

Draft. For definitive version, see *British Journal of Aesthetics* 45 (2005), 123-137.

Appropriation and Authorship in Contemporary Art **Sherri Irvin**

Abstract

Appropriation art has often been thought to support the view that authorship in art is an outmoded or misguided notion. Through a thought experiment comparing appropriation art to a unique case of artistic forgery, I examine and reject a number of candidates for the distinction that makes artists the authors of their work while forgers are not. The crucial difference is seen to lie in the fact that artists bear ultimate responsibility for whatever objectives they choose to pursue through their work, whereas the forger's central objectives are determined by the nature of the activity of forgery. Appropriation artists, by revealing that no aspect of the objectives an artist pursues are in fact built in to the concept of art, demonstrated artists' responsibility for all aspects of their objectives and, hence, of their products. This responsibility is constitutive of authorship and accounts for the interpretability of artworks. Far from undermining the concept of authorship in art, then, the appropriation artists in fact reaffirmed and strengthened it.

I. Introduction

What it is that makes an artist the author of an artwork? What does the special relation of authorship, such that the work should be interpreted in terms of the artist's meanings (or at least in terms of meanings the artist could have had) consist in? Famously, the notion of the author came into question in the 20th century with thinkers like Roland Barthes, who closes his obituary of the author with the suggestion that 'the birth of the reader must be at the cost of the death of the Author.'¹ Michel Foucault agrees, arguing that the concept of the author is a tyrannical one that does little more than restrict the free thinking of readers.²

The 1960s saw the genesis of an artistic trend that seemed to give substance to the theories of Foucault and Barthes. The appropriation artists, beginning with Elaine Sturtevant, simply created copies of works by other artists, with little or no manipulation or alteration, and presented these copies as their own works. The work of the appropriation artists, which continues into the present, might well be thought to support the idea that the author is dead: in taking freely from the works of other artists, they seem to ask, with Foucault, 'What difference does it make who is speaking?'³ But if we think more carefully about their works, it becomes clear that this impression is misleading: even, and sometimes especially, in the case of the appropriation artists, it does matter who is speaking.

I will begin by providing a brief overview of practices in appropriation art to provide some historical grounding. I will then construct a thought experiment comparing appropriation art to a highly unusual case of artistic forgery. Consideration of several possible candidates for the relevant difference between appropriation artist and forger, the difference that makes

artists authors of their work while forgers are not, will shed light on the nature of authorship in contemporary art, and in art more generally. We will find that, contrary to what has often been thought, the work of the appropriation artists affirms and exposes, rather than undermining, the artist's ultimate authorial status.

II. Appropriation Art

In art of the last several decades, practices of radical appropriation from other artworks are common. Elaine Sturtevant, often considered the earliest practitioner, began in the 1960s to reproduce, 'as exactly as possible',⁴ the works of her contemporaries, including Roy Lichtenstein, Claes Oldenburg, Jasper Johns, Frank Stella and Andy Warhol.⁵ She aimed to use the same techniques they used, and in some cases enlisted their aid: on at least one occasion, Warhol lent his screens for her copies of his silkscreen works.⁶ Sturtevant has said that in the 1960s, she usually allowed in one 'mistake' which distinguished her product from the original work.⁷ But in general, the results were very close to the originals.

Of course, appropriation in art is nothing new. Borrowing from the work of other artists has been a time-honoured practice throughout much of art history: painters, for instance, have often repainted the works of others in order to explore the application of their own style to a familiar composition and subject matter. Sturtevant, however, took appropriation to a new extreme. Simply to paint a precise copy of another artist's work and claim it as one's own artwork, while openly acknowledging that it is a copy, poses a certain kind of challenge to the concept of authorship that had never previously been posed. Even when Marcel Duchamp brought ready-made objects into the gallery and Andy Warhol appropriated from popular and consumer culture, they had to decide to treat certain objects as art. But Sturtevant eschews even this level of decision: the determination of what is worthy to be treated as art is made by the peers whose work she copies, and never by Sturtevant herself.

Sherrie Levine, perhaps the best known appropriation artist, produced a substantial body of radical photographic appropriations during the 1980s. For these works, she sought out reproductions of well-known works by artists such as Walker Evans and Alexander Rodchenko in art history books and catalogues, photographed the reproductions, and presented the resulting photographs as her own work. In addition to the photographic series, she created paintings and sculptures based on well known artworks. She often produced these works in a medium different from that employed by the original artist: Matisse's paper cut-out *Creole Dancer* is appropriated in watercolour, while Duchamp's *Fountain* is recreated in polished bronze. Mike Bidlo is another of the well known appropriationists, having done in the 1980s projects similar to Sturtevant's in which he repainted works by Warhol, Pollock, Duchamp, de Chirico and others. In none of these works is there any attempt to deceive; indeed, the name of the original artist is often acknowledged within the title of the work.

