

# A Survey of Art Forgeries

by

Matthew D. Young  
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## Introduction

How would you feel if, upon reading an article, you discovered that it was a chapter ripped from this paper with someone else intentionally credited as the author? Or, upon inserting a CD of British pianist Joyce Hatto's rendition of a Chopin concerto into your computer, the iTunes software reads it as having been recorded by a little-known pianist with the tempo only slightly digitally increased?<sup>1</sup> Or, if you have purchased a work thought to be an original Peter Paul Rubens and you now discover that many details in its composition were not painted by Rubens, but by his apprentices?<sup>2</sup> Each of these is an instance of forgery—what you get is neither what you expect nor what you paid for.

Over the past half-century, the issue of forgery has become a topic within aesthetics receiving more and more attention. An art forgery is any artwork that, by an intentional act, is publicly known by an inaccurate provenance—the authorship and the time/place of origin of an artwork. The existence of forgeries is a sensitive one; there is no situation where a forgery, if intended to breach and establish itself as an authentic work within the art world, is welcome. Art, as an institution, mandates accuracy in provenance. The study, selling and progression of art is reliant on this accuracy. By nature, forgeries violate this.

In the first chapter of this paper, I recount four factual instances of forgery. The first of these is Han van Meegeren's 1937 *Christ and the Disciples at Emmaus*, which he released into the art market as a genuine Johannes Vermeer masterpiece.

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<sup>1</sup> Denis Dutton, "Shoot the Piano Player," *New York Times*, Feb. 26, 2007.

<sup>2</sup> Kristin Lohse Belkin, *Rubens* (London: Phaidon Press Limited, 1998), 126-136.

Van Meegeren is, among contemporary or near-contemporary “artists,” the most celebrated forger and *Disciples at Emmaus* is the most notorious and in my view philosophically relevant recent forgery. *Disciples* was initially sold for the current equivalent of \$4 million. The second instance of forgery that I consider is the *Amarna Princess*, a combined effort of British forger Shaun Greenhalgh and his parents in 2002. Falsely alleged to be an ancient Egyptian relic, it was initially sold for over £400,000. Then, James Macpherson’s epic poems, *Fingal* (1761) and *Temora* (1763) are discussed. These poems were, in part, genuine. They were released as fully genuine ancient Gaelic poems, but, as partially contrived by Macpherson, are forgeries. Lastly, Marius Casadesus’ 1933 “Adélaïde Concerto” is recounted. This work was released into the art world as an authentic Mozart composition. What sets this instance apart is that Casadesus did not initially intend to forge—the idea came to him when a critic thought his work was a Mozart.

In the second chapter, I deal with the moral issues raised by art forgeries in general. Inherent to forgeries is the intent to deceive, and this, juxtaposed with an examination of what it means to lie, leads to the contention that all art forgeries are lies. After establishing this equation, the concept of art forgeries is split up into two comprehensive groups: physical forgeries (forgeries that are physically identical to an original work) and forgeries of style (forgeries in the style of a different artist/time period, but not identical to any genuine work). By examining each of these groups, the relation of forgeries to lies is affirmed. After a brief examination on their ethical standing, forgeries are concluded to be inherently moral wrongs, though they may nonetheless possess other types of value.

In the third chapter, the central question regarding forgeries is addressed: the aesthetic wrongs of forgeries are considered. Here, I divide possible responses to the issue at hand into three classifications. First is the possibility that there is nothing aesthetically wrong with a forgery, and Alfred Lessing's view is discussed and evaluated as representative of this response. Second is the possibility that there is something aesthetically wrong with a forgery, which stems from perceptual differences, and Monroe Beardsley and Nelson Goodman's arguments are assessed. Third is the possibility that there is an aesthetic wrong with forgery that is due to something imperceptible, namely, by its claiming to possess an inaccurate artistic achievement. Colin Radford and Denis Dutton are discussed and evaluated as responding in this way, and I find myself falling into this final group. In doing so, I subscribe to Arthur Danto's theory of the artworld: a proper viewing of art is achieved only within a theory of art. In this regard, a forgery is a work maintaining a false historicity.

In my final chapter, I examine the relation, if one exists, between the moral and aesthetic issues of art forgeries. The four instances from Chapter One and general philosophical consideration point to a positive correlation between both problems. The issues addressed here first consider whether or not a causal relationship could exist in either direction. Then, in order to relate the two, outside factors that may affect both sets of issues are considered, and it is concluded that the moral and aesthetic issues of art forgeries are positively linked by the mere existence of the artworld. Both are positively affected by what it means to attend to an artwork *as* an artwork, and the existence of a positive correlation is affirmed.

## Chapter One: Four Studies

There have been an unknown number of attempted and successful art forgeries. Despite some incredible artworks being exposed as forgeries, the best forgeries are still displayed in museums worldwide and remain undiscovered. The presence of forgeries in the art world is an unwelcome one as they undermine much of what the art world relies on for both sustenance and progression: an accurate documentation of origin. This encompasses both the artist and the time/place of the work's creation. In this first chapter, I will recount four instances of forgeries.

My principal criterion in deciding which four forgeries to recount was that I wished them to be from different artistic disciplines. Clearly, there is much more to art than just drawing and painting, and no artistic discipline is free from forgeries' threat. The first forgery I chose was Han van Meegeren's *Christ and the Disciples at Emmaus*, released as a Johannes Vermeer original. Van Meegeren's forgery is probably the most well-known and frequently studied of all artistic forgeries, especially as of recently. Numerous books chronicling van Meegeren's life and recounting his technique of forgery have been published, and most philosophical articles on forgeries comment on his forgery. So, inclusion of this instance seemed like a logical choice. Leaving the realm of painting, I next chose a forgery philosophically similar to van Meegeren's *Disciples at Emmaus*. Shaun Greenhalgh's *Amarna Princess* was passed off as an ancient Egyptian sculpture. Greenhalgh, carrying out his scheme with his parents' assistance, was highly talented in that his forgeries that infiltrated the art world spanned numerous disciplines. In both of these instances, there was no reason to forge other than for personal gain and, after

knowledge of the works' spuriousness became public, all of the value that they once had was immediately lost.

Then, I sought to vary both the intentions of the forger and the consequences of outing a forgery as such. I next recap *Fingal* and *Temora*, James Macpherson's Gaelic epic poems. Presented to be wholly authentic, these two works were determined to be partially spurious by nature. Today, the poems are recognized by some as significant pieces of literature. In the same vein, the fourth recounted tale of forgery is Marius Casadesus' "Adélaïde Concerto," a composition he claimed, though not premeditatedly, was a Mozart when, in fact, he was the composer. To some degree, the "Adélaïde Concerto" is circulating around the musical world and is still occasionally performed.

#### *Han van Meegeren's Christ and the Disciples at Emmaus*

In probably the most notorious artistic forgery to date, Han van Meegeren turned the artworld upside down in the early 20<sup>th</sup> century. His successful forging of the great Johannes Vermeer of Delft demonstrated that the present danger posed by forgeries runs far deeper than had generally been assumed. Van Meegeren proved adept at forging the style of other old masters as well, but he is remembered best in museum and art histories for his various, at the time successful, forgeries of Vermeer. Remarkable enough in its own right, van Meegeren's *Christ and the Disciples at Emmaus* was hailed not only as a Vermeer, but as "the masterpiece of Vermeer" by leading Vermeer scholar Abraham Bredius.<sup>3</sup> Admittedly, Van Meegeren's status as an artist after the forgeries were uncovered was continually contested by two camps:

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<sup>3</sup> Abraham Bredius, "A New Vermeer," *The Burlington Magazine* (Nov. 1937), 210-211.



one holding to the contention that van Meegeren was a brilliant artist, the other thinking of him as nothing more than a con-man who took advantage of both popular artistic tastes and widespread ignorance. No matter how he is now classified, the fact remains that were it not for the combination of carelessness and audacity of van Meegeren in selling a forgery to Hermann Göring, his forgeries might not have been exposed to this day.

Van Meegeren was always convinced that he possessed great artistic talent even if the rest of the world did not recognize this. He was known, especially within the Netherlands, as a talented artist best known for his 1921 *Hertje* (“The Deer”), but he was never able elevate himself to membership in the artistic elite. He formed his style from revered artists, Vermeer being one, but his own work still did not receive the public appreciation or fame he sought. Van Meegeren’s motivation for forging emanated from this fact, as we learn from his trial proceedings. He stated, upon outing himself as a forger, that “driven half distracted by my anxiety as a result of these considerations, I determined to revenge myself on the critics, by proving that they had underestimated me.”<sup>4</sup>

Van Meegeren’s goals were clear. He wished to paint a work that would be publicly honored and venerated as great under the name of a prolific artist but that would be later revealed to have been painted by him. The critics would then either have to admit their original misjudgment of the work, an extraordinarily unlikely occurrence, or acknowledge that van Meegeren was truly a great artist, level with Vermeer. Wanting to make the entire art world look foolish, van Meegeren would not be satisfied with just conning a wealthy buyer. Satisfaction would come when

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<sup>4</sup> Sepp Schüller, *Forgers, Dealers, Experts* (New York: G.P. Putnam’s Sons, 1959), 97.

one of his paintings hung under someone else's name in a Dutch national collection.<sup>5</sup> Clearly, van Meegeren's main objective was not monetary gain.

With such specific goals in mind, van Meegeren set out to create someone else's masterpiece. His decision to paint a "Vermeer" was an easy one. Van Meegeren had long studied Vermeer's style and works and had previously, with limited success, imitated Vermeer. Perhaps it was van Meegeren's propensity to blunder that pushed him to choose an artist with an established style and artistic education<sup>6</sup> or to his great reverence for the Dutch masters, but regardless, Vermeer was an ambitious selection. Today, only 35 paintings are generally attributed to Vermeer, and the number in the 1930s was not much different. Compared to most classically honored painters, then, Vermeer's oeuvre was small. There was a notable lack of continuity in his works, as they divided into works of his youth and works of his maturity. It was almost as though he suddenly changed gears and to everyone's bewilderment, altered his style. When he entered his later period, his great works started to emerge, with *The Milkmaid* as the first work in the latter classification.<sup>7</sup> It would be no easy task to recreate Vermeer's missing link if there is one, as only three of Vermeer's known works are dated, and so van Meegeren could not just logically splice a painting into Vermeer's timeline. In order to bridge the gap, not only was a Vermeer to be created, but a Vermeer objectively distinct from all other Vermeers. Should van Meegeren be successful in this regard, he would be filling in the missing pages of Vermeer's story that were begging to be filled in and jumpstarting the study of the master's works in a new, although incorrect, direction. Art critics and Vermeer

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<sup>5</sup> Edward Dolnick. *The Forger's Spell* (New York: HarperCollins, 2008), 144.

<sup>6</sup> P. B. Coremans, *Van Meegeren's Faked Vermeers and De Hooghs* (London: Cassel & Co, 1949), 32.

<sup>7</sup> Dolnick, 152.

experts had been actively hoping that a missing link between the youthful works and the mature works would surface, and van Meegeren intended to provide just that.

Forging the Vermeerian missing link would prove no easy task. First a subject must be chosen, and the sheer poetry and brilliance of van Meegeren's selection can only be marveled at. When van Meegeren was still painting as van Meegeren, he held an exhibition in 1922 of his biblically inspired works. Whereas he sold all his works, he was also quite harshly criticized, especially in regard to his depiction of Christ. One of his criticized paintings was entitled *Christ at Emmaus*<sup>8</sup>, and this reception certainly added to his bitterness towards art critics. The denouncing of van Meegeren's own depiction of *Christ at Emmaus* pushed him towards the choice of this same subject. Perhaps prompted by art historians' hints of a link between Vermeer and Michelangelo Merisi da Caravaggio, van Meegeren based his depiction on Caravaggio's second version of the moment, which instead of the more commonplace illustration of the moment of revelation, portrays a moment before it. A much subtler painting would be right in line with the depiction that Vermeer might have chosen had he actually painted the moment.<sup>9</sup>

With this idea in mind, the tangible work began. Van Meegeren traveled around Holland searching for a painting from the 17<sup>th</sup> century that was on its original stretcher—the wooden backing to a painting to keep the canvas firm. He purchased *The Raising of Lazarus* (painter unknown), removed the stretcher, scraped off the painting in its entirety and cut down the canvas to a desirable size. Beginning to paint with paints he designed especially to pass alcohol tests and with brushes that would

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<sup>8</sup> Ibid. 14-15.

<sup>9</sup> Ibid. 164-165.

have been used in the 17<sup>th</sup> century, he attempted to portray the serenity and expressions that a Vermeer exudes, and reused many artifacts and lighting techniques that were trademark of Vermeer. Van Meegeren proceeded to work on this painting for a period of around half a year, and he concluded with a masterful signature. To age the paint artificially, he heated his work in an oven for two hours and bent it over his knees to induce age craquelure, which emerges in paintings as a person's wrinkles do with aging. He filled the cracks with ink to emulate dirt, intentionally damaged and blemished parts of the painting, and the work was complete.<sup>10</sup>

As the undercover painter of *Christ and the Disciples at Emmaus*, van Meegeren could not simply release the work into the art world. Through Gerard A. Boon, a well-respected lawyer with an immaculate record and a belief that *Disciples* was authentic, his "Vermeer" was placed in front of Abraham Bredius, the era's leading Vermeer scholar. Immediately, Bredius expressed awe at what he thought was the true beauty of the work. Despite later consternation in regard to the true provenance of the work<sup>11</sup>, he initially extolled the work in superlative terms, calling it "the masterpiece of Vermeer."<sup>12</sup> For the art world, Bredius' excitement and certainty over the provenance of van Meegeren's work was a stamp of authenticity. Despite the fact that Edward Fowles and Armand Lowengard, two top Parisian art critics, immediately proclaimed the work a forgery<sup>13</sup>, Bredius himself garnered the support of much of the art world and initiated a movement to raise funds to purchase the work for Museum Boymans in Rotterdam. Bredius' opinion proved to be enough for the

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<sup>10</sup> Ibid. 170-178.

<sup>11</sup> Ibid. 182.

<sup>12</sup> Bredius, 210-211.

<sup>13</sup> Dolnick, 189.

work's success, and the initial exhibition featuring *Disciples* left all art lovers in awe, with the work considered a great Vermeer masterpiece for years afterward.

Despite his intention to humiliate the public art world by outing himself as *Disciples'* forger, it is unclear to this day whether van Meegeren's identity would have become known if not for his own pride and greed. By his own admission, because his later forgeries sold just as *Disciples* did (presently 17 works are definitively categorized as van Meegeren forgeries), he did not put as much time or care into them, and he was not nearly as proud of them.<sup>14</sup> Each successive forgery became easier for van Meegeren to sell.

As a Dutch painter during a time of the Nazi Germany occupation of Holland, van Meegeren resented the Nazi leaders both for the occupation and for their looting of Dutch artworks and valuable possessions. Hermann Göring, the number two in Nazi command behind only Hitler, fancied himself a connoisseur of art. His interest in art was so great that, while invading Holland, it was unclear whether Göring's priorities lay in gaining control over the tactical Dutch airstrips, valuable for controlling vital trade routes, or acquiring Dutch artwork.<sup>15</sup> No artwork would be more prized than a genuine Vermeer; no matter how much power and prominence the Nazi regime attained, the scarcity of Vermeers could not be overcome. Recognizing this intense desire, van Meegeren sold *Christ with the Adulteress*, a Vermeer forgery, to Göring through the Nazi art dealer Alois Miedl. This was a poor forgery that experts could easily recognize, but Göring's desire for a Vermeer overshadowed this,

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<sup>14</sup> Coremans, 33.

