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The Price of Forgery: An Anthropological Perspective on the Value of Fine Art

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Abstract

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This is a paper about the relationship between art and value. I investigate the meanings of value and authenticity in the art world through an anthropological lens, using a case study of art forgery to show how a work of art can transition from priceless to worthless. I have used scholarly analysis of art historical and anthropological theory, contemporary primary sources, and ethnographic interviews in my studies of art, value, and authenticity.

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Introduction

Throughout history, artwork has been an important feature of a society's cultural identity. From prehistoric cave paintings, to seventeenth century Italian frescos, to today's auction houses, fine arts have persisted as a relevant commodity coveted by members of the social and intellectual elite. However, only a small percentage of artworks have risen to the level of societal recognition that have rendered them and their makers culturally significant. These pieces are then purchased, collected, revered, and resold for extraordinary amounts of money. Who is it that decides which artists throughout history are worthy of this kind of recognition? Why is it that the names of these artists become so influential within the art market? And what would happen if someone bought a painting attributed to one of these artists, and then found it to be a forgery?

Throughout this paper, I will be using various terms associated with value, specifically cultural, social, and monetary value. While these concepts often intersect, I will define them independently. In the context of this paper, cultural value refers to the historical significance represented by a piece of artwork. As painters accumulate fame, their pieces reflect that cultural clout. To own such an object is to appreciate the value that the work adds to the fabric of our contemporary human society. Social value is the idea that owning a highly coveted painting will increase one's status within their social communities. Buying a very expensive painting not only exhibits how much expendable income you have, but also shows a level of intellectualism by investing in such an enigmatic market. In this sense social value intersects with cultural value, meaning that the appreciation, whether real or perceived, of culture and history is used to enhance

social clout. To own a painting attributed to an artist that your community knows and reveres, is to invite jealousy and gain a higher level of social stature amongst one's peers. Monetary value is relatively self-explanatory, as it is in reference to the actual dollar amount assigned to an object.

These three manifestations of value are highly dependent upon one another within the context of the art world and market. An artwork considered to have substantial cultural value will be attractive to those seeking to bolster their social status. The social value resulting from perceived cultural value will then drive prices higher, influencing the subsequent monetary value. My research will show that while the relationships between cultural and social value often help to inflate an object's price tag, there is also potential for this relationship to mislead buyers.

My research was conducted using various methods. I used library and archival research to investigate twentieth century art historical theory through the reading of scholarly analyses regarding the concepts of authenticity and value in various cultures. I also conducted ethnographic research through interviews with various experts and scholars of art. My interviews included professionals with varying perspectives, spanning the many dimensions of the art world. I had the opportunity to speak with Patricia Cohen, the *New York Times* reporter who wrote several of the articles I am using as primary sources for this case study. I was also able to speak directly with the curator of the American wing at the High Museum of Art, and a former Sotheby's employee and current collection manager for a prominent contemporary art collector in New York. Commentary from these professionals, alongside scholarly texts, have helped me to assess the complex subject of how art is evaluated, appreciated, and traded in our modern society and culture.

This project explores the socially accepted assignment of monetary value to pieces of art, using the topic of art forgery to examine how cultural value outweighs aesthetics. Through the development of the western art market, paintings associated with certain names through history have developed unprecedented social value and therefore monetary value. However, the key to this dollar amount is the communal agreement that these works of art are important in some way or another. If found to be fraudulent, an artwork will drop precipitously from its multimillion dollar appraisal to be worth nothing. The production of the fraudulent piece is likely to be considered a criminal act. In this project I will use ethnographic methods along with textual analyses to research forged art and its perceived value both before and after its discovery as a fraud. I will also explore the cultural norms of Western art appraisal relative to those of other parts of the world.

This project focuses on a specific case study: a faked Mark Rothko painting sold by the Knoedler Art Gallery in New York City. This case was brought to court after Domenico and Eleanore De Sole purchased the supposed Rothko from the Knoedler & Company gallery for \$8.3 million in 2004. This piece was one of over thirty Abstract Expressionist works of art sold by Knoedler that were later found to have been painted by a Chinese artist in Queens named Pei-Shen Qian. The court case, settled in 2016, provides a case study documenting the life cycle of a fraudulent piece of art sold under a famous name. Once discovered, the piece literally lost all value, as it was reportedly “knocked around like a piece of cardboard.”¹ This particular case attracted considerable

¹ Miller, M. H. “The Big Fake: Behind the Scenes of Knoedler Gallery’s Downfall.” *ArtNews*. April 25, 2016

media coverage and court reporting, and therefore offers itself as an instructive case study for this research.

My theory, reflected by the Knoedler Gallery case, is that when works of fine art enter the highest echelons of the art economy their aesthetic appeal becomes less important than the artist's signature on the work. Rather than deriving value from their color or artistic technique, these works become commodities and measures of status and wealth based on the reputation of the artist who made them. The name recognition of the artist provides a sense of power to whoever is able to purchase their work. This provides the necessary allure to keep the art market moving. In her book *Seven Days in the Art World*, Sarah Thornton does an excellent job of sharing her experience as an outsider looking in on the different factions of the art market. She asserts that "the art world relies on consensus as heavily as it depends on individual analysis or critical thinking," referring to the necessity of strong communal agreement, in addition to the recommendations of experts, in the assessment of an artwork's value. Thornton argues that, in some cases, this collective endorsement of an artwork can be even more important than a professional evaluation.² I believe that this is what made Ann Freedman, the president of the Knoedler Gallery from 1994 to 2009, successful in selling so many forged paintings. Each was attributed to a world famous artist, a factor that made each canvas desirable to a point where collectors (and even Ms. Freedman herself, if you believe her claim of ignorance of the conspiracy) were willing to look past persistent red flags.

² Thornton, Sarah. *Seven Days in the Art World*. New York: W.W. Norton & Company, 2008.

The case study of *De Sole v. Knoedler Gallery, LLC*, offers a clear view of the life cycle of the value of a forged artwork. It provides a unique view into the notoriously secretive marketplace within the highest strata of the art world, where auctions are by invitation only and price tags start in the hundred-thousands. “The art market is notoriously opaque—the cliché is that it is the largest unregulated industry in the world, besides guns and drugs,” writes M. H. Miller in his article about the Knoedler Gallery scandal.³ There is an emphasis on confidentiality and anonymity within the social and economic circles of the art world, which is highlighted by the fact that the De Soles were, and remain, the only plaintiffs to bring Knoedler and Ms. Freedman to trial. Each of the other buyers, duped by fake paintings from the same collection, elected to settle their grievances against the gallery outside of court. With this method of reconciliation, the buyers were able to elude all press and the potential shame for their temporary association with a fraudulent work.

Using this foundation, I have developed the following research questions: What makes a work of art valuable? What does “value” mean (using the categories of cultural, social, and economic value)? What kind of value does the market care most about, and has this changed over time? As previously stated, I have used methods of scholarly analysis, primary source analysis, and ethnographic interviews to investigate these questions. However, there are limitations to the existing scholarship that this paper aims to resolve. The exploration of these research questions will link art historical and anthropological theory, and contextualize these previous publications through the lens of a twenty-first century scandal that has not yet been academically analyzed.

³ Miller, “The Big Fake.”

The following literature review will introduce prominent publications with both foundational information and contemporary commentary on the concepts of art, its value, and the role forgery plays in the disruption of a work's assessment. I will then present the Knoedler case study, explaining the court proceedings and its consequences for the future of the art market. To supplement the media coverage of the Knoedler case, I will present the opinions of art market professionals experienced in the assessment of art and its value. Their commentary will provide an ethnographic basis from which to assess the cultural dimension of the uniquely Western commodification of original art. I then explore why the scandal of forgery is so significant to our society by investigating the meaning of *authenticity*, and its implications within the art world as well as other niche markets. Finally, I look into stories of art today, and how this topic of arbitrary appraisal is relevant in contemporary news and media.

Literature Review

The Origin of Forgery

Forgery has been a threat to the western art market for centuries, but in recent times the reception of these false works has become severe and scandalous. This thesis will introduce the history of art forgery, but will focus mostly on modern cases where there is ample literature and expert analysis to provide insight into the motivations of the forgers, and newly developed methods of fraud prevention. However, while scholars have been fascinated by the processes and psychology of art forgers, I could find little scholarship beyond the works of Walter Benjamin and John Berger in regard to forgery and its significance to the human experience of art appreciation. One case of forgery in particular, involving a highly respected gallery in New York City, made international headlines in 2011. This case, as stated previously, has failed to stimulate new scholarship on the topic of art forgery in the twenty first century. By piecing together news reports and editorials from the resulting media frenzy, I found that this recent scandal serves as a valuable case study with which to view the contemporary cultural climate of the western art market. It provides an example of how the criminal perception of forgery has intensified as market prices have swelled, and as Western connoisseurs have escalated the value of authenticity and originality.

The phenomenon of art forgery has been investigated in the past by a former Emory University student, Anda Lopazan, who focused mainly on the topic's origins and evolution. My project focuses on more modern instances, analyzing market trends post-World War II, and noting if and how the tone surrounding forgery has changed within the western art world. I have taken an anthropological perspective in order to evaluate the market's inner workings through the perspective of its participants rather than the

artworks alone. This offers a unique perspective of how things have changed in modern times, as behaviors and values adjust while the objects remain the same. Her paper, titled *Creation and Deception in the Evolution of Art Forgery* (2012), sought to explore the concept of art forgery and its evolving definition from the Middle Ages through the Baroque and into the nineteenth and twentieth centuries. According to the Oxford English Dictionary, in its original essence, to forge was “the action or craft of forging metal;” an indicator of creation. However, the term forgery has grown over the centuries into a word associated with duplicitous intent, earning new definitions such as: “the making of a thing in fraudulent imitation of something...the forging, counterfeiting, or falsifying of a document...Something forged, counterfeited, or fabricated; a spurious production.”⁴

Shakespeare is cited as one of the earliest authors to use the latter definition of forgery in his complex storylines. In the 1594 poem, *The Rape of Lucrece*, the term can be found twice throughout the text, first referring to imagined circumstances as “the weak brain’s forgeries.”⁵ It is then included in a list of guilt-provoking actions akin to murder and treason:

“Guilty thou art of murder and of theft,
 Guilty of perjury and subornation,
 Guilty of treason, forgery, and shift,
 Guilty of incest, that abomination—
 An accessory by thine inclination
 To all sins past and all that are to come,
 From the creation to the general doom. (920)

⁴ "forgery, n.". OED Online. March 2019. Oxford University Press. <http://www.oed.com.proxy.library.emory.edu/view/Entry/73317?redirectedFrom=forgery> (accessed March 14, 2019).

⁵ Barbara Mowat, Paul Werstine, Michael Poston, Rebecca Niles, eds. *The Rape of Lucrece*, (Washington: Folger Shakespeare Library, n.d.), accessed March 15, 2019. 460.

With the inclusion of this term alongside other unquestionable criminal acts, Shakespeare, a significant influence in the world of words, has given ‘forgery’ a negative connotation.⁶ To build upon this initial association of forgery as criminal within the art world, Lopazan framed her investigation its evolution based on two events significant in the development of forgery: the invention of the printing press and the use of the scientific method by art analysts.⁷

The aim of my research is to build upon the historical analysis of Anda Lopazan and other scholars. From these papers, it is evident that forgery acquired its current definition of a fraudulent imitation as early as the sixteenth century. This definition of intentional deceit is the definition that I will use and expand upon through my own research. My objective is to build upon this understanding of forgery to see how it has evolved into the mid-twentieth and early twenty-first centuries.

