

'Imagine Being a Racist': goINDIGO 2022's «Ethics & Legality in Graffiti (Research)»

Discussion Round

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Introduction

During the second discussion round of goINDIGO 2022, which took place on Friday, 13 May and was called *Ethics & legality in graffiti (research)*, three out of many invited graffiti creators joined a discussion on (potentially provocative) statements with symposium participants (joining in-person and online). The statements, compiled by Geert Verhoeven in consultation with Benjamin Wild and Norbert Pfeifer, were:

- objectivity OVER morals
- objectivity OVER consequences
- graffiti INCLUDES exploitation
- copyright DOES NOT matter
- Donaukanal graffiti IGNORES the origins

The three attending graffiti creators agreed to participate following their contact and invitation via Instagram. When introducing themselves, each conveyed their relationship to the Donaukanal and their different levels of experience and exposure within Vienna's wider graffiti scene. **DEADBEAT HERO** (active in Vienna since 2014) is a Texan artist mainly focusing on street art while "dabbling in graffiti". He owns an art studio and regularly interviews Viennese graffiti creators in his *Artcade* podcast. **FUNKY** (active intermittently since 2005) is a Bosnian, but Vienna-raised creator practising graffiti "with ups and downs and a lot of breaks like in life". He was close to the Donaukanal a decade ago, but his central activity zone is now more to the north of Vienna. **MANUEL SKIRL** (active since 2006) is a Vienna-based creator currently known for his organic

structures formed by black and blue lines. The openness and inclusiveness of the Donaukanal scene offered him the chance to begin creating and, in time, to develop his personal style in "more artistic" directions.

Each of the three brought their own perspectives to the discussion of the selected statements, recorded in the following text. However, this text is not a verbatim or sequential account of that discussion. First, although retaining the 'feel' of the discussion has been prioritised, the text has been slightly edited for readability, and superfluous content got removed. Second, as is often the way with the most exploratory of dialogues, the main topic of conversation shifted quickly and regularly. Although the five statements were individually framed by Norbert Pfeifer (after which Enrico Bonadio took on the moderator role), the first four statements and their more detailed elaborations have been reduced to two sections to structure the text in a manner that might better serve the reader. This reordering of the transcription means that, in some places, the text does not always flow consecutively in the way it did during the discussion. These places are indicated by [...], and they do not only mark hops forward but also hops backward in time.

Finally, it is essential to know that all authors—of which none was a minor—have read this text and confirmed in writing that they were okay with their statements. This agreement notwithstanding, one must understand that these statements were raised in a lively discussion and must also be understood and treated this way.

Discussion Preamble

Already before the start of project INDIGO, it was evident that various legal issues would pop up. Is the project allowed to share photos of graffiti not created by team members? Who owns which kind of copyright when photographing graffiti? Is a 3D model of a graffiti still subject to the same copyright rules? To what extent do the graffitiists' rights differ when they create on the Wienerwand (where one can legally create graffiti) versus the more common permissionless creation of graffiti?

Compared to these questions, the range of anticipated ethical issues was initially not that broad. When asked in the project's proposal to specify ethical aspects, Geert Verhoeven wrote: "INDIGO will certainly record (and provide database access to) homophobic, racist, and sexist graffiti to avoid bias in its records". It became, however, clear during the first project weeks that not everybody unconditionally supported this statement. In addition, ethical questions of another nature arose: Do we exploit graffiti creators if we put their work online? Should INDIGO report inappropriate content, and what is considered problematic or improper? Can we publish pseudonyms without risking legal consequences for those carrying these pseudonyms?

This last question illustrates that many of the project's fundamental concerns have both an ethical and legal aspect. This ethical-legal intertwining also transpired from a counselling session the INDIGO team had with the Pilot Research Ethics Committee of the Technical University of Vienna (TU Wien). Set up after initial discussions with Marjo Rauhala (the head of the Service Unit of Responsible Research Practises at the TU Wien), this meeting resulted in various constructive suggestions. Although these proposals help INDIGO follow a more responsible and ethically conscious research path, the aim of goINDIGO 2022's second discussion session was to further explore some of these legal-ethical conflicts together with those that create graffiti. Even though Marjo Rauhala could not attend this session for personal reasons, Enrico Bonadio—lawyer and author of many books on graffiti copyright—adequately covered the legal side.

Objectivity OVER Morals | Consequences

[Please note that because of the overlap in the discussion, statements one and two are combined.]

Inclusiveness is vital if one wants to document and digitally disseminate graffiti to facilitate its study. However, being a reflection of society, graffiti sometimes contain hateful or provocative messages. If those get inventoried by scholars and made freely accessible afterwards, could this be considered a promotion of subversive content? And if a project comprehensively documents graffiti to avoid bias, should those graffiti records be categorised and made queryable, so one can search for all swastikas or hate graffiti? And does exhaustivity in graffiti inventorying and dissemination not merely lead to a perfect law enforcement tool, which in turn might influence the exact phenomenon it is trying to document and study? In summary: should scholarly graffiti projects consider potential ethical issues, or must scientists only be guided by objectivity regardless of possible negative consequences, moral or other?

[...]

Geert Verhoeven: In a project like INDIGO, or many of the projects presented here at the symposium, when we want to document whatever is going on in the scene, there are always homophobic, subversive graffiti. Is this something you consider problematic yourself? Is it something you think we should also just document in the same way we document a nice piece?

FUNKY: I think these homophobic graffiti or graffiti against, for example, people from Balkan, everything that's against humans, shouldn't be respected because I think this is not okay. It's okay to provoke a little bit with these political statements such as "refugees welcome". But not something like this homophobic stuff. I think when someone supports this, okay, I don't care. But I think this is not okay, and this shouldn't be a part of this scene because, in this world, we should not work against homosexuals. This is my opinion.

Geert Verhoeven: But the problem we have as scientists is that we want to document what is going on. And if you want to be objective, you don't express any value about this. You

just say yes, that's there. But then the other question is if we should add metadata tags to these graffiti as we do with all the other graffiti. This is "homophobic", this is "racist", whatever. Then people can also start searching for them.

MANUEL SKIRL: Yeah, but why not? If somebody wants to give lessons about hate graffiti and wants to search for material, why shouldn't it be good to search for something like this on a platform? I don't think it's good to ignore something and leave it out. Especially if you see it in the long term when people in the future want to know something about the graffiti that was done recently and want to learn something about it, also to be aware of our political situation or different opinions. I don't think we should give it too much of a platform. Unfortunately, it's freedom of speech, also when it's not your political opinion. But if you want to be objective and neutral, it's definitely a part of it. Graffiti has lots of emotions inside, and racism is also an emotion.

DEADBEAT HERO: I want to agree with it. I don't think that ignoring it would be right. So put it there like when you document history, don't take out all the bad stuff. You want people to know about what actually happened.

MANUEL SKIRL: Will people be able to contribute to the platform?

Geert Verhoeven: We are thinking about this. And also, if we could crowdsource, for instance, you could say: "Hey, this was made by this artist". We are just thinking about these things, but we also want to ensure anonymity. And so it's not something we can quickly implement.