<sup>15</sup> Dolnick, 10.

and van Meegeren received 1.65 million gulden (approximately \$7 million today) for the work.<sup>16</sup>

In the aftermath of World War II, the fact of having sold a “Vermeer” to Göring, a leader of the hostile occupying German power, was enough to legally constitute high treason under Dutch law, and, on October 29, 1947, van Meegeren was brought to trial. While on trial, he became nervous and in a passionate confession proclaimed that the work sold to Göring was no Vermeer, but a van Meegeren. Furthermore, he added that a number of other works, including the now world-renowned *Christ and the Disciples at Emmaus*, were also the creations not of Vermeer but of van Meegeren.<sup>17</sup>

In order to prove that he was in fact the true artist of the “Vermeer” paintings, in September, 1945, while in prison, he painted one final forgery for an expert panel, entitled *Young Jesus Preaching in the Temple*. He was acquitted on this basis and then acquitted of the charge of treason, but he was subsequently charged and convicted of fraud for signing Vermeer’s name on his works; this carried a year sentence in prison, and he refused to finish the painting. Those who saw van Meegeren’s final forgery had mixed reactions to *Disciples*. First, some critics were disgusted that a work as inauthentic as *Disciples* could have received so many accolades, but to others, the true authorship was irrelevant and the painting continued to be just as great as when it was thought to be a Vermeer.<sup>18</sup>

Just because van Meegeren *claimed* to be the painter was insufficient to prove that it was true. The elaborate scientific testing that should have been initially

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<sup>16</sup> Schüller, 100.

<sup>17</sup> Ibid. 96.

<sup>18</sup> Ibid. 98.

performed on the works van Meegeren claimed were forgeries would be finally performed to validate his statements in trial. To the naked eye, all the alleged forgeries seemed to have been the work of the same artist. Despite a convincing crackle network, the paint layer was flat and smooth and dampness was not in the cracks, both of which would not be the case in a genuinely old painting.<sup>19</sup> A further evaluation using scientific means was, however, required in order to fully judge on the actual provenance of the painting. X-ray examination of the image was extraordinarily telling in that many of van Meegeren's claims were validated: the canvas was cut for size, the old stretcher was used, certain overpaints over a different work were verified, and the visible crackle was artificially induced.<sup>20</sup> Spectroscopy found cobalt blue in the paints that van Meegeren used, which was not used in Vermeer's time.<sup>21</sup> It became abundantly clear that Vermeer was not the true artist of the questioned works.

Despite these results, not everyone thought that all the works van Meegeren claimed as his, namely *Christ and the Disciples at Emmaus* and *The Last Supper II*, were indeed his forgeries; some critics claimed that he was simply attempting to swindle the art world by taking credit for what were Vermeer masterpieces. Jean Decoen led the hopeful charge against the scientific examiners on the basis that the study was faulty in regard to these two works. He claimed that *Disciples* and *The Last Supper II* do not contain paint with cobalt blue as the other works do, that the structure and material match those of works universally ascribed to Vermeer, that the signature on *Disciples* is perfect and authentic, and that the figures and techniques to

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<sup>19</sup> Coremans, 6.

<sup>20</sup> Ibid. 10.

<sup>21</sup> Ibid. 12.

produce them match Vermeer's.<sup>22</sup> This seems to be wishful thinking, however, as the scientific evidence concerning the spuriousness of the works is incontrovertible. Decoen's arguments suggest that her biggest goal was to prevent the destruction of all the forged works, which would be entailed by ancient Dutch law.<sup>23</sup> After these tests, considerable doubt was cast on the provenance of these two works; coupled with the fact that van Meegeren's description of an artificial resin matched perfectly with the scientific findings, a 1959 Viennese study conclusively showed that *The Last Supper II* was in fact a van Meegeren<sup>24</sup>, and there has since been no serious attempt to attribute *Disciples* to anyone other than to van Meegeren.

#### *The Greenhalgh Family Conspiracy – the Amarna Princess*

Commonly known as the Garden Shed Gang or as the Artful Codgers, the breadth of forged works that the unlikely Greenhalgh trio leaked into the art world between 1989 and 2006 is breathtaking. Working together, they produced an unknown number of paintings, sculptures and artifacts, all with fabricated provenances. The central figure, Shaun Greenhalgh, was the artist of the family. His mother Olive was the initial over-the-phone contact with unsuspecting potential buyers. His father, George, a frail figure constrained to a wheelchair, was the acting salesman and provided painstaking research for devising stories about the origins of each artwork they sold.<sup>25</sup> The conspiracy began in 1989 when George brought a small silver object with what he claimed was an Old English inscription on a true

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<sup>22</sup> Jean Decoen, *Back to the Truth* (Rotterdam: A.D. Donker, 195), 18.

<sup>23</sup> *Ibid.* 50.

<sup>24</sup> Schüller, 104.

<sup>25</sup> Edward Chadwick, "Antiques Rogue Show: Update," *The Bolton News*, Nov. 17 2007 ([http://www.theboltonnews.co.uk/news/1840810.Antiques\\_Rogues\\_Show\\_\\_Update](http://www.theboltonnews.co.uk/news/1840810.Antiques_Rogues_Show__Update)).



cross relic to Manchester University. It was concluded that the object was a fake, but that the wood may have been genuine. George received £100 and the forgery business began.<sup>26</sup>

As the artist, Shaun's motivation for duping the art world well over 100 times has never been explained. Hypotheses about that motivation are not hard to come by. Shaun was relatively meek and stocky in appearance; he never held a true job and his inability to swim led to his rejection by the Royal Marines. The one thing he did possess was extraordinary artistic talent unconfined to a single discipline.<sup>27</sup> Despite having £500,000 saved in the bank accumulated from selling their forgeries, the Greenhalghs opted to live in abject poverty<sup>28</sup>, remaining in Bolton, England and apparently saving their profits for a rainy day. The family did not own a computer and lived as if they were poor.<sup>29</sup> Profit, though perhaps an initial motivation, was of no great concern to the Greenhalgh's. Rather, a public shaming or embarrassment of the art world seems to have been the Greenhalgh's primary incentive. Detective Sergeant Vernon Rapley of the Metropolitan Police "Arts and Antiques Unit" gave his opinion on Shaun's motives. "We [in the police force] believe Shaun is a failed creator who had no success selling his work because, as he saw it, he had not been to art school and did not know the right people. He realized he could make more money conning the art market. He wanted to show them up, and to a degree he succeeded." Shaun's resentment and bitterness towards the art market and the art world drove him

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<sup>26</sup> David Ward, "How garden shed fakers fooled the art world," *The Guardian*, Nov. 17, 2007 (<http://www.guardian.co.uk/uk/2007/nov/17/artnews.art>).

<sup>27</sup> Sophie Grove, "Fake it Till You Make It," *Newsweek*, Dec. 15, 2007 ([www.newsweek.com/id/78149](http://www.newsweek.com/id/78149)).

<sup>28</sup> James Kelly, "Fraudsters who resented the art market," *BBC News*, Nov. 16 2007 (<http://news.bbc.co.uk/1/hi/uk/7091435.stm>).

<sup>29</sup> *The Guardian*, Nov. 17, 2007.

to manufacture historically “missing” works of art and integrate them into the market. The believable back-stories and provenances with which Shaun’s works were presented allowed the deception to succeed.

Their most lucrative forgery was the 2003 *Amarna Princess*, a statue in the ancient Amarna Egyptian style that sold to the Bolton museum for almost £440,000. Claiming upon his arrest in November, 2007 to have completed the statue in about three weeks, Shaun used a mallet and chisel and dyed the statue with tea and clay to give a façade of age. Using genuine Egyptian alabaster, the *Amarna Princess* was 52 cm high and was devoid of arms, legs and a head. There is a pleated, regal robe on the body. The statue was to represent one of the daughters of the Pharaoh Akhenaten and his queen, Nefertiti, who had been artistically idolized prior.<sup>30</sup> The purported provenance of the *Amarna Princess* that accompanied the work was thoroughly convincing. The work was claimed to have been in the family for generations, having been bought by George’s grandfather at a sale in Silverton Park, Devon at the home of the 4<sup>th</sup> Earl of Egremont. Presented for validation was a genuine catalogue from this 1892 sale, which had a few vaguely described ancient Egyptian works that could have matched the *Amarna Princess*. George claimed his grandfather bought a number of the Egyptian sculptures listed in the catalogue, and carefully constructed letters to sustain the story that it had remained a family heirloom.<sup>31</sup>

In 2002, George took his son’s forgery to the Bolton Museum, presenting his “heirloom” and the meticulously researched purchase tale. He brought the statue and claimed that it had been valued at £500. The *Amarna Princess* was taken to

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<sup>30</sup> Angela P. Thomas, *The Amarna Princess*, Nemes: The Egyptology Society, <http://www.nemes.co.uk/briefnotes6.htm> (March 2004).

<sup>31</sup> *BBC News*, Nov. 16, 2007.

Christie's and the British Museum, where it was judged to be genuine and was dated to around 1350 B.C. Two similar statues were on display in the Louvre in Paris and in Philadelphia that were used as a basis for comparison in the validation.<sup>32</sup>

The initial reaction towards the work after this authentication was pure ecstasy. The *Amarna Princess* was put on display as the centerpiece of the Bolton Museum's famous Egyptology exhibit and it was commonly assumed that interest in the exhibit would be renewed with the purchase of the work; it had already been on display for about three months in the Queen's Hayward Gallery. There was a hopeful aura around the purchase. Angela Thomas, curator of the museum's Egyptology section, claimed that "[the *Amarna Princess*] may... lead on to us getting further funds to do more with the Egyptology section."<sup>33</sup> Stephen Johnson, head of the National Heritage Memorial Fund, claimed that an ancient relic had been "rescued," and that the purchase of the *Amarna Princess* "shows what fantastic and surprising objects, long part of our history, still need urgent funding to keep them in the UK."<sup>34</sup> Bolton Council's Executive Member for Culture Laurie Williamson exclaimed that "[the purchase] was a once in a lifetime opportunity to secure an important Egyptian treasure."<sup>35</sup>

A blunder by the Greenhalgh trio caused the honeymoon to end in the art world. In 2005, George brought a piece of an Assyrian stone frieze that he claimed to be 2700 years old and in his family since 1892 to the British museum. Suspicion on

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<sup>32</sup> *The Bolton News*, Nov. 17, 2007.

<sup>33</sup> "Statuette to be Star of Show in Town's Museum," *This is Lancashire*, Jan. 30, 2004 (<http://archive.thisislancashire.co.uk/2004/1/30/509573.html>).

<sup>34</sup> Corinne Field, "3000-Year-Old Princess Bought by Bolton Museum & Art Gallery," *24 Hour Museum*, Sept. 29 2003 ([http://www.24hourmuseum.org.uk/nwh\\_gfx\\_en/ART18242.html](http://www.24hourmuseum.org.uk/nwh_gfx_en/ART18242.html)).

<sup>35</sup> "Museum secures rare Egyptian sculpture," *BBC News*, Sept. 30 2003 ([http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk\\_news/england/manchester/3152176.stm](http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/england/manchester/3152176.stm)).

part of the authenticators was raised when George intimated he would be willing to sell the fragment for £500,000. Upon closer inspection, there were slight design inconsistencies within the frieze, but more importantly, there was a spelling mistake in the Mesopotamian cuneiform. A Greenhalgh forgery had finally been outed, and a full blown investigation of the Greenhalghs commenced.<sup>36</sup> When the police searched their Bolton residence, it strongly resembled an art warehouse, with incomplete works and specialized artistic materials sprawled throughout. Among the works subsequently judged to have been a forgery was the *Amarna Princess*. All the Garden Shed Gang pled guilty in 2005 at the Bolton Crown Court to defrauding art institutions and other buyers over 17 years as well as to conspiracy to launder money (the proceeds from the sale of the *Amarna Princess*) to the city of Bolton.<sup>37</sup>

The forged works were immediately taken off display. The Bolton Museum released a statement claiming that they had not directly given money for the *Amarna Princess* and that all proper guidelines were followed in authenticating what later turned out to be a forgery. No blame could be assumed about their blunder, and the Bolton Museum expected to receive federal compensation.<sup>38</sup> Because of the breadth and success of the Greenhalgh scam, the presiding judge proposed that some of the

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<sup>36</sup> Cahal Milmo, "Family of forgers fool art world with beautifully crafted fakes," *New Zealand Herald*, Nov. 19, 2007.

([http://www.nzherald.co.nz/world/news/article.cfm?c\\_id=2&objectid=10476858](http://www.nzherald.co.nz/world/news/article.cfm?c_id=2&objectid=10476858)).

<sup>37</sup>"Elderly couple, son sentenced for creating knockoff art and antiques for 17 years," *International Herald Tribune*, Nov. 16 2007 ([www.iht.com/articles/ap/2007/11/16/europe/EU-GEN-Britain-Art-Forgery.php](http://www.iht.com/articles/ap/2007/11/16/europe/EU-GEN-Britain-Art-Forgery.php)).

<sup>38</sup> *Amarna Princess Statement*, Bolton Museums, <http://boltonmuseums.org.uk/news/amarna-princess-statement> (Jun. 12, 2008).

forgeries should be saved in order to instruct experts in how better to detect forgeries.<sup>39</sup>

### *James Macpherson's Ossian Epics*

18<sup>th</sup> century Scotland did not have an epic poem. Conventional wisdom dictated that an epic poem accompanies major social change and severe nationalistic pride. Greece had Homer and his *Iliad* and *Odyssey*, Italy had Dante's Divine Comedy and England saw John Milton's *Paradise Lost* arise not more than 20 years after the English Civil War. The necessity for repairing the lack of an epic was never called into question; the concern was how this might occur. Either the missing epic would be written in the modern day or a missing epic would be discovered.<sup>40</sup> Naturally, the latter was preferred, and the Scottish were hopeful that their epic would be unearthed. In the preface to *Fragments of Ancient Poetry* (1760), Professor Hugh Blair (of the University of Edinburgh and eventual mentor to Macpherson) posited that "there is reason to hope that one work of considerable length, and which deserves to be styled an heroic poem, might be recovered and translated,"<sup>41</sup> and many agreed with Blair in this regard.

James Macpherson, a fledgling poet, had not received the acclaim he desired at the start of his literary career. He published the ambitious heroic poem *The Highlander* (1758) and translated a poem from Gaelic which was shown to and won the admiration of Professor Blair. Following that, Macpherson published *Fragments*

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<sup>39</sup>“British man given 2-year suspended sentence in art forgery case,” *The Canadian Press*, Jan. 29, 2008 ([www.cbc.ca/news/story/2008/01/29/forgery-uk-sentence.html](http://www.cbc.ca/news/story/2008/01/29/forgery-uk-sentence.html)).

<sup>40</sup> K. K. Ruthven, *Faking Literature* (Cambridge: Cambridge UP, 2001), 8-9.

<sup>41</sup> James Macpherson, *The Poems of Ossian and Related Works* (Edinburgh: Edinburgh UP, 1996), 6.

of *Ancient Poetry* (1760) from various manuscripts of Gaelic poetry he had gathered from the Scottish highlands, and Blair wrote the preface to this publication.

