Ghostly Familiarities:
The Concealment of Strategic Appropriation in Contemporary Artistic Production Methodologies

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Although the strategy of appropriation was central to much art criticism of the 1980s, with the subsequent development of advanced and accessible digital reproduction and manipulation technologies, and against growing suspicion towards the dense rhetoric of 1980s-styled critical postmodernism, the threat of copyright infringement, and of course the ethical implications of cross-cultural appropriation, artists of the 1990s and 2000s have inherited myriad incentives for 'concealing' appropriated elements in their work. Appropriation, no longer necessarily limited to strategies of ironic, critical or historical distancing, is perhaps now more commonly used to unearth 'low frequency emotional ties to advertising design'[1] and popular culture in general. As New York based Australian artist Jeff Gibson put it in 1996, 'ironic appropriation' is being 'overtaken by a potentially expressive language of reconstructive sampling'.[2] At any rate, the conscious act of appropriation is no longer a critically explicit *subject* of art, but rather, a convenient, often secretive, but nonetheless widely utilised, *tool* of artistic production. Formerly employed primarily as an assault on prototype forms, strategic appropriation has, by contrast, become a default, omnipresent, yet tacit means of extending their *qualities*.

Historically, art criticism has dealt with the idea of appropriation in terms a perceived construction of historical, ironic or cultural distance between copy and prototype. Appropriation, in the visual arts, is generally defined as the inclusion of either hand-duplicated or mechanically reproduced copies (or components) of existing works, usually accompanied by a claim that the recontextualised meaning constitutes the work of the appropriating artist. More aggressive than allusion or citation, appropriation has typically constituted an explicit form of material or stylistic quotation designed to critique established dichotomies such as that of original/copy. Typically involving transference from one historical or cultural context to another, explicit strategies of appropriation represent an attempt to reveal some hitherto unrecognisable irony in the original. Upon recognising a visual quotation, the viewer is confronted not only with the image before them, but also with *a priori* knowledge of the appropriated form (the combination creating a binary frame of reference). This process of recognition becomes more problematic if the quoted form is in itself a quotation or, as is often the case with digitally recombinant works, a series of layered quotations upon quotations. Once an

[1] Jack Featherly. From Tom Moody, 'An Interview with Jack Featherly', March 2002, [accessed 21/05/2002]. http://www.digitalmediatree.com/tommoody/featherly/interview/
[2] Jeff Gibson, 'Primavera 1996', *Art & Text*, No. 56, February/April 1997, pp. 92–93.

appropriated element is consciously 'concealed' from recognition, only the appropriating artist remains aware of its specific paternity. Although established critical theory is well equipped to describe explicit strategies of appropriation, a critical context in which to describe the conscious concealment of appropriated elements in digital artistic production is less established. Of course, only in order to be critically recognisable as appropriation art, need the copy's provenance remain transparent. Otherwise, once coupled with the disguising capacities of new digital technologies, concealed strategic appropriation becomes a default means with which contemporary artists can actually make *use* of the relentless barrage of privately owned imagery, sounds and words that populate most contemporary cultural landscapes.

'Notions of originality', for French critic Nicolas Bourriaud in 2002, '…are slowly blurred in this new cultural landscape marked by the twin figures of the DJ and the programmer, both of whom have the task of selecting cultural objects and inserting them into new contexts.'[3] For Bourriaud, 'one can recognise a DJ's style in the ability to inhabit an open network'.[4] From 'mash-up'[5] artists, to 'phantom editors'[6], computer game hackers[7], 'culture-jammers'[8], to programmers and re-mixers, recombinant strategies certainly play a significant role in the production of much so-called new-media culture. According to new-media theorist Kevin Robins, digital reproductive technologies place the nature and function of representation even further in doubt, for 'digital information is inherently malleable'.[9] For Bourriaud, it is no longer about 'creating meaning on the basis of virgin material but of finding a means of insertion into the innumerable flows of production'.[10] Ultimately, 'the artwork is no longer an end point but a simple moment in an infinite chain of contributions.'[11] The consumer is therefore a producer insomuch as a producer is a consumer. The house music producer, for example, is also by default a house music consumer.

