti Artists 1975' exhibition, he had wished to work with Puerto Rican adolescents, 'rechanneling their energies and interests,' prior to becoming involved with the graffiti movement. Martinez explained how he learned contemporary graffiti was predominantly a Puerto Rican activity:

At City College [in 1972] I met a student whose father was the night watchman at the 'A' train yards. He mentioned that the graffiti writers were mostly Puerto Ricans in their early teens, that they snuck in at night when his father was sleeping. This was enough to get me going. I was anxious to continue working with Puerto Ricans (Martinez, 1975, p.7).

It is not clear why Martinez inferred that since the graffiti artists who broke into the 'A' train yards were Puerto Rican that this was generally the case. Careful editing of the facts was necessary to pursue the point that this was so - Martinez credited the transitional gang figure JULIO 204 with being the first practitioner, but did not explain that this teen was Columbian. Completely bypassing TAKI 183 and his Greek friends, who began contemporary graffiti in Manhattan, Martinez concluded 'Most Manhattan writers were Puerto Rican' (Martinez, 1975, p.9). At the point it is acknowledged that black teens also practiced graffiti, Martinez did not shy away from attributing race-based characteristics to these practitioners:

[W]e can see a cultural difference between the Manhattan [Puerto Rican] and Bronx [black] writers. Latinos, perhaps because they have not suffered the destruction of the family and certainly because of the collective nature of their

indigenous societies, constantly blossom in group efforts. Blacks, having undergone the assimilation of American individualism, tend to work better as individuals and often feel that groups threaten their identities (Martinez, 1975, p.9).

Martinez's race-based theories of contemporary graffiti demographics were not supported by research or the testimony of graffiti practitioners. Yet, as the self-appointed spokesperson for the movement, his views were influential:

Although the police frequently reported that writers were a broad-based population of all classes and ethnicities, those observers closer to the community describe it as being comprised mostly of African Americans and Latinos from poor working-class families (Austin, 2002, p.58).

It is difficult to imagine being 'closer to the community' than being a contemporary graffiti practitioner, and yet nowhere do we find graffitiist testimony to support these claims that they were predominantly Latino, black and poor. Members of UGA expressed concern that their meetings were conducted in Spanish and membership was biased in favour of those of Puerto Rican descent, whereas criteria to join the elite graffiti group was supposed to be based on ability (Castleman, 1982). Martinez was not only incorrect to claim contemporary graffiti as an essentially a Puerto Rican activity - he was also missing the point, since practitioners themselves have repeatedly emphasised graffiti's role in overcoming segregation and racism as a valued aspect of the activity. T-KID 170 presented an alternative to Martinez's race-based theory of graffiti:

It's a myth that all the writers were black or Hispanic. It's bullshit. The truth of the matter is that graffiti was multi-racial. Black, Hispanic, white - you didn't care, and the guys that did it came in all colors (T-KID 170 interviewed by Gastman and Neelon, 2010, p.28).

Although dismissed by Austin, T-KID 170's view is supported by professionals working to control graffiti. Holoway, a Transit Authority patrolman, told Charles of the *New York Times* that 'he had caught teen-agers from all parts of the city, all races and religions and all economic classes [writing graffiti]' (Charles, 1971, p.37). Macdonald quoted a graffiti removal specialist, who commented similarly two decades later, as follows: 'Graffiti permeates throughout the educational spectrum. Expensive fee paying schools can produce the worst offenders' (Scanes, Graffiti Management LTD, quoted by

Macdonald, 2001, p.95). Gastman and Neelon interviewed many contemporary graffitiists and concluded the activity had broad and contagious appeal:

The youth culture coming out of New York City captured the imagination of a generation of young Americans who had little more in common than being of an impressionable age (Gastman and Neelon, 2010, p.27).

The practitioners interviewed by Gastman and Neelon provide a vivid insight into the segregation experienced by New York youth, and the pivotal role of graffiti in dissolving racial barriers. LIL SOUL 159, a practitioner from Queens active in the early 1970s described his experience:

I grew up in South Jamaica at 159th Street... I don't even want to say it was a predominantly black neighborhood: it *was* a black neighborhood. I didn't go to school with white, Latino, or Asian kids until high school. I went from kindergarten to eighth grade, and I did not have a single white class mate. When I got to Hillcrest High School, it was a mindblower. And there were white graffiti writers at Hillcrest, but I didn't know they wrote until one day I went to the bathroom and I smelled ink. In there was UNCLE JOHN 178 and TEAR 2, writing. I said, 'Let me get a tag,' and when they saw my name, they said, 'Oh! You're LIL SOUL!' Now, UNCLE JOHN and I had been in the school band together; I played the trumpet, and he played the trombone. But because he was a white guy and I was a black guy, at the end of practice he would go his way and I would go mine. But when we found out that we both wrote, it wasn't a white guy and a black guy any more. Any writer will tell you that graffiti tore down the racial barriers of the late 1960s and 1970s – eradicated them! And you just didn't see that in New York City until graffiti hit the scene. Once we smelled the ink, we were just writers. The world could take a lesson in conquering racism by giving everybody a can of spray paint!' (Gastman and Neelon, 2010, p.28).

Not all will agree that everybody should be given spray paint, but the pleasure and pride communicated by LIL SOUL 159 regarding graffiti's role in breaking down entrenched racial barriers is inarguable. KEO, a Brooklyn practitioner, confirmed graffiti's role in dissolving racial barriers a decade later:

In the 1980s, if I saw a black kid, a white kid, and an Asian kid just hanging out together, I'd walk right up to them and ask what they all wrote, because there was just no other reason that the three of them would be hanging out together (Gastman

and Neelon, 2010, p.28).

Practitioners have testified that a valued aspect of the graffiti culture related to its ability to transcend obsessions with class and colour. PINK and CLAW (both female) tell us: 'You'd be surprised how a lot of kids come from really good families, upper class, upper middle class' and 'Graffiti writers come in all shapes and sizes ...I know tons of Jewish writers that come from these wealthy families and I know these black kids from the projects and I know these white kids, so I think graffiti really spans everything' (PINK and CLAW respectively, interviewed by Macdonald, 2001, p.95).

3.4 Graffiti art club

Waclawek argued that graffiti practitioners were: '...not interested in communicating with the general public; they were only concerned with creating an internal dialogue with each other' (Waclawek, 2011, p.13). Graffiti began as a private game. But the second generation of graffiti practitioners after 1971 increasingly viewed their activities as, as Austin argued, an unofficial urban 'beautification' program' (Austin, 2002, p. 4).

LEE recounted painting a whole train consisting of ten carriages with the Fabulous Five graffiti group. The work took several weeks of planning. It was painted in Christmas and American themes with cartoon figures of Santa, snow men, reindeer, Mickey Mouse, fir trees, and a 'Western cowboy' and other scenes (Castleman, 1984, p.15). The subject matter and its treatment was patriotically American, and LEE's account makes clear that the public reaction was a significant aspect of the achievement:

At 59th [Street], the people saw it, at 86th there wasn't a big crowd, but at 125th, wow! It stopped right up on to platform so you didn't get a long view, you had to walk in right through the pieces [or, the individual paintings which made up the work]. The station was packed and people were walking into the pieces with their eyes open like wow, man. It was bad [good]. It was nice to have it pull up right in front of you and then to get inside of it with all the windows painted. They probably didn't know it was graffiti; they probably thought the city had done something good for a change. They probably thought they paid some muralist to do it (LEE interviewed by Castleman, 1984, p.12; photographs, p.14).

LEE was a respected practitioner, one who exemplified the developing graffiti culture. It

is clear from his account that he cared very much about the public reception of this work, to the point of speculating about it. He went on:

That was the greatest thing we ever did and I think it was the greatest thing ever done on the IRT number 4 train. It was a big show stopper and I think those people who saw it went home that night and didn't watch TV. They talked about the train they saw (LEE, interviewed by Castleman, 1984, p.15).

Later LEE described spending time watching the trains and public reaction:

Yeah, I'd go on what they call benching. These were like haunts for writers, places for artistic exchange – 149th Street and Grand Concourse in the South Bronx, the bridge at City Hall, and Atlantic Avenue in Brooklyn, these were just some of the benches that offered a good view of the new works debuting off the yards. I also rode a lot of subway cars freshly painted. And when those doors opened, just the tsunami of excited people coming in and out of those cars – you could tell that they knew they were a part of something special. A lot of people were angrily amused, for lack of a better term, but a lot of people were totally tantalized. I remember one time people broke into applause. There were times I'd bring my mother to bench with me so that she could witness that (LEE interviewed by Deitch, 2011, p.46).

SEEN, an Italian American from Pelham, Bronx, was a member of the United Artists crew in the late 1970s and early 1980s. He was described by Gastman and Neelon as professional and a role model for young graffiti artists, 'He was affable, approachable, and a good teacher.'

I wish to believe I had taught or at least gave other helpful knowledge on art in general, whether it's learning how to piece, lettering forms, filling in, design work, or just sketching with a pencil in hand. I was always willing to teach someone if they were willing to learn (SEEN interviewed by Gastman and Neelon, 2010, p.116).

The train lay-ups and benches were part of an informal graffiti art school. Graffiti 'masters,' as those who enjoy the highest reputation are known, can be compared to the renaissance master - they both produced cartoons of projected designs, and directed their apprentices in the techniques of putting up and filling in designs. Graffiti artists carried 'black books,' in which designs were developed, shared, and critiqued. Every year there were several Mother's Day, Halloween, Valentines and Christmas trains. Generally speaking graffiti culture entailed a high standard of personal conduct. Castleman, and

later, Macdonald, found evidence that graffitiists were and remain passionate and single-minded about their practice, and exhibit a strong work ethic: both mainstream American virtues (Castleman, 1982; Macdonald, 2001). General lawlessness drew attention to practitioners, and was therefore undesirable and not part of the culture. It may therefore be concluded that stereotypical representations of graffitiists - as lawless vandals who lack respect and are motivated by lower class spite - really has nothing to say to contemporary graffiti practices.

3.5 Shared Public Space

In the introduction to this chapter I said that graffiti is a democratic practice insofar as it is a universally available means of public self expression, and that this aspect deserves greater attention. Sometimes heavily or systematically graffitied areas are referred to as outdoor art galleries. What makes these outdoor art galleries particularly interesting as art galleries is not just the novel open-air location. They are more profoundly interesting as democratically open galleries, where anybody who wishes can contribute or view artistic and other graffiti.

Contemporary graffiti practitioners often argue or act as though that public space should be available for public self expression. Self-described street artist SWOON said of her practice: 'It's trying to create a visual commons out of the derelict walls of the city' (Semple, 2004, p. B1). Although 'commons' is a specifically medieval instance of shared public space, SWOON's attitude is consistent with pre-1970 attitudes and law relating to graffiti practices. SWOON is a contemporary graffiti celebrity, however, she did not argue that the derelict walls of the city be reserved for elite graffiti artists. Rather, her invocation of a 'visual commons' implies that derelict space be available for public self-expression more generally.

The central question for contemporary graffiti is not whether it should be categorised as art or crime. Graffiti has been traditionally understood as unsolicited public inscription, and as such the idea of introducing minimum aesthetic requirements is simply bizarre. The important question raised by contemporary graffiti is to do with public space



Figure 7. Collections of graffiti as a democratic open air art gallery. Front entrance to a legal graffiti area, 'The Tunnel,' at Waterloo Station, London.



Figure 8. People scrutinize and photograph graffiti in this central Melbourne alley way. In the nearby laneways the attention paid to the graffiti indicates that descriptions of heavily graffitied areas as outdoor galleries are not metaphorical. Although graffiti practices are criminalised in Melbourne, the local graffiti culture is celebrated in the tourist literature.

