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COMPULSORY:
ART, MEMORY, AND THE STIGMA OF
MASS INCARCERATION

by

JASON FRONCZEK
B.F.A. and B.A. University of Central Florida, 2016

A thesis submitted in partial fulfillment of the requirements
for the degree of Master of Fine Arts
in the School of Visual Arts and Design
in the College of Arts and Humanities
at the University of Central Florida
Orlando, Florida

Summer Term
2020

Major Professor: Keri Watson

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ABSTRACT

This thesis combines photography, mixed media, and installation to explore the interrelation between art, memory, and culture; specifically, as they relate to (in)visibility and the stigma surrounding mass incarceration. Things that are compulsory are obligatory; they require that we follow a rule or law, but they also may be coercive or compelling. Compulsory, therefore, is defined alternately as something that is required and something that is irresistible. These definitions imply both desire and regulation, and these forces are often internalized and self-imposed. Following these definitions and their connotations, this thesis, titled *Compulsory*, combines photography and mixed media installation to explore those things that are required whether by an institution or by one's own psyche and those things that are desirable either individually or as determined by normative values. Specifically, the works collected for this exhibition examine my personal compulsions as well as the state-mandated requirements imposed upon me by the Florida Department of Corrections during my incarceration, by Child and Family Services and the court system during my ongoing custody battle, and by University of Central Florida during my studies for this and previous degrees. These compulsory circumstances have inspired me to create work that makes the neglected visible and finds beauty in pain.

ACKNOWLEDGMENTS

First and foremost, I would like to thank God for His perfect example of what redemption should look like. I seek to promote the value of acceptance and love through my work, because I believe that despite personal failures and a rocky past, everyone deserves a second chance.

Reclaiming one's life after any major event can be a long road. I have been blessed and have surrounded myself with an amazing community; people like Marcos Carrasco, Juliet Dilenno, Carrie Dishman, Matt Duke, Eric Erdek, Boris Garbe, Michael Livera, Don Moon, Richard Munster, Doug Powell, Jamieson Thomson Thomas, Stephen Trafton, and Timothy Walker, who understand that life is not about labels and stigmas, but about connections and stories. This community also shares my passion for the arts. I am in awe of these people who have become my family, and I am excited to see the many ways we can successfully reshape the world we share.

Learning to see is a lifelong journey which can begin at any time. I was given many opportunities to develop this skill, and I am ever grateful to my Uncle, Vincent Fronczek, for planting the first photo-bug in me when I was a child. I want to thank Susan Titour for giving me my first camera after I was released from prison. Her gift not only encouraged my creative passion but modeled compassion, which now informs my artistic practice and activism.

I would like to express my deep and sincere gratitude to my committee chair, Dr. Keri Watson, Assistant Professor of Art History and Director of the Florida Prison Education Project, for showing me that the most important work I can create is always grounded by the most personal experiences. I would also like to thank the members of my thesis committee: Brooks Dierdorff, Assistant Professor, Justin Nolan, Lecturer, and Laine Wyatt, Associate Professor, whose expertise in photography in its many incarnations gave me a voice beyond printing a photograph.

I am extremely grateful to Jason Burrell, Associate Lecturer and Assistant Director and Coordinator of the MFA Studio Art and the Computer program, for standing by me as my biggest advocate and cheerleader. He was always willing to walk me up to the door and hand me the key to open it. Thank you to Wanda Raimundi-Ortiz Klotz, Associate Professor of Art, who always kept her door open and once told me "You cannot afford *not* to continue your education." Without her sage advice, I would not be here today.

I am indebted to the many teachers and professionals who have guided me to realize the most compelling work I can create is borne from experience and driven by passion. Among them are Elizabeth Brady-Robinson, Coralie Claeys-Gleyzon, Barbara Hartley, Scott Hall, Patrick

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Thank you to Lorine Cisch-Taylor and Joshua Johnson of the UCF Veterans Academic Resource Center for your kindness, support, and interest in my work. You have given me the courage to continue to share my story.

Last and most importantly, I want to thank my parents, Anthony and Judith, for always believing that I can be more than I ever dreamed possible, and my son, ValJean, for giving me the joy of watching him grow and become his own work of art.

For ValJean and Izabell

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“We all standing on the wrong side of choices.”

--Reginald Dwane Betts, 2019

During my graduate studies at the University of Central Florida, the focus of my work has been an exploration of photography and mixed media installation. My camera becomes a journal that synthesizes experience; giving priority to some experiences and letting others become forgotten. Through this lens, I create contemporary landscapes of emotion through experience. This viewpoint mimics how I understand the introspective process of reflecting on one's own experiences, a review that is myopic and oftentimes through a distorted lens. Similarly, my mixed media installations look to human experiences and what creates us as psychological beings – the countless interactions that drive and shape how we see the world and interact with one another. In my installations, I am collecting disassembled and discarded items, either donated or rescued from the trash, I reorganize and reassemble these objects to represent human interactions. Through these deconstructions and reconstructions of found objects, I create re-envisioned landscapes that I believe are worthy of inspection. The works I create become a visual diary that enables me to share my past personal experiences with institutionalization and how I have come to appreciate the mundane in life often overlooked.

My work has always involved introspection and the impulse to explore the human compulsion towards dualities, my final thesis exhibition *Compulsory* is no exception. Things that are compulsory are obligatory; they require that we follow a rule or law, but they also may be coercive or compelling. Compulsory, therefore, is defined alternately as something that is required and something that is irresistible. These definitions imply both desire and regulation,

and these forces are often internalized and self-imposed. Following these definitions and their connotations, *Compulsory* combines photography and mixed media installation to explore those things that are required – whether by an institution or by one’s own psyche – and those things that are desirable – either individually or as determined by normative values. Specifically, the works collected for this exhibition examine my personal compulsions as well as the state-mandated requirements imposed on me by the Florida Department of Corrections during my incarceration, by Child and Family Services and the court system during my ongoing custody battle, and by the University of Central Florida during my studies for this degree and for previous degrees. These compulsory circumstances have inspired me to create work that makes the neglected visible and finds beauty in pain.