Although radical appropriation peaked in the '80s, the extensive incorporation of borrowed imagery into artistic practice remains common. In

the late 1990s, Glenn Brown took liberally from the works of other artists of diverse styles and historical periods, such as John Martin, Frank Auerbach and Salvador Dali, to create a body of work that has no unified stylistic marker: no visible feature of Brown's works labels them as the product of a single artist's activity. In 2000, Mike Bidlo exhibited *Not Duchamp's Bottle Rack, 1914*, in which he presented a number of ready-made bottle racks as his own work, just as Duchamp had, in the early 20th century, presented bottle racks and other ready-made objects as his artwork. In his 2000 *Rothko's No. 7 (Black on Dark Maroon)/Blanket*, Stuart Netsky reworked one of Mark Rothko's large paintings from the Rothko Chapel in Houston as a textile.

Finally, to bring the movement full circle, in 2001 Michael Mandiberg created a web site, *AfterSherrieLevine.com*, which appropriates from Sherrie Levine's many appropriations of the photographs of Walker Evans. Levine, as described earlier, photographed reproductions of Evans's works in an exhibition catalogue and presented the resulting photos as her own work. Mandiberg took the same exhibition catalogue and scanned the reproductions of Evans's works at high resolution to make them available on line. A viewer who prints out these high resolution images in accordance with Mandiberg's precise instructions (which relate to such matters as paper size and centring of images) can have an authentic Mandiberg, with a certificate of authenticity that can be printed out in Adobe Acrobat format.

III. Appropriation and Compromised Authorship

The appropriation artists are interesting because their authorship relation to their work appears to be compromised from the start by the inclusion of large components of other people's artworks, sometimes almost unmediated. Our traditional conception of the artist holds artists responsible for every aspect of their creations: as Ernst Gombrich suggested, 'every one of [an artwork's] features is the result of a decision by the artist'.⁸ Even if some accident happened along the way, the artist made a choice to allow the results of that accident to remain within the work. And this seems to be what makes artworks interpretable: when we look at a work, we can ask, of any particular detail, Why did the artist present it in just that way? Seeking after the meaning of an artwork is, according to many philosophers, reconstructing what the artist meant by making a work with just these features, or at least what it would be reasonable to infer that the artist meant in making such a work.⁹

Appropriation artists, though, seem to eschew any responsibility for the details of their work, and to refuse to have meanings attributed to them. By including other artworks virtually unaltered within their own work, they substitute the voices of others for their own. When we look at a Walker Evans photograph, we know that Evans made many conscious choices that resulted in the work's appearance: choices about how to pose the subject, exactly how to frame the image, when and under what conditions to shoot the picture, which negative to print from, what kind of manipulation to do during the printing process to bring out contrasts, suppress details, and so on. When we look at one of Levine's copies of an Evans work (or one of

Mandiberg's second generation appropriations), we know that its manifest appearance reflects almost no such decisions on the part of Levine (or Mandiberg): instead, it reflects Evans's decisions. One common sense reaction to this work would be to deny that it is, in any meaningful sense, Levine's work and thus to deny that she is, by virtue of making it, an artist.

But it's a bit late for that. The work of the most radical appropriation artists has been accepted as art, and they have been accepted as artists, receiving every form of recognition for which artists and artworks are eligible: Levine has works in the collection of the Metropolitan Museum of Art, Glenn Brown has been short listed for the Turner Prize, the appropriation artists have been discussed in *Artforum*, *Art in America*, *Flash Art* and other major art criticism venues, and so on. Moreover, the kind of recognition the artists have received suggests that the art world takes them seriously as the authors of their work. If Brown were not considered responsible for his works, however derivative from Dali and John Martin, what would be the point of considering him for a prestigious award? If Levine were not taken seriously as an author, what would be the point of interviewing her in major art magazines?¹⁰ Of course, none of this obliges us to say that these artists' works are masterpieces: one could perfectly well acknowledge that Levine is the author of her works while denying that the works are especially good. But if we wish our theories to be responsive to artistic developments, rather than exceedingly revisionist, we must acknowledge that appropriation art is, indeed, art, and that those who practise it are the authors of their works.

But as I have suggested, the work of these artists seems to violate the traditional conception of authorship, according to which the artist's choice determines every detail of the work, and the details are thus interpretable in terms of the artist's meanings. The question becomes, what constitutes the authorship relation an artist bears to a work, when on one reading the artist may have created little of its content?

We will explore this question about authorship by comparing two very similar cases, where one of the chief points of difference between the two is that in one of them we accept the artist's authorship role while in the other case we don't. To put it differently, in the one case, we accept that there is an artist who has created an artwork, and it is her own artwork; she is the author of that work. In the other case, we do not accept that we have an artist, an artwork and an authorship relation that connects them. In probing this distinction, we will come to a set of insights about what characterizes authorship of artworks in a contemporary context. As we shall see, despite the tenuous appearance of their authorship status, the appropriation artists are, in fact, authors in the full sense of the word. The reasons for this will shed light on authorship in non-appropriation art as well.