Where New York painter Jack Featherly sources his background abstractions from Oreos packaging and letterbox-style compositions from faux art-house advertising formations, a hip-hop music producer might leave only the filtered bass faintly audible in an otherwise explicit James Brown sample. This tendency is now typical across a range of media. Although 'something might be visible almost 24 hrs a day', it often remains largely ignored by an art world audience conditioned to

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[3] Nicolas Bourriaud, *Postproduction*, Lukas & Stemberg, New York, 2002, p. 13.
[4] Ibid. p. 38.
[5] Songs chosen both for their curious similarities in key, tempo, and chord progression and amusing dissimilarities in content and context, are 'mashed' together, often using off the shelf software. Due to their libellous nature, 'mash-ups' are more often available for free download on the Internet than available for commercial sale.
[6] 'In 2001, several Star Wars fans re-edited *Episode 1: The Phantom Menace* into various shorter online versions of the film. In 2003, an edited 'mash-up' version of Mel Gibson's *Passion of the Christ* and Monty Python's *Life of Brian* titled *Mash-ion of the Christ* appeared on the Internet.
[7] Using cast-off cartridges of popular games from the 1980s and early 1990s, programmers create visual environments that combine familiar nostalgias.
[8] 'Culture jamming' is defined as the symbolic capture of sounds or images from privately controlled daily mass media sources, which are then reassembled as self-parody and reinserted into the broadcast media with the aim of creating a circular mayhem. See: www.negativland.com
[9] Kevin Robins, 'The Virtual Unconscious in Postphotography', in Timothy Druckrey (ed.). *Electronic Culture: Technology and Visual Representation*, Aperture, New York, 1996, p. 156.
[10] Nicolas Bourriaud, *Postproduction*, Lukas & Stemberg, New York, 2002, p. 17.
[11] Ibid. p. 20.

recognise art historical references.[12] For many artists, it is not that 'appropriation is over' *per se*, but rather 'that we have all graduated to the next level' and therefore made 'it [appropriation] harder to identify'. [13] Artists, therefore, no longer 'make art that's *about* appropriation' for they now consider it to be 'a standard tool'.[14]

Since the strategy of appropriation was crucial to the construction of postmodernism in the visual arts during the late 1970s and 1980s, as a consequence, it became a dominant topic in art criticism of the 1980s. By the late 1980s and early 1990s, however, appropriation art was widely regarded as indicative of art's banal descent into empty pluralism and, not surprisingly, postmodernism's role in western capitalism's continued homogenisation of difference. Although the historical evolution of appropriation art (from Duchamp and Picabia, via 1960s Pop, to the 'Pictures'[15] generation and later to the so-called simulationists) is extensively documented, its 'retreat' from the critical frontline is less accounted for. Moreover, since most accounts of the retreat of appropriation are variously connected to the perceived failure of critical postmodernism and consequently with a negation of the critical value of appropriation, they tend to ignore the extent to and manner in which appropriation has maintained a default yet tacit presence in actual artistic and cultural production.

Just as much art criticism of the 1980s looked at relationships between art of the 1970s and the 1980s in terms of the legacy of conceptual art, certain differences between art of the 1980s and the 1990s make more sense in relation to the legacies of appropriation art and critical postmodernism. For those not accustomed to the post-literality of critical theory, much art criticism of the 1980s appeared to have degenerated into an incoherent series of buzzwords, jargon and specialised rhetoric without ever presenting a cogent theoretical position. In time, any significant distinction between those versed in the specialised rhetoric, and those not yet accustomed to a climate of post-literality, had dissolved. By the late 1980s, much of the jargon considered prerequisite to a 'correct' understanding of postmodernism had become standard in university undergraduate courses across a variety of disciplines. Based 'on the model of the text',[16] critical interpretation had, in accordance, become 'almost exclusively linguistic in orientation',[17] and was often limited to abstract or hypothetical applications of theories pooled from general problem fields that required a specialised but interdisciplinary rhetoric. With 'serious' art criticism increasingly focused on the model of the text, as 'informed' by slippery and primarily linguistic terms as 'poststructuralism',

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[12] Tom Moody, 'An Interview with Jack Featherly', March 2002, [accessed 21/05/2002] http://www.digitalmediatree.com/tommoody/featherly/interview/
[13] Ibid.
[14] Ibid.
[15] Postmodern Appropriation Art's seminal moment is widely considered to be the 'Pictures' exhibition which was curated by Douglas Crimp at Artist's Space in New York in 1977. From that exhibition, the Metro Pictures collective (which included artists Richard Prince, Barbara Kruger, Sherrie Levine, David Salle and Cindy Sherman) was formed. Crimp's 1977 catalogue essay 'Pictures', which was revised and reprinted in the influential journal *October* in 1979, was instrumental in establishing a critical context for postmodern appropriation art.
[16] See Hal Foster, *The Return of the Real*, MIT Press, Cambridge, Mass., 1996, p. xiv.
[17] Fredric Jameson, 'Reading Without Interpretation: Postmodernism and the Video-text', in Nigel Favv, Derek Attridge, Alan Durant and Colin MacCabe (eds). *The Linguistics of Writing: Arguments Between Language and Literature*, Manchester University Press, 1987, p. 200.