My research will be distinct from that of Lopazan in that I will focus specifically on Abstract Expressionist paintings. This genre of fine art is arguably one of the most controversial among art admirers. With seemingly random splashes of paint and shapeless blobs of color, one may think these pieces could be easily copied. Some of the best-known paintings of this genre are by Jackson Pollock, Mark Rothko, Willem de Kooning, and Robert Motherwell. They are the paintings that some walk by in a museum and think, “Why is this here? I could do that!” But in fact, it is a genre in which a copycat must produce the perfect amount of imperfection to persuade the authorities

⁶ Lopazan, Anda. *Creation and Deception in the Evolution of Art Forgery*. Honors thesis, Emory University, 2012. 1.

⁷ Lopazan, *Creation and Deception*. 2.

of the work's authenticity – a genre which some experts claim is the most difficult to convincingly duplicate.

Incredible price tags are often associated with these works of art, which make the idea of producing criminal copies all the more enticing. If a piece could be produced in the style of, and sold under the name of, one of the aforementioned artists, the maker could earn huge sums of money from unwitting buyers. In my research, I will explore how this prospect of easy cash has proved too tempting, not only for struggling artists trying to make extra money, but even for some of the most reputable art establishments in the world.

Art as Enterprise

The American postwar economy was booming, and art had grown to be a commodity valued alongside real estate in both dollars and status. However, American artists began to rebel after participating in President F. D. Roosevelt's New Deal art projects (such as the Federal Art Project, a depression-era program commissioning public murals to inspire community building and restore American values). The postwar social climate proved to be more liberal and accepting of new ideas. In this atmosphere, artists began to diverge from traditional painting styles and create a new genre of work. This avant-garde movement of Abstract Expressionism paved the way for contemporary painters to create masterpieces fueled by public and personal emotions of the postwar society.⁸

With this postwar burst of artistic innovation, New York began to boom as an art capital and grew to be known as a world-renowned art hub. Sotheby's, a prominent art

⁸ Ekelund, Robert, Jr., John Jackson, and Robert Tollison. "How American Artists Conquered the Global Art Market—with a Boost from the State Department." Artsy. September 20, 2017.

dealer in London since 1744, became the first international auction house when it located its first satellite showroom in New York City in 1955.⁹ The new name-brand establishment generated fresh market buzz as international relations began to rebuild.

In *The Economics of American Art*, Robert Ekelund Jr., John Jackson, and Robert Tollison attribute the reinvigorated art market and its enthusiasm for the new Abstract Expressionist style to the postwar economy. That period of inflation led to new wealth, and with it, “a new cascade of [art] collectors.” After the war, the United States was no longer importing French or other European works, whose collections had been ravaged by the war. This left a noticeable hole in the art market which sparked a new demand for alternative art sources. This void was filled by American-made art.¹⁰

To show the rest of the world that art had survived the war, despite the destruction of collections in Italy, France, and Germany, the U.S. State Department sent one hundred contemporary American paintings on an international tour. This parade of American work was to be seen as a form of cultural diplomacy.¹¹ By proudly showcasing these pieces around the world, the United States was creating a name for itself as the global art market began to rebuild.

The art tours were canceled in the end because of fears that communist influences could be brought back to the United States from abroad, but Abstract Expressionist paintings remained in demand worldwide. Encouraged by its indestructible popularity, the artists began to expand beyond drip paintings to other forms of expressive painting. Ekelund, Jackson, and Tollison point to Andy Warhol as having capitalized on the

⁹ "About Us." Sotheby's. 2018. Accessed December 14, 2018. <https://www.sothebys.com/en/about?locale=en>.

¹⁰ Ekelund, et al. "Global Art Market."

¹¹ Ekelund, et al. "Global Art Market."

freedom that Abstract Expressionism provided, and used it to create a spin-off genre all his own.¹² These innovative artforms were relevant and linked to the political climate of their time but are still in demand today. The great artists of the era are outlived by the works they left behind, and these works become more desirable and valued with each passing year.

Sarah Thornton explores the phenomenon of the art market and its highbrow participants in her 2008 book *Seven Days in the Art World*. She approaches her subject matter with the style of an investigative ethnographer, conducting interviews and engaging in participant observation by placing herself in spaces such as the press box of a Sotheby's auction. In the introduction of the book, Thornton defines the art world as distinct from the art market. The concept of the art world encompasses the artists themselves, along with curators, critics, historians, and others who admire works with a scholarly eye. The art market, on the other hand, is smaller and comprised more specifically of art dealers, collectors, and auction houses. The latter group has taken what the former ardently admires and turned it into a business.

Thornton argues that for its participants, the contemporary art market has become a sort of religion. The buying, selling, and collecting of masterpieces can be related to acts of faith, and the works themselves have the ability to bring people together based on a common belief in their beauty and significance.¹³ This theory is supported by Walter Benjamin in his 1936 essay, "The Work of Art in the Age of Mechanical Reproduction." In this paper, he claims that the foremost way in which a piece of art holds value is in its spiritual or "cult value." To prove his point, Benjamin cites works of art (such as

¹² Ekelund, et al. "Global Art Market."

¹³ Thornton, *Seven Days*. (xiv).

sculptures, frescos, and mosaics) that are kept or are constructed in restricted rooms of religious buildings, only to be seen by the most devout.¹⁴

I find issues with this analogy, as religion is preached for the masses rather than a select subset of believers. I accept the connection with spiritual objects, as fine works of art are shown off in high profile exhibitions just as Christian relics are advertised by the most sanctified churches. However, I find that Benjamin's use of "cult" may be the most appropriate parallel to the art world, which reflects the like phenomenon of exclusivity.

Paired with Thornton's theory of adopting fine art as a form of gospel, Benjamin's restricted spaces can be modernized to point to the exclusive, invitation-only auctions. Only those who can afford to purchase masterworks, which some might view as the proper way to appreciate such art, are allowed access to them. This correspondence between art and spirituality can also extend to private collections, which can be regarded as parallel to secret treasuries of ritual objects, artworks deemed too sacred for public view. Author and ceramics expert George Savage expands on this theme in *Forgeries, Fakes, and Reproductions* (1963). He argues that the spiritual aspect of buying fine art is what compels the highest bidder to pay millions of dollars for a few lines on a piece of drawing paper. He declares that "art and money are, in fact, inseparable in the present form of society," and that the more money you spend, the more art you obtain to satisfy your interpretation of a divine power.¹⁵

In *Ways of Seeing* (1972), John Berger builds upon the idea of viewing fine art as analogous to a ritual experience reserved for the elite, claiming that an artwork's

¹⁴ Benjamin, Walter. "The Work of Art in the Age of Mechanical Reproduction." Translated by Harry Zohn. In *UCLA School of Theater, Film and Television*. First published in 1936. <https://www.marxists.org/reference/subject/philosophy/works/ge/benjamin.htm>.

¹⁵ Savage, George. *Forgeries, Fakes, and Reproductions*. F. A. Praeger, 1964. 244.

“market price is said to be a reflection of its spiritual value.”¹⁶ Berger cites Benjamin as a key influence on his work and uses Benjamin’s discussion of photo-reproduction as detrimental to fine art as a stepping-off point. Using Benjamin’s argument, Berger then builds upon Savage’s claim of art’s inherent relationship with money. Berger asserts that it is not just the object that holds monetary value, but the fact that it is the object from which all its reproductions originate; “The meaning of the original work no longer lies in what it uniquely says but in what it uniquely is. How is its unique existence evaluated and defined in our present culture? It is defined as an object whose value depends on its rarity.”¹⁷ By this logic, it is an object’s originality and authenticity that gives it an allure akin to a religious relic – an aura Berger refers to as “an atmosphere of entirely bogus religiosity.”¹⁸

The socially manufactured aura, which Berger calls *bogus*, actually shows a close relation to religious hegemony. Through this lens, both art and religion require a powerful cultural buy-in and social solidarity: “The art world relies on consensus as heavily as it depends on individual analysis or critical thinking.”¹⁹ In order for a piece of art to rise to a level of significant value, the greater community of artistic authorities must agree on its worth – that is, whatever someone will pay for it. However, a work of art alone does not solicit a multimillion-dollar price tag at auction – the reputation of the maker, which must also be agreed upon by the community and its authorities, is instrumental to the evaluation of the artwork. Social unanimity is necessary for both an artist and their work to become relevant in the current market. It can also be argued that

¹⁶ Berger, John. *Ways of Seeing*. London: BBC and Penguin Books, 1972. 21

¹⁷ Berger, *Ways of Seeing*. 21

¹⁸ Berger, *Ways of Seeing*. 21

¹⁹ Thornton, *Seven Days*. xiv-xv.

once an artist has earned this level of relevance and respect, the imagery and aesthetics of their work become secondary.

Thornton points out how an artist's success depends on the contradiction of originality and conformity: while their work is expected to showcase a new perspective, it shouldn't stray too far from what has come to be expected and is already valued. Dead or alive, artists' popularity in the marketplace depends on their work's previous sale prices and current availability. Thornton adds that regardless of its aesthetic appeal, a painting at auction becomes more appealing to high-profile buyers when its purchase is likely to create headlines. Often, she reports, the artist's name may be the only words spoken before bidding begins. And after the fall of the hammer signifies "Sold!" there is a general obsession with finding out who made the final bid. Rather than an element of decoration, Thornton explains, "in [a] digital world of cloneable cultural goods, unique art objects are compared to real estate": to acquire the finest lot is to secure the gratifying envy of one's peers. In this art world, paintings are purchased as investments and status symbols, and their value (both economic and cultural) is measured by the communally constructed reputation of the artist who made them.²⁰

The documentary *The Price of Everything* (2018) opens with images of a bustling gallery, with a voiceover from auctioneer Simon De Pury. He explains that the art market of today, its high prices and prestige included, is necessary in order to maintain a record of our cultural history: "Art and money have always gone hand in hand. It's very important for good art to be expensive. You only protect things that are valuable. If something has no financial value, people don't care. They will not give it the necessary

²⁰ Thornton, *Seven Days*. xvi.

protection. The only way to make sure that cultural artifacts survive is for them to have a commercial value.”²¹ This film goes on to prove that Berger’s twentieth century theories of power and ownership are relevant today. Calvin Brown, an art dealer, describes how the highest levels of the art market view and deal works of art in a different way than typical art admirers. He states that, “up in the higher reaches of the treetops is a different ecosystem where art absolutely is an asset class. That’s essentially what the auctions have become...a trading house for assets.”²² The trading of these functionless assets is actually a trading of prestige. Those who participate in this treetop market are beyond the necessity of investing for monetary purposes, they instead pursue these objects as story sources and conversation starters to have in their homes. Owning these artworks also allows buyers to become part of the object’s history, and in this way they can claim a relationship to that work’s cultural impact.

Berger reminds his readers that art has long been associated with power, which is often associated with wealth. He builds on the idea that the contemporary art market relies on the reputation and regard of the artist more than on the work in question, by writing that “for the first time ever, images of art have become ephemeral, ubiquitous, insubstantial, available, valueless...they no longer, in themselves, have power.”²³ This assertion supports the idea that the aesthetics or imagery of a piece of art has become insignificant relative to the status and *power* associated with its ownership, which is reflected by the spectacle of the art market today. Since the imagery itself has become

²¹ *The Price of Everything*. Directed by Nathaniel Kahn. Produced by Carla Solomon, Jennifer Stockman, and Debi Wisch. United States: DogWoof, 2018.

²² *The Price of Everything*, 2018.

²³ Berger, *Ways of Seeing*. 32.

easily attainable, it is the physical object that retains the exclusive status that buyers desire.

Originality

Fine art in the western world is valued according to principles of originality and innovation. There is a distinct emphasis on the artist's creative faculties, and a level of prestige tethered to the consistent creativity of an artist. However, Michael Baxandall writes that in fifteenth-century Italy high regard for an artist's individuality was not in order. Painters were seen as tools for wealthy clients, who could commission custom-made objects. Community leaders would sometimes pay for large public paintings or church frescos in order to show a bit of good faith to the townspeople who had made them rich.²⁴

Once a work was commissioned, the artist was contractually bound to produce designated subject matter using previously stipulated colors and materials. Also included in such contracts were the costs of each material that would be used, a deadline for the commissioned work, and finally, a payment clause. Baxandall uses the example of ultramarine-blue pigment, which is made from lapis lazuli: "To avoid being let down about blues, clients specified ultramarine; more prudent clients stipulated a particular grade – ultramarine at one or two or four florins an ounce." Similar specifications were applied to the painter's use of gold.²⁵

²⁴ Baxandall, Michael. *Painting and Experience in Fifteenth Century Italy*. Clarendon Press, Oxford. 1972. 9.