IV. Appropriation vs. Forgery: A Thought Experiment

I propose a thought experiment that invites us to compare the case of the appropriation artist, who has a genuine (if minimal) authorship relation to her work, and a case of artistic forgery, where that authorship relation is absent. The thought experiment involves a very special kind of forgery, one

that to my knowledge has never been carried out in the history of art, and that would have been unthinkable until rather recently.

Forgeries have traditionally fallen into two categories: outright copies of existing works, and pastiches, or new works that bring together elements of the style and content of the 'victim', as I will refer to the artist whose works are forged. But the forger I have in mind creates neither copies nor pastiches. She is a forger of contemporary artworks by artists who are still living and working, even as she is producing her forgeries. Rather than copying works her victim has already made, her project is to *predict* what her victim will do next, and approximate as closely as possible the victim's *next* artistic product. So she wants to produce the victim's next work, and to do it before the victim does.

How might the forger go about this? Well, she will use whatever techniques seem likely to promote success. She will, of course, study the victim carefully and learn as much as she can about the victim's work. She will identify trajectories in the current body of work and will learn, from any available source, what the victim has said about the work. She may recreate existing works by the victim so as to gain insight into the processes, both material and intellectual, that gave rise to them. She will, perhaps, immerse herself as deeply as possible into the kind of context in which the victim is immersed, so as to have the same kinds of thoughts and ideas the victim has. Or she might adopt a very different approach, simply entering extensive data about the victim and the victim's work into a sophisticated software algorithm and applying whatever prediction it generates. In any case, let us suppose that the forger has at least one spectacular success: she manages to produce an artwork that looks the same as the victim's next work, and appears to express the same ideas in the same way. But the forger's work was produced prior to the victim's. We will assume, further, that the forger somehow manages to pass her product off as a work by the original artist. Perhaps she has a shady intermediary who trades the work in an art market where procedures for checking provenance are a bit lax. Perhaps it never occurs to anyone in the transaction that someone would have enough chutzpah to blatantly rip off the work of a living artist in this way. In any case, the work is successfully passed off as that of the victim. And this is not surprising, since the work really is an excellent replica, or more accurately 'preplica', of the victim's work, with very similar visible properties and employing identical materials. The two works are visually more or less indistinguishable, providing the viewer with no reason to choose one as the work of the original artist and regard the other as inauthentic.¹¹

The question we now must ask, given the similarity of the forger's and the artist's products, is, What is the relevant difference between them, the difference that makes for the artist's being an author of her work and the forger's failing to be an author? On one way of looking at things, the forger and the original artist have done almost exactly the same thing: they have produced the same work at roughly the same time and under similar historical and cultural conditions. In this way, the case differs markedly from classic cases described in the philosophical literature on forgery. In these classic cases, the forger is usually working from a position of technical

advantage, often due to the elapsing of decades or centuries between the original artist's production and the forger's copies or pastiches. The artist's achievement is thus typically taken to be greater than the forger's, since the forger has taken advantage of artistic developments that weren't available during the period when the original artist was working.¹² For example, Han van Meegeren, who was for some time a highly successful forger of Vermeer, was the beneficiary of centuries of study of Vermeer's paint application, use of light, and so forth.¹³ Thus the forger's work may look good in comparison to works of the period forged, but only because the forger has cheated.

But in the special case of forgery we are now considering, the situation is quite different. The forger doesn't have any extra tools under her belt; she has access only to the same artistic developments that the victim has access to. Indeed, if there is a difference in what the forger and the artist have done, it seems the forger's project may have been, in an important sense, harder. After all, and this is relevant to forgeries regardless of time period, if you're going to produce, say, a Vermeer work, surely it helps to *be* Vermeer, to have a history of producing that kind of work and to have Vermeer's mind: to have the thought processes, particular talents, intentions and so forth that tend to lead to the production of Vermeers. In trying to produce works that will 'pass' as works of the victim, the forger is clearly disadvantaged by not *being* the victim (that is, by not sharing the qualities of the victim that lead rather naturally to the production of the right kind of work). If the forger has no compensating bag of tricks derived from historical advantage, her task is obviously quite challenging, and success represents real achievement. The upshot, for our purposes, is that to say the artist has achieved more than the contemporary forger, or done something more difficult in the creation of this particular work, seems implausible. A difference in level of achievement will not serve to distinguish the artist from the forger.

V. Authorship and Innovation

An interesting fact about the kind of forgery I have described is that the forger's project is much more likely to succeed with some types of artists than with others. Probing the reasons for this may lead us to some helpful insights. Prediction, which is our forger's game, is greatly enhanced by reducing the number of variables (such as size, medium and configuration of colours) to be accounted for, and some artists work with many fewer variables than others, as well as restricting the values of the variables. The appropriation artists are an example of this: if one is able to determine which artwork Levine will photograph next, one can make a highly plausible Levine work. The minimalist/conceptualist artist On Kawara, who made a painting of the current date (e.g., Sept. 16, 1987) in a uniform format each day over a period of many years, would be another prime victim for the contemporary forger. Such artists work in related series, and elements of the work are repeated throughout the series.¹⁴ This is what makes it plausible that the forger could predict what they will do: predictability requires regularity, operation according to rules, restriction of future possibilities—and greater predictability thus involves the exclusion of more and more possibilities for

innovation. So the potential forgeability of these artists' work is another way of describing an absence of innovation, at least within a particular series. The assumption that continual innovation is necessary for genuine artistic production has led one philosopher to accuse artists who produce multiple works in the same vein of 'self-plagiarism'.¹⁵ And certainly, the seeming lack of innovation in the works of the appropriation artists is one thing that makes their authorship relation to their work appear to be compromised.