'deconstruction', 'simulation' and 'hyperreality', it was perhaps understandable that the intangibility of 1980s styled rhetoric would eventually come under fire. By the late 1980s and early 1990s, explicit appropriation art would be targeted as epitomising all that was problematic about postmodernism's alleged assimilation of cultural difference. Avoiding overt association with the legacies of appropriation art would become increasingly important in order to be taken seriously in the post-theoretical terrains and relative subjectivity of the 1990s art world.

The first phase of postmodern appropriation art (which was of course already the second post-war moment in neo-avant-garde appropriative tendencies), appeared in New York in the late 1970s and early 1980s, and was widely characterised as an iconoclastic anti-modernism aimed at overturning established perceptions of authorship and originality, often involving aggressive acts of re-representation (as exemplified in the 're-photographic' strategies of 'Pictures' artists Richard Prince and Sherrie Levine). The next phase, by contrast, would be significantly more ironic and playful in tone. Far less would now appear to be at stake, either for or against any selected prototype. Parody now constituted any abstracted critical reference to 'culture at large'. Homage was still more specific. By the late 1980s, many artists appeared less interested on destroying originality and more interested in 'reclaiming' or redefining it. Neither defiant nor enthusiastic in their attitude towards historical prototypes, much appropriation art of that period appeared increasingly driven by aesthetic or stylistic concerns. This shift away from anti-aesthetic attitudes would herald the banal phase of postmodern appropriation art: an all-permitting pluralism in which the historical problem of art versus non-art was stripped of critical significance and cynically reduced to an ornamental value (whilst claiming to be a 'simulation' or 'commodity critique'). In response to this condition of banality, by the 1990s and 2000s, the strategy of appropriation would assume a relatively backgrounded function as a tacit yet ubiquitous tool of artistic and cultural production. No longer a central critical focus, it was free to mutate.

An important legacy that many contemporary new-media practitioners have inherited from 1980s critical postmodernism is that of attitudes to the photographic image. For many critics during the early 1980s, the only 'correct' antidote for the 'death' of painting was photography. Photography's infinite and exact reproducibility was seen as mirroring the ontological aspirations of representation itself. Representation was of course no longer based on the literal idea of resemblance, but rather on modes of representation. Photo-appropriation in particular was upheld as an important critical device with which to rethink established ideas regarding representation. Since photography had long been regarded as emblematic of mortality, the idea of re-photography naturally formed a logical extension of the central metaphor of apostasy found in much postmodern critical theory. According to seminal 'Pictures' curator/writer Douglas Crimp's 1980 essay, 'The Photographic Activity of Postmodernism', with the advent of photo-appropriation, art's 'aura' was reduced in presence to that of 'a ghost'.[18] According to Scottish US-based critic Thomas Lawson in 1981, since the 'photograph is the modern world', and given its apparent irreconcilability, artists 'are given little choice'; either 'accept the picture and live as shadow, as insubstantial as the image on a television

[18] Douglas Crimp, 'The Photographic Activity of Postmodernism', *October* 15, 1980, pp. 91–101. Reprinted in Thomas Docherty (ed.). *Postmodernism: A Reader*, Columbia University Press, Hertfordshire, 1993, p. 179.

screen or feel left out, dissatisfied, but unable to do anything about it'. [19] At the same time, however, he noted that although 'photography holds reality distant', it also assumes a certain immediacy that enables artists to 'catch the moment'. Therefore, concluded Lawson, 'a truly conscious practice' is one concerned above all with the implications of that paradox.[20] The appearance of photo-appropriation art in New York during the late 1970s was of course closely associated with the burgeoning influence of French post-structuralism. Photography was soon considered the most appropriate medium with which to enact the deconstruction of art, primarily because of its historical relationship with fictionality, both despite and due to the preconditions of its material production. According to Rosalind Krauss in 1981, the inherent multiplicity of photography was in itself that which tested the notion of authenticity, 'for to ask for the "authentic" print makes no sense'. For Krauss, with photography, 'there are only multiples in the absence of an original'.[21]. Photographs of pre-existing photographs were seen to operate closest to originality's ground zero and push the distinction between original and copy to its most logical extreme. According to New York curator/critic Paula Marincola in 1983, re-photography presented a copy that was now 'doubly distant from its original' and therefore a 'ghost of a ghost'.[22]