²⁵ Baxandall, *Fifteenth Century Italy*. 11.

With such attention paid to the content of the composition and restriction of materials, these early artists had almost no autonomy when it came to their work. They were considered common craftsmen and hired to produce something socially approved. However, as prices for fine materials increased and patrons' priorities began to shift, an artistic breakthrough fueled the innovations of the late Renaissance. Instead of semi-precious pigments and gold embellishments, Baxandall explains, the market began to focus on the ability of individual artists who used cheaper materials to create the illusion of more expensive products.²⁶ For example, painters who could expertly wield their brushes and place whites next to yellows to create the illusion of gilding became far more admired than painters who used actual gold leaf. This newfound appreciation for a painter's technique began to surpass the previous method of painting with expensive materials to the point where the use of the now superfluous materials became undesirable by the clients. Consequently, contracts began to specify the skill of the painter rather than stipulate the use of materials: for example, "the client will confer lustre on his picture not with gold but with mastery, the hand of the master himself."²⁷ Instead of realism, there is a shift to the admiration of illusionism; and instead of the artist as a generic artisan, there is a shift to the artist as an individual master.

This transition introduced by Baxandall is enhanced by what Caroline Jones refers to as "the solitary individual artist in a semi-sacred studio space."²⁸ Her book *Machine in the Studio: Constructing the Postwar American Artist* (1996) further explores this idea of the artist as an individual, and their art being appreciated as such.

²⁶ Baxandall, *Fifteenth Century Italy*. 15.

²⁷ Baxandall, *Fifteenth Century Italy*. 23.

²⁸ Jones, Caroline A. *Machine in the Studio: Constructing the Postwar American Artist*. The University of Chicago Press, Chicago and London. 1996. 1.

She writes that, in the two decades after World War II, the artist developed into an independent image manager, no longer reliant on the stipulations of stale commissions. Instead, consumers wanted to buy art by specific artists because of their own ideas and production techniques. The artists themselves became central figures within the market as their signatures began to accrue as much esteem as their products. Jones writes that the artists themselves became a element of the art market, saying that “the construction of authorship is crucial to commodity exchange.”²⁹

The idea of the artist as an “independent creator/author of a unique product identified with his name,”³⁰ grew out of the physical space an artist was now able to independently occupy. The transition from the workshop to the studio encouraged the market’s emphasis on an artist’s individual creative genius. This phenomenon of individuality, paired with the democratization of image availability resulting from the development of the camera, fostered a new market mania in regards to owning original and authentic works of art.

Authenticity

The late fifteenth-century attention to an artist’s skill gave way to a new desire to own works by particular craftsmen. While motifs would likely have remained the same, appreciation for an artist’s technique would grow and diversify the market as clients developed their own preferences and tastes. From this new interest in an artist’s individuality grew our modern obsession with authenticity. The identity of the maker was now of utmost importance, and new efforts were made to assure that the piece one

²⁹ Jones, *Machine in the Studio*. 2.

³⁰ Jones, *Machine in the Studio*. 3.

had requested was indeed the one acquired, and more importantly, that it was by the correct artist.

“The authenticity of a thing,” writes Walter Benjamin, “is the essence of all that is transmissible from its beginning, ranging from its substantive duration to its testimony to the history which it has experienced.” Benjamin’s essay “The Work of Art in the Age of Mechanical Reproduction” discusses the origins of an object’s uniqueness – its “aura” – and how a reproduction differs from the original based on its history. Changes in ownership and location, the potential for physical damage, are all part of the irreplaceable life history of an object.³¹

The invention of the photograph, which is endlessly reproducible, prompted a renewed emphasis on original, unique artworks. Berger refers to this reinvigorated attention to an object’s origin as a sense of nostalgia for “an oligarchic, undemocratic culture,” where the elite assign new meaning to the possession of an original. This emphasis gives a privileged community exclusive ownership of the finest cultural relics of society, as an attempt to stunt the growing democratic access to such imagery. While anyone can look at a Rembrandt using Google Images, or buy a poster-sized reproduction of a Picasso, only a select few can own the pieces from which these copies were made. This idea of the sole possession of a unique original fuels this exclusive economy. “If I look at this painting hard enough,” as Berger observes, “I should somehow be able to feel its authenticity...It is authentic and therefore it is beautiful.”³²

The definition of a fake, as opposed to an authentic work of art, has to do with the intentionality of the artist. While an original work may be done in the style of another

³¹ Benjamin, “Art in the Age of Mechanical Reproduction.”

³² Berger, *Ways of Seeing*. 21.

artist, the work becomes a forgery if the maker advertises it as the work of another. The intent to deceive a target audience is what makes the act of forgery so nefarious, and so dangerous for dealers and consumers, because forgery threatens one's level of culture. Sepp Schüller, the author of *Forgers, Dealers, Experts: Strange Chapters in the History of Art*, articulates that "people no longer dare to give themselves up to unqualified admiration of [art]," they are careful not to praise a work too highly for fear that their own reputation will be marred if the work is later deemed unworthy.³³ In spite of the fear that a potential art scandal poses to experts and their clientele, those in peripheral circles find the prospect of fraud thrilling.

Sepp Schüller explores the social implications of art forgery in a chapter titled "Forgery Detection as a Fashionable Complaint," alluding to the competing fear and sophistication associated with questioning an expensive piece of art. He later defines this phenomenon as "forgeritis": an overly anxious anticipation of, and desire to witness, impropriety. He cites Wilhelm Bode, a nineteenth-century German art historian, who said "The present age has an excessive appetite for scandal and sensational novelty."³⁴ That appetite has led to countless theories involving a forged Mona Lisa, Rembrandt as a fictional character, and Rubens as a Spanish spy in disguise.³⁵ To question the authenticity of a masterpiece is to assert one's intellectual superiority over the experts by saying that you see artistic inconsistencies that they cannot.

³³ Schüller, Sepp. *Forgers, Dealers, Experts: Strange Chapters in the History of Art*. New York, NY: G. P. Putnam's Sons, 1960. 186.

³⁴ Schüller, *Forgers, Dealers, Experts*. 187.

³⁵ Schüller, *Forgers, Dealers, Experts*. 188-189.

Regardless of rumors, the art market is sensitive to the threat of forgery, especially with works that have recently “reappeared” on the cultural stage. One of the most important records associated with a work of art is its provenance: the object’s history of ownership. From workshop to patron, and every other hand the work has passed through before arriving at the dealer, this record gives a clear history all the way back to its origin. Without a clear provenance, experts must be wary of the authenticity of a piece. Recently, scientific methods have been used in addition to provenance, or when there are holes in the history, to verify the integrity of the painting’s materials and make sure they are consistent with other aspects of the work. With these procedures in place to double- and triple-check authenticity before a painting goes on sale, it is harder than ever to get away with forgery – yet the scandals continue. A word of advice from Schüller: “Buyers of works of art can never be warned too often or too emphatically to be cautious in all their purchases.”³⁶

The ethnographic documentary *In and Out of Africa* begs the question of how important chemically confirmed authenticity really is. The film follows Gabai Barre, a merchant from West Africa, who has made his livelihood selling African ‘wood’ in America. Barre defines wood as “a work of art,” and explains that a market for these wooden sculptures has been developed specifically for tourists. In this sense, authenticity is in the eye of the beholder – it is a construct created to satisfy the Americans’ desire for “traditional” and “ritual” items from an exotic continent. Barre’s customers have created a story behind the works they buy from him, believing that they were used in religious rituals and have survived hundreds of years of turmoil. In reality,

³⁶ Schüller, *Forgers, Dealers, Experts*. 190.

craftsmen are making these objects specifically for the American market. They have their own methods to make the wood look “old” and worn, which are more appealing characteristics to the buyers.³⁷

These sculptures are indeed made by the hands of regional craftsmen, but do not match the histories that the customers desire. Therefore, the craftsmen have developed skills to make their products look as if they have lived through hundreds of years of ritual use. They have found that the older an object appears, the more money they will sell for. In this case, are these objects not authentic? They are individually and carefully crafted, but their provenance is fabricated. This further proves that the idea of authenticity is a construct, both culturally and social perpetuated.³⁸

History of Knoedler & Company

Michel Knoedler (1823-1878), a French expatriate, began selling art in New York City in 1846.³⁹ After opening his first eponymous showroom in 1857, Knoedler quickly rose through the ranks of the city’s art dealers alongside Duveen, Durand-Ruel, and Wildenstein. M. Knoedler & Co. was inviting highbrow clients into its Fifth Avenue showroom by the 1890s. As his collection of European masterworks increased, so did the reputation of the Knoedler name within the art world. The gallery later moved to join its top competitors on 57th Street – the hot spot for fine art in early twentieth-century New York. In 1970, the Knoedler art gallery relocated for the last time to occupy

³⁷ *In and Out of Africa*. Produced by Ilisa Barbash and Lucien Taylor. United States: Berkeley Media, 1993.

³⁸ *In and Out of Africa*, 1993.

³⁹ "De Sole v. Knoedler Gallery, LLC." Leagle.com. October 9, 2015. <https://www.leagle.com/decision/infdc020151013d32>.

an Italianate townhouse at 19 East 70th Street. There it stayed, in all its glory, until its doors closed for good in 2011.⁴⁰

Knoedler & Co. rose to prominence in the New York art world for its fine collection of European paintings. However, the gallery began to widen its holdings and offer works in a variety of styles in their showrooms, advertising “Modern American Prints,” for example, in *The New Yorker* in 1942.⁴¹ The gallery grew to become one of the most prominent and respected art dealers in America. As Patricia Cohen, a writer for the *New York Times*, noted in 2011, “Knoedler helped shape the tastes as well as decorate the homes of America’s new class of wealthy barons.”⁴² The gallery always had loyal clients such as J.P. Morgan and Andrew Mellon, and it continued to serve such institutions as the Metropolitan Museum of Art, the Tate Galleries, and the Louvre.⁴³

While Knoedler & Co. suffered financial ups and downs throughout the twentieth century and felt the effects of the 2008 recession, its demise can be dated to October 12, 2011 when a paragraph by Patricia Cohen appeared in the Art and Design section of the *New York Times*. With the headline “Motherwell Painting Declared a Forgery,” this article was the first thread pulled from the cloth of deception that had veiled the famed gallery for the past seventeen years.⁴⁴ In this short article, Cohen reported the settlement of a civil court case in which the Dedalus Foundation, a nonprofit organization founded by the painter Robert Motherwell, rescinded their declaration of authenticity from a painting sold as an authentic Motherwell to Killala Fine Art Limited.

⁴⁰ Gray, Christopher. “When Elegance Sold Art.” *The New York Times*, March 8, 2012.

⁴¹ Gray, “When Elegance Sold Art.”

⁴² Cohen, Patricia. “A Gallery That Helped Create the American Art World Closes Shop After 165 Years.” *The New York Times*. November 30, 2011.

⁴³ Cohen, “American Art World.”

