

**Robni fetišizam,
pravni fetišizam, preobraženi
oblici i estetski fetišizam**



**Commodity Fetishism,
Legal Fetishism, Converted
Forms, and Aesthetic
Fetishism**

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APSTRAKT

U tekstu analiziramo dva novija priloga marksističkoj kritici političke ekonomije umetnosti: članak „Umetnički rad i proizvodnja vrednosti: pokušaj marksističke interpretacije” Hozea Marije Durana [José María Durán] i knjigu *Umetnost i vrednost: ekonomska izuzetnost umetnosti u klasičnoj, neoklasičnoj i marksističkoj ekonomici* Dejva Biča [Dave Beech]. Dok Duran u svojoj analizi daje naglasak zasnivanju pravne kategorije prava na intelektualno vlasništvo kao determinanti proizvodnje vrednosti u umetničkoj proizvodnji, Bič dolazi u svojoj knjizi do suprotnog zaključka da umetnički rad ne proizvodi vrednost i da je time umetnička proizvodnja izuzeta iz kapitalističke robne proizvodnje. U našem tekstu kritikujemo oba zaključka. Sa Bičom se slažemo da umetnički rad ne proizvodi vrednost i da je time izuzet iz ideologije robnog fetišizma, ali smatramo da on putem ideologije preobraženih oblika postaje deo kapitalističke robne proizvodnje. Tvrdimo da sektor umetničke proizvodnje putem preobraženog oblika monopolske rente zasniva proizvodni odnos sa drugim, konkurentskim, sektorima kapitalističke privrede. Ovaj proizvodni odnos je omogućen ideologijom estetskog fetišizma koju podržava ideologija pravnog fetišizma putem kategorije prava na vlasništvo intelektualne svojine. *Contra* Duranu zaključujemo da pravo na vlasništvo intelektualne svojine omogućava skriveni prenos viška vrednosti koji su proizveli radnici konkurentskog sektora kapitalističke privrede.

KLJUČNE REČI

vrednost, robni fetišizam, preobraženi oblici, monopolska renta, estetski fetišizam, pravni fetišizam, pravo na vlasništvo intelektualne svojine

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SUMMARY

In this paper, we analyse two recent contributions to the Marxist critique of the political economy of art: the article “Artistic Labor and the Production of Value: An Attempt at a Marxist Interpretation” by José María Durán and the book *Art and Value: Art's Economic Exceptionalism in Classical, Neoclassical and Marxist Economics* by Dave Beech. While Durán emphasizes the emergence of the legal category of intellectual property rights as crucial for value production in art, Beech has reached the contrary conclusion that artistic labour does not produce value and that artistic production is therefore excepted from capitalist commodity production. In our paper, we criticize both conclusions. While agreeing with Beech that artistic labour does not produce value and is thus excepted from the ideology of commodity fetishism, we believe that through the ideology of converted forms it nevertheless becomes part of capitalist commodity production. We would argue that the sector of artistic production, through the converted form of monopoly rent, establishes a production relation with other, competitive, sectors of capitalist economy. This production relation is enabled by the ideology of aesthetic fetishism, supported by the ideology of legal fetishism through the category of intellectual property rights. Contrary to Durán, we thus conclude that intellectual property rights allow for a hidden transfer of surplus value produced by the workers in the competitive sectors of the capitalist economy.

KEYWORDS

value, commodity fetishism, converted forms, monopoly rent, aesthetic fetishism, legal fetishism, intellectual property rights

Rade Pantić

U tekstu ćemo predstaviti dva novija priloga marksističkoj kritici političke ekonomije umetnosti i izvršiti njihovu kritiku.¹ Krenućemo od teksta Hozea Marije Durana [José María Durán].² Duran u svojoj analizi stavlja naglasak na pravnim odnosima koji regulišu vlasništvo nad određenim umetničkim proizvodom putem prava na intelektualnu svojinu. On želi svoju analizu smestiti između dve suprotne pozicije u pogledu određenja načina proizvodnje kome pripada umetnička produkcija: s jedne strane, tvrdnje teoretičara umetnosti Borisa Grojsa [Boris Groys] da su umetnička dela roba kao bilo koja druga proizvedena unutar kapitalističkog tržišta,³ a, s druge strane, shvatanja da su umetnička dela nereproduktivna dobra koja ne podležu zakonu vrednosti.⁴

U kontrastu sa ova dva pristupa Duran u prvi plan ističe pitanje načina na koji umetnik potvrđuje vlasništvo nad proizvodima svog rada kako bi ga prodao kapitalistima ili ljubiteljima umetnosti u nadoknadu za izvestan dohodak. Odgovor na ovo pitanje on nalazi tako u pravnom fetišizmu, ideologiji koja podređuje pravnu sferu funkcionisanju zakona vrednosti, tako da pojedinci stupaju u međusobne odnose kao vlasnici robe, proizvoda njihovog rada, koji istu mogu razmenjivati na tržištu putem slobodnog ugovora.⁵ Prema Duranu, na prvi pogled čini se da je umetnička proizvodnja deo pretkapitalističke sitne robne proizvodnje u kojoj neposredni proizvođači poseduju sredstva za proizvodnju i finalni proizvod pa tako umetnička dela nisu proizvod nadničnog rada koji unajmljuje kapital kako bi prisvojio višak vrednosti rada. Međutim, postoji i dodatak u ideologiji umetničkog autorstva gde se na proces stvaranja umetnosti gleda kao na rad izuzetne subjektivnosti, nematerijalni rad u vidu ideja i misli originalne ličnosti, čiji je izvor u njenoj imaginaciji i kreativnosti. Rezultati ovog rada su onda pravno zaštićeni kao manifestacije njene neotuđive subjektivnosti, kao otelovljenje njenih ideja, i to bez obzira na to ko je materijalno izradio umetnički predmet i sa kolikim utroškom radnog vremena. Proizvodnju i komodifikaciju umetnosti, odnos između aktivnosti umetnika i proizvoda njegovog rada kao vlasništva, tako uređuje pravo na intelektualnu svojinu.⁶ Ovo pravo je prema Duranu zasnovano na romantičarskoj ideologiji prema kojoj je umetničko delo manifestacija individualne subjektivnosti i ono nastaje kao odgovor na nestajanje feudalnog načina proizvodnje i sistema patronstva umetnosti, tj. u trenutku kada umetnici moraju prodavati svoje proizvode na kapitalističkom tržištu, pa im je potrebna ideologija putem koje bi tvrdili svoje ekskluzivno pravo na vlasništvo. Pravo na intelektualnu svojinu i dohodak koji iz njega proizilazi se tako realizuju retroaktivno, tek kada je umetničko delo materijalizovano u vidu proizvoda koji se može prodati i ono potvrđuje umetnika kao vlasnika robe koji može razmenjivati proizvod svog rada, tj. kao onog koji ima pravo na aproprijaciju putem rada.⁷ Na ovaj način prema Duranu smatrati umetnost oblašću pretkapitalističke zanatske proizvodnje predstavlja anahronizam, budući da se umetnička proizvodnja putem ideologije prava na intelektualno vlasništvo transformisala u odnosu na izazove kapitalističkih tržišnih odnosa.