Reproductive technologies have long played a significant role in artistic production and criticism, primarily due to the political significance of mass (re-)produced photographic images. Photography, the medium critically regarded as most directly applicable to the critical questions raised by the problem of appropriation, had, by the late twentieth century, splintered into myriad descendant formations. Given that many of the more tactile qualities of modernist art (such as uniqueness, autonomy, authenticity and originality) were widely regarded as negated by the repeatable nature of the photographic image, with the advent of more advanced and accessible digital image technologies in the 1990s and 2000s, traditional modes of image interpretation became even further confused. With digital image manipulation, virtually every aspect of the photographic image can be substantially and easily altered. Once the domain only of professional graphic designers, with the advent of affordable software and faster home computing, anyone could easily add or subtract elements, alter colours, shapes and sizes – and therefore distort appropriated images beyond recognition. Add moving digital imaging and digital audio sampling technologies, and the possibilities for recombinant new-media works seem limitless. The personal computer is now the site of a previously unimaginable access to information and images. On the flip side, however, in a world in which most images are instantaneously accessible, the artist is now far less likely to be regarded as any kind of specialised conduit for ideas or social orders expressed via image mediation.

According to the late Australian critic Nicholas Zurbrugg, although postmodern culture can be considered in many ways 'apocalyptic … superficial, weightless [and] static', it is nonetheless finally

[19] Thomas Lawson, 'Last Exit: Painting', *Artforum*, October 1981, p.42.
[20] Ibid.
[21] Rosalind Krauss, 'The Originality of the Avant Garde and Other Modernist Myths', in *The Originality of the Avant-Garde & Other Modernist Myths*, MIT Press, Cambridge, Mass., 1986, p. 156.
[22] Paula Marincola, 'Stock Situations/Reasonable Facsimiles', *Image Scavengers: Photography*, exhibition catalogue, Institute of Contemporary Art, Philadelphia, 8 December 1982–30 January 1983, p. 25.

capable of functioning more 'profoundly', 'weightily', or 'radically' when considered against 'the complex creative potential of its ever-evolving technology'.[23] Now armed with a technologically enhanced ability to distort or manipulate appropriated elements beyond recognition, it has become possible for artists to consciously repeat certain *qualities* without inviting direct association with the now dated category of appropriation art. Until the mid 1980s, appropriation had been largely a conceptual strategy, but with the relaxation of anti-aesthetic attitudes, appropriation had become post-conceptual. It was now free to evolve as a production methodology rather than as a centrally exhibited focus. During the early 1990s, for example, Australian photographer Anne Zahalka produced a series of works specifically designed to 'prevent a nostalgic reading'.[24] In *Gesture V* (1993), for example, Zahalka cropped away any 'recognisable' elements from Johann Baptist Lempi d A's *Alexander Besbrodko* (1794). All that remained was a hand clasping a document. Zahalka claimed that 'by removing the gesture from its context', she was 'able to expose its ambiguity',[25] and as a consequence, invent 'new pictures from images that are culturally familiar'.[26]

Perhaps such an evacuation of contextualising elements simply represents a continuation of art's more generalised 'flight from interpretation'.[27] German artist Thomas Demand, for example, who meticulously builds models of sites selected from 'historical, political and criminological documentary photographs', especially for the purpose of photographing them (the photographs are all that is exhibited), has since the late 1990s refused to identify his sources, mainly because he feels that they only restrict interpretation.[28] According to US-based critic and historian John C. Welchman, much art of the 1990s no longer employed appropriation 'for the purposes of critique' or 'as a function of pleasure in, or desire for, commodities themselves', but rather in a manner that had 'become implicit, almost invisible, as if the predicate of taking had become simply a material, like paint, canvas or marble'. Consequently, according to Welchman, the role of appropriation had been reduced 'largely to signify[ing] stirring effects' and 'gory, giddy, eerie, poppish sensations'.[29] Ultimately, still unwilling to entirely accept or reject the seemingly incontrovertible logic of appropriation, many artists of the 1990s and 2000s have maintained an uneasy relationship with the idea of originality. Aware at once that explicit appropriation is *passé*, and yet that orthodox claims of originality are still considered the domain of the naïve, many artists are comfortable using appropriation as a background production tool, but shy away from employing it as a central critical subject *per se*.