MANUEL SKIRL: But that's not just with stuff that you don't want or don't want to be promoted, but in general. If you have a platform, a lot of other people will see their work there. They will also try to promote it by themselves. Yesterday, JANER ONE was here, and he said, "I'm more interested in the front page". Like he would upload many more [graffiti photos] if he saw that it was on the front of the page. And I think that's the same with people who are racist or who are into swastikas for whatever reason. They would also upload stuff like that if they can promote it, and

then it's also critical to censor stuff.

Benjamin Wild: I think there are two different things we were talking about: freedom of speech and freedom of reach. Freedom of speech doesn't imply freedom of reach. Being able to say anything, that's totally fine, of course, but it should not always be possible to make it public to a very big audience, for example, through social media. We've seen it with Trump, for instance. He can say anything he wants, but Twitter is still blocking him. And I think there are good reasons for this.

MANUEL SKIRL: I think people are more provoked by you writing your opinion in block letters somewhere than if you just say it out loud, but yeah. I'm not educated in law or even freedom of speech. I don't know what is in there. In the United States, I'm pretty sure that all racist opinions are included in the freedom of speech.

Enrico Bonadio: Yeah. Hate speech is protected.

MANUEL SKIRL: But we are supposed to be a little more careful here.

Enrico Bonadio: Yeah, in America, there are preachers praising terrorists who cannot be touched because they protect freedom of speech very strongly. In Europe, there are more limitations.

Christine Koblitz: I still want to add something to the question of what you would add to the database. If you should add political graffiti that does not reflect your opinion or probably even hateful graffiti. We had the same discussion in our museum because in our collections, we had a lot of work from the Nazi times or a lot of material with the N-word in it. Now the question was: how do we deal with this, and how will we put it online? We're trying to provide a lot of information. Of course, we have to label things and discuss whether we show this or not. We also try to contextualise it and give them specific labels, so that you can find it. But if you post these labels on social media, you'll always have to be aware that these keywords will attract a certain crowd. They'll not read your posting, but they'll just add some hateful comments. This is also difficult for

us because, on the one hand, we want to have a discussion and provide information, but on the other hand, it's really annoying to monitor such a dialogue on social media. Sometimes it regulates itself but sometimes not. Also, when do we delete comments? As a private person, I can do that very soon, but as a public institution, probably not, because that's part of the discussion in museums where you should negotiate things. And also the way we see things evolve over time.

Liljana Radošević: I wanted to comment on that as well, because I think we all agree that all of the things should be documented because that's the context. And without the context, you can't really understand other things that are happening. Without the context, everything else that is happening is just a pale version of what it really is. I do keep an archive of the things that I really dislike. For example, I become a Hulk when I see skinheads. I can't really explain how liberal, open-minded, and proactive graffiti culture is in Belgrade without knowing that one-third of all graffiti belong to political graffiti and a second-third belongs to hooligans and football club supporters. And then you have the third part, which is graffiti and street art, but they're the most visible because they're the largest. And you know, they make Belgrade look much better. But if you look beyond it, you have all these political issues and all the stuff going on in the streets; there's continuous dialogue happening. And it's mainly between those extreme nationalist people and political parties and between those that are against those things and Antifa. So it's a very lively scene, but a scene that I'm not interested in. But still, I have to do something about it because, without it, I wouldn't be able to say that the things that I'm interested in are actually positive compared to all of the other things that are happening in the streets at the same time. So it's a very complex issue. Usually, I don't really write about them. Still, for me, it's important to acknowledge that they're there to understand them, to follow them, to see what is happening because otherwise, it's very hard to make your point when you try to explain something that is happening in the streets. For example, at the moment, we have one thing that is happening in Belgrade, everybody is trying to use photorealistic imagery to promote something. Nowadays, we have one brilliant and good project. It's part of the Partisan football club

supporters. They did an excellent job in trying to change the bad image of the football club supporters. But then the other fraction of football club supporters realised that this photorealistic imagery works well. So now they're using photorealistic imagery for political agitation and use these extreme nationalist figures to do the same thing. At the same time, you have memorial graffiti of the young people who died that are also made in photorealistic imagery. If you go to Belgrade, you wouldn't be able to distinguish anything. And if you don't know the background, it's all nice and colourful. So, therefore, you have to do it. But the point is, as you [Christine Koblitz] said, what do you do with it? Do you actually publish it or not? And from my point of view, I don't publish it, but at the same time, public space is there to show you that something is happening with society. It's either a good thing happening or a bad thing happening. If we have a problem with extreme nationalists in the streets, it's better to know that the problem is there so that we can start working on it rather than covering it up and saying: "no, no, no, our society is perfect. We don't have a skinhead issue. We don't have hooligan issues. We don't have Nazi issues. We don't have refugee issues." So it's just a matter of context where you say "okay, here I want to publish it, and in some other cases, I don't want to publish it". I was babbling a lot and didn't solve any problem, but I think we have to have it all.

Geert Verhoeven: It interests me from you [graffiti] guys, maybe from you, FUNKY, the most. If you see some homophobic graffiti, would you first put your throw-up or whatever there to cover it up, or would this not influence where you start painting next time? So if you see some subversive graffiti with which you disagree, would you first start painting to cover that rather than anywhere else?

Liljana Radošević: At least in Belgrade, there was a different system. You had walls that were reused by the graffiti writers constantly. And then there were political comments in other parts of the city that they usually try not to intervene with each other. Nowadays, what happens is those extreme nationalists, for example, take over the walls that were traditionally reserved for graffiti and street art. Now they mark it with Serbian flags, and once they mark it, you can't use it because otherwise, you're probably going to

get your ass kicked or end up in the hospital. So now they're taking over the spaces that were completely open for dialogues. And about the homophobic stuff you mentioned: There is actually one artist in Belgrade that is in the LGBTQ community, he was active for almost ten years, and basically nobody touched his graffiti. Nobody. It was like a street art intervention. So, you still have homophobic comments, but nobody touched his stuff. So, it was kind of respectful or disrespectful in a very interesting way. I think every scene is different. Every city is different. Every neighbourhood is different. It's just tough to put everything in drawers and make it usable on the European level, for example, because it doesn't function the same way everywhere.

Sven Niemann: There's one artist from Italy, his name is CIBO, and he's specialised in going over Nazi graffiti because two of his friends were killed by Nazis a few years ago. He paints different kinds of food over Nazi graffiti. Then the Nazi comes across his piece, and he [CIBO] is adding another food. So, this is a very interesting artist. He's doing cupcakes, doughnuts, bananas, and so on.

MANUEL SKIRL: Yeah. It can also be a justification to work somewhere where you couldn't otherwise. I even know stories where people would put swastikas someplace just to go there the next day and paint over it.

< Laughter >

Sven Niemann: Yeah, we are in contact with the graffiti scene. If I see a swastika, I call a friend, and he just paints over it. I think it's very important to delete these symbols in the public space. I don't want to see any swastikas anymore.

MANUEL SKIRL: But can you imagine being a racist, seeing all the Antifa, left-wing stuff and being mad about it as well? I don't know about Bielefeld, but here in Vienna, there is much more progressive, liberal graffiti, which stays and remains readable longer than the other stuff. I feel sorry for those guys, to be honest.

