

Reality Check Interview

The Artist's Guide: Making a Living Doing What You Love by Jackie Battenfield

Sergio Muñoz Sarmiento, Clanco & Volunteer Lawyers for the Arts, March 1, 2008



After Michael Asher Clanco
MCA Chicago 1979
Installation view
construction site
El Paso, Texas 2002



Rose Bowl Flea Market Biennale
Installation view
Rose Bowl Flea Market
Pasadena, CA 2006



Home Depot (from Structures series)
Installation view
Home Depot
Cambridge, MA 2006

Sergio Muñoz Sarmiento is a rare person: an artist with an engrossing conceptual and performance based practice, a lawyer, and a versatile educator. To any subject he teaches, he brings multiple points of view based on his experience. He draws upon art history, theory, and art practice. When he discusses legal issues with my students, he comes as an artist and a lawyer. They respect the fact that he has a law practice and, simultaneously, is able to maintain his studio practice. This is an interview with Sergio on March 1, 2008.

J: Sergio, why don't you give me a little background on how your interest in art and law began and to start [Clanco](#). Because you are pretty unusual being both a practicing artist and a lawyer.

S: Right. I started when I was at the Whitney Museum's Independent Study Program, back in the late 90's. I started reading quite a few texts that dealt with the notion of justice, but they were from a philosophical perspective. I never really was interested in law and its practical application until I went to California to start teaching.

I taught at UC Irvine and USC and started to see how legal issues literally framed pedagogy, my own teaching strategies, abilities, or materials that I wanted to use in class. At USC, in a class called "Visual Culture", the students were really fascinated by the theory material I was presenting and wanted to do projects. So, we allowed them to do projects and they started appropriating images, sounds, and movie clips. They wanted to do these projects in public or private spaces, so the issues of intellectual property and free speech came up.

Of course, I didn't really know how to answer those questions. During this time, I also took a year off from making work just to really think about what it meant to make sculpture, I don't want to say in the 21st Century, but certainly after the complex history of sculpture. My first instinct was to study law and art from a comparative literature perspective. I spoke to an ex mentor of mine, Gayatri Spivak, about the situation and she would write me a letter of recommendation. I wanted to study with her and she said, "No." I said, "Why?" and she said, "Because if you want to study law and the power that law breeds, you have to go to boot camp. If you are studying the military, you should go to boot camp not become a military historian." She said, "Why don't you go to law school?" I had never considered it, so I decided to do it. I thought of it and did it as a conceptual art project.

J: I wonder how many people have gone to law school as a conceptual art project?!

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S: I think I am the only one. As someone who has always been fascinated by language, the study of it and the people that I met just fascinated me. For the first time, I could actually sit next to someone who had clearly opposing views to mine, but their arguments weren't seeped in emotion. It was "a rational logical thought process." And I loved that. Through schooling, I did an externship with [Volunteer Lawyers for the Arts](#). I loved it. It was a whole semester. They offered me a job after my externship.

J: This was in LA?

S: No. It was in New York.

J: Where were you studying law?

S: At Cornell Law School. And they said sure, come on down with us and work with us after school. At the time to Stephen Prina, who is at Harvard at their Visual and Environmental Studies department, asked me if I would be willing to teach in the department my last year of law school. I said sure as long as I could finish on time, so they helped me arrange so I could finish my law studies at Harvard Law School. I taught and finished my last semester in the spring of 2006, which was maniacal because it was extremely overwhelming, but I loved it.

J: Did you take the bar exam?

S: I studied for it and then I took it here in NY and got that over with, which was one of my last nightmares. So, here I am practicing and still trying to make art.

J: So your current position is at VLA in New York?

S: Right. I'm a Staff Attorney and the Director of Education.

J: Wow. Well this is pretty impressive. I guess one of the biggest problems that artists have with the law, first of all, is not having any education about legal issues. Secondly, the way legal things are thought about is very different; the practice of being a lawyer is very different from the artist practice. I noted that you said, in law school, for the first time, you could disagree without it being an emotional argument, whereas often, the passion of our art brings a lot of emotion into our arguments. So maybe you can speak about the different ways that these two professions think.

