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# FORGING ARTISTIC VALUE

It is widely believed in aesthetic theory that forgeries have aesthetic value. Arguments to the contrary generally predate the distinction between artistic and aesthetic value (Kulka 1981) and thus conflate the two together. Those denying forgeries aesthetic value tend to say that the sense in which forgeries are aesthetically valueless is that they lack such qualities as authenticity, rarity, creativity, originality and provenance which would make it valuable. If we interpret this within the dualist paradigm, it becomes clear that what they lack is artistic value (Kulka 1982). The prevailing attitude towards forgeries is, therefore, that they have a basic aesthetic value derived from sensory reward and a power to please but no value as art.

I envisage this essay chiefly as a reply to this standard view. I defend the distinction between aesthetic and artistic value but argue that, as well as having equal aesthetic value to original artworks, forgeries can also have artistic value. They can become valuable *as an artwork* in some of the same ways that originals do, but they can also accrue artistic value *as a forgery* for the accuracy of their representation of a referent.

## 1.

A forgery is «any created object whose actual provenance differs from what it is made out to be» (Lavender & Bergström 2022, 1). Thus an intending agent is required. This intention need not be malign: good and lofty intentions have abounded among forgers throughout history (Hiatt 2004). However, intention is necessary: our mistaking the provenance of an artwork does not make it a forgery. Say for example that, when we discovered *Augustus of Prima Porta* (1st century), we thought it crafted by Polykleitos on account of its similarity to his canon of body proportions but, later, found that it could not have been sculpted by him. This would not have made the sculpture in the first instance a forgery; we were simply mistaken about its provenance.

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There are several things that I intend to call a forgery that have their own names. What I have in mind are things like fakes and counterfeits. These terms may be used separately, such as how a postage stamp is a forgery if it is a copy of an existing stamp and is used to trick collectors, a counterfeit if put into circulation and used to defraud the government, and a fake if it is a real stamp modified to make it seem more valuable. However, like other academic aestheticians (Casement 2020, 61; *contra.* Kennick 1985, 3), I will treat the terms synonymously and call them all forgeries.

A distinction that is important is between identical copies of artworks that are alleged to be the original, and new artworks by an artist or forger alleged to have been created by another artist, often with greater cultural and historical significance, therefore increasing the monetary value of the work. I will give these two types of forgery distinct names.

FORGERY$_1$: identical copies of artworks
FORGERY$_2$: original artworks with a false provenance

I am assuming that forgeries are exact copies and are therefore aesthetically indistinguishable. This is an open question (see Morton & Foster 1991) that I am obliged to ignore for the sake of focus on the point at hand. Some arguments for the lesser value of forgery depend upon there being an aesthetic difference, if subtle, between it and the original and the ability to eventually identify the difference through concerted study (Goodman 1968, 103 ff.). It has been rightly said that 'the concept of an aesthetic difference is an intellectual Augean stable, and I lack the Herculean powers to clean it up' (Kennick 1985, 3). So, right from the outset, I will avoid this seemingly impossible chore by defining a forgery$_1$ as aesthetically identical to its original.

When it comes to forgery$_1$, the concept only applies to the creative and not to the performing arts because the latter emphasize reproduction and technique. It is only creative arts that place emphasis on creativity and originality above technical reproduction. Consider six central artforms: painting, carved sculpture, cast sculpture, printmaking, music and poetry. We intuitively regard the first four as subject to forgery$_1$ but not the latter two (Levinson 1980, 367). It is hard to imagine a situation in which a performance of Shakespeare's *Hamlet* (1599-1601) or of Mozart's *Piano Sonata No. 11* (1784) might be considered a forgery in this sense (Lessing 1965, 465 f.). The distinction I am referring to here is between autographic and allographic art (Goodman 1968, 3, § 3). On the other hand, forgery$_2$ is a broader notion in the sense that a reproduction of *Hamlet* alleged to have been written by some other playwright would fall into this category of forgery – a more descriptive term for this would be plagiarism – and thus the notion of forgery$_2$ applies to the performing arts too.

**2.**

Aesthetic value is in part the possession of «the power to please» and aesthetic experience is the experience of that power (Matthen 2017a; 2017b; 2018). Aesthetic value also derives from sensory reward (Brielman & Dayan 2022) which is subtly different from pleasing a subject insofar as that subject need not like or be pleased by an aesthetic experience to find it in some sense valuable (Gorodeisky 2021; Peacocke 2023, 2.1). What are responsible for an object's power to please and sensory reward are its aesthetic properties. These are simply the immediate sense data of experience – perceptual properties encompassing visual, auditory, gustatory, olfactory, and tactile properties. This position is called aesthetic formalism, and I maintain it because «aesthetics deals with a kind of perception» (Sibley 1965, 137; 2001, 34) and any adequate answer to the aesthetic question must plausibly articulate the sense in which aesthetic value is perceptual, and aesthetic formalism does this in the clearest possible terms (Shelley 2022, § 2.5.1).