Enrico Bonadio: It reminds me of Spain. There have been some graffiti with "Viva Franco", and some other artists added "Battiato", who's a famous Italian songwriter. So

"Viva Franco Battiato", which I found fantastic. But those hate graffiti were in Vienna, right? The one shown in your [Norbert Pfeifer's] slides.

Geert Verhoeven: I don't think so. I think that Norbert just took them randomly. Just to have some examples, but we have this discussion because we would not like to become a hub for Nazis to look for imagery.

MANUEL SKIRL: That's very unlikely to happen, but still, it's an option.

Liljana Radošević: This is the thing; you just keep the context, but maybe just say that if somebody wants to find anything other than what is published, contact us. So serious researchers would actually consider that a good invitation: "oh, you have more, but you couldn't publish."

Geert Verhoeven: No, we publish everything.

MANUEL SKIRL: Yeah. I think it's just important that there is a representative amount and not much more of something than it is in comparison to the total amount.

Geert Verhoeven: Yeah. The idea is to present everything you document. Still, the question is: should we also make it searchable or maybe warn people that this is subversive content?

MANUEL SKIRL: Yeah, a warning would be cooler, maybe. Have this warning so people are aware and see you are aware. But then there is also stuff you don't even understand, like from hooligan groups or some nationalists that we don't know about, like from other countries. We also have a lot of people in Vienna from Serbia or Croatia who cross each other. I don't understand any of that. So, you would need some contacts for every language you don't understand for everything that you want to publish.

Geert Verhoeven: We had this discussion also with an ethical commission at the technical university, and there the remark came that we must define what is subversive.

MANUEL SKIRL: Exactly.

Geert Verhoeven: And this is our opinion; we might think that something is provocative, but who are we to state that? So, this is a complicated issue.

MANUEL SKIRL: Yeah. You need to judge many things there and declare them as something if you want to categorise them in boxes.

DEADBEAT HERO: In the end, it's your platform, so you can decide.

MANUEL SKIRL: <laughs> DEADBEAT HERO is just like: It's your problem.

< Laughter >

Geert Verhoeven: I think that concludes the discussion very well. <laughs>

DEADBEAT HERO: You can decide what to show. If people want to see it, they will see it, whether you publish it or not.

Liljana Radošević: Yeah. When I write about these things, I always say that I write about graffiti culture and street art, everything else I'm not interested in. They can say, "but you didn't include this, and you didn't include that". Yes, but this is my area of expertise; I deal with this. Everything else is not my expertise. I have documentation. You can borrow it. I can give it to anybody, but I'm writing only about this, full stop. This is my personal decision. Or maybe it could be an institutional decision. We do this, this and that, and everything else is not our domain of expertise. We don't want to analyse it, we don't want to contextualise it, or we don't want to put any ethical issues on it. It is what it is. This is the other part. This is my part. I'm dealing with this.

Benjamin Wild: I think that's making it a bit too easy. If Twitter and Facebook would just do that and publish everything, just giving everything a platform and letting everyone play on it doesn't work, I believe.

Geert Verhoeven: But we'll see with Twitter now that Musk

got involved.

Sven Niemann: Today it's hard to distinguish graffiti because they're using the same techniques. So, the Antifa spray pieces that are quite professional, and so do some right-wing groups in Germany. I think it's not easy to distinguish them.

Liljana Radošević: But this is where you define graffiti culture. Graffiti culture originated in New York in the seventies...

Sven Niemann: They started as writers too. It's not easy to distinguish.

MANUEL SKIRL: It's not your choice what is part of it. Graffiti belongs to everybody who is doing it.

Sven Niemann: So it's not easy to distinguish political graffiti and graffiti from New York. I don't think it's possible.

MANUEL SKIRL: But when you do research or documentation about something, you must stop it somewhere, right? So you can say, for example, I don't put stickers, I don't put stencils. I don't use it as soon as it's indoors or something like that. And that can also be not using political stuff, even if it's an integral part of it. That makes it maybe much, much easier.

Liljana Radošević: Yes, exactly. Because the intention behind it also makes it different from the graffiti culture.

MANUEL SKIRL: But then you must also be careful to declare all the individual pictures. You need to understand every single artwork. Is it what I want to show? Or is it actually something that I don't want to show? Or is there some tiny little bit of political message in some corner?

Sven Niemann: And for RAZOR, a famous writer from Germany, for example. He did some political pieces too.

MANUEL SKIRL: Then it's a fading area.

Sven Niemann: Then you have to delete it from his artwork.

I think it's not possible to distinguish. My thesis is political graffiti anyway, so this is my problem.

< Laughter >

Graffiti INCLUDES Exploitation | Copyright DOES NOT Matter

[Please note that because of the overlap in the discussion, statements three and four are combined.]

Many fancy bars popping up along the Donaukanal happily feature a graffiti-covered wall as their backdrop. In that way, graffiti almost serve a kind of gentrification goal. In addition, graffiti-covered surfaces appear in commercials and movie clips. Can we consider this exploitation, and would creators want remuneration for this? In other words, do they feel that their copyrights are violated? Do they even know their rights in this matter?

[...]

Enrico Bonadio: These statements are very interesting, but I don't agree with statement four [copyright DOES NOT matter], as you can imagine, because I've been researching this issue for many years. Well, as far as the statement "copyright does not matter" is concerned: it starts mattering. Judging from my ethnographic research, I found that an increasing number of both graffiti writers and street artists, more street artists than graffiti writers, are increasingly looking at copyright as a tool to react against appropriation, especially corporate appropriation. In America, you may be aware that there were several cases, most of which settled out of court, right? With a payment of an undisclosed sum for the artists or the writers. The companies that have appropriated the murals for commercial and promotional purposes are fashion companies, sunglasses, or car companies. Car manufacturers are very interested in graffiti because cars are driven in the streets. So, when it comes to advertising the car, the mural is quite appealing for a car company. Then we have McDonald's because their customer base is quite overlapping with graffiti lovers who are mostly youngsters. So corporate appropriation has triggered the interest of several artists and writers, I would say, not all, of course. It's

quite a heterogeneous category. Some writers and artists are more interested now in at least considering the idea of complaining and, as a result, even taking action. To stop corporate appropriation, but also to prevent their murals and art from being associated with the messages they don't like. McDonald's, fashion companies, glamour companies. If we look at these legal cases, especially in America, but also a bit in Europe, we can see, in my opinion, how some artists have turned their attention to copyright as a tool to keep their message real, which is one of the mantras of graffiti writing. So they have used or tried to use copyright to reject associations with the corporate's messages. There are some complaints filed in America. If you read these complaints against fashion companies, McDonald's, etc., they say clearly: "we don't want to be associated with these kinds of messages. We don't want our art, lettering, graffiti writing, or more figurative street art to be associated with these messages. We don't like it, and that's why we take action".