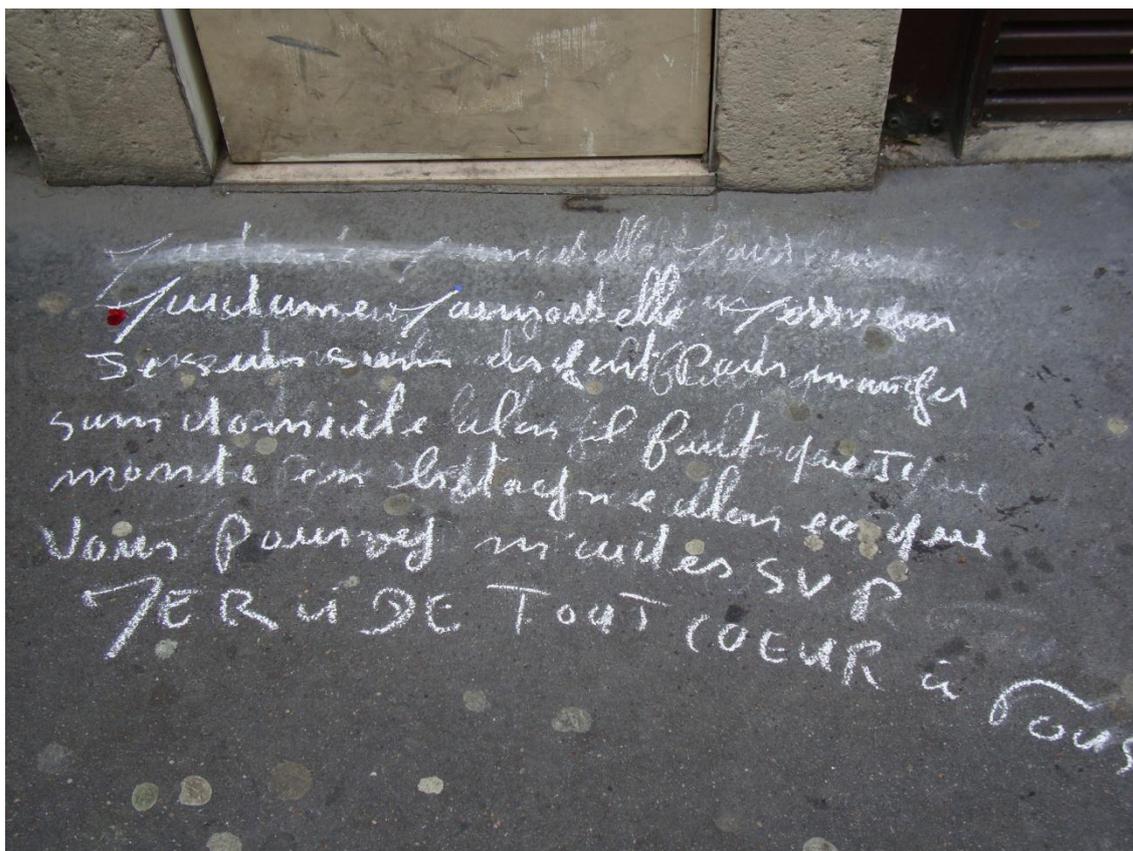


Figure 9. Heart-felt sentiments in chalk on a Parisian street.

and the relevant issue to debate is whether there is still support for a traditional conception of public space as shared space. Advocates of graffiti are not advocates of shared public space when they stipulate aesthetic requirements for graffiti. As Austin argued:

The history of writing intertwines with the ‘war on graffiti’ and encourages us to ask difficult questions about art, about the democratic aesthetics of shared public space, about centralized governmental authority, about the place of youth in the urban landscape, and about the social obligations that bind urban residents together in a shared human city (Austin, 2002, p.6).

Austin borrowed Lefebvre’s idea of ‘The Right to the City’ (Lefebvre, 1996) to argue:

Through their writing, writers ‘made a place’ for themselves in the city’s public network, claiming a ‘right to the city’ as a valuable and necessary part of its social and cultural life (Austin, 2002, p.4).

Oppositional graffiti rhetoric denies practitioners their public place: they are explicitly told to go away. Since many graffiti artists are teenagers, they tend to have a finely tuned

ability to detect injustice, at least to themselves. TAKI 183 justified his activities by arguing: 'I work, I pay taxes too' (Charles, 1971, p.37). He referred to the Nixon presidential campaign stickers everywhere - taking up public space.¹² TAKI 183 identified a double standard - that electioneering notices were considered an appropriate use of public space, while the activity he enjoyed was dismissed by New York authorities as 'visual pollution.'

An effect of official opposition to graffiti has been an erosion of public space. The result of anti-graffiti legislation in New York and elsewhere is to confine public writing to official signs, advertising, various sanctioned inscriptions, and approved art projects. That is, public space is being reworked from a site for active democracy to serving the interests of authority and business. This state of affairs contravenes the basis of centralised authority in democratic societies, grounded as it is in public service. The right of the individual to write back to the environment is historic, and the loss of such rights calls into question the shared democratic aspect of public space, and by extension, democracy itself. The egalitarian idea of public space is not necessarily matched by access for all to public space. But nevertheless, there is an idea of public space, often described as the site for democracy, where one can meet strangers with different views on politics, culture, and so forth (Orum and Neal, 2010). Although not always achieved in practice, equality of participation is held up as an ideal in countries professing a democratic structure. The exclusion of graffitiists from public space undermines their democratic citizenship. This exclusion has been justified by invoking the detrimental effects of graffiti, and the poor character of practitioners, neither of which charges are supported by evidence. A further criticism of graffiti is its role in discouraging businesses activity. Leaving aside the inaccuracy of this claim, it should be considered whether business interests ought to trump public interests in the utilisation of public space.

Austin concluded that contemporary graffiti is 'perhaps the most important art movement of the late twentieth century,' but professed himself unable to explain why this is so (Austin, 2002, p.6). But he said:

¹² See Naan's photograph of Nixon presidential campaign stickers and graffiti in Mailer, 1974.

The work of these writers did not speak out from some isolated or specially confined elite space such as an art gallery or museum. Their work circulated (often literally) through the most commonly travelled shared public spaces - the public square - of the city. Nor did writing evolve from an obscure cultural form; the everyday handwritten signature was its starting point (Austin, 2002, p. 4).

Austin was attracted by the public and democratic aspects of graffiti. He admiringly drew attention to the ordinariness of graffiti production – ‘the everyday handwritten signature.’ Being ordinary is not usually considered a meritorious aesthetic property. Contemporary graffiti stood out to Austin as a very special art form, but the things he appreciated about it were not consistent with valued aesthetic properties as traditionally understood. Nevertheless, in Chapter 6 I develop Austin’s view by arguing for two kinds of democratic aesthetic particular to contemporary graffiti practices, an individual and collective democratic aesthetic - whereby many-authored works develop over time.

3.6 Contemporary graffiti – the Cultural Defence

From the foregoing it is clear that motivations to practice contemporary graffiti cannot be reduced to a desire to create art or commit crime. It has consistently been practiced as a sport, as graffitiists compete to produce signatures impressive in quantity and location, while the aesthetic aspects are also practiced competitively. Popular characterisations of contemporary graffiti as ‘illegal art’ fail to convey a sense of the practice as an actively democratic public game that provides its practitioners with a sense of pride, achievement and ownership of their city. Its illegality is arguably more informative of democratic decline in societies which chose to criminalise contemporary graffiti than about the practice itself: it is a contingent aspect which could very well have been otherwise, and its being otherwise would not necessitate a substantial re-characterisation of the practice or re-evaluation of its various cultural aspects.

The stereotype of graffitiists informing the Restrictive View and Art Defence of graffiti is inaccurate. Practitioners were categorised as poor, Puerto Rican, and black, whereas the absolute contrary is true - contemporary graffiti was valued by practitioners as a means of breaking down historically entrenched racial barriers, and was practiced across youth demographics. Although advocates of the Restrictive View associate graffiti with



Figure 10. Advertising and signage dominate the graffiti at this south Bronx shopping centre. The middle image on the Cookie's billboard, top, employs graffiti-style lettering and design.

gangs and crime, practitioners testified that their practices developed as a safe and positive alternative to such negative lifestyles. The motivation was not to vandalise, or to hit out at society, but to play an enjoyable game. Whereas the merit of graffiti is considered solely aesthetic, practitioners themselves primarily valued the activity as a game or sport. Contemporary graffiti, as art and sport, forms part of a long democratic tradition of freedom of expression utilising public space.

The sole focus on the aesthetic merit (as traditionally conceived) of graffiti serves to assimilate the activity into pre-existing categories, 'high art' or 'folk art,' at the expense of other meritorious properties valued by practitioners themselves. The focus on aesthetics is a common basis for strategies to solve the graffiti 'problem,' which since Martinez founded UGA in 1972 has been to 'rechannel' the creative energies of practitioners into sanctioned artistic activities (Martinez, 1975). Such directed activities have not answered contemporary graffiti's sporting, competitive, and social objectives, which are highly valued by practitioners, and which provide opportunities, through hard work and dedication, to gain status for prolific production, work at unusual or

challenging sites, as well as for well-designed and well-executed work. It can therefore be predicted that rechanneling graffitiist's creative energies into less autonomous, if more socially acceptable, art activities will not cause a cessation of contemporary graffiti activities.

A more nuanced defence of graffiti takes account of the multi-faceted nature of the practice, including the historic, sporting, social, cultural, democratic, and aesthetic dimensions. The adoption of the nuanced Cultural Defence does not necessitate giving up on aesthetic appreciation of contemporary graffiti - the aesthetic accomplishments have been significant; and that there has been any whatsoever is particular achievement of the graffiti movement (Stewart, 1989; Waclawek, 2011).

A nuanced defence may not have the same degree of emotional appeal as the more simplistic idea that all graffiti is vandalism, or the idea that graffiti's value is limited to its aesthetic appeal. But these extreme positions do not accurately reflect graffiti practices, and have been instrumental in establishing the idea that graffiti is a problem, a problem moreover to which there is no practical solution. By relying on a simplistic binary distinction between graffiti that is art and graffiti that is crime we lose the opportunity to appreciate contemporary graffiti on its own terms, as its own unique thing, as an urban social sport: an autonomous youth-directed graffiti-art-game.

My defence of contemporary graffiti has been twofold. Firstly I defended graffiti in general, on the grounds that it constitutes an ancient democratic interaction within shared public space. Secondly, I defended contemporary graffiti in light of its own distinguishing properties, including its sporting, social, democratic and aesthetic properties. So, graffiti in general has value, and this value is shared by contemporary graffiti, which also has its own particular value, in virtue of its distinguishing sporting, social and aesthetic properties. As was explained in Chapter 1, this is not to say that the right to produce graffiti should not sometimes be trumped by further considerations. But it does suggest that recent acts to criminalise all graffiti are an unjust over-reaction.

4. The Restrictive View: All Graffiti is Harmful

Contemporary graffiti was initially greeted with curiosity. The first article in the *New York Times* described TAKI 183's activities in a positive upbeat manner (Charles, 1971, p.37). However, its increasing popularity throughout late 1971 and 1972 saw official and the majority of media responses crystallise into firm disapproval. Throughout the 1980s and '90s contemporary graffiti became an international phenomenon, and the anti-graffiti response of New York officials and media also became a model for responses elsewhere. The earliest arguments against the new graffiti invoked the alleged obscene content of the writing, its status as vandalism, the poor character of practitioners, and its role in generating public anxiety and fear. Within six months descriptions of graffiti artists as 'pen pals' altered dramatically. They became vandals lacking respect for the property rights of others: graffiti was an 'epidemic' (Charles, 1971; Prial, 1972). A year after its first favourable article the *New York Times* reported new harsh penalties for producing graffiti, including a fine of up to \$500 and up to three months in prison. It was further reported that the New York City Council committee '...abandoned a previous plan for mandatory prison sentences in the case of anyone who violates the provision of carrying an unsealed aerosol can in a public building.' The Council committee justified the new legislation as follows:

[The] defacing of public property and the use of foul language in many of the writings is harmful to the general public and violative of the good and welfare of the people of the City of New York (no author mentioned, 'Stiff Antigrffiti Measure Passes Council Committee,' *New York Times*, September 15, 1972, p. 41).

The early objections to contemporary graffiti did not demonstrate awareness of its particular practices and culture. Rather, as Chronopoulos and Cresswell argued, they echoed traditional middle and upper class rhetoric of disorder aimed at New York's poor, ethnic working classes (Chronopoulos, 2011; Cresswell, 1996). Advocates of the Restrictive View (that all graffiti is harmful) appear to have remained uninformed about actual contemporary graffiti practices and culture, and an a priori dismissal of graffiti activities as working class ethnic disorder rendered further enquiry unnecessary. The expense of graffiti removal took on status as a sub-argument: the anti-graffiti literature

nearly always refers to the very high costs involved.¹³ However, as an argument against graffiti, the invocation of the financial costs of removal is question begging: it gains its force from the assumption that graffiti should always be removed.

In 1982 Wilson and Kelling published an influential paper setting out ‘broken windows’ theory, which argued that unremediated public disorder creates an atmosphere permissive of more serious offending. This paper, while it did not specifically discuss graffiti, provided the strongest argument against the activity to date, by linking graffiti as disorder with serious crime. Broken windows’ theory was employed as justification for directing resources towards zero tolerance campaigns against what had traditionally been considered minor quality of life offending (Harcourt and Ludwig, 2005, p. 3). As such, the theory appeared to offer easy answers to serious crime, by causally linking it to minor infringements, which could be more easily addressed.

4.1 Broken windows’ theory of disorder and crime

The arguments, correctly or otherwise, derived from Wilson and Kelling’s 1982 paper have been highly influential on public policy and law relating to graffiti and disorder policing in the United States and elsewhere. Iveson described this paper as ‘one of the foundational texts for the wars on graffiti’ (Iveson, 2010, p.11) Gastman and Neelon also cited this paper as influential on graffiti law (Gastman and Neelon, 2010). Wilson and Kelling did not actually discuss graffiti, which is mentioned only briefly in a quote by Glazer about riding the New York subway. Throughout the 1980s and ‘90s this theory was implemented in a new focus on order maintenance policing. Since then its rhetoric and strategies have become influential in terms of policy and law in other countries. Harcourt and Ludwig found that:

[T]he three most populous cities in the U.S. – New York, Chicago, and ...Los Angeles - have all adopted at least some aspect of Wilson and Kelling’s broken windows theory, primarily through more aggressive enforcement of minor misdemeanour laws, also known as ‘zero tolerance’ policing (Harcourt and Ludwig, 2005, p.3).