S: Well actually, it's interesting that you say that because I actually find that there are more similarities than differences. In retrospect, when I was at Cal Arts in Michael Asher's Post Studio Critique class which is famous and infamous for lasting up to twelve hours, we would start art 10 am on a Friday and end 2-3 am on Saturday and only two people's projects would be critiqued. And I felt many times that going through that process with Michael was in a sense like going through a trial. The person presenting his or her work was the defendant, the class and to some extent Michael and the TA would be the prosecutors, and there was no jury. It was as if the prosecutors were the

judge. So there was sort of a similar way that language was used in certain artistic practices to either validate or invalidate a project or an artistic practice.

I find it interesting in law that that happens, but I think that the misunderstandings about law come really as you were very rightly pointing out. There is a certain fear that lawyers are only out to take other people's money, but I think from my perspective, having gone through law school and now practicing law, that lawyers are there to nit-pick and find something to argue for their client. And so, lawyers in a sense are neutral and they have to argue by ethical rules and regulations to the best of their ability and vehemently for their client.

J: Well, I guess that was kind of what I was alluding to. As I have been doing research for the book, I noticed that nothing seems very black and white in legal terms. How do these things get decided?

S: Well, that's a really good question. I think there is a really big misunderstanding because of television—

J: —what Law and order?

S: Law and Order, Boston Legal—that because laws are written in black ink, there is a right way and a wrong way and there is no grey zone. In reality, lawyers get taught only to operate in a grey zone. Constitutionally speaking, cases like *Roe vs. Wade* or *Brown vs. Board of Education* could not have been decided if there was no grey zone. It is the role of the attorney, the lawyer, or the rhetorician to expand that space of the law that was written in black ink.

J: So it's based on prior decisions and it's based on the case law.

S: Most of it. The first top of the tier is the U.S. Constitution, which we know is always being fought over about how it is supposed to be interpreted either liberally or strictly, meaning that it is not a living document. People who oppose Justice Scalia would say it is a living entity that you interpret depending on the circumstances and the times. Then we have federal statutes, like Copyright and [VARA \(Visual Artists Rights Act\)](#), and then we have state laws and regulations, and then of course common law.

J: State law is called common law?

S: In a sense. Common laws are laws made and interpreted by judges. And that notion that it's the law of the community, the *communitas*, comes from England. Because what makes sense in New York State may not make sense in California, Texas, Florida, and so forth. I really found this fascinating because not only law, but also its impact on politics, economics, and culture were starting to make sense to me. Like, why obscenity laws are more lenient in California and New York than they are in Iowa and Nebraska.

J: Is there a specialized branch of the law for artists?

S: I would say no. All laws apply to artists. That is a very good question because, prior to law school, I thought that free speech was unequivocally free speech, but it's going through that process that I've come to understand why there are limitations placed on freedom of speech. If you had to pick one branch, I would say that the U.S. Constitution would be the one to study as an artist

J: How about Intellectual Property Law? Is that a part of law that a lot of Visual Art comes under, because of copyright?

S: Absolutely. You are right. I was thinking a bit more abstractly. You have narrowed it down to intellectual property. I would say intellectual property, contractual agreements, and legal entities—whether or not someone should be a corporation, a Limited Liability Company, or a non profit.

J: So those are the main three things?

S: There actually should be four. The fourth one is still free speech.

J: And that has nothing to do with copyright?

S: No it does. Under copyright we have "fair use." For the most part, anytime a question of the liberty or restriction on expression comes into play the First Amendment kicks in.

J: So they all kind of intermingle there. This is why it is a big plate of spaghetti. It's really not easy to get through.

S: Absolutely. If you want to make it really complex, we are in a really interesting birth of a moment now where, because of the digital media and the internet, things have really been messed up.

J: What do you mean by messed up? Because of digital media and the internet, all bets are off?