The pieces collected for my final thesis exhibition explore these systems of power; communication, tension, and impact. This work explores communication by showing the viewer through layering and displaying internal components of things normally not seen or observed. These images and objects stand in as an allegory to define intention and how when we strip away labels and preconceptions we are allowed to see the inherent good and beauty of what or who we are observing. Secondly, this work explores the tension between what is seen and what is unseen and taken together they operate as a self-portrait. The dichotomy which lies within this body of work discusses not only what is visible and invisible, but also the process that brought us to the present state through unwrapping the layers. This exploration of the internal represents a sense of self-analyzing, which in turn fuels growth. Finally, *Compulsory* explores the impact by exposing my truth by using personal court documents and laying bare my process of dealing with my past, through my photography I am showing the journey both figuratively and literally, and by

arranging my collections of redeemed trash I am recreating my own experiences in a relatable manner. As a formerly incarcerated person, I have felt the stigma and bias that pushes many returning citizens back into prison. Faced with discrimination and residual punishment, it is difficult to find housing and work. When I completed my prison sentence, I discovered that most people were too busy to see me as a returning citizen and individual, instead they only saw me as a “felon” and an “ex-convict.” Insurance companies dictate policies for landlords and employers that created barriers to my finding housing and work. I had to wait seven years after the completion of all the terms of my sentence before I could rent an apartment or house. My experiences as a returning citizen left me feeling ignored as an individual and only defined by my past mistakes making it difficult for me to find my potential. The experience of incarceration changed me, yet the legal system at large and society in general tend not to allow or acknowledge the changes that I have demonstrated. These ideas and experiences led me to create work that shows the impact of incarceration on my life.

It is the past from which I have grown and unless I am afforded an opportunity to demonstrate my capabilities, my abilities become stunted. As I examined my own biases and reflect on how I have perceived the biases of others against me I can begin to understand how I can move past these preconceptions and begin to accept others for who they are in the present rather than only seeing them through the lens of their past mistakes. These ideas are explored in *Bits and Pieces*, *Home*, and *Compulsions*, which work together through a semiotic relationship to challenge invisibility. *Bits and Pieces* explores the ways in which the camera makes some things visible but inherently leaves others invisible. *Home* looks inside the items we deem

worthless and shows us the unseen possibilities lying dormant in the discarded, and *Compulsions* exposes how we use our biases to classify things and people.

Bits and Pieces is comprised of two photographs of camera parts arranged on a cutting mat, a handmade book, and a developing tray filled with camera parts (Figure 1). The photograph on the left depicts a disembodied camera lens displayed on the cream-colored cover of a handmade book. Reminiscent of a scene from Dziga Vertov's *Man with a Movie Camera* (1924), the lens' placement – as if the title of the book, or the left eye of a face formed by the book's blank cover – causes the composition to act as an object portrait in which the camera's



Figure 1. Jason Fronczek, *Bits and Pieces*, 2020. Inkjet photograph, handmade book, developing tray, camera parts. 20 x 24 inches (50.8 x 60.96 cm).

lens is central to the conveyance of meaning (Figure 2). Below the photograph, the actual book, slightly modified with the lens now askew, is displayed. As Vertov said, “I am kino-eye, I am a mechanical eye. I, a machine, show you the world as only I can see it. Now and forever, I free myself from human immobility, I am in constant motion” (14). The image on the right depicts a collection of camera-parts, circuit boards, view-screens, and sensors. The inner components of



Figure 2. Dzigo Vertov, *Man with a Movie Camera*, 1929. Film Still.

the camera are laid out, ordered, and arranged. All the necessary parts of the camera that are usually unseen are now visible. What is no longer visible is the camera, and although anchored by a developing tray (both in the photographic image and physically in the space of the installation), the dissected cameras and their many parts cannot render any images. Yet, when viewed together, the installation's components challenge both Vertov's assertion that the mechanical eye makes the world visible and the human impulse to classify. Technology and classification systems obscure and obfuscate as readily as they illuminate. Through the collection of these photographs and objects, I seek to explore the role of the photograph and photographer in contemporary society. Cameras and photographs are everywhere, yet so much goes unseen.

Bits and Pieces seeks to expose the duality and tension between the seen and unseen. This work investigates the futility of the mechanical objects we amass in an effort to better understand the world and the disjunction between what these optical devices can represent and the reality that is the object of that representation. In *A Course in General Linguistics*, Ferdinand Saussure (1966) states "Language is a system of signs that express ideas, and is therefore comparable to a system of writing, the alphabet of deaf-mutes, military signals, etc. But it is the most important of all these systems. A science that studies the life of signs within society is conceivable it would be part of social psychology and consequently of general psychology; I shall call it semiology (from Greek, semeion "sign") Semiology would show what constitutes signs, what laws govern them." (p. 16) *Bits and Pieces* then operates on this level of semiology and stands as an artistic visual exercise of free association with linguistic understanding of deeper psychological concepts. Saussure later expands his proposition of linguistics, "I propose to retain the word sign [signe] to designate the whole and to replace concept and sound-image

respectively by signified [singifie] and signifier [signifiant]; the last two terms have the advantage of indicating the opposition that separates them from the whole of which they are parts.” (p. 67) So with this understanding of the relationship between the parts of comprehension and communication, *Bits and Pieces* becomes the sign which display the first step to understanding the duality and tension between the seen and unseen.

A companion to *Bits and Pieces*, *Home* is a mixed media installation that centers around a workbench (Figure 3). Littered with broken cameras, computers, and home electronics – all objects considered at one point to have value – *Home* offers discarded objects new life. Reminiscent of the materials sorted and organized to create *Bits and Pieces*, but without the same sense of structure, *Home* presents viewers with a chaotic space full of possibilities where the discarded are given new life and the idea of value is explored. A workbench acts as the foundation to this installation piece representing space in which a person might occupy. The collections are part casually and part obsessively arranged to emulate how I have found myself making sense of the world as it relates to my past choices. This system then becomes the signifier, or the object being discussed, showing the second step to understanding this installation in three parts. As a representation of life, these formerly discarded objects have been retrieved from the trash and given a second chance to become something again deemed useful and worthy. Looking back into their histories, all of these objects were once valued and coveted. It is important to note here that just because something may cease to function as expected it does not render the object – or the personhood as represented by the object in this work – worthless. Through my collections and reassemblage of these once valued objects I show that anything can retain value – even if that value needs to be redefined.



Figure 3. Jason Fronczek, *Home*, 2020. Workbench, jars, found objects, electronics, 72 x 36 x 84 inches (182.88 x 91.44 x 213.36 cm).

Home then is a study in communications; cameras, computers, and other supportive electronic devices are all used to communicate daily. This work also symbolizes the unique relationships I have with others; through work, school, church, teaching, social, etc... These encounters are processed and assigned value to how I perceive they have helped or hindered my growth. Yet as I analyze even the hinderances, I come to realize these encounters are equally beneficial to my growth and in most cases pointing me in a positive direction to assist others in stepping past their own histories.