Why Macpherson set out to discover the missing Scottish epic is not fully known. Certainly the widespread desire for unearthing a national epic had some influence, as did what he saw as the failure of his reputation as a genius poet. Also, after publishing his *Fragments*, Blair convinced Macpherson that the Scottish epic not only existed, but resided in relation to the heroic fragments that Macpherson possessed.<sup>42</sup> Even if Macpherson did not believe what Blair was convinced of, there was a widespread desire for more original Gaelic poetry. Blair, in his fervent support of the project, attempted to convince Macpherson to travel through the Highlands in pursuit of ancient poetry in either manuscript or oral form. Much to Blair's chagrin, Macpherson declined for financial reasons. Immediately, Blair arranged a dinner in Edinburgh to rally those likely to support such a project, and everyone in attendance was enthused by the idea. All were willing to make nominal donations, and Macpherson accepted the project.<sup>43</sup> The trips took place between August, 1760 and January, 1761, and Macpherson traveled to Wester Ross, Skye, North Uist, South Uist, Benbecula, Mull and Argyll in his pursuit for the Scottish epic.

Immediately upon the conclusion of his trip through the Highlands, Macpherson claimed his good fortune in attaining a relatively complete, epic poem.<sup>44</sup> The found poem was supposedly authored and narrated by Ossian, a blind bard. Notwithstanding the excitement stirred by this information, skeptics quickly surfaced.

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<sup>42</sup> James Porter, "Bring Me the Head of James Macpherson," *Journal of American Folklore* 114(454), 396-435.

<sup>43</sup> Fiona Stafford, *The Sublime Savage* (Edinburgh: Edinburgh UP, 1988), 116.

<sup>44</sup> Ruthven, 7.

After all, it is even less likely for a blind bard to have composed an epic poem than for the poem to have been hidden for centuries upon centuries. The ensuing debate about the authenticity of the released poems, *Fingal* (1761, a poem in six books) and *Temora* (1763, a poem in eight books) was not based exclusively on scholarship. The already severe tension between the English and the Scottish undoubtedly seeped into the critiques of these works. The prevailing anti-Scottish feeling in England was so great that a law had been implemented August 1, 1747, stating that any visible tartan was to be punished by a six month imprisonment.<sup>45</sup> Even within Scotland, *Temora* did not receive the same critical acclaim as did *Fingal*, which had large influence not only within Scotland, but internationally as well. The timing was perfect for these publications. Macpherson was the first translator and the first to introduce ancient Gaelic poetry to the masses.<sup>46</sup> Since there were few expectations for the epic that Macpherson found, he was able to create them.

An interest in Scottish and Celtic poetry was reinvigorated with a greater passion than had been prevalent before these two releases, and within a year of their publication, the entirety of the poems were translated into nearly every European language. They received praise from the highest places, which in turn evoked harsh rebuttals from equally esteemed authorities. Matthew Arnold, one of the most respected poets/critics of the time, recognized that it was exceedingly unlikely that the entirety of the epic Macpherson produced had been found and that some compilation and splicing had undoubtedly been required for the full publication. But this was no deterring factor; looking beyond the modern additions, Arnold argued,

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<sup>45</sup> "The Centenary of Ossian," *Macmillan's Magazine* 74 (1896: May/Oct), 62.

<sup>46</sup> John S. Smart, *James Macpherson* (London: D. Nutt, 1905), 41.

“there will still be left a residue with the very soul of Celtic genius in it, and has the proud distinction of having brought this soul of Celtic genius into contact with the genius of the nations of modern Europe, and enriched all our poetry by it.”<sup>47</sup> This response was more typical than not of the widespread European attitude and reaction towards the Ossian epics.

Samuel Johnson was perhaps the most vocal critic of the Ossian epics and repeatedly challenged their authenticity. He maintained that Macpherson published *Fingal* and *Temora* to satisfy Highlander longings for a national epic.<sup>48</sup> Johnson attacked the poems’ authenticity on multiple fronts, although he did not request a formal investigation. He simply maintained that the poems, because not wholly genuine, had no merit. He believed that there were no original manuscripts, and demanded that they, if truly existent, be presented along with a proof of authenticity. Furthermore, he asserted that no “man of integrity could recite six lines of the original Ossian,” and that the Ossianic poems only existed in the form published by Macpherson, but never at any other point in history.<sup>49</sup> Johnson appealed to psychological reasoning, claiming that if Macpherson had not introduced the manuscript but maintained that his work was derivative from an oral tradition, then his argument would be more believable.<sup>50</sup> Johnson validated his challenge by traveling through the Hebrides and Scottish Highlands and, after going door to door (ironically, speaking no Gaelic), he found no reason to change his beliefs on the questionable authenticity. Although he did not perform a rigorous empirical study, it

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<sup>47</sup> Principal Shairp, “Ossian,” *Macmillan’s Magazine*, 24(1871: May/Oct) 114-115.

<sup>48</sup> Porter, 398.

<sup>49</sup> Shairp, 115.

<sup>50</sup> Howard Gaskill, *Ossian Revisited* (Edinburgh: Edinburgh UP, 1991), 7.



made Johnson a visible and dangerous critic. It has since been proven that manuscripts do exist of the Ossianic poetry, and many Highlanders are capable of reciting lines of the poems. Further issues exist now, as well. Various other investigators have tried to come across and translate Ossianic poetry, but they never attained more than fragmented manuscripts, and thus attained limited success.<sup>51</sup>

Whereas Macpherson was not very active in the debate incited by Johnson, Blair certainly was. He sent out numerous letters to Highland families questioning their knowledge, if any, of the Ossianic poems. One notable response from (an unrelated) McPherson of Strathmashie is very direct in supporting the authenticity of Macpherson's work. He discussed how poems from his oral tradition were transcribed in conversation, as were manuscripts. The letter notes that the published Ossianic poems were very much in line with what he knows to be true.<sup>52</sup> Other letters in the same vein were received, and it seemed rash to completely discredit Macpherson's publication, even if it was not entirely original.

In response to the debate, the Highland Society of Scotland took up the inquiry, and took a route similar to Blair's. Many people subsequently traveled through the Highlands and asked locals to recite poems, which they did with various degrees of success. Upon examination of various correspondences among all those involved in the debate, an extensive report was released in 1805. The Society found that the characters and events were not Macpherson's invention, but today it seems clear that Macpherson spliced original material of his own into what he found. However, it remains impossible to know how much is "authentic" and how much is

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<sup>51</sup> Smart, 48-50.

<sup>52</sup> Shairp, 117.

“forged.” Still, the discovery of the original manuscripts seemed imperative. In an effort to meet this demand, Macpherson’s Gaelic notes were given to the Highland Society of London, who published the Gaelic Ossian. Since this publication, few people have sufficient knowledge of Gaelic poetry to judge the controversy and even fewer are willing to devote the massive amount of time that such an undertaking would necessitate.<sup>53</sup> This difficulty led to the prevailing public belief that the entirety of Macpherson’s work is a forgery, despite evidence pointing towards to the contrary.

Then, in 1862, the Dean of Lismore published a book containing manuscripts dating back to the 16<sup>th</sup> century. Of these 65 translated manuscripts, nine are directly attributed to Ossian. The existence of these is enough to potentially affirm that Macpherson had found them in his travels.<sup>54</sup> Many similar themes occur in Macpherson’s publications and these manuscripts, including allusions to St. Patrick and to the Apostle of Irish Christianity. It would be wise to err on the side of caution in using these similarities in evaluating Macpherson’s work, since surely he would have made similar allusions if the work was a forgery. All major scholars, despite this, regarded Macpherson’s work as the translation of these manuscripts.

The debate over authenticity obscured the question at hand, making an appropriate evaluation difficult. That is, did Macpherson come across an epic poem, or did he fuse smaller poems himself? *Fingal* and *Temora* were presented as direct translations from Gaelic manuscripts and oral tradition. Furthermore, how valid was the attribution to Ossian as the author?<sup>55</sup>

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<sup>53</sup> Ibid. 118-119.

<sup>54</sup> Ibid. 122.

<sup>55</sup> “The Centenary of Ossian,” 64.

Despite the fact that there were few rules about plagiarism and the practice that a loose translation might still be presented as a translation, it is clear that Macpherson did intend to deceive his audience to some extent. The fact that Ossian is not the sole author of the works is not the issue at hand, though. Having some of the work originate in Macpherson's imagination depreciates the mystique created by the existence of an ancient, unknown epic poem, and certainly the poems lose some of their appeal<sup>56</sup>, although the literary merit of the works is not the critical concern. The main issue in relation to the question of forgery stems from disappointment the Scottish faced if the epic poem thought to be real was then shown to be only partially authentic.

Today, Macpherson is thought of as a collector of manuscripts and old poems rather than a forger.<sup>57</sup> Critics exist, though, who still consider Macpherson a forger. However, if he were nothing more than a forger, the European influence he had and the debate he stirred could not be understood. Full authenticity, perhaps, cannot be measured in the short-run, and the necessity for it can only be measured in how a work is viewed upon coming to terms with its actual provenance.

#### *Marius Casadesus' "Adélaïde Concerto"*

Marius Casadesus, the composer of the 1933 "Adélaïde Concerto," did not set out to forge a Mozart masterpiece. Hailing from a family of prominent musicians, Casadesus already had a public name for himself. It was not uncommon for him to compose a classical-sounding piece and subsequently to rework it into a more

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<sup>56</sup> J. B. Price, "James Macpherson's Ossian," *Contemporary Review* 188(1955: July/Dec), 404.

<sup>57</sup> "The Centenary of Ossian," 66.

modern-sounding one, performing it in front of many prominent musicians, conductors, critics, etc. In this particular instance, Casadesus was content with the piece after his classical phase of composition, so he performed it with himself on violin and a friend on keyboard. Upon playing it, Casadesus asked who the crowd believed composed the work, and he was met with an emphatic, definitive “Mozart.” Casadesus claimed that “I did not want to say ‘no’ right away. I started to say that I had orchestrated it and was about to tell the whole truth. But they kept insisting it was Mozart.”<sup>58</sup>

The immediate reception of the work was extremely enthusiastic. On December 27, 1931, it was played publicly for the first time as a previously unknown work of Mozart at the insistence of Albert Wolff, a prominent Parisian conductor. The reception to this performance was unwavering. Musicologist and critic Alfred Bauchot stated at the performance, “I must admit that I was a lot more skeptical at the beginning than at the end.” Paul Le Flem, a major composer, had no reservations at any time. He claimed that “This work brings us new revelations of the genius of Mozart.” It took little time for Casadesus’ concerto to be listed in the Köchel Catalogue, a chronological listing of Mozart’s work and more importantly in this case, a seal of authenticity on Casadesus’ work; it then also became a common part of the repertory of violinists worldwide.<sup>59</sup>

To be accepted in the musical world, a believable story must be presented with the written composition. The work was released by Casadesus on two scores

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<sup>58</sup> “Marius Casadesus Suing Over Concerto ‘by Mozart’,” *New York Times*, Aug. 16, 1977.

<sup>59</sup> *Ibid.*

with an accompanying dedication,<sup>60</sup> which dates the work to 26 May 1766. In turn, the account was given that Mozart composed the symphony at the age of 10 and dedicated it to the daughter of King Louis XV of France, Madame Marie-Adélaïde. The story went as follows: traveling to Vienna from Amsterdam, Mozart and his family stopped at a Parisian circus. Princess Marie-Adélaïde, having heard of the young Mozart, was skeptical of the great talents attributed to the young boy and requested that a concerto be composed in her presence. Mozart did not complete the concerto, but he left a partially completed sketch of it. Madame Marie-Adélaïde fled to Naples during the French Revolution, and the manuscript then remained in a private royal collection. Casadesus was selected to complete the unfinished concerto, which he claimed to have devoted all of his efforts to.<sup>61</sup>

The original manuscript and the dedication of a 10-year-old Mozart did stir some doubt. First and foremost, no one, including the leading Mozart experts and the publishers of the Concerto, had personally seen the original partial manuscript because it was purported to be in a private collection. Furthermore, expert Alfred Einstein raised questions over the work's provenance. He first questioned why it was missing from the 1768 catalogue that Leopold Mozart composed for his son. Einstein questioned the dedication on the grounds that Mozart would not dedicate an unfinished work. Despite this, Einstein made no definitive judgment on the spurious or authentic nature of the "Adélaïde Concerto."<sup>62</sup>

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<sup>60</sup> Gerald Abraham, et. al., *The Mozart Companion: A Symposium by Leading Mozart Scholars* (New York: W. W. Norton & Co. Inc., 1956), 221.

<sup>61</sup> "Mozart's 'Adelaide' Concerto by Menuhin and Paris Symphony Under Monteux," *New York Times*, Mar. 10, 1935.

<sup>62</sup> Dennis Pajot, *KV.Anh294a Adelaide Violin Concerto*, MozartForum Articles, <http://www.mozartforum.com/Lore/article.php?id=040>.

The date of the dedication does seem to raise some issues. In Mozart's father's catalogue, the earliest work listed was composed in 1773, which surely cannot be accurate.<sup>63</sup> Other musicologists, such as Friedrich Blume, separated the work and the dedication, claiming that the work was entirely too similar to many of Mozart's other works to be inauthentic and that any dedication discrepancies should be evaluated independently of the work itself<sup>64</sup>: a work claimed to be a genuine Mozart cannot be rejected merely as a result of this inconsistency. Mozart notably composed five concertos between April and July of 1775 which reflect a great deal about his musical development. Mozart made a huge musical leap between this time and October, 1775, and it was considered not farfetched to assume that the "Adélaïde Concerto" could have been situated in this growing process.<sup>65</sup>

The music world seemed to agree. Yehudi Menuhin and the Paris Symphony Orchestra recorded the "Adélaïde Concerto" to great critical acclaim. Any critiques that were made of the recording referred solely to the musicianship and not to the composition of the piece played.<sup>66</sup> The "Adélaïde Concerto" became equated with violin excellence and was performed on the top stages worldwide as for example, when the Russian violinist, Robert Kitain, performed the "Adélaïde Concerto" at Carnegie Hall in December, 1943.<sup>67</sup> The criticism of his performance was based on the performer's inadequacies, not on shortcomings of the work. In fact, the "Adélaïde Concerto" accentuated many of Kitain's abilities as a violinist, and the authenticity of

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<sup>63</sup> Abraham, 221.

<sup>64</sup> <http://www.mozartforum.com/Lore/article.php?id=040>.

<sup>65</sup> Abraham, 222.

<sup>66</sup> *New York Times*, Mar. 10, 1935.

<sup>67</sup> Noel Straus, "Robert Kitain Heard in a Violin Recital," *New York Times*, Dec. 20, 1943.

the work was not, and would not be questioned seriously until its spurious nature had been exposed.

In 1977, Pathe-Marconi Records purchased the rights to the Concerto and to Menuhin's version of it. Casadesus, as having "finished" the incomplete Concerto, held the copyright for its orchestration and harmonization. However, Pathe-Marconi Records neglected to name Casadesus on the label of their newly released rendition and did not pay him any royalties. The "Adélaïde Concerto" was a primary source of revenue for Casadesus and he was understandably dissatisfied with receiving no further profits from his work, so he outed himself as the true composer of the "Adélaïde Concerto" and revealed its spurious nature. When questioned, the now 84-year-old musician challenges anyone to find the original manuscript that was thought to have existed.<sup>68</sup> The work was initially accepted as genuine and without Casadesus' monetary desires, probably would never have been outed as a forgery. Today, Marius Casadesus is listed as the composer of the "Adélaïde Concerto;" although to a significantly lesser degree, the work is still circulating around the music world.

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<sup>68</sup> "Marius Casadesus Suing Over Concerto 'by Mozart'," *New York Times*, Aug. 16, 1977.

