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Anomaly and Autonomy: On the Currency of the Exception in the Value Relations of Contemporary Art

I. Introduction

The question of the anomaly as a way of framing the economy of art in capitalism is an interesting and a demanding one. This is because, unlike in most logical cases and empirical situations, where it is the rule that makes the exception visible, in the case of art – and, as I will suggest, not only art – it is the exception that allows us to understand the rule. What does that mean? By focusing on a social form that appears to be anomalous to the rules of markets and the law of value alike, we come to see the tools of accounting as markers of unaccountability. The rule in its suspension; suspended before us, visible from every angle.

According to the precepts of the critique of political economy, as interpreted and developed by Marxist aesthetic theorists from the mid-20th century onwards, the basis of art's exceptionality to the law of value that obtains in capitalist societies is that art production is not conducted under the conditions held to be typical of this law.¹ Principally, it is not produced under the conditions of wage labour – the form of social labour that distinguishes capitalism from other modes of production – with its two sides of abstract and concrete labour. Art production, by and large, is not organised industrially and does not transpire according to economies of scale and product innovation in an investor-driven competitive market. Most art is not produced in response to market demand nor on an assembly line with workers being paid either a piece rate or by the hour. Moreover, artists tend to own their means of production, though of course many also commission other workers and producers in the manufacture of their works, not to speak of ob-

ject-less practices. In light of the above, Marxist categories would determine art-making itself as neither formally nor really subsumed, producing neither absolute nor relative surplus value.² Thus, because art is normatively neither performed nor made under conditions where surplus value is extracted, it does not produce value – in the sense of value as abstract, socially necessary and socially average, equalisable labour time. It can therefore be proposed that art has no value in this homogeneous, empirically quantifiable sense. On the other hand, art certainly has a price, since it can be exchanged for money in the marketplace like any other commodity.

Acknowledging the latter in particular, it is clear that while we can discuss art as having a highly indirect and mediated relationship to the law of value as described above, these very mediations ensure it can be discussed as multiply determined by the *form of value*. 'Form' here is to be understood as referring to social relationships that are themselves multiply constituted by value relations such as commodity, price, technology, market (but also gender and race). They derive their character as value relations from their *formation* by the total social relation of capital, given that it is the specificity of their conjunction and not any of these factors in isolation which ensure we are dealing with a capitalist society *per se*.³

So, if art is an exception in terms of these classic and still highly material categories, we can ask: what kind of exception is it? And is it the only exception? Before addressing those questions, we can perhaps point to a yet more decisive one, which is to what extent taking on this idea of the exception as a lens to ascertain the form and function of the rule implies that we start see-

ing the work of the exception to value at the very core of value. This means seeing unwaged labour as core to waged labour. This goes beyond the sense of unwaged labour as the technical source of surplus value, but includes its empirical and socially differentiated manifestations. Here, we would consider the systemic reliance of capital on unpaid reproductive labour, on coerced and enslaved labour, and all the mundane and lethal, gendered and racialised social asymmetries this generates and whose management has been key to the development of capitalist modernity from the start.⁴ What's more, violence and inequality are built into the allegedly free wage contract, both legally and empirically, as we can read in Marx's *Capital*, in the historical record, and in the news.⁵

With this constituting the background to our inquiry, we approach the first question – what kind of exceptionality do we have in mind when we attribute exceptionality to art? Such a question often commences with, not to say defaults to, the contradictions of artistic subjectivity as it has come to exemplify the unique, creative individual of liberalism. This has been long established in the critique of the asocial imperatives which comprise the social content of the exceptional artistic individual, from patriarchal Romantic ideologies of genius to today's personal brands. Such formulations do hit on a neuralgic point, often touching – perhaps inevitably – on the personal and the ethical in the felt need to put at stake the social conditions for the reproduction of the artistic subject as itself an index of the special moral sensitivity of the artist. This can be seen as one of the keys to the artist's status of exemption from the 'rule', the average, of capitalist market relations. The very refusal of exceptionality thus has to draw on the resources of exceptionality to hit its critical mark. Such an individualisation, in common with most forms of 'privilege politics', has the potential to overshadow, as well as potentially to reveal, structural arguments which are not simply

empirical (in the 'follow the money' sense), such as the social and institutionalised division of labour which reproduces art, at least historically, as the spiritualised exception to the quantified rule. That this is the decisive condition for both the artwork and the artistic subject points to the deep roots of the exception, and it is perhaps Theodor W. Adorno who has brought the most comprehensive approach to this problem: "The truth content of artworks, which is indeed their social truth, is predicated on their fetish character. The principle of heteronomy, apparently the counterpart of fetishism, is the principle of exchange, and in it domination is masked."⁶

However, if we acknowledge that art – as practice and as institution – is multiply mediated, we see that it constitutes a mediation in its own right, a function to which its status as exception is decisive. In modernity, art has represented a safe space for eternal human values, a means of class mobility, and finally a mystified last resort of freedom, a sphere of licensed dissent whose incursions into political traction or celebrity culture serve as a foil to the more abiding facts of insulation and isolation. Nonetheless, art has held on to a utopian character, precisely due to this insulation, even as it has been increasingly called upon to serve as an institutional redoubt for forms of cultural and political opposition that have been crowded out of their older, welfare capitalist social spaces and channels. Yet, in an age where capitalist extraction seems increasingly less in need of mediations which can legitimate its rule – mediations such as culture, education, or even formal, much less substantive, democracy – art tends ever more relentlessly to become a status good, less distinct from other types of luxury commodities and investment sectors. Hence, the role of criticality in artistic discourse, functioning as it has in recent years as the marker of conflicted empathy with the victims of unchangeable social conditions, becomes increasingly superfluous, and thereby inflationary, in line with the production it concerns it-

self with. A 'turn' may yet be observed, in which art institutions of all types rush to match their shrinking budgets with more radical content that makes a 'second appearance' in the space of cultural production. Here, cachet is drawn from the academy or grassroots activity that may have developed elsewhere or in another historical moment, while in return a platform is offered – one which is hard to jettison for strategic no less than economic reasons.

