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## **Comments on Regulation Issues in Modern Art Practice in Nigeria**

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### **Abstract**

*The practice of the visual arts in post-independence Nigeria has been variedly characterized. This has been more so since 1977 when the 2<sup>nd</sup> World Black and African Festival of Arts and Culture was held in Nigeria. This epochal event is, today, said to have engendered mercantilism, a decline in standard of art products, and a laissez-faire attitude towards art practice in Nigeria. These, it is said, have singly and collectively affected the status and working conditions of the Nigerian artist. It is also said that the practice of the arts, as well as the artist, are in jeopardy, at the moment. To remedy this situation, it is suggested by some, that the practice of the arts be regulated and that a code of conduct should be instituted. These suggestions are interrogated in this paper with the aim of finding out the suitability of these prescriptions for solving the identified problems in a 21<sup>st</sup> century art environment. The interrogation identifies that resorting to regulation would amount to imprisoning creativity and lead to retrogression.*

### **Introduction**

It may be necessary to preface these comments by referring to Francis Picabia's "sarcasm" published in the maiden issue of 391 of January 25, 1917 titled "Picasso Repents", in which he says

At the moment, when the nationals of France, Spain, and Italy simultaneously struggle for the honor of counting him

one of them . . . Picasso . . . has decided to return to the Ecole des Beaux Arts. L'Elan has published his first studies after the model. Picasso is, henceforth, chief of a new school. . ." (Robbins, 1966: 3-4)

The foregoing statement was a reaction to certain drawings of Picasso while he (Picasso) was working with Diachelev's ballet in Rome, and during which time he was engaged in developing costumes for "La Parade". The elegant and realistic rendition of Picasso's portraits during this period elicited the bitterness which is evident in Picabia's mock coronation address, and reference to Picasso as "king of the academies".

Picasso's drawings of this period were considered a defection from the modernist thoughts and the revolution he had helped in pioneering. Picabia, one of the anti-modernists of the early 20<sup>th</sup> century saw in these drawings an opportunity to advance advocacy for an urgent return to tradition.

A similar scenario, though in a different context, seems to be playing itself out in Nigeria. In recent times, the Society of Nigerian Artists (S.N.A.) and some of its officials, who used to be avowed modernists, have been making strident calls for the instituting of a code of conduct for practicing artists in Nigeria, as well as the instituting of a 'Regulation Council'. This issue has continued to elicit discussion within the Nigerian art circle since the beginning of the new millennium. Concern has been expressed about the possibility of the new advocacy roller-coasting everyone into a valley from which there may be no return. It is the opinion of some critics that recourse to regulation is revisionist in character, and that regulation would constitute an aggressive assault on the very essence of art; the creative spirit.

### **The Issue**

Modern Nigerian art has threaded a chequered evolutionary path, the timeline of which is, more or less, well known. Stylistically, it has transversed the realist tendencies of the early 20<sup>th</sup> century pioneered by Aina Onabolu, (which subsisted till the 1950s) through the naturalistic and academic tendencies of the 1960s and early 1970s, and later to the stylized, abstracted and minimal tendencies of the late 1970s till date. The rapidity of stylistic transformation and volume of art production have, however, been more noticeable since the 2<sup>nd</sup> World Black and African Festival of Arts and Culture that was held in Nigeria in 1977.

The various stylistic tendencies now existing show that they have been impacted by this event, as well as by a number of other environmental, social, and economic factors. These stylistic tendencies in modern Nigerian art also have their peculiar clientele. The alternating fortunes of the Nigerian state and art patrons may have affected the status of the artist and his work conditions.

Some curious observers of the Nigerian art scene are quick to mention that a *laissez-faire* attitude to the practice of the visual arts in modern Nigeria has led to "mercantilism" and "sub-standardization of art products", and that these tendencies have put the modern "professional" artist in jeopardy. This argument seems to be the main plank upon which the recent calls for the instituting of the regulatory mechanisms of Code of Conduct and Artists Registration Council to "professionalize" the practice of art, is based. The objective, according to the proposers of regulation, is to buoy the economic survival chances of the modern Nigerian artist.