Prior to the advent of appropriation art, we might well have been tempted to suggest that innovation makes for the critical difference between artist and forger. Kant was an early proponent of the view that innovation is essential to art: in section 46 of the *Critique of Judgment* he suggested that the genius of an artist consists in nature's acting through the artist to create works governed by a new rule, or an organizational principle that has never been seen in earlier artworks. Perhaps this organizational principle, or rule, is what we would call the artist's style. Applying this idea to the present discussion, we might say that the artist creates a new rule, or style, whereas the forger's activity simply reapplies an old one: this is one of the obvious answers to the question, 'What makes the artist, and not the forger, an author of her work?' Alfred Lessing's account of forgery runs along these lines.¹⁶ Gombrich advances a related idea:

The history of art ... may be described as the forging of master keys for opening the mysterious locks of our senses to which only nature herself originally held the key.... Of course, once the door springs open, once the key is shaped, it is easy to repeat the performance. The next person needs no special insight—no more, that is, than is needed to copy his predecessor's master key.¹⁷

But the acceptance of appropriation art and other forgery-vulnerable art forms by the art world suggests that innovation, at least at the level of the individual artwork, cannot be what makes the difference between the artist and the forger with respect to authorship of their work. Perhaps when Sturtevant produced her *first* radical appropriation work, a substantial innovative leap was made. But Levine is (at best) the second appropriation artist, not the first; and by the time she has appropriated ten or twelve Walker Evans photographs, there seems to be no warrant for saying that further Evans appropriations are innovative. Unless we want to build in some kind of halo effect or afterglow from the first work produced which would warrant calling the whole series innovative, it seems we must deny that innovation is necessary for artistic authorship (though innovation might still contribute to the *value* of artworks, as John Hoaglund suggests).¹⁸

VI. Artistic Motives

We are in need of another proposal to explain why the artist is an author of her work while the forger fails to be an author. One might be tempted to suggest that the forger's deceptiveness is what makes it the case that she cannot be considered an author. But in fact, the line between deceptive and non-deceptive activity does not track the distinction between authors and non-authors. Deceptiveness is not what prevents the forger from being an author. Art students who produce meticulous copies of great artworks fail to

be authors for the same sort of reason as the forger does, though they do not attempt to deceive anyone into thinking their products are original artworks. And artists who deceptively present their works as having been produced by someone with a different identity—someone older or younger, living in a different country, of a different gender, and so forth—need not for that reason cease to be the authors of their works. If Schmidt decided to misrepresent his works as the product of someone of a particular nationality or ethnic group, thinking perhaps that works by such artists are fashionable at the moment and thus more likely to receive art critical attention, this would not nullify Schmidt's authorship relation to his work. Indeed, the fact that he remains the author is a large part of what makes the deception objectionable.¹⁹

Here is another candidate: perhaps the relevant difference between the forger and the artist consists in their respective motivations: the forger's artistic considerations are all instrumental, while the artist's are not. The forger, we might say, cares about the wrong things, or fails to care about the right things. She is obsessed with a particular project, producing a successful 'preplica', and all her thinking is driven by this. She cares about what's happening in the rest of the art world, and about the usual considerations we attribute to artists, like the desire to make a statement or produce a work that has visual or conceptual strength, only insofar as this will help her to predict what the artist will do and to promote her forgery without detection. The artist, on the other hand, has true artistic motivations: she genuinely cares about the art world and wants to make some kind of contribution within it.²⁰

The problem is that this proposal ignores the realities of artists' decision-making processes. Artists act out of all sorts of motives, some artistic, some not. Sherrie Levine stopped using the photographs of Walker Evans, and started copying photos not protected by copyright within the U.S., after Evans's estate put forward a legal challenge. This circumstance played a strong role in her decision to base some of her works on the photographs of Rodchenko, since Soviet material was not then protected by copyright within the U.S.²¹ Andy Warhol is said to have polled his art world associates early in his career to see whether they thought his expressionistic renderings of soup cans would sell better than the colder, slicker versions which emphasized the cans' mass-produced quality. The slicker versions won out, and both Warhol's artistic success and his fame were constructed around them. Warhol was, by his own report, obsessed with achieving fame. But even if every artistic decision he ever made was driven by this goal, he would still count as an artist. Other artists may be obsessed by jealousy or admiration; and their obsessions may lead them to focus on some other artist with the same intensity our forger displays in focusing on the victim. But this fact alone does not rule them out of account as artists. We might want to think that some form of authenticity, purity of motive or freedom from instrumental concerns is an *ideal* for artists; but it would be implausible to claim that lack of authenticity prevents one from being an artist at all. Authenticity of this sort cannot make for the difference between the forger and the artist in the present discussion.

