

I printed out 3 pages from an interview that Matthieu Laurette had with a lawyer. Which reminds me that I once wanted to be a lawyer myself.

MATTHIEU LAURETTE

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The following biography was last updated on 16 3 2000

Matthieu Laurette
Born in 1970
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Solo exhibitions (selected)

2000

El Gran Trueque, Consonni, Bilbao, Spain

1999

Patchwork in Progress, exposition monographique, Mameo, Genève, Switzerland (curated by Christian Bernard)

Quand ça ne sert plus, ça sert encore, Le pavé dans la mare, Besançon, France

Applaus (Tcl 1), Institut Français, as part of C/O Berlin, Berlin, Germany (curated by Nathalie Boutin & Marie-Blanche Carfer)

Efficace et Commode, Propositions 99 pour la Collection (in collaboration with Asier Pérez González, & Franck Lacarde)

Capo-Musée d'Art Contemporain, Bordeaux, France

1998

Free sample 2, Side demix, Live Remix featuring Bosco, Mr Leam, S. Comte, soirée nomade, Fondation Cartier pour l'Art Contemporain, Paris, France

Free Sample, Galerie Jousse Seguin, Paris, France

Applaus, CASCO Projects, Utrecht, The Netherlands

1997

Vivons remboursés, Le Camion-vitrine des produits remboursés, project in public space, Nantes, France (curated by Entre 2)

Mangez Remboursé, showroom et visites guidées de supermarché, Réserve de Jean Chatelus, Paris (curated by Laurence Hazout)

Matthieu Laurette, FRAC Languedoc-Roussillon, Montpellier, France (curated by Ami Barak)

Group exhibitions (selected)

1999

Crash! Corporatism and Complicity, ICA, London, England (curated by Crash, Emma Dexter & Vivienne Gaskin)

French Video Art, Santa Monica Museum of Art, Santa Monica, USA (curated by Christine Van Assche)

Equinox Now, LA Edge Festival, The Gellen Contemporary at MOCA, Los Angeles, USA (curated by Carol Ann Klonardes)

Rebecca Bourrigault, Matthieu Laurette, Marie Sester, three french artists explore the unseen, New Langton Arts, San Francisco, USA, (curated by Susan Miller)

Direct Translation, San Francisco Art Institute, San Francisco, USA, (curated by Ela King Torrey)

La capital (tableaux, diagrammes et bureaux d'études, Centre Régional d'Art contemporain, Seine, France (curated by Nicolas Bourraud)

Soft Resistance, Cédric Gebauer, Berlin, Germany

Failure, W139, Amsterdam, The Netherlands (curated by Begoña Muñoz)

Le temps libre: son imaginaire, son aménagement, ses trucs pour s'en sortir..., Deauville, France (curated by Jean Charles Massera)

1998

Promises: invested spaces in visual arts, architecture and design from France, 1958 - 1998, Guggenheim Museum, Soho, New York, USA (curated by Christine Van Assche)

Propos Mobiles, Xth aménagement, Paris (curated by Denis Gaudel)

Bruit secrets, CCC Tours, France (curated by Cédric Saraha, Olivier Rénau & Alain Julien Latemère)

1997

Ici et maintenant, Parc de la Vilette, Paris, France

From one point to another, Atelier Sorel, Nice, France (curated by Robert Peck, Nathalie Gaudinoux & Axel Huber)

Nouvelles acquisitions vidéos, Musée National d'Art Moderne, Centre Georges Pompidou, Paris, France.

I read the interview.

Interview with Justo Ortega and Borja Zabala.

Franc Larcarde: A year ago, in March 1999, Matthieu Laurette and I came to see you for the first time. We were beginning to develop the concept for a project that required the assistance of legal advisors. We came to you in order to formalise the legal framework for "El Gran Trueque" (The Great Exchange), taking our concept as a starting point. How did you proceed? What is the basis of "El Gran Trueque" in legal terms?

