1

Introduction

In 1989 Keith Haring was already a legend. Recognised for being one of the main figures who first bridged the gap between the art world and the urban environment, he rose to prominence during the 1980s and quickly became one of the hottest artists on the scene. He had exhibitions all over the world, including New York, Melbourne, Tokyo, and Rio de Janeiro.

Back then, I was a fourteen-year-old student in high school in the Italian town of Pisa and knew nothing about street art or graffiti writing, and the differences between them. Nevertheless, when my classmates told me that an American guy was painting a wall at the back of a local church in downtown Pisa, I immediately rushed there, unaware of the impact that the awaiting encounter would have on my life. When I arrived, I saw this guy painting with a brush, while DJs were spinning and scratching loud hip hop and break-dancers were performing next to him: our little town in Tuscany immediately got New York–style street cred! And as the artist made each stroke of paint with his brush, I stood there transfixed by the magical play of colours that was taking place in front of my eyes. Again, that day, I had no idea that the guy holding the brush was Keith Haring nor that the piece that he was painting, *Tuttomondo*, would go on to become one of his most famous, and sadly also one of his last, works of art. I, however, was immediately mesmerised by the beauty of it. It was then and there that my passion for art in the street was born.

BIRTH AND EVOLUTION OF GRAFFITI AND STREET ART

Keith Haring was not a graffiti writer. He used to paint walls and draw his iconic pieces such as the barking dog or the radiant baby on walls and empty billboards in the subway stations in New York. However, he never painted trains nor practiced lettering-based writing, both of which are graffiti's main archetypes.

Modern graffiti writing was born on the East Coast of the US. After the initial marking of names on the walls of Philadelphia and New York in the late 1960s and early 1970s (Cornbread and Cool Earl were amongst the first writers in Philadelphia,

and Taki 183 and Julio 204 were the first ones in the Big Apple),[1] a multitude of New York teenagers from different ethnic backgrounds, especially Latinos, further developed the initial wall tagging into an elaborate lettering art form. They called themselves writers, as this was exactly what they did, that is, writing their names on urban surfaces, at the beginning walls and then also subway trains. The term 'graffiti' itself is a symbol of the main characteristic of what would become a new artistic movement. Etymology matters here. The word comes from the Italian word *graffiare* (scratching), which in turn comes from the Greek word *graphein* (writing). And as mentioned, this is what those kids started doing at that time; they repeatedly wrote their names, often followed by the number of the street they were living on. They did so on the back of a society whose rules they refused to follow in an open act of defiance, and left them there for others, especially within their communities, to see and talk about. Stay High 149, Super Kool, Phase 2, and subsequently in the late 1970s and early 1980s Dondi, Blade, Lee Quiñones, Lady Pink, Zephyr, Skeme, Futura 2000, Iz the Wiz, and Seen are just a few examples amongst the many young New Yorkers who came from different boroughs of the city and contributed to building a new urban art style based on the destruction, reconstruction, metamorphosis, and interpretation of the letters of the alphabet.

Graffiti writing in New York continued to develop throughout the 1980s. Yet, after 1989 most writers abandoned the subway system and started to paint again on walls and other surfaces above ground, as the city had won its long war to keep the subway system clean from graffiti – mainly by reinforcing criminal sanctions against writers and making subway yards almost impossible to reach. In the meantime, during the 1980s, the graffiti writing culture expanded to other US cities and to countries around the world. It is also worthwhile to remember that in the US, forms of artistic writing on walls, such as Cholo – consisting of Old English or Gothic typeface which originally constituted the hand style created by the Latino gangs in Los Angeles – had already been practiced before the explosion of graffiti in Philadelphia and New York.[2]

The 1990s was another prolific decade for graffiti art in the US and several other countries. It highlighted a growing divide between graffiti culture (still focused on the re-interpretation of the letters of the alphabet) and the emerging street art movement, which focuses on images rather than letters and was developed by building upon and mixing with established artistic movements, including muralism. After all, art on walls had already been practiced in the US in the 1970s and

[1] The phenomenon was even reported by the *New York Times*, which on 21 July 1972 published an article entitled 'Taki 183 Spawns Pen Pals', writing about Taki's ubiquitous tag spreading all over the city.