Duran zatim iznosi najproblematičniju tvrdnju:

1 Naša analiza tiče se pre svega polja likovnih umetnosti, preciznije onih dela likovne umetnosti koja su od strane institucija umetnosti prepoznata kao vredna i unikatna.

2 Durán, „Artistic Labor and the Production of Value: An Attempt at a Marxist Interpretation”.

3 Prema Duranu, Grojs tako deli *common sense* shvatanje neoklasične ekonomije prema kojoj je vrednost robe određena u sferi cirkulacije, a ne u sferi proizvodnje. Ekonomija umetnosti tako ne bi zahtevala zasebnu analizu, već se na nju mogu primeniti opšti ekonomski zakoni. *Isto*, 222.

4 Duran atribuirava sovjetskom marksističkom ekonomisti Isaku Iljiču Rubinu stav da zakon vrednosti ne važi za nereproduktivna dobra (dobra čija je ponuda neelastična i čiji se broj ne može proizvodnjom uvećati kako bi zadovoljio efektivnu potražnju). Ovaj stav zapravo nalazimo već kod Dejvida Rikarda koji jasno pravi razliku između reproduktivnih i nereproduktivnih dobara i tvrdi da se zakon vrednosti može primeniti samo kod prve vrste dobara. Ovaj stav će slediti i Karl Marks [Karl Marx]: budući da retka i unikatna dobra ne podležu radnoj teoriji vrednosti, tj. njihova vrednost nije određena u odnosu na društveno prosečno radno vreme, apstraktni rad, ova dobra nemaju vrednost već samo cenu. U takva dobra ubrajaju se i unikatna umetnička dela. Distinkcija između vrednosti i cene je upravo ono što izmiče Duranovoj analizi.

5 Pašukanis, *Opšta teorija prava i marksizam*. Videćemo dole da Duran ovaj odnos na primeru umetničke proizvodnje preokreće: prema njemu pravna sfera podređuje zakon vrednosti i čini da umetnički rad proizvodi vrednost.

6 „Pre nego se umetnik pojavi društveno kao vlasnik proizvoda misli, on je konstituiran kao privatni posednik misli. Ovo privatno vlasništvo jeste ono što je potvrđeno pravom na intelektualnu svojinu”. Durán, „Artistic Labor and the Production of Value”, 230.

7 Iako tvrdi da je njegova teorija primenljiva pre svega na likovne umetnosti, Duranovi primeri su pretežno iz polja književnosti. Gornja hipoteza je zapravo neprimenljiva na likovne umetnosti budući da su one u pretkapitalističko doba pretežno i proizvedene za tržište unutar sitne robne proizvodnje esnafskog tipa. U patronski odnos ulazili su samo posebni umetnici, najčešće članovi akademija kojima je statusno bilo zabranjeno učestvovanje u esnafskoj sitnoj robnoj proizvodnji. Npr. u pravilniku francuske Kraljevske akademije slikarstva i skulpture je pisalo: „svi članovi će se, pod pretnjom isključenja, uzdržati od držanja otvorene radnje radi izlaganja svog rada, od njegovog izlaganja u izložima ili izvan mesta prebivališta, od postavljanja bilo kakvog komercijalnog znaka ili natpisa, ili od bilo čega što bi moglo poistovetiti častan status Akademičara sa niskim i plaćeničkim statusom Majstora Gilde.” Citirano prema: Paul Mattick, jr., „Art and Money”, 167.

1
Our analysis concerns primarily the field of fine arts, more precisely those artworks that have been recognized by the art institutions as valuable and unique.

2
Durán, “Artistic Labor and the Production of Value: An Attempt at a Marxist Interpretation.”

3
According to Durán, Groys thus adopts the commonsensical standpoint of neoclassical economy according to which the value of commodity is determined in the sphere of circulation, rather than the sphere of production. If it were so, the economy of art would not require a separate analysis, as general laws of economy would apply to it. *Ibid.*, 222.

4
Durán has referred to the Soviet Marxist economist Isaak Illich Rubin for the position that the law of value does not apply to non-reproducible goods (goods whose supply is inelastic and whose number cannot be increased by production in order to meet effective demand). This view is actually found earlier in David Ricardo, who clearly distinguished between reproducible and non-reproducible goods, arguing that the law of value can only be applied to the first category. This position was further elaborated by Karl Marx: since rare and unique goods are not subject to the labour theory of value, i.e. their value is not determined by the average socially necessary labour time, by the abstract labour, these goods have no value, only price. Such goods include unique artworks. The distinction between value and price is exactly what is missing in Durán’s analysis.

5
Pashukanis, *The General Theory of Law and Marxism*. We shall see below that Durán has reversed this relation when it comes to artistic production: according to him, the legal sphere subordinates the law of value and makes artistic labour produce value.

6
“Before the artist appears socially as owner of the products of thought, he is constituted as a private owner of thoughts. It is this private ownership that is sanctioned by intellectual property rights.” Durán, “Artistic Labor and the Production of Value,” 230.

7
Although Durán claims that his theory is applicable primarily to the fine arts, his examples come predominantly from the field of literature. The above hypothesis is in fact inapplicable to the fine arts, since in the pre-capitalist period they were predominantly produced for the market within the petty commodity production of the guild type. Only special artists were included in patronage relations: mostly they were members of the academies, whose status forbade them to participate in petty commodity production of the guild type. Thus, the rulebook of the French Royal Academy of Painting and Sculpture stated that “all members, under penalty of being expelled, would refrain from keeping an open shop to display their work, from exhibiting it in windows or outside their place of residence, from posting any commercial sign or inscription, or from doing anything that might confuse the honorable rank of Academician with the debased and mercenary rank of Guild Master.” Cited from: Mattick, Jr., “Art and Money,” 167.

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In this paper, we will present two recent contributions to the Marxist critique of the political economy of art and assess them critically.¹ Our starting point will be the article “Artistic Labor and the Production of Value: An Attempt at a Marxist Interpretation” by José María Durán.² In his analysis, he emphasizes the legal relations that regulate ownership over a particular artistic product through intellectual property rights. Durán wants to position his analysis between two opposing stances in determining the mode of production to which artistic production belongs: on the one hand, the claim of art theoretician Boris Groys that artworks are commodity in the same way as any other product of the capitalist market,³ and on the other, the claim that artworks are non-reproducible goods that are not subject to the law of value.⁴

In contrast to these two approaches, Durán addresses the question of the way in which the artist claims ownership over the products of his labour in order to sell them to capitalists or art lovers in return for specific income. He finds the answer to this question in legal fetishism, in an ideology that subordinates the legal sphere to the functioning of the law of value. Under the regulations of this ideology, individuals enter into relations with each other as owners of commodities, products of their labour, that can be exchanged on the market by means of free contract.⁵ According to Durán, it may seem at first that artistic production is part of pre-capitalist, petty commodity production in which direct producers possess the means of production and the final product, so artworks are not a product of wage labour that capital hires in order to gain surplus value. However, there is also an addition of the ideology of artistic authorship where the process of creating art is regarded as one of exceptional subjectivity, as non-material labour in the form of ideas and thoughts of an original personality, its source being his or her imagination and creativity. The results of such labour are then legally protected as manifestations of the artist’s inalienable subjectivity, as an embodiment of his or her ideas, regardless of who has materially produced the artistic object and with what expenditure of labour time. The production and commodification of art, the relationship between the artist’s activity and the product of his or her labour as property, is thus regulated by the law on intellectual property.⁶ According to Durán, this law is based on the Romanticist ideology according to which an artwork is a manifestation of individual subjectivity and arose in response to the disappearance of the feudal mode of production and the system of artistic patronage: as the artists were forced to sell their products on the capitalist market, they needed an ideology to claim their exclusive ownership rights. Intellectual property rights and the income derived therefrom are thus realized retroactively, only when the artwork has materialized in the form of a product that can be sold, and confirm the artist as the owner of a commodity, who can exchange the product of his labour, i.e. as the one who has the right to appropriation through labour.⁷ In this way, Durán argues, considering art as a domain of pre-capitalist artisan production