II. Anomalies That Matter

Thus far the discussion of art's exceptionality to value relations has stuck quite closely to the received account of artistic autonomy in critical Marxian social theories of art, tracing both the material and ideological anchors of this principle of autonomy. The account sought to establish the 'uses' of this exceptional autonomy, albeit to a limited extent.⁷ This likewise managed to indicate at least some of the degree to which we need to consider art as not only *subject to* an exceptionality (excused from the rule), but as *representing* exceptionality *in general* to the systematic operation of capitalist logics (the exception to the rule). If we follow the latter dimension of the question, then a more thorough inquiry into the character of the anomaly as it is perpetuated through and included within those logics will be needed. Is exceptionality anomalous or is it 'ordinary', as Raymond Williams predicated of culture?⁸

When we talk about art's exceptionality to the rules of capitalist reproduction – the exceptionality to production is easier to trace – the most basic question is if we mean those rules to be understood as social or as economic. No less do we need to be able to explain the ground of the distinction between these. If the question of exceptionality is asked from within a Marxist problematic, it is clear that there cannot be an absolute division between the social

and the economic, since the whole premise of the critique of political economy is that society is an antagonistic construction, one of whose fault lines is the economy. And it is a fault line precisely because it gets detached from society, which is to say from social conflict, and placed in an autonomous zone where it exerts an authoritative and controlling influence over social relations through the technocratic theodicy of free markets and optimal competition. This is the terrain developed by Michel Foucault in his account of ordo-liberalism as the history (and reference point) of neo-liberalism. He discusses how ordo-liberalism recuperates the 19th century liberal emphasis on these factors but dramatically transforms them with its vision of a strong state that fosters not just markets and competition, but the entrepreneurial subjectivities that look to competition and markets rather than to a redistributive state as the source of social goods. The state is strong enough to protect its neutrality from the political claims of civil society and social classes; it exists to protect private property from these claims, rather than to adjudicate how it should be held and used.⁹ Thus, even before the principle of the state's monopoly on legitimate violence comes into play, its neutrality is shown instead to be partiality to the already powerful and well-resourced. However, as many political theorists have pointed out, this neutrality of the state and its institutions is not fictitious but real, to the extent that the state's claim to its citizens' loyalty rests on the premise of this neutrality, and thus can claim to be acting in their interests, at least some of the time.¹⁰ It is responsible for creating 'hegemony' among otherwise conflictual social actors (Gramsci), by seeming to rise above civil society and its short-term interests (Hegel).¹¹

The argument that the 'economy' is a specific political project, historically situated in modernising capitalist Western Europe occurs in numerous strands of scholarship, though the theoretical premises of the argument generally owe

more to Foucault than to Marx. Nevertheless, the Marxian imprint is strong and often lends itself to articulation with the Foucauldian argument in its emphasis on the structural role of multiply mediated relations of force. The economy cannot stand outside of society, just as the state cannot stand outside of either – yet both dominate through the fiction of being above and beyond the transactions of ‘civil society’, in Hegelian or in Gramscian terms. Transcendence is one way of denying constitutive antagonism, and complete immanence another: the idea that society is coextensive with the market, for example, or, as we know from the famous Thatcherite adage, the former tends to be absorbed by the latter. Then there is Marx’s suggestion that the state is the organised expression of bourgeois class interests.¹² Keeping all this in view, the project could then be to identify continuity and separation in different terms: through the logic of the anomaly, as we will see further below.

Before returning to the linkage between the ‘exception’ and the form of value on a broader scale, it may be helpful to look at how separation and continuity play out in the relationship between two types of universality in liberal capitalist society: that of the commodity form and that of the law. The 1920s Soviet jurist Evgeny Pashukanis similarly traced the linkages between the form of the commodity and the juridical forms of Western liberal jurisprudence, centrally the legal person.¹³ As the first object of ownership held by the natural subject, the legal person has full jurisdiction over himself, as we know from John Locke and other liberal philosophers writing in the Anglophone common law tradition. The person is conceived as a proprietor of himself – a self which may be alienated, or exchanged, though an ‘inalienable’ set of human rights is sometimes introduced to regulate those instances.¹⁴ For Pashukanis, the commodity and the subject in Western law are symmetrical, with the law of value and the ‘Law’ bound far more intimately than the sanctity of (certain) con-

tracts in capitalist societies. As in commodity exchange which abstracts from particular uses and values in favour of the exchange abstraction that enables goods to circulate in markets – the separation of the economy from society – the law abstracts from particular situations and relations to establish a sphere of impartiality over them, when it is in actuality beholden to specific, historically developed power relations and institutional priorities. The fetishism of the free individual and the independence of the juridical sphere correlate to one another, both underpinned by the fetishism of the commodity as the effective premise of all legal institutions in their fundamental commitment to the defence of private property.¹⁵ Here the commodity is seen as an infrastructure or a ‘social form’, in the tradition of Marxist value-form theory, rather than as a carrier of the ‘satisfaction of needs’ in a sphere of economic exchange driven by a naturalised feedback of supply and demand. In value-form theory, the question of the exception or the anomaly, as was hinted earlier in the discussion of Adorno’s aesthetic theory, is no longer one which can be framed in terms of an erratum within a regular mode of operation of ‘economic rationality’. Rather, the social and the economic are, in their separation, ideological outcomes of a mode of social production and reproduction which operates through crisis and contradiction, which is to say, by means of anomalies and exceptions. In that light, the economic exceptionality of art as non-value productive aligns with other ‘exceptions’ and ‘externalities’ which do not lend themselves to an anti-capitalist reading by means of their *structural* exceptionality but by their potential for antagonism, or, what we could discuss as the *actualisation* of exceptionality.