[2] For analysis of Cholo and Chicano graffiti cultures see Gusmano Cesaretti, *Street Writers – A Guided Tour of Chicano Graffiti* (Acrobat Books 1975); Jerry Romotsky, *Los Angeles Barrio Calligraphy* (Dawsons Book 1976); François Chastanet and Howard Gribble, *Cholo Writing: Latin Gang Graffiti in Los Angeles* (Dokument Press 2009).

1980s, especially in New York, by fine and multi-disciplinary artists such as John Fekner, John Ahearn, Richard Hambleton, Jenny Holzer, Christy Rupp, Keith Haring, and several others. Art in the street had also been created in Paris since the mid-twentieth century when a French artist, Jacques Villegle, started creating and placing his iconic décollages in the streets. Then, in the 1960s, Daniel Buren started putting up alternative stripes of paper over billboards and advertisements around Paris. Both of them set up a new artistic narrative and had a massive impact on the future of a peculiar French movement. Such a movement was further bolstered in the 1970s by artists such as Zlotykamien as well as Pignon-Ernest, a situationist and a member of Fluxus, the international and interdisciplinary group of artists born in the 1960s that engaged in experimental art performances. Later in the 1980s, French stencil artists such as Blek le Rat, Jef Aerosol, and Miss Tic took this rising art movement to a whole new level. Subsequently, throughout the 1990s, first in the US and then in other countries, techniques other than spraycan paintings were pioneered and experimented with, such as attaching stickers (the infamous *Andre the Giant Has a Posse* sticker, designed and widely disseminated by the US artist Shepard Fairey, is particularly noteworthy) and paste-ups (popularized in the US by Cost and Revs).[3] These techniques, which have been named 'adhesive art',[4] were developed and refined in the subsequent two decades and are still popular today.

As these artistic subcultures continued to develop further in the first two decades of the new century, more and more people outside of these communities have started to appreciate their artistic merit, especially where artworks are produced by individuals who have become iconic stars, like the acclaimed English artist Banksy. Also, it must be remembered that writing on walls and other public surfaces is not a new 'thing' in the history of humanity. It dates back millennia. People have always felt the urge to express themselves in this way, as testified by ancient inscriptions found all over the world, such as those in Lascaux, Pompeii, and Mesopotamia. Indeed, it may be argued that graffiti and street art, in general, are the real traditional art forms. Stik, an English street artist, sitting in his East London studio during our conversation, reiterated this point by saying, 'People have been painting on walls since the beginning of times whereas canvas painting is newer. We're the establishment!'

[3] Paste-ups were not pioneered by Cost and Revs, though. In France, for example, the already mentioned Pignon-Ernest became popular for placing in the street artistic wheatpastes infused with politics and poetry and greatly contributed to further widen the scope of early French street art (likewise, Jacques Villegle became famous for his alphabet with symbolic letters and décollage with lacerated posters). And in New York in the late 1970s, Christy Rupp wheatpasted posters in an artistic project entitled Rat Patrol. The posters depicted a rat, and many were pasted close to rubbish cans and sites. As confirmed by Rupp herself during our conversation in a café in Manhattan, her purpose was to highlight the socio-economic and ecological problems of the times.

[4] Claudia Walde, *Street Fonts: Graffiti Alphabets from Around the World* (Thames & Hudson 2011).

DIFFERENCES AND NUANCES

As mentioned, there are differences between graffiti and street art – the former is lettering-based, while the latter is more figurative. The perception of these two art forms in society also differs. Members of the general public and media outlets often consider graffiti lettering (and to a certain extent stickering and paste-up art) as a less valuable and pleasant form of art, if not deplorable visual pollution, while the more socially acceptable street art is often championed and glorified: indeed, street art tours have become a regular feature of many cities, with dedicated street art festivals also being organised in several countries.