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[23] Nicholas Zurbrugg, *Critical Vices: The Myths of Postmodern Theory*, G+B Arts International, Amsterdam, 2000, p. 63.
[24] Caroline Baum, 'Photography's Vanishing Act', *The Australian*, Review section, 21 February 1993, p. 12.
[25] Anne Zahalka, quoted in Caroline Baum, 'Photography's Vanishing Act', *The Australian*, Review section, 21 February 1993, p. 12.
[26] Ibid.
[27] Howard Singerman, 'In the Text', in *A Forest of Signs: Art in the Crisis of Representation*, Catalogue for exhibition (curated by Mary Jane Jacob and Ann Goldstein), 7 May–13 August 1989, Museum of Contemporary Art, Los Angeles, pp. 155–66.
[28] Burkhard Riemschneider and Uta Grosenick (eds), *Art at the Turn of the Millennium*, Taschen, Köln, 1999, p. 118.
[29] John C. Welchman, 'Introduction, Global Nets: Appropriation and Postmodernity', in *Art After Appropriation: Essays on Art in the 1990s*, G+B Arts International, Amsterdam, 2001, p. 39.

By the early 1990s, contemporary art's frontlines were full of ideas related to globalisation, postcolonialism and multiculturalism, with new buzzwords (such as the 'real', the 'self' and the 'other'), all of which variously implied a partial re-engagement with the idea of subjectivity in art. As a consequence, the cynical role of appropriation would take a backseat, unless of course when used as a means with which to 'reclaim' identity. This latest (partial) renewal of the intermittent tradition of politically engaged art reflected the fact that the postmodern 'self' was still clearly positioned by sexuality, class and race. Art once again attempted to attend to 'real' issues outside the circumscribed concerns of the art-world. For Australian art historian Rex Butler, most art of the 1990s did not constitute a complete break with art of the 1980s, 'despite some artists' attempts to forget the previous decade by making so-called real objects, asserting lived experience, rejecting theory and taking up a kind of real world politics'.[30] The 1990s, like any historical period, can be defined as both a rejection and absorption of the era that preceded it. The art of the 1990s was no longer specifically *about* appropriation; it instead consciously *utilised* appropriation as a given production methodology. Appropriation arguably had become a means with which to (re-)construct culture rather than critique it.

As the art world's focus shifted toward a provisional reinstatement of subjectivity, many artists established within the 1980s paradigm of appropriation found that they needed to shift accordingly. Emblematic 1980s Australian appropriation artists Imants Tillers, John Young, and Lindy Lee, for example, have certainly increased referential deference to their respective Latvian or Chinese-Australian ethnicities in order to shake the legacy of appropriation and resituate their practices within the new post-colonial subjectivities of the 1990s. According to New York-based critic Thomas McEvilly in 1991, the 'inner meaning' of appropriation art was the 'opening up of the concept of history to a global scale' and the consequent 'intermingling of different cultures' image banks'.[31] Certainly, for any artist able to (even subtly) exploit an identifiable sense of 'otherness' (as in not white, male, heterosexual, or from an English speaking middle-class background), the strategy of appropriation would remain a legitimate part of the burgeoning relationship between identity politics and contemporary art. The postmodern claim that all culture was now equalised and available to re-use on a level playing field of detached signs, was significantly reconsidered in the 1990s against 'real' disparities still evident outside the circumscribed concerns of art theory. Words such as 'difference', 'relativism', 'multiculturalism' and 'diversity' would be substituted for critically unfashionable words such as 'appropriation', 'simulation' and 'hyperreality'. From Oprah to art criticism, personal 'affirmation' and 'empowerment' had become more important than calculated cynicism or dry image mediation in this new sociologically engaged variation of postmodernism. This new rhetoric helped contemporary art distance itself from the relatively apolitical legacies of 1980s postmodernism. When practised by an authentic 'other', appropriation could be remodelled as 'reclaiming'. Reclaiming could of course extend to themes ranging from civil rights to public space, to police violence and colonialism, to domestic and personal pleasures.