¹³ For example, a 2002 United States Department of Justice press release estimated a \$12 billion annual spend on graffiti removal activities.

But the original Wilson and Kelling paper did not advocate a zero tolerance attitude towards, or war on, graffiti, or on any other kind of law and order issue - at least, not entirely. Rather, its authors argued for a more nuanced approach to community policing, since what counts as disorder varies according to context. Wilson and Kelling concluded that it ought to be up to individual communities to determine rules about orderly behaviour appropriate to an area, and that such agreed upon rules ought to be supported by police work. Yet this suggestion is actually ruled out by zero tolerance policing of minor crime. The link between disorder and more serious crime is explained as follows:

At the community level, disorder and crime are usually inextricably linked, in a kind of developmental sequence. 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. This is as true in nice neighbourhoods as in rundown ones. Window-breaking does not necessarily occur on a large scale because some areas are inhabited by determined window-breakers whereas others are inhabited by window-lovers; rather, one unrepaired broken window is a signal that no one cares, and so breaking windows costs nothing. (It has always been fun.) (Wilson and Kelling, 1982, p.31).

That link [between disorder and crime] is similar to the process whereby one broken window becomes many. The citizen who fears the ill-smelling drunk, the rowdy teenager, or the importuning beggar is not merely expressing his distaste for unseemly behaviour, he is also giving voice to a bit of folk wisdom that happens to be a correct generalization – namely, that serious street crime flourishes in areas in which disorderly behaviour goes unchecked (Wilson and Kelling, 1982, p.34).

The identified relationship motivated the authors to argue that it is a mistake to decriminalise disreputable behaviour that harms no one. To do with drunks and vagrants the authors concluded:

A particular rule that seems to make sense in the individual case makes no sense when it is made a universal rule and applied to all cases. It makes no sense because it fails to take into account the connection between one broken window left untended and a thousand broken windows (Wilson and Kelling, 1982, p.35).

But the authors also make a weaker claim: disorder *sometimes* causes further crime, given the addition of further unspecified causal features. Wilson and Kelling generate a

kind of thought experiment to demonstrate the dangers to a community of what they described as ‘untended’ behaviour:

A stable neighborhood of families who care for their homes, mind each other’s children, and confidently frown on unwanted intruders can change, in a few years or even months, to an inhospitable and frightening jungle. A piece of property is abandoned, weeds grow up, a window is smashed. Adults stop scolding rowdy children; the children, emboldened, become more rowdy. Families move out, unattached adults move in. Teenagers gather in front of the corner store. The merchant asks them to move; they refuse. Fights occur. Litter accumulates. People start drinking in front of the grocery; in time, an inebriate slumps to the sidewalk and is allowed to sleep it off. Pedestrians are approached by panhandlers (Wilson and Kelling, 1982, pp.31-32).

Despite the multitude examples of disorder described in the above scenario the authors admit that ‘At this point it is not inevitable that serious crime will flourish or violent attacks on strangers will occur’ (Wilson and Kelling, 1982, p.32). They say this, even though later in their paper, as we saw above, the authors are convinced it is a mistake not to arrest or move on a single drunk or vagrant, since this amounts to a failure to recognise ‘the connection between one broken window left untended and a thousand broken windows’ (Wilson and Kelling, p.35). But the precise relationship between a single broken window and a thousand broken windows is actually unclear. It appears that, despite some strong talk, the relationship between the single incident and multiple incidents is not at all certain or predictable according to the theory.

The authors cited the link between a single disordering incident and multiple disordering incidents as the justification for arresting the single drunk or vagrant who does not necessarily harm anybody. If such a person does not necessarily directly or indirectly cause harm, the possible justification for arrest and removal evaporates. The authors can reply that their theory is a generalisation (they do say this). However, above we saw that Wilson and Kelling argued that disorder and crime ‘are usually inextricably linked’ (Wilson and Kelling, 1982, p.31). But this claim does not make sense - things are either inextricably linked or not - but to say that disorder and crime are ‘usually inextricably linked’ is a nonsense. If disorder and crime are only *usually* linked then quite obviously there is nothing *inextricable* about it - since clearly the relationship comes apart. By hedging their bets in this way the authors give the impression of a

necessary causal connection, while simultaneously admitting that such a connection does not always hold.

But even if disorder and crime were inextricably linked - if Boston public housing project residents and all others who live in disordered environments did always also experience above average rates of serious crime, this would not be sufficient to demonstrate causality from the disorder to the crime. Such a thesis fails to consider a very plausible objection - that disorder and crime might both be caused by independent factors, such as high levels unemployment and poverty, lack of education, and problems of drug dependence. Criminals might prey on an area, not because of unrepaired public disorder, but because they happen to be aware that police are unlikely to respond in a timely manner, or for some other reason. As will be discussed, urban renewal policy - the removal of traditional neighbourhoods and their replacement with large scale housing projects - is considered to have been a significant cause of urban disorder in New York. Broken windows' theory treats disorder and crime as though they happened in a vacuum, unconnected to other social and environmental factors. The lack of clarity about the causal relationship between a single incident of disorder and serious crime undermines the theory as it is commonly interpreted and employed - as the justification for diverting resources from serious crime to policing minor disorder.

What is clear in the above imaginary scenario describing the deterioration of a neighbourhood is a kind of implicit hierarchy of morality which the authors have assumed attaches to different people according to their age and family status. The downward slide in the moral status of the imaginary neighbourhood is illustrated by the transition from reputable to disreputable residents: married adults with children, to unattached adults, to teenagers, to drunks and vagrants. In the subsequent passage it is made clear that the elderly enjoy the same high moral status as married adults (Wilson and Kelling, 1982, p.32).

If it is the case that unattached adults and teenagers are morally inferior to married adults and the elderly then it appears we no longer require the arguments about disorder or broken windows at all in order to explain public anxiety - simply being observably an unattached adult or a teenager should be sufficient to cause anxiety amongst the married and elderly, given their somewhat ambiguous moral status, which is situated as slightly above the drunk and vagrant. And indeed, Wilson and Kelling provided

evidence to at least partly support this view. They cited a study in Portland, Oregon, which found that three quarters of adults cross the street in order to avoid a group of teenagers, and another study in Baltimore, which concluded that nearly half of adults would cross the street to avoid a single unknown young person (Wilson and Kelling, 1982, p.32).

If young people are commonly perceived as threatening it is possible that any behaviour demonstrated by this group might unwittingly be interpreted negatively. This appeared to be the case in the thought experiment above, when the authors chose to count a group of teenagers as an instance of disorder, and children were described as ‘rowdy,’ rather than, for example, in high spirits, as we would if they were the children of people we like (Wilson and Kelling, 1982, p.31). Concerns about public anxiety are valid, but there is also a concern that the authors and advocates of broken windows’ theory substitute their own biases about various demographics with a moral interpretation of the behaviour of such demographics. Wilson and Kelling were aware of the dangers of their theory: they cautioned against employing the police force as agents of neighbourhood bigotry. Although aware of the danger, they do not appear to have completely avoided this pitfall, which indicates that at the practical level of policy implementation it could be quite difficult to do so.

The question of whether graffiti is really always like a broken window was not addressed by Wilson and Kelling. In Chapter 3 it was argued that, although some graffiti is vandalism, contemporary graffiti often demonstrates meritorious aspects, including sporting, social, democratic, and aesthetic merits. Wilson and Kelling’s view is to some extent consistent with the Cultural Defence. They suggested that notions to do with order, unlike law which is unambiguous, are a movable feast, best decided by communities themselves. In the first instance communities should seek to resolve their own difficulties:

Meetings between teenagers who like to hang out on a particular corner and adults who want to use that corner might well lead to an amicable agreement on a set of rules about how many people can be allowed to congregate, where, and when (Wilson and Kelling, 1982, p.36).

The suggested role of the police is to enforce the law and local ideas about order. It turns out, then, that in its original form broken windows’ theory does not

straightforwardly advocate a zero-tolerance attitude towards, or war against, graffiti. Instead, Wilson and Kelling argued that communities should be quick to target behaviours which they themselves deem to be undesirable, and that the police role is to help enforce these local standards of orderly conduct. In communities which include young people who share an interest in graffiti, it is possible that suitable locations for painting could be negotiated, while other areas are declared off limits. Such a strategy is actually ruled out by zero tolerance, or war, campaigns against graffiti. This is a pity, since, provided communities attempt to transcend unwarranted assumptions relating to certain demographics and actually include a representative range of demographics in the decision making process, this would appear to be a promising strategy for the organisation of local public life. Yet this suggestion has been entirely ignored in the subsequent employment of the theory in the formation of public policy.

Wilson and Kelling grounded their arguments in a distinction between law and order (by making this distinction I do not intend to suggest that law and order are unrelated concepts). The activities they discussed related to issues of order, rather than law, as exemplified by panhandlers, drunks, prostitutes, rowdy youths, and outsiders. Since graffiti writing is now nearly always legislated against it has become a matter of law rather than of order: Wilson and Kelling's theory, as they argued for it, is no longer applicable. Communities cannot determine their own responses to graffiti with the police, since the police must enforce the law. Yet Wilson and Kelling are themselves partly to blame for any misapplication of their theory. They argued that disorderly behaviour should be criminalised. Yet when this happens it is not possible to carry out their other suggestion, that local communities themselves should set the limits on appropriate behaviour in their neighbourhoods.

4.2 Fear and anxiety

On the occasion of the New York subways being declared free of graffiti the president of the Transit Authority, David Gunn, was quoted in the *New York Times* as saying 'When you're sitting in a graffiti-covered car, you don't feel safe. ...there was a sense that the system was out of control' (Hays, 1989, p.A1). Wilson and Kelling argued that disorder caused by minor offences creates the perception that environments are less safe

than they are. Residents of a disordered environment will therefore believe that crime is more likely to happen than is actually indicated by crime statistics. They argued that not only does anxiety about crime adhere to disorder, but also anxiety more directly attaches to a fear of disorder itself (Wilson and Kelling, 1982, p.29). Fears of being accosted by disorderly people might be nearly as high as fears of being subjected to actual crime. It is also argued that some people find it difficult to distinguish between disorder and crime. While the authors argued that the risk of a ‘sudden, violent attack by a stranger’ is real, we should not, they say, underestimate anxieties related to public disorder:

[T]he fear of being bothered by disorderly people. Not violent people, nor necessarily, criminals, but disreputable or obstreperous or unpredictable people: panhandlers, drunks, addicts, rowdy teenagers, prostitutes, loiterers, the mentally disturbed (Wilson and Kelling, p.29).

Not only is disorder unpleasant for its own sake; it also creates the impression that crime is likely to occur. To support this claim the authors cited an example where residents in Boston public housing projects experienced greater fear of crime when ‘disorderliness and incivility, not crime, were the greatest’ (Wilson and Kelling, 1982, p30). A recent study found that disordered environments can also cause racial stereotyping and discrimination, which the authors argued has quality of life consequences and negative health effects for those being discriminated against. Stapel and Lindenberg hypothesised as follows, and their hypothesis is supported by a series of social experiments on Caucasian subjects in the Netherlands:

[P]hysical disorder is likely to increase the need for structure, thereby boosting the goal to create order, leading to the use of highly simplified categories and judgments (stereotypes), which in turn, may trigger discriminatory behavior (Stapel and Lindenberg, 2011, p. 251).

Stereotyping can therefore result from disorder-related anxiety and is directed at those who the authors described as ‘lower-valued outgroups’ (Stapel and Lindenberg, 2011, p. 251). Stereotypical traits attributed to such groups include danger or contagiousness, laziness or incompetence, and unworthiness or undeservedness - attributes which have frequently been attributed to those demographics presumed to be responsible for graffiti production. The authors concluded that disorder in the environment should be eliminated as far as possible, in order to reduce the likelihood of discriminatory

behaviour. However, it must be noted, this study did not say anything about the discriminatory-inducing effects of disorder on non-Caucasian populations.



Figure 11. This graffitied fairground pony obstructs a pavement in East Village, Manhattan, and according to Stapel and Lindenberg thereby constitutes disorder. In the accompanying volume of photographs temporary sculpture obstructs a pavement outside a Parisian department store, and thereby also constitutes disorder on Stapel and Lindenberg's theory (see accompanying volume: 86. Paris).

Although graffiti is often described as disorder, it was not used as an example by Stapel and Lindenberg or discussed by Wilson and Kelling. Stapel and Lindenberg's examples included litter, a broken up sidewalk and an abandoned bicycle, all of which directly interfere with reaching one's goal (Stapel and Lindenberg, 2011, p.251). Wilson and Kelling focussed on incidents of being bothered by those described as disreputable. Although Stapel and Lindenberg were concerned about the negative health effects and quality of life consequences for those being discriminated against, for Wilson and Kelling the discrimination is built into their theory - certain demographics constitute disorder - panhandlers, prostitutes and so forth should be moved on so that they cannot bother reputable residents. Like graffiti, such demographics were treated as though constitutive of a kind of urban pollution. Wilson and Kelling did not consider the

quality of life consequences and negative health effects on those who they characterised as disreputable, and this has been a common feature of graffiti opposition.