The burden that, however, confronts this proposition is ascertaining who the "professional artist" is, and also who and what determine standards in art. This paper reviews these issues against the background of historical antecedents with a view to finding out the suitability of the 'regulation' advocacy as panacea for the perceived short-comings of visual arts practice in a 21<sup>st</sup> century Nigerian art environment.

The foundation for regulation advocacy was probably laid at the 2001 Conference of the Pan-African Circle of Artists (PACA) which focused on the economic aspect of the practice of the arts in modern Nigeria. At this conference, Jerry Buhari presented a paper titled (rather comically in Nigerian pidgin English) *Art Wen Dey Move Market*; meaning, art with good patronage. Osa Egonwa also presented a paper at the conference titled *Art Mercantilism: Antithesis to Nigerian Art Growth*. It was Egonwa's opinion that "art works have been turned into wares that can be sold at street corners". He stated that the pecuniary benefits of art appear to be the prime mover for art production in contemporary Nigeria, and that money-driven production has led to and encouraged sub-standardization in art. He went on, thereafter, to call for a sort of "code of practice for visual artists in order to bring some sanity to the profession".

Egonwa returns to this issue in his written *Introduction* to the Society of Nigerian Artists (S.N.A.) Exhibition titled *Installations and Performance*

*Art: Our Contributions.* Here, Egonwa states that participation in the exhibition was "low in terms of vibrant works because the field does not promise sales when compared to the normal initiative and less conceptual art forms".

The consequence of money-driven art practice on standards also seems to be the basis for Shola Kukoyi's advocacy of an "Artists Registration Council" with powers to engage in the graduation of artists. In 2002, Kukoyi lamented that "there is no strong and efficient regulatory back-up organ to monitor developments, practices, codes of conduct, and channel a focus for the visual arts" in Nigeria. Kukoyi was also worried that room has been created for "charlatans to take rough ride on the profession". According to him, "dregs, pedestrians, near-artists and such likes have become celebrities in the eyes of the larger society". He, therefore, wanted an organ that will "regulate and monitor conducts in a bid to ensure compliance" failing which, according to him, there is the likelihood of "degeneration, chaos, (and) a gradual slide in a sure doom ". Compliance with what; one dares to ask.

The reasons for Kukoyi's apprehension become clearer when he says that there is a problem of valuation of works of art in Nigeria; that "putting value to art works at present is guesswork..." and that with proper valuation, the art work will come to be used as "collateral". He emphasized that "the Artists Registration Council will be the organ that will lay down the procedure, using codified indices of the profession to come up with an acceptable yardstick of valuation".

Nwosu (2002) added a comic dimension to the debate when he rose in stout defense of the proposed artists' registration council but offered no persuasive argument other than that other professionals like lawyers, engineers and accountants have registration councils. According to Nwosu, "one may not have details of how the artists' registration council will be of assistance to the Nigerian artist but what the Institute of Chattered Accountants of Nigeria (ICAN) is to accountants, Nigerian Bar Association (NBA) to lawyers, Council of Registered Engineers of Nigeria (COREN) to engineers can serve as realistic examples".

The foregoing expressed worries and suggested solutions seem to be urging collectivism and protectionism, which have the tendency of instigating monopoly that is reminiscent of guilds. It is necessary, therefore, to take a critical look at the suggested solutions, against the background of historical

antecedents, with a view to determining the propriety of the suggestions as they relate to the identified problem of the status of the modern Nigerian artist and his work condition.

### **Historical Antecedents**

In human history, and especially since the 12<sup>th</sup> century AD, a number of mechanisms have been evolved, and devices employed, in protecting particular and peculiar interests of 'collectives' that practice same skill through which consumable commodities come into existence. These interest groups that banded together have come by various names. The most ancient of these is the term 'guild'.

The earliest guilds are believed to have been formed in India during the Vedic-period (2000 – 500 BC). The *Shreni* of the Indian Gupta-period (300 – 600 AD), the *Koinon* of Ptolemaic Egypt, the Roman *Collegia* beginning from 300 BC, the Chinese *Hanghai* which probably existed during the Han Dynasty (206 BC – 220 AD) and in the Sui Dynasty (589 – 618 AD) are some other collectives of like skills in the distant historical past.