[30] Rex Butler, *An Uncertain Smile: Australian Art in the '90s*, Artspace Visual Arts Centre, Sydney, 1996.
[31] Thomas McEvilly, 'Enormous Changes at the Last Minute', *Artforum*, Vol. 30, Issue 2, October 1991, p. 87.

In a manner comparable with visual art's recovery of figure and architecture's recovery of decor, the 1980s had also seen popular music, advertising, film and fashion alike embrace the postmodern strategy of appropriation. As noted by Douglas Crimp in 1983, appropriation can now 'be seen to extend to every aspect of our culture, from the most cynically calculated products of the fashion and entertainment industries to the most committed critical activities of artists'.[32] According to New York critic Jeanne Siegel in 1985, appropriation's manifestation in the 'commercial world' already constituted little more than a form of 'utility'.[33] This wider aspect to postmodernism can also be seen as contributing to the eventual exhaustion of appropriation's perceived critical value within contemporary art itself, for as noted by Crimp, 'if all aspects of the culture use this new operational mode, then the mode itself cannot articulate a specific reflection upon that culture'.[34] But the evolution of reflexive approaches to appropriation was hardly peculiar to visual art in the first place. From the appearance of sampling and scratching in seminal Brooklyn based hip-hop during the late 1970s, to punk rock poster and record sleeve designs, to retro fashion from designers such as Vivienne Westwood or Jean Paul Gaultier, to the impact of US pop icon Madonna's ironic reiterations of female stereotypes, the appearance of postmodern appropriation in popular culture generally can certainly be acknowledged as variously contemporaneous with its appearance in art or architecture.

An analogous genealogy of appropriative tendencies to that already outlined in relation to the visual arts can also be applied to shifting attitudes and approaches to the use of sampling in popular music. 'Sampling' is a term used in contemporary music production in order to describe the electronic appropriation of previously existing sounds, parts of songs or beats. As a complex collage of fragmented self-referencing parts, contemporary pop music, like contemporary visual art, can also be modelled as a largely self-conscious reconstruction of previously existing components or styles. Digital sampling and sequencing technology has enabled actual digital copies of parts of existing songs to be integrated into new songs. As with the visual arts, in its earliest manifestations, sampling relied upon ironic or historical distancing in order to function in its new location. Rap and hip-hop juxtaposed the nostalgic value of Motown and funk with recontextualised quotations from white pop music. Contemporaneously with the arrival of photo-appropriation art in Manhattan, street culture in Brooklyn and Harlem had arrived at a similar juncture. Hip-hop had witnessed the role of the DJ, a role formerly limited to song selection, become central within 'live' music. With the addition of digital sampling, myriad variations of hip-hop, electro and house music would exist by the late 1980s. The emergence of house music was of course largely predicated on the retro/camp value of 1970s disco.

African American street culture has repeatedly re-established an ironic distance from white American culture by (re-)appropriating it. Influential rap artists Run DMC's 1986 single *Tricky*, which explicitly sampled white rock group The Knack's 1979 No. 1 hit single *My Sharona*, provides a good example. *Tricky* consisted of clearly recognisable excerpts of *My Sharona* mixed with a simple drum

[32] Douglas Crimp, 'Appropriating Appropriation', *Tension* 2, September/October 1983, p. 12.
[33] Jeanne Siegel, 'After Sherrie Levine', *Arts Magazine*, Summer 1985, p. 141.
[34] Douglas Crimp, 'Appropriating Appropriation', *Tension* 2, September/October 1983, p. 12.

machine, rapped vocals and record scratching. Run DMC are also retrospectively credited with creating a proto 'mash-up' in 1986 using Aerosmith's *Walk This Way*. Meanwhile, a different approach to sampling was being pioneered by another influential rap group Public Enemy. Although Public Enemy's music consisted largely of appropriated elements, their samples were ultimately far less immediately recognisable than those used by Run DMC. Mixing up sampled beats with ghostly samples of James Brown bass or Slayer guitar, and then layering and manipulating them to such an extent that they were less immediately recognisable, the result was more a fragmented sense of familiarity than the construction of ironic distance. Public Enemy's 1987 album *It Takes a Nation of Millions to Hold Us Back*, which, excluding vocals, was constructed virtually entirely from samples of previously released recordings, was widely heralded as a ground breaking and 'original' work.