Iz perspektive prava, sav umetnički rad reprezentuje istu substancu: intelektualno vlasništvo. U skladu sa tim, bilo koja roba koja je proizvod umetničkog rada u tom pogledu se tretira kao nosilac iste društvene supstance. Onda možemo smatrati da to transformiše konkretan rad umetnika u nešto homogeno, to jest, u identičnu društvenu supstancu, ili apstraktni rad.⁸

Dakle, prema Duranu pravna sfera putem ideologije prava na intelektualnu svojinu nadodređuje umetničku proizvodnju tako da ona proizvodi vrednost koja ne zavisi od društveno prosečnog radnog vremena. Način na koji dolazi do sameravanja različitih vrsta konkretnih umetničkih radova u homogenizovani apstraktni umetnički rad ostaje ovde neobjašnjen. Pravna sfera tako prema Duranu poseduje čarobnu moć da učini rad umetnika proizvođačem vrednosti, tj. može se reći da ona uzrokuje robni fetišizam umetnosti. Takođe, Duran ne objašnjava ni odnos ovog robnog fetišizma umetničke proizvodnje prema Marksovoj konceptualizaciji robnog fetišizma. Pitanje koje bi onda trebalo postaviti je putem kog mehanizma dolazi do homogenizacije rada unutar umetničke proizvodnje u apstraktni rad i kako je ovaj način proizvodnje vrednosti različit od onog putem društveno potrebnog radnog vremena, karakterističnog za ostalu robnu proizvodnju? Duran na ovo pitanje nema odgovora.

Čini se da je Duran na primeru umetničke proizvodnje izvrnuo odnos između pravne i ekonomske sfere unutar kapitalizma. Za kapitalistički način proizvodnje je određujuća autonomizacija ekonomske sfere slobodnog tržišta koja svojoj logici funkcionisanja potčinjava pravnu sferu, a ne obrnuto. Pravo više ne uređuje direktno proizvodne odnose kao u nerobnim privredama, već služi posredno reprodukciji kapitalističkih proizvodnih odnosa koji se regulišu slobodnim tržištem.⁹ Za Marksa supstanca vrednosti robe jeste apstraktan rad, ali apstraktan rad nije učinak buržoaskog prava, već atomiziranog načina proizvodnje u robnoj privredi. Naime, u robnoj proizvodnji pojedinačne proizvodne jedinice samostalno odlučuju o svojoj proizvodnji, šta i koliko će proizvoditi, na osnovu datih i anticipiranih tržišnih cena. Radovi uloženi u proizvodnju dobara se tako u robnom sistemu proizvodnje podružavaju *a posteriori*, putem razmene na tržištu. Tek kada, i ako, roba bude prodana na tržištu, rad uloženi u nju postaje društveni rad—rad koji je društveno odobren. Proizvođači i njihova roba na ovaj način su povezani putem tržišta koje sada uređuje društvenu podelu rada.¹⁰ Putem razmene se izjednačavaju konkretni radovi uloženi u proizvodnju robe. Ono što sada povezuje proizvođače jeste vrednost robe, prosečna društvena produktivnost rada, homogenizovani društveni apstraktni rad. Ovo uređenje proizvodnih odnosa unutar robne privrede koje se vrši putem razmene robe na tržištu Marks naziva robni fetišizam. Budući da su proizvodni odnosi ovde utvrđeni *a posteriori*, kretanjem robe na tržištu, predmeti ljudskog rada određuju društvenu vezu između proizvođača—njihov proizvodni odnos tj. društveni proizvodni odnosi bivaju postvareni, određeni putem stvari.¹¹ Robni fetišizam („društveni odnos stvari“) nije samo

is an anachronism, since the ideology of intellectual property rights has transformed artistic production due to the challenges of capitalist market relations.

Durán then presents his most problematic claim:

From the perspective of the law, all artistic labors represent the same substance: intellectual property. Correspondingly, any commodity that is the product of artistic labor is treated as a bearer of the same social substance in this respect. We may then consider that it transforms the concrete labor of artists into something homogeneous: that is, into an identical social substance, or abstract labor.⁸

8

Durán, „Artistic Labor and the Production of Value“, 233.

9

Pravo ima ovu funkciju direktnog uređivanja proizvodnih odnosa upravo u nerobnim načinima proizvodnje kada kao sastavni deo političke sfere vrši „političku apropijaciju“ rada. U kapitalističkom načinu proizvodnje se pravo autonomizuje od politike i države što uzrokuje i autonomizaciju građanskog društva, kao sfere individualnih sebičnih interesa. Apropijacija rada tako postaje „čisto ekonomska“ i ona ne potrebuje vanekonomske mehanizme. Ovaj skriveni transfer vrednosti unutar kapitalizma se vrši putem ideologije preobraženih oblika. Više o tome dole.

10

„Svaki je proizvođač robe u svom poduzeću formalno slobodan da po svojoj volji proizvodi bilo kakav proizvod i uz pomoć bilo kakvih sredstava za proizvodnju. Ali kada gotov proizvod svoga rada iznosi na tržište, radi razmjene, on nije slobodan da odredi omjer razmjene, već je prisiljen da se potčinjava uvjetima (konjunkturi) tržišta zajedničkim svim proizvođačima danog proizvoda. Zato je on već u procesu neposredne proizvodnje prisiljen da unaprijed svoju radnu djelatnost prilagođuje predvidivim uvjetima tržišta. Ovisnost proizvođača o tržištu označava ovisnost njegove proizvodne djelatnosti o proizvodnoj djelatnosti svih drugih članova društva.“ Rubin, *Ogledi o Marxovoj teoriji vrijednosti*, 15.