VII. Artistic Objectives and Responsibility

We have considered and rejected a number of candidates for the relevant difference between artist and forger that accounts for the artist's being considered an author while the forger is not. The artist's level of achievement need not be greater than the forger's, and thus cannot be the source of the artist's authorship. Someone may be the author of an artwork despite failing to produce an innovative product. Artists may be deceptive without failing to be authors, while copyists, whose activity and products are very similar to those of the forger, may fail to be authors despite their honesty; thus deceptiveness is not the dividing line between authors and non-authors. Finally, artists and forgers alike may be driven by non-artistic motives.

However, the last of these proposals requires further consideration. We entertained and rejected the possibility that the forger fails to count as an author of an artwork because she takes artistic considerations into account only instrumentally, all her activity being driven by a non-artistic motive. Artists may do just the same thing: they may tailor all their artistic activity toward the pursuit of non-artistic goals like fame or revenge against a rival. Thus the nature or content of their ultimate motives and objectives cannot distinguish the artist from the forger.

But perhaps the difference between artist and forger boils down to something simpler. Rather than supposing that the artist has an artistic motive with particular content that accounts for her being an author, we might think the artist need only have a minimal intention that is constitutive of her authorship: namely, the intention to produce artworks.²² That is, the artist is author of her products by virtue of the intention that they be artworks, whereas the forger fails to be an artist, and thus to be the author of her works, because she possesses no such intention.²³

This proposal will need to be elaborated further if it is to have any explanatory power. After all, there is little in the notion of a mere intention to produce artworks that allows us to account for the authorship relation. Simply to say that artists are the authors of their work because they have an intention to produce artworks, without further detail, would be to propound an empty view, one that does no philosophical work in helping us to understand the nature of authorship. Thus we must ask, what is it in the formulation of such an intention that could transform the situation, so that the artist goes from simply being the maker of a product to being its author?

To find the answer, we may begin by considering the situation of the forger, who is not author of her products. The forger, to count as a forger, *cannot but* pursue the non-artistic objective of producing an object that will pass as the work of the victim: this objective is constitutive of the role of forger. To the extent that she fails to pursue this objective, she is not a forger.²⁴ She may be a copyist; she may even be an artist. The point is that the objective is built in to the very concept of forgery, and it determines the direction of the forger's activity. Moreover, this objective has clear and extensive implications about what the forger should do and, especially, about the nature of the product she should endeavour to create.²⁵

For the artist, on the other hand, this is far from the case. There is no objective, particular method, set of activities or set of goals (aside from the minimal goal of producing an artwork) that an artist must pursue in order to count as doing art. Art does not carry with it a built-in objective such that violating it rules one out of account as an artist; nor does the artist's minimal intention to produce artworks have determinate implications for the nature of the product. The artist, as I suggested earlier, need be neither pure of heart nor pure of motive, because there is no such thing as a pure artistic motive. This helps to explain why efforts to define art—in terms of beauty, representational fidelity, innovation and so forth—have collapsed in the face of contemporary developments. Every potential boundary of the realm of art, when probed, collapses or bulges to absorb works of art or artistic practices that lie outside or violate that boundary.

The crucial result is that the artist's objectives, originating nowhere else, must originate with her. This isn't to say that these objectives aren't highly subject to influence. Certainly they are, which explains the prevalence of styles and schools, the tendency of artists working within the same milieu to produce related work. But influence, while useful in providing suggestions, can never settle the issue of what the artist should do: she must always decide whether to accept or reject its dictates. The artist, qua artist, *has* to choose her own objectives; the activity does not choose them for her. The necessity for setting her own objectives provides the artist with a degree of responsibility for her product which the forger lacks, a degree of responsibility worthy of genuine authorship.

The artist's authorship relation to her work, then, does not consist in either her mode of production or the type of product. The artist's authorship is defined by the fact that she bears ultimate responsibility for *every aspect* of the objectives she pursues through her work, and thus every aspect of the work itself, whether it is innovative in any relevant sense or not. This view is underlined in an interesting way by Elaine Sturtevant's claim that she intentionally included 'errors' in many of her copies of other artists' works. By including these errors, she reasserts the fact that she bears the final control: her ceding of authority to others is only temporary and contingent—or rather, in the final analysis, only apparent. And of course, her responsibility for every aspect of her works would have been present whether she had included these errors or not.

VIII. Appropriation Art and the Reaffirmation of Authorship

This view sheds light on the role of innovation, which has tended to take such precedence in much of recent art history. One way for artists to assert their ultimate responsibility for their production, and therefore their authorship status, clearly is to innovate, to produce distance from what has gone before. This distance from one's predecessors shows one's refusal to be bound by any existing strictures. Innovation is perhaps the clearest way of demonstrating responsibility for a product. This may be one reason why innovation began to look like an objective that was built in to the very idea of art: to be an artist, one *had* to attempt to make something new.