The final piece in this series, *Compulsions* is comprised of an ordered installation of collections (Figure 4). Using jars, found objects, toys, disassembled cameras, computers, and small electronics, I deconstructed various components and separated them by loose association, placing similar items into sorted jars. The glass jars represent the structures and institutions of society, while the objects inside them symbolize the way people and populations are sorted, labeled, and classified. The jars are arranged in clusters, mimicking the various hierarchies that exist within cultural institutions. In *Discipline and Punish*, Michael Foucault argues that a hallmark of modernity is the desire to classify and categorize. As he writes, “Discipline sometimes requires *enclosure* . . . it is the protected place of disciplinary monotony. There was a great ‘confinement’ of vagabonds and paupers . . . there were the *collèges* or secondary schools . . . there were the military barracks” (Foucault, 141). As Foucault makes clear, modern society organizes people into systems of discipline and punishment and these hierarchical systems keep



Figure 4. Jason Fronczek, *Compulsions*, 2020. Shelves, jars, found objects, electronics, 72 x 10 x 84 inches (182.88 x 25.4 x 213.36 cm).

people in their assigned societal roles. *Compulsions* is then the direct manifestation of the signified idea and concept of Foucault's classification system. The system has sorted the objects, but the viewer has the power to decide if the contents of the jars have value – if they are worth seeing. *Compulsions* asks the viewer to become the jailer or prison guard.

Conceptually, *Bits and Pieces*, *Home*, and *Compulsions* work together to explore the relationship between objects and photography and to establish a system where the film, camera, and development process create connections between perception and understanding. These pieces are reminiscent of Joseph Kosuth's conceptual interrogation of ontology and semiotics in *One and Three Chairs*, which questions our idea of what makes a chair as an object, definition, and mimetic representation (Figure 5). *Bits and Pieces*, as a photographic diptych and installation of its referents, acts as the sign, *Home*, an installation of unsorted parts and pieces of cameras and other discarded technology, performs the role of the signifier, and *Compulsions*, as an installation of sorted fragments of mechanical parts, operates as the signified. Together they work together to make the invisible seen and give new life to the unseen and oft neglected.



Figure 5. Joseph Kosuth, *One and Three Chairs*, 1965. Wood folding chair, mounted photograph of a chair, and mounted photographic enlargement of the dictionary definition of "chair", Chair 32 3/8 x 14 7/8 x 20 7/8" (82 x 37.8 x 53 cm), photographic panel 36 x 24 1/8" (91.5 x 61.1 cm), text panel 24 x 24 1/8" (61 x 61.3 cm). Larry Aldrich Foundation Fund.

The Museum of Modern Art

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This investigation of the visible and invisible informed my artistic process in creating *Details from Life*, which includes three photographs that represent what we do not consciously see. For these images, I employed a process that combines expired and found film and scratched and pitted lenses on sometimes faulty cameras to create a mixed range of exposures. The images in *Details from Life* investigate our perception of motion and time, specifically the awe that accompanied my experience of everyday activities after I was released from prison. Photography for me became the metaphor for the systems of power; as the photographer, I employ photography to categorize the world turning the photographs into the measure of these studies. The camera controlled by the photographer and its function is mastered to bring images into a space to be critiqued. (The critique is also a system where one learns to communicate). By layering multiple exposures of a similar subject, in this case a daily commute, I created images that explore the beauty in the banality of life. By using a malfunctioning camera – one that does not automatically wind, or skips on winding, or was intentionally not wound fully – I created images that were layered and stretched over one another, that blurred the captured moment. Inspired by Uta Barth’s *In Between Spaces* (2000), in which she investigates the nature of perception, where the “epistemological importance of such formal qualities as lighting and composition becomes astoundingly evident” (Siegel, 1), *Details from Life* explores the apparatus by which we attempt to capture a journey (Figure 6). Centered on the landscape as portrait, *Details from Life* captures the monotonous repetition of life in a single exposure. This exposure also acts as a semiotic representation of the ways in which we frame our (mis)understandings of one another. By printing the resulting images at twelve by eighteen inches – an enlargement of the typical four-by-six aspect ratio – and then printing these exposures on canvas, I am

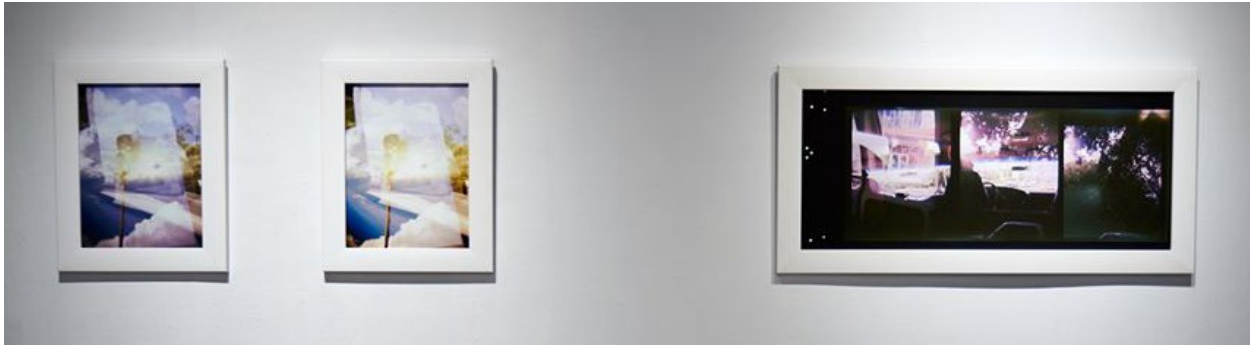


Figure 6. Jason Fronczek, *Details from Life*, 2019. Inkjet prints on canvas, 12 x 18 inches (30.48 x 45.72 cm) each and 18 x 42 inches (45.72 x 106.68 cm).

challenging and reaffirming the notion of what a photograph is and how it operates. By framing the canvases in wider frames traditionally associated with photographs, the notion of the snapshot is reintroduced, but on a larger scale that immortalizes the moment. In *Why Photography Matters as Art as Never Before*, Michael Fried recalls a conversation between Gustav Janouch and Franz Kafka, in which Janouch contends, “‘In order to see a photograph well, it is best to look away or close your eyes.’ To this Kafka replies, ‘We photograph things in order to drive them out of our minds. My stories are a way of shutting my eyes’” (102). Similarly, *Details from Life* uses photography to investigate what is seen and what is missed through repetition and failure. As a photographer, I seek to open a dialog with the viewer to expose them to what they may not see and reflect upon the ways our personal biases and positionalities impact our relationships with one another. The faded and imperfect images from the expired film ask viewers to consider which moments we choose to document and capture and which we leave to fade away.

