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Theft

The keyword '**theft**' relates to art theft. This can mean the act of robbery, but also stealing other artist's designs and ideas. Furthermore, it relates to cultural appropriation, as this could be considered as theft.

Art theft has not always been of high interest by law enforcers but attitudes to art theft are starting to change. As such, art theft is becoming a higher priority on an international level. The theft, fraud and looting of art is not particular to any one part of the world but is seen internationally. The art marketplace is currently free of regulation, meaning higher frequency of fraudulent art works are in circulation (Chappell & Hufnagel, 2014). Artist like Wolfgang Beltracchi and Han van Meegeren have made a fortune selling original art works in the style of famous artists, presenting them as long lost works. Beltracchi faked paintings by artists such as Max Ernst and Kees van Dongen, and was known as one of the 'most spectacular' art forgers in postwar Germany (Chappell & Hufnagel, 2012). Similarly, Han van Meegeren was an artist in who forged painting from 17th Century Dutch artists (fig 1.) to prove his talent after his own art was dismissed. His forgeries were so accurate that leading experts authenticated his work as genuine Vermeer paintings (Keats, 2013). Although it could be argued that these are talented artists, what they have done should be treated as serious fraud as they have made profit from passing of their work as a famous artist, conning people into thinking they are buying a Vermeer or other prestigious artist. van Meegeren was eventually found out when it was discovered that the paint he used Bakelite and Albertol resins, which were not discovered until the 20th century (Williams, 2013). He was sentenced to two years in prison. To avoid detection, Beltracchi mixed his own paint to match the pigments and chemicals used in the authentic paintings. However, he was eventually caught when he used a paint that he had not mixed himself, as the paint contained a modern pigment. He was sentenced to six years in prison (Chappell & Hufnagel, 2012). Interestingly, the average sentence for fraud such as money laundering in most countries is up to seven years (Stuart Miller, 2024). This would suggest that art fraud is treated less seriously.



Figure 1: *Christ and the Adulteress* by Han van Meegeren (1943) sold as a Vermeer

Despite technology and forensic methods that date the paint and fibres of the canvasses used, scrutinise the brush strokes and other unique traits, forgers can get away with their craft for many years and make a lot of money. One way to protect artwork against copying is to insert something that cannot be forged, such as DNA. Spit painting is a form of painting that blends saliva with paint, “creating unique textures and patterns” (Painter's Best, 2024). Although the purpose of this is to create a deeper connection between the artist and the work, a secondary outcome is that it protects authenticity of the work.

Theft within art also applies to designers taking ideas as passing them off as their originals. Within the fashion industry, this is often seen when designers use styles, practices, symbols, images, and artifacts from other cultures “using style cues and motifs from cultures that aren’t one’s own, often without credit and in stereotypical or racist ways” (Allaire, 2023). This is known as appropriation and has a long history in fashion. Allaire (2023) mentions how designers from Eurocentric backgrounds take ideas from underrepresented minority groups such as their techniques or style and claim them as their own. This is not new in the fashion industry. In the 18th century, European designers became interested in the motifs of traditional Chinese clothing (Martens, 2014).

Allaire (2023) write that there is now a shift away from stealing other cultures’ designs and a movement towards working with other cultures in a respectful way. It could be argued that including other cultures in designs is inclusive and representative of multiculturalism. Designers such as Aurora James collaborates with artisans from Africa and other countries to

create limited-edition shoes and handbags for her fashion brand. She claims that “you can’t take inspiration from a group of people and not involve them in any way” (James cited in Allaire, 2023). Panepinto (2019) states that it is okay for an artist to depict other cultures or use motifs from other cultures in their designs as long as it involves the culture through research and shows respect as this is the difference between appropriation and appreciation.

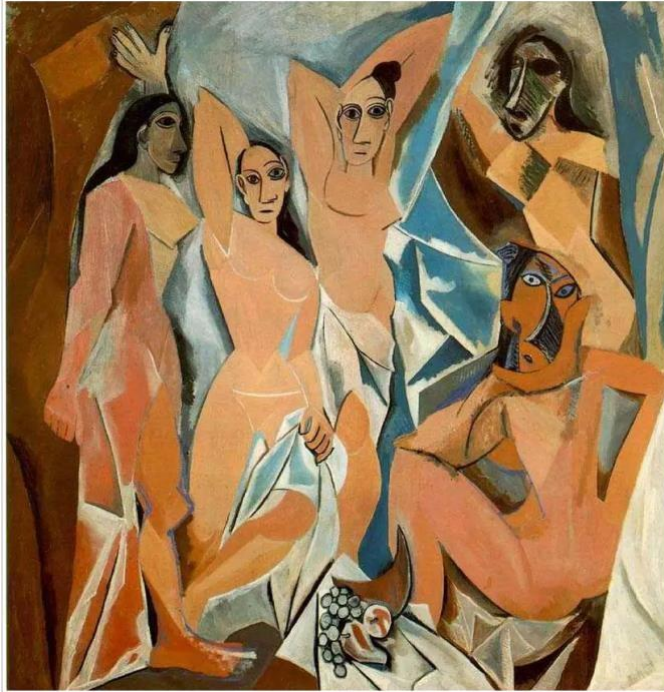


Figure 2: *Les Femmes d'Alger (O.J.)* (The Young Ladies of Avignon), By Pablo Picasso (1907)