11

„Pošto proizvođači stupaju u društveni dodir tek razmenjivanjem proizvoda svog rada, to se i specifična društvena obeležja njihovih privatnih radova pokazuju tek u okviru te razmene. Ili, privatni radovi potvrđuju se kao članovi ukupnog društvenog rada tek putem odnosa u koje razmena dovodi proizvode rada, a preko ovih i proizvođače. Zbog toga se ovima društveni odnosi njihovih privatnih radova prikazuju kao ono što jesu, tj. ne kao neposredno društveni odnosi samih lica u njihovim radovima, već, naprotiv, kao predmetni odnosi među licima, a društveni odnosi među stvarima.“ Marks, *Kapital: kritika političke ekonomije. Prvi tom*, 75.

imaginarni odraz proizvodnog odnosa između ljudi, već je on nužan oblik bez kojeg proizvodni odnos u sistemu atomizirane proizvodnje ne može biti zasnovan uopšte. Vrednost tako jeste društvena forma koju ljudski rad nužno uzima u robnom načinu privrede, a posledica ovakvog povezivanja atomiziranih proizvodnih jedinica putem stvari jeste ubeđenje da roba (stvari) po sebi poseduje određenu vrednost, da ona postoji kao njihovo materijalno svojstvo—robni fetišizam. Robni fetišizam je stoga ideologija koja način povezivanja proizvodnih jedinica u robnoj privredi uređuje na način da se jednaki kvantiteti apstraktnog rada razmenjuju za jednake troške apstraktnog rada. Ovaj princip se naziva zakon vrednosti i iz njega proizilazi društveni odnos između robnih proizvođača i njihovih individualnih radova.

Thus, according to Durán, it is the legal sphere, through the ideology of intellectual property rights, that overdetermines artistic production so that it produces value that does not depend on the average socially necessary labour time. The way in which various types of concrete artistic labours are commensured into homogenized, abstract artistic labour remains unclear. The legal sphere has here the magical power to make the artist's labour produce value; it can be said to cause the commodity fetishism of art. Durán also fails to address the relationship between this commodity fetishism of artistic production and Marx's conceptualization of commodity fetishism. The question that should be asked then is: through what mechanism is labour homogenized as abstract labour in artistic production, and how does this mode of value production differ from that by the average socially necessary labour time characteristic of other types of commodity production? Durán offers no answer to this question.

It seems that Durán, in his analysis of the artistic production, has reversed the relationship between the legal and economic spheres within capitalism. A determining feature of the capitalist mode of production is the autonomization of the economic sphere of the free market, which subordinates the legal sphere to its own logic of functioning, and not vice versa. Law no longer directly regulates the production relations as in non-commodity economies, but serves indirectly to reproduce the capitalist production relations regulated by the free market.⁹ For Marx, the substance of commodity value is abstract labour, but abstract labour is not an effect of bourgeois law, but rather of the atomized mode of production in the commodity economy. Namely, in commodity production, individual production units independently decide on their production, what and how much they will produce, based on the given and anticipated market prices. The labours invested in the production of goods are thus socialized posteriorly, through market exchange. Only when (and if) the goods are sold on the market, the labour invested in their production becomes social labour—labour that has been socially approved. Producers and their commodities are thus connected through the market, which now regulates the social division of labour.¹⁰ Individual labours invested in the production of commodities are commensured through exchange. What now connects the producers is the value of commodities, the average social productivity of labour, the homogenized social abstract labour. Marx refers to this arrangement of production relations within the commodity economy, which is performed through the exchange of commodities on the market, as commodity fetishism. Since the production relations are determined a posteriori, by the movement of commodities on the market, the objects of human labour determine the social link between the producers—their production relations, i.e. the social production relations are reified, determined by things.¹¹ Commodity fetishism (“the social relations between things”) is not only an imaginary reflection of the production relations between people, but also a necessary form without which the production

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Durán, “Artistic Labor and the Production of Value,” 233.

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Law has this function of directly regulating the production relations precisely in the non-commodity modes of production, when as an integral part of the political sphere it performs a “political appropriation” of labour. In the capitalist mode of production, law is autonomized from politics and the state, which causes the autonomization of the civil society as a sphere of individual, selfish interests. The appropriation of labour thus becomes “purely economic” and no longer needs extra-economic mechanisms. This hidden transfer of value in capitalism is carried out through the ideology of converted forms. More on this below.

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“In his enterprise each commodity producer is formally free to produce, at will, any product that pleases him and by any means he chooses. But when he takes the final product of his labor to the market to exchange it, he is not free to determine the proportions of the exchange, but must submit to the conditions (the fluctuations) of the market, which are common to all producers of the given product. Thus, already in the process of direct production, he is forced to adapt his work activity (in advance) to the expected conditions of the market. The fact that the producer depends on the market means that his productive activity depends on the productive activity of all other members of society.” Rubin, *Essays on Marx's Theory of Value*, 9.

11
“Since the producers do not come into social contact with each other until they exchange their products, the specific social character of each producer's labour does not show itself except in the act of exchange. In other words, the labour of the individual asserts itself as a part of the labour of society, only by means of the relations which the act of exchange establishes directly between the products, and indirectly, through them, between the producers. To the latter, therefore, the relations connecting the labour of one individual with that of the rest appear, not as direct social relations between individuals at work, but as what they really are, material relations between persons and social relations between things.” Marx, *Capital*, vol. 1, 83–84.

Dakle, problem Duranove analize je u tome da ona ne objašnjava način proizvodnje vrednosti u umetničkoj robnoj ekonomiji i neutemeljeno tvrdi da sfera prava ima neobjašnjenu moć da homogenizuje umetnički rad u apstraktni rad. Umesto ideologije robnog fetišizma, prema Duranu, pravni fetišizam je taj koji proizvodi učinak vrednosti robe, umesto da samo podupire zakon vrednosti. Duran tako sferu proizvodnje vrednosti objašnjava u terminima sfere preobraženih oblika, raspodele vrednosti ili cirkulacije, tj. on reprodukuje upravo ideologiju buržoaske ekonomije koja želi objasniti sferu proizvodnje vrednosti putem pojavnih oblika ekonomskih kategorija. Kako ćemo videti, ovo ga onemogućuje da postavi distinkciju između vrednosti i cene, ali prvo moramo objasniti šta Marks podrazumeva pod preobraženim oblicima.

Iako govori o analizi umetničke proizvodnje unutar kapitalizma, Duranova analiza ostaje vezana za bilo koji oblik robne privrede. Zakon vrednosti, pravo na apropijaciju putem rada, naime važi u svakom obliku robne proizvodnje dok kapitalistička robna proizvodnja zahteva dopunske uslove: ne samo međusobnu razdvojenost proizvodnih jedinica koje je moguće povezati samo putem tržišta, već i razdvojenost proizvodnih jedinica od faktora proizvodnje—zemlje, radne snage i novca—i njihovo tržišno povezivanje.¹² Pored tržišta dobara, preduslov za razvitak kapitalističkih proizvodnih odnosa je tako i tržište faktora proizvodnje koje nastaje odvajanjem neposrednih proizvođača od sredstava za proizvodnju i zemlje, pa samim tim i od sredstava za egzistenciju. Razdvojenost proizvodnih jedinica i faktora proizvodnje i njihova reartikulacija putem tržišnog povezivanja učinkuje da faktori proizvodnje dobiju klasna obeležja. Ideologija preobraženih oblika postaje ideologija koja nadodređuje ideologiju robnog fetišizma i pod njenim okriljem se vrši redistribucija vrednosti koju je u sferi proizvodnje proizvela radnička klasa. Preobraženi oblici jesu tako ideološki oblici u kojima se pojavljuje redistribuirani višak vrednosti eksproprijiran od radničke klase: profit, renta i kamata. Putem ovih preobraženih oblika viška vrednosti zasnivaju se društvene proizvodne veze između kapitalista i radničke klase,¹³ kao i između proizvodnih kapitalista, zemljoposjednika i novčanih kapitalista. Učinak ideologije preobraženih oblika jeste tako dohodak na faktor proizvodnje koji se doima kao da izvire „prirodno“ iz ovih faktora. Pravni fetišizam podupire ideologiju preobraženih oblika tako što proglašava redistribuirani višak vrednosti eksploatisane radničke klase za pravnu kategoriju prava na privatno vlasništvo nad faktorom proizvodnje i dohotkom koji njegova upotreba nosi. Sa pravima na intelektualnu svojinu imamo dakle ideološku konstrukciju dodatnog faktora proizvodnje, nematerijalnog rada izuzetne subjektivnosti, i pravo na dohodak koje proizilazi iz ove pravne kategorije. To ne znači nikako da pravo na intelektualnu svojinu prouzrokuje proizvodnju vrednosti unutar sektora umetničke proizvodnje, tj. da ekstraordinarni dohodak koji ostvaruju pojedini umetnici ima svoj izvor u vrednosti koji su oni svojim specifičnim radom proizveli.