Justo Ortega: Initially, you presented the project to us as the setting up of a possible series of exchanges or swaps. Evidently, making an exchange isn't a problem. Quite simply, it involves somebody giving something to someone else and that's the end of the deal. What was being suggested was more difficult: that the exchange should take place over a period of time, on various occasions, and should be screened on television. This would cause certain problems in terms of protecting all the objects, all the exchanges, the whole chain of transactions. It had to be a chain. It couldn't just be a single transaction. In theory, this is not the purpose of an exchange. An exchange is designed to meet needs; that is to say, a person has something and wants something that someone else has and vice-versa. It's a bilateral contract between two parties. In the case of "El Gran Trueque" it is also bilateral, but one figure, Matthieu Laurette, continually appears as one of the parties. By means of a number of meetings the rules were established: how things worked from the subjective viewpoint of someone who wanted to take part, explaining what they had to do to be chosen and, in that way, get the object that is exchanged every week. In order to avoid people just getting rid of unwanted items and to avoid problems with the valuation of the objects to be exchanged, the objects had to be new, so that both participants and organisers would know the real retail prices. Once someone had chosen an object, they made their offer by phoning the telephone line you had set up for this purpose. Then the rules established the criteria for choosing the object from all the offers made: price, but also that it should be attractive and therefore facilitate further exchanges. Had we opted for a competition instead of a television programme, then the rules would have had to have been stricter and further reaching in order to carry out the activity and evidently to be fair with the exchanges. In a competition it's not possible to say "I'll give the prize to the one I like most". In this case it would have been necessary to choose the offer that had the highest economic value - an unworkable situation in our case that would impede the chain of exchanges, because if there was an offer of an object high in value but unattractive, then the chain would be broken due to a lack of offers and the programme would be over. This idea was rapidly dismissed. People don't compete. They don't get prizes. There are no prizes. Everyone has to give something in order to get something. It is a commercial deal, a legal transaction. Regarding taxes, no taxes are paid on the exchange because it's a situation in which you have something and you're exchanging it for something else, whereas in the case of a competition, you're given something. First you don't have anything, then you have something. There is a gain, and you have to pay taxes on what is given to you.

FL: The object stays in the shop for a week until it is exchanged again. Does this cause a problem of ownership?

JO: Well yes, there is a problem, but one of possession not of ownership. The owner is always going to be the promoter, Matthieu Laurette, but the object is not at his disposition; it remains in the shop and thus continues to be a new item. However, from the moment that it is handed over to him, from the moment that the payment is made, he is the owner. He has the ownership but does not make use of it and therefore the next person takes the object directly from the shop. Given that it is quite unusual to exchange something for an item of lesser value, people could be suspicious and for that reason it was necessary to make sure that all loose ends of the contract were tied up properly.

Borja Zabala: From my point of view, one of the most important aspects of the contract is that Matthieu Laurette had control over the matter and continued being able to intervene. This is one of the fundamental points in the sense that it is a work of art, and the artist has control of all the elements from a legal perspective.

JO: The project was also covered from the point of view of liability. All participants in "El Gran Trueque" were told that they had to give up any claim to hold Matthieu Laurette or Canal Bizkaia, the television channel that made and broadcast the programme, liable if they were not happy with the object. After the acceptance of all the conditions of the project, they (the promoters) were free from any liability.

FL: So you agreed to participate in the project, obviously charging for doing so, and advised us throughout the whole thing. What is interesting about the concept of this game in the different fields that it enters?

JO: This project involves bringing back into use a legal form of trading that had fallen into disuse: la permuta (barter), or el trueque (exchange). This is really interesting. Modern day life and the insurgence of money in our culture have stopped exchanges of goods from taking place. At a social level it is more acceptable to exchange things for money. At both a social and political level this entails a greater control over everything. Everything goes through the National Bank, which issues the money. You have to go through the bank that issues the cheque.

BZ: The act of harmonising, combining from our perspective, a work of art with a legal form of trading now in disuse, and involving television, audiences, etc., is interesting from a legal standpoint as barter is pre-capitalist. It is relevant to situate this institution there, within the evolution of capitalism.

JO: Theoretically, article 1538 of the Spanish civil code, which determines the concept of exchange of goods, talks about the term permuta. Trueque is a synonym of permuta. Trueque as defined by the dictionary is a direct exchange of goods or services without the intervention of money, which is similar to permuta: a contract in which an item is given in exchange for another. This is what it's about. Article 1538 states that permuta is a contract in which both parties are obliged to give something in exchange for another. This definition comes from the (Spanish) civil code, which is a

