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INTERVIEW

Shepard Fairey

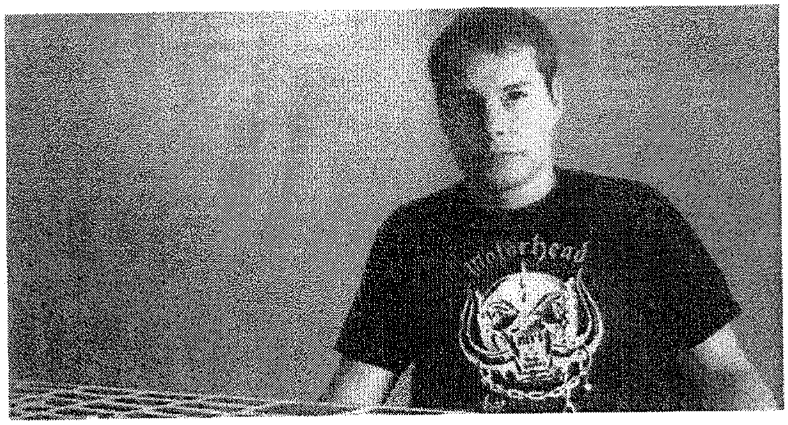


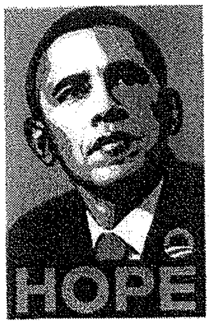
Photo by Justin Shady

By Justin Shady June 10, 2009

Armed only with a few sheets of Xeroxed sticker paper, artist **Shepard Fairey** began his art career on the street poles and abandoned buildings of Providence, Rhode Island. In the process, he created an artistic phenomenon, as his "André The Giant Has A Posse" sticker campaign evolved into an iconic image known as "Obey Giant," propelling him to cult-like status. Shepard used the image in his politically driven work for nearly 20 years, making it hard to imagine that he'd ever be known as anything but the "Obey Giant" guy. But then in 2008, Fairey created a poster of a Senator and presidential hopeful from Illinois. Today, that man sits in the Oval Office, thanks to a campaign that included Shepard's now-famous blue-and-red "Hope" screen-print. And while Fairey takes pride in that project, it's also drawn criticism, most notably in an ongoing battle with the Associated Press over image usage. But with all the attention, good and bad, one thing is apparent: Shepard Fairey has a posse, and it's growing. Fairey recently spoke to *The A.V. Club* about intellectual property, getting arrested for art, a job offer from Hummer, and why some people love the underground for the wrong reasons.

The A.V. Club: You've used photo references throughout your career, even going back to the André The Giant image that became your signature. But the Obama "Hope" poster sparked a legal battle between you and the Associated Press. Where's the line between intellectual property and creative expression?

Shepard Fairey: The most important thing about intellectual property vs. creative expression is that copyright law was created not to stifle creativity, but to encourage creativity. The idea behind copyrighting was that if you made something, a piece of music or art or a product, someone cannot make an exact facsimile or replica of it, because that would hurt your ability to sell the exact same thing. But it wasn't created to say that you can't be inspired by something and make an evolution of that, something that transforms it. A lot of classical music or even aspects of the Declaration Of Independence are all borrowed from works that came before them. Now, there'd be lawsuits over all this stuff, but the common sense was that you build on ideas. If what you build doesn't compete on the market for the thing that inspired it, then everyone wins.



And that's the way I look at this Obama image. First of all, the AP is showing the wrong photo. I'd found this image of George Clooney and Obama at this Darfur panel, and I thought, "That's kind of the right look for Obama." When I saw the one they had, I thought they'd just cropped in on the same photo, but I realized it was taken either a split second before or a split second after. It's interesting how once you have my poster and everyone knows it as a reference, everyone wants to work backward and find the source. But the source was completely irrelevant to the final cause, because Obama wasn't even running for president yet when that was happening. It was a news photo. What I created was clearly a presidential poster—new colors, new slogan, totally stylized and idealized, and it doesn't compete with the original.

AVC: When the image first started to pop up everywhere, did you have any reason to think it could potentially backfire?