Moreover, many writers (but not all) – especially those who paint illegally – express anger against society. Skeme, an influential New York writer from the late 1970s and early 1980s, perfectly highlighted the motives that pushed writers of his generation to leave their mark in the city. He said this to me while sitting in a café in Harlem: 'In one person you could find various reasons as to why he wrote. Some of it was out of, for instance, adolescent, rebellion; a desire to express yourself; the artist in you bursting out'. Rebellion narratives permeate the graffiti subculture, and this has been the case from its very beginning. Unsurprisingly, for a movement that so strictly abhors labels and restrictions, even the term 'graffiti' has been disputed by some early New York writers. Iz the Wiz was reported noting, 'First of all, it's not even called graffiti, it's writing. Graffiti is some social term that was developed (for the culture) somewhere in the 70s,'[5] while Futura 2000 was reported as commenting, 'It's not the word "graffiti" which bothers me, it just doesn't accurately explain the entire picture'.[6] Phase 2, another legendary New York writer, also expressed a negative opinion: 'this word "graffiti" needs to go […] It means "scribble-scrabble" and does not enhance the value of this cultural art […] It was made up by the media and accepted by lack of knowledge of (how) complicated, cultural, technical, spiritual, and on and on this art is'.[7] Mico, another writer from the New York scene of the 1970s, has a more race-based and social class–related opinion, saying that 'the term graffiti is a racist, denigrating term that was applied to our culture, a culture invented by the children of the working class, usually people of color: black and Puerto Rican, black and Latinos in the early '70s, not a culture invented by the children of the rich upper classes, because if it were, the media would never have denigrated the new art form with the term "graffiti"; they would have named it a "vanguard pop-art" or something'.[8] The same opinion was expressed by Andre Trenier, a New York muralist, during our conversation in the Bronx: 'I feel it [the word "graffiti"] is a derogatory term'.

5 Stampa Alternativa, *Style: Writing from the Underground* (Nuovi Equilibri 1998) 6.
6 Ed Bartlett, *Lonely Planet Street Art* (Lonely Planet Publishing 2017) 5.
7 D. D. Brewer and M. L. Miller, 'Bombing and Burning: The Social Organization and Values of Hip Hop Graffiti Writers and Implications for Policy' (1990) *Deviant Behavior* 11(4), 360; Ivor L. Miller, *Aerosol Kingdom: Subway Painters of New York City* (University Press of Mississippi 2012) 19.
8 Hugo Martinez, *Graffiti NYC* (Prestel 2006) 54.

Graffiti (and street art) labels are also refused by Lady Pink, an early Ecuadorian American writer (then) and muralist (now), and the first well-known woman practicing graffiti in New York in the late 1970s and 1980s. She said in the interview with me, 'I am a fine artist. Street Art is a new label they are imposing on us. I don't consider myself a street artist'. This is also the position of a British street artist curiously called Copyright (he explained to me in the interview that the choice of that name 'was kind of a joke, a way for me to protect my identity when I was doing artwork outdoors. I liked the duality of the meaning'). He added, 'I never started out calling myself a street artist, always just "an artist". "Street artist" is just a label I've been given by people trying to put me into a bracket in a way to understand what I do'. Similarly, New York artist KR told me: 'I don't want to be defined as a street artist. I have an extensive graffiti background, but I'm not specifically a street artist, it's too narrow. I'm interested in art and creativity'. Likewise, Mosstika (a contemporary artist who creates silhouettes of animals out of moss or grass and attaches them to wooden walls on construction sites) and Andre Trenier confirmed during their interviews with me that they simply consider themselves fine artists. Sitting in a café with me in the Bronx, the latter clarified this point, saying, 'It's all kind of semantics anyway. It is very difficult to draw a line [between street and fine artists]'.