Napoleonic code, but it also appears in commercial law, in the laws of Navarre, which are medieval laws, in the Agricultural Development and Reform Law, which refers to the exchange of rural plots of land, and in the Law of State Ownership, which refers to the exchange of public assets for private ones, and it can also appear in the compulsory purchase of land. This is basically how it is used nowadays. It is not used in the exchange of current assets, or objects, but for the exchange of fixed assets. But the concept of barter really comes from Roman Law, the first western law. In Roman Law it had two aspects: the Sabinian school established that barter, within the act of buying and selling, allows the exchange or sale of something either for money or for goods; but the Proculian school established two different types of contracts, and it is this that has prevailed. Legal doctrine states that barter is a principal contract, one of consensus, bilateral, onerous, commutative and of transference. It is a principal contract. In other words it is not connected with other contracts. It is one of consensus, since it depends on the consent of both parties. It is onerous, that is to say it benefits both parties and it is not vital that the price of both things be the same. And it's commutative and of transference in that you lose something you own but get something in return. There are two moments in which the contract takes place: firstly, the moment of perfection when the agreement is reached, and secondly, the moment of consummation when the object changes hands. In the case of the contracts we drew up, we defined a series of special points given that this was a chain of exchanges.

FL: To ensure the legality of the chain of exchanges, you drew up a specific kind of contract. Could you tell me something about that?

JO: It is not a usual contract, although it is a standard contract that can be used for all types of exchanges. The same contract format was used throughout, although the first one had to be different because the object wasn't coming from a previous exchange and above all because of the nature of the object - a new, unregistered car. There was a series of complications regarding the registering of the car later on. Although Matthieu Laurette was the owner of the car, he couldn't register it as this would automatically mean it was second-hand. The car dealer agreed to give the new car, which you had bought, to the person designated by Matthieu Laurette. The other contracts first of all set out when and where the goods were bought and secondly the name of the person who bought the goods to be exchanged. This is very important in terms of establishing liability, given that in the event of any reclamation the contracts should be between the person who receives the goods and the person who gave them to Matthieu Laurette, leaving him free of any liability as he has not touched the object in question. He has simply been the owner of it, but he's never had possession. Matthieu Laurette has been the intermediary; the dynamic factor in the project. The person who receives the object in the exchange is also responsible for any possible taxes. The next point (in the contract) sets out that the buyer of the object agrees that it will be paid for and available at the moment of signing the contract. Next, both parties declare that they have examined the items and agree with their respective values. There is also a clause in which all those participants chosen in the project give up their image rights to Matthieu Laurette, both with regard to the programme being made and for future use of the material. Matthieu Laurette has the copyright on the project, all image rights have been given over to him. Finally, there is a clause that states that signees must abide by the contract, and to that end, accept the sole jurisdiction of the Courts of Bilbao. It's quite a simple contract, but we've tried to tie up all loose ends; no responsibilities left hanging in the air that could block the project, breaking the chain of exchanges. On top of this, another contract giving up any royalty rights is signed in order to emphasise the point even more.

FL: When we began to develop the idea of "El Gran Trueque", we didn't know what was going to be people's motivation for taking part in the game - a desire to appear on television, the gambling aspect, etc. Now, a week after the final exchange has taken place, could you tell us how you have perceived the progress of "El Gran Trueque"?

JO: People participated in "El Gran Trueque" because they were interested in the object that was on offer each week, and also because they wanted to offer an object of lesser value, at the same time trying to make the most attractive offer. However, just as in any economic deal, people want to make a profit, to take advantage of a situation, get the best deal possible. Whenever you buy something, it's because it's of interest to you, or because you consider it a sound investment, or possibly because you need it. I think this is what people were after, more so than the idea of appearing on television for example. Perhaps, if we were to draw a curve, we would see that the lower the value of the object, the greater sense of gambling people had. More fun but less lucrative. I believe it was like that. The proof of this was that someone wanted to kit out their whole house thanks to "El Gran Trueque". There were problems with this person. They didn't just want to take part in one exchange but in all of them via third parties.

BZ: The car was a really attractive item. A million pesetas is a decent sum of money. Somebody says to you "I'll swap you this thing worth a million pesetas for something that you offer me in exchange". What a bargain! However, in the end the car was exchanged for something that was worth 327,000 pesetas. Less than a third of the value! There's been an obstacle. It's just like a closed bid auction. You try and bid as low as possible, and the risk increases the profit. I also think there has been an element of fear. People ask themselves, "How can they be giving me this difference in value? This can't be true". Both these factors have influenced the way people have participated. In fact, in some of the exchanges a lot of money was lost; the fridge that was worth 128,900 pesetas for a liquidiser worth 5,990. In terms of percentages a lot of money was lost, some 95%, but it was the most attractive offer there was.