Then a second legal interest arises to prevent the destruction or removal of some murals. You may have heard about Five Pointz in New York, right? That decision, that case, was revolutionary. Five Pointz was a mural hotspot in Queens in New York, which had become the Mecca of graffiti. They were painting legally. The property owner authorised, for many years, local and other painters, particularly one graffiti writer, Jonathan Cohen, whom I interviewed in Brooklyn. I interviewed him, and it was a great place, very famous. It attracted many graffiti writers and street artists from all over the world to paint on a rotating basis. Some murals were temporary, and the ones at the top were more permanent. So all the famous writers and street artists painted on the top part. So for more than 12 years, it was like this. But then, it was whitewashed entirely by the property owner without any prior notice. And that's not legal under US law. There is a piece of legislation in the US, the Visual Artist Rights Act (VARA), which protects artists' rights, including the right to object to the destruction of their artwork. They enforced that provision, and they won the case. It was a case for damages only because the murals had already been whitewashed. So they started legal action to ask for damages. And the judge awarded 6.7 million to 21 artists and writers because the property owner had illegally destroyed their legal graffiti and street artworks.

So it's the word upside down, right? Because usually, the graffiti writer is the vandal and the property owner is the victim. Here, it's the opposite. The property owner was the vandal, and the graffiti writers and the street artists were the victims. So it's upside down. That's why this decision is revolutionary for me. It may also mark a turning point in the public's attitude towards these forms of art. We have already questioned that.

Norbert Pfeifer: Okay, you talked about something like millions of Euros. When we talk about Donaukanal, I think we will not talk about millions. But of course, it still might turn to exploitation. It would be interesting to hear from the audience, from all of the audience, their experience with this aspect of exploitation. So I do not know who would dare to begin to speak.

Enrico Bonadio: We have an artist there. *<pointing at DEADBEAT HERO>* Writer or muralist?

DEADBEAT HERO: More murals. Yeah, I'm thinking about it because it's an interesting topic, especially with this A1 commercial [i.e. the commercial Norbert Pfeifer showed in the beginning, <https://youtu.be/oLHtNJCl6zE>]. I remember seeing this on television and realising how they kind of did this red swoosh along the wall, blocking some of the graffiti. But, yeah, I think if you are a public person, for example, and they're filming in an area, and they film you walking by as a normal person, you have to sign something to have your face shown in this environment. And with graffiti and street art, you should also have to give your permission for it to be used in this context. You should be asked, I think. So I do feel like that's an issue regarding advertising and using public art in this way. Of course, it's difficult if it's just a tag that you can't really read and you don't know who this artist is, but there are plenty of other places to film and ways to block this art.

MANUEL SKIRL: If there are people they could ask, like Stefan, who isn't here, unfortunately.

DEADBEAT HERO: Yeah, exactly.

Norbert Pfeifer: *<talking to Christine Koblitz from Wien*

Museum> You also organised some graffiti and tags to be written within the museum, right? And, of course, there's also the question, was there an aspect of exploitation? So did the artist get something?

Christine Koblitz: *<asking MANUEL SKIRL>* Did you feel exploited by the museum?

MANUEL SKIRL: I think I should answer that whole question by myself because I personally have a completely different point of view, but that's something that I feel is just me. I don't think about those things. We got a lot of revenue [from the TAKEOVER exhibition—see Koblitz in this volume], and I think it was an excellent platform. I also remember we got some currency for it. So I didn't feel exploited, to be honest. And also, I really respect your [DEADBEAT HERO's] opinion; I think it's a really legit one, but for me personally, I try never to concentrate on scratching together what somebody potentially owes me. Especially if I work somewhere without permission, in public places, I always try to tame those emotions about getting exploited by car companies that film their commercials on the street. Yeah. Okay. Street art is on the street; cars are on the street. Makes sense. They try to reach young people. And when you give them this background for me personally, that's your own fault. If it's a commissioned work, if it's legal or even something you paid for, or if you invested something to have it there, such as a commercial billboard of a company, then it's something else. But 95% of places along the Donaukanal are technically illegal.

Enrico Bonadio: There were cases also in America, two cases in particular, where artists have taken action, even when the artwork has been created illegally.

MANUEL SKIRL: I'm not overlapping my personal opinion or morals with the law situation in the United States here. And I know that over there, a lot of stuff is happening, which is interesting and brings new ideas on how to see this more morally. But I personally made the experience that it's better to concentrate on creating something new than looking back on who owes you what when they use it. It just felt better. I just didn't want to spend my time having these

emotions.

DEADBEAT HERO: It's interesting that we, as artists, also try to put our artwork in the most publicly visible areas that we can, which kind of puts it in a position where it's always in the background of something.

MANUEL SKIRL: I always tell other people when they complain in front of me that they don't want anybody to see it, they should do it in their house or maybe in a book and just close it. But you want to be seen; you want to be recognised. And if a car company or a super cool fashion discounter is seeing your thing as the potentially best background on the whole Donaukanal, it's also some kind of honour. But I understand if people get mad, especially if they have financially hard times, kids, a family, or anything else, and then you see this on TV. I totally get why it makes you angry. Totally!

DEADBEAT HERO: It's interesting that there is this separation between compensation and recognition. Or not really recognition, but more just the courtesy of being asked that this can be in this commercial. Obviously, I'm not so much on the confrontation side, but it's nice to just be asked: Can we have this in a commercial? Is this fine for you? Sign it off, and then that's done.

Enrico Bonadio: May I ask you something? Do you think there is a contradiction between being a writer and taking legal actions by relying on copyright? Because graffiti writing is very much anti-establishment, right?

MANUEL SKIRL: Definitely.

Enrico Bonadio: Anti-government and against police brutality. Some commentators said it's a paradox. These guys fight the system. Especially for writing rather than street art, and then they ask a judge to be protected. You see contradictions in that, no?

MANUEL SKIRL: Yes, big time, of course.

Enrico Bonadio: But several of those I interviewed don't...

MANUEL SKIRL: Yeah, of course. There's also not just black

and white. There's this big, big area of fading.

Enrico Bonadio: Yes, nuances.

MANUEL SKIRL: A lot of people are in between. I just found it ridiculous that somebody would tag ACAB [i.e., All Cops Are Bastards] everywhere and then call the police if they had any problems. You should make up your mind.

< *Laughter* >

Enrico Bonadio: So if McDonald steals a nice ACAB graffiti, you find it contradictory if the very same writer asks the...

MANUEL SKIRL: Asks the law, asks the government and the structure he's actually...maybe not when he's just against the police, but when you write "Fuck the law". McDonald's will copy that "Fuck the law", but...

Enrico Bonadio: That's free speech.

MANUEL SKIRL: Of course, it's free speech, but it's contradictory if you ask the law to help you get money if McDonald's prints it in their restaurant. I think that's pretty obvious, no? Maybe I'm alone here.

Enrico Bonadio: But there are different opinions in the sub-culture.

MANUEL SKIRL: Yeah, of course. Some people are lucky, some...

Enrico Bonadio: No, several highlighted exactly that. Others say: No, it's free speech. I want to be protected anyway. I can say whatever I want in my mural.

MANUEL SKIRL: I think people are getting very creative, especially when it's about getting money.

Enrico Bonadio: There is another contradiction that has been highlighted. They objected to my argument. "You are not part of the establishment. You take action against McDonald's because you don't want your mural to be

associated with the cheeseburger, but then you negotiate and settle a \$ 40,000 settlement fee". Is this contradictory again?