However, some argue that people should not be profiting from a culture that they have no claims to. Lenard & Balint (2019) argue that doing so could cause offence as a result of cultural misrepresentation. Even when the designer is intending respect and representation, not being part of the culture that they are borrowing from could lead to potentially harmful mistakes for the culture being appropriated. They also argue that there is usually a power imbalance between the ‘appropriator’ and the ‘appropriated’. Pablo Picasso was inspired by African art and painted works such as *Les Femmes d'Alger (O.J.)* (fig 2.) as a celebration of African culture. However, this can be seen as stereotypical and insulting to people of African heritage (Jones, 2021). Another argument is that people should not benefit from something that is not theirs to sell or share. Doing so oppresses the groups that it belongs to by taking up the space in the art world for them to create their own piece and represent their own culture (Young, 2010). This argument maintains that cultural appropriation can be considered theft, and the practice is unethical. This leads to the second keyword; ethics.

Ethics

Within the scope of this essay, the keyword ‘**ethics**’ is used for assessing the ethics of art collectors owning art and keeping it away from the public. It also considers the ideas of galleries and museums exhibiting immorally obtained art and artefacts.

Art collectors spend a lot of money gathering pieces of art that often never get seen by the public. There is an argument that this is unethical as art should be available for everyone to

appreciate. However, there are variables such as what the artist wanted for their work. For instance, if an artist sold their work in their lifetime as a way of making an income, this would be acceptable for an individual to own the work. In contrast, if they sold it to a museum or other public organisation, it was the wish that they keep the work and not profit by selling it on to a collector. Doing so would be unethical as it goes against the artists' wishes. Collectors are able to sell the artwork they have acquired for a profit, whereas museums have limitations for what they can sell. In some famous cases such as Van Gogh and El Greco, the artists' work did not become valuable until after their death. This has caused a phenomenon of artwork boosting in sales when the artist is perceived as being 'close to dying' due a perception that it will become more valuable after their death (Wigoder, 2019). If art is not sold in the artist's lifetime, it would be unethical for others to profit from it by selling it on, unless it was the artist's wish. In most cases, art that was not sold in an artist's lifetime should be exhibited in public galleries and museums for everyone to see. For example, Babcock (2018) argues that art can be "of such value to a country's self-identity that one might properly call it public art, even though the art is privately owned". She goes onto claim that 'private hoarding' of art prevents ordinary people from having access to nationally important artworks. This undermines... "values like education, community, and citizenship" (p. 673). To counter the idea that the public are deprived of artworks that are in private collections, some collectors do loan out some or all of their collection to museums for public display (Toporoff, 2021). There is also an argument for private collectors to install prefabricated gallery display units for public viewings in their own property. "Certain commentators argue that collectors should be compelled to act in service to the public, either by lending significant works of art to a museum or publicly displaying the works themselves" (Toporoff, 2021, p. 581). This would suggest that art should be accessible and not kept hidden.



Figure 3: Self Portrait by Vincent Van Gogh (1887) currently at Cardiff Museum

While it is preferable for art to be help in galleries and museums where they can be viewed by the public, the method of obtaining art has not always been ethical. For example, The British Museum holds a single statue that was once part of six statues known as the Caryatids. They

were created in from 421 BC to 406 BC in Peloponnese and held up the Ancient Greek temple of Erechtheion. In 1802, Britain's ambassador to the Ottoman Empire; Thomas Bruce, the seventh Lord Elgin, chipped off one of the sculptures and shipped it to London. The ethics of removing the statue from Greece was debated at the time, but the statue remained in London. Unfortunately, the statue has deteriorated from the cleaning products used that the museum and the florescent lights have discoloured the marble (Claus, 2024).

New regulations amongst institutions in the art world dictate that museums must declare artworks that were "looted, stolen, or acquired by forced sale by Nazis from Jews by placing placards alongside the works" (Babin, 2022). This does not correct the mistake that was made when art and artifacts were unethically obtained, and instead of being declared, there is an argument that these pieces should be returned to their original country or owners.

When art is located in a gallery or museum, they are a duty of care to protect and preserve it (Toporoff, 2021). However, private collectors do not have this duty. This is another aspect of the ethics of private collections as collectors could allow the work to decay as they are not regulated. This leads on the to next keyword; 'decay'.