By the early 1990s, explicit sampling had also entered its banal phase, becoming part of an established industry of mutually agreed commercial arrangements between the original and the appropriating artist. A good example of the final banality of explicit sampling is MC Hammer's 1990 hit *Can't Touch This*, which was based entirely (but for vocals and a drum machine) on an explicit sample of Rick James's 1981 hit *Superfreak*. Recording companies were however becoming increasingly reluctant to enter the copyright minefield of sampling. To legally declare a sample was expensive and detracted from profits, but releasing a CD with uncleared samples was increasingly an invitation to litigation. Explicit sampling was first litigated in the case of Grand Upright Music Limited v Warner Brothers Records Inc. in 1991,[35] which had involved a sample of Gilbert O' Sullivan's *Alone Again (Naturally)* by US rapper Biz Markey. After demanding that all royalties and court costs be returned to O'Sullivan, Judge Kevin Thomas Duffy, of the New York Federal Court, even referred the matter to the US Attorney's Office for criminal prosecution.[36] According to US music industry analyst Donald S. Passman, 'because of this case', artists 'now treat sampling with the utmost care and respect'.[37] Moreover, he notes, most 'record companies won't release a record containing samples' unless they are sure 'that the samples have been cleared'.[38]

Another recombinant methodology employed in popular culture is the art of 'turntablism'.[39] Using nothing but pre-recorded material, the turntablist creates soundscapes and musical sequences in which the original recordings are barely unrecognisable. Here, 'digging' refers to the sourcing of complementary recordings, whilst 'scratching' involves the rhythmical intermingling of pre-recorded sounds using nothing but two turntables. Q-Bert (aka Richard Quitevis), a Filipino-American DJ from

[35] *Grand Upright Music Limited v Warner Brothers Records Inc.* (1991) 780 F. Supp. 182 (SDNY).
[36] See Donald S. Passman, 'Digital Sampling', in Donald S. Passman, *All You Need To Know About The Music Business*, Simon & Schuster, U.S.A., 1994.
[37] Ibid.
[38] Ibid.

[39] Developed from record scratching, which has its origins in hip-hop culture in the South Bronx district of New York, the term 'turntablism' was later coined by Los Angeles' DJ Babu to denote the use of a record player as a musical instrument worthy of pitch and rhythm. South Bronx DJ Grand Wizzard Theodore, by most accounts, had first pioneered the idea of scratching a record by moving it back and forth. Grand Master Flash had earlier pioneered the concept of 'rubbing' a record in order to enhance a DJ's segue into a new song, but it was Theodore who gave the backward sound a percussive, rhythmic quality.

San Francisco, is widely regarded as the world's most technically proficient turntablist and is especially renowned for the referential illegibility of his turntable-derived soundscapes. According to David P. Hertzberg of New York University, turntablism represents a 'post-reproductive' transformation 'whereby the recorded *becomes* the live', insofar as the 'instrument-ness' of the recorded copy is 'unlocked' via the 'utilisation of turntables-as-instruments'.[40] Subterranean referencing is also exemplified in many contemporary pop music videos. In French artist and director Jean Baptiste Mondino's video for Madonna's 2000 single *Don't Tell Me*, for example, it is uncertain whether a scene which a cowboy on a horse is projected on a giant outdoor billboard in the desert is modelled on Richard Prince's codified caricatures of cowboys taken from Marlboro cigarette advertisements, the cigarette advertisements themselves, the generic macho cowboy fantasy found in gay disco culture, or all or none of the above. In many cases, it is finally only the artist that is specifically aware of the actual elements used. For this reason only, the author's own methodology will be mentioned.

'Subliminal appropriation', a methodology nominated and employed by the author in the entire production of Australian electronic rock bands *Def FX* (1990–97), and *Celebrity Drug Disasters* (a current production partnership with Rob Taylor), uses a specially developed database in which tens of thousands of Top 40 songs from the past four decades are categorised in terms of matching musical key and tempo properties. Data-matched lists of songs are then digitally sampled, layered, re-sequenced and otherwise manipulated to produce 'new' pop songs - albeit with a ghostly sense of familiarity. Lyrics and melodies are similarly chopped up and recombined with live instrumentation also added as an additional decoy. The idea is of that people will be attracted to the 'new' compositions without actually knowing why. Several hit songs in Australia and North America have (with accompanying albums) already been recorded and released using this approach – with no copyright infringements incurred to date.[41] Reinterpreting prototypes is of course nothing new to pop music. The data-matching methodology developed by the author however, represents a highly systematic and conscious approach. Explicitly appropriated elements, specifically manipulated to remain undetectable but for a 'ghostly air' of familiarity, form the core of the author's approach to both musical and visual artistic production. A similar approach is also used to generate visual works using prototypes sourced from mass circulated corporate logos (as opposed to the relatively lower circulation of art historical references). Documentation of this methodology formed the basis of a PhD dissertation and series of related exhibitions. The strategy of 'subliminal appropriation' is therefore a methodology being tested and developed across a range of media and in relationship to both critical and commercial markets.