Figure 12. This man qualifies as disorder on Wilson and Kelling's theory: he appears disreputably homeless, and is loitering with his pets on a pavement in Paris. The plastic container indicates a 'panhandler.' He might also be drunk and mentally disturbed. This man qualifies as disorder on between 2 and 4 of the eight criteria suggested as examples by Wilson and Kelling, and should therefore be 'moved on' (Wilson and Kelling, 1982, p.29).

Had graffiti's motivations and practices been presented and discussed fairly, rather than in an exaggeratedly negative manner, it is unlikely that its association with disorder would be as strong. What counts as disorder is culturally variable, while media and public officials encouraged the view of graffiti as disorder. That the undesirability of graffiti and its practitioners is presented as a common sense view will convince some to adopt this view in order to think correctly about the issue. As Castleman argued, the New York media did not merely 'report the graffiti policies of public officials but seemingly played a role in motivating and shaping them as well' (Castleman, 1982, p.135). The following anonymous article appeared in the *New York Times* towards the end of 1972. It is an example of the crossover from reporting to editorialising, which concerned Castleman.

The handwriting is on the wall ... and the ceiling, floor, seat, door, window. It is day-glo bright and multicoloured, sometimes obscene, always offensive. The marvel of modern technology that took paint from a can and gas canister and combined them to make spray-painting a possibility for every Saturday do-it-yourselfer also armed vandals with a new tool of defacement. They use it on sidewalks, buildings, monuments, subways, buses.

This painting binge – sometimes ‘magic markers’ are the instruments employed – tends to reflect the utter disregard by many people, and not only the young, for the rights and property of others. It is a form of immature ego-tripping. Transit officials say the removal of these scrawls costs \$1.3 million annually now and continues to rise. The City of New York places its cost at an additional \$2 million annually...

A bill just approved by a City Council committee may be effective in curbing this increasingly serious nuisance. Under this bill, anyone caught with an activated spray-can in the vicinity of a freshly decorated wall would be incriminated. The measure also recommends that judges punish those guilty of defacing surfaces by ordering them to clean up the scrawls. The graffiti are no longer amusing; they have become a public menace (No author mentioned, ‘Scratch the Graffiti,’ *New York Times*, September 16, 1972, p. 28).

This article served to educate the public about who is producing graffiti and why: it is the work of ‘vandals’ who lack respect for ‘for the rights and property of others, and a form of ‘immature ego-tripping.’ The graffiti itself is ‘sometimes obscene, always offensive.’ Having established these points the cost of removal is then explained (a powerful argument since New York faced serious financial troubles), and the necessity of the new legislation (being passed at this time). The descriptions of graffiti and practitioners in this article have little to do with how the new graffiti was actually produced, as discussed in Chapter 3. Yet, as Castleman argued, such negative descriptions of graffiti were influential (Castleman, 1984, p.135). Having been so informed about the nature and motivations of graffiti practitioners it is not surprising that some experience fear and anxiety in relation to graffiti - upon noticing graffiti one will imagine the presence of badly intentioned unpleasant ethnic youths.

Austin argued that graffiti was employed as a symbol of the problems confronting New York during this period (Austin, 2002, p.5). He theorised that graffiti made an ideal

symbol of New York's degeneration - it was clearly a visible target - something the improvement of which could be seen and measured. Yet, there has been little research about actual public views and perceptions of graffiti. The evidence for wide-spread public opposition to graffiti is entirely anecdotal:

Isenberg, the chair of Lindsay's task force, claimed to have taken an informal polling of subway riders and found that the overwhelming majority did not feel it was art (Schumach, p.66).

In 2008 new anti-graffiti law and strategies were introduced in New Zealand. The Minister of Justice claimed the changes were a response to 'increasing public concerns that graffiti is a serious and growing issue' (King, 2008). Yet the 'true costs' of graffiti related to business, rather than public, concerns:

Businesses may be affected by decreased property values... Business can also suffer the direct losses of damage caused, the loss of patronage due to public safety fears... New Zealand's reputation as a clean, green environment for tourism could decline in areas with particular graffiti problems (King, 2008).

Part of the (Stop Tagging Our Place: STOP) strategy included research into public perceptions of graffiti. This study, commissioned by the New Zealand Department of Justice, found that 83% of respondents considered that although graffiti is not always appropriate, there is nevertheless a place for graffiti (Cox et al, 2009). It is unlikely that such a high percentage would agree that there is a place for other quality of life offences, such as littering, slashing seats or breaking windows. In Chapter 2 it was argued that historically graffiti was not categorised as vandalism, and the figure of 83% who consider that there is a place for graffiti is consistent with the historic view.

Subsequent to the highly successful 'BANKSY v Bristol Museum' exhibition in 2009 (which the public queued up to six hours to see), Bristol authorities opted to in future let the public vote before removing graffiti. In the first online poll relating to graffiti on a council building 93% of respondents requested it be preserved (Davies, 2009).

Schaefer argued that the justification for declaring war on graffiti in Bloomfield (USA) was not borne out by research either. While the mayor claimed: '[graffiti] psychologically bugs you. It's an intimidating thing for many people,' only 21.7% of residents agreed that graffiti was a problem, while a substantial majority, 78.3%

considered that ‘graffiti or neighborhood disorders were not problems (according to a 1996 ‘Safe and Civil City report) (Schaefer, 2004, p.185). Schaefer concluded:

Graffiti, as a social problem, was defined by political and business leaders who invoked images of social decay while protecting their business and political interests. In the process, social groups, like teen taggers, that held little status as either consumers or voters were marginalized (Schaefer, 2004, p.185).

Disorder has been defined as any cultural or other practice which does not conform to white ethnic middle class tastes and values (Chronopoulos, 2011; Orum and Neal, 2010; Cresswell, 1996). Political and media rhetoric conflated the actions of graffitiists with those of serious criminals, while graffiti itself came to stand in for a variety of difficulties facing New York City during the 1970s. These difficulties can in part be attributed to failed liberal policies of the 1950s and ‘60s directed at lower class ethnics. In the 1970s graffiti was employed by officials and media to suggest that the difficulties experienced by disadvantaged groups were of their own making, thus absolving New York City officials of responsibility for their own policies which had particularly impacted on lower-paid ethnic minorities, including ‘slum’ clearing (or the clearing of traditional working class neighbourhoods), diminishing social spending, and pay cuts (Chronopoulos, 2011; Orum and Neal, 2010). The political attractiveness of blaming graffiti practices for social problems and serious crime has not been confined to New York.

4. 3 Ethnic lower classes as disorder

Traditions of New York graffiti date back hundreds of years. But the new oppositional discourse often framed contemporary graffiti as the product of outsiders, and as a practice more appropriate elsewhere.

Graffiti is not just ‘out of place’ because it is misplaced figuration; its ‘otherness’ is also connected to its assumed source, the ethnic minorities of New York (Cresswell, 1996, p. 43).

In Chapter 3 it was argued that demographic assumptions about graffitiists as predominantly Latino, black and poor are false. But these assumptions have been

suggestive in a number of ways. Cresswell argued that perceptions of practitioners as predominantly poor black or Latino immigrants made graffiti metaphors as dirt, plague, and contagion natural: it's an historic xenophobic association between outsiders and plague and disease: dirt belongs elsewhere and plague comes from elsewhere. The association of dirt, disorder and disease with New York's ethnic minorities is well documented. Chronopoulos quoted a city planner writing about a Manhattan Upper West Side 'slum' area.' It is made explicit that the mixed ethnicity residents, rather than substandard buildings, were of the gravest concern:

Like many 'recent' New York slums, the area is a thoroughly mixed one... [T]hough 96 per cent [of the buildings] were recently found to be substandard - it is not the structural defects that make this a slum. Rather it is the overcongestion, disease, delinquency, crime, and other attendant ills of a cramped and scrambled population... About a quarter of the nearly 20,000 people living in the area are of minority groups, mainly Negro and Puerto Rican. The newsstands display *La Prensa* and *El Imparcial* along with the English language press, and *bodegas* are numerous (Gutheim quoted by Chronopoulos, 2011, p. 31).

Gutheim was greatly concerned by the presence of non-English papers on the newsstand. Substandard buildings could be brought up to code, but the 'scrambled' black, white and Puerto Rican residents presented a more puzzling problem. Although residents often reported being happy in mixed-ethnicity neighbourhoods, such a state of affairs qualified it as a slum. Gutheim's racial concerns were shared by Mannes, who wrote extensively about the deterioration of Manhattan's Upper West Side west at this time. She expressed dismay that 'a number of American professionals, [now] form islands of decency in a brown sea of squalor,' since Puerto Ricans had moved in next to them (Mannes quoted by Chronopoulos, 2011, p.25). Mannes described, while acknowledging some exceptions, sad and deprived Puerto Ricans. She ridiculed their facial expressions, hairstyles, clothing, and family size. Although acknowledging that they were no worse than their white ethnic American counterparts, it is concluded that they were nevertheless worse.

The refusal of graffitists to keep their activities to their own (supposedly) lower class and hopefully segregated neighbourhoods was described as threatening and offensive by middle class officials and media representatives, such as TAKI 183 astutely described as 'influential' and living in 'nice neighborhoods' (Stewart, 1989, p.165). While

contemporary graffitists were justifiably proud of the activity's role in eradicating racism, there is evidence that New York City authorities preferred to maintain historical racial segregation, even after such segregation was no longer compulsory under federal law. Moses was a main force leading the removal of old ethnically segregated neighbourhoods, in accordance with 1950s urban renewal policy (Shannon, 2004, p.138). These neighbourhoods were declared slums under the act, while organised protest was dismissed as communist (Chronopoulos, 2011). They were replaced with towering Corbusier-inspired modernist public housing projects, which were a disaster for many of those who subsequently moved there:

Mr. W—— [principal of an elementary school] was questioned on the effect of J—— Houses on the school, and the uprooting of the community around the school. He felt that there had been many effects and of these most were negative. He mentioned that the project had torn out numerous institutions for socializing. The present atmosphere of the project was in no way similar to the gaiety of the streets before the project was built. He noted that in general there seemed fewer people on the streets because there were fewer places for people to gather. He also contended that before the projects were built the Parents Association had been very strong, and now there were only very few active members (Jacobs, *The Death and Life of Great American Cities*, introduction reprinted Orum and Neal, 2010, p. 26).

The 'gaiety of the streets' in multicultural neighborhoods was perceived as disorder by New York's city planners. Jacobs thought 'to see complex systems of functional order as order, and not as chaos takes understanding' (Jacobs quoted by Chronopoulos, 2011, p.38). She argued the logic of social ordering which informed the new housing projects was based on untested futuristic fantasy, rather than on a detailed understanding of how cities successfully function, a process she described in detail. Jacobs' experience living in Greenwich Village led her to conclude that many of those defined by New York authorities and privileged classes as disorder actually increased public safety by acting as the 'eyes and ears of the street:' the way a city actually functions successfully is subtle and made up of many little parts (Jacobs quoted by Chronopoulos, 2011, p.38). Orum concurred:

A key assumption to this view of public space is that, despite the apparent disorder and disarray, there can be a great deal of order and routine to the visits and chats,

even brief exchanges, people have with one another on sidewalks, at corners, or even in bars and coffee houses (Orum and Neal, 2009, p.14).

Conversely, the construction of order by carefully managed separating out of activities in the Moses-designed housing projects effectively killed community street life, which in the old neighbourhoods had included the newsstands and bodegas that Gutheim found so distasteful. Even those who had been advocates for housing initiatives were dismayed by the result, as indicated in the above elementary school principle quote above (Jacobs, reprinted Orum and Neal, 2010, p. 26).

Systems of local neighbourhood control were advocated by Wilson and Kelling. But, according to Jacobs, Chronopoulos, and others, this is precisely what was lost under urban renewal policy. The projects were described as too big and impersonal, while residents returned to older neighbourhoods to shop and socialise. This point about urban renewal is relevant. A discourse of lower class ethnic disorder was employed to justify the removal of ethnically diverse neighbourhoods, and a very similar discourse has been employed to justify the removal of contemporary graffiti. The housing projects, by mistake of design, had the unintended consequence of increasing public disorder and anxiety. The same unsuccessful housing projects which increased social disorder were inherited by early contemporary graffitiists, in north Manhattan and South Bronx. Graffitiists were subsequently blamed for the ensuing disorder, and later, for more serious crime as well. It can therefore be concluded that the arguments against contemporary graffiti are not only incorrect, insofar as the harms are greatly exaggerated, but the Restrictive View is somewhat ironic as well, given that the sector of society most interested in describing contemporary graffiti as a source of disorder appears to have been the unintended the source of disorder in New York City, partly in virtue of its failed modernist urban renewal initiatives.

Graffiti was employed as a symbol of all that was wrong in the city. It was said to explain general feelings of unease. And clearly there was a lot wrong. During the 1960s and early 1970s New York was a city where many neighborhoods were controlled by gangs and drug pushers, as reported by BAMA; TAKI 183, and many others. The ongoing financial crisis culminated with bankruptcy of the New York City Council in 1975, and subsequent pay and service cuts. Since these cuts primarily affected the poorest ethnic communities, for many this completed the perfect storm. It is difficult not

to feel cynical about claims that graffiti is vandalism, that it causes anxiety and fear, and that it acts as a metaphorical unrepaired broken window which causes serious crime. This is because during the 1950s, 60s and 70s in New York City high levels of vandalism, anxiety, fear, and serious crime could be fully explained by the environmental conditions existing prior to the advent of contemporary graffiti in 1969.