relations could not even be constituted in the atomised production system. Value is thus the social form that human labour necessarily adopts in the commodity economy, and the consequence of such association of atomized production units through things is the conviction that commodities (things) possess a certain value in themselves, that it exists as their material property—commodity fetishism. Commodity fetishism is therefore an ideology that regulates the way in which production units are connected in the commodity economy, so that equal quantities of abstract labour are exchanged for equal expenditure of abstract labour. This principle is called the law of value and is the source of the social relations between the producers of commodities and their individual labours.

Therefore, the problem with Durán's analysis is that it does not explain the way in which value is produced in the commodity economy of art, and that it makes an unfounded claim that the sphere of law has power to homogenize artistic labour as abstract labour. Rather than the ideology of commodity fetishism, according to Durán, it is legal fetishism that produces the effect of value in commodities, instead of just sustaining the law of value. In this way, he explains the sphere of value production through categories which pertain to the sphere of converted forms, to the sphere of the distribution or circulation of values, i.e. he reproduces the very ideology of bourgeois economy, which seeks to explain the sphere of value production through the forms in which economic categories appear on the surface of the everyday economic activities. As we shall see, this will prevent him from establishing a distinction between value and price; but first we must explain what Marx means when he speaks of converted forms.

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Kržan, *Marxova teorija vrednosti i razredov*, 5 (fusnota 5).

13

U preobražene oblike spada i nadnica koja predstavlja deo dodate vrednosti koji radnici zadržavaju.

14

Beech, *Art and Value: Art's Economic Exceptionalism in Classical, Neoclassical and Marxist Economics*.

15

Vidi fusnotu 4. Za detaljniju analizu i kritiku Bičove studije pogledati: Pantić, „Ka kritici političke ekonomije umetnosti: monopolska renta i autonomija umetnosti“.

16

Za pojam „zapadnog marksizma“ videti: Anderson, *Considerations on Western Marxism*.

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„Zapadni marksizam“ proširuje delovanje robnog fetišizma, koji se kod Marksa odnosi samo na sferu proizvodnih odnosa unutar robne proizvodnje, na sve oblasti ljudskog delovanja i sve društvene sfere. Za kritiku ove pogrešne upotrebe Marksovog koncepta videti: O'Kane, „Fetishism and Social Domination in Marx, Lukács, Adorno and Lefebvre“.

18

Bič tako govori o „zakasneloj komodifikaciji“ umetnosti putem koje umetnička dela retroaktivno postaju roba, ali ovo prema njemu ne čini retroaktivno umetničku proizvodnju kapitalističkom robnom proizvodnjom. Beech, *Art and Value*, 270.

19

Isto, 308.

Mislimo da je Duran napravio grešku kada je odbacio teoriju prema kojoj umetnička proizvodnja, kao proizvodnja nereproduktibilnih dobara, ne podleže zakonu vrednosti. Ovaj put je izabrao Dejv Bič [Dave Beech] u svojoj knjizi o ekonomskoj izuzetnosti umetničke proizvodnje.¹⁴ Bič će svoju analizu zasnovati na tvrdnji klasične političke ekonomije, pre svega Dejvida Rikarda [David Ricardo], da nereproduktibilna dobra ne podležu zakonu vrednosti, pa se ona ne razmenjuju za ekvivalentne kvantitete rada, što je stav koji je takođe delio Karl Marks. Determinanta cene ovih dobara tako nije uloženi apstraktni rad, već retkost.¹⁵ Iz ove pozicije Bič tvrdi da je tzv. „zapadni marksizam“¹⁶ prerano proglasio komodifikaciju umetnosti, a da nije pre toga na detaljniji način ispitao odnos umetničkog rada prema kapitalu.¹⁷ Budući da umetnički rad nije komodifikovan nadnični rad, nije ni formalno ni realno potčinjen kapitalu, umetnička proizvodnja predstavlja oblik sitne zanatske robne proizvodnje, pa stoga prema Biču ima nekapitalistički karakter. Umetnost zadržava ovaj karakter nekapitalističkog načina proizvodnje, iako umetnička dela kasnije, u sferi cirkulacije, mogu dobiti oblik trgovačkog i fiktivnog kapitala.¹⁸ Bič tako s pravom zamera „zapadnom marksizmu“ da žuri sa proglasom komodifikacije umetnosti, ali mislimo da i sam žuri tako što prerano proglašava izuzetost umetničke proizvodnje od kapitalizma. On, naime, u institucijama sveta umetnosti, koje putem stručne intelektualne evaluacije procenjuju estetsku „vrednost“ umetničkih dela, vidi neekonomski mehanizam koji određuje cenu umetničkih dela. Autonomne institucije sveta umetnosti tako „stavljaju ekonomsko pod kontrolu neekonomskog i postavljaju tržišne mehanizme unutar šireg društvenog i kulturnog okvira u kome su netržišni mehanizmi, uključujući diskurzivne mehanizme, dominantni.“¹⁹ Autonomija umetničke sfere prema njemu predstavlja bedem protiv potčinjavanja umetničke proizvodnje kapitalističkom tržištu.

Even though speaking of artistic production within capitalism, Durán’s analysis can be applied to any form of commodity economy. The law of value, the right to appropriation through labour, is valid in every form of commodity production, while capitalist commodity production requires additional conditions: not only the separation between different production units that can only be connected through the market, but also the separation of production units from the factors of production—land, labour, and money—and their connection through the market.¹² In addition to the market of goods, a prerequisite for the development of capitalist production relations is the market of production factors, which is created by the separation of the direct producers from the means of production and the land, and consequently from the means of subsistence. The separation of production units from the factors of production, and their re-articulation through market connection leads to a situation in which the factors of production acquire class features. The ideology of converted forms becomes an ideology that overdeterminates the ideology of commodity fetishism, and it is under its auspices that value produced by the working class in the sphere of production is redistributed. Converted forms are thus ideological forms in which the redistributed surplus value, expropriated from the working class, appears as profit, rent, and interest. Through these converted forms of surplus value, social production relations between the capitalists and the working class are established,¹³ as well as production relations between the functioning capitalists, the landowners, and the money-capitalists. The effect of the ideology of converted forms is thus an income yielded from production factors, which seems to emerge “naturally” from these factors. Legal fetishism supports the ideology of converted forms by treating the redistributed surplus value of the exploited working class as the legal category of private property rights over the production factors and the income that their use yields. Therefore, intellectual property rights introduce the ideological construction of an additional factor of production, the non-material labour performed by exceptional subjectivity, and institute the right to income that is derived from this legal category. This, however, does not mean that intellectual property rights cause value production within the sector of artistic production, i.e. that the extraordinary income earned by individual artists has its source in the value that they have produced by their specific labour.