A secondary semiotic relationship found in *Details from Life* addresses how I have seen people presenting themselves. Social media has provided a unique platform where we are able to show the world something about ourselves, an image carefully curated and edited. The two images on the left operate as the presenter and the presented. Again, this series employed damaged film, lenses, and cameras which symbolizes the unique perspective each one of us holds when approaching life. It is with this in mind that these images were created. A curated and edited social media presence may only show a clean and pleasant experience, this neglects to allow an intended viewer to observe the presenter for who they are. This omission of

reality is harmful and creates an unrealistic bar for society to live up to, conversely, the presenter who shows their flaws then becomes more relatable.

This investigation of memory, time, and space is also apparent in *The Thin Line*, a series of long-exposure drive-by landscape photographs taken while traveling (Figure 7). By placing the camera against the window, I captured the vehicle's vibrations, and by using a neutral density filter, I blocked the light from overexposing the image. The resulting images were cropped and

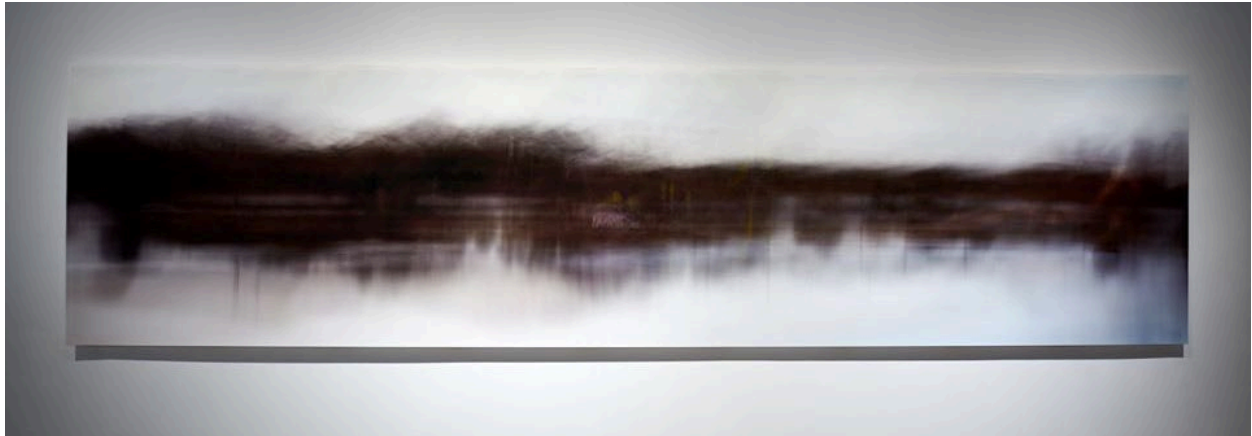


Figure 7. Jason Fronczek, *The Thin Line*, 2020. Inkjet photograph on matte paper, 179 ½ x 44 inches (455.93 x 111.76 cm).

printed at large-scale, largely in response to work by artists such as Andreas Gursky, whose photographs, as Michael Fried argues, “Anticipates various laterally extended works of the 1990s and after” (156), and Jay Mark Johnson, whose slit-scan photographs emphasize time over space (Figures 8 and 9). Similarly, *The Thin Line* investigates movement and alludes to the stretching of time. Through the manipulation of the image, both in creation and post-production, I explore



Figure 8. Andreas Gursky, *Utah* (Edition of 6), 2017. Inkjet-print and Diasec, 88 4/5 × 180 1/5 × 2 2/5 inches (225.6 × 457.6 × 6.2 cm), Sprueth Magers, Berlin, Germany.
© Andreas Gursky, VG BILD-KUNST, Bonn.



Figure 9. Jay Mark Johnson, *Carbon Dating #1, Hazard, Kentucky*, 2008. Durst Lambda print, film on aluminum, 192 x 40 inches (487.68 x 101.6 cm), Phoenix Art Museum, Phoenix, Arizona.

the idea of missed moments and opportunities. No matter how hard we try, there is always something we miss – even when we are actively looking. Furthermore, this piece explores the limits of photography by testing how motion can represent time. Simultaneously frenzied and still, worldly and ethereal, the resulting landscapes contain more than is immediately recognizable.

Details from Life and *The Thin Line*, which operate as portraits of the landscape, inspired me to create *Silver Linings*, a portrait of my son, and *Breaking the Clouds*, a self-portrait (Figures 10 and 11). Each piece contains five large-scales images and were created by layering images and documents. *Silver Linings* was created out of scanned, printed, and redacted documents related to my felony conviction, whereas *Breaking the Clouds* features documents related to my custody battle for my son. For each piece, I ran redacted documents through a photocopier to create a partially unreadable text. I then imported the resulting images into Photoshop to manipulate them with a layering effect. The result was a collection of images with just enough information showing through to convey meaning. By overlaying and obscuring the documents, copying multiple documents onto one page and enlarging the prints, I created the desired overwhelming effect and represented the power these documents hold over my life.



Figure 10. Jason Fronczek, *Silver Linings*, 2019. Inkjet on semi-gloss paper, 30.25 x 36.5 inches (76.835 x 92.71 cm) each.



Figure 11. Jason Fronczek, *Breaking the Clouds*, 2020. Inkjet on semi-gloss paper, 30.25 x 36.5 inches (76.835 x 92.71 cm) each.

Inspired by both Mary Kelly's *Post-partum Document* and Glenn Ligon's *Mirror 12*, specifically the ways in which they used documents and their redaction to explore the complicated nature of human and familial relationships, *Breaking the Clouds* and *Silver Linings* examine my complicated relationship with both the legal system and my son (Figure 12). These series contain both a self-portrait and a portrait of my son to visualize how we are each system-impacted and manipulated by institutional processes beyond our control. These pieces also employ text and other elements from official documents scanned into the filing's record that



Figure 12. Glenn Ligon, *Mirror #12*, 2006, Acrylic, silkscreen, and coal dust on canvas, 84 x 60 inches (213.4 x 152.4 cm); © Glenn Ligon; Courtesy of the artist, Hauser & Wirth, New York, Regen Projects, Los Angeles, Thomas Dane Gallery, London and Chantal Crousel, Paris.

represent the multi-layered systems of power, such as courts, prisons, schools, universities, and hospitals, that dictate so much of our lives. In one print the overlaid text alludes to a fingerprint. In another, mailing labels represent cell bars. In another, medical records are referenced. The profile portrait resembles a mugshot, a document used to identify a person who has been investigated by the criminal justice system. As Foucault notes, “The power to punish is not essentially different from that of curing or educating. . . . We are in the society of the teacher-judge, the doctor-judge, the educator-judge, the ‘social worker’-judge; it is on them that the universal reign of the normative is based” (304). These object portraits show the unseen and overwhelming impact of being brought before a ruling authority and the feeling of helplessness that accompanies having all your choices made for you by someone else. In the portraits I am investigating the isolation that accompanies dependency on the judgments of a hierarchical and legalistic system.