From this it follows that whenever the economy is invoked as a separate instance regulated by its very own laws, producing anomalies, exceptions and contradictions through the working of this regularity but whose connection to

the social is at best indirect, we have to insist on the hold of the ordo-liberal and neoliberal project of separation and mastery for this economy, its historical persistence and material effects. Yet in doing so, we also run the hazard of re-legitimizing this project. The economy is separate, but it is not exceptional – it is the site for ‘veridiction’ where truth claims are affirmed and extrapolated to other social instances, which from then on can no longer principally stand as ‘other’ to this truth machine.¹⁶ However, in drawing the genealogy of the concept of the economy as this kind of separate yet imperialistic instance, we could also turn to the work of social scientist Timothy Mitchell, who writes that “‘the economy’ is a surprisingly recent product of socio-technical practice”.¹⁷ Unlike Foucault or Karl Polanyi, he does not trace actual economical structures back to what he underlines is the ‘political economy’ of the 18th and 19th century, that is, a practice of government of stock and assets, shading into the management of population as a resource for competitive nation states which Foucault places at the root of ‘governmentality’. He rather traces the emergence of the economy as a separate social instance to, in part, its emergence as a specific academic discipline in the mid-20th century, that is, to the emergence of ‘economics’, and its consolidation as a technical and mathematic field with its own laws and predictive powers. But he also has something to say about how this apparatus of the economy goes about creating exceptions: “The invention of the economy required a great work of imagination [...] To fix a self-contained sphere like the economy requires not only methods of counting everything within it, but also, and perhaps more importantly, some method of excluding what does not belong.”¹⁸ And creating the non-economy authorises the creation of a sphere of exceptionality which is held outside the law, regulation, accounting or accountability – a sphere of corporeal and institutionalised violence, but also illegibility, or epistemic violence.¹⁹

Coming back to our initial inquiry, if art is an exception in terms of the economy, as well as an exception in terms of the Marxist analysis of the socio-economic operations of value, is it the only exception? What else is an exception? Education? Social services? The military? Finance? Or weapons manufacturing, with its classically ‘unproductive’ output? All these institutions are exceptional to the law of value one way or another, and their economic functionality is also rather obscure, since they do not produce commodities of the kind that can be readily understood according to either system.²⁰ Does that make them anomalous, and if yes, is the deviation from the production of ‘middle-sized dry goods’ as academic philosophy, especially in its object-oriented variants, likes to say, under standard wage labour relations have an implicit or explicit political significance?

Famously, neoliberal governance has focused on correcting these deviations of non-economy by installing artificial markets inside organisations and privatising and outsourcing their functions.²¹ But as we have seen, exceptionality has actually always been core to the operation of markets, commodities and labour in capitalist societies, and analyses from Marxist feminists, eco-feminists, critical race and postcolonial theorists, and Marxist ecologists have consistently argued for the structural and political significance of the reliance of capital on exploiting unpaid labour and ‘free resources’ such as an endlessly abundant nature (in which women, the racialised and colonial subjects were, and are still, ruthlessly included). Salient contributions to this discussion have come from feminist theorists and activists such as Silvia Federici and Maria Mies, who explain how ‘women, nature and the colonies’ became the ‘free inputs’ which made possible the feats of accumulation enabling the gradual and global development of capitalist modernity over the past several centuries.²² Recent analysis by systems ecologist Jason W. Moore similarly outlines how the ‘exceptional-

ity' of unpaid labour performed by 'human and extra-human natures' is positioned centrally in capitalist accumulation, under the rubric of the 'four cheaps': cheap labour (unfree and/or unwaged), cheap nature, cheap energy and cheap food. This switch of perspective from the exceptionality to the centrality of the unpaid and the unmeasured – to the dynamic of appropriation or extraction over the one of exploitation – to capitalist accumulation is a key clarification of the centrality of the unvalued to capital value.²³ There is here also a salient critique of the dualism between society and nature as it informs radical and Marxian ecological thought, echoing the problematic distinction between society and economy that supports narratives of exceptionality, in art theory and elsewhere. We can add here that Marxist feminism, with its emphasis on the ways in which the labour of feminised subjects²⁴ is made natural and invisible as 'care', the beyond and beneath of measure of gendered and racialised social reproduction, is crucial to this analysis. The racialisation of those social subjects exposed to 'exceptional' levels of violence, control and subjugation, whether as labour power or as social surplus, is perhaps most dramatically analysed in the 'afro-pessimist' work of writers such as Jared Sexton, Frank B. Wilderson III, and Denise Ferreira da Silva, albeit from a theoretical standpoint based on ontology rather than political economy.²⁵

III. Autonomies

But art continues to subsist in a rather specific situation. It derives both its market and its social value from an overdetermined, if unstable, exceptionality; from its ability to offer other worlds and ways of being, working and thinking to its producers and interlocutors. It is an atoll of autonomous 'work' in an ocean of dependent 'labour', a space of free creativity (autonomy) in a maze of heteronomy (albeit its entangle-

ment with heteronomy is abiding, from the dependence on the need to recycle accumulated wealth by private individuals and states to the unmeasured and unwaged labour supporting its infrastructural needs).²⁶ Recalling Adorno's discussion, it is as an anomaly that it confirms the rule – just as money can be said to act like a fluorescent dye that makes labour visible – while as an anomaly, it demonstrates the limits of the rule. Money is an apposite reference to keep in mind here, recalling Fredric Jameson and others writing on the 'autonomisation' of capital, and how the trajectory of avant-garde art in its claims to independence from the social can be compared to the increasing independence and power of finance in geopolitics and social reproduction – one shorthand characterisation of the dynamic of neoliberal capitalism.²⁷