## Chapter Two: The Moral Issues

Forgeries are unwelcome in the art world. Everyone within the art world feels offended and, more importantly, wronged if a forgery successfully finds its way into the art world and is subsequently exposed. As humans, we possess a feeling of entitlement to knowing the truth and a forgery is, by definition, untruthful. In exploring what it means to tell a lie and expanding on the definition of art forgeries, it becomes apparent that art forgeries are, in effect, lies. In light of this conclusion, art forgeries can be morally evaluated and the worth and value of forgeries in relation to morality can be examined.

If someone lies to you without justification for doing so, your view of the liar changes accordingly. It is not unreasonable to expect an offended reaction with related feelings of discontent and of being condescended to when encountering lies. A likely reason for this is that as humans, we possess a feeling of entitlement to know the truth. The debate over why lying is wrong is a distinct issue: in the absence of a good reason for doing so, lying is morally wrong. Societal convention dictates that in the absence of unique circumstances or any reason to think otherwise, statements are expected to be true. Statements encountered are generally thought to be trustworthy and to be relied on<sup>69</sup>; even when they turn out to be mistaken, this is quite different from when they turn out to be lies.

An explanation deeper than “lying is morally wrong because we know it to be so” will be explored later. What is pressingly significant is that lying is an action

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<sup>69</sup> Thomas L. Carson, "The Definition of Lying," *Nous*, 40(2006), 296.



inconsistent with a moral justification for acting; lying is itself an intentional act. For the rational human, there is no fault found in someone who, in an attempt to be truthful, transmits false information. That is, if person A unwittingly expresses to person B a proposition with a false truth value as having a true truth value, then person B does not fault person A. On the other hand, you cannot accidentally “lie” in the immoral sense of lying. There is no denying that the intentional aspect of being untruthful is of moral significance and that an unintentional act of being untruthful is of no moral consequence, unless the person who is mistaken *should* have known better.<sup>70</sup> There is a deep philosophical difference between “truth” and “being truthful” but, as moral concerns derive from intentionality, the state of being truthful must be expanded upon.

Arriving at a complete definition of lying is too great an undertaking to do here. Instead, I will subscribe to a commonly used, “standard” definition of lying: you are telling a lie if you assert something that you believe to be false with the intent to deceive.<sup>71</sup> Following from this is the important fact that a lie need not be verbal. Nonverbal cues, smoke signals and any form of transmitting knowledge or making a

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<sup>70</sup> This cannot be stated without elaboration. When a person should have known what was not known and is thus untruthful, there is moral consequence. Take for instance if a professor asks a student to proctor an exam and to not take his eyes off the class for a moment because there are students that are liable to cheat. The student leaves for ten minutes during the exam to use the restroom and, in this time, students cheat. The professor returns and asks the proctor whether or not anyone cheated. The proctor answers negatively, but this is not accurate. The professor is unaware that the proctor’s answer is not indisputably true, and the student answers in a way so that he does not let the professor know that he does not know the absolute truth. In an instance as such, whenever the speaker should have known the truth and is aware that he does not and the person being addressed believes that the speaker possesses adequate information to make an accurate statement, the speaker’s statement is of moral consequence. However, when the speaker is unaware that they don’t possess complete information, any lie told remains of moral inconsequence.

<sup>71</sup> Sissela Bok, *Lying: Moral Choice in Public and Private Life* (New York: Pantheon, 1978), 13.; Augustine and Roy. J. Deferrari, ed., *Treatises on Various Subjects, Vol. 16* (New York: Fathers of the Church, 1952 [395]), 56.

claim can be the basis for a lie. An important observation about this definition must be made. If person A “lies” to person B, that is, if A expresses a proposition  $p$  with a truth value which A believes to be false with the intent to make B believe as true what A believes to be inaccurate, and if B does not get deceived, A still lied. An act of deception need not be successful for a lie to be classified as a lie.<sup>72</sup>

There is a dispute even over the adequacy of this definition, specifically over where in the realm of lying deception and the intent to deceive fall. As long as the intent to deceive is a sufficient condition for lying, whether or not the condition is necessary will be irrelevant for this paper’s purpose. There are numerous objections to the contention that the intent to deceive is a sufficient condition for clarifying something as a lie, but each of these fundamentally fails because such examples invariably separate the overall purpose of an action from the superficial action itself.

A common argument is that by falsely implying something about which you are intending to deceive, you are not lying.<sup>73</sup> This is purely definitional and does not take into consideration whether or not the moral status of falsely implying something, despite not being a lie, may be just as morally objectionable. Don Fallis presents an example illustrating this objection: I am not an actor, but I intend for you to believe that I am. So, in a very theatrical tone in order to convince you that I am an actor I exclaim, “I am the Prince of Denmark.” I believe the statement “I am the Prince of Denmark” to be false and I intend to deceive you in that I want you to believe that I

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<sup>72</sup> John A. Barnes, *A Pack of Lies* (Cambridge: Cambridge UP, 1994), 13.

<sup>73</sup> Jonathan E. Adler, “Lying, Deceiving, or Falsely Implicating,” *Journal of Philosophy* 94 (1997), 435-436.

am an actor. Therefore, Fallis claims, I have not lied in my proclamation because I believe it to be false.<sup>74</sup>

However, falsely implying something *is* equivalent to lying. The conception of lying that he maintains is that lying can only be a verbal action, when in fact you can lie about something without making a verbal statement at all. A wink, an intentional sarcastic tone and a thumbs-up are all ways you can lie without any explicit verbal expression. A necessary prerequisite for a lie is that a proposition be transmitted from person A to person B, and a proposition can be transmitted nonverbally. Any definitional consideration for “lying” must follow from this. From Fallis’ fallacy, issues arise over his analysis of his example. He bases his conclusion on the premise that I know that my contention that “I am the Prince of Denmark” is false. This fact, though, is irrelevant. In assuming a theatrical tone I am not asking for your belief that I actually am the Prince of Denmark; the proposition I am attempting to transmit is that I am an actor. If I theatrically declare that “I was born on a warm, sunny day in New York,” I am still attempting to assert the proposition that I am an actor, despite the fact that I was (or, I believe that I was) born under those conditions. The proposition believed to be false must be the same proposition that is intended to deceive. With that clarification, it is unambiguous that the above example is a lie. A differentiation between false implication and lying is misguided in this manner.

A subtler objection can be brought up in cases where you intend to deceive but the person you intend to deceive is aware of your intention. For instance,

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<sup>74</sup> Don Fallis, "What is Lying?" 2008 Pacific Division Meeting of the American Philosophical Association (Pasadena, CA), Aug. 12, 2007, 2-3.

consider a game of poker. If I am sitting across a poker table from you, I am going to place bets that will, I hope, deceive you on what my hand is. For simplicity's sake, is it a lie if I want you to think I have a weak hand when my hand is strong or vice versa? Ostensibly, the act of placing a bet is not a lie. Just as in the previous case the statement "I am the Prince of Denmark" is not a lie when taken out of context, so also with the poker bet. My bet is the only knowledge about my hand that I intend to give you. If I intend to deceive with my bet, I am intending to deceive you, by intentional false representation, about the true value of my hand. Because of this, I am lying to you by placing a bet; I want you to believe that my hand is something it is not and, using the medium of betting, I am attempting to deceive you in this manner. My bet is not a lie, but what I transmit the value of my hand to be is. All the examples that may come up in contention against intended deception as a sufficient condition for lying suffer from the same fault, with what you believe to be false and what you intend to deceive referring to different propositions. Thus, intending to deceive remains a sufficient condition to lying and so also to the common definition of lying.

From this consideration, a relation between art forgeries and lying is clear. Our definition of lying is "claiming something you believe to be false with the intent to deceive." A successful art forgery is an artwork presented as authentic in its alleged provenance but known by the artist or "presenter" (or both) not to be. Then, a successful art forgery would be one that succeeds in such deceit—deceiving art experts and the art market as well as others.

Acknowledging that there exists a relation between art forgeries and lying is not enough; it must be explicated. To do so, what a "lie" is must be further evaluated.

First, the issue of nonverbal lies must be fully addressed. If I have just gotten fired and I am asked how my work day was, flashing a “thumbs-up” sign would be a lie, assuming I did not wish to lose my job. A “thumbs-up” action has a direct linguistic referent; flashing the “thumbs-up” is synonymous for “good”. So, albeit to a lesser degree, the action of giving a “thumbs-up” is a lie just as a lie might be told in American Sign Language. An action possessing an unquestionable linguistic referent without using words can still constitute a lie. Following similar logic, a wink can constitute a lie as well. A wink is a sign of sarcasm, often communicating that what you actually believe is the opposite of what has been said or done. A wink also frequently accompanies a secret, something that the winker does not want to be public knowledge. For instance, assume I am watching the news with a stranger in a communal space and a robbery is being reported. The sketch of the suspect looks remarkably like me. Without any prior communication between us, she (the stranger) looks at me suspiciously upon news of the robbery. I am a bit put off by this action, and I decide to make her feel uncomfortable as well and wink at her in hopes that she thinks I committed the robbery when in fact I did not. My wink here transmits the proposition that I was the robber—intending to deceive the stranger into believing that.

The last two instances are lies, with the nonverbal cues directly representative of propositions that might otherwise have been stated explicitly. In other words, what the liar is communicating is effectively communicated through nonverbal means. The proposition, though not verbally expressed, is still directly expressed—very much a product of human intentions. The question arises, now, whether or not a lie can occur

apart from human expression. Suppose, for example, that I run a designer clothing store renowned for manufacturing all of its own shirts. A malicious customer enters and places one of his own white shirts on a rack of white shirts. I do not realize its placement there before someone comes in and buys it. Every shirt at my store is made of the finest quality and carries a hefty price tag, but the shirt that was placed there is from a local department store, purchased only for \$10. The buyer shows off his new shirt to his friends, who discover that it was not as advertised. The buyer feels lied to, and he was. The person who planted the shirt lied to the customer who would, in the future, purchase it. The liar knew that the shirt was placed there and he intended for someone to think that it was from my store and purchase it, thus categorizing it as a lie. It is apparent that a lie can exist without direct interaction between the liar and the person being lied to.

In this vein, I am going to claim that art forgeries are glorified lies. That is, art forgeries could not exist as forgeries without being fundamentally rooted in a lie. To display this, let's examine the four instances of forgery from the previous chapter, analyzing them as lies despite their various motives and consequences. The instance of Han van Meegeren's successful forging of (among others) Vermeer masterpieces seems the most obvious lie. Van Meegeren's intention in painting *Disciples* was to make a mockery of the art world by passing off the work as a genuine Vermeer. Painstaking measures were taken by van Meegeren in order to come as close as possible to the identical paint, canvas, etc. that Vermeer would have used, and he invested a great deal of effort in perfecting the signature that Vermeer painted on his works. Van Meegeren, in telling Gerard Boon that the work he had painted was a

genuine Vermeer, told a lie. Boon then brought the work to Abraham Bredius as a genuine Vermeer, and *Disciples* became a public lie. Bredius introduced the work into the art world as a genuine Vermeer, although, had he known that van Meegeren was the actual painter, he never would have accepted or transmitted *Disciples* as a Vermeer.

The Greenhalgh family conspiracy exhibits characteristics reminiscent of the previous instance. The intention, again, was to pass off the various works they “created” as originals in order to humiliate the art world which did not recognize Shaun as he wished to be recognized. Shaun would meticulously acquire original stone and materials that, if analyzed, would match those that would have been used had the works been authentic, dating from the time period the works claimed to be from. George, as responsible for the selling of the *Amarna Princess* (among all the others), was aware of the spurious nature of the work, and its value was rooted in the lie that George told. In selling the so-called *Amarna Princess* to the Bolton Museum, George was fully aware that his son was the sculptor and that the work was not an ancient Egyptian original. George knew that not only would the *Amarna Princess* not command the lofty price it did, but that the Bolton Museum would not purchase it had they been aware that George’s son was the actual sculptor. Presenting the sculpture with a believable and well-researched history was necessary for the Greenhalghs not only to deceive the Bolton Museum, but the entire art world. Their intent to deceive as rooted in the fact that they knew the truth of the origins of the *Amarna Princess* justify categorizing the work as a lie.

Marius Casadesus' composition of the "Adélaïde Concerto" is a more marginal instance. Upon composing the work, Casadesus did not initially set out to forge a Mozart work, but the Concerto, devoid of the direct intentionality that *Disciples* and the *Amarna Princess* were marked by, nonetheless appears as a lie. This is clear insofar as Casadesus affirmed the contention that his work was a Mozart. Even though initially he did not intend that deception, he certainly reached that state when he later did claim the work as a Mozart. In doing so, Casadesus asserted something that he knew to be false. Until the public realization that the "Adélaïde Concerto" was not composed by Mozart, the place of the work in the music sphere was based on the lie that Casadesus told. The varied public view after the "outing" of Casadesus as composer is an aesthetic issue, and will be later examined.

James Macpherson's Ossian epics are as marginal a case of art forgery as is likely to occur, with the extent of the work's authenticity or spuriousness still, to this day, uncertain. Macpherson, possibly searching for personal success, did not set out to defraud the art institution as van Meegeren and the Greenhalgh family assuredly had. Possibly aiming for national literary excellence, there were nonetheless clear ethical issues with Macpherson's publication. *Fingal* and *Temora* were, regardless of his intention, founded on a Macpherson lie. The scope of the original manuscripts collected on his travels is unknown, but it is certain that Macpherson did not come upon a complete epic work. His presentation of *Fingal* and *Temora* as full and direct translations from Gaelic manuscripts and Scottish oral traditions was a lie; Macpherson knew that the manuscripts he found were incomplete. In presenting them as complete, he was claiming something he knew to be false. Having lied in



this way, public opinion of the work (excluding overt skeptics) was necessarily based on that until the authenticity of the epics was questioned on the basis of new evidence.

A lie in the art world is a serious event. As a constantly progressing institution, art is vitally based on accurately determined provenances. If every contemporary artist attributed each of his original works to an old master, art would exist only as a wholly historical study since its progress would have halted. The art world is entirely reliant on truthfulness in this sense and as such, any individual false attribution undermines the whole. When a new artwork is introduced into the art world, it is introduced as the creation of a particular artist associated with a specific time and place of origin. When a work is introduced either privately or publicly to the art world with a deliberately incorrect provenance, a lie is told. The moral status may be circumstantial, but as the presenter knows that the provenance is incorrect but intends for the art world to be deceived, the basic issue is constant.

A remark must be made: there are innumerable types and potential instances of forgeries. Legal tender is forged regularly, and personal signatures are perhaps the most common and prevalent instance of forgery. Both of these are also arguably lies—and in fact there seems to be nothing, no humanly made object, no statement, entirely free from the threat of forgeries, although it also seems clear that the blanket statement that all forgeries are lies would require more detailed evidence and argument than I can provide here. In any event, I am concerned principally with the characterization of all *art forgeries* as lies, and thus with the supporting evidence for that.

An art forgery, as a lie, must inaccurately claim to have either a source it does not have, a time/place of origin that it does not have, or both. This is evident: in addition to its physical details, these are the two defining aspects of an artwork. In an examination of art forgeries, there seem to be two principle groups. First, there exist physical forgeries. A physical forgery is a forgery intended to be a duplication (while remaining distinct from a copy) with the intent to dupe. A forgery of this type is intended to be visually imperceptible from the original work. Secondly, there are forgeries of style. A forgery of style is a forgery that, while not a duplicate of any existing work, is intended to deceive in that it asserts to be the original work of an artist other than the one who created it. *Disciples at Emmaus* is an instance of a stylistic forgery. Van Meegeren conceptualized the painting in a way he thought Vermeer might have, but the work was original in that van Meegeren's conception was his, just heavily influenced by Vermeer.