These series convey trials, both figuratively and literally. The process of being investigated and preparing for a trial to determine one’s fate is staggering. Trials are designed to decide the best recourse for everyone involved, but sometimes this is not the case. For example, after my felony conviction and subsequent sentencing, I was faced with how to proceed as a branded person. During my involvement with a custody case or after a Department of Children and Families investigation, my son now has a system dictating his best interests. Even in a best-case scenario, he has been entangled in a dispute that could have lasting effects on his psychological development. My time at university has crafted my thinking to show both my competence and my ability to socialize, thereby becoming a readmittance into society.

Taken together, the works exhibited in *Compulsory* operate as a system that initiates a dialogue on time, memory, loss, classifications, and stigmatization. Through the camera's lens, I reflect on the ontology of photography, the landscape as portrait, and time as a function of space. Through mixed media installations I explore what makes us human. Collecting disassembled and discarded items, whether old film and cameras, sensors and lenses, toys and acorns, or court papers, I reorganize and reassemble used objects to represent human interactions. Through these deconstructions and reconstructions, I re-envision landscapes and draw attention to those who are often overlooked. It is my hope that my installations and photographs may inspire viewers to consider that even when something may appear to be one thing, that by taking a second look, they may see something new -- failures may become successes and discarded objects may be given new life. As poet and returning citizen Reginald Dwayne Betts says, "We all standing on the wrong side of choices" (7). As an artist, I wish to create work that inspires hope and that creates opportunities for new choices. In turn, I hope the viewer is inspired to imagine how they can relate to others and open their eyes to what can and should be seen.

APPENDIX A:
PUBLIC DOMAIN NOTICE, DZIGA VERTOV



- Main page
- Welcome
- Community portal
- Village pump
- Help center
- Language select
- English
- Participate
- Upload file
- Recent changes
- Latest files
- Random file
- Contact us
- Print/export
- Download as PDF
- Tools
- What links here
- Related changes
- Special pages
- Permanent link
- Page information
- Cite this page
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File:Man With A Movie Camera (Dziga Vertov, 1929).ogv

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Man_With_A_Movie_Camera_(Dziga_Vertov,_1929).ogv (Ogg Theora video file, length 1 h 6 min 49 s, 400 x 300 pixels, 516 kbps)

File information Structured data

Captions [Edit](#)

English

Summary [\[edit \]](#)

Description	English: The complete 1929 movie "Man with a Movie Camera" by Dziga Vertov.
Date	1929
Source	Full movie at the Internet Archive d?
Author	Dziga Vertov (1895–1954)   
Other versions	File:Man With A Movie Camera (Dziga Vertov, 1929).webm

Licensing [\[edit \]](#)

This work is in the **public domain in Russia** according to article 1281 of Book IV of the Civil Code of the Russian Federation No. 230-FZ of December 18, 2006 and article 6 of Law No. 231-FZ of the Russian Federation of December 18, 2006 (the Implementation Act for Book IV of the Civil Code of the Russian Federation) ([details](#)).

Usually:^[1]


- The author of this work died before January 1, 1942.
- The author of this work died between January 1, 1942 and January 1, 1946, did not work during the [Great Patriotic War \(Eastern Front of World War II\)](#) and did not participate in it.
- This work was originally published anonymously or under a pseudonym before January 1, 1943 and the name of the author did not become known during 50 years after publication.
- This work was originally published anonymously or under a pseudonym between January 1, 1943 and January 1, 1946, and the name of the author did not become known during 70 years after publication.
- This work is non-amateur cinema or television film (or shot, or fragment from it), which was first shown between January 1, 1929^[2] and January 1, 1946.

This work is in the **public domain in the United States**, because it was in the public domain in its home country (Russia) on the [URAA](#) date (January 1, 1996), and it wasn't re-published for 30 days following initial publications in the U.S.

^[1] If the author of this work was subjected to repression and [rehabilitated](#) posthumously, countdown of copyright protection began not from the death date, but from the rehabilitation date. If the work was first published posthumously, the copyright term is counted from the date of that first publication, unless the author was later rehabilitated, in which case it runs again from that later rehabilitation date.

^[2] Cinema films first shown before January 1, 1929 are subjects of points 1 and 2 of this template.

APPENDIX B:
IMAGE RELEASE, JOSEPH KOSUTH

From: **Lori Zajkowski** LZajkowski@arsny.com 
Subject: Dissertation - Joseph Kosuth's Three Chairs
Date: March 19, 2020 at 6:02 PM
To: Jason Fronczek Jason.Fronczek@ucf.edu



Dear Jason,

Thank you for your inquiry. Per your provided details (¼ page use, online distribution only), we will be able to provide gratis permission due to the nature of the publication. Please send me the URL where your thesis (for undergrad, a Masters, or a PhD?) will be uploaded and the date when it will appear.

It's requested that you use only MoMA's photographic material for this work, which is available through Art Resource. Please contact Joyce Faust there jfaust@artres.com and she will be able to help you.

Please let me know if you would like to proceed and I will send you a draft invoice/authorization.

With best regards,

Lori



Lori Zajkowski
Licensing Executive
Artists Rights Society, 65 Bleecker St, 12th fl, New York, NY 10012
(P) 1.212.420.9160 (F) 1.212.420.9286 (E) lzajkowski@arsny.com
www.arsny.com

ARS is proud to support the work of over 122,000 member artists worldwide.



From: Squarespace <no-reply@squarespace.info>
Sent: Tuesday, March 17, 2020 3:37 PM
To: Artists Rights Society <info@arsny.com>
Subject: Form Submission - Request to Clear Rights | Please note that starred fields are required and we cannot process incomplete requests.

Contact Information: Jason Fronczek

Billing Address: 1258 Arlington Place, Winter Park, FL 32789 USA

Email Address: jason.fronczek@ucf.edu

Telephone Number: 4073750749

Type of Publication: Other (please specify in last field below)

Title of Publication: Compulsory: Art, Memory, and the Stigma of Mass Incarceration

Publisher: University of Central Florida Libraries

Preview copy
INVOICE

INA0635224

Page 1 of 2

To : University of Central Florida
Jason Fronczek
4000 Central Florida Blvd
Orlando, FL 32816

Date : 03/31/2020
Due Date : 04/30/2020

Currency : USD Rate : 1

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Reference : Master's Thesis:

Item	Description	Quant.	Unit Cost Net	Discount/ Surcharge	Total Net	Tax Rate
1	ART 164035 thesis use Kosuth, Joseph (1945-) © ARS, NY. One and Three Chairs. 1965. Wood folding chair, mounted photograph of a chair, and mounted photographic enlargement of the dictionary definition of "chair", Chair 32 3/8 x 14 7/8 x 20 7/8" (82 x 37.8 x 53 cm), photographic panel 36 x 24 1/8" (91.5 x 61.1 cm), text panel 24 x 24 1/8" (61 x 61.3 cm). Larry Aldrich Foundation Fund. The Museum of Modern Art Digital Image © The Museum of Modern Art/Licensed by SCALA / Art Resource, NY	1	30.00		30.00	

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6. All rights not specifically granted herein to recipient are reserved to ART RESOURCE.

a. Recipient agrees that the above terms are made pursuant to Article 2 of the UNIFORM COMMERCIAL CODE and agrees to be bound by same.