[40] David P. Hertzberg, *Turntablism and the Logic of Circulation*, (working paper) New York University, [accessed 24/12/02] http://homepages.nyu.edu/~dph209/logic.html

[41] Selected commercial chart positions (in chronological order): Def FX, 'Water', # 1 on ARIA Alternative Single Chart, week ending November 10, 1991 (remained in chart for record 52 weeks). Def FX, 'Surge', # 1 on ARIA Alternative Single Chart, week ending December 8, 1991. Def FX, 'Blink', # 1 on ARIA Alternative Single Chart, week ending June 29, 1992. Def FX, 'Space/Time/Disco', # 37 on U.S. Billboard Dance Chart, week ending October 16, 1993. Def FX, 'Majick', # 25 on ARIA Album Chart, week ending July 14, 1996.

Irrespective of whether it is finally regarded as a prescription for sterility, as a historical precondition of all art, as a deconstruction of established assumptions, or as an efficient and convenient tool of production, appropriation did not retreat simply because it became critically unfashionable. Although cynicism and irony *per se* now reside in a critical cul de sac, contemporary art's provisional return of subjectivity is still clearly moderated by a general suspicion of taking ideas and images at face value. In considering its gradual transition from anti-aesthetic strategy to production methodology, the related question as to whether this transition also represents part of postmodernism's more generalised collapse into the larger discourse of modernism, also needs to be addressed. According to US critic Hal Foster in 2002, ' the recursive strategy of the "neo" appears as attenuated today as the oppositional logic of the "post" is tired: neither suffices as a strong paradigm for artistic or critical practice, and no other model stands in their stead'.[42] At the same time, Foster warns that the now popular 'paradigm of no paradigm' is finally no real 'improvement on the old historicist determination of modernist art'.[43] Ultimately, the concealment of appropriation simply represents part of contemporary art's larger 'flight from interpretation'[44] and its desire to be purged of the cynical rhetoric of the endgame. If it is accepted that appropriation, a strategy popularised within postmodernism's projection of the 'end' of history, has, as a function of its retreat and concealment, paradoxically transformed into a silent mechanism of art's continued existence, it can, of course, no longer be described as postmodern.

Formerly an anti-formalist or anti-aesthetic strategy, with its wider problem field now 'permitted in advance', appropriation is now increasingly employed to serve quasi-formalist or aesthetic ends. A way, if you will, of maintaining certain qualities without carrying unnecessary historical 'baggage'. A former critical/ironic function of art's 'endgame' has paradoxically been transformed into an efficient tool in the production of 'new' art and cultural formations. Emptied of critical value, explicit strategies of appropriation are clearly dated. Like a joke that has been told too many times, value is lost in repetition. As a production tool, however, appropriation remains an efficient means (when employed in conjunction with the manipulative capabilities of new digital technologies) for artists to stand consciously on the shoulders of history. Far from having disappeared, it would perhaps be more accurate to describe appropriation as so omnipresent that it is no longer visible. Given that melody, image and narrative have always evolved via a handing down of pre-existing melodies, images and narratives, a form of artistic production that consciously utilises appropriation, but ultimately 'conceals' any explicitly appropriated elements in the final presentation, will perhaps finally represent the only way in which some artists can actually continue working in a world in which many of the materials of culture are now privately owned.

[42] Hal Foster, 'This Funeral is for the Wrong Corpse', in *Design & Crime (and Other Diatribes)*, Verso, New York, 2002, p. 128.
[43] Ibid.
[44] Howard Singerman, 'In the Text', in *A Forest of Signs: Art in the Crisis of Representation*, Catalogue for Exhibition (curated by Mary Jane Jacob and Ann Goldstein), 7 May–13 August 1989, Museum of Contemporary Art, Los Angeles, pp. 155–66.