Art's distance from the strictures of the economy on a daily, experiential basis is important and critically productive, but also, invariably, ambiguous. It is only when this anomaly is connected to the reproduction of the anomalous as the geophysical and social crises manifesting everywhere – the "expulsions", as Saskia Sassen calls it, and extractions of the current mode of valorisation, no less than the violent condensations of ethnic and gender supremacy such 'endo-colonising' ways of valorisation entail – that exceptionality can develop political traction.²⁸ The double nature of artistic activity as both free work and free labour is one place to start. It is a trajectory that begins with Kant's finding his own peculiar version of double freedom in art – that it be free of a relationship to the market, that is, that it be disinterested, and that it be free of ends outside itself. This can be seen as the inception of the intermittent, and troubled, identification of artists with workers over the period of industrial modernity and into the present.²⁹ Recently, the main organiser of US artist fees' campaign WAGE (Working Artists and the Greater Economy), Lise Soskolne, has written that, "artists must acknowledge that their labor is

not exceptional in its support of and exploitation by a multibillion-dollar industry, while simultaneously putting their exceptionality to work by engaging their own labor on political terms, and as a political act.”³⁰ Such reflections highlight the interlocking of the categories of ‘exceptionality’ and ‘autonomy’ in the analysis outlined here. Artistic autonomy has long been discredited as a romantic and conservative reflex of art’s inability to deal with the fact that it is embedded in a capitalist society,³¹ and its critical content dismissed in favour of a presumption of full immanence and integration, or ‘subsumption’, to the plenum of capitalist production and subjectivation. This has become an orthodoxy in recent decades, which is why it may be useful to stay with the category of autonomy, and reconstruct its critical potential as an exceptionality unimaginable without the rule (heteronomy). This is not only due to the fact that presuppositions of autonomy continue to exert real effects in the social and economic valorisation of the space of contemporary art. In doing so, they succeed not only in ‘adding value’ to heteronomous determinations such as market failure, intense exploitation and crippling educational debt, but in holding space for a social, political and sensuous autonomy whose territory is ever shrinking elsewhere. Yet art’s autonomy is not guaranteed by art’s exceptionality: as we have already seen in some detail, the exception is the material condition of possibility for the rule, from the totalising view of the reproduction of capital no less than in the symbolic economies of gender or race in relation to the paradigm of the ‘human’ (about which more below). Nor is it guaranteed by a sheer separation, however dialectically complex, as some readings of Adorno have suggested. The critical traction of actually-existing artistic autonomy lies rather in its capacity to act in and as determinate negation. As Iain McDonald has recently written, this refers to a point “whereby consciousness experiences contradiction not as something meaningless or aporetic, but rather as the negative force that propels

it to determine, i.e. think through and diagnose, contradictions in order to overcome them or ‘negate’ them.”³² With this in mind, the leverage of the category of autonomy in the sphere of art is the transversality of such negation – because it allows us to connect to practices of autonomy located elsewhere than the institution of art. These may unfold as productive negations in the way Soskolne frames the politicisation of exceptionality vis-à-vis the conservative tendencies of ‘the exceptional as usual’. This established or conservative form of exceptionality is not dissimilar to the non-dialectical rendition of artistic autonomy whose modernist dominance has been flipped over to its equally facile opposite in the metaphorical use of ‘subsumption’ – without in the least querying the material advantage of artistic subjects and institutions insofar as this exerts other-than discursive effects.

However, at this historical moment, the politics of such ‘determinate negations’ within and outside the aesthetic need to be spelled out, specifically for how they can either mobilise and reject the existing, routinised models of autonomy.³³ This is especially important because determinacy is more frequently encountered in contemporary art in the guise of affirmation, that is to say, the identification and implementation of concrete if acupunctural goals of social use-value which are furthered via the techniques and resources of the institution of art, and perhaps more broadly, the ‘culture industry’, depending on the policy guiding the project. These entail strategic re-routings of the social and economic value (‘social capital’) generated in the institution of art for ends located elsewhere, in a win-win scenario for the artist, the ‘community’, the art public, and other entities, such as diplomats, NGOs and real-estate developers, and latterly the artist’s purchase on critical and political relevance. Here we can think of figures such as Theaster Gates and his dual economy of institutional art success and neighbourhood revitalisation, Renzo Martens and his dual economy of Western art institutional success and

rural Congolese cultural and economic development, or Marjetica Potrč and her small-scale environmental projects that traverse specific locations and the global art circuit. This is of course a small sample in a rather extensive and complex field. When not centred on established art stars, the principle of usefulness is extended to various state, municipal, non-profit and private programs which support artists as well as artistic infrastructures under the aegis of education and 'social practice', and where artists can be employed under conditions that largely emulate those of any other worker for such organisations.³⁴

IV. Negation, Errancy

In aesthetic theories in the mould of Adorno's, which is to say, those which are informed by Hegelian dialectics, negation is implicit in any concept or situation, insofar as the possibility of social transformation lies in the non-identity between objects and concepts: the non-identity internal to any positive being. It is in this sense that we saw artistic autonomy as a 'determinate negation', whose critical traction lay in the way it could work through and against its own givens (of privileged separateness) rather than flowing out of an empirically anomalous status in terms of the 'economy', for example. However, this critical traction is often taken up, as well as critically assessed, within a horizon of improvement – spreading knowledge, improving conditions or fostering inclusion. A decade or more of the increasingly visible and trenchant work often grouped under the rubric 'afro-pessimism' or critiques of 'anti-Blackness' allows us to contrast another approach to negation which does not depart from the Hegelian-influenced ontology of art as sensuous non-identity but counters with a different version of totality – the ontology of black abjection as it is both expelled from, and constitutive of, non-black social life or 'civil society' in general. An important distinction Frank

B. Wilderson III makes between 'trying to build a better world' and the black opposition to such a project can be traced back to Kant's project of 'universal common sense'.³⁵ Here, the critical faculty of judgement is constitutive of universal subjects, whose universality is guaranteed by the equal access to disinterested non-cognitive experience, available through nature and, secondarily, art. This is the *sensus communis* and sensibility from which black (social) life is *a priori* and practically excluded, since blackness and a subjectivity present to itself, or to others, do not coincide in Western modernity, insofar as this subjectivity constitutes the ground of both humanity and citizenship. This presents another dimension of the fraught relations between exceptionality and norm at the origins and throughout the life of artistic autonomy: every separation presupposes a more foundational and unthought exclusion, here from the very category of the human subject and its putatively universal modes of feeling. The violence of the norm is cancelled in the modality of the aesthetic, only to return at another level – the exclusion from rational humanity capable of suspending its self-mastery in the common enjoyment of aesthetic experience.