JO: On the other hand, what caught my attention was the way people came to hear about "El Gran Trueque". The winners mentioned it in the programmes. One found out through the circulars delivered through the letter boxes, another via word of mouth, another directly from the television programme itself, another through articles in the press and the last one was really interesting. They heard through their partner who had been in a shop when a previous object was being exchanged and who encouraged them to participate, telling them that it was actually true. It's a wide range of means of communication. What I really like is that each one came to find out about it from a different source, and that all the advertising systems were effective.

FL: In this project, part of the budget came from Basque government grants and was spent on buying the new car. We got together with a television company to record and make the project visible. We got together a number of co-producers in order to support a series of expenses including the salary of the presenter, telephone services, communication and organisation costs. All these logistics would seem to exclude the idea of the profit motive. What is your opinion of this?

BZ: The resources deployed are not important. Nowadays the amount of work is not equivalent to the amount of money. How much is a painting worth? The value of the materials and the 36 hours that it took the painter to paint it? How much is a television show with a large audience worth? Millions and millions of pesetas. And what projection does it have? Its profitability is measured in terms of viewers. "El Gran Trueque" had an average of 50,00 viewers per day. "El Gran Trueque" was profitable because a lot of people took part, but also, from my point of view, because there was something novel about the project, it could suppose a certain scandal or provocation. Interest doesn't necessarily have to take an economic form. It is a project that contains different analyses: sociological, economic, legal, media. Then there is the interest of those who took part in the exchanges.

JO: In terms of the exchange, we're now talking from a market perspective. Any transaction benefits both parties involved. If not, we're talking about a con. Here (in Spain), there is a saying which says "nadie da duros a cuatro pesetas" (Nobody gives away five pesetas for four), but in "El Gran Trueque" something was being given in exchange for something of less value. However, there was a gain for both parties. For Matthieu Laurette, exchanging one thing for another was not the end but the means. But the fact of starting with a sum of money, which was not Matthieu's but public money, and dedicating it to the purchase of a car, which in turn would be given to someone in exchange for something cheaper, was in itself an important part of the project. Everyone gains something. First, the institutions that subsidised the project because they're collaborating in a work of art. Matthieu, because it lets him carry out his project, and the participants because with an object of lesser value they obtained something they wanted.

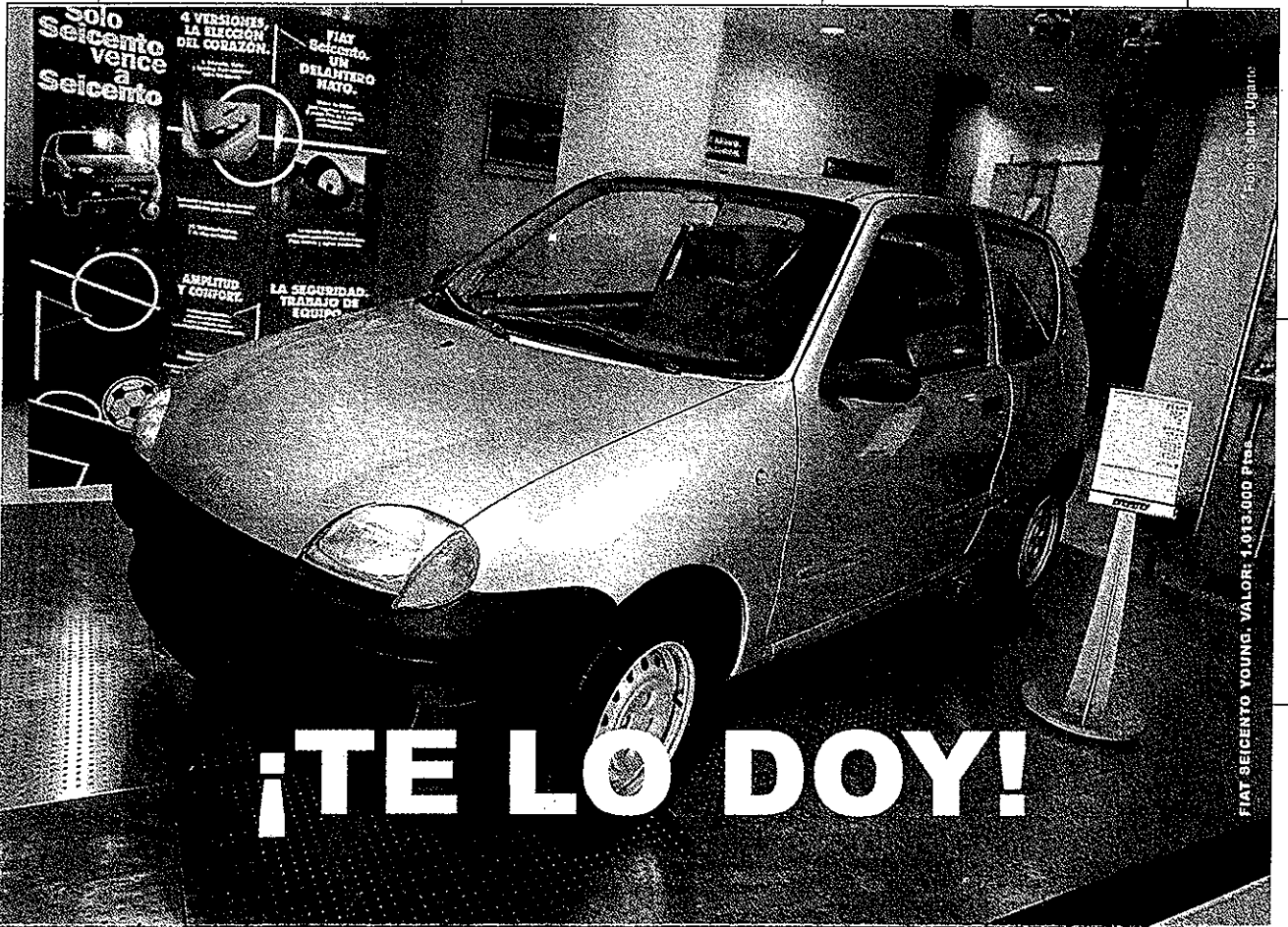
BZ: This is the metaphor. It is not that a large amount of money was spent in order to obtain a set of six blue glasses. The value added is in the construction of all this, because a lot of us have taken part in it.