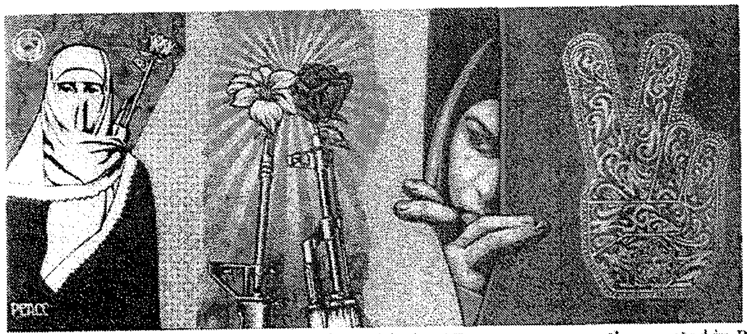
SF: No. I was completely blindsided by it, because obviously, it wouldn't have cost that much to license the photo. I've licensed things before, and it's anywhere from $500 to $1,000, which for a lot of artists would be out of reach. Once the poster got famous, if I was thinking that it was going to be a problem, I would have just gone back and licensed it before they said anything. Even though that would have been an act of creation, it would have shown that "Oh wow, this thing became bigger than I thought it was going to be. I better license it." But I didn't think it needed to be licensed, because of all the fair-use reasons we just spoke about. And that's the only reason I'm fighting the AP. I could have settled with them, but what they want is unreasonable—they want damages. It's incredibly unreasonable, but I still could have maybe done it and saved the headache.

The main reason I'm fighting this isn't for me—I mean, it *is* for me, but it's much bigger than that. It's for all the artists that make pro-Obama or anti-Bush images, or of Sarah Palin or whatever. They don't have the funds, the resources, to license an image, and what they did with the image doesn't compete with the original markup of the image, either. And when you look at the hundreds of grassroots pro-Obama posters, or what I thought were a lot of really great, witty, anti-Bush art that had him in various poses he wouldn't actually be in, but were based on references—you know neither Bush nor the photographer or the holder of the copyright image are probably going to approve of that. But isn't that a really important part of social commentary and political discourse?

You know, you can do it verbally—if you're Jay Leno or Stephen Colbert, you can say [Affects announcer's voice.] "Barack Obama..." And then next up after that, your statement's kind of headed toward a bias. The point of departure to editorialize for an artist requires a reference. It's got to look like the person. So whereas a comedian can just say it verbally, or Will Ferrell can get made up like Bush, dress like Bush, and hope to get away with it because it's not based on one isolated reference, a visual artist can't do that. So to me, where copyright law and freedom of expression come into conflict, which is an area like this, I think the freedom to express one's views is more important than intellectual property. Especially when it's not an exact facsimile, like I said.

AVC: Do you think this would even be a topic of conversation if you weren't Shepard Fairey?

SF: It's not just that it's me. It's me and it's the Obama image that became *the* iconic image of the election cycle. So I already have a certain level of notoriety, and Obama is probably the most famous man on the planet now. I think it's those two things together that the AP saw as an opportunity to send out a deterrent. They said, "This is well-known. If we go out with this case, we'll serve several purposes here. We'll say to all the bloggers who have lifted a photo or ripped a story and used it, 'Hey, if you take stuff from the AP, you're going to be punished.' And they can do the same thing for artists, and they know the story's going to get traction. Rather than beating up on little bloggers, it's, "We're going after this guy who got super-famous." And they're saying I got super-wealthy, which is not true, because I put all the money back into making more materials, which were disseminated free, giving it to the Obama campaign or donating it to charity. And there's only a small amount of money that's now in limbo that came in for the presidential inaugural poster after the lawsuit had started, so there's a very clear record of my actions toward the Obama image as not a for-profit image. But they're trying to portray it as a for-profit image. They're trying to say, "Well, so what if you gave the money back to the Obama campaign or made more posters with it that you gave away free. You grossed a lot of money, and what you do with it after that, we don't care. That's your choice." But they're using it as an opportunity to say "Don't mess with the AP." And they're writing their own story, which is a conflict of interest, of course.