Therefore, against Kant's positive enlightenment project which enshrines art in the production of (white) universality as an agency of common-world building, Wilderson opposes a negative 'irreconcilable' project which wants to "destroy the world".³⁶ One way an inquiry into negation in contemporary art (as one way of deploying the 'exceptionality' and 'norm' dyad) can draw resources from this critical perspective is by making a distinction between the inscription of art in programs to improve the world, whether it is by states, NGOs or artist communities, where it frequently contributes to e.g. gentrification (improving the world for the wealthy) and the persistent negativity of art, both vis-à-vis other art and the world as it stands, a negativity which puts it on the same side, if not in the same mode, as political struggle. Recent

incidents such as the call to remove and destroy Dana Schutz's painting of a press photograph of Emmett Till in his coffin, included in the 2017 Whitney Biennial, throw a stark light on the uneasy dialectic between the critical theory account of negation-as-autonomy and a more volatile stance of negation-as-struggle that can form the parameters for political action in the sphere of art, particularly attending to the radical cancellation (rather than expansion) of 'the world' enunciated in afro-pessimism's black radical idea of 'destruction'.³⁷

This brings us back to Wilderson's invocation of the shortcomings of a politics of refusal which is limited to the frame of the existent and its premises – revolution is fated to be reformist unless it also attacks the presuppositions of its possibility: patriarchy, the (white) Human. A subtle but thoroughgoing negativity of this type can be seen in the current practice of the artist Cameron Rowland, whose installations consist of furniture and accessories often manufactured in local prisons, where a racialized population does not 'own' their labour and cannot freely sell it, unlike the exceptional 'non-labour' of the artist.³⁸ These objects are rented by him and are for rent in turn, eschewing both the status of a work and these objects' imbrication in an art market. There is a concern with making visible while avoiding the closures of representation, an approach that partakes of pre-modern allegory as much as of the conceptual décor or environment-as-ideology familiar from, for instance, the work of Marcel Broodthaers. Another relevant work is 2016's *Disgorgement*, a legal term for reparations payable by insurance companies who still hold slave insurance policies on their books taken out prior to the termination of that legal institution in the United States. Here, Rowland has started a Reparations Purpose Trust which holds shares in one of the named insurance companies until such time as they are obligated to make the reparations payments through the passage of federal legislation in the U.S. – legislation which has

been introduced as a bill in Congress every year since 1989 without success. This really would be a payout contingent on 'the end of the world', in a limited manner of speaking. Yet, in the political climate of the Trump presidency, such an outcome seems further away than ever.³⁹

V. Conclusion

This essay has charted a line through some of the implications of 'exceptionality' as a condition for processes both of reproduction and of negation in contemporary art as they get entangled in the everyday of that institution. Exceptionality was also found to have a constitutive status in the value relations of capitalist society, with the reliance on unpaid and unmeasured labour, energy and resources both complementary to and just as crucial in those relations as the more standard account of profit-making through the extension of commodification. This can potentially offer a perspective enabling a clearer apprehension of the role of power and subjectivation in the operations of capital, and therefore allows us to see the structural centrality of race and gender to a form of value that both homogenises and incessantly generates exceptions, whether in the form of elevation, as for art, or abjection, as for humans and non-humans that are both exploited and discarded. Artistic autonomy was invoked as a 'statutory' or institutionalised form of exceptionality, with art as a social practice that is understood to be subject to laws that are self-generated (the etymology of 'autonomy'). This is the status of autonomy that also occasionally allows it to exercise law-making capacity outside its domain, as can be seen in the involvement of art in ameliorative social programmes, but also in social protest. The Adornian understanding of artistic autonomy as something beyond this, as an antagonistic rather than a passive relation of art to its dependencies, opened the way to a consideration of the lived exceptionality of race

to the universality of the aesthetic, turning the field of aesthetics into a stage for the determinate negations of struggle within and beyond the institution of art. However, taking the cue from ‘afro-pessimist’ work to unfold this somewhat dense term, at what level does a ‘determinate negation’ get posed – is it simply a strategic premise of political praxis or critical analysis? Or does it have to also delve into those particular forms of social relations that have concretised not simply at the level of the political, economic or social, but of the ontological? Here one salient question would be to investigate the relationship between the totalising concept of the ‘world’ in afro-pessimist thought and the totality of capitalist social relations in the Marxist sense. The distinction between the register of the ontological and the socio-historical at work in these two approaches has significant consequences for how the concept

of ‘negation’ operates within them. The translation appears to be far from direct, though its very feasibility seems to rely on holding the two in tension rather than positing either as the absolute horizon or absolute cancellation of the other.

Art’s position in these debates, if taken to be a ‘plenipotentiary’ of other worlds and times as well as an alibi for the existing situation (Adorno), has not yet been unpicked in terms which try to gauge its potential for critical negativity in relation to the scale this negativity can be said to have effects; even historical discussions of the ‘abolition of art’ did not pursue this abolition as far and as abstractly to the abolition of the ‘world’. Far from a definitive foray in this direction, this essay would like to open up this debate as a line of research which is potentially suggestive, but whose generativity will lie entirely in its specific applications.