First, a comprehensive understanding of a physical forgery must be attained. The most important distinction that must be made in this regard is between copies and forgeries. An art print (either scaled or replicated to actual size) of the *Mona Lisa* that can be bought in the gift shop of the Louvre is not a forgery. The print is not intended to deceive anyone into thinking that it is the original work. Similarly, suppose that the Louvre had attained "copies" of the *Mona Lisa*. Without notifying the public or the visitors to the museum, the Louvre cycles the real *Mona Lisa* in with the "copies"—or perhaps holds the *Mona Lisa* in a controlled environment and only displays a "copy." This might be done for any number of reasons. Perhaps the Louvre is trying to preserve the integrity of the original and attempting to prevent

fading caused by taking photographs of the original when on display. In any case, the Louvre is lying, and, in not telling that the displayed “*Mona Lisa*” was a physically imperceptible copy of the actual *Mona Lisa*, the harmless copy became a forgery. If this were known, and if it were also announced when the authentic *Mona Lisa* was to be on display, surely the traffic of people to the Louvre would not be constant; as one of the great draws of the museum, there would be a strong deterrent to visiting the museum when a facsimile is on display. The intent to deceive is the principal difference between physical forgeries and physical copies.

Intent to deceive is a bit too vague to be the only difference between physical forgeries and copies. Consider, for instance, the following situation: a museum has a display intended to raise public awareness of the present threat of forgeries to the art world. A well-known authentic work is placed next to two man-made replications, and visitors to the museum are asked to scrutinize the three works without knowledge of which is the original. There will be inevitable differences in how the three works have faded since they were painted at different times and held under different conditions prior to the display, but outside of natural effects, they are as visually identical as can be. Under the three works are flaps on the wall, one of which says “original” when lifted and the other two saying “copy.” Although the museum wants to deceive visitors about which is the authentic work, in this instance the two replications are merely copies and not forgeries. The museum intends to deceive, but only temporarily. They do not mean to deceive in a way that negatively affects those who are deceived. Upon lifting a flap and realizing that they have been “duped,” a visitor would experience no resentment or hard-feelings. In short, they are copies

because the visitors do not feel lied to, and they have not been lied to. The trademark deception of forgeries must be intended to be permanent.

If lies are told about the time/place of origin and authorship of an artwork, it clearly qualifies as a forgery. There have been an unknown number of instances when the same painting has been thought to be on display in two museums simultaneously. In this case, it is clear that at least one of the two works is a forgery. That work (whichever it is) is a lie, as the true creator intended it to deceive the purchasing museum, and in turn, the art world. A less clear instance of physical forgery is when the work is accurately attributed to an artist but is wrongly placed historically. To demonstrate this, imagine that later in his career Picasso felt as though reception towards his work was not as positive as it was when he was younger. So, he repaints his renowned painting from his Blue Period, *The Old Guitarist*, and sells it as an original. It is a unique replication by Picasso and so it does hold value, but not as much as if it was the only circulating *The Old Guitarist*. This is a clear instance of forgery, even though Picasso was the artist behind the work; its success would be reliant on temporal deception, and thus the work would be a lie.

Physical forgeries are relatively straightforward as they occupy a limited gray area. The work, if (at least predominately) visually identical to the original, is either founded on a lie and maliciously intended to deceive, or it is not. It seems a bit implausible for a work to be a physical replication of another work but as a result of only marginal intent. Forgeries of style, however, are a different story. Quantitatively, stylistic forgeries far outnumber circulating physical forgeries.

Qualitatively, it is far more difficult to ascertain whether or not a work is a stylistic forgery than it is to determine whether or not a work is a physical forgery. Whereas a physical forgery is *never* publicly extolled as a stand-alone work of art after being revealed as a forgery, marginal cases of forgeries of style, because of the inherent degree of originality required, may occupy morally gray area.

Each of the four instances described in Chapter One is a forgery of style. The different receptions accorded them reflect the extent to which each instance was a lie. That is, the differing responses to the spurious nature of the works are the result of an internal and unconscious moral evaluation of the forgers by the public. These instances lie *both* about time/place of origin and authorship. To generalize about forgeries of style, instances must now be examined where either only authorship is falsely attributed or where time/place of origin is fabricated.

The Italian Surrealist painter Giorgio de Chirico, like many other forgers, held personal resentment towards the art world. Early in his career, he received great critical acclaim and saw immense personal success. As his career progressed, critical reception towards his work became steadily less enthusiastic. De Chirico, sour about this decline and the fact that his earlier works were favored over his later paintings, forged his own works. He painted works that he released into the public art world as having been painted in his earlier artistic period. Even though he was the true artist of the works, they were still forgeries. The temporal provenance of the work was deliberately inaccurate, and in his attempt to deceive the art market, the “self-forgeries” were lies. Although probably rarer than attempts like that of forging a different creator’s work, when the temporal provenance alone is intentionally stated

inaccurately, the work will be a forgery. Likewise, it is not difficult to conceive of an instance of forgery where only authorship is inaccurate. If A and B are both contemporary painters and A paints a work and accredits it to B, the work would be a forgery as the misattributed authorship was intentional, and thus, the work is a lie.

Now that forgeries have been examined as lies, they must be ethically evaluated. Since it would be too great an undertaking here to develop a systematic proof of why lying—now shown to be the moral ground of forgery—is wrong, I turn for the moment to W.D. Ross’ system of ethics and his analysis of why the lie is morally objectionable. Ross propounds a deontological ethical system—that ethics are grounded in duty. A duty is an action that regardless of the situation, unless the duty conflicts with another duty, *must* be carried out. In turn, Ross believes that there are certain duties that are absolutely obligatory. He calls these *prima facie* duties, and unless there is a conflict among *prima facie* duties, one must execute them. It is morally wrong not to execute a *prima facie* duty in an otherwise morally neutral situation. Ross’ list of *prima facie* duties is as follows: beneficence, non-maleficence, justice, self-improvement, reparation, gratitude and promise-keeping. This list is not necessarily exhaustive or complete, and Ross recognizes this<sup>75</sup>, but this qualification may for the moment be put aside. Not lying is inevitably, despite any contentions about what comprises the list of these duties, a *prima facie* duty, should the existence of them be acknowledged. Ross lists lying as a *prima facie* duty first: “Some duties rest on previous acts of my own, [including] those resting on a promise or what may

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<sup>75</sup> W.D. Ross and Phillip Stratton-Lake, ed., *Ross: The Right and the Good* (Oxford: Clarendon Press, 2002), 20.

fairly be called an implicit promise, such as the implicit undertaking not to tell lies.”<sup>76</sup> I am unaware of any issue taken with lying as a *prima facie* duty by someone who does not reject them as a notion. Any action that goes against the execution of a *prima facie* duty is called immoral.

Conflicts between *prima facie* duties do circumstantially occur. If, for instance, someone demands a response to the question, “Where is your sister staying?” and you are aware that if your sister is found she will be murdered, it is clearly *not* immoral to tell a lie and to name in response a location where your sister would not be found. However, it is possible that someone may value honesty over all other moral duties in any situation—and to them (like Kant), a lie even in this circumstance would be immoral. Each person holds *prima facie* duties in specific relation to each others. Of course, some of these relations are relatively universal; for instance, most people would justify lying where a human life was at stake—but other relations, such as the one between self-improvement and honesty may not be so universally held. Ross takes this issue into consideration, acknowledging also that everyone holds the capacity for individualized moral judgment.

The judgment as to the rightness of a particular act is just like the judgment as to the beauty of a particular natural object or work of art. A poem is, for instance, in respect of certain qualities beautiful and in respect of others not beautiful; and our judgment as to the degree of beauty it possesses on the whole is never reached by logical reasoning from the apprehension of its particular beauties or particular defects.<sup>77</sup>

To Ross—and to me—lying thus stands as *prima facie* wrong, even though it is also clear that lying may at times be morally justified. The issue now arises whether or not the sense of lies as art forgeries can ever be morally permissible—and one can undoubtedly imagine such cases. A majority of people probably would not

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<sup>76</sup> Ibid. 21.

<sup>77</sup> Ibid. 31.

include profit-earning as an important moral value, but some might; there might even be people who might justify lying as somehow an intrinsic *good*. But there are obviously marginal views—and it is difficult to think of any view in agreement with them that is not. On the other hand, there seems no basis in Ross' ethics for ruling them *out*, and this is probably the most general criticism of his ethic. Moral judgment relies for him on intuition, and not everyone's intuitions should be wholly trusted and agreed with.

Generally speaking, lying is morally wrong in Ross' ethic. The consequentialist ethic directly counters the deontological one. Whereas the deontological ethic evaluates an action based on intentions, the consequentialist one does so by the outcomes of an action. The prevailing consequentialist ethic is one or another variation on John Stuart Mill's utilitarianism. Utilitarianism claims that the moral worth of an action is based on whether or not the greatest utility is brought to the greatest number of people. Not much needs to be said here: art, as an institution, is based on artworks being accompanied by accurate provenances. The art world can only progress on this basis, and so an inaccuracy there would be unlikely to yield positive utility. Whereas a blanket statement about lies cannot be made here in regard to utilitarianism, a claim can be made when restricting lies to art forgeries. A forgery, as a lie, is unwelcome in the art world, and the only people who gain utility from it are those who either personally or financially gain from the success of the forgery. The art world and the institution of art as wholes suffer.

An unconditional equation of art forgeries to lies results in a questionable result—and a comment on their value must be made. Intending to lie is a moral



wrong, and I have contended that a forgery is always necessarily a lie. However, lies, by nature, are devoid of value. The same cannot be said for art forgeries. The Greenhalgh's forged works, with the potential to be used to train detection experts, surely would possess *some* value.<sup>78</sup> And then there is the case of the unique forgery: unique copies of works so skillfully made as copies that they themselves become valuable. Some such copies have been sold for significant monetary sum in the past.<sup>79</sup> Even if it is not a unique forgery, surely if the original artist repaints an acclaimed work of their own it would have some value.

There are two possibilities in responding to this issue. First, some value is intrinsic in the nature of art. A forgery of style, such as *Disciples at Emmaus*, still exists as a standalone work of art. It is the only authentic *Disciples*, which has the potential to be evaluated as a study of the forger's mind and, although less frequently, as an artwork in its own right. Secondly, aesthetic appeal may hold some moral value. In accord with Ross' *prima facie* duties, moral value would exist in the creation of aesthetic appeal.

Despite this contradiction, the issue remains that a lie is always present in an art forgery. No matter how convincing or popular an art forgery is, and no matter what the forgery's aesthetic appeal is, it is as universal a moral judgment as there can be that lying is a moral action that, in moral terms, outweighs the claims of even a beautiful object. Whereas creating something beautiful is positive, lying is a negative

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<sup>78</sup> Verbal lies could be used to train detection experts as well, but anything short of a videotape of the lie being told would be insufficient in training, since verbal lies are inherently more circumstantial than are art forgeries by the fact that a forgery is a tangible object. This comment can be made because art forgeries can be used for training purposes far more effectively than can verbal lies.

<sup>79</sup> Hillel Schwartz, *The Culture of the Copy: Striking Likenesses, Unreasonable Facsimiles* (New York: Zone Books, 1998), 254.

harm for those affected. In a moral judgment, it is predominately recognized that it is worse to harm someone than it is to help them. No matter how outstanding a forged work is when viewed for its own sake, it can never shake the moral stigma that comes with being a forgery.

## Chapter Three: The Aesthetic Issues

What is aesthetically wrong with a forgery? Countless answers have been given to this question. All of them, though, rely in common on the answer to the following question: what is involved in an aesthetic evaluation of a work of art? Against that background, the aesthetic problem of forgeries can be addressed in three principle ways. The first possible viewpoint is that there is nothing aesthetically wrong with forgeries. The second is that there is an aesthetic issue inherent to forgeries, and that it is perceptual. The third is that artistic forgeries are aesthetically objectionable because they falsely represent the achievement of a different work.<sup>80</sup> Other than these three beliefs, there seem to be no other alternatives to the question that has been posed. If you believe there is nothing aesthetically wrong with a forgery, it is clear to which camp you belong. If you believe that there *is* an aesthetic issue with forgeries, the question immediately arises whether or not you think there can be something imperceptible with aesthetic relevance. If you do not, the issue must be perceptible. For instance, in a painting it would be a visual issue, in a musical composition it would be an auditory issue, etc. If you hold that something imperceptible can have aesthetic relevance, the defining indiscernible characteristic of a work of art would in one way or the other depend on its overall achievement—and *that* would then, for you, have aesthetic relevance. Of course, philosophers may well hold differing beliefs as to *why* they believe that, say, the aesthetic issue to forgeries is perceptual, but their view of it as perceptual is more important than those

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<sup>80</sup> This third view does not imply that there are *no* perceptual aesthetic issues to forgeries. Rather, along with any perceptual aesthetic relevance, achievement, too, is aesthetically relevant.

subordinate differences. It is my claim here that an artwork's achievement must be based solely on its aesthetic character, but in order to support this conclusion, the three potential responses must be evaluated.

First is the view that there is nothing aesthetically wrong with a forgery. This view seems to be semantically rooted. It places the term "aesthetics" in a very strict realm: the only thing aesthetically relevant to X is what can be perceived by merely attending to X. But it also goes a bit further than this. Implicit to this belief is the claim that becoming aware that a work is a forgery does not, and *should* not, change your aesthetic judgment of that work. The view recognizes that there is something wrong with a forgery, but no altered aesthetic judgment accompanies this knowledge. A contention that it does is based on sheer artistic snobbery: the individual work of art is simply what is presented, and its aesthetic appeal is not influenced by gaining knowledge that Picasso painted the work in 1905 or that President Barack Obama was the painter upon his inauguration or that the world's smartest dog was the painter. An aesthetic appeal *is*, and must be recognized to be, based only on the physical presentation of the work, that is, what it is when standing on its own.

Alfred Lessing is the most outspoken proponent of this view. He points out that there is and must be *something* wrong with forgeries since the mere connotation of the word "forgery" implies possessing lesser value. Lessing claims that "considering a work of art aesthetically superior because it is genuine, or inferior because it is forged, has little to do with aesthetic judgment or criticism. It is rather a piece of snobbery."<sup>81</sup> Immediately, Lessing makes it difficult to rebut his view by

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<sup>81</sup> Alfred Lessing, "What Is Wrong with a Forgery?" in Denis Dutton, ed., *The Forger's Art: Forgery and the Philosophy of Art* (New York: University of California P, 1985), 58.

arguing that it is almost impossible to convince someone who considers forgery an aesthetic matter that it is not. In any event, to Lessing, whatever is taken to be “wrong” with a forgery is external to its aesthetic character since that depends on no external information or reference.