AVC: In addition to your legal situation with the AP, you were recently arrested in Boston for graffiti. You spent a good amount of time running away from the cops early in your career, so is there a part of you that's now a bit nostalgic for it?

SF: That was my 15th arrest for art, but what I'm realizing is, street art for me appealed because it was bureaucracy-free. It was images I want to share with people, and then taking them to the street and having an audience immediately. I'm a populist as an artist, so you know, whether it was T-shirts or street art or even doing album packaging for people, these are ways of putting my art in front of people that bypassed the usual channels in the fine-art world, which are very elitist, where you ask permission, and you have to deal with somebody who decides whether your art is appropriate for public spaces, and for whoever else is going to this art show or will go on this website. And street art is "Hey, I'm going to make things happen for myself without anybody else giving me permission." Where I am now in my career is, I'm so well known that the Boston police are using me as a symbol, just like the AP. They're saying, "Let's arrest this guy, because his huge museum show in Boston is not just about him. It's about a kind of culture that he is a symbol of. And he's advocating the use of public space for more than just advertising. And that's going to create an army of anarchists." It's this "slippery slope" theory. I mean, I actually saw editorials in Boston saying, "Next thing you know, if Shepard Fairey gets away with having his show at the museum and doing his street art, every house in Boston's going to be spray-painted."

AVC: You're the gateway drug.

SF: Exactly. Fortunately, at this point in my career, I have a lot of people who want to offer me legal venues, so when I was in Boston, I was spending time doing 40 legal spots I had lined up. I had pages and pages of legal walls I could go do, and I gave away a lot of stickers and posters, and some stuff ended up on the streets in not-legal places. But I can't control that.

AVC: But you do put your money where your mouth is. As an established artist, you don't have to go out and hang your own work anymore, but you still do.

SF: Just because you've reached a certain level of success, that doesn't mean you've become corrupted by the system. It's a very unhealthy idea that people have, that it's underground vs. the mainstream, that you're either keeping it real or selling out. I mean, there's good and bad in every arena. It's funny, some people, the reason they're in the underground is because they're lazy and don't make things happen for themselves. They shit-talk about everything, but they don't do anything; they have this cool, rebellious, outsider persona that they inhabit, but it doesn't actually have anything constructive about it, and they're just, "Yeah, I'm underground, keeping it real."

And then there's people in the mainstream who work within the system, if that's what you want to call it, that have great intentions, and then there are those people who abuse their power and are assholes. There are different types of people, good and bad, in every situation. So for me, the idea is that you don't just go up the ladder and transition to a new point; you can fully move between every place in terms of success and culture, and work with the things that are the most constructive in every area. And people are going to say to me now—just because over the arc of my career, I've reached a certain point where I can make a living from art, and I've been able to do album covers for bands like Led Zeppelin—that means I sold out, or I don't have the same ideals I once had. That's ridiculous. But that is a big problem with success. They don't see how they can get from where they are to that. So continuing with street art and all the things that have that punk-rock, do-it-yourself ethos that made me who I am just allows people to see how that evolution can occur, how to empower themselves, and that's incredibly important.

AVC: Do you approach each new project with the same creative aesthetic, whether it's a poster, CD cover art, a music video, or whatever?

SF: For years, working as a designer, I always had to put clients' needs first. If I could also have my own agenda in there, I would do that, but what's fortunately happened for me over the years is, as my artwork's become better known, I've been able to be more selective about the projects I take. A lot of times it will have a seamless overlap between the client's agenda and my own agenda. Meaning that, a movie poster for *Walk The Line*—I like Johnny Cash. They came to me because they saw a Johnny Cash art piece I did. So in my promoting what I think is sort of the iconic graphic representation of Johnny Cash, I'm also solving their problem by promoting their movie. It's a win-win. What I did for that movie is exactly what I would have done for an art piece, with the exception that if you look closely at the silhouette, it's Joaquin Phoenix, not Johnny Cash.