Craft guilds existed in Europe during the middle Ages. Though the craft guilds actually started emerging in Europe at about the beginning of the 12<sup>th</sup> century, they became dominant only after the almost complete disappearance of their contemporaneous merchant guilds by the 14<sup>th</sup> century.

The craft guilds came into existence for the mutual benefit of their members. Beginning from the 15<sup>th</sup> century, however, they also started to decline due partly to breakdown of internal cohesion (rift between masters and journeymen) and partly to the rise of capitalism as a mode of economic enterprise. Capitalism encouraged and emphasized large-scale production of goods, competition for markets between producers (the antithesis of collectivism and monopoly), and wide distribution of goods. Indeed, this became the major cause of the decline of the craft guilds. Under capitalism, regulation became impossible and monopoly could not be enforced.

In the Middle East, craft organizations emerged during the 10<sup>th</sup> century AD. These were spread throughout the Arabian and Turkish regions and were known as *futuwwah* or *futuwwet*.

In the African continent, similar collectives were formed. The craft or occupational guild system of traditional Bini (Benin) society in Nigeria is probably the most documented in Africa. The Bini craft guilds were not only

monopolies in term of production of goods and the disposal of products but also in terms of membership. In all, "about sixty-eight guilds emerged in Benin." (Igbafe, 1982:5). In the neighbouring Yoruba and Nupe societies, guilds were also formed under the names of *egbe* and *efakó* respectively.

The major character of guilds, irrespective of time and place, was that they shaped labour, production, and trade. They had strong control of capital and progression. They sometimes assumed exclusive privilege to produce certain goods and provide certain services. In the opinion of Olson (1982), the guilds are more like cartels than trade unions.

The restrictions on entrepreneurship implicit in guild practice may have informed the action of Anne Robert Jacques Turgot (Controller General of Finance for Louis XVI of France) when in 1776 she moved to abolish craft guilds "in order to permit workers freely to offer their services to employers..." This was the first known step in the liberation of the goods and services, and production and consumption. The subsequent Revolution of 1789 put the final seal on "guilding" in France. In Britain, the Acts of Parliament, in 1814 and 1835, abolished the guilds. The liberalizing and liberating actions of Oba Eweka II of Benin in 1914 also brought the monopoly of the Benin guild system to an end (Diakparomre, 2000: 45).

In spite of the decline of formal guilds, these have made resurgence, in recent times by the assumption of new names such as 'Trade Associations' and 'Professional Associations'. These modern "collectives" include, among others, the Lawyers, Architects, Engineers, Land Surveyors, and Medical Doctors Associations. Many of these professional associations have structures like the guilds of old. They grant professional certification. These certificates hold great weight and are required as pre-requisite to practice.

### **Registration, Code of Conduct, and the Spirit Of Art**

A critical look at the suggestions of a registration council and the instituting of code of conduct presents vestiges of 'guilding' such as protectionism and monopoly. The structure advocated by proponents of regulation seems to be modelled after the Screen Actors Guild and Writers Guild of America with their characteristic strong and rigid system of intellectual property rights.

Guild practice is opposed to free practice, creative innovation, and technology transfer. These characteristics were responsible for the criticisms which the artisan-producer guilds attracted to themselves towards the end of the 18<sup>th</sup> century and the beginning of the 19<sup>th</sup> century in Europe. The greatest

critics of this system of regimentation in Europe included Jean Jacques Rousseau, Adam Smith, and Karl Marx. Adam Smith states in *The Wealth of Nations*, that guilds aim “to prevent reduction of prices and consequently of wages, and profit by restraining free competition which would most certainly occasion it...” In his *Communist Manifesto*, Marx also criticized guild system because of its rigid graduation of social rank and the relation of oppressor/oppressed entailed by the system.