Figure 15. Under Moses the Bronx was redesigned with wide roads, narrow pavements and no street furniture, in order to discourage loitering. It is a common sight to see people socialising on Bronx pavements, having provided their own camping chairs. On Wilson and Kelling's theory, such behaviour counts as disorder. According to Jacobs, such people are the 'eyes and ears' of the street, and thereby increase neighbourhood safety. The housing projects were a particular failure in this respect, since there was or is nowhere to congregate that anybody has any reason to otherwise be, so that there are few witnesses to daily neighbourhood life.



Figure 13. Urban renewal on Grand Concourse in South Bronx: a wide thoroughfare and the ubiquitous brown brick tenements.



Figure 14. This is the sole remaining house from the original South Bronx neighbourhood, according to a local resident.

5. Limitations of the graffiti art vs. crime debate

The continued popularity of contemporary graffiti has been accompanied by an ongoing debate regarding its ontological status, as commentators have worked to demonstrate that we ought to categorise graffiti as either art or crime. In this chapter the focus is on the Moderate View as outlined in the introduction, that '[graffiti] should be allowed in some cases, and not in others (some graffiti is harmful, some has merit).' Those supporting the Moderate View have tended to employ the Art Defence to argue that we should allow graffiti which demonstrates sufficient aesthetic merit: the graffiti which is art and not vandalism should be decriminalised. Gomez, Halsey and Young, Mailer, and others all offer variations of this proposal. There are logical, practical, and aesthetic concerns related to this view, including those outlined as follows. The first two points will be clarified and expanded in this chapter, and the second two form the basis of the next chapter.

- (1) The art vs. crime distinction is too narrow and excludes further possibilities for the apprehension of graffiti practices.
- (2) Endorsement of the claim that graffiti is valuable insofar as it is art-like fails to support the intended conclusion, that we should decriminalise only art-like graffiti.
- (3) The implementation of the decriminalisation of only art-like graffiti presents practical difficulties.
- (4) The implementation of such a view also works to undermine significant and valuable distinctive features of graffiti as art.

The Moderate View, that some graffiti has merit and should be allowed, can be better defended by appealing to a number of meritorious properties, including aesthetic properties. In Chapter 2 it was argued that since ancient times until recently graffiti was considered an appropriate use of public space. This is not to say that historically graffiti has been considered an appropriate use of all public space, rather, particular locations were deemed acceptable. In Chapter 3 it was demonstrated that during the first three years of contemporary graffiti in New York, from 1969-71, there is no evidence to suggest practitioners were motivated by either a desire to make art or commit crime. Rather, the graffiti was practiced as one or other variations of a graffiti game, and the

From the outset the activity was practiced as a game. It subsequently evolved into a competitive graffiti art sport. In areas blighted by official policies of neglect and failed urban renewal, this new autonomous youth-directed sport developed as a creative alternative to the drug and gang life-styles which many were actively pressured or coerced to adopt. The historical, sporting, social, cultural, democratic and aesthetic aspects of contemporary graffiti all count in its favour in significant ways.

5.1 Art vs. crime

Those debating the merits or otherwise of graffiti have leaned heavily on the dubious premise that art and crime are mutually exclusive classes of things, or activities, so that an impression is created that a thing must be of either one kind or the other, but not both. So, according to its proponents and detractors graffiti must be either art *or* crime, but not art *and* crime, since it is assumed that being one (art) precludes a thing from also being the other (crime). This view precludes the further possibility that graffiti might be at once both art and crime. It also overlooks the possibility of graffiti that is neither art nor crime. A significant consequence of the graffiti art vs. crime debate is its foreclosure on alternative possibilities for the apprehension of graffiti activities. Austin makes this point to do with official and media representations of graffiti as crime:

These repeated (mis)representations narrowed and then closed off the possibility for understanding writing on the trains as an important grassroots urban mural movement, a movement that could have complimented the already-significant cultural tourism that supports the city's economy (Austin, 2001, p.5).

Austin elaborated on a point originally made by Stewart, who argued that New York City administrators had missed an opportunity of 'devising a way of incorporating this enormous amount of free energy into the fabric of city operations' (Stewart, 1989, p.496). This objection boils down to the concern that official and media characterisations of contemporary graffiti as vandalism exclude alternative ways of apprehending the activity, namely, that graffiti might also be appreciated as art. This is a valid and important point, but it might be extended to include art as well: those who argue that graffiti is meritorious only insofar as it displays art-like properties have also foreclosed upon further possibilities of appreciating such practices, as neither art nor

crime. The Art Defence, that graffiti should be allowed if and only if it demonstrates sufficient aesthetic merit, has been most clearly articulated by Gomez:

The only effective means of controlling graffiti is to develop laws and policies which accommodate graffiti art while discouraging graffiti vandalism and which attack the root causes of graffiti (Gomez, 1993, p.635).

What we want to know is whether the potential value of graffiti is confined to its art-like properties.

If the debate had been better informed, it is unlikely that the assumption that being criminal prevents a thing from also being art, and vice versa, it is unlikely that such a premise would have been so readily accepted. Because we would require an unusual theory of art in order to support the view that a thing cannot be at once both art and crime. Such a theory would rule out forgeries of art from the class of all art. Dutton argued that forgeries are of less aesthetic worth than original art, since they do not result from the right kind of artistic performance. But it is not commonly argued that such forgeries are not art.

According to Dutton, we care that work is original, not because we are elitists about art, but because we take even static-seeming art works to represent a certain kind of human performance. For this reason we might care whether a person, monkey, or robot created a particular work. Dutton said:

Less immediately apparent is the element of performance in a painting that has hung for generations in a museum, or a long familiar musical composition. Yet we are no less in such cases confronted with the results of human agency. As performances, works of art represent the ways in which artists solve problems, overcome obstacles, and make do with available materials (Dutton, 1983, p.176).

Advocates of the Restrictive View, who considered that graffiti should not be allowed (all graffiti is harmful), as well as advocates of the Art Defence might concede that some kinds of crime, such as art forgery, are compatible with an object having art status. But the particular crime associated with graffiti is vandalism by defacement. Defacement amounts to the spoiling or disruption of a surface by some intentional action. Vandalism then, it might be concluded, is the very opposite of art. So, advocates of the Restrictive View and Art Defence can more specifically argue that being the

result of a vandalous action is incompatible with an object having art status. But there is no compelling reason to suppose that this is so. As Beardsley argued, vandalism might consist of replacing an object of significant aesthetic worth with an object of less aesthetic worth – this will count as defacement, since a surface has been disrupted or spoiled, even when the object of less aesthetic worth qualifies as art in virtue of its art-like properties (Beardsley, 1975, p.374). So, although not all vandalism is art, some art is certainly vandalism: they are overlapping, rather than mutually exclusive, categories. A thing might, as Halsey and Young recognised, be at once be both art and crime: ‘Graffiti exists as a paradoxical phenomenon – both as aesthetic practice and criminal activity’ (Halsey and Young, 2006, p.275). This is correct, except that there is no paradox involved, as there is no necessary contradiction between the art and crime, or more specifically, the art and vandalism pairs of concepts.

Obstacles to the wholesale confirmation of either the art or crime theory of graffiti are to be found in everyday experience, where we find evidence of graffiti that is criminal, on the basis of vandalism by defacement, and graffiti that is artistic, on the basis of the possession various art-like properties. Some graffiti is art and vandalism, such as when, as Beardsley described, an object of substantial aesthetic worth is substituted with an object of little aesthetic worth. Beardsley gave the example of graffiti on an architecturally significant bank. We might also imagine my drawing on a corner of the Mona Lisa: the drawing might be very good, and uncontroversially count as art, but it has nevertheless vandalised an aesthetic object of greater significance. Some graffiti is art and not vandalism, such as that found on the decrepit fence, which surface is in such a state of disrepair that it cannot be described as spoiled by any additional inscription. Neither artistic nor non-artistic graffiti on such a fence technically qualifies as vandalism by defacement, since there is no meaningful sense in which such a surface can be said to have been spoiled by any subsequent inscription. As well as the decrepit location, there are the monotonous expanses of pre-cast concrete in industrial settings, and associated with roading infrastructure. These locations are favoured by contemporary graffiti practitioners. Being vandalous (and thereby crime), then, is a consequence of the relationship between graffiti and a particular surface, rather than an intrinsic property of graffiti itself.



Figure 16. Contemporary graffiti along the central city rail corridor in Christchurch. The grey paint of graffiti removal efforts can be seen behind these paintings. It is difficult to comprehend the need to remove graffiti at such locations.

Granting this we might conclude, as Gomez did, that the remaining difficulty is to do with distinguishing graffiti vandalism from graffiti art and knowing how to act accordingly, that is, how to discourage the former while encouraging the latter (Gomez, 1993, p.697). The tacit assumptions of such an argument may be thought too obviously manifest to be worth enunciating. The premises are something like: crime is harmful, and ought to be discouraged, while art is good, and ought to be encouraged. The goodness of any graffiti is thus reduced to, and is proportionate with, the kinds and quantities of art-like properties that it may possess. The view that the possible value of graffiti reduces to, and is proportionate with, the kinds and quantities of its art properties has here been challenged on the grounds that there are further graffiti properties which are also valuable. In Chapter 3 I suggested that the historical, sporting, social, cultural, democratic and aesthetic aspects of contemporary graffiti all count in its favour.

5.2 Graffiti sport

Initially, contemporary graffiti could be better characterised as a game or sport than as visual art. Although later writers increasingly focussed on the aesthetic possibilities of graffiti writing, the game or sport-like competitive elements remained a central concern. Writing graffiti posed many challenges to do with going out at night, writing in difficult locations, the avoidance of transit and other police, out-witting gang members and so forth. To such writers, the value placed on the appearance of their graffiti was not just to do with its aesthetic or artistic merit, but was rather related to the difficulty and quantity of graffiti executed. Writing was competitive as writers strove to out-do one another in various respects.

Although Stewart concluded that contemporary graffiti is valuable as art, throughout his thesis he repeatedly described the activity as a game or sport. WASP1 was described as: ‘...an active participant in this sport from 1972 until the early eighties (Stewart, 1989, p.488). Before contemporary graffiti gained a high profile after media attention in 1971, the graffiti was, according to Stewart, ‘like a private game,’ directed towards a circle of friends (Stewart, p.233). Although he did not identify sport or games as a particular virtue of graffiti in his conclusion, which focused on aesthetic and autonomous aspects, and the age of participants, it is clear that Stewart considered it appropriate to characterise the activity as a game or sport.

Some of the earliest practitioners of contemporary graffiti not only lacked artistic motivation, they actually objected to it. Martinez, and other New York intellectuals, encouraged early graffiti artists to view their practice as an artistic practice. Gomez conceptualised graffiti in terms of the art vs. crime dichotomy, that is, the view that all graffiti artists are motivated either by a desire to create art or to produce ‘...mere scrawling[s] that are motivated by a desire to mark territory, create notoriety, or show one’s defiance of the law and society’ (Gomez, 1993, pp.634-5).

By 1973 JUNIOR 161 could object to the increasingly artistic lettering developing at this time. This, he supposed, was missing the point, which was to ‘get up,’ or to write one’s name as frequently, and in the best locations, as possible:

You want to get your name in a place where people don’t know how you could do it, how you could get up to there. You got to make them think (Mailer, 1974, p.44).

Mailer described JUNIOR 161 as contemptuous of the new focus on aesthetics, on the grounds that it was disrespectful of the old ‘utilitarian lettering:’

‘That’s just fanciness,’ he says of the new. ‘How’re you going to get your name around doing all that fancy stuff?’ (Mailer, p.44).

JUNIOR 161 began writing graffiti before the first specific laws were passed in New York City in 1972 against the activity, and he considered that it had nothing to do with art. To JUNIOR 161 and his contemporaries the objective was to write often, and preferably in a challenging location, so that the viewer was invited to consider how the writers’ name came to be so seemingly ubiquitous, and in such inaccessible locations: JUNIOR 161’s early work is an example of graffiti that was neither art nor crime. Rather, it was a kind of literary game. Although later practitioners increasingly focussed on the aesthetic potential of graffiti writing, the game or sport-like competitive elements remained a primary concern for many. As FREEDOM explained, writing graffiti posed many challenges:

If your name rode by on a train ...that implies you ran up a train tunnel, probably late at night, left your parents faced the gangs and everything else and wrote your name on it. So that’s what it was about and the better you did it then the more it implied, like, you stayed there longer, you did it better, you know (FREEDOM interviewed by Macdonald, 2001, p.104).

According to FREEDOM the respect accorded to graffitiists by their peers is multifaceted, rather than purely aesthetic, and the art and extra-art aspects are linked. FREEDOM explained that the better work implied that difficulties were endured for a longer period, so that although work might be appreciated for its aesthetic properties, it was also crucially appreciated as evidence of other kinds of abilities. FREEDOM’s work can be considered an example of graffiti that is both art and crime.