⁴⁴ Moynihan, Colin. “Knoedler Gallery and Collectors Settle Case Over Fake Rothko.” *The New York Times*. Feb. 10, 2016

The work in question, “Spanish Elegy,” was advertised as a work from the like titled series of paintings made by the artist in the early 1950s. The true provenance of this painting originates with a Long Island art dealer named Gloafira Rosales. Rosales claimed to have a relationship with a Swiss heir, who had hired her to liquidate his extensive collection of Abstract Expressionist paintings. This fictional collection was listed as the source of many of Knoedler’s finest acquisitions. Julian Weissman, who sold the purported “Spanish Elegy” to Killala Fine Art Limited, was a former Knoedler employee, and thus knew of Rosales and her access to the alleged trove of masterpieces.⁴⁵ Upon its de-authentication, the Dedalus Foundation, which holds the copyright to all of Motherwell’s works, stamped the back of the now worthless canvas with a legible disclaimer stating: “after physical examination and forensic testing...the Dedalus Foundation Inc. has determined that this painting is not an authentic work by Robert Motherwell but a forgery.”⁴⁶ This was the first of ten cases of alleged forgery involving Knoedler & Co., leading ultimately to the gallery’s downfall.

Sources

Since 2011, ten legal cases have been brought against Knoedler & Co. So far, only one has made it to trial: the case I focus on in my investigation of the involvement of culture with the monetary value of art. *DeSoles vs. Knoedler & Company* has not been analyzed beyond factual reporting and short-form editorials. Therefore, I will rely on news sources for facts, particularly articles written by Patricia Cohen for the *New York*

⁴⁵ Moynihan, Colin. “Knoedler Gallery Director Settles Lawsuit Over Fake Rothko.” *The New York Times*. Feb 7, 2016

⁴⁶ Cohen, Patricia. “Suitable for Suing.” *The New York Times*. February 22, 2012.

Times. I also use court documents provided by Leagle.com, an online database of United States court records. This includes the judge's opinion and court proceedings. Other sources that may not refer to the Knoedler case specifically address key themes from the trial and provide support for the overall argument of this paper.

Knoedler Gallery Case Study

On October 11, 2011 *New York Times* reporter Patricia Cohen published a short piece in the Art and Design section titled: “Motherwell Painting Declared a Forgery.”⁴⁷ This one paragraph report focused solely on the case of this single painting; however, the connection of the imitation Motherwell to the renowned Knoedler & Company Gallery in Manhattan would uncover a forgery scandal dating back to 1994.⁴⁸ From then on, the public would receive a steady flow of publications exposing and accusing the prominent art establishment of coercion and corruption.

The Motherwell painting in question, “Spanish Elegy,” was bought by a Swiss dealer named Marc Blondeu from a New York City dealer named Julian Weissman for \$650,000, considered at the time a low price for the suddenly unearthed masterpiece. For context, a painting from the same “Elegy to the Spanish Republic” collection was bought at a Sotheby’s auction in 2018 for close to \$1.7 million. Weissman reportedly received the painting from a collector in London, who had obtained it from an undiscovered collection of Motherwell’s work. Upon its deauthentication, Blondeu sued both Weissman and the Dedalus Foundation (the overarching authority for all things Motherwell), for providing him with a fake work. The Dedalus Foundation, founded by Robert Motherwell himself and responsible for the authentication of all Motherwell works, revoked its seal of approval upon a conclusive chemical analysis of the work’s pigments. This pigment analysis revealed materials which would not have been available in the 1950s, when Motherwell supposedly painted “Spanish Elegy.” The Dedalus foundation then sued Weissman for \$9 million for lying about the work’s provenance, as

⁴⁷ Cohen, Patricia. “Motherwell Painting Declared a Fake.” *The New York Times*. October 11, 2011.

⁴⁸ Moynihan, “Collectors Settle Case Over Fake Rothko.”

it had truly been bought from the infamous Long Island dealing team of Glafira Rosales and Jose Carlos Begantinos Diaz. Diaz had been suspected of selling fake masterworks since 1999.⁴⁹ Julian Weissman was a former employee of Knoedler & Company,⁵⁰ which is likely how he was connected with Ms. Rosales and which implicated Knoedler in the forgery scheme.

Ann Freedman, an employee at Knoedler since 1977 and the Gallery's president from 1994 until she resigned in 2011, was introduced to Glafira Rosales in the mid 1990s by a mutual friend and longtime Knoedler employee – Jamie Andrade. He had met Ms. Rosales at a gallery, where she told him about a client who was looking to liquidate his inherited collection of abstract expressionist masterpieces.⁵¹ An important detail was that Ms. Rosales' client, "Mr. X," wanted to remain strictly anonymous. This was the beginning of a relationship between Knoedler and Rosales, an association that would become quickly lucrative for both parties but would ultimately lead to the demise of the 165 year old New York establishment.

Starting in 1994, Ann Freedman facilitated the purchase of a reported thirty-two paintings from Ms. Rosales on the behalf of Knoedler & Co. All of these paintings were fake, including works sold under the names of Jackson Pollock, Mark Rothko, Willem de Kooning, and other famous expressionist artists. They are referred to in the 2016 court proceedings as the "Rosales Paintings."⁵² The *New York Times* reported that, between 1994 and 2008 (when the gallery stopped selling Rosales Paintings), Knoedler sold an

⁴⁹ Bishop, Marlon. "Art Dealer Sued over Sale of Fake Robert Motherwell Painting." *WNYC*. July 12, 2011.

⁵⁰ Cohen, "Motherwell Fake."

⁵¹ "De Sole v. Knoedler Gallery, LLC." *Leagle.com*. 2017. Accessed February 1, 2019. <https://www.leagle.com/decision/infdc020151013d32>.

⁵² "De Sole v. Knoedler." *Leagle.com*.

estimated combined total of \$70 million worth of fake Abstract Expressionist paintings attributable to Rosales and her mysterious source. Other sources claimed that the paintings accumulated up to \$80 million in purchases.⁵³ Regardless, Ms. Freedman's marketing of Mr. X's collection was what kept the gallery afloat for its final fifteen years. To this day Freedman maintains that she was ignorant of the false provenance, inconsistent materials, and overall fraud of the Rosales Paintings, claiming that she would never knowingly interact with such dishonest people.

By 2013 four lawsuits had been filed against Knoedler & Company, claiming forgeries by the twentieth century masters Jackson Pollock, Willem de Kooning, and Mark Rothko.⁵⁴ By 2016 five of nine settlements had been reached,⁵⁵ all with the accusation that Ann Freedman sold fake works to collectors in her position as President of Knoedler & Co.

One case deserves particular attention because it was litigated in court, unlike the other cases which were all settled quietly out of court. A complaint was issued against Ann Freedman and Knoedler Gallery, LLC by Domenico De Sole on March 28, 2012. The case, formally known as De Sole et al v. Knoedler Gallery, was filed as a Federal Civil Lawsuit, No. 1:12-cv-02313⁵⁶, accused Knoedler of providing its patrons with false works of art.⁵⁷ Mr. De Sole purchased the supposed masterpiece, a painting by Mark Rothko displaying characteristic blocks of red and black atop one another, in 2004 for

⁵³ Miller, "The Big Fake."

⁵⁴ Cohen, Patricia. "Knoedler Gallery Again Accused of Fraud in New Lawsuit." *ArtsBeat*. November 30, 2013.

⁵⁵ Moynihan, "Director Settles Lawsuit Over Fake Rothko."

⁵⁶ "De Sole Et Al v. Knoedler Gallery, LLC Et Al." Plainsite.org. August 2, 2017.

<https://www.plainsite.org/dockets/n2e43axd/new-york-southern-district-court/de-sole-et-al-v-knoedler-gallery-llc-et-al/>.

⁵⁷ Cohen, Patricia. "Lawsuits Claim Knoedler Made Huge Profits on Fakes." *The New York Times*. Oct 21, 2012.

\$8.3 million.⁵⁸ The court proceedings began in January of 2016 before the presiding District Judge Paul G. Gardephe in New York Southern District Court.⁵⁹

Knoedler purchased the “Rothko” painting in question in 2003 from Ms. Rosales for \$950,000⁶⁰ (approximately \$1.32 million in today’s dollars). To give some perspective on how low of a price this was for any painting by this artist, a 1955 painting by Mark Rothko titled, “Untitled (Yellow, Orange, Yellow, Light Orange),” sold at a New York auction for \$36.5 million in 2014.⁶¹ For a seasoned professional like Ann Freedman, the low price tag should have been an immediate red flag. Transcripts of the court proceedings state that “Knoedler realized a profit of more than eight times the purchase price on the sale of this painting.”⁶²

Domenico De Sole made his fortune in the fashion industry as the former CEO of Gucci Group, and as the cofounder of Tom Ford International. He and his wife Eleanore enjoyed the hobby of collecting fine art, but were by no means seasoned connoisseurs of the market. Therefore, they were inclined to follow the advice of gallery experts to guide their purchases without hesitation. The couple visited Knoedler for the first time in 2004 to inquire about paintings by Sean Scully, a contemporary abstract painter whose work the gallery had previously carried. Ms. Freedman informed them that they did not have any Scully works in stock, but instead offered them a newly unearthed Mark Rothko which was conveniently sitting in her office. This was an incredible upsell, from a work by a popular contemporary painter to a piece by one of the most famous artists of

⁵⁸ "De Sole v. Knoedler." Leagle.com.

⁵⁹ Miller, “The Big Fake.”

⁶⁰ "De Sole v. Knoedler." Leagle.com.

⁶¹ "Untitled (Yellow Orange, Yellow, Light Orange) Sold for \$36.5 Million in New York." Mark Rothko - Paintings, Prints, Biography and Mark Rothko Artwork. November 25, 2014. Accessed February 2, 2019. <http://www.markrothko.org/>.

⁶² "De Sole v. Knoedler." Leagle.com.

the genre; the collectors ultimately decided that they would splurge on the Rothko painting. They bought the red and black painting with the intention of creating a family heirloom to be left to their eldest daughter. The couple paid \$8.3 million for the piece, reporting that it was the most that they had ever spent on a work of art.⁶³

This painting of a black rectangular swatch above a red one, advertised as a genuine piece by Mark Rothko, was celebrated and showcased in prominent galleries for the months between its “discovery” and purchase. These shows were publicized, which supplemented the work’s lack of legitimate provenance to the point where it became accepted by the art world as a proper masterpiece. This is how many of the Rosales Paintings were integrated into the market, and even into Ms. Freedman’s own private collection. M. H. Miller, deputy editor of the online publication *ARTnews*, sat in on the trial and later met with litigators from each side of the case to ask further questions about the proceedings. He reports that “Freedman traded genuine works from her own collection for some of the Rosales works...and purchased others. A purported Jackson Pollock—with the signature misspelled (“Pollok”)—hung in her apartment for 15 years.” Even if Freedman knew that the works were fake, the status that such supposed masterpieces would add to her personal collection was worth more to her than the legitimate pieces she traded for them.

The Rosales paintings were acknowledged by experts, scholars, and collectors as potential objects of value. This collective consensus of authenticity by the art world created a support system that allowed art works to become desirable in the market. When the community agreed that these works were worthy, they sold for millions.

⁶³ Miller, “The Big Fake.”

However, once revealed to have originated in a garage in Queens, experts and owners alike turned their noses up and looked upon the canvases with disgust. Miller recounts his own experience with the painting in the court room, writing:

The painting's presence in the courtroom was uncomfortable for everyone. When I looked at it, all I could see was a black splotch of color on top of a red one. "Of course it's a fake," I thought every time I saw it, trying to avoid the possibility that if I viewed it in a museum I might have scratched my chin thoughtfully while looking at its majestic colors. Clarick [the plaintiffs' Lawyer] asked Domenico if knowing the painting is a fake has changed its value. Domenico laughed. – "I think so! It's worthless!"⁶⁴

The courtroom rang with defamatory testimony, refusing to believe Ms. Freedman's insistence that she was ignorant of the painting conspiracy. Experts listed by Ms. Freedman as having authenticated the Rothko avidly denied ever having made a formal assessment. They added that, by the supposed standards of the Knoedler Gallery, its director should have immediately heeded the red flags attached to each painting presented by Rosales. The low prices that were offered to Ms. Freedman should have been enough to raise eyebrows, and if not that, the vague provenance of an anonymous heir would have sent any other reputable buyer running.