B. Copyrightability of Photos of Works of Art

1. The seminal finding in Anglo-Saxon jurisprudence is the *Graves Case*. In it, Judge Blackburn held that "The distinction between an original painting and its copy is well understood...all photographs are copies of some objects, such as a painting or a statue. And it seems to me that a photograph taken from a picture is an original photograph, in so far that to copy it is an infringement of the Copyright Act." (*Graves Case*, 1869, L.R. 4 Q.B. 715).
2. In the U.S., the eminent American jurist, Learned Hand, held that "no photograph, however simple, can be unaffected by the personal influence of the author. Nevertheless, he went further by saying "photographs are protected without regard to the degree of personality which enters into them." [*Jeweler's Circular Pub Co. v. Keystone Pub Co.*, 274 F.932, 934 (S.D. N.Y., 1921)].
3. In a more recent case, *Masterson Marketing, Inc. v. Lucas Int'l, Inc.*, adjudicated in 2008 (2008 WL 557412, p. 16 (S.D. Cal. 2008)), Judge Hand found "Plaintiff selected the angle, arrangement of the... lighting, and background for each photograph. The presence of these factors in a photograph generally supports a finding of originality sufficient to support a copyright."

4. In the 2011 case of *Salvator Mundi LLC v. Laura Saffa and Sean Brothers*, the court held that plaintiff owns a valid and protectable copyright in a digital photographic interpretation of the restored painting *Salvator Mundi*. "Defendant agrees that the copying, distribution and public display of the photographic work violates plaintiff's exclusive rights in the photographic work as provided in 17 U.S.C. 106 et seq, and infringes plaintiff's rights pursuant to 17 U.S.C. 501 et seq (2011) CIV. Action 1:2011 CVO 05404"

5. It is also worth emphasizing, that ART RESOURCE and most museums license images of works of art under an explicit contract which creates an obligation on the user, in addition to and separate from that of copyright. The agency or museum lends a transparency or releases a high-resolution digital file for reproduction usually for a one-time specified use at a set fee, thus constituting a contract. Once reproduced, the user is expected to return the transparency or to delete the digital file.

B. Restrictions As To Use of Photographs and Digital Files

Recipient agrees not to sell, sublicense, re-license, rent, or lease any Photographs and/or digital files, or any material derived from the Photographs and/or digital files, either in whole or in part, or to otherwise make any advertising or commercial use of the Photographs and/or digital files, or any material derived from the Photographs and/or digital files, except as expressly agreed in writing by Art Resource. Without limiting the foregoing, recipient agrees that it will not: (a) archive, republish or transmit any of the Photographs and/or digital files by any method without ART RESOURCE's prior written consent; (b) copy or publish any of the Photographs and/or digital files to a network or bulletin board, or otherwise distribute or allow any of the Photographs and/or digital files to be distributed to or used by anyone other than as permitted hereunder, without the prior written consent of ART RESOURCE; (c) use the Photographs and/or digital files to promote a business that sells or licenses Photographs and/or digital files, or otherwise competes with ART RESOURCE in any manner; and (d) use the Photographs and/or digital files in any manner that would discredit or disparage Art Resource or the owner of the Photographs and/or digital files.

D. Indemnity

Recipient agrees to indemnify and hold ART RESOURCE, and the owner of the Photographs and/or digital files, harmless from any and all claims, liabilities, damages, costs and expenses, including reasonable attorney's fees, arising from recipient's use of a Photograph and/or digital file or any breach of this agreement. Any additional rights, consents or permissions as may be required must be cleared in advance by the recipient.

E. LIMITATION OF LIABILITY

Under no circumstances shall ART RESOURCE or the owner of the photographs and/or digital files be liable for any direct, incidental, consequential, indirect or punitive damages from recipient's access or use of the photographs and/or digital files. In any event, the limit of liability of ART RESOURCE and the owner of the photographs and/or digital files shall be the fee paid by recipient for use of the photographs and/or digital files.

F. Dispute or Claims Arising Out of Submission and/or Use

Any and all disputes arising out of, under or in connection with this agreement, including, without limitation, the validity, interpretation, performance and breach hereof, shall be settled by arbitration in New York City, New York, pursuant to the rules of the American Arbitration Association. Judgment upon the award rendered may be entered in any court having jurisdiction. This agreement, its validity and effect, shall be interpreted under and governed by the laws of the State of New York. If recipient is an agent for or an employee of a non-U.S. company that operates in a place of business in the United States or its territories or in Canada, recipient expressly agrees that any dispute regarding this agreement shall be adjudicated within the United States in the manner described here.

G. MISCELLANEOUS

This agreement is not assignable or transferable by recipient.

ARTISTS RIGHTS SOCIETY

INVOICE/AUTHORIZATION

To:	Jason Fronczek 1258 Arlington Place Winter Park, FL 32789	Invoice:	AR2INV706
Attn:	Jason Fronczek	P.O.:	
Email:	jason.fronczek@ucf.edu	Date:	04/20/2020
		Federal ID:	B-3405268
Project:	Masters Thesis		
Re:	Artists rights permission; per your request		

The grant of rights is contingent upon payment of fees. Please see last page for applicable laws.

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Joseph Kosuth, "One and Three Chairs," 1965
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CREDIT:

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TOTAL AMOUNT: 0.00

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LAWS PERTAINING TO THE RIGHTS OF ARTISTS

EXCLUSIVE RIGHTS OF COPYRIGHT OWNERS

"The owner of a copyright under this title has the exclusive rights to do and to authorize any of the following:

- (1) To reproduce the copyrighted works in copies or phonorecords.
- (2) To prepare derivative works based upon the copyrighted work."
- (3) The 1976 Copyright Act, S. 106 (Title 17 U.S.C. 90 Stat. 2541 et seq. Public Law 94-553)

OWNERSHIP OF COPYRIGHT AS DISTINCT FROM OWNERSHIP OF MATERIAL OBJECT

"Ownership of a copyright, or of any of the exclusive rights under a copyright is distinct from ownership of any material object in which the work is embodied. Transfer of ownership of any material object, including the copy or phonorecord in which the work is first fixed, does not of itself convey any rights in the copyrighted work embodied in the object; nor, in the absence of an agreement, does transfer of ownership of a copyright or of any exclusive rights under a copyright convey property rights in any material object."

