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# Contingent Excess

Catherine Ingraham

## *Abstract*

This “visual essay” was written in response to an invitation to write a thousand word essay accompanied by one image. It addresses the definition, by the author, of architecture as an act of contingent excess. Without disagreeing with George Bataille’s understanding of excess as waste, I argue that, in the case of architecture, the excess displayed in aesthetic elaborations associated with design is not always pointless consumption. Some of this excess is recoupable. The essay examines the manner in which acts of design are in concert with, but work in a different register from, the construction of a material building. It explores how aesthetic economies (contingent excess) are at work in architecture and how legal systems come to codify and legalize proprieties of living embedded in these economies.

## Keywords

architecture, law, aesthetics, contingency, excess

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Fig. 1 - (Previous page) Louis Sullivan's Schiller Theater ornament at Navy Pier, Chicago. Richard Nickel Archive, Ryerson and Burnham Archives, The Art Institute of Chicago.

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In a recent project on property's relation to architecture, I defined architecture as an act of contingent excess. "Excess," in this context, means symbolic work or work that exceeds the slippery slope of baseline necessity. For Georges Bataille, excess is the non-recoupable economy of wasted energy and excessive consumption produced by capitalism. This excess produces *luxuria*, as Pliny the Elder called it, which results in useless spectacles and overwrought monuments. Without disagreeing with the possibility of waste, I want to argue that, in the case of architecture, the excess displayed in aesthetic elaborations associated with design is not always pointless consumption. Some of this excess is recoupable. The embellishment of living spaces, in both formal and informal contexts, suggests that aesthetics is related to the same impetus that leads us to expand our environment, if we can. It is undeniably both a metabolic and cultural imperative. It is not unusual for this elaborative and often expensive embellishment to be considered useless. When excess seems to overreach itself – in architecture, we could name numerous examples of nearly-insane overreach – it appears as if there are no limits. And yet not only are there many constraints, but aesthetic elaboration (for better or for worse) can be picked up and recouped by legal systems that govern its material and spatial realization. It then becomes part of the work of law to codify and legalize proprieties of living. The Seagram building – which often seems to have been built to provide us with whatever we need discursively – is an explicit case of this transfer. Aspects of its *luxuria*, which was extremely expensive, passed into a new economy of surplus public space.

The act of design, were one able to isolate it, is what goes beyond the building as such. "As such" is a tricky phrase, philosophical in nature, that suggests that a building is a necessary but not sufficient condition for architecture. One thing we get out of defining architecture as contingent excess is the opportunity to detach design – artificially but, in principle, possible – from its material realization. This decoupling happens when we forecast architectural projects that lift the weight of *thinking* the material building in order to deploy speculative narratives, histories, and forms of play. In addition to external constraints – money, laws,

resources, rule-sets, construction practices and so forth – there are also precedents and intellectual histories that constrain the symbolic practice of design. Contingent excess implies internal and external types and degrees of contingency but it also retains the tension between them. This definition does not naturalize contingent excess in order to balance, or rescue, architectural work in relation to the socio-political contexts it always finds itself within. The difference between the concept of “site”, in architectural work, for example, and the concept of “property” in law remains significant throughout the legal recouping of spatial propositions.

But what of this image of the remains of the Schiller (Garrick) Theater, built in Chicago by Adler and Sullivan in 1891 and demolished in 1961? This building’s lifespan paralleled that of the Stock Exchange Building, which was built in 1893 and demolished in 1972, with ornamental fragments also salvaged by Richard Nickel, who took this photograph. In the case of the Stock Exchange, the ornamental pieces of the building were re-installed in a facsimile Trading Room constructed for them by the Art Institute of Chicago. This is an image of an excess of design temporarily decoupled from its building. Excess, while often identified in the ornamental, denotes an economy not an attachment. It is also archival and, in some cases, generative. Louis Sullivan’s Trading Room regains its interior architectural form in the Art Institute. It does not, however, immediately regain its real property status. Instead, the Trading Room becomes part of the art collection, which makes it intellectual property. This image also suggests a dispersed monument because it shows iconic architectural metonymies of the building it came from. One missing referent, in spite of the clear incompleteness of the architectural arches and lines implied by these remains, is the war zone of the building’s destruction and the bitter battle to save it. They, the remains, are moving on, so to speak. Robert Herman wrote in 2012 that: “design patents protect the ornamental features of a useful object [...] a lighting fixture, which – unless the ornamental aspects could entirely be separated from the useful ones – would not ordinarily be protected under copyright law” (Hermann, 2012: 80-81). It would appear that pieces of a building, such as those in this photograph,

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can gain legal protection because they were able to be entirely separated from the useful parts of the Stock Exchange. Forms of property law and the contingent excess of architecture, under certain circumstances, find common ground. Still thinking of the Stock Exchange, Sullivan's designs began as intellectual property, graduated to real property when they were materially realized in the building, returned to their status of intellectual property when they became art, and, to end this brief story, returned to real property when the Art Institute deaccessioned the Trading Room from its art collection and put the room back to work as a useful, rentable, space.

To end in a different register, but with the same curiosity about how architecture recoups the excess of its symbolic work through property law (and its associated conceptions and legal protections), I also see the image as indexical, pointing toward Sullivan's stranded ideas: the prairie, America, flora, freedom, beauty. These ideas are an idealized economy of the everyday economy represented by the Stock Exchange building and the commercial exchanges that took place within it. It is a scene of lament (which now seems to me to have been there from the beginning) tainted by an aura of tragedy that accompanies our determinative and contested desires to divide necessity and usefulness from the symbolic work of design. Is it also a scene that might remind us of the disjunctions between words, images and objects.

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