In our opinion, Durán made a mistake when he dismissed the theory according to which artistic production, as the production of non-reproducible goods, is not subject to the law of value. This was the path taken by Dave Beech in his book on the economic exceptionalism of artistic production.¹⁴ He based his analysis on the claim of classical political economy, primarily of David Ricardo, that non-reproducible goods are not subject to the law of value, and thus they are not exchanged for an equivalent quantity of labour, a stance shared by Karl Marx. The price of these goods is therefore not determined by the expenditure of abstract

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Kržan, *Marxova teorija vrednosti i razredov*, 5 (n. 5).

13
Converted forms also include wages, which are part of the added value retained by the workers.

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Beech, *Art and Value: Art’s Economic Exceptionalism in Classical, Neoclassical and Marxist Economics*.

Bičova analiza, dakle, za razliku od Duranove, odriče umetničkoj proizvodnji sposobnost proizvodnje vrednosti, pa je ona za njega izuzeta iz ideologije robnog fetišizma. Međutim, Biču onda nedostaje analiza ideologije preobraženih oblika putem koje nekapitalistički načini proizvodnje bivaju podređeni funkcionisanju kapitalističkog načina proizvodnje. Ukratko, on ne pravi distinkciju između kapitalističke društvene formacije i kapitalističkog načina proizvodnje. Kapitalistička društvena formacija u sebi sadrži više različitih načina proizvodnje, ali u njoj kapitalistički način proizvodnje potčinjava ostale, nekapitalističke, načine proizvodnje logici sopstvenog funkcionisanja tj. akumulaciji kapitala. Postojanje nekapitalističkih načina proizvodnje unutar kapitalističke društvene formacije tako ne znači automatski da ti načini proizvodnje pružaju otpor akumulaciji kapitala.

Dalje, Bič se ne pita koji je izvor profita koji ostvaruju umetnička dela autora koji su priznati od institucija sveta umetnosti. Ova analiza bi ga mogla odvesti u problematiku redistribucije totalnog društvenog viška vrednosti koja se događa upravo pod plaštom ideologije preobraženih oblika. Ovim problemom Marks se bavio u trećem tomu *Kapitala*.²⁰ Naime, u kapitalističkom načinu proizvodnje zakon vrednosti biva nadodređen zakonom konkurencije: usled slobodnog kretanja kapitala u različite proizvodne sektore dolazi do tendencije ka formiranju opšte prosečne profitne stope koja je istovetna za sve konkurentske proizvodne sektore.²¹ Logika zakona vrednosti prema kojoj se jednake vrednosti apstraktnog rada razmenjuju za jednake utroške apstraktnog rada biva nadodređena logikom zakona konkurencija prema kojoj se na jednak uložak kapitala dobijaju jednaki profiti. Na ovaj način dolazi do nejednake redistribucije viška vrednosti između različitih sektora kapitalističke proizvodnje. Budući da su oni sektori sa većim udelom živog rada u vrednosti robe, radno-intenzivni proizvodni procesi, u raspodeli vrednosti zadržali manje vrednosti nego što su proizveli, deo njihove vrednosti biće distribuiran sektorima sa većim udelom opredmećenog rada, kapital-intenzivnim proizvodnim procesima, koji će na ovaj način steći ekstra profit.

Marks će zatim analizi redistribucije totalnog viška vrednosti dodati svoju teoriju rente.²² Ovde nas interesuje tip rente koju Marks naziva monopolska renta. Kako smo videli gore, određena dobra, budući da njihov kvantitet ne može biti uvećan ljudskim radom kako bi zadovoljio efektivnu potražnju, uživaju cene koje ne zavise od prosečne društvene produktivnosti rada tj. njihove cene nisu u korelaciji sa njihovom vrednošću. Takve cene Rikardo i Marks nazivaju monopoljskim cenama. Proizvodi monopolizovanih privrednih sektora tako imaju monopolske cene usled monopolske rente koja predstavlja prirodnu ili veštačku barijeru slobodnom protoku kapitala u taj sektor pa time dolazi do ograničene ponude broja dobara koje se mogu proizvesti u ovim sektorima. Barijera monopolske rente suspenduje važenje zakona vrednosti i zakona konkurencije u monopolizovanom sektoru. Usled toga, ovi sektori, ako postoji potražnja za njihovim proizvodima, ostvaruju natprosečne profitne stope, dok njihovi profiti imaju izvor i u vrednosti koja se preliava

labour, but by their rarity.¹⁵ From this position, Beech claims that the so-called “Western Marxism”¹⁶ prematurely proclaimed the commodification of art, without having first examined, in a more detailed way, the relation between artistic labour and capital.¹⁷ Since artistic labour is not commodified wage labour, it is neither formally nor really subsumed under capital; artistic production is a form of petty artisan commodity production and therefore, according to Beech, it has a non-capitalist character. Art production will remain in the sphere of non-capitalist mode of production even while later on, in the sphere of circulation, artworks can take the form of merchant and fictitious capital.¹⁸ Beech thus rightfully resents “Western Marxism” for having rushed to proclaim the commodification of art, but we think that he has rushed himself to speak prematurely of the exceptionalism of artistic production with regard to capitalism. Namely, it is in the institutions of the art world, which use professional intellectual evaluation to assess the aesthetic “value” of artworks, that he sees the non-economic mechanism determining the price of artworks. The autonomous institutions of the art world are thus what “puts the economic into the hands of the non-economic, and places the market mechanism within a broader social and cultural framework in which non-market mechanisms, including discursive mechanisms, are dominant.”¹⁹ Thus, Beech sees the autonomy of the art sphere as a bulwark against the subordination of artistic production to the capitalist market.

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Marks, *Kapital: kritika političke ekonomije. Treći tom*, 123–178.

21

Pod konkurentskim sektorima podrazumevamo nemonopolizovane sektore proizvodnje.

22

Marks, *Kapital: kritika političke ekonomije. Treći tom*, 520–676.

23

Postojanje monopolskih renti na ovaj način snižava opštu prosečnu profitnu stopu. Prema Marksu, ukupan društveni profit je određen količinom totalnog društvenog viška vrednosti. Budući da monopolizovani sektori imaju monopolske cene, cene veće od njihove vrednosti, Marks izvodi logičan zaključak da se vrednost iz konkurentskih sektora preliava u monopolizovane sektore i na taj način se smanjuje opšta profitna stopa konkurentskih sektora.

iz ostalih, konkurentskih, proizvodnih sektora.²³ Dakle, kao i svaka renta, monopolska renta je parazitska, s tim da ona zahvata i višak vrednosti koji su proizveli radnici izvan monopolizovanog sektora.