Lessing then turns to the example of van Meegeren’s forgeries, in particular, to *Disciples at Emmaus*. As noted here earlier, *Disciples* is notable as a forgery for many reasons, one of which is the high praise it received from, among others, the prominent art critic Abraham Bredius. When received by the art world, *Disciples* was publicly displayed until van Meegeren himself revealed its spuriousness. Lessing contends that Bredius’ initial evaluation of *Disciples*’ colors as magnificent and of the work as the highest art and as the masterpiece of Vermeer was not the result of only mistaken identity attributed to the painter. Rather, it was in itself an aesthetic evaluation. As an aesthetic evaluation, it was based on the painting as a physical painting distinct from any empirical or historical facts about it. In his view of what is aesthetically relevant, Lessing agrees with van Meegeren that the “trap” van Meegeren intended to set for the art world and for those who lavished praise on *Disciples* was, in fact, a trap. Bredius, reflecting later on his aesthetic evaluation of the work, could do nothing other than admit to have praised a painting undeserving of it or continue to praise *Disciples* in the same terms as a van Meegeren that he had used when he considered it a Vermeer. In the aesthetic evaluation of *Disciples* post-van Meegeren’s public outing, there were certain critics, including Decoen, Lessing writes, who were still captivated by *Disciples*’ aesthetic merit and continued to believe *Disciples* to be a genuine Vermeer. The better attribution was proven wrong

by scientific dating tests, but they nonetheless held a consistent view of what constitutes aesthetic merit. If an artwork is judged to be great on aesthetic grounds when it is assumed to be by X, it should remain equally great if it turns out to be painted by Y.

When the tests performed revealed that the contested *Disciples* (and van Meegeren's other forgery, *The Last Supper II*, with a provenance no less disputed than *Disciples*) were forgeries, Decoen and the other skeptical critics conceded that the paintings were not original Vermeers. However, Lessing maintains that the scientific procedures performed on the works were concerned with imperceptible details, especially as tests were needed to establish the spuriousness of the works. In other words, the scientific processes relied upon to categorize *Disciples* as a van Meegeren dealt exclusively with non-aesthetic aspects of that work. In terms of what Lessing considers the aesthetically significant qualities of an artwork, it makes no aesthetic difference whether or not a work is a forgery. In this respect, Bredius should have had the confidence to stand behind his aesthetic evaluation of *Disciples* even after he found out it was not a Vermeer. His not doing so is an illustration of the prevalent artistic snobbery; the same snobbery which, in the art world, renders any Picasso scratch on a canvas worth more than a beautiful work by unknown artist X. That monetary difference reflects the same non-aesthetic standards of judgment that Lessing insists plague the art world.

In discussing authenticity or spuriousness in relation to a work of art, Lessing continues:

The matter of genuineness versus forgery is but another non-aesthetic standard of judgment. The fact that a work of art is a forgery is an item of information about it on a level with such information as the age of the artist when he created it, the political situation in the time and

place of its creation, the price it originally fetched, the kind of materials used in it, the stylistic influences discernible in it, the psychological state of the artist his purpose in painting it, and so on. All such information belongs to areas of interest peripheral at best to the work of art as aesthetic object... I do not deny that such areas of interest may be important and that their study may even help us to become better art appreciators. But I do deny that the information which they provide is of the essence of the work of art or of the aesthetic experience which it engenders.<sup>82</sup>

By characterizing genuineness and spuriousness in this way, Lessing straightforwardly claims that “the fact that *The Disciples* is a forgery is just that, a fact. It is a fact *about* the painting which stands entirely apart from it as an object for aesthetic contemplation.”<sup>83</sup>

Lessing now directly embarks on trying to find what is wrong with a forgery. As he has already claimed that there is nothing aesthetically wrong with a forgery, he explicitly leaves the aesthetic realm in order to do this. First, he addresses the “obvious” answer that forgery is morally wrong in that it involves an element of deception. Lessing quickly rejects this as an adequate answer to the question at hand because every forgery need not be deceptive. In doing so, he cites the instance of a painting done in the style of another artist as a forgery without intentionality.<sup>84</sup> From here, Lessing distinguishes between the creative and the performing arts. He takes a literal definition of performing arts, citing an actor’s performance in a play or a

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<sup>82</sup> Ibid. 63.

<sup>83</sup> Ibid. 64.

<sup>84</sup> Lessing bypasses the moral issues of forgery on a basis with which I disagree with. As I have already shown that all forgeries are lies and are thus immoral, our disagreement comes from a differing definition of forgeries. Lessing goes on to explicitly characterize unintentionally misattributed works, copies and works “in the style of” an artist as forgeries. These instances all lack intention and thus fall outside the realm of forgery. However, as *all* forgeries are lies, the moral status of a forgery is wholly external to the aesthetic status of one (which will later be elaborated on), and thus need not be addressed here. What is notable, however, are the insurmountable discrepancies between my conception of a forgery and Lessing’s, who does not mandate an *intentional* faulty provenance. Perhaps if Lessing viewed forgeries in this way his aesthetic evaluation of forgeries would be different, but this is both irrelevant to this paper and impossible to deduce. Lessing’s definitional view of forgeries is *only* representative of Lessing’s view and not the view of all those contending there is nothing aesthetically wrong with a forgery. Because Lessing foregoes this as his solution, he undermines the importance of the discrepancy, and I can continue analyzing his argument.

musician's performance of a composition as instances. Lessing claims that the concept of forgery only applies to the creative arts (painting, sculpting, etc.) and he thus directs our attention towards them.

Lessing hits his stride in claiming that every artwork requires both originality and technique. Possession of only one of these attributes is insufficient for an artwork to be "good." This can be seen easily: a unique crude sketch or a perfect van Gogh copy is not enough for an artwork to be successful. On this basis, Lessing characterizes forgery as "a concept that can be made meaningful only by reference to the concept of originality, and hence only to art viewed as *creative*, not as a reproductive or technical activity."<sup>85</sup> Measured by this definition, van Meegeren did not forge Vermeer's technique. Van Meegeren forged Vermeer's discovery and use of that technique; he forged Vermeer's originality. It is clear from *Disciples* that forgeries do not completely lack originality, but *Disciples* is *less* original than a genuine Vermeer is. So, what is wrong with a forgery is that there is an inherent lack (but not necessarily a complete lack) of originality. Lessing provides a lengthy definition for "originality," eventually equating originality with individuality. Individuality is, to a large extent, dependant on historical context and is a vital aspect of art. An artist's goal is to produce *original* works of beauty, and even though *Disciples* is indistinguishable from a genuine Vermeer, van Meegeren cannot be called a great artist on the basis of this work because of its diminished originality.

It seems to me that although there remain controversial aspects to Lessing's argument, if you hold the belief that there is nothing aesthetically wrong with a forgery, you *must* believe that the praise given to *Disciples* when it was thought to be

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<sup>85</sup> Lessing, 68.



a Vermeer should be still applicable after its spuriousness is revealed. The general trend of Lessing's argument is representative of all those that hold the same view as him; I can think of no way other than in some version of Lessing's argument to contend that there exists no aesthetic issue with forgeries.

On the other hand: an objection that does seem to apply to this line of reasoning bears onto its assumption that forgeries are, by nature, inferior to a genuine work. Lessing claims that because only artistic forgeries are being examined, we can assume that the value in question is aesthetic value. Lessing attributes the change in value of a work to artistic snobbery, and this is a view common to those with a similar perspective. In making this attribution, he relies on the implicit premise that all forgeries are perceived to be, in the snobbish art world, aesthetically inferior. This is an unwarranted assumption. No doubt it is more common for a forgery to be aesthetically inferior to a genuine work than the other possibility, but this is by nature of the forgers and not of the forgeries.<sup>86</sup> A worse artist is far more likely to forge than is a renowned one since the renowned artist will have seen success and need not rely on forgeries for personal gain. Of course, if Rembrandt were to forge a painting by a little known artist John Smith, it remains entirely within the realm of possibility that the forgery will be aesthetically *superior* to the authentic work. From this possibility, Lessing claims that it is difficult to make anyone who disagrees subscribe to his view, but this seems to be dogmatic. If, in fact, Lessing's view is the correct one, he should not have to preface his argument with that qualification; his argument should be convincing in and of itself. However, this is a secondary reservation.

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<sup>86</sup> Although, those Lessing proclaims are snobs would not say this about their own judgments. This is beside the fact, however, since a normative study of forgeries is of concern.

The main issue I take with Lessing's view is concerning its inconsistency. Lessing and those who share his view contend that the aesthetic praise given to *Disciples* when it was thought to be a Vermeer should still apply to *Disciples* when it becomes known as a van Meegeren forgery. Lessing cites Bredius' admiration for *Disciples* as being "clearly aesthetic praise."<sup>87</sup> I do not disagree that commending *Disciples* as high art as Bredius did is aesthetic praise. However, Bredius' remarks were not aesthetic praise in the way Lessing claims they are. Lessing claims that what is aesthetic is what is perceptible, specifically, in a painting; the physical paint on the canvas is all that is aesthetically significant. Bredius' aesthetic critique did not adhere to Lessing's specifications. Bredius was presented with *Disciples* as a work by Vermeer aptly fitting into the oeuvre of Vermeer and as such, every aspect of the painting was held to an aesthetic standard set by the 17<sup>th</sup> century Vermeer. In fact, Bredius' aesthetic evaluation of *Disciples* was *immediately* followed by the exclamation that *Disciples* may be "the masterpiece of Vermeer." Bredius' aesthetic evaluation of *Disciples*, though Lessing fails to admit it, was very much influenced by his belief that the work is a Vermeer. Since something outside the realm of the aesthetic drove Bredius' critique, it cannot be characterized as "aesthetic praise" in Lessing's sense; Lessing relies on faulty logic to call this aesthetic praise. He implies that aesthetic praise is praise of the work itself, e.g. for colors or brush strokes; and therefore since Bredius' praise is of that sort, it is indeed aesthetic praise. Perhaps if Bredius was unaware of the painter (or, the alleged painter) of *Disciples*, the objective aesthetic review that Lessing desires might have been given, but it is not obvious and perhaps not even true that this is the case.

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<sup>87</sup> Lessing, 59-60.

Working within his standard for the aesthetic, Lessing relies on the fact that any initial or first-time aesthetic evaluation of an artwork is objective: in actuality, so long as *any* provenance accompanies the artwork, the artwork is unconsciously (or consciously) placed within the realm of that provenance for evaluation, and it cannot count as a strictly aesthetic judgment. Similarly, a proper aesthetic experience arguably cannot occur at all under Lessing's strict view of the aesthetic. Few people would claim that when attending to an artwork by a known artist, they did not have an aesthetic experience. This would be a consequence of Lessing's view, though, since if the work turned out to be by a different artist, a different reaction would be forthcoming. Because of this very basic difficulty, the view that there is nothing aesthetically wrong with a forgery also seems problematic.

Before moving on, I digress to make a remark on the van Meegeren case. Lessing cites Decoen as believing *Disciples* to be an original Vermeer even after van Meegeren's public outing. Decoen maintained the brilliance of *Disciples* until the scientific tests proved it was a van Meegeren forgery. After this revelation, Decoen did not publicly extol *Disciples*. I was unable to find any statement by him or anybody else who had believed *Disciples* to be authentic after the tests came back, a fact which leads me to believe that their view of the work had altered. The overt aesthetic praise for the work seems to have stopped, with the aesthetic evaluation altered by a clearly non-aesthetic, scientific examination. So, there is a factor that Lessing and those who share his view dismiss as being aesthetically irrelevant that does have significance, even for them.

I now move on to the second possible response to the question at hand: the claim that there is something aesthetically wrong with a forgery that is based on what can be perceived. For instance, in a painting, there is an aesthetic issue which derives from the perceptible, or what appears on the canvas. In other words, this belief maintains that the only things aesthetically relevant to a work of art are those characteristics which are perceived by merely attending to that work of art. Merely attending to an artwork is attending to it in no way different from what is “natural” for you. To merely attend to a painting is to simply view it with no aid.<sup>88</sup> To merely attend to a musical composition is to do nothing more than listen to it.

Two outspoken supporters to this conclusion are Monroe Beardsley and Nelson Goodman. Beardsley holds the most canonical and stereotypical stance supporting this conclusion. He claims that two works differ in aesthetic value if and only if they are visually distinguishable. If two artworks are visually indistinguishable at the present time  $t$  to someone attending to them, they are aesthetically equal artworks. Beardsley, to accentuate the difference between what is aesthetically relevant and what is aesthetically insignificant, distinguishes what he coins as “Genetic reasons” from “Objective reasons”. A Genetic reason “refer[s] to something existing before the work itself, to the manner in which it was produced.”<sup>89</sup> This includes, significantly, the intentions of the artist, the expressive, or inexpressive, nature of an artwork and a work’s originality. An Objective reason

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<sup>88</sup> By aid, I do not mean eyeglasses or contact lenses. I mean something such as a microscope or a scientific dating method. An aid, here, is something which enhances your ability to perceive an artwork (or generically, any object) in a way that results in perception that is different from natural perception.

<sup>89</sup> Monroe C. Beardsley, *Aesthetics: Problems in the Philosophy of Criticism* (New York: Hackett, 1981), 457.

refer[s] to some characteristic—that is, some quality or internal relation, or set of qualities and relations—within the work itself, or to some meaning—relation between the work and the world. In short, where either descriptive statements or interpretive statements appear as reasons in critical arguments, they are to be considered objective reasons.”<sup>90</sup>

Objective reasons include, but are not limited to, factors bearing on a work’s unity, complexity or intensity. Only Objective reasons are aesthetically relevant. Beardsley also makes a point of commenting that, in praising a work’s originality, it is actually the artist who deserves the praise, an aspect distinct from aesthetics.<sup>91</sup> Beardsley’s aesthetics serves as the basis for Goodman, who broadens Beardsley’s claims and directly applies it to forgery. Whereas Beardsley maintains that there is an aesthetic difference if and only if there is a perceptual difference currently observable, Goodman argues that there is an aesthetic difference if and only if there is a perceptual difference currently or *potentially* observable. Beardsley’s view of aesthetics is the basis for all who subscribe to this position, since it says nothing more than if you can perceive a difference between two works, there is an aesthetic difference. Goodman broadens Beardsley’s contention by adding the conditional future clause of potential perception, and so an evaluation of Goodman’s argument is appropriate in evaluating the shared conclusion.

Goodman’s aesthetic implicitly subscribes to Beardsley’s view and explores potential issues that arise. He relies on two contentions (that will be presented along with his argument), although both of these, as I shall argue, are flawed. Furthermore, Goodman is concerned with only one narrow conception of forgeries, ultimately neglecting the more general account required for a proper aesthetic evaluation.

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<sup>90</sup> Ibid. 462.

<sup>91</sup> Ibid. 458.

An endorsement of the Beardsleyan conception of aesthetic difference has immediate consequences, and Goodman is effective in noticing them. The only instance that Beardsley addresses is when a perceptual difference exists. However, the issue that Goodman faces is the question of what happens in the aesthetic sense if you, as the observer, cannot tell two works apart by merely looking at them.<sup>92</sup>

Goodman abstracts the issue:

The more pertinent question is whether there can be any aesthetic difference if nobody, not even the most skilled expert, can ever tell the pictures apart by merely looking at them. *But notice now that no one can ever ascertain by merely looking at the pictures that no one ever has been or will be able to tell them apart by merely looking at them.* In other words, the question in its present form concedes that no one can ascertain by merely looking at the pictures that there is no aesthetic difference between them.<sup>93</sup>

After a bit of manipulation that Goodman deems necessary because of his belief that nothing imperceptible can constitute an aesthetic difference, he presents a rephrasing of the issue.