- 1 The British theorists Peter Osborne, John Roberts, and Dave Beech consistently make this argument, the basic premises of which – minimalist as they are – I find reasonably persuasive. See especially John Roberts, *The intangibilities of form: Skill and deskilling in art after the readymade*, London/New York 2007, which I deal with more extensively in my recent monograph: Marina Vishmidt, *Speculation as a mode of production*, Leiden/Boston 2018. For art’s exemption from most mainstream economic categories, see Dave Beech, *Art and value: Art’s economic exceptionalism in classical, neoclassical and Marxist economics*, Leiden/Boston 2015; for art’s exemption from subsumption to value production, see Daniel Spaulding, A clarification on art and value, in: *Mute*, 28 May 2015, URL: <http://www.metamute.org/editorial/articles/art-value-and-freedom-fetish-o> (date of last access 12 July 2018). In a review essay on *Art and Value*, Josefine Wikström takes issue with Beech’s reductive framing of the ‘economic’ and argues for imparting a social dimension to the analysis through the use of *inter alia* Theodor W. Adorno’s aesthetic theory and attention to class and gender. Josefine Wikström, Art’s economic exceptionalism, in: *Mute*, 12 November 2015, URL: <http://www.metamute.org/editorial/articles/art’s-economic-exceptionalism> (date of last access 12 July 2018).
- 2 For Karl Marx on the categories of real and formal subsumption, see Karl Marx, *Capital: A critique of*

- political economy*, vol. 1, trans. by Ben Fowkes, London 2004, section II of the appendix: Results of the immediate process of production, 1019 – 1064. For illuminating context on the philosophical category of subsumption and how it is taken up in a periodising Marxist historiography, see Endnotes collective, The history of subsumption, in: *Endnotes* 2, 2010, 130 – 152.
- 3 While these factors – commodification of labour, private property, money, market discipline gaining ascendancy over feudal relations – may be present in various kinds of societies which are not capitalist, it is their specific conjunction and consistency that characterises a society as capitalist. Debate about when and where the capitalist mode of production can be said to have ‘started’ traverses Marx and Engels, as well as a vast literature up to the present. Some of the touchstones include Robert Brenner and Ellen Meiksins Wood, who locate the origins of capitalism in early modern England’s changes in agrarian property relations, and Alexander Anievas, Kerem Nişancıoğlu and Jairus Banaji, who trace it back further in time and beyond the ‘European’ space. See Robert Brenner, The agrarian roots of European capitalism, in: Trevor H. Aston and C. H. E. Philpin (eds.), *The Brenner debate: Agrarian class structure and economic development in pre-industrial Europe*, Cambridge 1987, 213 – 328; Ellen Meiksins Wood, *The origin of capitalism*, New York 1999; Alexander Anievas and Kerem Nişancıoğlu, *How*

- the West came to rule: The geopolitical origins of capitalism*, London 2015; Jairus Banaji, *Theory as history: Essays on modes of production and exploitation*, Leiden/Boston 2010.
- 4 For just the tip of the rich literature on this, see Silvia Federici, *Caliban and the witch: Women, the body and primitive accumulation*, New York 2004; Cedric J. Robinson, *Black Marxism: The making of the black radical tradition*, Chapel Hill 1999; Eric Williams, *Capitalism and slavery*, Chapel Hill 1944; Endnotes collective, The logic of gender, in: *Endnotes* 3, 2013, 56–90; Asad Haider and Salar Mohandesi (eds.), Social reproduction, 2 November 2015, in: *Viewpoint Magazine* 5, URL: <https://www.viewpointmag.com/2015/11/02/issue-5-social-reproduction/> (20 July 2018).
 - 5 A magisterial recent publication on the centrality of ‘unfree labour’ and violence to the routine operations of the global market from its rise to dominance, including the statistically considerable occurrences of slavery, bonded and child labour in the current period, see Heide Gerstenberger, *Markt und Gewalt: Die Funktionsweise des historischen Kapitalismus*, Münster 2017.
 - 6 Theodor W. Adorno, *Aesthetic theory*, trans. by Robert Hullot-Kentor, London 2013, 310.
 - 7 Beech 2015 (as note 1).
 - 8 Raymond Williams, *Resources of hope: Culture, democracy, socialism*, London/New York 1989, 3–14.
 - 9 Michel Foucault, *The birth of biopolitics: Lectures at the Collège de France 1978–1979*, ed. by Michel Senellart and Arnold I. Davidson, trans. by Graham Burchell, Basingstoke 2008; Werner Bonefeld, *The strong state and the free economy*, London 2017.
 - 10 Notably, different elements of the state have greater or lesser success at achieving this, depending on their functions: it is easier to attribute neutrality, even benevolence, to a state health or postal service, than it is to the state’s punitive organs, such as prisons, police, or the judicial system.
 - 11 The classic reference points for these fundamentals of modern state theory include Thomas Hobbes’ *Leviathan*, for its argument that the absolute monarch as proto-state is capable of reconciling the passions of the warring multitude by standing above them. On the other hand, the absence of a strong central authority is conducive to a social relapse back into barbarism, or a ‘state of nature’ envisioned as brutal, atomised and competitive. In the *Prison notebooks*, Antonio Gramsci discusses the state as the mediator of contradictory factions and classes by means of establishing its ‘hegemony’ or social consensus on the legitimacy of the judiciary, the media, and other mechanisms of promulgating national unity. Georg Wilhelm Friedrich Hegel’s *Philosophy of right* sets out the notion of the state as an impersonal arbiter situated above and beyond the self-interested conflicts of the spheres of the family and civil society.
 - 12 Historical instances of ‘really existing’, totalitarian socialism dropped the ‘bourgeois’ from this argument – as no doubt Marx did too, on various occasions – and took it to say that the state can express any class interests, rather than itself being the product of a specific class relation. An argument which has and continues to be interpreted in terms that would favour a ‘takeover’ model of the state for social democracy or even for socialism. The state as a neutral vessel which can be injected with any social content can be seen as the idealistic premise underpinning this pragmatic-seeming approach. The Marxian literature on the state is less extensive than may be imagined; a touchstone remains the work of Nicos Poulantzas. See James Martin (ed.), *The Poulantzas reader: Marxism, law and the state*, London/New York 2008. For a more historical and genealogical inquiry, see Heide Gerstenberger, *Impersonal power: History and theory of the bourgeois state*, trans. by David Fernbach, Leiden/Boston 2009.
 - 13 Evgeny Pashukanis, The general theory of law and Marxism [1924], in: Piers Beirne and Robert Sharlet (eds.), *Selected writings on Marxism and law*, London/New York 1980, 37–131. Like a number of other Marxist scholars working in the Soviet Union at the time who made fundamental contributions, such as Isaac R. Rubin in value theory or Mikhail Bakhtin in literary theory, Pashukanis was eliminated by the Stalinist regime in the 1930s.
 - 14 These rights may be abrogated in cases where the absence of whiteness or maleness stands as an obstacle in the way of full legal personhood, historically or in the present. A small sample of relevant literature would include Carole Pateman, *The sexual contract*, Stanford 1988; Charles W. Mills, *The racial contract*, Ithaca 1997; Saidiya V. Hartman, *Scenes of subjection: Terror, slavery, and self-making in nineteenth-century America*, Oxford 1997; Ruth Wilson Gilmore, *Golden Gulag: Prisons, surplus, crisis, and opposition in globalizing California*, Oakland 2007; Angela Mitropoulos, *Contract and contagion: From biopolitics to oikonomia*, Wivenhoe/Port Watson/New York 2011.
 - 15 This is a discussion that should be primary to genealogies of neoliberalism, as an ideological system that is invested in the maximising, self-owning individual and the sanctity of property contracts. Yet a number of critics of neoliberalism, such as political theorist Wendy Brown, persist in seeing an opposition rather than an affinity between the classic ‘free individual’ and neoliberal policies. See Wendy Brown, *Undoing the demos: Neoliberalism’s stealth revolution*, New York 2015. For a similar view, see Paul Mason, *Democracy is dying – and it’s startling how few people*