FL: The final object of the great exchange has not had any interested bidders. Following the logic of the project, would it not be appropriate to decide authoritatively the status of this remaining object. Matthieu Laurette would like to leave it to another type of market to decide whether there is any interest in the object for various reasons. He is thinking about putting it up for auction on the Internet. The opening price would be the retail price of the glasses. What comments would you make about this?

JO: They're not just glasses. They're the concentration of the project that has produced them. But this would be to accept an objectification. It's not that should they be destroyed, but it's important to be very careful about what you do with the object. If they are sold as a set of glasses, then one dollar would be a reasonable price, but if they are sold as a set of glasses and the product of this project, then a reasonable price could be 10,000 dollars. Above all, what should be done with the product of this sale? The intention could be to end up with nothing. That is to say an absence of anything material as a final result. Let's imagine that the glasses sold at auction for exactly the same price as the cost of sending them to the buyer. Matthieu Laurette would end up with nothing, not even any money. Once again the market decides: 10,000 dollars or two dollars. This is interesting. To end up with nothing, everything dematerialises or we go back to the beginning. The only things that will continue to exist will be the objects that changed hands in the exchanges, that will be floating about out there.

FL: Continuing along the lines of our work with you, we have decided to copyright the concept of "El Gran Trueque" globally. Could you explain how to proceed with the copyrighting of the concept and the performance rights?

JO: The possibility of copyrighting ideas on a world-wide level exists. It's called intellectual property. Evidently, anyone who writes a book or makes a film has the performance rights over everything related to the book or film. The same applies to someone who makes a television programme or has any other idea that can be exploited. There are laws at a European level in order to protect intellectual property. Rights over ideas are covered also by the Human Rights Charter of the United Nations. The right states that whoever has an idea can profit from it and control how it is exploited. Economically it's quite straightforward. It is not expensive to register in the intellectual property register. You're given a registration number, and the idea is protected for an indefinite period without any kind of levy or charge. Anyone wanting to exploit the idea has to ask for authorisation and once granted, the artist can decide whether or not to charge for it. It is total control. Obviously, if we're talking about an object, a painting for example, physical possession would be enough. However, with something that's abstract, that transcends the material, greater protection is needed. This is different from industrial property in the mercantile register, where what is protected is the registered trademark at a national or European level. However, in the case of "El Gran Trueque" the important thing is not the name but the development of the idea. And given that everything sells, it can be sold in different ways: as an artistic project, in galleries, institutions...but also as an audio-visual commercial product in television channels, just like any other programme. As with all the American series that we see here, "Based on an original idea by Matthieu Laurette" would appear. Wherever it might be, royalties would be paid for the programme.



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FIAT SEICENTO YOUNG. VALOR: 1.013.000 Ptas.

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A CAMBIO?**

LLAMA AHORA

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EL GRAN TRUEQUE