The critical question amounts finally to this: is there any aesthetic difference between the two pictures for x at t, where t is a suitable period of time, if x cannot tell them apart by merely looking at them at t? Or in other words, can anything that x does not discern by merely looking at the pictures at t constitute an aesthetic difference between them for x at t?<sup>94</sup>

Goodman does an admirable job in that this is the precise issue that must be addressed when subscribing to the Beardsleyan aesthetic. Suppose that X and Y both attend to artworks A and B, where B is a forgery of A, and X perceives a difference between the two works and is thus aware that B is the spurious work. X then tells Y

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<sup>92</sup> Goodman makes a distinction between autographic and allegoric arts which will appropriately be addressed and evaluated later. At this point, of note is that Goodman only believes that autographic arts can be forged. Autographic arts all share the property that they are visually observed through looking, for instance painting and sculpture. I will come to reject this contention, and so when discussing Goodman's argument, I refer to and cite Goodman's sense of "merely looking." This is synonymous with my sense of "merely attending," since the only discrepancy are the genres of art referentially included in the realm of forgery, and thus the two terms are interchangeable without consequence.

<sup>93</sup> Nelson Goodman, "Art and Authenticity," in Denis Dutton, ed., *The Forger's Art: Forgery and the Philosophy of Art* (New York: University of California P, 1985), 95.

<sup>94</sup> *Ibid.* 95-96.

that B is the forgery. But Y, although now aware that B is a forgery, is still unable to perceive the difference between the two works. Is there an aesthetic difference between the two works for Y? In applying his own strict aestheticism, Goodman responds to this question positively.

In addressing the issue, Goodman elaborates on his conception of what is perceptible. He notes that “what one can distinguish at any given moment by merely looking depends not only upon native visual acuity but upon practice and training.”<sup>95</sup> This is fair enough. The more elevated your knowledge of the institution of art and the more time spent attending to different artworks, the greater your ability to distinguish between artworks, or significantly, to distinguish between genuine and forged paintings. Surely artistic perception is not above the adage that practice makes perfect. Paintings appearing indistinguishable to a child can, and probably do, look readily distinguishable for an art museum curator. This clear difference demonstrates a gradient of discerning ability, with the implication that it may well be within the realm of anyone’s capacity to travel along it in either direction.

With this, Goodman hits his stride, and the distinctiveness of his response to the prevailing question becomes apparent.

Although I see no difference now between the two pictures in question, I may learn to see a difference between them. I cannot determine now by merely looking at them, or in any other way, that I *shall* be able to learn. But the information that they are very different, that one is the original and the other the forgery, argues against any inference to the conclusion that I *shall not* be able to learn. And the fact that I may later be able to make a perceptual distinction between the pictures that I cannot make now constitutes an aesthetic difference between them that is important to me now. Furthermore, to look at the pictures now with the knowledge that the left one is the original and the other the forgery may help to develop the ability to tell which is which later by merely looking at them...The way pictures in fact differ constitutes an aesthetic difference between them for me now because my knowledge of the way they differ bears upon the role of the present looking in training my perceptions to discriminate between these pictures, and between others.<sup>96</sup>

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<sup>95</sup> Ibid. 96.

<sup>96</sup> Ibid. 96-97.

The ability to learn to distinguish is paramount to Goodman's conclusion, which he subsequently reaches and presents.

Although I cannot tell the pictures apart merely by looking at them now, the fact that the left-hand one is the original and the right-hand one a forgery constitutes an aesthetic difference between them for me now because knowledge of this fact (1) stands as evidence that there may be a difference between them that I can learn to perceive, (2) assigns the present looking a role as training toward such a perceptual discrimination, and (3) makes consequent demands that modify and differentiate my present experience in looking at the two pictures. Nothing depends here upon my ever actually perceiving or being able to perceive a difference between the two pictures. What informs the nature and use of my present visual experience is not the fact or the assurance that such a perceptual discrimination is within my reach, but evidence that it may be; and such evidence is provided by the known factual differences between the pictures. Thus the pictures differ aesthetically for me now even if no one will ever be able to tell them apart merely by looking at them.<sup>97</sup>

Goodman takes the Beardsleyan view and expands it. Not only is a perceptual difference sufficient for aesthetic relevance, but the *potential* for perceptual distinction is adequate for aesthetic difference. So long as *someone* notices (by merely looking), an aesthetic difference between two works exists for *everyone* who merely looks at an artwork.<sup>98</sup>

Goodman's conclusion here takes the properties that a painting will be either an original or a forgery and replaces these with the distinction between a value of \$10,000 and one of \$10.<sup>99</sup> The relation that Goodman holds between forgeries and originals derives solely from aesthetic value, or lack thereof. An altered perception entails a change in aesthetic value, and it is in turn implied that a forgery is aesthetically inferior to the original, and we already know this need not be the case. I also take issue with his contention that aesthetical relevance is at stake here so long as any person can perceptually distinguish between two artworks. Common sense points

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<sup>97</sup> Ibid. 97-98.

<sup>98</sup> I believe that Goodman's argument leading up to this point is severely flawed, but this is irrelevant. Regardless of this, in maintaining that potential for perceptual difference is sufficient for an aesthetic difference, for his argument to be consistent Goodman *must* hold the view that as long as *someone* can perceive a difference, an aesthetic difference exists.

<sup>99</sup> Michael Wreen, "Goodman on Forgery," *The Philosophical Quarterly* 33 (1983), 341.



us in the opposite direction. Suppose there exists a physical forgery of a painting<sup>100</sup> and that no matter how hard a specific person has trained and studied, he still cannot distinguish between the two paintings. However, the foremost art scholar *is* able to tell the difference between them. Aside from the title and the artist of the original painting, the only bit of information that you know is that one work is a forgery of the other (which is clear, since they look the same to you). You, in the combination of your present ability and potential ability, will *never* be able to distinguish between the two paintings and so you will never have the ability to discern which work is a forgery. Therefore, I find it hard to believe that there can be an aesthetic difference to you simply because there is such a difference for someone else. Goodman's view implies that aesthetic experiences are universal, but if *you* cannot ascertain which work is spurious and which is not, it seems that you cannot be justified in claiming an aesthetic difference.<sup>101</sup>

In continuing his argument, Goodman formulates a distinction between autographic and allegoric arts, which he uses to further his definition of forgery. An artwork is classified as autographic "if and only if the distinction between original and forgery of it is significant; or better, if and only if even the most exact duplication of it does not thereby count as genuine."<sup>102</sup> If a work is not autographic and this distinction cannot be made, the art is classified as allegoric. Goodman classifies painting as an autographic art: in his view even an exact duplication of a painting would be classified as a forgery. Literature and music, contrarily, are classified as

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<sup>100</sup> The argument which follows holds true for stylistic forgeries as well.

<sup>101</sup> However, if you are told which work is a forgery, there *can* be a justified aesthetic difference. The preceding example is a direct result from Goodman's conclusion and is distinct from knowing which work is a forgery, which is clearly problematic.

<sup>102</sup> Goodman, 103.

allegoric. Goodman claims that, within the allegoric arts, all that is significant to genuineness or spuriousness is “sameness of spelling”<sup>103</sup>—an identical correspondence in marks on the paper (punctuations, notation, etc.) between the original and the copy. What is significant within the allegoric arts can be better thought of as a direct, Xerox copy. Should there be any deviation between the original and the copy, it is not the same work and thus, to Goodman, is not a forgery. Goodman, using music as an illustration of an allegoric art, claims that a composer’s job is done upon completion of a manuscript, despite the fact that the manifestation of his work is in a performance. Goodman’s second conclusion follows from this: a forgery is only possible in the autographic arts.

Having made this claim, Goodman examines why it is so. In autographic arts, there is no universal notational set, and he explains why:

In painting, with no such alphabet of characters, none of the pictorial properties—none of the properties the picture has as such—is distinguished as constitutive; no such feature can be dismissed as contingent, and no deviation as insignificant. The only way of ascertaining that the *Lucretia* before us is genuine is thus to establish the historical fact that it is the actual object made by Rembrandt.<sup>104</sup>

Whereas Goodman sees the historicity of autographic works as the defining characteristic for genuineness, it is not so in allegoric works. The constitutive properties of allegoric artworks are solely based on the notation, and as such, knowledge of how or by whom an artwork is produced is gratuitous. Instantiations of an allegoric work are, to Goodman, done independent of its historical production. In other words, since historicity is irrelevant to defining an allegorical work, forgeries of these works do not exist and exact duplicates are just as genuine works as the originals.

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<sup>103</sup> Ibid. 105.

<sup>104</sup> Ibid. 106.

Goodman's entire argument relies on this distinction. When knowledge that a work is a forgery is gained, Goodman claims he may learn to see a difference in the painting, which he further argues now reflects a differing historical production. Knowledge that, say, I have transcribed a Haydn symphony and attributed it to myself is irrelevant to Goodman; he takes "aesthetic experience" to be synonymous with "looking at." If this were the case, I would concede that looking at a musical score I have written and one written by Haydn would be aesthetically indistinguishable. However, this is not how a musical composition is attended to. If it was, there would be no reason for different musicians to record the same composition—Yehudi Menuhin and Mela Tenenbaum both recorded the "Adélaïde Concerto", receiving individualized critical, aesthetic responses.<sup>105</sup> Contrary to Goodman's view, forgeries of allegoric arts are indeed possible. There need not be much said about this: the instances of Macpherson's Ossian poems and Casadesus' "Adélaïde Concerto" are clear instances of "allegoric" forgeries.

Furthermore, Goodman's distinction between autographic and allegoric arts is misguided. It is based on a false assertion that, because there is no visual, perceptible difference between an original and a copied manuscript, the work's production history is irrelevant in attending to the work. In the instance of Macpherson's Ossian poems, if they were not presented within the Gaelic context, I am confident that their reception would not have been as contentious as it was. If the "Adélaïde Concerto" was thought to have been a modern piano composition and not a work by a 10-year-old Mozart, public reaction would have undoubtedly been different. Because

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<sup>105</sup> *New York Times*, Mar. 10, 1935.; David Vernier, *Rev. of Beethoven, Mozart: Violin Concertos, by Tenenbaum, Kapp, et. al.*, <http://www.classicstoday.com/review.asp?ReviewNum=4594> (Apr. 6, 2009).

attending to an “allegoric” work is *not* based on visual inspection and yet can make a similarly substantial difference, the distinction that Goodman draws between the two seems in the end to be faulty.

Where, then, does Goodman’s argument lapse? For one very large matter, in his initial definition of forgery. For him, any physical copy is susceptible to being a forgery. An art print in a museum shop can be evaluated as a forgery because it is an artwork whose only difference is historical production. However, Goodman, in holding this view, neglects intentionality. If I discover a musical score composed by X, attribute it to myself and release it, to Goodman this is not a forgery. However, as I am intending to deceive everyone into thinking that it is a work of mine and not a work of X, it certainly seems to constitute a forgery. Goodman’s conception of forgery fails in two respects: first, that copies which are explicated as copies and not as originals (such as gift store art prints) are not forgeries whereas Goodman posits they are; and second, that intentional misattributions of music or literature (or any “allegoric” art), for instance the “Adélaïde Concerto,” may also be forgeries, and Goodman does not allow for this.

Goodman bases his argument on comparative aesthetic reactions towards two putative artworks when the viewer is also aware that one of the works is a forgery. This is insufficient in a proper aesthetic evaluation of forgeries. Bredius had no idea that *Disciples* was a forgery, and he was not presented with the knowledge that it might be. It is entirely plausible that (although not the case in this instance) no one in the world would have believed *Disciples* to be a forgery until the full evidence came out, in a combination of historical and aesthetic findings. Goodman neglects to

address this instance or other similar possibilities. His account relies on the premise that a work's observer knows that a work is, or might be a forgery, and the issues then addressed are based on this knowledge. An argument of this sort cannot properly address the question of the actual aesthetic value of a forgery.

This brings us to the third possible response to the prevailing question—that there is something aesthetically wrong with a forgery which stems from its falsely purported achievement. This view argues, in other words, that a work's achievement, though in part imperceptible, may nonetheless be aesthetically relevant. Denis Dutton is the most vocal proponent of this view, but it is worthwhile first to discuss Colin Radford's related argument.

Radford nicely sets up a framework for thinking along these lines. It is a bit counterintuitive at first to think that something which cannot be perceived could have aesthetic relevance, but Radford makes the case for this, contending also that originality is *not* of aesthetic relevance, despite the common contention that if there is an imperceptible aesthetic factor, it must be originality. This sets the framework for Dutton's argument that artistic achievement is the crucial factor in aesthetic relevance. Radford also discusses the importance of personal achievement, which is also of aesthetic relevance.

In holding this view, it first must be shown that a work that leads to a different aesthetic evaluation when it is known to be a forgery from when it is considered genuine is justified. The most common rebuttal to this fact is that an altered judgment is based on artistic snobbery.<sup>106</sup> Radford addresses this directly by claiming that

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<sup>106</sup> See Lessing's argument.

if a man's feelings about a painting are transformed by a discovery about its authorship, this shows that these feelings were—and perhaps still are—bogus... for although no doubt they were directed at the painting, they crucially depended on and were generated by something else. They must have been, of course, because the painting *qua* configuration of marks is the same before and after the discovery...perhaps there is a weakness in the composition of the heads in [*Disciples*], and perhaps the critics only found it possible to see this when they no longer believed it to be by that master of composition, Vermeer<sup>107</sup>

Radford rejects proponents of the second possible response (directly, he rebuts Beardsley) in that a forgery *does* have originality. He claims that originality, though not of direct aesthetic relevance, manifests itself in aesthetic ways. Further, he contends that you cannot see art as you see a natural object, e.g., a tree. There is clearly more to a painting than meets the eye.

To verify this, a compelling example is presented. Take the instance of a knowledgeable and successful painter who, after painstaking research and practice, paints in the style of a ten-year old. There is disagreement over the merit of his work, but the critics who respond favorably towards it extol the techniques used to achieve an expressed “innocence of vision.” However, one of the artist's most famous works turns out actually to have been painted by a ten-year old. When they become aware of this, critics all feel differently towards the work because a child's painting is vastly different than a successful painter's work. Even though the forgery is the same physical work, an aesthetic difference is apparent and is justified. Even if techniques cannot be differentiated between the child and the adult, aesthetic evaluation is affected.

Radford, by focusing on forgery, concludes by speaking about the nature of art, specifically about the importance of the artist's achievement to aesthetic evaluation. Gaining knowledge that a work is a forgery should lead to a wholly

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<sup>107</sup> Colin Radford, "Fakes," *Oxford Journals* 87 (1978), 67.

separate aesthetic evaluation. A forgery can be aesthetically superior, inferior or equal to the original, but the term “forgery” carries no immediate aesthetic weight.

Radford concludes that

more generally, [forgeries] are seen and appreciated as being *works*, i.e. objects that are the product of a particular man’s inspiration and skill and which are made at a certain time and place. So forgeries, no matter how perfect as simulacra, are different works from originals and will be seen as such... what I do say [about the aesthetic evaluation of a forgery] is that we can make an aesthetic distinction between certain paintings even when we can’t tell them apart and they don’t look different at all *until after we know who painted them and when*.<sup>108</sup>

This appeal to human agency is the foundation for Dutton. He analyzes attending to artwork in a slightly different way, contending that every work of art in every discipline has an inherent aspect of performativity. Further, in attending to a work of art or a performance of a work of art, we must be conscious of a continuing human presence and human affection in or towards the work. Dutton discusses the importance of the human origin for a work of art in relation to what is aesthetically relevant about that work. When attending to an artwork of a given artist, Dutton writes,

it is appropriate to speak of the performance of a task, and of the success or failure of the task at hand. Again, in order to grasp what it is that is before us, we must have some notion of what the maker of the object in question has done, including some idea of the limitations, technical and conventional, within which he has worked. It may be perfectly true to remark that in a painting of the Madonna the pale pink of the Virgin’s robe contrasts pleasantly with the light blue-gray of her cloak. But it is far from irrelevant to know that the artist may be working within a canon (as, for example, fifteenth-century Italian artists did) according to which the robe must be some shade of red, and the cloak must be blue.<sup>109</sup>

What is perceived as beautiful or as an artistic achievement has evolved significantly over time. Dutton thus points out what he considers to be aesthetically wrong with forgeries. What is wrong with forgeries, Dutton claims,

is that they not only misattribute origin: because they misattribute origin, they *misrepresent achievement*. It is essential that forgeries be understood as a subset of a wider class of

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<sup>108</sup> Radford, 76.