It is also difficult to draw a line between graffiti lettering and street art, and those who practice these forms of art. Although they have developed into two distinct movements, the line distinguishing them is often blurred; many street artists engage in graffiti writing and various writers incorporate figurative elements into their works, and several others do basically both, that is, lettering and figurative street art[9] (moreover, several practitioners of these types of art also create pieces in the studio).[10] Art techniques are also shared. For example, Coco144, an early New York writer,

[9] See also Ronald Kramer, 'Graffiti and Street Art: Creative Practices Amid "Corporatization" and "Corporate Appropriation"', in Enrico Bonadio (ed.), *The Cambridge Handbook of Copyright in Street Art and Graffiti* (Cambridge University Press 2019) 30 (noting that writers and street artists 'often drift across aesthetic styles to the point where it becomes next to impossible to say whether they are a graffiti writer, street artist, both, neither, or something else altogether. For example, is someone like Revs, who is known for his graffiti writing but also for writing diary pages in subway tunnels and the unauthorized installation of sculptures throughout New York, a graffiti writer or street artist?').

[10] It is for this reason that I occasionally use in this volume the terms 'artists' to generally refer to the practitioners of these forms of art. I also sometimes use the words 'mural artist' or 'muralist', especially to refer to street artists engaged in wall painting and not graffiti lettering. This ambiguity of roles was made clear to me when interviewing an informant who both does illegal graffiti in the street and paints canvases in the studio. When he does graffiti he uses his street pseudonym, and when he paints in the studio he uses his real name. He told me: 'they are two different persons. […] As to canvases, I'd have no problem to start a copyright suit, but I'd never commercialise my graffiti'. This double personality angle also emerged in my interview with the Australian artist Damien Mitchell at a café in Brooklyn. When he told me that sometimes he also does graffiti in addition to murals, I asked him about his graffiti name. He answered, '[I]t doesn't matter', making me understand that he did not want to reveal his identity as a writer. It is not uncommon for artists who

explained that in 1972 he started using stencils, a technique typical of modern street artists, because they permitted him to get his name up faster than he normally wrote.[11] Also in light of this, it is understandable why the two terms 'street art' and 'graffiti' are frequently used interchangeably, especially by the media and in popular culture. Furthermore, like writers, street artists are often motivated by anti-establishment sentiments and reject modern consumeristic values and the traditional art world. Alice Pasquini, a street artist based in Rome, said to me: "I come from the academic world, but I developed a strong rejection towards it, I'm more inspired by a wall covered in tags than by a canvas".

However, there are still differences between these artistic movements. While both entail a creative display in a public space and a desire to leave a mark in the city, street art, being focused on images rather than letters, is conceptually geared towards external recognition and decipherment by the general public. It is a kind of art that connects with the masses – a language open to the world. Graffiti, on the other hand, by relying strictly on the reinterpretation of the letters of the alphabet, which often leads to their complete abstraction, has developed into an internal code, which is fully understood only by other writers. In other words, graffiti is a secret and an internal language.[12] Martha Cooper, the co-author of *Subway Art*, the first and most acclaimed book documenting the graffiti art explosion in New York in the 1970s and early 1980s, noted that this artistic subculture is a kind of 'secret society',[13] and that 'recognizing and deciphering graffiti writing is akin to solving a puzzle'.[14] It is by creating their own world that writers can exclude general audiences from understanding their work, therefore 'reinforcing the vitality of their world'.[15] This has been a structural feature of graffiti from the very beginning – as Skeme noted in the famous 1983 documentary movie *Style Wars*: 'I don't care of the fact that they can't read it […] it's for us'. He said that while confronting his mother, who was worried about her son engaging in these illegal behaviours. Similarly, London writer Zaki commented in an interview with researcher Nancy Macdonald: 'I see tagging