To such writers, the value of placed upon the appearance of graffiti was not purely to do with aesthetic or artistic merit, but was also related to the quantity of graffiti executed, the quality of location, and the negotiation of various challenges. It was competitive as writers strove to out-do one another. Like sport or games, the activity was also governed by a number of rules, the most important of which was to do with demonstrating respect for other names: the work of other writers was not to be written over. Schaefer and others have mentioned rules to do with respecting certain locations, which are declared

off-limits (Schaefer, 2004). Because the production of graffiti was competitive, and also governed by agreed upon rules, as discussed in Chapter 3, the comparison of graffiti with games and sport appears uncontroversial.

It can therefore be argued that contemporary graffiti practices are valuable insofar as games and sport are valuable. Art is also valuable, but there is no need to worry that unless we can demonstrate that all graffiti is art we will be unable to argue that it nevertheless has value. We might still insist on appreciating contemporary graffiti solely for its art-like properties, but to do so is to adopt an unusual attitude toward it. After all, I might attend the tennis competition final purely for aesthetic reasons - however it is unlikely that many tennis players will agree when I argue that the tennis final is art and not a competitive sporting event.

It might be objected that although contemporary graffiti has sporting properties, such as being competitive, and governed by certain agreed upon rules, this is insufficient to guarantee that such sport should be sanctioned in our public spaces. Football is a sport, but it does not follow that football teams may compete wherever they choose. Football games which obstruct traffic or ruin gardens are unsanctioned and undesirable. This is a good objection, and I think it applies equally to sport and art. Although we value the arts, as well as sport, it does not follow that they may take place just anywhere, especially not where they will obstruct other valuable activities, or spoil well maintained environments. This is why the Art Defence does not gain as much territory as its advocates would like: on its own such an argument is insufficient to demonstrate that art-like graffiti ought to be sanctioned. Further arguments are required to show, firstly, why it should be sanctioned, and secondly, why it should be sanctioned, but non-art-like graffiti should not be sanctioned.

5.3 Location, not aesthetic merit, determines the appropriateness of graffiti

The defence of contemporary graffiti has hitherto been almost entirely grounded in the idea that such graffiti is valuable insofar as it is art-like: the New York City administration and others are simply making a category mistake when they describe all graffiti as vandalism. Beardsley attributed this view to Mailer, who he described as arguing that civil authorities were wrong to wage war on the new graffiti, because it was

art rather than vandalism (Beardsley, 1975, p.373). The new graffiti was not vandalism, and therefore harmful; it was art, and therefore meritorious. It follows for the advocate of graffiti art that we should allow those graffiti in our public spaces which demonstrate sufficient aesthetic merit. The difficulty is, even if we grant most of the art argument and agree that certain graffiti are very good art, and therefore valuable, this does not guarantee that such art-like graffiti should be sanctioned. According to Beardsley, Mailer confused the aesthetic with the civic point of view. He said:

However admirable some graffiti may be from the aesthetic point of view, it does not follow that they are civically tolerable. Some indeed are clear cases of defacement, substituting for an object (the front of an old bank building) of substantial aesthetic worth another object of considerably less aesthetic worth. Blank gray walls and old subway cars may be a different story. The law ought to be wary of requiring the artist to wipe out a fine piece of work to restore the drabness that existed before... (Beardsley, 1975, p.374).

Beardsley has gotten to the heart of what many find disturbing about graffiti: the idea of well maintained and architecturally, or otherwise, significant property being carelessly scrawled over. Unlike advocates of graffiti who defend it based on its aesthetic merits, Beardsley has pointed to the location of graffiti as the significant issue. Many, including graffiti writers, will agree that objects of substantial aesthetic worth ought not to be substituted with others of considerably less aesthetic worth. But drab and aesthetically unpleasing objects are different. Beardsley rightly questions outlawing graffiti on these, when they might be improved by such interventions.

Here the opponent of graffiti might object that graffiti which constitute an aesthetic improvement, rather than defacement, are still harmful, insofar as they have been done without permission, which is illegal. This charge begins to look circular when it is considered that since 1972 law changes have been introduced in New York and elsewhere specifically aimed at contemporary graffiti, prior to which, within certain limits, all such graffiti had been legal, insofar as they did not constitute vandalism by defacement. Such laws have been introduced on the grounds that graffiti are harmful, so this objection really just begs the question, ought graffiti which uncontroversially count as an improvement be illegal? In what ways are they harmful? About the non-artistic graffiti on the decrepit or ugly surface, we also need to know more about why this is illegal.

Although I agree with Stewart, Austin, Gomez, Mailer, Martinez, Waclawek and others that some graffiti has significant aesthetic merit, I am not convinced that aesthetic merit has very much to do with whether graffiti should be permissible. Aesthetic worth does not appear to be a universal requirement for sanctioned public inscriptions, or public space more generally, so it is not clear why such a high threshold should be applied to graffiti in particular. To be sure, there are public spaces which are well conceived and well maintained, such as Beardsley alluded to with his example of the bank (Beardsley, 1975). However, elsewhere we find examples of poorly maintained environments, where surfaces are decrepit and heaps of junk are piled. Some environments are thick with aesthetically displeasing advertising, either attached to business, or disembodied, like billboard advertisements or billstickers. Furthermore, some architecture demonstrates little regard for aesthetic considerations. While regulations to do with the aesthetics of architecture might sometimes apply, it is quite obvious that sometimes they do not. These examples of decrepit surfaces, junk, advertising, and unattractive architecture demonstrate public instances of challenges to aesthetic sensibility, and they are all, to varying degrees, sanctioned. Given that aesthetic requirements are not universally applied to public space, it is not clear that such high aesthetic thresholds should be applied to graffiti in particular.

Advocates appeal to the aesthetic merits of graffiti in order to convince us that such graffiti really is a worthy thing: being worthy, it should also be allowable. Such a view seems admirable, and is persuasive: after all, surely few will argue that worthy artistic practices should be suppressed. This partly explains why advocates of the Restrictive View have quite a lot at stake when they deny that any graffiti is art: Advocates of the Restrictive View might oppose all graffiti, but nevertheless presumably do not wish to portray themselves as suppressors of art or culture.

But I am not arguing that artistic graffiti should be suppressed. Rather, I fail to see the necessity for graffiti to be art-like in order not to be suppressed, since it is the case that there are a variety of established graffiti genres, and such aesthetic requirements do not appear to be universally applied to public space, and nor were they historically applied to graffiti. Beardsley correctly identified location, rather than content, as the more significant factor regarding the permissibility of graffiti. Advocates of the Art Defence of the Moderate View argue that non-artistic graffiti is vandalism, and therefore harmful, and that artistic graffiti has merit and should be allowed. But above we saw that this is

incorrect: being vandalous results from active defacement, and in order to judge whether a thing has been defaced we only need to determine whether a surface has been intentionally disrupted or spoiled, not whether a particular inscription is aesthetically meritorious. Building on Beardsley's point, we might alternatively argue that graffiti in inappropriate locations, whether art or not, is harmful, whereas graffiti elsewhere, whether art or not, has merit. The merit might be of a trivial kind, but merit nonetheless, and unless the presence of graffiti is trumped by more significant concerns, trivial merit is sufficient merit.

6. Problems with the Art Defence

At the outset of this thesis four main positions relating to the permissibility of graffiti were presented. They were the Restrictive, the two Moderate Views (the Art Defence and Cultural Defence), and the Permissive view. The Moderate View was outlined as follows: it should be allowed in some cases, but not in others (some graffiti is harmful, some has merit). To date the main defence of graffiti has been the Art Defence. An alternative defence of graffiti has been developed in the preceding chapters, the Cultural Defence. In the previous chapter the Art Defence, was expressed as an appeal to the aesthetic aspects of graffiti in order to argue that such graffiti is meritorious: being meritorious, it should also be allowable. It was suggested that, despite the popularity of this view, the decriminalisation of only art-like graffiti introduces practical difficulties, as well as having the potential to undermine valuable and distinctive features of graffiti as art. Previous chapters have focussed on ways in which the Art Defence of graffiti fails to do justice to its non-artistic merits, including its historical status as an ancient public literary tradition, as well as sporting, social, and democratic aspects. In this chapter a counter-intuitive claim is developed: that to insist on the decriminalisation of only art-like graffiti has the unintended consequence of significantly undermining its integrity as art and culture. It is also questionable whether such legalised public art will still be graffiti, at least, graffiti understood in its paradigmatic sense, as unsolicited public inscription. So, following through with the implications of the Art Defence of the Moderate View we are potentially left with unmeritorious public art and not graffiti. Even if we remain convinced that the potential merit of graffiti is solely restricted to its art-like properties, it turns out that such properties will be better preserved by the Cultural Defence.

There are several reasons why this should be so. The first relates to the practical difficulty of distinguishing graffiti art from non-art in the urban environment. 'Art' is a broad concept with wide application. Even though the scope of 'art' is here confined to the visual arts, its application in this sense is still so broad that on its own the concept does little to distinguish between graffiti art and vandalism as they are commonly

construed.¹⁴ It will be argued that in order to make such a distinction in practice it is necessary to employ some variety of common sense aesthetics. This has the effect of limiting sanctioned graffiti art to a subset of art genres; that is, to those genres of art recognised as such according to common sense. The claim that only art-like graffiti is meritorious is thereby reduced to a weaker claim, that only some genres of art-like graffiti are meritorious. Setting aside expediency, it now becomes difficult to justify such a state of affairs. Advocates of the Art Defence are thereby required to give up their moral argument, that we should sanction graffiti art because art is worthy, in order to persevere with the weakened claim, that only art-like graffiti which conforms to common sense aesthetics should be permitted.

Employment of common sense aesthetics to distinguish between graffiti art and vandalism has the effect of limiting allowable graffiti practices to particular predetermined art genres. It follows that criteria for legal graffiti art will then be unambiguously communicated to graffiti practitioners, so that they can produce the preferred kinds of art without risk of criminal prosecution. But restrictive rules about art production are foreign to visual artists working in free democratic societies. Furthermore, artificial genre restrictions in effect reduce allowable art-like graffiti to graffiti kitsch, as well as introducing undesirable legal complexity. Such outcomes are detrimental to the aesthetics of public space and endanger the autonomous youth-directed aspects of contemporary graffiti culture.

The legalisation of only art-like graffiti necessitates that such practices will be curated or directed by a higher civil authority. Such a policy strikes at the core of contemporary graffiti practices, which have been self or co-curated. As Stewart concluded:

There is no record of so many New York City youths ever before being independently involved in such a massive creative activity (Stewart, 1989, p.493).

The youth-directed aspect of contemporary graffiti production has been a motivating factor for participation beyond New York City. It is a distinguishing property, and has ensured that such graffiti is fully public and democratic. The various meritorious properties of graffiti would be negated by policy limiting legal graffiti to particular art

¹⁴ The distinction between graffiti art and vandalism as 'commonly construed; was argued against in the previous chapter. In Chapter 5 it was argued that location, not aesthetic merit, is the relevant factor when determining whether graffiti counts as vandalism.

genres, with no aesthetic gain. To insist on art-like requirements for graffiti risks undermining such practices artistically and culturally. Once the implications of such a policy are followed through it becomes clear that what we are left with does not really count as graffiti as usually understood; rather it has been replaced with a kind of legal kitsch public art.

Both common sense and traditional conceptions of art are inadequate for the authentic appreciation of graffiti as art. This chapter will end with a discussion of collective graffiti aesthetics. Graffiti may demonstrate a collective aesthetic in two ways. Firstly, graffiti practitioners may work together to plan and execute works. Secondly, individual graffiti which are not necessarily intended as art, nor obviously art-like, can take on an art-like appearance as part of a larger group of graffiti as it develops over time. Like self and co-curation, collective aesthetics are a distinguishing and valuable feature of contemporary graffiti.

For all of these reasons it can be concluded that although it is entirely reasonable to value some graffiti as art, to actually insist upon art-like properties for graffiti is highly counter-productive to the production of art. By censoring the graffiti which is often considered vandalism, an environment is created which is not productive of either the creation of art or legal graffiti. For these reasons the Art Defence of graffiti actually cashes out as the full endorsement of the Restrictive view, expressed out the outset of this thesis as: it should not be allowed (all graffiti is harmful). Therefore, the Art Defence of graffiti is not merely problematic; it risks completely failing to decriminalise graffiti of any kind, let alone that which is arguably meritorious.

6.1 Art requirements per se rule little out as graffiti art

Contemporary arts are often associated with deep-lying disputes about what counts as an art object. The twentieth century saw unprecedented developments in the concept of art, as artists worked to challenge visual expectations and the role of art in society. New abstract, pop, object, performance and conceptual art, to name a few, genres challenged traditional notions of what counts as artistic practice. By contrast, common sense views tend to equate art and aesthetics with the pursuit of beauty, and particularly well known uncontroversial art examples and genres. But without resorting to entirely obscure or

contentious examples, art may be found which matches up well with graffiti which is often considered to be vandalism, such as tagging. Presumably advocates of only the graffiti which exhibits sufficient artistic merit have not considered the abstract expressionism of Pollock or Twombly's lettrisme when they argue for a distinction between art-like and vandalous graffiti.¹⁵ The work of Pollock and Twombly not only uncontroversially count as art, their work is highly respected. It is represented in major public and private art collections internationally.¹⁶ Visually, however, such work is comparable to tagging and other 'non-artistic' graffiti. Pollock's abstract expressionism employed an 'all-over' composition style devoid of narrative content.¹⁷ Such compositions may be contrasted with traditional representational works. An all-over abstract compositional strategy is comparable to graffiti, especially where it has built up a thick patina over time (Beardsley, 1975. See Figure 17 below).