S: I give a short history of the world that goes to intellectual property. We once had bananas and tomatoes which was the agricultural age, then we had petroleum, oars, and so forth which was the industrial age, and intellectual property marks the third stage. The first two are finite and physical, but the last one is not. Anyone can come up with the next great design for a shoe brand, the next logo, the next Star Wars, or the next Madonna song, and that is not finite. Anyone can make those. Any person now can potentially own their own "oil field".

Digital media heightens that, because before when you literally only had analog or material documents, it was limited in how they could be disseminated. Now, the minute that you post something on your website in New York, someone in the Philippines or Brazil is reading it five minutes later which is radical. If you turn the tables around, someone in the Philippines or Brazil is taking your images, words, and sounds and using them without your permission, which would have been much harder ten to twenty years ago. That's the problem. And that's from a purely intellectual property perspective. If you are selling things over the internet as an artist, have you entered into a contract with someone in the Philippines without even knowing it? So, you have certain liabilities now, just because you work from home, upload things to your website, and sell your paintings or

photography through your studio that you wouldn't have had before. And now it's more immediately accessible where it wouldn't have been so fifteen or twenty years ago.

J: For a lot of artists, hearing this kind of information is paralyzing. They think, "Okay. I am not going to participate. I am too worried about my work being stolen. I don't want someone in China painting my painting and then selling it through some internet entity." What do you say to that?

S: Well, I'm glad you asked me this question now, because I always use the jay walking example in New York. We all jaywalk and we never get caught. Well, I just had a client the other day that got caught the day before and had gotten a jaywalking ticket. So I think we could continue to operate in this sort of veil of ignorance, but I have clients that are being sued for \$19,000, \$90,000, \$200,000 all the time. It's pretty scary when you get a legal document in the mail that basically says, "Unless you show up to court, there will be a judgment against you." But I think we can also say, "Look. Now artists have a way to make a living by selling their assets in other ways." They can license their images, they can sell their own work, they can learn how to appropriate pre-existing materials, and commodify them so they can have other means of making a living besides being teachers or working at museums, galleries, and so forth. So, it becomes a form of empowerment.

J: But also, with that in mind, artists need to take some simple steps to protect their rights now more than ever.

If an artist was looking for a lawyer, say they were worried about something, and they wanted some advice, can any lawyer work on your problem?

S: Yes and no. By law, yes. But to be pragmatic and frugal, they should look for someone who has experience in that particular area of law. For intellectual property, you definitely want someone who has a lot of experience in this. I would say the same thing for free speech. Why? Because, although lawyers who practice are licensed to do so, you don't want to be paying a lawyer to do research about something they are not well versed in. They could certainly catch up to that point, but the client is paying them to do that.

J: Well, I guess it is a little bit like going to a doctor. Occasionally, you need a checkup, but if something happens that is specific, you want to go to a specialist, because they have the most experience.

How much of a lawyer's job is negotiation?

S: Actually, that is one thing that for the most part they don't teach you in law school.

J: You're kidding!

S: Well there are specific courses, but the overall rubric is never about negotiating because our legal system is adversarial. When I started practicing, I was really fascinated that a lot of it was not only negotiating with the adverse party, but also negotiating with my own clients. What's in their best interest? And it may not always be legal, or to their liking. It may be public relations related. I was

thinking bigger picture. And I think that's one thing we learn as attorneys. Sometimes one negotiates with a client, with the adverse party, and sometimes with anyone else involved. What is best for everyone?

J: So it is kind of like a mediation process?

S: In a sense, yes, but always taking into consideration the best interest of your client.

J: Why aren't there more contracts in the visual arts? One thing that is interesting in music and publishing is there are lots of contracts. Whenever an author, writer, or musician starts working with a producer or publisher, those contracts are whipped out first and negotiated, before they start working together. Yet, with visual artists, nobody is whipping out a contract or a piece of paper when you start working with somebody. Why do you think that is?

S: Let me just preface that by saying that even though there might not be a signed written contract, there may be a contract nonetheless or a particular state may have laws protecting both parties, such as consignment and agency laws. But I think what you are getting at is why there isn't a signed written contract. I'll give you the theoretical answer first and then the more political practical answer.