Classic aesthetics contained «the assumption of aestheticism» (Kulka 2022, 63); that artistic value consists exclusively in aesthetic value and aesthetic value is determined by aesthetic properties. Over the years, the notion of 'aesthetic value' was increasingly qualified and began to be determined in part by non-

aesthetic properties. The qualifications to the value of an artwork are quite appropriate, but the growth of 'aesthetic value' as an umbrella term for the full value of an artwork has resulted in confusion, in my view. I agree with those that have reclarified the concept of aesthetic value by returning it to a derivative of aesthetic properties and have introduced the notion of 'artistic value' to refer to that value of an artwork derived from its non-aesthetic properties (Korsmeyer 1977; Goodman 1982; Dziemidok 1986; Stecker 2012; Hanson 2013). This has been termed aesthetic dualism (Kulka 2005; see also Kulka 1981; 1982; 1996; 2022).

Here are what I take to be the two most significant reasons for aesthetic dualism. Firstly, lots of things besides artworks, like natural phenomena, have interesting aesthetic properties and can be aesthetically valuable but are not considered artworks or valuable as art (see Adajian 2022, § 1). Secondly, it is often the case that an artwork has no power to please and thus no aesthetic value; but it is nevertheless extremely valuable as an artwork. For example, Picasso's *Les Demoiselles d'Avignon* (1907) was not received with enthusiasm at the time it was painted (Olivier 1933, 120; Golding 1959, 47; O'Brian 1976, 151; Stein 1959, 18; Penrose 1962, 126) yet with time came to be favourably viewed; now one can hardly find an anthology of twentieth century pictorial art that does not emphasize it (Kulka 1982, 116). The best explanation for these two cases is that aesthetic and artistic value are discrete: in the first, natural objects can have aesthetic value but not artistic value; in the second, the artwork has great artistic value but little aesthetic value. This distinction (aesthetic dualism) is what licenses my claim that aesthetic value is solely derived from aesthetic properties. Any objection to this claim would be that aesthetic objects possess more than merely aesthetic value, but this criticism has been absorbed by putting these other values into the category of artistic values.

A possible problem with this account is posed by values like poignancy which we would consider artistic but can be a property of natural phenomena as well as artworks. If we call it an aesthetic value then we must admit that aesthetic values do not come from purely aesthetic properties, for poignancy derives from more than merely what meets the eye. If we call it an artistic value, then my argument for aesthetic dualism falls down; or, at least, the distinction between artistic and aesthetic value is rendered meaningless.

By way of reply, consider the earthquake that has just occurred in Turkey as I am writing this and the many photographs of rubble that are being conveyed to us. It is not so much rubble that is poignant as the non-aesthetic fact that it represents the loss of a home and human life, the value of which is not naturalistic. The notion of 'home' and the value we attribute to human life comes from our society and culture; it is not to be found in the object itself. This is what I wish to add to the doctrine of aesthetic dualism; that artistic value is socio-cultural and aesthetic value is naturalistic. What I mean by naturalistic here is that it is to be found inherently within an object because aesthetic value is derived from the object's aesthetic properties. Natural phenomena may have artistic value because of the cultural baggage that we carry when observing it. It is a fundamental principle of standpoint theory that we enter into our epistemic endeavours with our values very much in play (see Harding 1982a; 1982b; 1983; 1986; 1991; 1993; 2009; Longino 1990; 1996; 1999; 2002). In my view, this is as much the case for aesthetics and the viewing of art as other epistemic endeavours like science. It is because natural phenomena like death are *culturally* poignant that we might find nature artistic. We can admit that non-arts have artistic value but not that this value is in any way inherent to the object itself like its aesthetic properties and, by extension, its aesthetic value.

A clear statement about the aesthetic value of FORGERY$_1$ follows from this. Aesthetic value is derived solely from aesthetic properties, thus no aesthetic difference entails no difference in aesthetic value. A perfect FORGERY$_1$ would not differ from the original in aesthetic properties nor, therefore, would it differ in aesthetic value. Thus, by definition, 'pure aesthetics cannot explain forgery' (Lessing 1965, 461). This is what I take to be the dominant view in aesthetics, academic or otherwise, and thus I feel I have here justified the assumption with which I opened this study.