- are worried, in: *Guardian*, 31 July 2017, URL: <https://www.theguardian.com/commentisfree/2017/jul/31/democracy-dying-people-worried-putin-erdogan-trump-world> (date of last access 17 September 2017).
- 16 Foucault 2008 (as note 9).
 - 17 Timothy Mitchell, Fixing the economy, in: *Cultural Studies* 12, 1998, 82 – 101: 92; See also idem, Rethinking economy, in: *Geoforum* 39, 2008, 1116 – 1121, and *Carbon democracy: Political power in the age of oil*, London/New York 2013, 109 – 143.
 - 18 Ibidem.
 - 19 For the elaboration of the concept of ‘epistemic violence’, see Boaventura de Sousa Santos, *Epistemologies of the South: Justice against epistemicide*, Boulder 2014.
 - 20 However, the standard statistical tables of ‘goods and services’ claim to be able to encompass the sort of value – in the sense ‘value’ has in neoclassical economics – produced by any entity which trades in the market. Yet in this discipline of economics, value is a very imprecise notion, and one which is largely conflated with price.
 - 21 More recently, the ‘sharing economy’, including platforms such as Air BnB, Uber or Taskrabbit, has extended those corrective attempts to individuals and households as well. See Nick Srnicek, *Platform capitalism*, Cambridge 2016; Tom Slee, *What’s yours is mine: Against the sharing economy*, Portland, Or. 2017. For a more optimistic account, see Trebor Scholz and Nathan Schneider (eds.), *Ours to hack and own: The rise of platform cooperativism, a new vision for the future of work and a fairer Internet*, Portland, Or. 2017.
 - 22 See Federici 2004 (as note 4). Also Maria Mies, *Patriarchy and accumulation on a world scale: Women in the international division of labour*. London 1999.
 - 23 Jason W. Moore, *Capitalism in the web of life: Ecology and the accumulation of capital*, London/New York 2015. Moore characterises capitalism as neither a social nor an economic system but as a “way of organizing nature” (ibidem). The purported externality of nature to society is perhaps the chief way this is done; if nature falls outside the paradigms of social life, as expressed in the economy, it cannot be incorporated into schemes of value – having no value, it becomes infinitely abundant and disposable; ‘cheap nature’, as Moore terms it. Aside from this, the concept of ‘ecosystem services’ represents perhaps the main attempt by economic orthodoxy to extend its metrics to ‘nature’. There is a large amount of empirical and critical literature on this. See Gretchen C. Daily, Tore Söderqvist, Sara Aniyar et. al., The value of nature and the nature of value, in: *Science* 289, 2000, 395 – 396.
 - 24 I refrain deliberately from following the current tendency to sidestep the perils of dualism by employing the term ‘bodies’ in preference to ‘subjects’ or ‘people’, terms which of course carry their own difficult baggage. See Marina Vishmidt, Corporeal abstractions: Body as site and cipher in feminist art and politics, keynote at the conference *Speak, body: Art, the reproduction of capital and the reproduction of life*, University of Leeds, 22 April 2017.
 - 25 Indicatively, see Frank B. Wilderson III, *Red, white & black: Cinema and the structure of US antagonisms*, Durham, NC 2010; Jared Sexton, *Amalgamation schemes: Antiblackness and the critique of multiracialism*, Minneapolis 2008; Denise Ferreira da Silva, *Towards a global idea of race*, Minneapolis 2007.
 - 26 On this point, Sven Lütticken suggests that “art has been conceived in different and frequently incompatible ways as *work against labour*”, a potential that can take negative and political forms as well as conservative and compensatory ones. He goes on to say: “In the modern division of labour, the artist’s job was to perform qualitative acts as a stand-in for liberated human activity, for true praxis, under capitalist conditions. The artist was a specialist of the qualitative in the realm of quantity – as another modern specialism, but one that took the form of an exception.” In this text, Lütticken provides a trenchant companion analysis to the one undertaken here, enumerating the various ways art has been deemed exceptional to capitalist social relations which themselves come to seem more and more anomalous as the ‘financial crisis’ drags on without an end in sight. See Sven Lütticken, The coming exception: Art and the crisis of value, in: *New Left Review* 99, 2016, 111 – 136.
 - 27 Fredric Jameson, Culture and finance capital, in: *Critical Inquiry* 24, 1997, 246 – 265. For a systematic if sometimes abstruse reading of the modernist avant-garde using the tools of value-form analysis, which draws analogies between art and the growing autonomy of finance within a crisis-ridden history, see Daniel Spaulding, Value-form and avant-garde, in: *Mute*, 27 March 2014, URL: <http://www.metamute.org/editorial/articles/value-form-and-avant-garde> (date of last access 20 July 2018).
 - 28 Saskia Sassen, *Expulsions: Brutality and complexity in the global economy*, Cambridge, Mass. 2014.
 - 29 Vishmidt 2018 (as note 1).
 - 30 W.A.G.E., Online digital artwork and the status of the “based-in” artist, in: *e-flux journal 56th Venice Biennale* (Supercommunity, 27 May 2015, Day 16), URL: <http://supercommunity.e-flux.com/texts/online-digital-artwork-and-the-status-of-the-based-in-artist/> (date of last access 17 September 2017).
 - 31 This is not to overlook the role of art in relation to the state in 20th century Central and East European contexts, as well as some of the post-colonial ones – contexts in which art’s relation with the state would not have been to a capitalist state, at least not directly.
 - 32 Iain McDonald, Cold, cold, warm: Autonomy, intimacy and maturity in Adorno, in: *Philosophy and Social Criticism* 37, 2011, 669 – 689.