The case of *De Soles vs Knoedler & Company* exemplifies the life cycle of a piece of art that was first acquisitioned as a masterpiece and was later stripped of all value based on its discovered illegitimacy. In court, the object was dismantled categorically of each attractive element that had encouraged its purchase. The authorship, advertised as a painting by the famed Mark Rothko, is what gave the piece cultural value. Once it was found to have been faked, it no longer mattered to the De Soles that the piece *resembled* a Rothko canvas. The association had been severed, and the red and black composition

⁶⁴ Miller, "The Big Fake."

suddenly appeared to be nothing more than unimaginative and insignificant swatches of paint. With the loss of its historical significance, the painting subsequently lost all social and monetary value as well. The object became scandalous, and its stint in the De Sole's collection quickly became a topic of community gossip, where it had once been cause for awe. Once in the courtroom, the price of the painting plummeted to the point that the owners were suing for \$25 million in damages – more than three times what the De Soles had originally paid for the painting. The supposed masterpiece had become materially worthless to its owners with just one allegation.

This lawsuit provides an instructive case study of how monetary value is contingent on the authenticity of the piece of art in question, and how these elements rely heavily on the cultural and social attention a work accumulates. The involvement of the Rothko painting specifically is what makes this particular lawsuit an effective case study for my questions regarding the relationship between authenticity and value. With all of the facts of this court case laid out, it is easy to extrapolate that the multi-million dollar price tag associated with this piece is derived from its attribution to Mark Rothko. Without the association with the historically significant artist, the piece lost all market worth.

Ethnographic Research

In planning this thesis project on art forgery, it was important for me to pursue the opinions of contemporary experts within the art world. Their interest in my project was encouraging, and reminded me of how topics such as value and scandal are not often part of a university curriculum. I had the opportunity to speak with a diverse group of art world professionals: a former Culture Desk reporter for the *New York Times*, a private art collection manager for a prominent New York City collector, and the curator of the American wing of Atlanta's High Museum of Art. These different perspectives provide a well-rounded view of the evaluation processes of fine art. It was also interesting to hear a rather consistent language of uncertainty around this process, even from professionals who work with acquisitioning and evaluating new pieces every day.

Telephone interview with Patricia Cohen, 19 February 2019

At the time of her Knoedler scandal reporting, Patricia Cohen was working the Culture Desk for the *New York Times*. Hers were the first articles I read about the case of the fake Rothko painting, and I was interested to talk to her about her interaction with the high profile case as a non-expert in the field of art. She now reports on the national economy, which adds an interesting perspective to her previous experience with this case of art forgery that sparked a significant disruption of the art market. She categorized the art market as “a very high level market,” multifaceted in terms of buying, selling, advertising, authenticating, and more. She explained that the art market has changed dramatically, as artworks have soared to incredible price points and

motivations for their purchase have become more based on reputation; “people invest in [art] as an asset in a way that they had not previously. It’s become a kind of prestige purchase.” This newly developed element of the market is what fueled the biggest story of art scandal that Cohen has ever been part of.

In regards to the court case, Cohen stated that she did not have anything to add that was not already reported in her coverage of the story. She reminded me that she had sat in on many court hearings, and this one was not especially significant to her besides the novel subject matter. With that established, I proceeded to further inquire about Cohen’s opinions of the art market, as someone with experience writing about the economy. I asked if she thought the art *market* and the art *world* were distinct entities from one another, and she answered that in her mind they are one and the same. I asked her why, and she responded that artists are operating in the art world, and that “their value is very much this nexus between museums and collectors and money and gallery owners. It’s all intermeshed in terms of what’s valued. What gets considered great art has a lot to do with money and who collects it.”

Telephone interview with Meghan Pearson, 25 February 2019

Meghan Pearson is the collection manager for a collector of Impressionist and contemporary art in New York City. She oversees the financial aspects of the collection, including insurance, logistics, storage, and installation. She is also very involved in the negotiations of acquisition contracts. Pearson graduated from Emory University in 2011 with a dual degree in Finance and Art History. She then moved to New York to work as a “floater” for the international auction house, Sotheby’s. This intern-like position allowed her to explore different departments within the company, moving from one to another

based on the departments' needs. She started in Client Services, later moving to the Proposals Department, and then finally ended up in the Evaluations Department where she worked as an account manager. After four years with Sotheby's, Pearson got a job with the private collector and is still working there today.

The collection Pearson manages is made up of contemporary, modern, and Impressionist works. She described the collection as "quite large, both in number of works and particularly in the value." She reports that the collection contains no old masterworks or antiquities, but is instead largely comprised of works by living artists. When I asked her about the acquisition process for such contemporary works, she noted that it is a tricky task to evaluate new artwork; contemporary art is more challenging to work with than historical pieces since there is no prior record of its value and you cannot be sure that it will still be popular in five or ten years. Older objects have already stood the test of time and are therefore easier to appraise.

As we discussed the nature and complex processes of the art market, Pearson commented, "it is an interesting market, because it is highly unregulated." I was surprised to hear this opinion from someone who has worked their whole professional life within said market. However, it was reassuring to know that professionals in this field have some of the same questions that I do in regards to the mechanics of buying and selling works of fine art. She explained that the market is relatively small, vis-a-vis what she calls the "power players." This was a reference to the handful of key members, made up of prominent collectors, influential galleries, and powerful auction houses, which catalyze the marketplace. She also describes the art market as very insular; galleries represent chosen artists as an agent would for their celebrity hopefuls, closely tracking their artist's growth and recognition as well as monitoring and controlling who

buys pieces of their work. Reputation is everything in the art market, and is an important factor for artists and their representatives alike. Pearson repeatedly brought up the importance of trust, warning that “you don’t want to offend people. People are very touchy and territorial,” especially when reputation is at stake: “reputation is everything. If you lose your reputation, then you’re done. Game over.”

The importance of trust was repeatedly emphasized when we discussed the Knoedler Gallery scandal. Prosecutors blamed the collectors for not being diligent with their research before purchasing the forged works. In response, Pearson said that when working with a reputable gallery such as Knoedler, a collector wouldn’t think twice about the legitimacy of the works presented to them: “you have to trust your gallerist...Knoedler was a very well respected gallery, which is how they got away with [selling so many forged paintings].” However when one does further investigate a work of art, Pearson insists that provenance is the most important piece of evidence to look into. The provenance of an object is its history of ownership, which is essential for authenticating older works. To Pearson, to trace an artwork back to its origins is what gives it value. To know who crafted and commissioned a work is to know its original significance, and to appreciate its journey into modern times.

I asked Pearson what makes an original work more valuable than a convincing copy, as one may be indistinguishable from the other to the untrained eye. She replied in a tone that made me feel as if I should already know the answer; her passion and experience with valuable pieces of art, old and new, fueled her response to my naïve question. Simply put, “it is originality” that separates an authentic work from an imitation. “It’s [the artist’s] vision, his idea, his manifestation of that idea onto canvas with paint.” She then explained to me that “in a lot of cases, especially with conceptual

art, you are paying for the idea, and that is the creativity and the originality.” If the idea is what gives an object significance, to simply copy that idea is completely unremarkable. This reminded me of Baxandall’s argument from fifteenth century Italy, that some collectors are looking for a connection to the original genius more so than the pleasure of the imagery they created. The art market has made access to these connections a commodity, making their possession an attractive way to display financial and intellectual superiority. Pearson expanded on this point, noting that regardless of passion or education, “paintings are becoming like trophies... a way to display your wealth.”

I pushed further, asking why people are so drawn to purchase objects based on their creators or previous owners, and why provenance might increase an object’s value. With this, Pearson brought me back to Walter Benjamin’s discussion of “aura,” crediting magnified prices with the fame of an object’s origins. She used the example of Bunny Mellon’s estate sale to clarify her point. She explained that the advertisement of generic items as having been owned by Bunny Mellon, daughter-in-law of Andrew Mellon (founder of the National Gallery), caused items priced at one thousand dollars to sell for more than twenty times that amount. Central to her argument was the idea that people are attracted to items owned by admired social figures, operating within the mindset of “if she owned it, it must be good.” A key element of this allure is the potential connection to the previous owners. Pearson explained this mindset as: “I could never be a Mellon, but I could have something they owned and be a part of that,” referring to the experience of a high society lifestyle. An overarching draw, however, is the simplicity of a good story. To own an item with an entertaining and impressive anecdote to match gives the buyer a higher incentive to outbid their peers. This is well known by market

professionals, and is used by persons responsible for advertising and sales. Pearson emphasized this attraction of a good story, saying that “they could have seen the exact same thing at an antique store in Charleston, but without [Mellon’s] name attached to it, and the event surrounding it, and the story being told about her life,” none of the items for sale would have gone for the prices that they did; “...it’s a lot of sales and marketing for sure.”

I asked if the appeal of provenance is applicable to the artist who created an object, and if their name might be as enticing as that of a famous previous owner. Pearson affirmed that an association with a particular artist will also magnify an object’s aura, stating that “because it was created by somebody famous, yes, that is going to definitely increase the value.” However, the artist’s name attracts buyers in a different way, offering a badge of artistic merit in addition to a fact based conversation starter. I asked if the quality of the famous artist’s work might make a difference to potential buyers, to which Pearson responded jokingly, “a not so good Picasso is still going to go for a lot more than something I make...it’s still a Picasso.” Therefore, the signature may be worth more than the work as a whole, prompting villainous attempts at forging only the most well-known artists.

From this conversation, I began to understand that authenticity is not solely based in the pigments and brush strokes, but is equally dependent on the artwork’s origin story and subsequent history. While the intentions of the artist may help an expert to discern the emotional brush strokes of an original from the calculated replications of a copy, buyers are more likely concerned with a work’s past ownership. Pearson noted that it is hard to put a value on these unique objects since one also must take into account how the price will increase based on past and potential ownership.

These material and social considerations making art appraisal an arbitrary task. This discussion made me think of Amy Cappellazzo's "art history marketing" highlighted in *The Price of Everything*, where the Sotheby's employee is preparing the auction catalogue. She is pairing the works for sale with recognizable works from famous artists in an effort to create a connection between the works in the buyers' minds, and thereby elevate the sale object's aura.⁶⁵ Alternative value factors such as these become prominent within this market since, while art has become a commodity, it still has little to no utility value. Without any functional attractors, dealers must consider the buyer's search for connection with an object's history and status in addition to the beautiful imagery. Connoisseurs are attracted to touching the same surface as the genius artist who conceived of a unique work. They are also attracted to the intellectual connection with those who have previously owned the artwork.

Interview with Stephanie Heydt, 8 March 2019

Stephanie Heydt is the Curator of American Art at the High Museum of Art, in Atlanta. She came to work in this position by what she referred to as a "traditional path." She studied Art History in college, worked in a gallery for a year before returning to graduate school for a Masters degree in American Art History. She then worked for several years in museums' Education Departments, but realized that she enjoyed the behind the scenes elements of a curator's job more, and once again went back to school to receive her Ph.D. Heydt worked in museums and galleries all throughout her

⁶⁵ *The Price of Everything*. 2018.

education, and now curates a significant collection at the most prominent fine art museum in the Southeast.

I asked Heydt if her educational background, which helped her to develop her artistic tastes, influences what works she considers for acquisition. Her response was that, while her personal opinions are always present in her observation of artworks, it is most important for a good curator to focus more on the trends of the market and not miss a good buying opportunity. This is especially important when working for an institution such as the High Museum, which might not have as much money available to pursue a particular piece or artist whose market value has increased. Heydt repeatedly highlighted the importance of timing within the art market, which is applicable to both buying and selling objects. She noted that while personal taste is a key component of shopping within any market, the collective preference of the market is cyclical. “Taste is a cycle through generations and epochs,” and this cycle dictates what trends of art are the most valuable at any one time. An example she gave to illustrate this phenomenon was of an American landscape painting she decided to deaccession from the museum’s collection: “I put it up for sale, and the marketplace didn’t like the price point that the auction house placed it at. It wasn’t really a comment on the quality of the painting, it was just that nobody is buying that kind of painting at this price point these days.” When the painting did not sell, she said that the auction house “took the price and slashed it by two thirds.” Unwilling to undersell the high quality piece, she took the painting off the market and has now waited several years to reintroduce it to buyers. This is due to the weight of social perception that goes into the evaluation of a piece of art. She explained that “intrinsic value changes because people perceive it as an unsuccessful painting that no one wants,” since it did not sell right away. Heydt pointed

to this as a particularly isolating element of the art market relative to others, such as real estate; “you can buy a painting at auction, but you cannot, a month later, turn around and sell it for double.” The market is slow and insular, meaning that even a high quality work of art from a reputable institution will not sell if the market had not yet cycled back to it. Furthermore, if buyers know that a painting has recently failed to sell at auction, they will assume it is in their best interest to stay away, leaving the work without an audience.