**3.**

What I am propounding is a conventionalist definition of both art and artistic value which denies any essential connexion to aesthetic properties. What determines whether something is an artwork is what I will call the CULTURAL CRITERION. This is simply the standard by which we as a society determine a piece an artwork or artistically valuable and therefore justifies its inclusion in public art collections like galleries and museums. In my account, artistic value

is an umbrella term that refers to a cluster of individual artistic values which are gathered together in the CULTURAL CRITERION which is, basically, equivalent to artistic value, but more useful to us in the sense that it reveals where the values come from (i.e. cultural estimation).

Some of the main artistic values that constitute the CULTURAL CRITERION are: (1) aesthetic values viz. (a) power to please and (b) sensory reward; (2) historicity viz. (a) the age of the piece or its 'survival value' (Meiland 1983, 116), (b) provenance and (c) its place within the history of art; (3) deeper meaning by way of metaphor, analogy and so on; and (4) the ability to reveal new aspects of the world (Meyer 1967, 57 ff.). For something to qualify as an artwork, it need not possess every artistic value. Maurizio Cattelan's *Comedian* (2019) had no aesthetic values and Picasso's *Les Demoiselles d'Avignon* (1907) had few. Likewise, a new painting by a new artist has no historicity and may have no real meaning behind it either but, by sheer virtue of the beauty of the piece, it may qualify as an artwork. Note that, whilst they are not equivalent and there is no necessary connexion, aesthetic value is an artistic value and is partially constitutive of the CULTURAL CRITERION. This is responsive to the means by which new works become recognized as art, and to the fact that, traditionally, artworks are endowed with properties having a significant degree of aesthetic interest (Beardsley 1982; Eldridge 1985; Zangwill 1995; Dutton 2006; Davies 2015).

The artistic values within the CULTURAL CRITERION are what might qualify something as either artistically valuable or, further, a work of art; thus there can be no artwork that qualifies as an artwork yet has no artistic value[1]. But not everything that is artistically valuable

[1] I am here concerned with artistic value, not the definition of art. To this effect, therefore, I define an artwork simply as something with artistic value. This is, however, an open question (see Adajian 2022). One answer is that artwork is defined by a resemblance to an artistic kind, medium or form, such that *x* is an artwork iff *x* is a work of *K* and *K* is an art (Lopes 2014). Another might ground art in intention, such that *x* is an artwork iff *x* is «intended for regard-as-a-work-of-art» (Levinson 1979; 1989; 2002). Or it could be that *x* is an artwork iff someone acquires the knowledge that certain aesthetic properties will be determined by a certain configuration of nonaesthetic properties and, therefore, intentionally endows something with certain aesthetic properties in virtue of that certain configuration of nonaesthetic properties (Zangwill 1995). Despite this contention, I feel safe in my characterization of an artwork as something

is an artwork: there may not be a sufficient quantity or quality of artistic values to call something a work of art. Consider, for instance, natural phenomena which, as I mentioned, might have artistic value by virtue of our perception of them from our standpoint with our cultural values engaged. All of this depends on the CULTURAL CRITERION, and it is a futile task to give a precise explanation of what passes it and what does not because the estimation of society is not so precise: many are often surprised at the inclusion of a work in a gallery and at the exclusion of another. Just as the artworld is not cleanly cut, neither is the CULTURAL CRITERION as I have portrayed it here. This is not a deficiency in my account. I am advancing a theory of artistic value that I take to be representative of the approach taken by art critics, artists and artistic institutions like funding bodies, galleries and museums. It is a functionalist, ordinary language description of artistic value that is supposed to reflect the way that artistic value actually functions in society, not how philosophers think it ought to function.

Artistic value, like many concepts familiar to general society (see Weber 1949), is neither fixed nor precise. It is what the Vienna Circle philosopher of science Otto Neurath called a «ballung notion» (see Cartwright et al. 1996; 2011; 2014; 2016; 2022; 2023). These are «verbal clusters» (*ballungen*) in which a whole host of possible meanings of a term coexist together in a kind of busy, metropolitan intellectual space with no clear boundaries. Their meanings are not fixed and may vary over time and by circumstance; to this extent, the notion of artistic value might be called 'plurivocal'. How the CULTURAL CRITERION is applied, which values are considered necessary, which sufficient, is therefore

artistically valuable because I do not expect any opposition to the assumption that anything that qualifies as art or an artwork does not have artistic value. Here is something that is controversial about my definition of an artwork, though: it is a *prescriptive* property of an artefact. The term is almost ubiquitously used *descriptively*, referring to its institutional legitimization and its resemblance to a paradigm artform (see Danto 1964; Dickie 1974). This is not exactly a difficulty, per se, but an oddity. Because I am here focusing on artistic value, I am using the term 'artwork' to denote an artefact with artistic value. It makes sense to me to equate the question of whether forgeries are artistically valuable with the question of whether a forgery is a work of art. An alternative definition of an artwork does not undermine what I have to say about forgeries, however, and only introduces unnecessary semantic complexities – namely, the category of artefacts that are artworks but are not artistically valuable which, for a study addressing the artistic value of forgeries, is irrelevant.