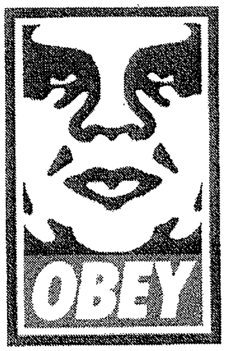
And then the Led Zeppelin cover, I'm a huge fan of that band, and that's a case where I look at it as a cross-pollination opportunity. I like Led Zeppelin, and Led Zeppelin fans have a euphoric association with that band. Me getting to do the art in my style then gives those Led Zeppelin fans a euphoric association with my art style that's going to make them a lot more open to looking at my work and maybe embracing it. Hopefully they feel like I'm being reverent to Led Zeppelin, but they also feel like, "There's something new here, let me go check that out." So it depends on the project, but there's a lot of stuff now that I get to be selective about. There's a lot of stuff in the past that you wouldn't even know was mine, because I didn't think my style was appropriate for the client. So I now look at every project based on what I want to get out of it, and what I think the client needs to get out of it. But now, I'm hardly doing any commercial work, except for stuff that I really want to do. The environment is something I care about, so rather than put my money into commercial projects, where it may not be something I feel a real cultural and emotional connection to, I'd rather do it for causes like Darfur or Earth Hour. I'm doing stuff right now for a thing called Cool Globe, an anti-global-warming initiative.

AVC: Have you ever turned commercial work down because of a conflict of interest?

SF: Oh, yeah. I've been making pieces dealing with environmental issues at least since 2004; I mean, I did stuff for the Sierra Club and the Alaskan Wildlife Refuge even back in the 1990s. But somewhere a little after 2004, Hummer hits me up. I'm like, "Are you kidding me?" I've also been approached by cigarette companies. It's not that I care if someone smokes, but I don't want to use my art to encourage someone to smoke.

AVC: Was there any part of you that wanted to take the Hummer job, then present them with say, sketches of a Hummer driving over a mound of dead babies?

SF: It's funny, I did a poster that has this sort of jock-looking guy in a tank top that says, "U.S.A." holding up a gas nozzle, and he's got a front license plate that says, "Freedom isn't free." This idea of the Type-A patriotic person who's like, "Hell yeah! Badass! Big truck!" They're actually the reason the U.S. is fucked.



But yeah, there's a lot of stuff that's come in over the years, like these guys that manufacture cheesy metal skateboards. They knew I had a background in skateboarding, and they wanted me to help them market that. And when I finally cornered them and asked, "Well, what are the benefits? What are the merits of this project?" They were like, "Oh, well there really aren't any. They're just new and different, and we thought we could make a lot of money from it." For years, I couldn't make a living as an artist, and that's the thing that people don't understand—they think notoriety or exposure equals money. My publicity was far greater than my earning ability for many years, because it costs so much to print posters and put 'em up and make all these stickers and give 'em away.

And also, you know, I wasn't doing that many art shows, I didn't have a driving online business, so I had to work as a designer if I wanted to work in a creative capacity at all and make a living. A lot of people thought I got famous as a studio artist, then decided to cash in on it. But it actually was just a matter of survival for many years, and I felt it was really important for me to be able to say whatever I wanted with my street art and fine art, including all the anti-Bush stuff, which got a lot of people sending me e-mails saying "I'll never buy anything from you again because you made that. You're such an asshole." Saying stuff like, "I bet you love Hitler." Everybody's now trying to come around, but it really hurt the market for my art. Working as a designer, I didn't have to worry about fine-art market forces, because I had an income. But now that my art does well, I'm transitioning away from that. I have a couple of commercial projects that I want to do, like a Tom Petty 30-year box-set cover. I listened to him when I was a kid, so it's not like I'm doing it for the money; I'm doing it because I'm a fan. I think a lot of artists have a fear of being called sellouts. But I just don't see any advantage to working as a waiter instead of a designer just so you can say, "Boo-hoo, I'm keeping it real, this is what I have to do." Working as a designer, I was able to take the money I made and put it into something I thought was very positive, while honing my skills at the same time. Am I going to take work from Halliburton? Am I going to design logos for the sides of cruise missiles? No.

AVC: Early on, you used the street a lot like people use the Internet today, just getting your imagery out there and in front of people. Do you think up-and-coming artists today have it easier or harder because of the Internet?