I think the theory is that this is an industry that is based on the handshake, mutual trust, and again, the lack of knowledge of what possible liabilities could be in place in this interaction, negotiation, and relationship between two parties, of things like, 'Who is going to be left with the bills if something goes wrong?'

That perspective, leads me to the second part of the answer, which is we have an industry that is predicated on placing power on one party more than another. And in this case, I think the ones that are in power should be the ones that say we need a lawyer to protect both of ourselves. Let's say the gallery and the artist. The reason that doesn't exist is pretty obviously result of the lack of a contract. Most times, this benefits the party in position of power, which is the gallery.

Very rarely do we see, when we get to the so called blue chip galleries for example, those well known artists that are not contractually engaged with their gallery and bring in quite a big revenue for the gallery, that they are in the position of power and have the option to leave. But those are few and far between. And those galleries are always in the position to pick up another artist of similar caliber. But if you believe in the tier system it's in the benefit for most galleries not to have written agreements because they want to almost depend on the lack of knowledge of the artists and, ultimately, if something goes wrong, say to the artist, "You're left with the bills, you're left with the insurance payments, you're left with the damaged artworks, you pick up the work, you deliver it, you install it, etc."

J: I find it disheartening to think how easily visual artists give away their power because they are afraid to bring up a discussion about these things. Do you see much of this in action with the artists you work with?

S: I just spoke with someone yesterday with that same problem, "Gallery X owes me so much money. Everyone tells me to call a lawyer and get my money, but I don't want to do that. I don't want to ruin the relationship." And I say, "Well isn't that relationship already ruined?" At which point they look at me with this stunned look as if I said something they knew all along. But I think that's what we are talking about, that power dynamic, that sense that they fear not only burning that bridge, which is not paying them, but burning more potential bridges.

J: How would they do that?

S: Well, I think there is always the fear of word of mouth reputation that Gallery X may tell Gallery Y that that artist is difficult to work with, could be trouble, or is problematic. I hear that a lot. They don't want to be seen as someone who is just making art for the sake of money.

J: Interesting. The artist is so worried about their reputation as a "difficult" artist, yet it's open knowledge that there are galleries out there that are not paying their artists and they don't seem to mind having a reputation like that.

S: Well, I will give you a perfect, and G-rated, example of why it happens. Yesterday, I was reading about how much minor league baseball players are paid. They're given about \$1000 a month and maybe a small stipend for meals per day, and are on a bus traveling all over the US to play games. Why do they do that? Because they are hoping that they are going to be the one that the NY Mets, NY Yankees, or LA Dodgers select out and make the next A-Rod. They don't have insurance, many end up retiring crippled and poor, and if these players complain there is another line of high school athletes and kids out there saying, "I know I can make it." It's the same thing in the music world to a large extent. A friend of mine is an economist and she constantly reminds me of rule 101 of economics: supply and demand. I think it really comes down to that.

J: So there's no hope?

S: No, I think there is hope. Ironically, people tend to respect other people in the art world when you are upfront with what they want. Just like in a personal relationship, if the other person is not able to give you something that is fundamentally valuable to you, maybe that is not a relationship that you want to be engaged in.

J: Are there any other low cost legal services that artists might look for in their community?

S: That's a good question. I believe there are legal aid organizations in every state and mostly every city that artists are found. There are also bar associations of the state or city which artists can contact. And the one that never gets mentioned—I get a few cases that come up from the upstate New York region and they can't travel here for whatever reason, financial, health, etc.—I direct them to the law schools because most law schools have legal aid and low income clinics. They may not have an intellectual property specialist, but they will at least someone that can give you advice on your particular problem.

J: And someone who is excited to work on it.

S: Absolutely, because you get students who are now sitting next to a human being with a real problem.

J: Do they get overseen by someone who knows what they are doing?

S: Absolutely. They get overseen by someone who is licensed to practice and many times very good people because they are professors and practitioners from across the US, anywhere from the University of Iowa, University of Texas at Austin, UCLA, University of San Francisco, Berkeley, Stanford, University of Miami, great law schools, and it is certainly something not to be frowned upon.