MANUEL SKIRL: Yeah, I think so.

Enrico Bonadio: So you should not get any?

MANUEL SKIRL: If you write a declaration that you don't want to get connected to a specific product or certain company unless you get € 40,000, that's pretty... It's your right, of course. And also, I understand it, but...

Enrico Bonadio: They use your creation.

MANUEL SKIRL: I don't want you to use it because I don't want to be associated with it unless I get this amount of money? Again, I feel it, but it doesn't make sense. You want to be associated with it if you get paid enough, or you don't want to be associated with it.

Enrico Bonadio: So basically, another objection that has been made is if copyright enters and penetrates these subcultures, these artistic movements get corrupted. So copyright is capable of corrupting or making these subcultures not subversive anymore. I disagree. In my opinion, copyright is not just a capitalistic tool in the hands of greedy corporations. It is also that, of course, because you use copyright to make money, right? Because it's a monopoly and you can license it; it's a way to extract economic profits from your creation, and many do. Many famous street artists do. They become rich. They do merchandise. But it's not just that. Copyright also allows street artists and graffiti writers to keep control over their art. For example, I interviewed STIK in London. He does these stick figures. He made an agreement with charities, such as NHS, LGBTQ organisations, and homeless organisations, allowing them to use the stickman man for these social purposes. In return for no money, just covering the expenses. And he can do so because of copyright. So basically, he showed me the rule for using the stickman in our interview. If you want to use the stickman, you need to use yellow or white colour in the background. The lines should not be thicker than two or five centimetres. He's able to regulate the use of his creation by

these charities. But he can do that because of copyright; the copyright architecture gives him the possibility.

MANUEL SKIRL: Yeah. But he also needs to enforce it. Every time somebody uses it, he needs to recognise it. I want to paint paintings. If this STIK wants to go to court daily, it's his thing. It's fascinating, but I don't know if this is a nice way to spend your day.

Enrico Bonadio: If a political party you don't like starts using your creation, you'll be annoyed, right?

MANUEL SKIRL: Yeah, of course.

Enrico Bonadio: So, the only way to react is to rely on copyright. Without copyright, that political party you hate might continue to do that.

MANUEL SKIRL: Yeah. I also think that's happened already.

Enrico Bonadio: There was a case in France decided at the beginning of 2021 where COMBO, a French artist, complained against Jean-Luc Mélenchon, the far-left candidate of the French presidential elections in 2017. Mélenchon used one of COMBO's murals in one of his videos without permission. COMBO started legal action against Mélenchon and his party for illegally using his mural and for violating the moral right of integrity. He lost the case also because the judge said: "Look, this was used by a political party, which is not very far from your own idea". So, it's not completely opposite to your beliefs. But apart from that, you can see that he took action because he didn't want his artwork to be used by any political party without his permission. No matter right or left. It was not a matter of much money. He didn't ask for money. It was more a matter of principle. "If you politicians use my mural in your promotional videos, in your political campaigns, you need to ask me for permission. You can't do that without permission".

FUNKY: Can I ask something?

Enrico Bonadio: Yes, sure.

FUNKY: Is it right when you give your murals or your graffiti pieces, or similar, on Instagram, Facebook or Google, users have the right to use it for themselves or for other organisations? Is this right?

Enrico Bonadio: No. You can't use them.

FUNKY: Because I had that a few times, and I couldn't believe this because this is my work. Someone is using it even for money.

Enrico Bonadio: Sometimes, for money, there is commercial exploitation, and you can stop that. You cannot prevent private users who use it, for example, for teaching purposes or research.

FUNKY: I think this is okay. For education, it's totally okay. But for example, someone is printing my stencil or my idea on a shirt. They are selling it. I saw it in shops like Primark or H&M.

Enrico Bonadio: Your own artwork?

FUNKY: Not mine, but others. I mean, this has not specifically something to do with graffiti. These are logos of Disney or other good cartoons sold by New Yorker or H&M. And this is something where I ask myself: "How could it be possible for a shop to have rights to these cartoons?" I don't know how to explain it.

Geert Verhoeven: Let's say, for instance, that when our project INDIGO ends, we would select the nicest pieces that were documented in the past few years, and we create a book out of this, and we would sell this on Amazon, for example. How would this work? Would we also have to give royalties to all the guys that created the works?

Enrico Bonadio: No, it is safe to ask for permission to be published in the book. I know it won't be easy because you need to trace them. And a book may contain many pictures. So when I worked on that photographic book you mentioned before [Bonadio, E. (2020). *Protecting Art in the Street: A Guide to Copyright in Street Art and Graffiti*. Dokument Press.]. It's a small one but contains lots of

photographs. Photographs that have been given to me by artists and other people. It took me a while to get the authorisation of the artists and the photographer. Because here you have two copyrights. You have one copyright over the original mural and another independent copyright over the photograph, which belongs to a photographer. So, you need two copyrights. Two concepts.

MANUEL SKIRL: And when we talk about the copyright of every single tag on Donaukanal, you can easily take a picture with a dozen different artists.

Enrico Bonadio: It takes ages to clear the rights.

MANUEL SKIRL: It's impossible.

Enrico Bonadio: It took me a while. So, there is a rule in many copyright laws which says that if you do a diligent search to find out the copyright owner, but you cannot trace him or her, you can still use it. You can use it by saying "unknown artist". And in two or three pictures, I have written "unknown artist" because I took a picture in Havana. There was a mural with a copyright symbol. I took it and put "unknown artists", but I tried to make a reasonable and diligent search, but I couldn't find the artist.

Liljana Radošević: Now that we talked about books, I have one question about legal structures in different countries. I come from Serbia, from the organisation Street Art Belgrade, and in 2016, our first book was published. In this book, there were, of course, some artworks by artists from different places. I'm going to name just one. We had a little issue with a French artist, REMED, who did one beautiful mural in Belgrade. It was done for the Belgrade Summer Festival. So, he was invited by the festival, and the festival basically paid for the artwork. When the book was published, my colleagues tagged REMED and told him: "your artwork is in our book". And according to our Serbian law, everything in public space can be photographed, and you don't need to ask permission for it. So, of course, we, as human beings, recognise that if you have an artist, you should negotiate with him, but this wasn't really possible at the time. I think we also had a different mindset that we didn't think about it because no artist in Serbia and Belgrade

asked for these things because our legal system is different, our structure is different, and our community is so small that we all know each other. Basically, you don't need signed permission. You just call somebody and ask: "Hey, is it okay if we publish?". And he will say: "Yeah, sure, no problem."

Enrico Bonadio: Yeah, that's fine.

Liljana Radošević: So, we are used to that, but we didn't have a phone number.

Enrico Bonadio: An email is better than a call.

Liljana Radošević: Yeah, of course. But as I'm saying, our mindset is slightly different, and of course, there was no bad intention. The book we sell costs more to publish and print than the revenue we get from it. But the point is that I do understand REMED's point of view. He was very disappointed that we didn't contact him, but on the other hand, legally, we had no need to do it from the point of view of Serbian law. So Serbian law says that the mural belongs to the summer festival. Our colleague took the photograph. So, it was his photograph. The book is the way it is; it's not something that you can actually make money from. You don't need to ask for these things. Now we are preparing a new book, and we are trying to get in touch early with everybody present in the book. But I just wanted to say that you have these two legal systems. Okay, Serbia is a European country, but we are not in the EU. So our laws and our systems function differently than in the EU. Then you have this clash of two worlds where, without bad intentions, you can still do something that can make artists mad.