Indeed, guild practice is antithetical to the creative spirit of art production. The ‘spirit of art’ is freedom of ideas and expression; it is liberty to conceptualize and to give expression to conceived ideas through any medium or technical process of the artist's choice. The “goods” produced and “services” rendered by art are not comparable to those offered by lawyers or engineers. This was why Ikwuemesi (2002b) asked Nwosu “how many books or art works he consults [in the style of lawyers] before or while he is executing a painting.

The characterization of certain persons in the creative enterprise in Nigeria as "Dregs" or "Charlatans "by advocates of regulation suggests a misapprehension of the essence of art. It is a skewed perception of who the "artist" is. To also think that it is only those who have been processed through formal art training that can be regarded as artist is to alienate the creative spirit from the essence.

But characterizations are not historically new in the art creation enterprise. Such denigrations were common features of late 18<sup>th</sup> and early 19<sup>th</sup> century art environment in Europe. Labels were employed to denigrate artists who did not fall within the main stream of prevailing trend and taste. One of these characterizations is "naivety" which was associated with the paintings of Henri Julien Felix Rousseau (known in art circles as Le Douanier Rousseau), Anna Maria Robertson (referred to as Grandma Moses) and others.

The “Dregs” and “Charlatans” in modern Nigerian art scene must take solace in the experiences of Henri Rousseau; probably the most celebrated of the so-called "naïve artists" in Europe. After almost a decade of official rejection of his works because of his non-adherence to academy-prescribed standards of practice as a result of his inconsistency in the handling of "pictorial space" and "absence of illusionistic lighting", he eventually was able to break through with his exhibition at "Societe des Artists Independents" in 1886.

Indeed, the contributions of the so-called naive painters to the emergence of Modernism in painting cannot be over-emphasized. The naivety of Alfred Wallis, for instance, is said to have greatly influenced the works of Ben Nicholson and Christopher Wood and the course of modern art in Europe. Wallis' approach to image-making was direct. He ignored perspective in his paintings, and an object's scale is often based on its relative importance in the scene. Apart from in the works of Wallis, Nicholson, and Wood, elements of naivety appear to have been attractive to other modernist artists, traces of which can be seen in the paintings of Paul Klee, Wassily Kandisky and Malevich.

The argument for the non-imprisonment of the creative spirit through regulation is probably best justified in the revolutionary fervency of the 19<sup>th</sup> century inspired by the "Barbizon Painters" under the leadership of Theodore Rousseau. The daring efforts by the Barbizon painters to capture nature by direct observation invariably led to Impressionism. This revolutionary artistic achievement became the fore-runner of Modernism, an attitude that was about to be stifled through regulations and rejections by the salons in the 1830s and 1840s. It can be seen from the fore-going that, invariably, denigrated artists and creative paradigm turned out to be the greatest contributors to modern art.

### **Conclusion**

In the 21st century, the "spirit" of art which has become completely free - free from restrictive traditions and convention in other parts of the world - is now being threatened in Nigeria by the advocacy of registration and code of conduct. Individuation and experimentation that have become the hallmarks of modern art would be greatly compromised by restrictive mechanisms. Regulation means an official rule, or law or order stating what may or may not be done, or how something must be done. Recourse to regulation or the prescription of standards prescribed by anyone other than the artist's mind and the consuming public would be, to say the least, putting the "spirit of art" on the fast lane to prison. Rather than provide solution to perceived inauspicious work environment of the modern Nigerian artist, regulation could complicate it because, monopoly which would unavoidably result from any form of regulation, would invariably lead to stereotypes and stagflation. A Registration Council would engender retrogression in the practice of the visual arts in modern Nigeria



It may be important to conclude by stating that reality is composed of many parts, and that no single explanation or view of reality can account for all aspects of life. This is because there will always be many groups in society or many schools of thought in an intellectual or cultural discipline. In the interest of art development in Nigeria, therefore, proponents of regulation need to take a look at the theories of Mancur Lloyd Olson Jr. (1971, 1982) and heed the caution in his logic of collective action that “individuals will act collectively to provide private goods, but not public goods”, and that group-oriented production and distribution coalitions invariably fall into economic decline.

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