-The 1976 Copyright Act, S. 202

"The copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object." -The 1909 Copyright Act, S.22

"Whenever a work of fine art is sold or otherwise transferred by or on behalf of the artist who created it, or his heirs or personal representatives, the right of reproduction thereof is reserved to the grantor...unless such right is sooner expressly transferred by an instrument, note or memorandum in writing signed by the owner of the rights..." -1966 New York General Business Law, S.224, Art. 12-E

COMMENTARY:

"Even if the museum owns a painting, bought at great expense, it does not hold the copyright in the painting unless it is specifically transferred by the artist. The museum may believe erroneously that ownership of the object includes ownership of the copyright and therefore the right to reproduce the work on a poster or postcard for sale in the museum shop. Many museums make this error...by failing to separate conceptually ownership of the copyright from ownership of the material object. But the museum, absent a specific grant, no more owns the copyright in the painting than if it were to acquire the copyright in a literary work by buying a paperback book at a bookstore. - Copyright and the Art Museum, Berkowitz and Leifer, 8 Art & Law, 249 ff. (1984) Feldman, Weill & Biederman (Boston: Little Brown & Co.), 1986, vol.1 p. 132

INFRINGEMENT

"Anyone who violates any of the exclusive rights of the copyright owner as provided by section 106...is an infringer of the copyright."

-The 1976 Copyright Act, S. 501(a)

- (a) Any person who infringes a copyright willfully and for purposes of commercial advantage or private financial gain shall be punished as provided in section 2319 of title 18.
- (b) When any person is convicted of any violation of subsection (a), the court in its judgment of conviction shall, in addition to the penalty therein prescribed, order the forfeiture and destruction or other disposition of all infringing copies or phonorecords and all implements, devices, or equipment used in the manufacture of such infringing copies or phonorecords." -The 1976 Copyright Act, S. 506, ss(a) & (b)

CASE LAW:

"Innocent intent, although relevant to questions of remedy, will not be a defense to actions for statutory copyright infringement." -Beck v. Jewell La Salle Realty Co. 233 U.S. 191, 198 91930)

"Intention to infringe is not essential under the act." -Plymouth Music Co. v. Magnus Organ Corp., 456 F Supp 676 (S.D. N.Y. 1978)

THE BERNE CONVENTION FOR THE PROTECTION OF LITERARY AND ARTISTIC WORKS

"The protection of this Convention shall apply to: (a) authors who are nationals of one of the countries of the Union, for their works, whether published or not," -Article 3, S.1.

"The enjoyment and the exercise of these rights shall not be subject to any formality..." -Article 5, S.2

"Authors of literary and artistic works protected by this Convention shall have the exclusive rights of authorizing the reproduction of these works, in any manner or form." -Article 9, S.1.

"This Convention shall apply to all works which, at the moment of its coming into force, have not yet fallen into the public domain in the country of origin through the expiry of the term of protection." -Article 18, S.1.

"The Preceding provisions shall also apply in the case of new accessions to the Union..." -Article 18, S.4

THE UNIVERSAL COPYRIGHT CONVENTION

"This convention shall not in any way affect the provisions of the Berne Convention for Protection of Literary and Artistic Works or membership in the Union created by that Convention."

-Article XVII, S. 1

"The Universal Copyright Convention shall not be applicable to the relationships among countries of the Berne Union insofar as it relates to the protection of works having as their country of origin, within the meaning of the Berne Convention, a country of the International Union created by the said Convention," -Appendix Declaration relating to Article XVII, S. (b)

COPYRIGHT RESTORATION

-U.S. Copyright Code (Title 17) as amended by the Uruguay Rounds Agreement Act (URAA), S514, effective January 1, 1996.

IOAA. Copyright in restored works.

"(a) AUTOMATIC PROTECTION AND TERM-

"(1) TERM.

"(A) Copyright subsists in accordance with this section in restored works, and vests automatically on the date of restoration.

"(B) Any work in which copyright is restored under this section shall subsist for the remainder of the term of copyright that the work would have otherwise been granted in the United States if the work never entered the public domain in the United States.

"(b) OWNERSHIP OF RESTORED COPYRIGHT - A restored work vests initially in the author or initial rightsholder of the work as determined by the law of the source country of the work.

In the definitions section of the Act, the term *restored work* is defined in the following fashion:

"(6) the term 'restored work' means an original work of authorship that -

"(A) is protected under subsection (a),

"(B) is not in the public domain in its source country through expiration of the term of the protection.

"(C) is in the public domain in the United States due to

"(1) noncompliance with formalities imposed at any time by United States copyright law, including failure of renewal, lack of proper notice, or failure to comply with any manufacturing requirements;.


STATE MORAL RIGHTS LAW

A number of U.S. States, including California, New York, and Massachusetts have enacted artists moral rights laws. A provision of the New York Act follows.

"...No person other than the artist or a person acting with the artist's consent shall knowingly display in a place accessible to the public or publish a work of fine art...or a reproduction thereof in an altered, defaced, or mutilated or modified form..."

-New York Arts and Cultural Affairs Law S. 14.03 (McKinney Supp. 1986)

APPENDIX C:
IMAGE RELEASE, ANDREAS GURSKY

From: Annette Völker av@spruethmagers.com 
Subject: Fwd: Image release for thesis inclusion
Date: March 18, 2020 at 6:25 AM
To: Jason Fronczek Jason.Fronczek@ucf.edu



Dear Jason Fronczek,

Thank you for your inquiry.

Normally we do not process image requests in-house, but for educational purposes like thesis inclusions it would be fine to use the image, as long as a maximum resolution of 1600 pixels (longest side) is not exceeded. Please note the general terms attached to this email (amongst others filesaving and distributing of image files are not allowed).

With kind regards,
Annette Völker

Sprueth Magers
Cologne Office
Hebbelstr. 93
50968 Cologne - Germany
tel. +49.221.937297514
fax. +49.221.937297517
av@spruethmagers.com
www.spruethmagers.com

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Von: Jason Fronczek <Jason.Fronczek@ucf.edu>
Betreff: Image release for thesis inclusion
Datum: 17. März 2020 um 20:19:08 MEZ
An: "info@spruethmagers.com" <info@spruethmagers.com>

Good day, I am an MFA student at the University of Central Florida and would like to use an image of a photograph by Andreas Gursky, *Utah* (Edition of 6) 2017, for my e-pub distributed thesis. This image is listed as being in the collection of the Sprueth Magers.