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Beech's analysis, unlike Durán's, denies to artistic production the capacity for producing value, which is why for him it is exempted from the ideology of commodity fetishism. However, Beech then fails to provide an analysis of the ideology of converted forms through which the non-capitalist modes of production become subordinate to the functioning of the capitalist mode of production. In short, he fails to distinguish between capitalism as a social formation and the capitalist mode of production. Capitalism as a social formation may contain various modes of production, but the capitalist mode of production in it subjects the other, non-capitalist modes of production to its own functioning logic, which is the accumulation of capital. The existence of non-capitalist modes of production within capitalism as a social formation does not automatically mean that these modes of production will provide resistance to the accumulation of capital.

Furthermore, Beech does not question the source of profit made by the artists whose artworks are recognized by the institutions of the art world. This analysis might lead him to the problem of redistribution of the total social surplus value that occurs just under the cover of the ideology of converted forms. Marx addressed this problem in the third volume of his *Capital*.²⁰ Namely, in the capitalist mode of production, the law of value is overdetermined by the law of competition: due to free movement of capital in different production sectors, there is a tendency towards the formation of a general, average profit rate that is identical for all competitive production sectors.²¹ The logic of the law of value, according to which equal values of abstract labour are exchanged for equal expenditure of abstract labour, becomes overdetermined by the logic of the law of competition, according to which equal capital investment brings equal profit. In this way, there is an unequal redistribution of the surplus value between various sectors of capitalist production. Since the sectors with a higher share of living labour in the value of commodities (labour-intensive production processes) retain less value than they have produced, a part of their value will be distributed to the sectors with a larger share of embodied labour (capital-intensive production processes), which will thus gain extra profit.

Marx then complements his analysis of the redistribution of the total surplus value with his theory of rent.²² Here we are interested in the type of rent that Marx calls monopoly rent. As we have seen above, certain goods, whose quantity cannot be increased by human labour in order to satisfy effective demand, enjoy prices that do not depend on the average social productivity of labour, i.e. their prices are not in correlation with their value. Such prices both Ricardo and Marx refer to as "monopoly prices." The products of monopolized economic sectors thus have monopoly prices due to the monopoly rent, which poses a natural or artificial barrier to the free flow of capital into this sector, leading to a limited supply of goods that can be produced in such sectors. The barrier of monopoly rent suspends the validity of the law of value and the law of competition in

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See note 4. For a detailed analysis and critique of Beech's study, see: Pantić, "Ka kritici političke ekonomije umetnosti: monopolska renta i autonomija umetnosti."

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On the notion of "Western Marxism," see: Anderson, *Considerations on Western Marxism*.

17

"Western Marxism" extends the operation of commodity fetishism, which in Marx refers only to the sphere of production relations within commodity production, to all areas of human activity and all social spheres. For a critique of this erroneous understanding of Marx's concept, see: O'Kane, "Fetishism and Social Domination in Marx, Lukács, Adorno and Lefebvre."

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Beech thus speaks of "belated commodification" in art, where artworks become commodities retroactively; but for him this does not retroactively turn artistic production into capitalist commodity production. Beech, *Art and Value*, 270.

19

Ibid., 308.

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Marx, *Capital: A Critique of Political Economy*, vol. 3, 141–208.

21

When speaking of "competitive sectors" we are referring to non-monopolized production sectors.

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Marx, *Capital: A Critique of Political Economy*, vol. 3, 608–800.

Naša hipoteza je da je sektor umetničke proizvodnje monopolizovan sektor, gde barijeru slobodnom protoku kapitala predstavljaju upravo institucije sveta umetnosti, koje daju svoj blagoslov samo delima pojedinih umetnika, onim koje proglašavaju za izuzetne, i na ovaj način proizvode retkost umetničkih proizvoda. Monopolska renta tako postaje preobraženi oblik koji uspostavlja proizvodnu vezu između umetničkog polja „ograničene proizvodnje”²⁴ i konkurentskih privrednih sektora kapitalističke ekonomije, i ona uzrokuje prelivanje viška vrednosti iz ovih sektora u sferu umetnosti. Koncept monopolske rente tako nam nudi odgovor na pitanje izvora profita koji se ostvaruje u umetničkoj proizvodnji. Bič ovo pitanje ne postavlja, budući da se zadovoljava otkrićem da umetnička proizvodnja nije direktno potčinjena kapitalu pa stoga afirmiše autonomiju umetnosti kao herojsku branu širenju kapitalističkih odnosa. Prema našoj analizi, barijera autonomije umetnosti upravo omogućava uključivanje umetničke proizvodnje u kapitalističku ekonomiju, budući da kritička evaluacija sveta umetnosti omogućava monopolske cene delima određenih umetnika, ali stvara i uslove za finansijalizaciju umetnosti i konverziju umetničkih dela u fiktivni kapital.²⁵ S druge strane, Duran neutemeljeno pretpostavlja da je izvor cene umetničkih dela u vrednosti umetničkog rada koja je proizvedena ideologijom prava na intelektualno vlasništvo. Pravna ideologija i estetska ideologija zapravo preobražavaju preobraženi oblik monopolske rente sektora umetničke proizvodnje u pravnu kategoriju prava na dohodak koji proizilazi iz vlasništva nad specifičnim faktorom proizvodnje, kreativnim umom originalnog umetnika. Ideološki utisak da iz nematerijalnog rada ovog umetnika proizilazi vrednost na čiju apropijaciju on ima pravo jeste zapravo učinak skrivanja preobraženog oblika monopolske rente iza pravne kategorije prava na intelektualno vlasništvo. Učinak kategorije prava na intelektualno vlasništvo tako jeste zapravo podupiranje apropijacije tuđeg rada, tj. viška vrednosti iz drugih sektora proizvodnje, a ne apropijacije putem sopstvenog rada, kako Duran tvrdi.

Ključnu ulogu u aktiviranju ovog mehanizma monopolske rente igra estetska ideologija, koja učinkuje estetski fetišizam putem koga se cena koju umetničko delo ostvari ukazuje kao odraz njegove estetske „vrednosti”. Funkcija estetske ideologije onda jeste dvostruka: s jedne strane proizvodi retkost originalnih umetničkih proizvoda omogućavajući zasnivanje monopolske rente, a, s druge strane, podržava ideološku pravnu kategoriju intelektualnog vlasništva kao prava na apropijaciju nematerijalnog rada umetnika. Estetski fetišizam kao ideologija institucija autonomne sfere umetnosti tako izdvaja određene umetničke prakse iz domena sitne zanatske robne proizvodnje i dajući im estetsko priznanje obezbeđuje njihove monopolske cene. Autonomija umetnosti od tržišnih zakona je stoga samo naizgledna. Naime, umetnici koji žele ući u monopolizovani sektor umetničke proizvodnje moraju ostvariti zahtev estetske ideologije, tj. zahtev da njihova umetnička praksa naizgledno ne bude ekonomski motivisana, da ne odgovara direktno na društvenu potražnju, da se ne percipira kao ekonomska delatnost.

the monopolized sector. As a result, these sectors, if there is a demand for their products, bring above-the-average profit rates, as their profits also come from the value that flows in from other, competitive production sectors.²³

Therefore, like any rent, the monopoly rent is parasitic, as it also includes part of the surplus value generated by workers outside the monopolized sector.