work in both the studio and the street to use two different names, one for the studio and the other for the street. For example, the fine artist Brian Adam Douglas becomes Elbow-Toe when he places art in the street, while the Australian street artist Lister becomes Anthony Lister when his works are shown in a gallery. In this regard, see Alison Young, *Street Art World* (Reaktion Books 2016) 129. It is also interesting to note that in the interview I had with Copyright, the latter expanded on the different approaches he uses when painting in studio and in the street: 'My studio work is very different from my street work. If it's a canvas, I might spend a month working on [it] (coming back and refining), but for a work on the street I might just have a few hours to create. I make it look as strong as possible to be seen on the street, but it is not created to be sold, it doesn't represent the same thing my studio work does'.

[11] Roger Gastman (ed.), *Wall Writers* (Gingko Press Incorporated 2015) 150.

[12] Cedar Lewisohn, *Street Art: The Graffiti Revolution* (Tate Modern Publishing 2009) 15.

[13] Christopher Grimes, 'Photographer Martha Cooper Captured New York at Its Grittiest' (2 October 2020) *FT Magazine*.

[14] Martha Cooper, *Tag Town: The Origins of Writing* (Dokument 2009) 53.

[15] Anna Waclawek, *Graffiti and Street Art* (Thames & Hudson 2011) 55.

talking to other graffiti writers'.[16] Also, New York artist KR noted in our interview, 'You may write your tag 100,000 times. For graffiti writers, it's easy to understand tags and relate to the style. It's very difficult to explain to people who are not graffiti writers, it's their own language. The style is attached to the individual's history and context within the greater history of graffiti'. Likewise, David Chino, another New York writer, explained to me that 'graffiti excludes people from the conversation, with these complicated letters'.

Complicated? Yes, indeed. What is more complicated to the general public than these indecipherable letters? Street art is instead easier to understand and capable of reaching wider audiences. The repertoire from which street artists take inspiration is far broader than that of writers, which makes street art more lexically and aesthetically open-ended than graffiti. And its openness towards non-insiders and the public, in general, is one of the main reasons behind its larger social acceptance. As Morley, a Los Angeles street artist who specializes in wheatpasting, explained to me in our interview: 'with street art […] it's taking your work and injecting it into the world around you. So instead of asking the audience to travel into the artist's world, it's the artist bringing their work to the audience. For me, this is a much more creatively gratifying experience'.

These differences also sometimes lead to conflicts and vivid clashes between street artists and writers, with the former occasionally looking down on the latter, who may be 'accused' of focusing more on quantity (the desire to 'bomb' the city as much as possible, and therefore to 'get up' and be seen by other writers) rather than artistic quality. A few interviews I had confirmed this tension, with a former writer – and now respected street artist – referring to writers who had tagged around his mural as 'fucking writers'.[17] This feeling is shared by several writers who have given up on illegal graffiti and now only paint legally. For example, Yes 2 – a New York writer active since the 1980s – was reported as saying, 'People generally like when we do a legal production because the areas are so fucked up with tags and scribbles and we come in and make it look nice'.[18] This sentiment of disrespect works both ways, though. Writers' communities are often critical of the openness – and 'mainstreamisation' – of street art. This is what New York artist Resa Piece noted during our interview in Manhattan (I spoke with her while she was painting a legal mural on a business property): 'murals and street art are not as respected in writers' community. They think like "ah you are just doing art stuff"'.

[16] Nancy Macdonald, *The Graffiti Subculture: Youth, Masculinity and Identity in London and New York* (Palgrave MacMillan 2001) 203.

[17] The negative reputation that graffiti has amongst the general public may also have repercussions for the way artists who practice both street art and graffiti present themselves, especially when it comes to attracting commission opportunities. Gabriel Corti, a US writer and mural artist whom I talked to in a Long Island café, told me during the interview that he prefers 'being called a muralist over a graffiti artist as when I approach companies for work, I tend to sense that "graffiti" as a word turn people off'.