Decay

'**Decay**' is a keyword chosen to incorporate the idea of art preservation and restoration and the decay of art that has been left to nature. This prompts the question of if art should be kept looking good through changes or touch-ups even if it goes against the artists' intention for the work. Another angle of decay is the idea of decaying mind and decaying health. Examples of artists who have struggles with this are Vincent Van Gogh and Alexandra McQueen who's mental health fell into decline, or Frida Kahlo who had faced health problems since contracting polio at the age of six leaving her with a permanently withered leg, and later had an accident that left her unable to have children.

It is mandated in the museum's institution to preserve and care for the items in their inventory (Toporoff, 2021). Conservation of artwork means tackling many forms of degradation, such as "environmental factors, physical erosion and microorganisms, as well as handling and wrecking" (Baglioni, et al., 2015, p. 287). One argument against this process is that the chemicals traditionally used in art conservation emit toxics that could be harmful to the environment and to the health of the workers. Furthermore, when working with aging pieces of art, nanoparticles can be released into the environment, potentially causing bacterial and fungal contamination (Baglioni, et al., 2015) The potential damage depends on how much product is used, what technique is being applied and how much ventilation is in the laboratory (Gherardi, et al., 2007). To combat this, new nanomaterials and methods have been developed to reduce the negative impact of art preservation. These are well-dispersed and stable nanoparticles that can be used in non-aqueous solvents. This reduces risk by binding harmful nanoparticles to they are not released when the art is being treated, and preventing clusters of particles from forming without having to use harmful stabilizers (Baglioni, et al., 2015).

Even though the harm caused by conservation and restoration can be reduced through using certain methods and chemicals, another argument against conservation is that it could go against the artists' wishes. For instance, certain work is designed to decay or change over time. A sculpture by Dieter Roth was made using perishable materials, meaning the work would alter time. 'Gartenzwerg' was created by Roth in 1972 from chocolate, and the aging of the material is

part of the sculptural form (Fig 4). However, the Kunstmuseum Stuttgart museum considered creating a replica of the original structure so that viewers can appreciate the original form before the piece falls apart. While this is a valid idea for showing appreciation of the work, it defeats the point of showing the various stages of the decaying process. Photographs of the original piece and the different stages of decay would be more appropriate than making a replica (Skowranek, 2007).



Figure 4: Gartenzweig by Dieter Roth (1972)

In terms of art preservation, there are also famous costumes and items of clothing that have been preserved in safe places and museums. This can be of historical and cultural significance, such as gowns worn by famous actors or designed by famous designers like Marilyn Monroe's sequin dress designed by Jean Louis. This was kept preserved until it was loaned to Kim Kardashian in 2022 who had to wear gloves due to the delicate material (Ng, 2022). Many argue that the dress should not have been worn by Kardashian as it damaged the dress which has been preserved for 50 years prior.

Some preservation is done for other reasons which can be questionable. A suit worn by Jackie Kennedy during the shooting of President John F. Kennedy has been preserved as a curiosity item as it is covered in his blood. The suit is currently in a vault, scheduled to be released for public viewing in 2103 (Bruzzi, 2013).

Decay within art can also refer to decaying health. Through Vincent Van Gogh's letters, there are indications of unstable moods. He also experienced recurring psychotic episodes in the last few years of his life. This shows a decaying mind with eventually led to his suicide (Heenk, 2013). Similarly, fashion designer Alexander McQueen committed suicide due to stress from work. He confessed that he was going to commit suicide at one of his shows: "He told me he'd have a Perspex or glass box, and in the middle of that another glass box," recalled Pons. "Towards the end of the show, he'd come out from under the ground and shoot himself, so all his brains would drip down the glass" (Pons cited in Wilson, 2015, p. 298). The decline of McQueen's mental health can be seen with the theme of death evident in some of his designs (Fig 5).



Figure 5: Voss Collection by Alexander McQueen (2001)

Similarly, a lot of Frida Khalo's health conditions feature in her art. She contracted polio at the age of six leaving her with a permanently withered leg, which can be seen works such as 'Open Wound' (fig 6). Her inability to have children after an accident is a theme that occurs a lot within her work.



Figure 6: *Remembrance of an Open Wound* by Frida Kahlo (1938)

Conclusion

Overall, the research has deepened my understanding of the keywords above. The main point that I want to further research is the ethics behind continuing the line of an artist's brand after they have died, such as fashion brand who continue their lines. This links into theft because I feel is it stealing the identity of an artist to continue in their style. It also questions the ethics of the practice. I also want to look into ways of preventing this, such as the artist using a unique marker to authenticate their work, similar to the 'spit' artists, or using fingerprints within art.

Proposed question: Should the art die with the Artist?

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