The thesis would be published for reference in the university catalog only in e-pub format. (See link for more distribution info at <https://guides.ucf.edu/c.php?g=78534&p=509264>)

Respectfully;

Jason Fronczek
jason.fronczek@ucf.edu

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(modified)**

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- (2) The published photographs must be labelled with the following note of authorship/copyright: **Andreas Gursky, VG BILD-KUNST, Bonn**. This note must be placed either below or next to the photograph.
- (3) Upon publishing the photographs, you must send Andreas Gursky two complimentary copies of the publication in which the photographs appear.
- (4) The digital process of filesaving Andreas Gursky's photographs for archival purposes is strictly forbidden, as is any kind of distribution to a third party. The only exception is the transmission of print data to the operating print office for the said publication.
- (5) No later than 30 days after making use of the digitalized data the user must delete it completely from the company hard disk or from any external databases. Any conventional duplicates or photographic reproductions must be returned to Andreas Gursky.
- (6) Images of works by Andreas Gursky may only remain within the written thesis in e-pub format indefinitely located on the University of Central Florida Showcase of Text, Archives, Research & Scholarship (STARS) library website (<https://stars.library.ucf.edu>). The maximum resolution of 1600 pixels (longest side) must not be exceeded.
- (7) After receiving the photographs digitally, the user must ensure that Andreas Gursky's name is correctly linked electronically to the visual material and that this material will not be made available to others. It is not permitted to manipulate, garble or delete either the digital watermark or any other labels, attributes and elements of the data file.
- (8) It is only permitted to make use of the original version of the photograph. Any change or transformation of the image (e.g. excerpts, montage, alienation, electronic adaptation), must be first approved and authorized by the artist. This excludes the adjustment of color profiles, image scale and calibration during the process of pre-press.
- (9) For reasons of validity, all amendments and additions to this contract must be made in written form. If individual terms of this contract are not valid for the particular press request, this will not affect the remaining contractual provisions.
- (10) This contract is based on the law of the Federal Republic of Germany. The court of jurisdiction has to be located in Dusseldorf/Germany. This applies to the case that a contract party has no general court of jurisdiction in the Federal Republic of Germany or that after this contract was concluded a contract party will move its place of residence beyond the scope of the German civil process order.

 Jason Fronczek
03/23/2020

APPENDIX D:
IMAGE RELEASE, JAY MARK JOHNSON

From: Jay Mark Johnson jay@jaymarkjohnson.com
Subject: Re: Image release for thesis inclusion
Date: March 17, 2020 at 11:00 PM
To: Jason Fronczek Jason.Fronczek@ucf.edu



Dear Jason,

Thank you for your kind inquiry. I am inclined to give you permission to use the image. But may I first ask what your paper is about? I don't have to agree aesthetically or technically. But I am curious.

Thank you,

Jay

On Mar 17, 2020, at 7:21 PM, Jason Fronczek <Jason.Fronczek@ucf.edu> wrote:

Good day, I am an MFA student at the University of Central Florida and would like to use an image of a photograph by Jay Mark Johnson, *Carbon Dating #1, Hazard, Kentucky*, 2008, for my e-pub distributed thesis. This image is listed as being in the collection of the Phoenix Art Museum.

The thesis would be published for reference in the university catalog only in e-pub format. (See link for more distribution info at <https://guides.ucf.edu/c.php?g=78534&p=509264>)

Respectfully;

Jason Fronczek
jason.fronczek@ucf.edu



Jay Mark Johnson

Active 38m ago



Figure 10. Jay Mark Johnson, Carbon Dating #1, Hazard, Kentucky, 2008. Durst Lambda print, film on aluminum, 192 x 40 inches (487.68 x 101.6 cm), Phoenix Art Museum, Phoenix, Arizona.

the idea of missed moments and opportunities. No matter how hard we try, there is always something we miss – even when we are actively looking. Furthermore, this piece explores the limits of photography by testing how motion can represent time. Simultaneously frenzied and still, worldly and ethereal, the resulting landscapes contain more than is immediately recognizable."

this is getting slightly expanded on but it is what I have at present.

5:26 PM

Smart texts. I trust they will go over well. You have my permission to use my image CARBON DATING #1 in your thesis. Do you intend to publish anywhere else?



Type a message...



Jay Mark Johnson

Active 38m ago

OPTIONS



Search in Conversation



Edit Nicknames



Change Theme



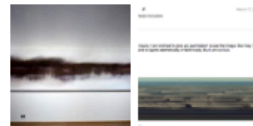
Change Emoji



PRIVACY & SUPPORT



SHARED PHOTOS



APPENDIX E:
IMAGE RELEASE, GLENN LIGON

From: Lily Spitz lily@regenprojects.com
Subject: Fwd: You have a new message about Glenn Ligon
Date: July 24, 2020 at 2:15 PM
To: Jason Fronczek jason.fronczek@ucf.edu
Cc: Ben Thornborough benthornborough@regenprojects.com



Hi Jason,

Glenn Ligon approves the reproduction of his work in your thesis, however the image currently in your layout is not the correct one for *Mirror 12* and this work is dated 2006, not 2002. We kindly ask that you please replace it with the image attached at this link:

<https://we.tl/t-8eevjRgd7r>

Here is the caption and credit information to accompany the image:

Glenn Ligon, *Mirror #12*, 2006, Acrylic, silkscreen, and coal dust on canvas, 84 x 60 inches (213.4 x 152.4 cm); © Glenn Ligon; Courtesy of the artist, Hauser & Wirth, New York, Regen Projects, Los Angeles, Thomas Dane Gallery, London and Chantal Crousel, Paris.

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Best,
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Subject: You have a new message about Glenn Ligon
Date: March 17, 2020 at 9:52:49 PM PDT
To: office@regenprojects.com
Reply-To: jason.fronczek@ucf.edu

March 18, 2020

artnet[®]

Gallery Network Inquiry

FROM
Name: **Jason Fronczek**
Email: jason.fronczek@ucf.edu
Phone: **4073750749**

ABOUT

Glenn Ligon
[Mirror #12, 2006](#)

MESSAGE

Good day, I am an MFA student at the University of Central Florida and would like to use an image of an artwork by Glenn Ligon, Mirror 12, 2002, for my e-pub distributed thesis.

The thesis would be published for reference in the university catalog only in e-pub format. (See link for more distribution info at <https://guides.ucf.edu/c.php?g=78534&p=509264>)

Sincerely,
Jason Fronczek

To reply to this inquiry, please click [here](#).

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