The idea that a landscape painting would not sell at auction, and yet museums are filled with them, was a puzzling realization for me. I was curious if that disconnect might indicate a distinction between art *market* and art *world*, and asked Heydt if she would define the two as separate or the same (as Patricia Cohen had). She answered, saying that “the art market is a faction of, or a part of, the art world.” The market refers to the elite buyers – “power players,” as Pearson previously referred to them – while “the art world includes all of the nonprofit work and scholarship, includes the cultural spaces where things are on display, and includes peoples’ private homes where they have their own collections.” I asked Heydt if these multiple factions of art appreciation placed value on objects differently. She answered that, yes, the complex cycles and operations of the art market are inconsequential to the majority of museum visitors, and that, “in the art market...the value [of a painting], monetarily might have declined, but that’s irrelevant in an exhibition. If you can present and interpret an artwork in a way that is engaging and useful, then its monetary value should be irrelevant.” The varied areas of admiration play different roles in regards to the art, having to do with areas as different as scholarship, public access, discovery, and more. And while Heydt speaks from the perspective of an institution, she pointed out that private collectors are not

exempt from the market/world inconsistencies, arguing that they still derive joy from their beautiful paintings, and that even if their market value has declined, they still appreciate that the objects they have acquired are personally valuable regardless of their market relevance. This reminded me of the whole purpose for artistic creation, which I have always believed is to express emotion and evoke a reaction, with the ultimate goal of pleasing the viewer.

The admiration of works of fine art, however, is not wholly innocent, relying heavily on the trends and communal tastes that Heydt had discussed previously. While museum visitors and collectors may genuinely admire the works before them, they have also been encouraged to do so by the cultural affirmation of the object's value. Since paintings do not change in appearance or function from one sale to the next, I asked Heydt how a painting might appreciate in value upon its return to the market. Agreeing with what Pearson had explained before, Heydt stated that "provenance changes the way people see something," crediting an association with fame as attractive to the next generation of potential buyers. She used a fictional painting owned by Oprah as an example, saying that "it would be very likely that painting would be worth more when she sold it because she owned it, and only for that reason." And while the changing of scholarship does a lot to increase the appeal of a certain artist's work, Heydt referenced Walter Benjamin's argument of the "intangible aura" as the strongest draw for buyers. The price of a work has all to do with what is presently relevant, both in terms of scholarship and social appeal; in Heydt's words, the market is dependent on "what the cultural zeitgeist is leaning into" at any given time.

The conversation then shifted to a discussion of authenticity, and the necessity of chemical analyses within the art world. I asked, when an admirer is drawn to a

painting's aura, manufactured by provenance or aesthetic appeal, is it necessary to make sure that the work is authentic? Heydt responded first by noting that the acquisition process, for any work of art, is nerve wracking, as buyers are often spending large amounts of money that is not their own. Therefore, it is important for a professional to be sure that their investment is sound and that the work is legitimate. Heydt added that this is a question that she thinks about often, telling me that her husband, a philosopher, had asked her a similar question in her novice years of curating: "do you like the painting? Does its authenticity matter otherwise?" She asserted that she feels strongly that, "of course it matters, because it changes the value of the painting!" But also she has thoughts of "does it really matter? You can't tell, so why does it matter?" And to this she stated that maybe authenticity only matters to curators and art market professionals, while the rest of the world may feel the way her husband does.

When I brought up the idea of forgery in this context, and if authenticity made a difference in the importance of a work's value, Heydt felt no ambiguity. She is bothered by the idea of a forger profiting from institutions and collectors buying fake pieces at high prices. The criminal intention of the forger, whose goal is to deceive buyers in order to make more money, is wrong. However, in the case of the Knoedler scandal, Heydt said that she would hold Ms. Rosales accountable for the nefarious scheme, as she was the one who had commissioned the forgeries and passed them off as originals. Upon further discussion of the case, Heydt explained that the market moves so quickly that "you can't stop to do a provenance check on everything you want to buy, so you accept what [the galleries] tell you" and continue your research later. She found it unremarkable that the De Soles would take Anne Freedman at her word, with the reputation of Knoedler behind her, in the purchase of the purported Rothko painting.

Heydt continued that, while there is no law that says professionals at the highest level of their field must be good at their job, the reputation of the institution you represent leads customers to expect that you've "done your due diligence." Freedman continued to sell the Rosales Paintings for fifteen years, to which Heydt remarked that "she was lazy at best," but ultimately, "the Knoedler representative was negligent, and should have done a better job." As a curator herself, Heydt believes that the gallery, beyond Freedman, must have known about the conspiracy of the Rosales Paintings. Fifteen years of newly found masterpieces would raise red flags on anybody's radar; when one person keeps showing up with picture perfect opportunities," something has to be off. It seems that Heydt is not the only one with this opinion of Knoedler's misconduct. The scandal lives on in the art market as an anecdote, in that the name of the once renowned gallery has become an ironic code word for red flagged artworks.

My conversation with Heydt highlighted the importance of social reputation within the art market. It is crucial to maintain positive professional relationships throughout the art world, as your name is central to every facet of its operation. From acquisition to deaccession, buyers must focus on the general trends of the market's movement. Heydt commended my use of an anthropological lens in this sense, stating that the market can be "more about human behavior and decisions" than art historical scholarship – a statement that can be made regarding economics as a whole. She continued that "the whole market is based on human fickleness...human preference," which makes it very difficult to analyze from the perspective of an art insider. As in any market, prices fluctuate based on trends, tastes, and relevance. Buyers then move as a group, one following another, in order to compete for the most sought after works.

Conversely, objects that do not sell, or are subject to scandal, are considered tainted for the foreseeable future.

Reflection

Having spoken to these professionals from different sectors of the art world, I think it is important to define my own definition of the art market. It was interesting to hear disagreeing opinions on this topic, though if I had prodded further I think that the answers would have begun to lean closer towards one another. From Cohen's perspective, the art world and art market are the same. The artists are producing products which will hopefully circulate within the market, therefore they are involved with the monetary value of their work. They are part of one system which includes art makers, buyers, dealers, and more. Heydt provided the perspective that the art market is one small part of the larger art world – that the market is a sub entity of the overarching system. The two are related and interact with one another, but involve different actors. Heydt further defined the art market as driven by highbrow buyers and the art world as everyone and everywhere else – from scholars to display spaces. Artists and dealers interviewed in the documentary *The Price of Everything* provide argue that the art market and art world are completely separate. As I was not able to conduct my own interviews with living artists, I turned to this film for an idea of what some artists think of this delineation.

The Price of Everything presents the art dealers, buyers, and auction house employees as completely separate from the artists whose work they're interacting with. George Condo, a contemporary artist featured in the documentary, states that "the market is a separate sort of entity from the actual creation of art. [The art market]

doesn't really have anything to do with art.”⁶⁶ With this, the artist plants the idea that once an object leaves the studio, all ties are severed between creator and creation. For this reason, other artists in the film claim that they hope their work will end up in a museum rather than a private home collection. To have their work in a museum allows more public access to an artist's message. The ability to provoke reactions from viewers and share their creative motivations are key motivators for many of these artists. One states that “museums...are the gatekeepers of culture,”⁶⁷ and that they provide equal viewing access to all. When they instead see their creations sold and resold for more than the price of their homes, they are disheartened by the economic motivations of the market and fear that their creative messages may be lost.

These three perspectives provide a rich base from which I can form my own opinions on the art market and art world. I find that each of these arguments are convincing, and when combined they can provide a more accurate definition of the aforementioned terms. I agree with Heydt that the art world can be defined as an overarching umbrella structure which includes the art market, along with museums, publishers, academics, artists, and so on. However, while the core of the art market consists mostly of the “power players” defined by Pearson, it is also interconnected with all of the other divisions of the art world. No one involved with art is ever entirely outside of the art market, as money is what drives every subcategory of the art world.

A point on which my subjects agreed was who to hold accountable for the Knoedler forgery scandal. Both Pearson and Heydt agreed that the person responsible for the conspiracy was the person who commissioned the fake works in the first place:

⁶⁶ *The Price of Everything*, 2018.

⁶⁷ *The Price of Everything*, 2018.

Rosales. By paying Pei-Shen Qian to produce works in the style of Abstract Expressionist superstars, she was to blame for initiating the ensuing crimes. While theirs is the opinion that the courts have agreed with, I feel that this assessment allows Ann Freedman to walk away unscathed. While we all agreed that Freedman did not do her due diligence as president of the gallery, I find her claim of total innocence hard to believe. After speaking with Pearson and Heydt, it became clear to me that trust is one of the most important elements of the art market. Not only do buyers trust their dealers, but they trust the institutions that the dealers represent. Freedman's high position with Knoedler gave her a level of authority that even the most experienced collectors would not question. I do not believe that Freedman could have risen to her position as president of a major gallery without learning how to spot red flags that seem obvious to my untrained eye. After my discussions with Cohen, Pearson, and Heydt, the importance of convincing provenance alone should have caused Freedman to send Ms. Rosales away. For fifteen years she bought paintings that were too good to be true from the same dealer, who claimed that they were all from the same donor. I believe that Ms. Freedman knew how her position at Knoedler would override the inconsistencies of the Rosales Paintings, and for this reason I believe she is guilty on the same level as Ms. Rosales.

After discussing scandals and market games, each woman I spoke with reminded me that the core purpose of art is to bring joy to viewers. I found it reassuring and relatable that these professionals remain grounded to this belief that art should be pleasing. I hope that collectors and auctioneers feel this way as well, and that even in their calculated accumulation of the most coveted works they find happiness within their decorative objects.

Authenticity

The meaning and significance of authenticity is an ongoing subject of debate within the field of cultural anthropology. Authenticity is often discussed in terms of identity, both individual and cultural; but in regards to works of fine art authenticity pertains to the true history and identity of the object. Webster's dictionary defines authenticity as "worthy of acceptance or belief as conforming to or based on fact; not false or imitation: real, actual."⁶⁸ While these definitions are relevant, they may be too broad for the context of the art market. Richard Handler, a professor of Anthropology at Lake Forrest College, explores the dynamic definition of what we in our Western societies refer to as *authentic*. In his 1986 article, "Authenticity," he claims that the idea is "deeply embedded in anthropological theory" and defines the concept as uniquely modern, Western, and closely linked to ideals of individualism. He argues that this fixation on individual ownership and unique objects is ingrained in the ideological fabric of Western high society, and refers to this phenomenon as an "ideology of possessive individualism."⁶⁹

Evidence that these qualities are unique to the western world can be found when looking at how other cultures assess the value and authenticity of significant objects. For example, Art Historians must view Chinese art with a different set of standards than they do Western art. They must adopt a form of artistic cultural relativism, necessary when viewing any alternative entity with a reflexive eye. James Cahill's article "Chinese Art and Authenticity" addresses this idea as he argues against Western misconceptions

⁶⁸ "authentic, adj." Merriam-Webster. 2019. Merriam-Webster, Incorporated. <https://www.merriam-webster.com/dictionary/authentic> (accessed March 2, 2019).