J: Well, but I'm also thinking about the artist that is living in Fargo, North Dakota that might end up with an issue that needs some help.

S: Well, I guess Minnesota is far away, but they can always call one of the many volunteer lawyer organizations across the U.S., and I trust they will try to help artists as much as they can.

J: So there is a very supportive network.

S: Yes. You just need patience. With patience it will be taken care of. I don't have patience.

J: When should an artist consult a lawyer? What are the signs or symptoms that arise that make you think, "Maybe I need to run this by someone who understands the legal implications?"

S: Well, I think we can go back to your medical profession analogy that you used earlier. We should all see a doctor for a general check up once or twice a year. In legal terms, artists regardless of what they are doing, their medium, or their practice, should have a lawyer to talk to about what they are doing to issue spot, problem solve, or raise red flags that are both positive and negative about that artist practice. For example, "Look, I'm doing these paintings, borrowing images from here, have a studio, don't have insurance." Right there, the attorney would be able to tell you what the good and bad things are about what you are doing—the artist's liabilities.

J: So they lay out your parameters and risks.

S: What are risks, what are the repercussions of those risks, and what are some solutions? But, once you're entering into a relationship with another party, be it a collaborator, studio assistant, gallery, or museum, if they *don't* present you with any legal paperwork, you want to see a lawyer and if they *do* present you with legal documents then you also definitely want to see a lawyer. So that's a must. If you are the type of artist that loves the postmodern aesthetic of borrowing and taking, you definitely need to see a lawyer and obtain some legal advice. And again if you are of the caliber where you have your own studio, have assistants, are using dangerous equipment, paint fumes, and so forth, you may want to start considering a legal entity to protect your personal assets from being up for grabs if you were to be sued.

J: So we talked a little bit about the difference between what is covered by federal law which are copyright, infringement issues, free speech, trademarks, patents, and state and common law. What are some of the areas that would vary from state to state?

S: Good question. This is a complex question, but generally speaking contracts and corporations are governed by state law. For example, in New York State, if you wanted to start your own non profit organization, you need three board members. In Connecticut, you only need one. A for profit model in New York, a Limited Liability Company, is a bit expensive because of its publication requirement which means, the person starting an LLC needs to publish for six weeks consecutively in two newspapers. In New York County, that will run you around \$1900 not including the filing fees for the company. Whereas somewhere like Connecticut, there are no publication requirements. You definitely want contracts to include two things. One, if there is a lawsuit, where do you want to sue or be sued? If I live in NY, I want everything to be done in NY, and secondly, which state laws do I want to mandate how we are going to read this contract. I want NY state law to apply if there is a lawsuit. It will be a NY venue. But the best advice is to always check with a licensed attorney, because every situation is going to be different—there is no one-size fits all in law.

J: So, even if you are dealing with somebody in Iowa, they have to be in New York?

S: Generally, Yes.

J: If it's not stated?

S: Well, then that is going to have to be argued by both lawyers and that's expensive. You are paying somebody to argue for you and you don't want that. That gets pretty expensive. But for intellectual property and free speech, because it is a constitutional issue, you can go straight to a federal court. Contracts and corporations are state governed.

J: Actually, in reading for this chapter, I surprised to find so much variation concerning consignment agreements from state to state. In some states, a signed document is required before you have your work consigned to a gallery, but not New York State. Here, consignment is implied when you hand something over.

S: Yes. That's one thing that most artists in New York don't know exists; there are already consignment laws that apply in New York even if there isn't a written document.

J: But this is my question Sergio, New York and some of other states do not require a signed document, but they have statutes and laws governing consignment. If I send ten pieces over to my gallerist with no signed agreement, the gallerist has these pieces, exhibits them, sells three, goes out of business, and then dies, I need to go get my seven pieces back because the gallerist is no longer functioning. I go to the gallery to pick up those pieces and find four. How do I prove that they had the other three?

S: Well that's the problem that we are talking about. You are going to have to hire someone to do all of that investigative work and take this gallery to court so they can produce documents and

witnesses that will say yes we have or we didn't have ten paintings and that is going to take time and money.