On one reading of Sherrie Levine's work, and it's a reading she sometimes encouraged, she aimed to throw off the mantle of innovation, and with it the very mantle of authorship, through her radical appropriation of images created by other artists.²⁶ She aimed to call into question both their authorship and her own. But given the preceding discussion, we can see that her project, as a project that she chose and intentionally pursued, could never relieve her of her responsibility as author of her work. Nor does its appropriative element prevent us from interpreting her work in terms of its author's intentions and meanings. Why did Levine choose only the works of male artists to appropriate? Why did she do such an extensive series of the erotic self-portraiture of Egon Schiele, titling one of the pieces *Self-Portrait (After Egon Schiele)* so as to propose an identification of herself with the flagrantly aroused male subject?

It is the fact that Levine is author of her works that makes them interpretable, in the sense appropriate to artworks, while the products of the contemporary forger are not.²⁷ Artists' ultimate responsibility for every aspect of their objectives is precisely what makes interpretation of their works possible. It is pointless to ask, of the contemporary forger's work, what she meant in giving it this or that set of features, for the answer simply grows out of the built-in objectives of her activity of forgery: insofar as she is a forger, she had to give it this or that set of features, since those are the features she judged most likely to be manifested in the victim's next work. Insofar as she is a forger of the type I have described, she is constrained to pursue a certain kind of project. Attempts to interpret the forger's product, then, will lead us continually back to the same dead end: it has the features it has because of the objective that is constitutive of the forger's role. When we go to interpret the artist's products, on the other hand, our inquiry will never stop short at the mention of some objective the artist was constrained to pursue simply by virtue of being an artist. An artwork has the features it has not because of the nature of art, but because of the nature of what a particular artist was up to in producing it. The artist's authorship relation to a work consists in the appropriateness of referring back to *the artist's* purposes (and not simply to the purposes embedded in art-in-general) as we interpret every aspect of it.

I should point out that this view of the relationship between authorship and interpretability does not force us to hold that the artist's actual intentions fix the correct interpretation of the artwork; it is compatible with a hypothetical intentionalist approach. In assigning meaning to features of the work, we might well wish to make reference to a *reconstruction* of the artist's purposes and objectives based on the evidence found within the work and, perhaps, in other relevant sources, rather than to the artist's *actual* purposes and objectives. By releasing an artwork to an audience, the artist activates the conventions and relevant background knowledge that this audience rightly brings to bear in understanding it, just as uttering a sentence in English makes the application of certain conventions and knowledge appropriate. Holding the artist responsible for a work means, in part, holding the artist responsible for having released it into a context where particular interpretative conventions and knowledge are operative. Seeing the artist as

author warrants us, then, in making certain assumptions, for instance that the artist uses the relevant language (verbal or iconographic) competently, possesses certain background information and so forth. The idealized reconstruction of the artist's intentions that will eventuate from these assumptions, along with other relevant information about the artist and the work, may be thought to ground adequate interpretation even if it does not correspond to the artist's actual intentions. Thus interpretation, on the view put forward here, might well proceed on the model of hypothetical rather than actual intentionalism.

The appropriation artists may have succeeded in showing that even innovation is not built in to the very idea of art: Mike Bidlo can simply recreate the works of others, even after Elaine Sturtevant has done so, expunging the slightest modicum of originality from his activity. But in so doing, he does not remove himself as author of his work. Instead, he and other appropriation artists reveal a telling element of the artist's situation: namely, that there are *no* built-in objectives an artist must pursue. The artist's choices go 'all the way down'—for any project the artist sets for him- or herself, no matter how dry or rote, it is appropriate for us to seek or construct an explanation that will eventuate in the assignment of meaning to the work; and such an explanation will never come to a halt at the invocation of the artist's role.

I have suggested that there is a crucial difference between the artist and the forger, and that this difference is what makes the artist's works interpretable while the forger's products are not. An objection that might be raised against this view concerns the possibility of an artist who produces forgeries as his artwork. And, indeed, my view implies that this is a possibility: since art has no built-in objective, there is nothing to bar an artist's pursuing forgery as an artistic project. We have been seeking the difference between forgers *qua* forgers, who are not the authors of their products, and artists *qua* artists, who are. But it is perfectly conceivable that there might be a case of a forger *qua* artist who has decided, for example, to undertake a guerrilla project of systematically spiking museums with forgeries so as to prompt a reassessment of accepted art historical theses. Does this show that there is no real difference between the artist and the forger? Not at all. This artist is a forger insofar as he has adopted the objective of making products that can be passed off as original historical works; but his works are fully interpretable, since it is right to seek from him, *qua* artist, the reasons for adopting the forger's objective. These reasons must be specific to him: they will never simply reduce to the claim, 'I am an artist, and this is the sort of thing that artists do'.