SF: Everything has pros and cons. The Internet wasn't even an option for me, so one of the reasons I was so motivated to do street art was because there was no other outlet. Maybe if the Internet had been around then, I would have tried to do stuff that went viral and was clever and got me a lot of hits. But I don't think so, because I'm mischievous. The idea of taking risks and having real-world consequences energizes me. I think the Internet has definitely made it easier for people to have stuff seen, but it's also encouraged a level of ADD, where you see so much that if it doesn't make an impact on you immediately, you don't look at it.

But as a street artist, I would say the same thing for the street. People aren't on their way to a gallery to see your street art. To can have an audience that actually gives a shit, you have to put something on the street that stops them in their tracks and gets them to look. So maybe you can say the same thing for the Internet. There's the same principle that there's a lot of digital noise out there, and you got to break through the clutter with what you're doing. That applies pretty much anywhere. The great thing about the Internet is, it has made it easier for people who are clever and resourceful to promote themselves. But when it comes to the street-art world, there are a lot of people who realize if they go out and put up a few pieces of street art and photograph them really well, even if their locations weren't actually that high-profile or dangerous, with the level of exposure they get from the Internet, with a large audience, they can maintain that rebel cache by having it be theoretically documented street art.

And that disappoints me about the Internet. Not that it's inherently the Internet's problem, but just that mentality of exploiting the perception that this is somebody who has done a lot of risk-taking when they really haven't. The Internet hasn't had a chance to really get to where people look at it with the proper level of scrutiny. There's so much bullshit on the Internet. It doesn't get filtered out because it's such a new medium, so when you look at people who have blogs that are like, "I heard that so-and-so is gay" or whatever sorts of disinformation they want to disseminate, it's going to be the attraction because there's no backup you have to have for what you say on the Internet. People don't have to do anything—they don't have to get a driver's license or a dickhead license to post anything on the Internet. And you could say that in a democratic sense, that's great, but in a "more dumb shit I have to wade through to get to the stuff that is more accurate and meaningful" sense, it's that much harder.

AVC: If you could go back now and talk to yourself in 1992 when you were first graduating from art school, what advice would you give yourself?

SF: I would say "Don't try to be a screen printer for a living." I did that from basically '91 to '96, and it was a miserable subsistence. Very, very low-profit. What I didn't understand was that the kind of screen-printing I wanted to do was for art, not business, and it's a hard way to make a living. If I could talk to myself, I would say "Learn the computer and contract out the screen-printing." [Laughs.]

AVC: Before the election, you were known as the "Obey Giant Guy." Now you're known as the "Obama Poster Guy." Do you worry about being totally boxed in by that?

SF: Yeah, of course. The Obama thing was a convergence of a lot of variables, some of which were in my control and some of which were not. And fortunately, I was able to benefit incredibly from the very strong emotional connection a lot of people felt to Obama. But on the other hand, a lot of people say "Why do you think the poster became what it became?" And I think that's because, even though Obama had great graphics for his website and great slogans, I recognized the need for a portrait that made a human connection. People really respond to how he delivers speeches and how thoughtful he seems, and there's nothing out there that in an iconic way made a connection to bridge the gap between actual humanity and the rhetoric and the idea of a symbol and an icon.

I recognized that need, so when I made the image and released the posters on my website and said, "I'm using these posters to fund a large poster campaign that's nationwide for anywhere that hasn't had a caucus or a primary yet," people spread the word, not only because it was a cool image, but also because it was me doing it. People who usually felt alienated from the political process latched onto it because they saw it as something not from the campaign, not from the Oval Office, not from a corporation. There were a lot of people who loved Obama and wanted him as president, so they're going to take the materials and embrace them. That was maybe a once-in-a-lifetime thing, but that doesn't mean I'm not going to do work that is aspiring to make a difference. It *is* something I feel a little trapped by, but it's also something I would never take back, because I think it was the best possible outcome. And when you look at, from $4-an-hour skate-shop jobs, Xeroxed crack-and-peel André The Giant stickers to almost exactly 20 years later, doing something that may have helped the president get elected – that's an unbelievable journey. And as part of the case study of the whole thing, this idea that graphic art makes a difference, and spreading ideas virally makes a difference, there's no better example than that journey.

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