completely a matter of circumstance, and I can do nothing more than generally characterize how artistic value turns out in society's cultural estimation. To me, this is completely in line with contextualism, which has dominated analytic philosophy of art for the past half century, for which artworks are 'essentially historically embedded objects, ones that have neither art status, nor determinate identity, nor clear aesthetic properties, nor definite aesthetic meanings' (Levinson 2007, 4).

**4.**

I will now turn to the question of forgeries. First of all, looking at the CULTURAL CRITERION again, it seems that both forgery$_1$ and forgery$_2$ have several of the values contained therein. For one, they have aesthetic value: forgery$_1$ has by definition equal aesthetic value to the original. It is a mistake of other accounts that, in rejecting an aesthetic conception of art, they separate aesthetic from artistic value completely (Kulka 2005) and judge forgeries only aesthetically valuable without appreciating the constitutive relation between them (see Kulka 1982). For sure, there is a value to an artwork beyond merely its aesthetic properties, but its aesthetic value is also part of what makes it an artwork in the first place. There have, moreover, been some suggestions that a coherent, non-trivial notion of artistic value completely separated from aesthetic value may be unattainable (see Lopes 2011).

Of course, an assumption that must be made here is that the forgery$_1$ in question is of an artwork which was in the first place valuable for its aesthetic properties, not for its provenance, like Picasso's *Les Demoiselles d'Avignon*, or for its meaning, like Marcel Duchamp's *Fountain* (1917). The same goes for any forgery$_2$: if one were to forge a fourteenth of Duchamp's readymades, it would not qualify as art or have artistic value on account of its aesthetics. It might, however, qualify as art of its own accord by way of its profundity, creativity, novelty or ability to reveal new aspects of the world. These are ways in which FORGERY$_2$ might meet the CULTURAL criterion that are not available to FORGERY$_1$.

Those that deny forgeries artistic value often do so on the basis that they have no historicity, equating artistic value with 'art-historical value' (Kulka 1982, 117). From what I have just said, this is clearly wrong. The historicity of a piece is just one way in which it is artistically valuable, and the loss of this value does not entail the complete loss of artistic value. However, there is also a way such

that a forgery might still be valuable in terms of its historicity, and this is if it were what I am going to call a FAMOUS FAKE. These are artworks that are forgeries but have their own historicity attached to them. Take, for example, Han van Meegeren's *Supper at Emmaus* (1937) which was thought to be a real work of Johannes Vermeer. Although, at the time of the creation of this FORGERY$_2$ it had only the aesthetic value of a real Vermeer, and none of its historicity, the painting did its rounds of exhibitions and had its critical acclaim by art historians. If the painting itself was good enough to be considered not only authentic, but «*the* masterpiece of Johannes Vermeer of Delft» (Bredius 1937, 210), then there must be a case for considering it an artwork. Perhaps its acclaim would have been limited to its aesthetic properties, but art critics said of the piece that 'in no other picture by the great Master of Delft do we find such sentiment, such a profound understanding of the Bible story – a sentiment so nobly human expressed through the medium of the highest art' (ibid.). This licences the attribution of other artistic values from the CULTURAL CRITERION such as meaningfulness. More can be said for the piece, however, as a FAMOUS FAKE. Although the painting might not have as artistically valuable a provenance as a real Vermeer, Han van Meegeren became a renowned artist and his own work actually rose in price after he had become known as a forger, resulting in FORGERY$_2$ of his works too, most notably by his son, Jacques van Meegeren. We have here, then, two ways in which *Supper at Emmaus* is artistically valuable in terms of its historicity. First, the fact that the *artwork* itself was so highly acclaimed for its artistic value beyond its provenance indicates that it was artistically valuable regardless of the fact that it was a FORGERY$_2$. It then developed its own historicity as an artwork when it was revealed inauthentic, earning itself an important place within the history of art as a FAMOUS FAKE. Second, the artwork was in the end painted by a renowned *artist*, which gives it an artistically valuable provenance as part of his *oeuvre*, if different from the one initially attributed to it. Exactly the same can be said for several other artworks throughout history, like Michelangelo's *Sleeping Eros* (1496). This case is not an oddity, but a principled means by which a forgery might be artistically valuable.