Enrico Bonadio: Probably in Serbia, you have the freedom of panorama exception. The freedom of panorama exception is an exception to copyright, where works placed in public spaces can be reproduced without permission. So you don't violate economic rights if you don't ask for permission. However, you still are required to acknowledge the ownership as long as you are aware of that.

Liljana Radošević: Yeah, of course, we added the name and date of production and that we have no authorship of the particular artwork.

Enrico Bonadio: But in the European Union, this is not harmonised. We don't have an EU law on freedom of panorama. So different countries adopt different solutions. The UK has the freedom of panorama just for sculptures and works of architecture. So in the UK, you can take pictures and publish pictures of sculptures and buildings, but not murals. I don't know why there is this discrimination. Probably it's because back in the days, decades ago, most artworks out there were sculptures, statues, or buildings, not paintings. But now, this discrimination doesn't make sense anymore because there are more paintings than sculptures out there.

MANUEL SKIRL: Is this law maybe just for recreating cityscapes or so? We have a lot of things, like souvenirs or other products, that people identify with a place where architecture and statues play a really big role. But I think they are also much more permanent than murals, no?

Enrico Bonadio: Yeah.

MANUEL SKIRL: Also, the most famous buildings and sculptures are the most well-known artworks in the world, actually.

Enrico Bonadio: Exactly. These laws were devised decades ago when the cityscape was different.

MANUEL SKIRL: And murals were only made for propaganda and stuff like that.

Enrico Bonadio: Yes, also.

Geert Verhoeven: I would like to ask the three graffiti writers here: if we would bring out a book in a year or two and use photographs of your work. Would you feel exploited or not?

DEADBEAT HERO: I would sue you *<ironically>*.

< Laughter >

MANUEL SKIRL: Personally, I just care if the photo is well done. And if it's from a stage where the artwork is still like

I wanted it to be. Long story short, I always appreciate it when people ask me for my photo because I have a good photograph most of the time before it got destroyed. No offence to anybody, but many, many people who are not in the scene tend to take photos from artwork that I am not happy with; and most of my fellow artists are also not happy with. For example, stuff is cut off, the photo is taken from a strange angle, and there's maybe a trash bin or some movable object in front of it where you think: Hey, you could have just pushed it away!

Enrico Bonadio: So you don't like those photos?

MANUEL SKIRL: I don't like those photos.

Enrico Bonadio: You would like to stop the use of those photos?

MANUEL SKIRL: No, I would just prefer the use of my photos instead of those photos. I don't want to stop anybody or tell anybody what to do. I would just prefer to see my photo there, speaking from my heart.

Enrico Bonadio: Yeah. But copyright can help you. That's the point.

MANUEL SKIRL: Yeah, of course. But I don't have the power for this. I want to use all my heart and blood to create artwork. That's fulfilling me much more. That's why I never went in this direction. I opened many of these publications. Some of them are great. Some of them are medium. Some of them are not really satisfying. But then I just close it and forget about it.

Geert Verhoeven: Let's say I have a photograph, and I see this is by MANUEL SKIRL, but I don't know who he or she is and whom I should contact.

MANUEL SKIRL: 99% of the people are really easy to find on social media, no? And if not, you can maybe find or talk to somebody who is close or from the same city. And if somebody understands that you have good intentions and you're not a police officer who is trying to investigate somebody, then you will always get a contact or at least

somebody who tells you: talk to this person. Then you get permission, pretty unofficial, handshake quality, but still better than nothing.

DEADBEAT HERO: Yeah. Especially with quality artwork, you can find it 95% of the time through Instagram. Just type in the name. If you can't find the Instagram handle, just type in the hashtag "graffiti" or "street art", and in whatever city or country you found the artwork, you can usually find it. I do that also every time I go to a new city. I type in "street art Malaysia", for example, and look at all the artists who are active there and the top-quality ones you will find easily.

Geert Verhoeven: So you would feel annoyed if I would use photographs of your work, and then we would have them published.

DEADBEAT HERO: Into a book?

Geert Verhoeven: Yeah.

DEADBEAT HERO: I would like a copy of the book

< Laughter >

Enrico Bonadio: For free.

DEADBEAT HERO: Yeah, exactly. I would just like to be recognised. I have a good little library of books with my artworks featured. And I just like to have that for me. For me, this is cool to have. And also, the point with the photos is good because that happens often. It's not a publication; many times, it's Instagram, or people tag me with my artwork, which is nice. But when somebody's already crossed it with some stuff, I don't feel inclined to share or acknowledge it too much.

Sven Niemann: I think we talked about the quality of pictures, but I think the time of release is also very important. Because some of the crews want to release it first because it loses value if it's not released first. In my hometown Bielefeld, there was some struggle between the spotter scene and the graffiti scene because everyone was taking photos of newly graffiti-covered trains and a friend

of mine released a photograph of a famous train before the crew could release it, and he got problems. So it's not only the quality of the picture but also the timing of the release.

MANUEL SKIRL: Yeah, it's the exclusivity. But I also think that's ridiculous. If you send a train into a station and are angry with people taking pictures. I don't know what these people are thinking.

Sven Niemann: Maybe one example, the book from MOSES and TAPS, I think most of you know it [MOSES, & TAPS (2020). *Graffiti Avantgarde*. Mainaschaff: Publikat]. There was a comment that said, I think, "copyright MOSES and TAPS" and that Norbert...

MANUEL SKIRL: Norbert Siegl took a picture of it and said, "thank you, next time, please also write *Graffiti Europa Org*" or something. You could tell that he wasn't even reading it. But there you see only the positive web reaching you. That's also good, I guess.

Sven Niemann: Yes, there's a lively discussion between spotters and the graffiti scene, which is very interesting. And maybe to add another point: we also analysed a lot of pieces from the eighties and the nineties in Germany, and a lot of sprayers used this copyright sign (©) and sprayed it next to their pieces already in the eighties. So there was an awareness of copyright in the scene itself. So it's very interesting. They're spraying this copyright sign and saying: "no, this is my piece".

MANUEL SKIRL: Don't you think it was more about the name?

Sven Niemann: Yeah, maybe the name too, but I also think next to the pieces, it said: "copyright" or "copyright by" and so on. I think this is very interesting too.

MANUEL SKIRL: But now that you say it, this really appeared very often. Also, next to the signature or the tag.