Whereas, if you had that written consignment agreement that the gallerist had signed saying, "I have these ten paintings," it would take much less time.

J: Because it becomes more of a black and white issue. So, you are turning it into a darker grey rather than a lighter grey issue. As artists, I think we can picture it. In my book, one of my little headings in my chapter is the drop dead policy. When your work is leaving your hands, you always have to envision that if somewhere along the way, somebody dropped dead, how would you prove who owned this work?

S: Maybe a way to expand on your drop dead theory is if both parties were to drop dead, the painter and the gallery owner.

J: Oh my gosh, I never thought of the double drop dead theory!

S: The double drop deads. You want the written agreement in such a language where any person on the street could pick it up and figure out who owns what and who gets what.

J: You own this and you own that. It's a little bit like playground management.

S: Absolutely. That's what the judge wants to do.

J: What are the top three problems you work with most from visual artists?

S: I think the one that you touched upon is a big one that Gallery X owes me a lot of money, nonpayment, and non return of work. Probably number two or really high up on the list are copyright issues. There is always the idea that Artist X and Artist Y are doing it, so why can't I do it? And there, again I'll use the old jaywalking example. Number three to some extent is free speech. I think there is a misunderstanding as to what the first amendment actually allows an artist to do and not to do. For example, laws against obscenity or child pornography. But ironically, I think artists are kind of in a stage right now where they are willing to self police more than question free speech laws. So, those are the top three that I see a lot when I meet with people.

J: When it's copyright, is it because somebody is upset about something they have done or they are curious to whether they are infringing?

S: The second.

J: They are more curious as to how much they can do and how much they can push it.

S: Although, the problem with that is that the question usually comes after they've done the product.

J: Of course, "What do you mean I can't do this?" I think it is also interesting, and you raise a really good point. We probably shouldn't be looking to other artists and what they are doing to determine what you can and cannot do.

S: No. And I'll say why. The only name I will use, because people are well aware of his legal entanglements, and the cases are now public information, is that of Jeff Koons who can afford to pay a really good law firm before, during, and after a legal issue.

J: I like the before, during, and after.

S: Because there are all three. And that becomes part of the work. But he, as any good corporation does, allocates a certain amount of revenue to legal expenses.

J: I mean at this point, with the size of his career, most entities are flattered that he is using them. It's not like the early days when he was a little more cavalier about it.

S: With the exception of Gucci recently, but that's absolutely true. I think that's the question that comes up with Warhol. People say, "Well why didn't Warhol get sued?" We look at the historical moment. TV was just coming about. Brillo would have loved free publicity with magazines, television, museums, and galleries. Now this product of theirs is getting free advertising. So it was more of a public relations issue rather than an intellectual property issue for them.

J: And Warhol never borrowed from other artists. I know that is kind of a blanket statement. He was going specifically after consumer goods and famous people, who in the end, having your portrait made by Warhol was a flattering thing, no matter where he smeared the red paint.

S: Oh that's absolutely true. It got to the point where people were commissioning him to do portraits.

J: And that became a part of his practice. Actually, I really am remiss here, because I want to hear more about Clancco.

S: Well, it's a good leeway, because Clancco is a project that I was conceptually incorporated in 1968. Clancco really goes under what is called Clandestine Construction Company international. I've gotten so used to using Clancco that I don't even use the full name anymore. But it exists mostly through a website where you can get information on Koons, Warhol, the Mass Moca v. Christoph Büchel case, and very interesting issues that touch on visual culture, art, law, and so forth. But anyhow, as someone who has thought really creatively most of their life, the whole project is really about how I can continue to be creative and show people what I do without having to go the established route of the museum or gallery space. Thankfully, after going to law school and studying corporations, that became my model.