Twombly's aesthetic is comparable to graffiti tagging in its reduction of content solely to a personal and gestural handwritten script. Undoubtedly comparisons with the work of many other artists can be drawn. However, these two examples adequately challenge the idea that invoking the art concept is sufficient to distinguish between the graffiti considered desirably artistic (the narrative-based or representational works) and the graffiti considered undesirably vandalous (tagging). Such a distinction fails to hold when we consider artistic practices per se. This is why it is necessary to employ common sense aesthetical notions in order to maintain the distinction which has been drawn between graffiti art and vandalism. Reference to art per se simply does not get even close to doing the job.

¹⁵ For examples of Cy Twombly's gestural handwriting-based works see Robert Rosenblum on Twombly and plates 57-67 in *Art of Our Time; The Saatchi Collection, 2*, Lund Humphries London, 1984. For examples of Pollock's all over paintings see Herskovic, Marika, *American Abstract Expressionism of the 1950s: An Illustrated Survey*, New York, 2003

¹⁶ The Museum of Modern Art (MOMA) in New York has 77 works by Pollock, including works on paper, and 29 works by Twombly. The Guggenheim in New York has 8 paintings by Pollock and 1 by Twombly.

¹⁷ See Charles Harrison on Pollock and abstract expressionism, p. 178 – 181 in *Concepts of Modern Art; From Fauvism to Postmodernism*, Edited by Nikos Stangos, Thames and Hudson, London, 1997



Figure 17. A thick patina of graffiti in the Sorbonne University area of Paris. The doors are particularly comparable to the all-over style of Pollack.

Genres of art may also be found which match up well preferred genres of graffiti. Some commentators have noted similarities between the graffiti which developed in New York during the 1970s and pop art. This is a valid comparison. Like Lichtenstein and Warhol, graffiti practitioners increasingly drew inspiration from popular culture, including from comic book art and commercial design. But clearly the category of all art extends far beyond pop art.

The consideration of actual art examples, rather than reliance on unconsidered common sense ideas about art, presents advocates of the Art Defence with a dilemma. Firstly, graffiti might be decriminalised which resembles art in its fullest sense, in which case it is difficult to see which graffiti is actually ruled out. Secondly, an alternative is to stipulate particular genres of art as appropriate models for practitioners of graffiti art. Pop art and narrative genres of graffiti art are two obvious candidates for decriminalisation. Graffiti which adheres to 'wild-style' aesthetic principles is also a contender. This style is so strongly associated with contemporary graffiti art that for many wild-style is simply elliptical for contemporary graffiti aesthetics. So, pop, realist

and wild-style graffiti might be decriminalised while graffiti which resembles other art genres, including abstract expressionism, lettrisme, situationist, dada, and others would remain classified as criminal activity.

The second option is the best option for those wishing to employ the concept of art as a means of limiting graffiti practices to particular preferred genres. It is preferable because the first option, perhaps unexpectedly, failed to distinguish between the graffiti which is perceived as vandalism (tagging) and that which is perceived as art (narrative-based murals). However, advocates of the Art Defence will now concede that they are no longer arguing for the decriminalisation of art-like graffiti per se, but rather only the graffiti which conforms to particular limited and predetermined genres or conceptions of art. While this, in effect, is what is wanted, this suggestion generates a new problem: how to underpin such a desire in a principled way, since the 'art' concept on its own is demonstrably insufficient.

6.2 Art-like requirements for graffiti cash out as graffiti kitsch

Above it was argued that appealing to the 'art' concept failed to rule out the kind of graffiti considered undesirable by advocates of the Art Defence. So, when it is argued that only art-like graffiti ought to be sanctioned, it turns out that what is wanted is the decriminalisation of graffiti that resembles particular genres of art, rather than art per se. Transplanted into a street environment Pollock's abstract expressionism and Twombly's lettrisme are visually comparable to graffiti which is considered, correctly or not, as vandalism. In order to preserve the idea that art is a useful concept for distinguishing between wanted and unwanted graffiti the suggestion was made that permissible graffiti might be limited to particular recognised genres of art. Although a principled way of arguing for such a state of affairs is elusive, the suggestion can be further considered, since it appears to be the preferred option for advocates of only art-like graffiti, who are, after all, the main defenders of contemporary graffiti to date.

In the introduction of this thesis Kulka was quoted as follows:

Originality and artistic innovation, which are generally considered positive features of works of art, often challenge the accepted representational canons (Kulka, 1988, p.22).

He went on to say:

New styles often meet with hostile reactions. This is because the novel kind of presentation is not readily acknowledged by the conservative public as a 'correct' or 'realistic' representation (Kulka, p.22).

Kulka illustrated this point with a quote from *Le Figaro* regarding an extremely negative review of the second impressionist exhibition in Paris in 1876. By contrast, kitsch does not challenge the viewer. Rather, it '...invariably uses the most conventional, well tried and tested representational canons' (Kulka, 1988, p.22). So, it is consistent with Kulka's account that to insist that graffiti demonstrate a resemblance to already accepted representational canons effectively reduces the artistic potential of graffiti to kitsch. Otherwise advocates of graffiti art, employing common sense aesthetics, might fail to recognise such graffiti as art, and the default position for apprehending such activities is as illegal vandalism.

To constrain legal graffiti to particular approved art genres presents its practitioners with a problem. Those who work in an innovative manner, which according to Kulka is a feature of art rather than kitsch, risk producing work which is not recognisably artistic, since it is likely to challenge representational conventions. Innovative graffiti practitioners will thereby be liable for criminal prosecution as vandals. Such a state of affairs is foreign to artistic practices as they are usually understood: it amounts to artistic repression, which is contrary to the spirit of free artistic enquiry. In Chapter 5 we saw that Dutton characterised artistic practice as performance. He said:

As performances, works of art represent the ways in which artists solve problems, overcome obstacles, and make do with available materials (Dutton, 1983, p.176).

Dutton's characterisation of artistic practice will resonate with many artists. It is also a particularly apt summation of creative contemporary graffiti practices, especially considering the social context of some practitioners, as discussed in Chapters 3 and 4. Artists make decisions about their practices. Some slavishly follow latest trends; some restrict themselves to traditional genres; while still others strike out on their own path.

They will meet more or less success depending on their own skill, work ethic, marketing ability, as well as factors entirely beyond their control, such as fashion. Some artists conform to common sense ideas about art, just as, quite obviously, some do not. The point being that the choices artists make, and the reasons for such choices, are up to them: artists who fail to conform to common sense aesthetics or who challenge established representational conventions might endure ridicule, or a lack of commercial success, but they are not thereby liable for criminal prosecution. If graffiti art practitioners are to be considered artists in a full sense, that is to say, if talk of graffiti as art is not mere metaphor, but a literal proposition, then it follows that graffiti artists will enjoy the same creative freedoms as other artists practicing in a free society. Otherwise they cannot practice art in the ways characterised by Kulka and Dutton. And this is why their activities can then be more precisely characterised as kitsch.

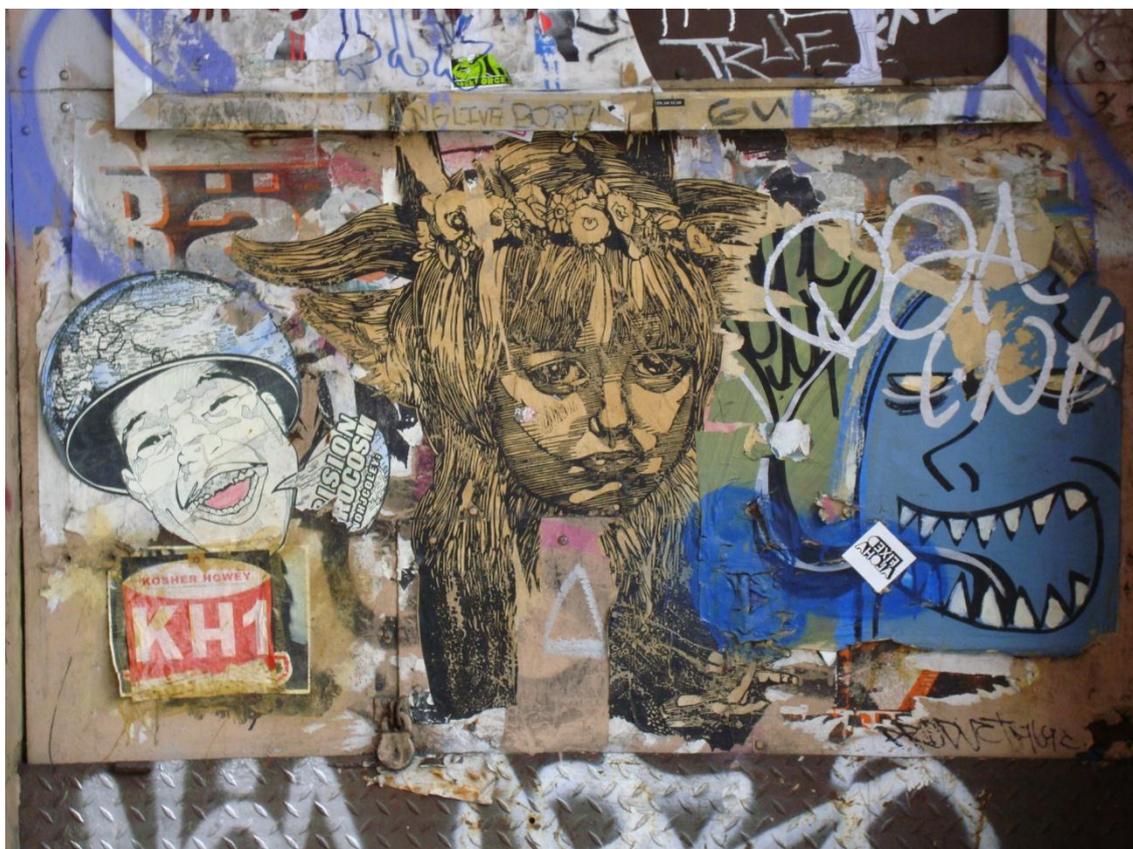


Figure 18. West 22nd St. Manhattan. The aesthetic strength of this collection of graffiti relates to the interaction, tensions, and conversation between work in a variety of styles. The central image of a girl's face is the work of SWOON.

Some graffiti is in any case kitsch, as may be seen in the accompanying volume of photographs. This argument is not intended to persuade anybody that it is incorrect or bad taste to enjoy kitsch, even though I don't like it (I prefer the above messy kind of

art). Aesthetic preference is a matter of personal choice. In order to preserve personal aesthetic choice, graffiti practices should not be confined to kitsch. This is especially so, since the aesthetic strength of graffiti often subsists in the interaction of a wide variety of genres at a location. All of which is not to say that advocates of graffiti as art intend to delimit its legal practice to kitsch. Rather, it is an unintended consequence of insisting upon compulsory, and therefore communicable, aesthetic requirements. Anybody is entitled to their common sense view of art. But to hold such views does not entail insisting that all artists and art-lovers conform to them. But if we do care to insist, then such art will inevitably be kitsch; as it will seek to deliver a recognisably aesthetic experience, rather than embark on its own authentic artistic journey.

Such a state of affairs is disastrous for art. It also introduces undesirable legal complexity, which could make the introduction of more nuanced law problematic. Those who intend to make art-like graffiti, but fail to meet sufficient aesthetic criteria, will have unintentionally broken the law. Such cases are not at all inconceivable, and this introduces a problem of jurisprudence, since intention often has a bearing on criminal liability.¹⁸

Although theoretically unsatisfying, institutional theories of art are instrumental to the creation of art in the galleried environment (Riggle, 2010). That is to say, to borrow from Weitz, that although no universally agreed upon definition of art in terms of necessary and sufficient conditions has been forthcoming, the gallery situation itself helps to distinguish particular objects as art. Curators influence the way objects come to be considered art by locating them in such environments, while they, critics, and later historians, cement such positions with their art commentaries. We cannot always tell by looking at a thing whether it is intended as art. Sometimes further information and context is required. Graffiti often lacks these mechanisms of special location and art criticism to point to, or create, its status as art. This is why, although highly respected, the work of Pollack and Twombly might not stand out as art in the street environment. Graffiti as art should have certain features if its art status is to be obvious:

[S]treet art does not exist in a designated ‘artspace’ - a place like a museum or gallery specially reserved for art. As a result, it is much more likely that the public will notice these works if they are visually striking - street artists are pressured to

¹⁸ Thanks to Christine Middleton Knight for signalling the legal concern.

make their works pop out of the street and call on passersby and other artists to pay attention. They employ various strategies to achieve this. They make their works visually stunning, examples of extraordinary skill, highly original and imaginative, or all at once. As a result, most pieces need not be placed in a gallery, reviewed by a critic, or blessed by the artworld to be appreciated as art (Riggle, 2010, p.246).