Enrico Bonadio: That was not uncommon in New York in the seventies, also Jean-Michel Basquiat and Al-Díaz. They

invented "SAMO©", which means like "the same old shit", also with the copyright symbol. I interviewed Al-Díaz in Brooklyn. He told me that Jean-Michel Basquiat and himself chose to put the © to make a statement, right? It's our stuff. Of course, they didn't take legal action against anyone. But there was already, at that time, a specific sentiment of ownership. Al Díaz told me: "That's our tag. SAMO, it's ours, and we put a copyright symbol". And now Al-Díaz and the Basquiat foundation have litigated over a trademark SAMO. The Basquiat foundation filed the trademark application in the US on SAMO, and Al-Díaz opposed it. So they litigated over the exclusive use of the tags for reproducing them on shirts and other fashion products. Now it's okay; copyright has already even entered these subcultures. Also, back in the day, in New York in the seventies, you can see this corporate symbol, for example, by Tracy in its wild-style pieces.

Chiara Ricci: I can tell you about some issues from Torino in Italy. We had a project mostly about street art, and we had a digital archive. So we were not selling anything, just putting together documentation. And we tried to contact all the artists involved. I mean, we were using the pictures of their artworks, and with most of them, it was easy, and with some of them, it was difficult because there were sometimes two or more artists for a piece. And one of them replied to us, but the other one never replied. So we said: okay, what can we do? What should we do? We have one permission, but we missed the other. And then I realised we are within a festival. So we also had to contact the festival organisation. And then, sometimes these spaces were made into public spaces, but it was the outdoor wall of the public school. Then we have to contact the school. So at one point, we were overwhelmed by these legal parts. I mean, we decided to select just the simple cases because in other cases, we say, okay, no more, and we were not selling anything. So sometimes these are the problems. I can recognise the principle, and I agree, but then sometimes you crash on practical issues like that. And also, I don't know the best practice in this case. For example, we have a mural from a girl who is unfortunately dead, so what should you do in that case? Such an old mural is not part of the Italian protection law of cultural heritage, and as said, I don't have anyone to

talk to. So I don't know, for example, this was another issue. Finally, we didn't put this piece in the archive because we didn't know how to behave.

Enrico Bonadio: In that case, you need to contact the successor in title.

Chiara Ricci: Sometimes, finding the artist is just a little bit difficult.

Enrico Bonadio: Copyright lasts until 70 years after the death of the creator. Usually, it's passed on to children or a wife or husband. So you need to contact the family.

Chiara Ricci: Yeah. But it's not easy to find a family. So those are some cases we struggled with. I can understand the difference if you are a car-selling company or McDonald's. Still, in Torino, for example, we have street art tours. There is a girl who's part of the graffiti scene, and she used to make graffiti. She has a lot of friends within the graffiti scene, and she's doing graffiti tours. So, in that case, you suppose that she's keeping the original meaning of the artwork, but now those tours are becoming mainstream. So other little companies start organising tours. And you cannot be one hundred per cent sure that the original meaning is kept. I can interpret artwork in the street, in a public space and say, during my guided tour, something that was not the original thought of the artist. So that's difficult.

DEADBEAT HERO: That's smart what you did. Trying to contact all the artists is really good. And if you can't contact them, don't publish it. If somebody wants their artwork to be recognised, they're going to put their name there, be visible for people to be able to contact, but if it's not there and you can't contact them, then they probably don't want to be. So it's smart what you did.

MANUEL SKIRL: It depends. It can also be removed when it's a little bit older. Due to the weather or by other people.

DEADBEAT HERO: Yeah, it could be covered.

MANUEL SKIRL: I don't like my signature, so I put it super, super small and then maybe you couldn't even find it.

DEADBEAT HERO: And other pieces of yours had your signature, so one can say this is the same artist. It's just like any other creation, like music, for example. If you can't contact a musician to put their song in your video, then you're not going to put the song in the video. It's kind of common sense.

MANUEL SKIRL: Be safe.

DEADBEAT HERO: Yeah. Be safe because there are so many different personalities. And, of course, there will be other people who will have different opinions about that. And as far as the tour guide goes, I don't think it matters so much. I toured for a little bit. I was also the tour guy for a little while to make some extra money on the side. And I can't even explain half of the stuff. So you can make up whatever you want. And these people will just be happy.

< Laughter >

Chiara Ricci: I suppose as an artist, you might not want that everyone can just do this?

MANUEL SKIRL: It's the same thing with any artwork.

Chiara Ricci: Sometimes, it's not just one meaning.

DEADBEAT HERO: A lot of artists that I spoke to on my podcast don't go into it with meaning. They produce it, and they don't want to explain it.

Liljana Radošević: Yeah. I have two comments. So in 50 years, many things have changed. We do try to talk about the origins. We do try to talk about this original culture that started in New York in the seventies, how they were functioning and what they were doing, and how it was possible or impossible for them to do their art. This has changed. There are some laws, and there are still some similarities, but in 2020, we experienced so many different social changes and different mindsets changes that we can't still be working from this premise of the seventies. So I think when we talk about copyright issues, I think this is a hot thing. This also plagues other art forms, not only graffiti and street art. And if it's like part of the general society, we

should reconsider these issues in graffiti street art because artists that grew up after 2000 have that mindset. And it's totally normal to consider these things from today's point of view. So this was my first comment. Basically, going back to temporality. Everything changes, evolves, and is different from 20 years ago. Even though we still have the same good things that connect us to this original culture from the 1970s.

And on the tour guide issues. So I'm an art historian, and I've been researching graffiti and street art since 2000. When I started doing street art tours, it was actually to support my research. It wasn't really to make money, but it was more like, I need to do these tours anyways. So while walking around the city, let's take other people and educate them a little bit. I think, for me, the main issue was the morality around it. For me, if I don't know something, I don't talk about it. And if people ask me: "oh, so what about this?" I just say, "I don't know". It's okay to say that you don't know something and that you can't be in the mind of every single person that does something in the street. But at the same time, I do understand that it's maybe not really nice for anybody just to go out and say, "Okay, I'm going give you a street art tour", and then walk around twenty clueless people and tell them some bullshit about the local scene and the local artist. I think there has to be this moral and ethical standard that you can't do a thing that you don't know anything about.

[...]

This section was initially part of discussion session 1 [see Merrill et al. in this volume]. Still, it fits better with these statements from discussion session 2.

Alexander Watzinger: My first contact with the scene in Vienna was around the eighties, nineties, and it was a pure, almost outlaw scene. It was forbidden everywhere. But nowadays, some artists are getting a lot of money to cover buildings or things. Your personal opinion would interest me. How is this for you? Is this like, okay, they made it or is it more like, they are selling out? What is your opinion?

JANER ONE: It's a different perspective for everyone. You would get diverse opinions on this question. My personal opinion is: it's awesome! If you can do it, you can still do

both, right? It doesn't mean that you can't still bond if you are getting money. That's something a lot of people don't keep in mind.

Alexander Watzinger: It doesn't destroy the act?

JANER ONE: A lot of people would say so. For me, no. I think it's also, how can I say, fair game. It is natural that other people, who don't want them to do [commissioned] stuff like this, cover it by just writing something over it. Very simplistic. But yeah, I think it's fair game. I think it's the other side of the coin that shouldn't be dismissed, in my opinion. Yeah. I think it's good.

[...]