Of course, if he is a very good (and discreet) artist, we might never learn the true nature of his project. Perhaps such an artist is working away, painting on old canvases and manipulating provenance documentation, even as we entertain these very possibilities. If so, his activity and products look just like those of a mere forger. The difference between artist and forger does not lie in the nature of their outward activities or their products, or in issues of deception or authenticity; it lies in the appropriateness of seeking explanations that go beyond the nature of the artist's role and delve into

what *this particular* artist is trying to do. Such explanations are what allow us to interpret the artist's works, to find meaning in what he has done.

While they have often been seen as challenging or undermining notions of artistic authorship, the appropriation artists in fact accomplished something quite different, wittingly or not. By refusing the demands of originality and innovation that had come to seem criterial for art by the mid-twentieth century, these artists demonstrated that even originality and innovation are expendable: there is nothing in the nature of art or of the artist's role that obligates the artist to produce innovative works. The demand for originality is an extrinsic pressure directed at the artist by society, rather than a constraint that is internal to the very concept of art. As a result, it is up to the artist to decide whether to acquiesce in this demand or not. By revealing this, far from throwing off the mantle of authorship, these artists have actually reaffirmed the artist's ultimate authorial status.²⁸

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¹ Barthes, 'The Death of the Author', trans. Stephen Heath, in *Image, Music, Text* (New York: Hill and Wang, 1977), p. 148.

² Foucault, 'What Is an Author?', trans. Josué V. Harari, in Paul Rainbow (ed.), *The Foucault Reader* (New York: Pantheon Books, 1984), pp. 101-120.

³ Foucault, 'What Is an Author?', p. 120. The passage alludes to a line from Samuel Beckett's *Texts for Nothing*.

⁴ Elaine Sturtevant as quoted by Dan Cameron in 'A Conversation', *Flash Art*, no. 143 (1988), p. 76.

⁵ Of course, Marcel Duchamp and Andy Warhol before her had engaged in projects involving appropriation from non-art areas of culture. But Sturtevant was the first to appropriate wholesale from other artworks. See further discussion below.

⁶ See Bill Arning's interview with Elaine Sturtevant, 'Sturtevant', *Journal of Contemporary Art*, vol. 2 (1989), p. 43.

⁷ Arning, 'Sturtevant', p. 46.

⁸ Gombrich, 'Introduction: On Art and Artists', in *The Story of Art*, 16th edn (London: Phaidon Press Limited, 1995), p. 32.

⁹ Actual intentionalists hold that the meaning of a work is determined by the artist's intention. See, for example, E. D. Hirsch, Jr., *Validity in Interpretation* (New Haven, CT: Yale U. P., 1967) and *The Aims of Interpretation* (Chicago: University of Chicago Press, 1976). Hypothetical intentionalists hold that the meaning of the work is determined by the intentions a competent interpreter would attribute to the artist, based on the available information. See especially Alexander Nehamas, 'The Postulated Author: Critical Monism as a Regulative Ideal', *Critical Inquiry*, vol. 8 (1981), pp. 133-149 and 'Writer, Text, Work, Author', in Anthony J. Cascardi (ed.), *Literature and the Question of Philosophy* (Baltimore, MD: Johns Hopkins U. P., 1989), pp. 267-291, as well as Jerrold Levinson, 'Intention and Interpretation in Literature', in *The Pleasures of Aesthetics: Philosophical Essays* (Ithaca, NY: Cornell U. P., 1996), pp. 175-213.

¹⁰ See, for instance, Jeanne Siegel, 'After Sherrie Levine', *Arts Magazine*, vol. 59 (1985), pp. 141-144; Paul Taylor, 'Sherrie Levine Plays with Paul Taylor', *Flash Art*, no. 135 (1987), pp. 55-59; Constance Lewallen, 'Sherrie Levine', *Journal of Contemporary Art*, vol. 6 (1993), pp. 59-83; and Martha Buskirk, 'Sherrie Levine', *October*, no. 70 (1994), pp. 98-103.

¹¹ As Nelson Goodman has argued, the visual indistinguishability of two works need not be thought to imply that there are no significant aesthetic differences between them. See *Languages of Art*, 2nd edn (Indianapolis, IN: Hackett, 1976).

¹² Denis Dutton argues that forgeries harm precisely by misrepresenting the forger's level of achievement, and thereby prompting inflated estimations of their worth. See 'Artistic Crimes: The Problem of Forgery in the Arts', *British Journal of Aesthetics*, vol. 19 (1979), pp. 302-324. Reprinted in slightly modified form as 'Artistic Crimes' in Denis Dutton (ed.), *The Forger's Art: Forgery and the Philosophy of Art* (Berkeley: University of California Press, 1983), pp. 172-187.

¹³ The van Meegeren case is probably the most discussed in philosophical accounts of forgery. Van Meegeren created works that were considered by some art historians to be among Vermeer's greatest masterpieces. For a detailed account, see Hope B. Werness, "Han van Meegeren *fecit*," in Dutton (ed.), *The Forger's Art*, pp. 1-57.

¹⁴ I should acknowledge that Kawara's *Date Paintings* are a somewhat controversial example, since it is possible to see them either as a series of individual works or as a single work with many components, completed over a long period of time. Under the construal of *Date Paintings* as a single artwork, a person who made one such painting before Kawara did would not have succeeded at forging one of Kawara's works, but only a small fragment of it. To delve into the art historical evidence about which construal is more plausible is beyond the scope of this paper.