This view is consistent with my argument that attempts to ensure that graffiti is art-like will result in kitsch. Strategies were suggested so that graffitiists can ensure their work is easily assimilated as art. The advice to graffiti artists can be contrasted with that of Dutton and Kulka. Dutton suggested that solving problems and making do with available materials are central to artistic practice. Kulka emphasised innovation and challenging established representational canons. I said I like messy art. Conversely, the above advice is geared towards ensuring graffiti art conforms to pre-established artistic conventions, so that work stands out unambiguously as art in the non-gallery environment. Artists are described as being ‘pressured’ to produce ‘visually striking’ work, so that it will ‘pop out of the street and call on passersby and other artists to pay attention.’ Riggle’s view is entirely consistent with the Art Defence of graffiti. It follows from this view that permitted graffiti will demonstrate recognisable art-like properties, so that graffiti artists will certainly be ‘pressured’ to adopt such strategies. Given the legal consequences for the production of illegal graffiti, it is fair to suppose that artists will actually be coerced to do so. The only problem being that the advice offered is not particularly relevant to the production of art per se; it is an incomplete common sense conception of artistic practice, and if compulsory would foreclose on the possibility of genuine personal aesthetic choice to do with graffiti.

It is possible that those who advocate for permissibility of only art-like graffiti will be satisfied with such kitsch requirements for graffiti; after all, clearly not everybody is supportive of challenging or difficult art. Some might prefer public art to be that ‘which is generally considered to be beautiful or highly charged with stock emotions’ (Kulka, 1988, p.21). I argued that, within reason, we are all entitled to our personal aesthetic preferences. But something has gone wrong when we try to insist that all art not favoured by an individual or group ought to be banned, and furthermore, the practitioners of such art criminalised. This is true even when an overwhelming majority might agree that particular genres of art are not to their taste. Democracy in art requires that we are all free to produce or appreciate art according to our own taste. Since art

appreciation is highly subjective, its proper appreciation does not entail deferring to majority or expert opinion.

6.3 Self and co-curation as a distinctive feature of contemporary graffiti

Curation, or decisions about the 'which' and 'how' of art presentation, might not strike us as an intrinsic art property. Rather, it appears secondary to art: art is produced by artists, and only then will others, often non-artists, make such decisions. Yet curatorial decisions have a direct bearing on the production of art, and which art becomes available for public view. Generally speaking, professional artists produce work for a particular exhibition - the work will not otherwise be produced. Furthermore, it is not unheard of for art dealers and curators to drop the artist a few hints regarding the content of work to be produced. Graffiti has generally differed to other art in respect to curation. Graffiti as art (and as non-art) has been self or co-curated, as practitioners have worked individually and in groups to produce and locate their own public work. The task has not been undertaken by a separate group of curatorial professionals. Graffiti practitioners have established their own conventions to do with selection and placement of imagery. JUNIOR161 argued that graffiti is crucially evaluated in terms of its location, the best of which are high profile, yet difficult to access (Mailer, 1974). Informally endorsed conventions have developed relating to the placement of graffiti, and about the kinds of locations which are favoured and those considered off-limits. Such curatorial independence is highly valued by practitioners, and has been influential on graffiti aesthetics which have developed since the early 1970s.

Above it was argued that the art requirement will work to criminalise those graffiti practitioners who attempt but fail to demonstrate sufficient aesthetic merit. One way to avoid unintended vandalism will be to introduce a requirement for some kind of system of pre-approval, in terms of subject matter and location. Graffiti writers might submit plans to municipal authorities for approval before undertaking their work. In this way inadvertent vandalism might be avoided. This, or a similar proposal, would appear necessary to avoid misunderstandings and potential criminal liability. Municipal authorities might delegate such decisions to a committee of graffiti art experts, so that such decisions will be well informed. Something like this proposal is to be found in

Christchurch, where a city council funded group, Project Legit, oversees legal mural projects by those with an interest in graffiti art. In this case legal projects are curated by a municipally endorsed authority. Since graffiti has not become less popular in the wake of stiffer legal penalties, such a proposal has pragmatic value. Graffiti practitioners gain a legal outlet for their activities, while municipal authorities gain some control over unsolicited public art. This is precisely the solution to the so-called graffiti problem which has been suggested and endorsed by advocates of the Art Defence.

I do not want to suggest that such programmes or strategies have no value: if well conceived there will be a number of positive outcomes. However, there is reason to suppose that the products of such programmes are not graffiti; that they do not provide valued opportunities for peer directed social development found in graffiti proper; and that the products of such programmes are more likely to resemble kitsch, rather than authentic creative development usually associated with the arts. The status of the graffitist is thereby reduced from an autonomous practitioner to student, and the self governing aspect of such practices, which practitioners report valuing highly, is thereby lost.

Although valuable in their own way, such programmes do not channel energies into socially acceptable graffiti. Rather, energies are channelled into supervised pre-approved mural projects at designated sites, employing aesthetic styles previously autonomously developed by graffiti practitioners, including LEE, PINK, SEEN, PHASE 2, DONDI, and many others. But the manner of production entailed by channelled-energy activities is a very long way from the concept of graffiti as paradigmatically understood. Any resemblance to graffiti is superficial, and such a superficial resemblance is sufficient to create the illusion that art-like graffiti has been permitted. If all 'graffiti' were to be produced in this way, that is, if this scenario represents the logical outcome of endorsing the Art Defence, it is a mistake to then suppose that art-like graffiti has thereby been decriminalised. Rather, there are grounds to argue that any concept of legal graffiti has been thereby completely eliminated, and in its place has been introduced an unrelated, although visually parasitic, kind of publicly sponsored and controlled art.

Such strategies have been employed since the early days of contemporary graffiti. In New York the group United Graffiti Artists was founded by sociology student Martinez as a means of channelling graffiti into legal activities. Members of UGA signed a



Figure 19. This graffiti-style mural is well designed, well executed, and appropriate to its location outside a childcare facility in the Bronx. However, to limit graffiti-style art to such projects risks reducing graffiti as art to decoration.

contract guaranteeing to desist from graffiti activities, and in return members gained access to studio space, art materials, and opportunities to exhibit in gallery and similar environments. Superficially such strategies appear to provide a practical solution to graffiti activities whereby everybody gains. Yet, we should also consider what such strategies require us to give up. Firstly, we have given up on graffiti as self or co-curated art (or non-art). This, it was argued above, is a valuable property of graffiti, which serves to distinguish graffiti from other artistic practices, governed as they are by their various gate-keepers. Stewart considered the autonomous aspect of youth graffiti as art to be unprecedented and valuable (Stewart, 1989). It has strong democratic value. Furthermore, although municipally controlled graffiti might bear visual similarities to

graffiti proper, such similarities are in effect parasitic on the aesthetics which developed, and could only have developed, independently of such controlled environments.

As Stewart argued, by so-doing we have also completely given up on the graffiti concept (Stewart, 1989). Work produced by UGA or Project Legit might display graffiti-derived aesthetics, but is no longer graffiti itself - the subsequent productions are gallery exhibitions and public murals respectively. In the introduction of this work graffiti was approximately characterised as ‘unsolicited public inscription.’ This characterisation sought to capture something of the autonomous, self governing, aspect of graffiti as personal communication or expression. But graffiti controlled by groups such as UGA and Project Legit represent solicited rather than unsolicited inscription. Practitioners are no longer self governing. As such, such public works can be categorised with commissioned works, whether in public space or the gallery environment, rather than as graffiti, which was traditionally produced independently. Granting this it is reasonable to conclude that the Art Defence of contemporary graffiti, that graffiti should be allowed if and only if it demonstrates sufficient aesthetic merit in effect cashes out as the Restrictive View - graffiti should not be allowed (all graffiti is harmful).

While graffiti practitioners are often eager for opportunities to produce solicited public work and enjoy public attention, they also argue that such commissions lack the authenticity of independently produced work. Advocates and detractors of graffiti have noted that graffiti leads to personal empowerment, since it provides a means for individuals to think that ‘the power is in their hands,’ (Wilson, 2001) and to ‘write back to the city’ (Austin, 2002). Yet these valuable properties are also endangered by graffitiist rechanneling strategies.

6.4 Collective graffiti aesthetics

Those seeking to convince us that graffiti should be appreciated as art do so in a way which is likely to miss out on the particular distinguishing features of graffiti as art. We are encouraged to view art-like graffiti in a manner which emulates traditions of appreciating individual objects in a gallery, museum, or comparable environment. But I have tried to argue that graffiti as art should instead be appreciated in a way which is

authentic to graffiti practices, bearing in mind the particular aspects of its development in terms of aesthetics and public presentation.

Western aesthetic traditions encourage the viewer to focus on the particular aesthetic merits of a discrete art object produced by a particular art practitioner. Such objects are often produced by solitary individuals working in a studio environment, and these objects are designed to be appreciated for their visual content independently of location or other extra-aesthetic properties. Although graffiti was compared in this chapter to pre-existing art genres, including abstract expressionism, lettrisme and pop art, these comparisons were made for the purpose of demonstrating that appealing to the concept of art does not always perform the desired function of providing a way of distinguishing between graffiti art (murals) and graffiti vandalism (tagging). Since a significant aspect of art, in contrast to kitsch, is its ability to challenge and innovate, such comparisons should be treated cautiously as a means of definitively deciding whether an instance of graffiti counts as art or not. This is because if the artist is innovative and challenging, it is very possible that pre-existing art genres will be insufficient for deciding whether a particular production counts as art.

Although similarities may be found between graffiti and other genres of art, to focus solely on such similarities, or to otherwise treat it the same, is to miss out on the particular modes of production and presentation peculiar to contemporary graffiti. Generally speaking, graffiti as art differs from studio and gallery art in a number of interesting ways. It is often produced collaboratively; it is significantly site-specific; its aesthetic criteria have developed largely independently from established art institutions; it is not produced for financial gain; and one does not have to enter (possibly intimidating) designated art spaces in order to view it: it is fully public and democratic. Arguably these, and perhaps other, distinctive graffiti properties are the same properties which count towards graffiti being interesting and valuable as art. And, quite clearly, such properties are, generally speaking, distinctive from those exhibited by the galleried arts.

Traditional Western aesthetics has taught us to consider such extra-aesthetic properties relating to the manner of art production and location as irrelevant to aesthetic appreciation. While not wishing to labour the point here, I consider this view to be simply naive and false. To do with forgeries Dutton argued that we care because we

take art works to represent a certain kind of human performance (Dutton, 1983). FREEDOM argued that aesthetic merit of graffiti was appreciated in part because practitioners infer from such productions extra-aesthetic properties (Macdonald, 2001). For these reasons it may be argued that the manner of graffiti production is relevant to the appreciation of contemporary graffiti aesthetics.

Graffiti may be produced by collaborative efforts in two ways. Firstly, graffiti writers sometimes work as a group to plan and execute a work, such as the Christmas themed whole-train presented in Chapter 3, which LEE completed with the Fabulous 5 graffitiist group. Such collective methods of artistic production are counter to traditional and common sense notions of the solitary artist working to demonstrate individual genius. Contemporary graffiti art production bears greater similarity to Renaissance methods of art production than those celebrated by the later 'art for art's sake' school.

Graffiti as art is also collaborative in another sense: works which are individually uninteresting may be added to over time so that a rich and interesting patina of mark-making is achieved, or a conversation is achieved between works located in a close proximity. Early examples are demonstrated in the photography of Jon Naan (Mailer, 1974), and were appreciated by Beardsley (Beardsley, 1975). Such graffiti demonstrates what I called a collective aesthetic. This collective aesthetic is not necessarily intended by individual contributors. Graffiti practitioners might wish their work to stand out as individual works of art, in the manner suggested by Riggle, or like JUNIOR 161, they may have no artistic pretensions whatsoever. Nevertheless, as Beardsley noted, there is a particular aesthetic merit attached to such thick patinas of graffiti which build up over time.

To decriminalise only graffiti which is individually art-like in effect prohibits these distinctive contemporary graffiti collaborations - such rich collections of graffiti could not occur if we are limited to employing traditional modes of art appreciation, since such works do not arrive fully formed as they do in the gallery. If we remove the individual graffiti which fails to demonstrate sufficient aesthetic merit, such rich and collaborative collections of graffiti writing would not develop, as they do, over time. So, it can be argued that graffiti as art employs the urban environment as a kind of collective studio as well as a public open air gallery. Alternatively, such collaborations

might be thought of as works of art which change over time; after all, there is no time when such a work can be said to be finished.



Figure 20. A mixture of artistic and non-artistic graffiti, near Flinders Lane in central Melbourne. The tension between different styles and abilities creates a particular graffiti aesthetic charm.

The significance of graffiti is often tied to its location, whether highly visible in terms of passing traffic, difficulty of access to a location, or for any number reason. For this reason, to view such work as discrete, separate, and somehow removed from everyday life is to miss out on key properties of graffiti as art, since such art is often, to borrow a term from the contemporary arts, site-specific. That is to say, the significance of a work is significantly based on its relationship with a particular location and those who inhabit the location. To adopt viewing conventions of aesthetic distance is often simply to get it wrong, since graffiti is likely to be tied to its location in a meaningful way.

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