Ironically, artists are very good at criticizing and negatively critiquing what a corporation does without understanding what a corporation is? What composes its structure? All a corporation is, by law, is another person. It is a living entity which can be structured in any way you want. And the one

that I use, and that kind of shocks people, is Beatrice Foods. Before its demise, it came to be the owner of brands like Avis Rent A Car, Playtex, Shedd's, Tropicana, Good & Plenty. You think, "How a company that owns something like orange juice own something so different like car-rental agencies or feminine hygiene products?" Or Altria, which used to own Kraft Foods and Philip Morris. "Again, how can the same entity own a seemingly nutrient producing company and simultaneously a cigarette company?" This forced me to ask, "Why can't an artistic practice function the same way? Why can't it have multiple venues of existence and production? Why can't it have multiple voices that all play to further its own mission? " It's really about welcoming the so-called "fragmented subject" and shifting from there. In the case of a legal corporation, its sole mission is to make a profit through lawful means. In my case, the artist as corporation should function to produce culture through any means, and be willing to have one "subsidiary" produce revenue which allows other non-revenue producing practices to exist. So in Clancco's case, there are not only my own sculpturo-architectural art projects which are subsets that may exist in traditional museum/gallery settings and are installation based, but also those that are new genre or post studio that exist in public and private spaces, and which ultimately may only be experienced after being documented.

J: So this is one area of your art practice?

S: Yes. That's one area of my practice, which is very crucial and questions property, intellectual property, and free speech laws through these interventions.

The second subsidiary, so to speak, is the Art + Law entity, dealing mostly in commentaries where we try to keep track of important events or big issues in art, visual culture, and law.

And the third subsidiary is the section where Clancco posts writings by other people and interviews with other people. So, we do interviews with scholars, artists, or other professionals, and they also write for Clancco.

J: You are a great model for artists, because you have found a way to create an art practice that engages as many of your talents as possible.

S: Well I hope I have. And I'm really happy and it's given me the opportunity to meet people like yourself, which I know I wouldn't have met as just an artist or just an academic.

J: You could have been easily just an academic.

S: Or just a lawyer.

J: I don't know that you could have become just a lawyer.

S: My mother still wants me to do that but I am resisting.

J: Well you know mothers.

J: Well you know mothers.

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The Artist's Guide: Making a Living Doing What You Love by Jackie Battenfield

Sergio Muñoz Sarmiento, Clancco & Volunteer Lawyers for the Arts, March 1, 2008

Sergio Muñoz Sarmiento is an artist, writer, and lecturer interested in cultural production stemming from the discursive sites of art, law, and philosophy.

*His work has been shown in national and international exhibitions, including Mexico, Germany, Spain, Dallas, New York City, El Paso, and Los Angeles, and has published essays and projects in *Five Continents and One City Exhibition* (Mexico), *Capital Art: On the Culture of Punishment* (US), *Cabinet Magazine* (US), *Law Text Culture* (Australia), *Afterall* (US/UK), and *Unbound: Harvard Journal of the Legal Left* (US).*

Sarmiento has previously taught at Hofstra University, Harvard University, the University of Southern California, California Institute of the Arts, Occidental College, and the University of California at Irvine, and has participated in lectures in the United States and abroad, most recently at The Yale School of Management, Parsons The New School for Design, The Vera List Center for Arts and Politics at The New School, Columbia Law School, Columbia University School of the Arts, The Lower Manhattan Cultural Council, The School of Visual Arts, Cornell Law School, and the Centre Sociologie de l'Innovation, Ecole des Mines de Paris.

Sarmiento received his BA in Art from the University of Texas-El Paso in 1995, and was awarded a Philip Morris Fellowship to attend the California Institute of the Arts, where he received his MFA in Art in 1997. He was a Van Lier Fellow at the Whitney Museum's Independent Study Program in Studio Art the following year, and in 2000 was awarded a studio residency at the World Trade Center by the Lower Manhattan Cultural Council. He received his J.D. from Cornell Law School in 2006. He is currently a staff attorney and Director of Education with Volunteer Lawyers for the Arts in New York City.

Clandestine Construction Company International (Clancco), a corporation founded in 1968 and based out of New York, is an interdisciplinary project which explores, investigates, and examines the relationship between art and law through architectural-sculptures, performances, writings, interviews, and an internet website/blog, all made available in different material and digital formats. Clancco may be viewed at www.clancco.com.