This principle applies to FORGERY$_1$ too. Rembrandt's copy of a painting by Pieter Lastman, for example, is not only aesthetically superior but may even be considered artistically (historically) superior by virtue of the fact that it was painted by Rembrandt, a

more significant artist (recall that provenance and historicity are partially constitutive of the CULTURAL CRITERION and therefore of artistic value). At least, if it is not artistically superior – the original might be sufficiently more creative to negate the increase in value from the copy's provenance – it is still artistically valuable: if it were revealed that the copy, a case of FORGERY$_1$, were in fact painted by some Jan Rap and his companion, then for sure the artistic value of the piece would decrease in terms of its provenance. If its provenance did not matter, then there would be no change in the artistic value of the work, which would be reflected in no change in its monetary value. However, as we have seen with the case of van Meegeren, this is not the case.

A final way in which FORGERY$_1$ might be artistically valuable is by way of representation. Different kinds of art, like narrative art, abstract art, symbolist art, expressionist art and so on, are held to different standards to determine their artistic value. I think that there are good reasons for considering FORGERY$_1$ a different kind of art that has its own unique value. I propose to call this kind of artwork a FAITHFUL REPRESENTATION. I will not make the argument here for the value of representation in art; I do not take it to be controversial that there are different ways in which different things – ranging from tangible items to abstract concepts – are represented in all kinds of art, and that these artworks are valuable for their representation (see Goldman 2005, § 4). Assuming that representation is artistically valuable, I make the case that a FORGERY$_1$ is valuable for its representation too.

A painting of a maiden – Leonardo da Vinci's *Mona Lisa* (1506), for example – might be considered artistically valuable because of how accurate a representation it is. The more lifelike the painted maiden is, the more valuable the artwork. There are a couple of possible reasons for this: one is that it has the value of providing a perceiver with very similar sensations to perceiving the actual maiden, so the value of the work is in acting as an immortal substitute for the maiden herself; another is that the artistic value derives from our marvel at the skill required to create such a FAITHFUL REPRESENTATION in the first place. Analogously, a FORGERY$_1$ can be considered artistic based upon how faithfully it reproduces the original. Where we cannot access the original, we can access a FAITHFUL REPRESENTATION of it; it is valuable for this function. Likewise, great skill as an artist is required to create a FORGERY$_1$ of a great artwork.

Now, the type of representation of an original and of a FORGERY$_1$ are not the same: I am not suggesting that the *Mona Lisa* is a FAITHFUL REPRESENTATION. Here is a possible point of criticism of my argument. The representation of an original is *creative*, and therefore more meaningful; it reveals something about the world rather than just copying it. However, I argue that a FORGERY$_1$ has value in its *exactitude* and in the *skill* associated with it. For sure, a case can be made that exactitude is an inferior artistic value to creativity, but exactitude is valuable nevertheless. Recall how, earlier, I rattled off the received view that forgeries do not apply to performing arts because they value rather than scorn reproduction and the skill to reproduce (see Lessing 1965, 465 f.). That is to say, the FAITHFUL REPRESENTATION stands at the pinnacle of the performing arts. I suggest that the same attitude can be taken to FORGERY$_1$. Just as «the original and the forgery are correctly described as *skillful*, though not in relation to the same reference class» (Sagoff 1976, 170, italics added), I believe they are both correctly described as *artistically valuable*, but in reference to different things. If we are to say of the performing arts that they are artistically valuable, then we must say the same of FORGERY$_1$. We may find, in addition, that it is necessary to say of some performances that they are a case of FORGERY$_1$.

My aim here has been to explicate an ordinary language use of artistic value and to apply it coherently to the notion of forgeries in two parallel cases: one, you hang a perfect FORGERY$_1$ of the *Mona Lisa* above your toilet; two, you put a statue that is claimed to be one of Michelangelo's, and is good enough at that, but is in fact a FORGERY$_2$. In both cases, were a guest at your home to say of the two *artworks* that they must be very expensive because they seem to him very artistically valuable, you would not be confused at his use of language. What I have tried to do is to explain *why* we have this intuition, why it is not bizarre to consider a forgery a work of art. For sure, you might argue about *how* valuable the piece is, but there is no question that it has *some* artistic value – enough to qualify it as a work of art in the first place. What might give some forgeries their artistic value, I have maintained, are their properties that meet the same CULTURAL CRITERION as original artworks – if to a lesser degree – their historicity as FAMOUS FAKES, and their skilful exactitude as FAITHFUL REPRESENTATIONS.

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