Our hypothesis is that the sector of artistic production is a monopolized sector, where the barrier to the free flow of capital consists in the institutions of the art world, as they give their blessing only to the works of specific artists, those they proclaim to be exceptional, and thus create the rarity of artistic products. Monopoly rent thus becomes a converted form that establishes a relation of production between the artistic field of “limited production”²⁴ and the competitive economic sectors of capitalist economy, and it causes the surplus value to flow over from these sectors into the sphere of art. The concept of monopoly rent thus offers an answer to the question on the source of profit achieved in artistic production. Beech does not ask this question, as he is satisfied with the discovery that artistic production is not directly subsumed under capital, and thus asserts the autonomy of art as a heroic bulwark against the expansion of capitalist relations. According to our analysis, however, the barrier of the autonomy of art actually enables the inclusion of artistic production in capitalist economy, since the critical evaluation of the art world creates monopoly prices for the works of specific artists and also the conditions for the financialization of art and the conversion of artworks into fictitious capital.²⁵ On the other hand, Durán mistakenly assumes that the price of artworks comes from their value, produced by the ideology of intellectual property rights. Legal ideology and aesthetic ideology actually transform the converted form of monopoly rent in the sector of artistic production into the legal category of income rights arising from ownership over a specific production factor: the creative mind of an original artist. The ideological impression that the non-material labour of an artist yields value and that he or she is entitled to it is actually an effect of the converted form of monopoly rent hiding behind the legal category of intellectual property rights. The effect of the legal category of intellectual property rights thus actually supports the appropriation of the others’ labour, that is, of the surplus value from other sectors of production, not the appropriation of one’s own labour, as Durán has argued.

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Burdije, *Pravila umetnosti: geneza i struktura polja književnosti*.

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Budući da cena umetničkih dela zavisi od priznanja koje njegov umetnik stekne od sveta umetnosti, ona su podložna da uzmu oblik fiktivnog kapitala, hartija od vrednosti, pa tako njihova cena zavisi i od očekivanja budućih priznanja koja bi eventualno donela profit njihovim vlasnicima. Očekivanje priznanja tako predstavlja uslov spekulacija u pogledu budućih cena umetničkih dela.

Umetnička proizvodnja je stoga ekonomska delatnost koja poriče da je ekonomska, a navodna antitržišna motivacija umetničkog rada koju zahteva estetska ideologija, njegova „bezinteresnost“, jeste upravo nužan preduslov stvaranja monopolizovanog sektora umetničke proizvodnje i tržišta umetnosti u kome umetnička dela mogu uzeti oblik fiktivnih kapitala.

Možemo zaključiti da estetski fetišizam izdvaja određene umetničke prakse iz domena robnog fetišizma i time iz zakona vrednosti. Bičova analiza staje upravo na ovoj tački. Izdvajanje ovih praksi u autonomno polje umetnosti proizvodi učinak estetskih „vrednosti“, izraza estetske autentičnosti, koja je navodno autonomna u odnosu na ekonomsku evaluaciju. Estetski fetišizam istim činom dekomodifikacije umetnosti ostvaruje preduslove za njihovu rekodifikaciju u vidu monopolskih cena na tržištu fiktivnih kapitala. Pravnim kategorijama prava na intelektualno vlasništvo, nadodređenom ideologijom estetske autentičnosti, skriva se preobraženi oblik monopolske rente čime se istovremeno i omogućuje njegov učinak zasnivanja proizvodnog odnosa sa konkurentskim proizvodnim sektorima, a time i apropijacija viška vrednosti rada radnika iz ovih sektora. Dok pravni fetišizam preobražava eksproprijirani i redistribuirani višak vrednosti rada radničke klase u pravni oblik prava na dohodak nematerijalnog rada originalnog umetnika, estetski fetišizam isti ovaj višak rada predstavlja u preobraženom obliku estetske „vrednosti“ umetničkog dela, vrednosti koja izgleda kao da prirodno izvire iz samog materijalnog svojstva umetničkog predmeta. Pravni i estetski fetišizam na ovaj način omogućuju funkcionisanje mehanizma skrivenog prenosa vrednosti u umetnički sektor proizvodnje putem monopolske rente.

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The existence of monopoly rents thus reduces the overall average profit rate. According to Marx, the total social profit is determined by the quantity of total social surplus value. Since monopolized sectors have monopoly prices, prices that are higher than their value, Marx reaches the logical conclusion that value flows from the competitive sectors into the monopolized sectors, thus reducing the overall profit rate of the competitive sectors.

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Bourdieu, *The Rules of Art: Genesis and Structure of the Literary Field*.

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Since the price of an artwork depends on the recognition that its artist has gained from the art world, it is prone to adopting the form of fictitious capital, i.e. the form of securities, and thus its price also depends on the expectation of future recognitions that might bring profit to its owner. Therefore, the expectation of recognition is a requirement for speculations about the future price of artworks.

A key role in the activation of this mechanism of monopoly rent is played by aesthetic ideology, which effects aesthetic fetishism through which the price that an artwork achieves is presented as a reflection of its aesthetic “value.” The function of aesthetic ideology is thus twofold: on the one hand, it produces the rarity of original art products, allowing for the establishment of monopoly rent, while on the other, it supports the ideological legal category of intellectual property as the right to appropriate the artist’s non-material labour. Aesthetic fetishism, as the ideology of institutions in the autonomous sphere of art, thus singles out specific artistic practices from the domain of petty commodity production and ensures their monopoly prices by granting them aesthetic recognition. The autonomy of art with regard to market laws is therefore only apparent. Those artists who want to enter the monopolized sector of artistic production must meet the demand of aesthetic ideology, i.e. the demand that their artistic practice should not seem economically motivated, that it should not respond directly to social demand, that it should not be perceived as an economic activity. Artistic production is therefore an economic activity that denies its being economic, and the alleged anti-market motivation of artistic labour, required by aesthetic ideology, its “disinterestedness,” is actually the necessary prerequisite for creating the monopolized sector of artistic production and the art market, where artworks can take on the form of fictitious capitals.

It can be concluded that aesthetic fetishism excepts certain artistic practices from the domain of commodity fetishism and thus from the law of value. Beech’s analysis stops at this point. The singling out of these practices within the autonomous field of art produces the effect of aesthetic “value” as an expression of aesthetic authenticity, which is allegedly autonomous with regard to economic evaluation. By the same way of de-commodifying art, aesthetic fetishism creates the preconditions for its re-commodification in the form of monopoly prices on the market of fictitious capitals. The legal category of intellectual property rights, overdetermined by the ideology of aesthetic authenticity, conceals the converted form of monopoly rent, at the same time enabling its effect of establishing a production relation with the competitive production sectors, and thus the appropriation of surplus value created by the labour of workers from these sectors. While legal fetishism transforms the expropriated and redistributed surplus value produced by the working class into the legal form of right to the income from the non-material labour of an original artist, aesthetic fetishism presents this labour surplus in the converted form of aesthetic “value” of an artwork, value that seems to emerge naturally from the very material property of an artistic object. Legal and aesthetic fetishism thus enable the functioning of the mechanism of hidden transfer of value into the sector of artistic production by means of monopoly rent.

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