Donaukanal Graffiti IGNORES the Origins

It seems that graffiti created outside the Wienerwand (a collective of all legal graffiti walls in Vienna) are tolerated to a large extent, which removes much of the voluntary risk-taking and hide-and-run-from-the-police approach that characterised their modern American roots. Therefore, is it correct to say that Donaukanal graffiti lost their roots, their critical edge? If creating graffiti is no longer a high-risk pursuit that teases out the boundaries between legal and criminal behaviour, can it still be considered graffiti? Does this relative tolerance explain the number of new graffiti daily appearing around the Donaukanal?

Geert Verhoeven: It started in the 1960s and 1970s as a highly illegal activity in Philadelphia and New York. And when I see graffiti creators on YouTube, for example, they are always masked and ready to flee from the police. And sometimes, when walking along the Donaukanal, people are there with beer and food. it's almost like a barbecue party. And I wonder if you don't really have to run from the cops, maybe then you just get a fine? But very often, it seems you don't get a fine. Does this change the way you create graffiti? Would you quicker start with a big piece because you know "Okay, I have a few hours"? And if the police come by, they might say you should go away, but then you still have an hour to finish the piece. Does this change the way you make graffiti? The way that cops are going about it here?

MANUEL SKIRL: I have a lot to say about this. First, I think

it's all about body language, especially in Austria. On the Donaukanal, there are a lot of places which are officially legal. You can search for those on the internet, but most of the walls would actually be also heritage-protected because some of the stuff is by Otto Wagner, a really famous architect. Most of the walls are technically illegal, but everybody in the scene or most people in the scene know that the police are not very highly educated about where these areas start and where they stop. And they are also not encouraged obviously to learn this and to enforce this. So they would only investigate if somebody calls them to check on you. That means it's up to the people or up to everybody's view to judge if what you are doing is right or not. And then we get to the beers, to the speakers, to a lot of things on the floor, which just makes what you are doing look like you are not prepared to run away from the police, right? So to create this image in an area where you actually should hurry up, that approach works much better along the Donaukanal during the day. People learn that when you stand there with two spray cans, and you paint very fast and look around super nervously, people will of course call the police. But if you stand at the same spot with brushes and music and your friends are sitting around barbecuing, people are like, "That's legit, of course". And especially in Austria where people wouldn't interfere or tell you what you do wrong. If they are not 100% sure about it, they would just walk by saying "Hi!". And that's it.

Enrico Bonadio: Even better to wear a yellow vest. Trying to pretend that you are cleaning.

MANUEL SKIRL: Exactly, something like this. Vienna is a city where you can do this everywhere. People wouldn't question what you're doing if your body language and whatever around you looks like you were working legitimately. I can tell this from many experiences.

Geert Verhoeven: So that's maybe also why many people, even from Vienna, think that a lot of it is legal.

MANUEL SKIRL: Of course. Yeah, of course.

Christine Koblitz: But this is a speciality of the Donaukanal.

MANUEL SKIRL: Yes. But we also figured out it could be the

same elsewhere on a nice Sunday or Saturday afternoon. There are a few things in several districts. I would say it's a little bit easier because the people there are more like left-minded, progressive people, if I can say it like that. Also, Italy is an amazing place for this. People would even appreciate what you are doing, while in northern Germany, they would call the police on you and question whatever you're doing. In the south of Italy, you would get a plate of fantastic food. Yeah.

< *Laughter* >

There's a wide variety between how people and how the public are reacting to this. And I think wherever graffiti happens, the mentality, the vibes from a country, and the political situation all influence it.

Liljana Radošević: Yeah. But there are also areas, for example, if you're painting trains, this is also an area, even in Vienna, where you expect to run.

MANUEL SKIRL: Yeah. But also, 99% of the people who would find you and see you working there know exactly what is cool and what is not. So if we compare a train yard to a street, then the bypassers do not really know what you're doing or if you have permission from the shop owner or whatever, but the person who works in the train yard, such as mechanics, they know exactly that you're not supposed to spray paint on that train

Sven Niemann: Sometimes it's simple mathematics, so it is possible to measure the difference between street pieces and hall of fame pieces. With our knowledge graph, it was possible to compare the number of style elements. So I think in hall-of-fame pieces, the number is about 5.81 style elements such as outlines, fill-ins and so on. And in street pieces, it was, I think, 3.56. So it is possible to measure the difference in complexity. Of course, if you have the whole day to spray a piece, you have more time to make more complex things. It's simple mathematics, and you can measure it. Another common strategy is to have a legal name. In Paderborn, every artist has a legal name. So in Paderborn, they even use their proper name. So we have Volker and Norbert; of course, they have another illegal

name that no one knows. So this is a strategy.

MANUEL SKIRL: You're talking about Volker der Goldene Reiter?

Sven Niemann: Yeah. Good guy. He is a good guy, a good friend. He's supporting our project by reading graffiti, and we give him pizza and beer. So he's fine. But he wants my job *<laughs>* because you're not getting paid for painting graffiti all day. But I can't take his job because I can't spray.

< Laughter >

[...]

DEADBEAT HERO: Regarding the statement "graffiti ignores its origins", I also think of it in the aspect of skateboarding. So if the Donaukanal graffiti ignores the origins of graffiti, then I guess skate parks ignore the origins of skateboarding in a way. So it's not that it's ignoring it. It's just giving you a chance to do it in a setting with your friends and not have to worry about running from the police. It's more of a social thing, at least for me. If I have somebody coming from another country and we want to go paint something, it's easy, cheesy, have a beer, not thinking it's gonna stay, you know, a week after we painted it. It's not ignoring anything. It's just a, just a way for us to...

MANUEL SKIRL: It's developing a new field.

DEADBEAT HERO: Yeah.

MANUEL SKIRL: Taking something somewhere else and just adapting to the area. When painting in public spaces, talking for myself, I always adapt to the situation. I turn around and see, "Okay, how much time will I have here, or is it going to start to rain? Are people going to be mad?" That's all the factors that make the graffiti in the end. And I think it reads here [the statement] that graffiti is a person or something. But of course, the whole scene or the whole development of what is getting done by the scene is always adapting to the factors around it. So I don't think it's ignoring anything, but just...

DEADBEAT HERO: Yeah. Graffiti is always going to be there. If you want to do it illegally and run from the police, you can always do that.

Geert Verhoeven: But would you agree that the setting along the Donaukanal makes it less socio-political critical than maybe in other places in the city?

MANUEL SKIRL: No, maybe even more. I see the most political graffiti in Vienna at the Donaukanal because these people find a platform there to make their messages. They can take a lot of time. We don't have so much political graffiti on the street. I don't know why. Is it getting removed very fast, or are people not even doing it? But I would say it even encourages people to go there [the Donaukanal] and make very big "refugees welcome" or whatever. Also, when we had these terror attacks, they would black out big parts. So there's a lot of reaction to political happenings and political statements. Antifa wall, for example. And it's cool that it brings a little variety to the hip-hop stuff and the other stuff.

MANUEL SKIRL: I have to say sorry, but I must leave for my next date. It was really nice talking to you, and thanks for the coffee.

< MANUEL SKIRL leaves >

Geert Verhoeven: We can wrap it up here because there's now a break scheduled. I think these were some challenging issues, and no discussion is long enough to discuss all the possible points of view. And there are also many more interesting legal issues, like how one can tokenise creations, for example. So we might need another discussion session at the next conference.