¹⁵ David Goldblatt, 'Self-plagiarism', *Journal of Aesthetics and Art Criticism*, vol. 43 (1984), pp. 71-77.

¹⁶ Alfred Lessing, 'What Is Wrong with a Forgery?', *Journal of Aesthetics and Art Criticism*, vol. 23 (1965), pp. 461-471.

¹⁷ E. H. Gombrich, *Art and Illusion: A Study in the Psychology of Pictorial Representation* (New York: Pantheon Books, 1960), pp. 359-360.

¹⁸ John Hoaglund holds that certain kinds of originality contribute to aesthetic value. See 'Originality and Aesthetic Value', *British Journal of Aesthetics*, vol. 16 (1976), pp. 46-55. Bruce Vermazen denies this claim in 'The Aesthetic Value of Originality', *Midwest Studies in Philosophy*, vol. XVI (1991), pp. 266-279.

¹⁹ Of course, artists might have valid reasons for disguising their identities: female writers have adopted male pen names to prevent their work from being stigmatised within sexist societies. In such a case, we might hold that the deception is not morally objectionable. (For similar reasons, the deception involved in forgery need not always be morally objectionable, as when the forger is pressed into service in, say, the apprehension of an art-loving serial killer.) However, as long as the deception remains in place it

may serve as a barrier to our full understanding of the work, and thus may be objectionable from an interpretative standpoint.

²⁰ A reader who is dissatisfied with this account of appropriate artistic motives may feel free to substitute a different account. Any proposal for distinguishing authors from non-authors on the basis of their motives will be susceptible to the concern raised here.

²¹ Gerald Marzorati, 'Art in the (Re)making', *ARTnews*, vol. 85 (1986), p. 97.

²² In Jerrold Levinson's terms, this would be a categorial intention, which 'govern[s] not what a work is to mean but how it is to be fundamentally conceived or approached. The most general of categorial intentions of concern here would be the intention that something be regarded as literature (or as art) at all, which obviously enjoins certain modes of approach as opposed to others.' See Levinson, 'Intention and Interpretation in Literature', p. 188.

²³ Below, I discuss the possible case of a forger who does, in fact, intend his products to be artworks.

²⁴ Failure to *satisfy* the objective, however, will not rule her out as a forger; bad forgers are still forgers.

²⁵ This is not to say that the forger's objective determines every aspect of her product. Traditional forgers who create pastiches, rather than copies, have considerable leeway in the particular features with which they will imbue their forgeries. Nonetheless, there are parameters within which such forgers must operate, and these parameters place severe restrictions on what they may do. With respect to the forgery of paintings, for example, the relevant parameters will restrict the type of materials, the scale, the colour palette, the subject matter and its treatment, the thickness of paint application and so on. Of course, an artist might accept similar restrictions in order to produce work for a particular patron. The crucial difference is that by violating the restrictions, the artist would not cease to be an artist (though the patron's support might be lost); the forger, though, would cease to be a forger upon wilfully abandoning the parameters that make it possible for the objective of successful forgery to be satisfied.

²⁶ In a statement to accompany a 1982 exhibition at the Vancouver Art Gallery, Levine said, 'We know that a picture is but a space in which a variety of images, none of them original, blend and clash.... We can only imitate a gesture that is always anterior, never original.' The statement closes with an allusion to Barthes' notion of the death of the author: 'The birth of the viewer must be at the cost of the painter.' See 'Statement', reprinted in Charles Harrison and Paul Wood (eds), *Art in Theory 1900-1990: An Anthology of Changing Ideas* (Oxford: Blackwell, 1992), p. 1067. Some critics adopted a similar stance in relation to her work; for instance, Stuart Morgan suggests that the self of the artist is eliminated in appropriation works, and that the works themselves are presented as unauthored objects. See Morgan, 'Ceci est un Warhol; Ceci n'est pas un Warhol', *Beaux Arts Magazine*, no. 92 (1991), p. 61. Levine eventually expressed regret that she had 'collaborated in' such readings of her work. See Marzorati, 'Art in the (Re)making', p. 92.

²⁷ Of course, it will be possible to offer minimal interpretations of the representational content of the forger's products, just as we interpret road

signs. But this is not interpretation in the sense that interests us here. See Arthur Danto's related distinction in 'Interpretation and Identification', *The Transfiguration of the Commonplace* (Cambridge, MA: Harvard U. P., 1981), pp. 115-135, especially p.135, and in 'Works of Art and Mere Representations', also in *The Transfiguration of the Commonplace*, pp. 136-164.

²⁸ I would like to thank Martin Montminy for extended discussions of the topic and Peter Lamarque for helpful comments on the manuscript. I have also profited from discussions with audiences at the Rochester Institute of Technology, the University College of Cape Breton, the Université du Québec à Montréal and a joint session of the Canadian Society for Aesthetics and the Universities Art Association of Canada.