- 33 Kerstin Stakemeier and Marina Vishmidt, *Reproducing autonomy: Work, money, crisis and contemporary art*, London/Berlin 2016.
- 34 I have written on this extensively elsewhere, hence the limited discussion here. See Marina Vishmidt, Mimesis of the hardened and alienated: Social practice as business model, in: Tatiana Bazzichelli and Geoff Cox (eds.), *Disrupting business: Art and activism in times of financial crisis* (Data Browser 05), New York 2013, 39–58, and in: *e-flux Journal* 43, 2013, URL: <https://www.e-flux.com/journal/43/60197/mimesis-of-the-hardened-and-alienated-social-practice-as-business-model/> (date of last access 20 July 2018). See also Vishmidt 2018 (as note 1), and Larne Abse Gogarty, 'Usefulness' in contemporary art and politics, in: *Third Text* 31, 2017, 117–132.
- 35 'Black' does not straightforwardly function as an identity category here (nor in the different projects around 'blackness' undertaken by Fred Moten), that is to say, it does not function *affirmatively*. Here, 'black' is not meant to denote a phenotype but an ontological position with ambiguous relation to history and geopolitics – the main category of the experience of blackness is read through is enslavement and its lasting necropolitical consequences.
- 36 "They [socialists such as the International Socialist Organisation] would say, 'the capitalist as a category has to be destroyed.' What freaks them out about an analysis of anti-Blackness is that this applies to the category of the Human, which means that they have to be destroyed regardless of their performance, or of their morality, and that they occupy a place of power that is completely unethical, regardless of what they do. And they're not going to do that. Because what are they trying to do? They're trying to build a better world. What are we trying to do? We're trying to destroy the world. Two irreconcilable projects." Frank B. Wilderson III, in: 'We're trying to destroy the world': Anti-blackness and police violence after Ferguson: An interview with Frank B. Wilderson III, in: *ill will editions*, 25 November 2014, URL: <http://ill-will-editions.tumblr.com/post/103584583009/were-trying-to-destroy-the-world> (date of last access 17 September 2017). See also Joao Vargas, Black lives don't matter, in: *Cultural Anthropology*, 29 June 2015, URL: <https://culanth.org/fieldsights/695-black-lives-don-t-matter> (date of last access 17 September 2017): "In the Black Diaspora, the extralegal killing of Black women and men is not an aberration, but rather the norm [...] It may be time to leave aside the attempts at reform and calibration and to consider theoretical and political alternatives that engage frontally the anti-Black constitution of our social world." For rich analysis in this direction, see Denise Ferreira da Silva, No-bodies: Law, raciality and violence, in: *Griffith Law Review* 18, 2009, 212–236.
- 37 For a more in-depth discussion on this point, see Anthony Iles and Marina Vishmidt, Plastic givens, hard stops: A short overview of forms and forces of negation in recent and historical art, in: *continent* 6, 2017, 18–28. The 'Dana Schutz affair' has of course been extensively covered from multiple angles elsewhere.
- 38 Not all U.S. prison labour is compulsory, but this does constitute one of the most highly restricted and disciplinary and therefore 'non-free' labour markets. See Whitney Bennis, American slavery, reinvented, in: *The Atlantic*, 21 September 2015, URL: <http://www.theatlantic.com/business/archive/2015/09/prison-labor-in-america/406177/> (date of last access 17 September 2017). See also Michelle Alexander, *The new Jim Crow: Mass incarceration in the age of colorblindness*, New York 2012; Gilmore 2007 (as note 14).
- 39 For these works, see Cameron Rowland's exhibition, *91020000*, Artists Space, New York, 17 January – 13 March 2016, URL: <http://artistspace.org/exhibitions/cameron-rowland> (date of last access 17 September 2017), and Cameron Rowland, *Disgorge-ment*, 2016, collection of the Museum of Modern Art, New York, URL: <https://www.moma.org/collection/works/203679> (date of last access 17 September 2017).