⁶⁹ Handler, Richard. "Authenticity." *Anthropology Today* Vol. 2, no. 1 (February 1986). 2-4

of Chinese art, the most egregious being that the Chinese do not care about the authenticity of objects. Cahill concedes that replication and consistency are important elements of Chinese crafts, and that imitation objects have been crafted and sold in order to saturate an eager market. He admits that “fooling the foreigners has always been regarded in China as a perfectly honorable enterprise,” but that the generalized claim that Chinese culture does not prioritize originality only applies to the “applied arts,” which exclude calligraphy and painting.⁷⁰

In his discussion of Chinese painting, Cahill defines authenticity in two ways: “An object can be authentic by being genuinely what it is presented as being (for instance, the work of a certain master or from a certain period), or else by being the product of authentic or genuine impulses (the maker is not trying to fool us or make his creation seem what it is not).”⁷¹ I find that, in English, these definitions align with western values of authenticity, and are similar to Handler’s assessment that everything, in itself, is independently authentic.⁷² In Chinese, however, the term seems to be more ambiguous, with many more words available to describe different levels of an object’s authenticity. In Chinese, authenticity can be distinguished as an exact copy, a freehand copy, as inspiration from another artist, a legitimate original, and further nuanced descriptors. For Cahill, this is where the heart of the western misunderstanding lies, stating that the “lack of shared vocabulary and common conceptual tools for dealing with the early painting makes it difficult for those of us trained in Western art history to discuss questions of authenticity with Chinese colleagues.”⁷³

⁷⁰ Cahill, James, and Jerome Silbergeld. "Chinese Art and Authenticity." *Bulletin of the American Academy of Arts and Sciences*. Vol. 55, no. 1 (Autumn 2001): 18-19.

⁷¹ Cahill, "Chinese Art." 20.

⁷² Handler, "Authenticity." 3.

⁷³ Cahill, "Chinese Art." 26.

Cahill bridges the disconnect of the two cultures by arguing that, to appreciate the work of a true master, one must focus on the individual brush strokes. In an argument reminiscent of John Berger, Cahill explains that the brush strokes are what offer the viewer a connection to the artist themselves. Each one is evidence of the artist's original intentions, which is an element a forger can never fully replicate. The emotion behind the brushwork is what provides the connection, through the canvas, to the original artist. This relationship is what customers are truly paying for – to be close to the original genius who created something culturally and historically relevant, to the point that it exists and is available to be admired today. These elements of origin, inspiration, and intention, are what make an original more valuable than a convincing copy, and are what a forger must focus on in order to convince experts of its legitimacy, as Cahill originally argued.

In the documentary *In and Out of Africa*, it is evident that cultures around the world have noticed the western emphasis on authenticity and have found ways to fund their own markets by catering to these Western values. West African craftsmen have developed techniques in order to make the wooden sculptures comply with the stories that their Western customers desire. To make the patina black, they dye the wood with a specific root and then cover it in mud for a certain amount of time. When the mud is washed off, the sculpture looks as if it could stand in a museum beside other African artifacts. The sculptors then chew and spit cashews at the sculptures, inviting chickens to peck at the wood and create further illusions of age and wear.⁷⁴ I am curious if the fabricated origins of these objects impact their apparent authenticity. While they may

⁷⁴ *In and Out of Africa*. 1993.

not have been used in rituals hundreds of years ago, they were still made by individual craftsmen in their advertised country of origin – they are authentically African objects, which satisfies many of the western buyers. This supports the idea that authenticity is a perceived rather than inherent quality, and that different cultures are able to cater to the values of each other’s visual economies.

Anthropologist Deborah Poole works to further explain the cultural significance of authenticity in her book *Vision, Race, and Modernity* (1997). She builds from the idea of visual culture to introduce a more systematic understanding of how images flow and accrue value. She calls this system the ‘visual economy.’ She argues that images impact human societies, and are integral to the symbolic codes and shared meanings that define a community. She defines visual culture as “one way of thinking about the relationships and sentiment that give images their meaning,”⁷⁵ but instead favors the use of “visual economy,” which can more reliably account for the movement of images within their relevant contexts.

The visual economy deals in the “production, circulation, consumption, and possession of images,” and relies on systematic organization in order to properly function. I agree with Poole that this organization depends heavily on “social relationships, inequality, and power,”⁷⁶ three elements that contribute to the subjective evaluation of fine art. Relationships are what garner initial attention to an artist’s work, and encourage others to look. Inequality is created through limited access to the finest works of art, only available to members of the economic elite. This limited access gives

⁷⁵ Poole, Deborah. *Vision, Race and Modernity: A Visual Economy of the Andean Image World*. Princeton: Princeton University Press, 1997. 8.

⁷⁶ Poole, *Vision, Race and Modernity*. 8.

the objects prestige and power, which is transferrable to those who come into contact with them. These components catalyze the movement of the visual economy, influencing the public gaze in one way or another, and thereby directing the fluctuation of an object's value.

Poole articulates two kinds of value within an image, which are then assessed by the visual economy. The first is an image's "representational value," which refers to an image that is valued for exactly what it shows the viewer without any further implied meaning. An example of representational value is a child's school photo. To the parents, this photo symbolizes their beloved child, but to anybody else it is simply an image of a smiling kid. The second subcategory of value is an image's "exchange value," which is the value an image acquires based on its recognizable content. This value is dependent on the relevance of an image within its genre, and its conversation with other images within that genre. The exchange value of an image depends on social, sometimes political circumstances to strengthen its relevance and worth.

Authenticity is paramount at each level of the visual economy as an indicator of an object's worth. An object's creation, circulation, and appraisal, are all dependent on a collective belief that it is deserving of the value it has been awarded. In relation to the topic of this paper, Poole's explanation of these value subcategories can help us to understand why an original painting is worth more than a copy. The idea and style of an artist's work can be reproduced to copy the object's representational value, but what gives a work of art exchange value is the viewer's recognition of the original artist's hand. Stephanie Heydt and Meghan Pearson identified a painting's provenance, which links it to the artist, gives an object a distinct place within its genre and within the market. Without its exchange value, a copied painting is simply a representation of the

original. A falsified painting is a representational performance; an object parading as an original without any of the artist's original intentions to give it social or historical significance. Besides criminal attempts of forgery, Pearson noted in our interview that collectors or their heirs may decide to donate a masterpiece to a museum and in return receive an exact replica of the original painting they parted with. Even though it is not criminal in its origins and it might look like what it is supposed to (representational value), such a copy would have little exchange value due to the high worth placed on authentic works of art.

An example of these properties of value and authenticity can be seen in other industries, such as the wine market. Similar to the art market, wine connoisseurs buy and sell fine wines for prices in the thousands or even millions of dollars. Like fine art, the collection of wines of a certain caliber occurs within its own self-regulated (or arguably unregulated) economic system. As with art, the niche market of fine wines has attracted the occasional delinquent attempt to scam the elite participating community. Like the case of the Rosales Paintings sold by the Knoedler Gallery, the wine market experienced a uniquely formidable infiltration of fakes in the mid to late 2000s.

In 2016 Bianca Bosker published an article in *The New Yorker* about an unprecedented California wine forgery scandal. This scandal is also the topic of the 2016 documentary *Sour Grapes*, directed by Jerry Rothwell and Reuben Atlas. The story exposes the true identity and actions of Rudy Kurniawan, "a rich twenty-something with a naïve fondness for wine."⁷⁷ The young connoisseur quickly made his way into the most

⁷⁷ Bosker, Bianca. "A True-Crime Documentary About the Con That Shook the World of Wine." *The New Yorker*, October 14, 2016.

elite circles of the wine world, spending an average of one million dollars on wine per month while socializing with rich collectors, critics, and other enthusiasts.

Suspicious began to accumulate around the young virtuoso, and in 2012 the FBI conducted a raid of Kurniawan's Los Angeles home. What they found was an unparalleled wine forgery operation. Along with old bottles soaking in the kitchen sink to remove old adhesives, countless corks, and notes (comparable to those of a mad scientist) recording the ratios for different mixtures of wine, the most damning piece of evidence that was found was a shopping bags filled with home printed versions of well-known labels. These labels, designed and manufactured to resemble legitimate and expensive bottles of wine, revealed Kurniawan's intent to deceive: "It turned out that scores of bottles from Kurniawan's cellar had been produced not by the acclaimed châteaux on their labels but by Kurniawan himself."⁷⁸ He had been refilling empty bottles with his own concoctions of inexpensive wines, which he then relabeled and resold as bottles of the finest wines in the world. To a wine collector, these labels are analogous to a painter's signature. They both symbolize the maker's genius, and the intent to claim the product as one by their own hand. In falsifying either one of these brand indicators, the intent to deceive becomes undeniably criminal. In 2014, Kurniawan was convicted of wine fraud, the first conviction if its kind in the United States, and he is currently serving a ten year prison sentence in the California desert.⁷⁹

Authenticity is a key factor in this tale of forgery. As art collectors trust their galleries and auction houses to provide them with original works, wine buyers trust the labels on the bottles to guarantee an authentic product. Like Claude Lévi-Strauss'

⁷⁸ Bosker, "The Con That Shook the World of Wine."

⁷⁹ Bosker, "The Con That Shook the World of Wine."

argument for the importance of the artist's signature, and that what one is really paying for is the connection to the artist who touched the canvas you own, wine collectors seek out specific labels in order to add prestige to their collections. The authenticity of the product is directly associated with its exchange value and representational value perceived by the buyer. Without the appropriate provenance, the product loses all exchange value (even if the art is pleasing or the wine is tasty). What is left is the representation of a worthless object.⁸⁰

Akin to the reaction of Domenico De Sole in the Rothko forgery trial, Bill Koch, an enormously wealthy collector of wines, told the *Sour Grapes* documentary makers how he was outraged at Kurniawan's schemes and found the faked bottles to be completely worthless. He told them that he had discovered that his impressive wine collection contained \$4 million worth of "fake" wine. The scandal left him so disenchanted by the hobby of wine collecting that he now immediately threw away all wine catalogues and auction invitations.⁸¹

Through my research I have developed my own definition of authenticity, which is not far off from the succinct description from Webster's dictionary, i.e. "not false or imitation: real, actual." From the study of existing scholarship and firsthand accounts from art professionals, I have come to believe the term defines an object as properly and honestly advertised. For something to be *authentic* it must be documented as legitimate at every level of its identification. In this sense, my beliefs align with James Cahill, who

⁸⁰ Poole, *Vision, Race and Modernity*.

⁸¹ *Sour Grapes*. Directed by Reuben Atlas and Jerry Rothwell. UK: Faites Un Voeu and Met Film Production, 2016.

defines authentic art as being distinguished from any sort of copy or imitation.⁸²

However, cultural anthropologists often argue over the arbitrary nature of this term, as each thing in itself is authentic, such as the West African statues skillfully produced as historical objects. Richard Handler articulates this idea by writing that “each thing is authentic because it is, it exists, on its own as well as in a larger universe of equally independent entities.”⁸³ I find this argument to be too literal of an interpretation when talking about expensive pieces of fine art, as it does not align with the mindset of the market.

Richard Handler writes about authenticity as “a cultural construct of the modern Western world,”⁸⁴ reiterating that the western art market is unique in its emphasis on authenticity, along with originality and innovation, but in a way that is heavily dependent on the identity of the maker. In this sense, the quotation above is again relevant, indicating that a copy is not necessarily *fake*, it is simply not *authentic* based on its advertised provenance. If each object is an authentic product in itself, in its representative form, its origin story is what makes its provenance culturally significant and provides its exchange value. In a society that values invention and imagination from its artists, copies are not worth much in comparison to an original, and neither are works made in the style of already famous artists. Therefore, advertising a convincing copy as a true masterwork is an enticing moneymaking challenge. This falsified authenticity is what makes a forged work criminal.

⁸² Cahill, “Chinese Art.”

⁸³ Handler, “Authenticity.” 3.

⁸⁴ Handler, “Authenticity.” 2.