[18] Karla Murray, *Broken Windows: Graffiti NYC* (Gingko Press 2009) 181.

WHAT THIS BOOK IS ABOUT

So, why do we need to learn about the intersection between these art forms and copyright laws? Why is this book titled *Copyright in the Street – An Oral History of Creative Processes in Street Art and Graffiti Subcultures*?

The answer to the first question is rooted in an inherent characteristic of these art forms. They are created and displayed in public spaces. Because of that, and also due to their increasing appeal amongst certain sectors of society, especially young people, they are at risk of being appropriated and exploited for commercial purposes. And indeed, in recent years, there has been a sharp increase in cases where street and graffiti artists have complained about corporations (from sectors as diverse as fashion, food, entertainment, cars, and real estate) appropriating and exploiting their artworks without authorisation, for example, in advertising campaigns or as decorative elements of products. This confirms that these forms of art are vulnerable to exploitation. They are actually more exposed to unauthorised exploitation than works of fine art, precisely because they are placed in the public environment and not in closed galleries or museums. This unjust exploitation has recently pushed several practitioners of these art forms to look at copyright laws as a possible tool to protect the fruits of their creativity.

And indeed copyright-focused legal actions have recently proliferated, as will be mentioned in Chapter 3. There have also been legal disputes focusing on whether graffiti lettering per se could be considered original enough to attract copyright, with judges reaching interesting conclusions in favour of writers and graffiti style in general, as we will see in Chapter 2, where we will also look at the different graffiti styles that have been developed throughout the years, especially in New York.

Complaints have been brought against not only commercial exploitation. There have also been cases against those who destroy murals or other street artworks without following the appropriate legal procedures, as we will see in Chapter 4. In the 2018 case involving the destruction of pieces (legally) located at the world-famous *5Pointz* mural point in New York, a judge awarded a record $6.7 million in damages to twenty-one graffiti and street artists who had sued the owner of the complex.[19] The award was decided under the Visual Artists Rights Act (VARA), the piece of legislation which protects artists' moral rights in the US, including the right to oppose the destruction of their pieces. The site's owner had whitewashed the murals without serving artists with the ninety-day written notice required by VARA. Also, and more importantly, the artworks in question had been considered to have 'recognised stature', which is what is needed to get this form of protection.

Street and graffiti artworks may also suffer from another prejudicial treatment. As we will see in Chapter 4, there have recently been 'surgical' removals of pieces

[19] *Cohen v. G&M Realty* 320 F. Supp. 3d 421, 2018 U.S. Dist. LEXIS 22662; *Castillo v. G&M Realty L.P.*, Nos. 18-498-cv. (L), 18-538-cv (CON), 2020 US App.

originally placed in the street, and they have been relocated to galleries, museums, auction houses, or other indoor venues, often for the purposes of being exhibited, sold, or exploited commercially in other ways – all without the artists' consent. This has happened with several of Banksy's murals. Such a practice is controversial, as these types of artworks are often site specific. Several artists and writers have complained in recent years about these removals.

Who would have imagined such a scenario in the late 1960s and 1970s, when a bunch of kids in Philadelphia and New York started tagging and painting their names on walls and subway trains? Most graffiti pioneers of that era obviously could not care less about asserting copyright on their pieces (predominantly painted illegally on walls or subway trains), or about trying to save them from whitewashing. After all, how could you ask the company that is managing the subway system to preserve a piece you have painted on the external panel of a train? Instead, early writers' focus was on improving their lettering style, competing with their peers, and eventually advancing the artistic subculture.