The necessity of an object's surrounding story establishes the constructed nature of the term *authenticity*. To refer back to Pearson's story of the Bunny Mellon sale, objects owned by Mellon became more attractive than comparable items found in a generic antique shop. The origin story of the object having belonged to Mellon is what made it an authentic piece and a good buy. This can be related to the wooden sculptures sold in *In and Out of Africa*, as some were better made and more convincing than others. This high level of artisan quality encouraged buyers to fabricate the objects' histories to satisfy their desire for a mystical origin story. I do not believe these works can be categorized as forgeries, as they are not being sold as if they were made by different artists in a different time. They are sold as legitimate objects by members of their advertised communities, but are produced specifically for the western market rather than for personal ritual use. However, if the buyer found that the sculptures were not in fact as old as they thought, and that they were not used for spiritual purposes, I believe that they would in turn lose their exchange value and become simply representational. From this we can assess the importance of the story, and conclude that the customer must be a willing participant to believe that they can buy such fine works at such a low price. Authenticity is the eye of the beholder. Mellon's jewelry box will sell for ten times its retail price, and African art collectors will pay more for sculptures with a darker patina and apparent ware. In the same vein, the De Soles readily accepted the story presented by Ann Freedman.

One might ask, "how important is it that a work of art or a bottle of wine is authentic?" To be sure, the majority of consumers seem to be quite comfortable with enjoying a famous artwork reproduced as a lithograph or a poster, and the enjoyment of a "good" glass of wine can be completely disconnected from the label on the bottle. The

final scene of *Sour Grapes* shows a bulldozer destroying hundreds of bottles of “fake” vintage wines from Kurniawan’s collection. But in fact, these wines were not “fake”, they were just “inauthentic”, and were once readily enjoyed even by the wine connoisseurs who were duped into buying them. Though I understand the criminal intent of Kurniawan’s scam, I wonder if those bottles of wine (which were bought and enjoyed as high quality product) could have been saved, distributed, and enjoyed in some other context. In the same sense, the fake paintings sold by Ms. Rosales were once enjoyed by viewers at art galleries and museum exhibitions. After they were exposed, they were seen as a disgrace to the art world, only to be enjoyed by the participating lawyers as ironic office decorations.

Perhaps the art world has developed a sense of humor where the wine community has not. In recent years, museums have advertised whole exhibitions of forged paintings, giving the previously dismissed objects their own form of exchange value. The National Gallery in London put on an exhibit in 2010 entitled “Close Examination – Fakes, Mistakes & Discoveries,” which highlighted pieces from their collection which, after extensive scientific testing, were either delegitimized or restored to their original iconography. The show also displayed these scientific procedures, introducing viewers to the X-rays, infrared imaging, and other processes that go into authenticating a work of art.⁸⁵ In 2017, the Winterthur Museum in Delaware put on a summer exhibition with the dramatic title: “Treasures on Trial.” The collection showcased more than forty fake objects, notably including the baseball glove worn by Yankee legend, Babe Ruth.

⁸⁵ Khouri, Andrew. “Forgery exhibit opens in London’s National Gallery.” *The San Diego Union-Tribune*. June 28, 2010. <https://www.sandiegouniontribune.com/sdut-forgery-exhibit-opens-in-londons-national-gallery-2010jun29-story.html>

However, one of the infamous “Rothko” paintings from the Knoedler Gallery scandal was the show’s most famous display. Bill Koch also contributed to the exhibition with a bottle of wine he once thought to be a 1787 Château Lafite that once belonged to Thomas Jefferson.⁸⁶ While the purpose of the Winterthur show is to educate the public and prevent future forgeries, California’s Gallery in Mt. Shasta will be putting on its seventh “Annual Forgery Show” in April 2019, which presents paintings by local artists in their best attempts to replicate works by masters such as Rembrandt, Da Vinci, and Vermeer. The show originated in 2013 with ten competing renditions of the Mona Lisa.⁸⁷ The Winterthur show brings up the important difference between forgeries and replicas, differentiating it from the other shows mentioned. Copies are important to the world of collecting, as seen in *The Price of Everything* when the main collectors donate a “Jackie” by Andy Warhol to the Chicago Institute of Art. In return, the museum provided the couple with an exact copy, which they appreciate as such. Copies are different from forgeries based on intention – forgeries are made in the style of the purported artist but not an exact replica of any of their imagery, while copies are used to represent exact artworks. These exhibitions show that, while fakes (forgeries and copies alike) may be initially cast aside, there is potential for them to have a second chance at acceptance. However, there is renewed value contingent on the object’s identity as an intended forgery, ironically celebrating scandalous artists such as Pei-Shen Qian for their copying expertise.

⁸⁶ Cascone, Sarah. “One of Knoedler’s Rothkos Is Heading to a Museum – for a Forgery Exhibition.” *Artnet: News*. August 3, 2017. <https://news.artnet.com/exhibitions/knoedler-rothko-in-forgery-show-1040315>

⁸⁷ “The Annual Forgery Show.” *ArtRoster*. 2019. <http://www.artroster.com/the-forgery-show/>

In his article, Cahill brings up the question of “who cares?” asking a question that I have thought a lot about. Heydt, an experienced curator, told me that this is a question that she also thinks a lot about, which made me especially interested to see how Cahill would attempt to answer it. He provokes the reader by articulating the question on many of our minds, asking why it matters if a work is authentic if we cannot tell a difference from the original. However, he also provides an answer, claiming that collectors have their purchases examined and reexamined because once you discover inconsistencies and become suspicious of the legitimacy of a work, that feeling will never go away. He writes directly to the reader, putting them in the collectors’ shoes, and states his idea quite poetically: “The time will very probably arrive when your eyes will be opened to the real qualities of paintings genuinely by [the great artist], and you will see how your picture falls short, after which you can never again, however hard you try, feel the same way toward it.”⁸⁸ By this logic, the value of a piece is dependent on its authenticity, which brings us again to Handler’s initial argument that this concept is an integral part of the modern Western identity. A painting is a purchase without utility, it is instead valued based on the pleasure it brings to its audience, and what Handler identifies as the sincerity its admirers perceive. Deborah Poole urges us to remember this fact, pointing out that “in our rush to uncover the complicitous ties among art, representation, and power...we frequently forget that images are also about the pleasure of looking.”⁸⁹ Therefore, if a work’s provenance is what makes it pleasurable to its audience, than authenticity is what makes it desirable.

⁸⁸ Cahill, “Chinese art.” 22.

⁸⁹ Poole, *Vision, Race and Modernity*. 17.

Conclusion

Value is a familiar concept to every person in all cultures. It is as relevant to the hierarchies of our societies as it is to filling our shopping carts at the grocery store. However, while the idea of value is deeply ingrained into everyday human operations, its definition becomes abstract and somewhat convoluted as soon as you try to investigate its implications. This is what I have found to be true in my study of the art market. I began my research understanding value in terms of culture, society, and money. I maintain that these categories are integral to buying and selling fine art, and found that analyzing these categories of value through the lens of forgery has highlighted the influence they have upon the trends of the market.

The cultural value of a work of art, regardless of the culture it was created in, is what gives an object initial merit. In Western art culture it is an artist's originality and innovative prowess that brings their work to the forefront of the market stage. Western collectors and critics place value upon an artwork's historical significance, creating an aura of power dependent on its provenance. Admirers of great works of art do so based on the advertised consensus that it is excellent, a construction built upon publications and exhibitions which signify to the public that the works included are worth looking at. To be close to such a work allows one to take possession of and internalize that excellence, which is a key motivator within Western society. Regardless of the revolutionary techniques and ideas an artist may use, the cultural acceptance of their quality is what grants art works prolonged value.

When an object is deemed culturally significant, it is hard to distinguish the resulting fandom from the development of social value. Social value is the popular

manifestation of cultural value. Like any element of societal adoration, social value develops from the cultural affirmation of an artist or object, and in turn magnifies its allure. Social value is amplified by scholarly endorsement, association with prominent historical figures through provenance, and representation by a reputable gallery or auction house. This allure of social celebrity creates a contentious market, driving buyers to bid higher than their competitors. The intensity of these sales is not driven solely by the potential ownership of a coveted artwork, but also by the opportunity to show off one's expendable wealth to one's peers.

A result of placing high cultural and social value on an artwork is an inflated price tag. I find that monetary value is most closely linked to an object's social value. Akin to any other product fad, the more buyers want an item the more expensive it becomes. The unique aspect of this trend within the art market is the finite number of objects available. This limited access amplifies an object's allure, making its ownership rare and exclusive.

These three categories of value are what drive the art market. Aesthetic value is notably excluded from this analysis, as I believe visual pleasure to be secondary to economic trading within the highest strata of the market. This value system seems ironic, as we are initially taught that art is beautiful and should be appreciated as such. However, when forging a work of art, a copyist must focus on a painting's base technique and work to portray the original artist's intentional brushstrokes. The forger must convince critics of the painting's authenticity by way of embedded emotions, rather than an overall pleasing finish.

Authenticity is a key component of the art market, as the final element of an object's unique aura. This seems to be a uniquely Western priority, as I learned through

my analyses of other cultures. A unique and desired work of art merits both representational and exchange value. These elements mean that it is admirable for its pure imagery as well as its cultural relevance. A forged work loses its exchange value, as it is not authentic according to the commentary within its genre. When found to be a representation of a masterpiece, (as the purported Rothko displayed in the courtroom during the Knoedler trial), the canvas is devoid of all monetary worth. Therefore, authenticity is a key factor of an artwork's value.

Another critical factor of authenticity is provenance. Experts return to the concept of provenance in each discussion of authenticity, noting that an object's history is what they look at first in the evaluation process. Provenance is also an important advertising element, as buyers are attracted to the potential intellectual connections achieved by owning a masterpiece. It allows them a conversation piece which connects them to famous past owners, or even a personal association with the original genius who laid the paint upon the canvas.

Forgery, the antithesis of authenticity, strips away any potential connection one could feel with a work of art. It falsifies cultural significance by duplicating the creativity and experimental ideas of the original artist. It invalidates the artwork's social influence because of its scandalous reputation, causing owners of forged works to be ashamed of their own naiveté. And most of all, forgery is a monetary scam on the market, with expensive repercussions (evident in the De Soles' claim for \$25 million in deceit damages).

Through the life story of a forged work, I discovered evidence of what is truly important within the art market. The values of culture, societal reputation, and money are surprisingly generic for a business based in high society and intellectual hierarchies.

These values are not limited to the art market, but are recognized in markets for other rare and expensive commodities, such as vintage wines, jewelry, or even sports memorabilia. With base values such as these, I find this study of art and its value to be an applicable analogy for Western society as a whole, indicating that the pretentious atmosphere and secretive dealings are a façade. The art market, though trading in objects with no utility, operates in similar ways to any other high stakes platform. The most essential qualities you need in order to participate in such a market are a confident air and deep pockets.

Though generic in its operations, the art world remains an enigma. In our interview, Stephanie Heydt explained that its cyclical trends and taste based assessments make it hard to analyze from within. It is a private market that requires close attention to trends and strong motivations to advertise to the audience's highest intellectual capacity. It relies on the constructed aura of an object's authenticity, built from and enhanced by its provenance. Buyers must then trust that the works they are resented with comply with these principles of authenticity, which define the object's value. This is the trap which caught Domenico and Eleanore De Sole, and all of the other Rosales Painting customers. The case study of the Knoedler Gallery showed what happens when these pillars of trust crumble. For the first time, the story was about the objects, rather than the forger. The stories of Elmyr, Van Meegeren, Ken Perenyi, and other prominent forgers of history paid little attention to the systems in place that allowed the works to circulate within the market. Public focus landed instead on the sensational techniques and blatant criminality of the forgers. The Knoedler scandal has provided a window into the other side of such criminal operations, where a once thought

masterpiece is now worth less than the materials it is made of, and the reputation of the institution that represented it is ruined.

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