Coming to the second question, why does this book have that specific title? The title is self-explanatory. This study will make the point that copyright-related narratives have entered these artistic subcultures. As also confirmed by several interviews I conducted, more and more artists and writers – even those who are not very famous and do not have the financial means to afford lawyers – have started looking with increasing interest at copyright to protect their art from both corporate appropriation and destruction or removal. Many of them have entered the professional art market (and thus not only paint in the street but also produce artworks in studios and show them in galleries and museums) and have accepted its rules, which inevitably include copyright laws. After all, few early New York writers also accepted painting and showing canvases in galleries in the old days; and many street artists and writers nowadays embrace merchandising and the sale of products that incorporate their art, such as posters, postcards, bags, and hats. I will expand on this in Chapter 5.

This book will also touch on characterising features of these art forms, including their (often) anti-establishment nature (in Chapter 5) as well as their sharing and appropriation approach (in Chapter 6). It is well known that many street and graffiti artworks aim at conveying anti-establishment messages. Pieces placed in public spaces often oppose war; criticise consumerism and capitalistic values; question the function of modern media; or denounce police brutality and racial discrimination, with the worldwide spike of murals commemorating the murder of George Floyd in Minneapolis in May 2020 epitomising this trend. One may therefore argue that (what are considered by many) pro-establishment legal tools like copyright should be considered antithetical to, and in contradiction with, those values. Also, street artists and writers frequently borrow styles, concepts, and details not only from popular culture and the everyday world but also from fellow colleagues, without engaging in legal complaints or objections. Again, one may note that such characteristic

suggests that copyright laws, which usually push the right owners to complain about imitations, are not suitable for governing these art practices.

But the fact that street artists and writers do not bring legal complaints against peers who may imitate them does not necessarily mean that copyright is not fit to regulate these artistic subcultures, as will be seen in Chapter 6. Indeed, many fine artists often decide not to take action against imitators. Moreover, copyright regimes are flexible enough to allow artists to decide whether to enforce some rights and waive others or to waive all of them. Also, in Chapter 5 we will see that many street artists and writers do not see an inherent contradiction between these art forms carrying anti-establishment meanings and their creators' desire to protect them via copyright laws. As will be noted in Chapter 3, some street artists and writers would even take into account the idea of starting legal action to protect pieces created illegally which would expose them to the risk of being identified and criminally prosecuted.

This book also recognises that street art, and to a larger extent graffiti communities, has a developed system of social norms, which regulate the creative processes from within: 'be original', 'don't bite' (biting means 'copying' in graffiti jargon), and 'don't go over' (which requires writers not to destroy or damage the work of other writers) are the most important.[20] These norms do certainly play a role in regulating the behaviour of artists within street and graffiti art scenarios. Yet, they may not be enough, as is also confirmed by the fact that some artists and writers have had to bring legal actions or other complaints against appropriators. Social norms are therefore not sufficient here, but they are just complementary to a set of legal norms – namely, copyright and moral rights – which street artists and writers are increasingly looking at. I will cover these issues in Chapter 6.

PREVIOUS LITERATURE IN THE AREA, OTHER SOURCES, AND THE ETHNOGRAPHIC ELEMENT OF THIS STUDY

This book has benefited from previous legal and sociological studies on the creative processes within these artistic subcultures. For example, ethnographic research conducted by sociologist Ronald Kramer has demonstrated that since the 1990s, a constantly increasing number of graffiti practitioners have not only created art legally but have also looked for integration within the society at large.[21] These findings are in line with the present study, which aims to show that graffiti and street art can be reconciled with a body of legal norms – copyright and moral rights – widely accepted by the general public.

[20] These norms have been highlighted by Marta Iljadica, *Copyright beyond Law: Regulating Creativity in the Graffiti Subculture* (Bloomsbury 2016).

[21] Ronald Kramer, *The Rise of Legal Graffiti Writing in New York and Beyond* (Palgrave MacMillan 2017), noting at p. 55 that the terminology has also changed. While in the 1970s and 1980s writers used terms such as 'bombing', 'hitting', or 'killing' when referring to their actions, more recently they have increasingly used the – more traditional – verb 'painting'.