<sup>109</sup> Denis Dutton, "Artistic Crimes," in Denis Dutton, ed., *The Forger's Art: Forgery and the Philosophy of Art* (New York: University of California P, 1985), 178-179.

misrepresented artistic performances. Since all art can be seen under the aspect of performance, whether or not the art in question is conventionally called “performing”, there exists always the possibility that the nature of the achievement in the performance may be misrepresented or misunderstood.<sup>110</sup>

An artwork and the art world’s reaction to it are rooted with the achievement of the work.<sup>111</sup> A work’s achievement situates that work within the critical and historical art world. Many of Picasso’s works, should they have been released for the first time now, would not be revered to as great a degree as they have been. They fit into the art world differently; what may make an artwork aesthetically great a century ago is not the same as it is today. Although what is constituted as achievement has and is constantly progressing, our *conception* of achievement has not. The light bulb that Thomas Edison invented, on today’s standards for light bulbs, is not great. However, what he achieved in inventing it has not been forgotten. Similarly, MP3 music players have been incorporated into our society for a long time. Apple is known for its achievement in this business: their iPod moved the MP3 player market to a new level, and this achievement, too, is recognized. Surely, the first light bulb Edison invented or the first Apple iPod would fetch more money at an auction than would the second, and the only distinction between the first and second light bulb or iPod is that the first is marked by being a great achievement. In this regard, achievement seems to suggest value. This same distinction holds true in art. An artwork does not have to be a pioneering work or technique to be an achievement, but any progression in the history of the institution of art is noted and affects the aesthetic evaluation of that work.

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<sup>110</sup> Ibid. 181.

<sup>111</sup> To make a comment on originality: originality in an artwork is but one way that an artwork can be noted for its achievement. If an artwork is incredibly original but is visually unsightly, the aesthetic evaluation will be negative. Whereas originality is not required for artistic achievement, originality in an artwork devoid of any aesthetically undesirable characteristics may be sufficient for achievement.



In following Dutton's argument, *Disciples* when it was thought to be a Vermeer cannot be compared to *Disciples* when it became known to be a van Meegeren. The two are noted to be very different achievements, and as such, must be perceived and evaluated as different works. This says nothing about the superiority or inferiority of *Disciples'* achievement as a van Meegeren, but because the provenance is different, the achievement *must* be different. Knowledge, proper or not, of an artwork's provenance is important, and thus contextualism is vital to understanding and appreciating a work of art.

It seems evident that the knowledge that a work is a forgery means that the work in question is no longer the same object it was previously held to be, and cannot be considered as such. This third response to the overarching question at hand seems to me, then, the correct one. Viewing an artwork is quite different from viewing a naturally occurring object, and it would be slighting the artist if a viewer were indifferent to recognizing the origins of their work. The human role in art cannot be ignored; it is what makes a painting of an oak tree aesthetically different from the oak tree that was painted.

To understand precisely *how* an artwork is viewed differently from other objects, I digress to Arthur Danto's theory of the artworld. Danto contends that "to see something as art requires something the eye cannot decry—an atmosphere or artistic theory, a knowledge of the history of art: an artworld."<sup>112</sup> The artworld is the societal institution where all artworks are situated and the greater your knowledge of an artwork and the history surrounding its production, the greater your potential for

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<sup>112</sup> Arthur Danto, "The Artworld," *The Journal of Philosophy* 61 (1964), 580.

appreciating it.<sup>113</sup> Contextualism, marked by the present state of the artworld, dictates the achievement of an artwork. Danto, in his discussion of Andy Warhol's Brillo readymades with respect to the artworld, affirms this.

What in the end makes the difference between a Brillo box and a work of art consisting of a Brillo Box is a certain theory of art. It is the theory that takes it up into the world of art, and keeps it from collapsing into the real object which it is... Of course, without the theory, one is unlikely to see it as art, and in order to see it as part of the artworld, one must have mastered a good deal of artistic theory as well as a considerable amount of the history of recent New York painting. It could not have been art fifty years ago... The world has to be ready for certain things, the artworld no less than the real one. It is the role of artistic theories, these days as always, to make the artworld, and art, possible.<sup>114</sup>

Achievement being aesthetically relevant solves problems posed by dissenting philosophers. There is little doubt that a Picasso crude pencil sketch in the margin of a piece of notebook paper will fetch more money at auction than will van Meegeren's *Disciples*. Van Meegeren, in his work, could exhibit more artistic talent and ability than does Picasso in his sketch. (Of course, this depends on Picasso's sketch, but it is entirely possible that *Disciples* exhibits more talent than does the sketch.) However, Picasso, throughout his lifetime, has arguably achieved more than most other artists in history, and he most definitely achieved more than did van Meegeren. The personal achievement of Picasso is aesthetically relevant in that *knowing* that the sketch was done by Picasso will make a viewer attend to it in a different way. Many factors can lead to this—including achievement of the artist, what is regarded as popular art culture and how original or groundbreaking certain techniques are.

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<sup>113</sup> One's aesthetic experience need not increase with knowledge, although it seems that it would more than it would decrease. A beautiful painting could be revealed by a college student with limited knowledge of the artworld. A very knowledgeable critic could know that the artwork is one of many produced in the style of an obscure artist, and thus lacked stylistic originality. In recognizing this, his aesthetic experience would most likely decrease. However, the fact remains that knowledge of a work's historicity alters aesthetic judgment.

<sup>114</sup> Danto, 581.

I am not wholly convinced by Dutton's contention of the universal performative nature of art. The intrinsic performativity of a painting seems different from the performativity of a work of music, and even if they both exist, I remain uneasy at attempts to lump them together. This is irrelevant, though. There are only three responses to the question "what is aesthetically wrong with a forgery," and in analyzing and criticizing them, one conclusion in particular seems to stand out. If something imperceptible is aesthetically relevant, it seems clear that it is the achievement of the artist and of the artwork. If, as seems unavoidable, we consider art as derivative from human thought and interference, I must differentiate between *Disciples* as a Vermeer and *Disciples* as a van Meegeren.

This distinction, though commonsensical, however, is insufficient. Besides appealing to the nature of art, something imperceptible that nonetheless has aesthetic relevance must be instantiated. For this, I suggest that aesthetic experiences are temporally bound, and thus grow old. Should aesthetic experiences *not* grow old and remain constant over time and over repeated viewings, nothing imperceptible will have aesthetic relevance. This does not seem to be the case; the negation of the statement must be true. Imagine viewing and studying a painting daily for two months time. An aesthetic reaction to something in the painting may be acquired on the second day that did not occur on the first. The aesthetic experience may increase as knowledge of the painting may cause new aspects of the work to become apparent to you. However, after the first month, when the technical and historical aspects of a painting are (let us assume) exhausted, the same features which originally jumped out and may have been aesthetically appealing begin to fade in the background. The

viewer becomes progressively more indifferent and accustomed to those features as they appear to be less and less original. Originality, though not of aesthetic relevance, does aesthetically manifest itself—possessing originality is one potential means an artwork can come to be noted as an achievement—and as a work becomes less original to you, the aesthetic experience diminishes in strength.

After evaluating the possibilities for what is aesthetically wrong with a forgery, the response that seems best to fit actual circumstances is the third of the hypotheses considered here: the distinctive aesthetic wrong with forgeries is that they falsely claim for themselves the achievement that a different work either possesses or would have possessed.

## Chapter Four: The Moral and the Aesthetic

A general thesis seems to have taken shape in the discussion up to this point: that insofar as art forgeries are judged morally wrong, their aesthetic evaluation typically, if not invariably, turns negative as well. The question then comes to the fore of whether that relationship is intrinsic or at least substantive and causal. If no certain answer can be found, outside factors which may lead to a correlation between the moral and aesthetic should be examined. Then, if a factor is found that directly affects both these issues, the relation between the moral and aesthetic can be deciphered.

A positive correlation between the moral and aesthetic issues seems indeed to be indicated here; greater moral issues are generally accompanied by significant aesthetic issues, and vice versa. The four case studies from Chapter One hint at the existence of this correlation. Van Meegeren's forging of *Disciples* exemplifies the upper extreme of the spectrum of moral issues, and the aesthetic evaluation of *Disciples* after its spuriousness was revealed illustrates diminished aesthetic value. The same is true with the Garden Shed Gang's *Amarna Princess*: the work, as a lie, was judged morally wrong, and the aesthetic evaluation after the fact reflects just this. Casadesus' "Adélaïde Concerto" represents a lesser wrong than the previous two; the public's reaction to the revelation that the "Adélaïde Concerto" was a forgery reflects Casadesus' lack of initial intention to forge. The aesthetic evaluation of the work, though it did generally lessen, was not wholly negative and the concerto still receives praise as a work and circulates around the musical world. Macpherson's Ossian epics possessed the lowest degrees of immorality of the four, as, to an extent, the epics

were authentic. The aesthetic evaluation after the inquiry into the authenticity of the works was initiated reflected this. To this day, there are some scholars who maintain that the Ossian works, despite their inherent spuriousness, are brilliant works of Gaelic poetry. There are negative aesthetic evaluations of the works as well, but Macpherson's works were undoubtedly faced with the least aesthetic scrutiny of the four. In this light, it becomes more likely that a positive correlation between the moral and the aesthetic issues exists. If a fuller or more explicit relation cannot be found between the two, the question of such a relation will as a whole require reconsideration.

The first, and perhaps most simplistic, correlation between these two groupings of issues is a causal one. If a causal relationship in either direction exists, the extent of one group of issues would directly contribute to the extent of the other group. Although no causal dependence can be inferred from the Chapter One instances, they do hint at its potential occurrence. *Disciples* and the *Amarna Princess* show both severe aesthetic issues and severe moral issues, whereas the "Adélaïde Concerto" and the Ossian epics are accompanied with lesser degrees of both. In some ways, Casadesus' "Adélaïde Concerto" runs counter to the claims of a causal relationship in either direction. The moral issues of this work are unclear: Casadesus did not initially attempt to forge, but he made the explicit decision to forge and to lie that his work was a Mozart without hesitation and as soon as the opportunity arose. There was nothing other than personal motivation compelling Casadesus to lie about the provenance of his work, whereas Macpherson's motives were not definitively selfishly driven. The aesthetic evaluation of the "Adélaïde Concerto" after Casadesus

was revealed as the composer reflected marginal moral issues. However, the lack of initial intention to forge could represent moral issues less extreme than those from *Disciples* or the *Amarna Princess*. The uncertainty over the extent of the moral issues here does nothing more than show the need to proceed cautiously. The correlation coefficient between the moral and aesthetic issues does not have to be 1.0 for there to be a positive correlation between the two, and if the moral issues are greater than the public perceived them to be, perhaps the correlation is not 1.0 and, if the spectrum of moral issues could be plotted on a graph against the aesthetic issues which accompany them, the resulting line would not be a perfect 45 degree line.<sup>115</sup> Caution is indicated here—the “Adélaïde Concerto” hints that the correlation may not be causal since the moral issues seem to outweigh the aesthetic ones, but this fact does not mean a causal relationship does not exist, just that the correlation may not be causal, or at least not fully causal.

The first relationship to be examined, then, is whether or not the aesthetic issues cause the moral issues. If causality as such exists, then a poor aesthetic evaluation would connote, and would cause severe moral issues, and a high aesthetic evaluation would be causal of low moral issues. Philosophically, the claim that aesthetic issues cause the moral issues seems unreasonable. In every instance of forgery, the moral issues precede the aesthetic. This is evident: regardless of the aesthetic evaluation of a forgery after being revealed as such, the work still exists as a

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<sup>115</sup> I borrowed terms from economics, here. The correlation coefficient indicates the strength and direction of a relationship between two variables, in this case, between the moral and aesthetic issues. The correlation coefficient always lies between -1 and 1. If it is positive, the correlation between the two variables is positive, and vice versa. The higher the absolute value, that is, the closer to 1 or -1 the correlation coefficient is, the stronger the positive or negative relationship is. A perfectly direct correlation is denoted by a correlation coefficient of 1.0 and a 45 degree line between the two variables of concern.

lie. The following two instances both clearly *can* occur and this causal relationship is quickly undermined. First, if a forgery is a lie as *Disciples* or the *Amarna Princess* were lies and is thus morally wrong, it could still be aesthetically brilliant. From the definition of a forgery employed in this paper, any forgery is a lie, and as a work of art put in its proper provenance, the forgery could be either aesthetically laudable or aesthetically insignificant. However, a forgery with severe moral issues but with negligible aesthetic issues is difficult to consider realistically as the term “forgery” does carry a negative connotation of value. So, take the instance of a work with no aesthetic merit. It is common that a forgery, when looked at in its proper provenance, is aesthetically worthless and receives no aesthetic praise, for one, the *Amarna Princess*. However, the work in question could easily be a marginal lie, as the Ossian poems were. So, it is reasonable to assume that forgeries with marginal moral issues may be aesthetically worthless. It seems conspicuous that the aesthetic has no causality on the moral.

Moving on, the other potential causal relationship is that the moral issues cause the aesthetic. Should this relationship exist, the moral issues would entail, or at least influence the aesthetic ones. Great wrongdoing would cause a lack of aesthetic merit and more marginal moral issues would detract less. On first inspection, this causal relation seems far more likely to be the case than does the former relation. On this account, the moral issues exist independently of the aesthetic issues. Furthermore, the aesthetic issues are dependent on the forgery as an artwork. A greater amount of subjectivity occurs in aesthetic evaluations than in the moral



evaluations.<sup>116</sup> The moral evaluation of a forgery boils down to the question: to what extent is this work a lie and thus a moral wrong? As such, the moral judgment of a work can be largely objective. So, it seems plausible that, when taking into account the four discussed instances, the moral issues could cause and shape the aesthetic evaluation of a forgery.

Certain caveats apply to this causal relation. If a forgery is wholly immoral, it seems that there would be no chance for a fair evaluation of the aesthetic quality of that artwork. With nothing that can be morally excused, the aesthetic assessment is known before it is actually made. Any forgery that is a lie in the way that *Disciples* or the *Amarna Princess* was a lie would have the same aesthetic evaluation that these two works faced; both of these works became worthless and were immediately removed from their respective exhibitions. However, the aesthetic harms that follow from a causal relation as such could be mitigated if the forgery is, at all, a contemporary achievement. The Ossian epics were revered by some as a great achievement in modern Gaelic poetry and the “Adélaïde Concerto” was, though not to the same degree as *Fingal* and *Temora*, praised as a standalone composition. Even though this was not the case with *Disciples* and the *Amarna Princess*, in a hypothetical sense these works *could* have been achievements in the contemporary artworld. Why there are no instances of forgeries marked by no moral value and great aesthetic value can only be the subject of speculation but seems related to the question of why artists would or would not opt to forge in the first place. It seems far less likely that if an artist is capable of creating an artwork that would be a

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<sup>116</sup> This is meant purely relatively. This claim is distinct from the claim that aesthetic evaluations are subjective.

contemporary achievement, that their work would be released as a forgery and not as an original work. In the hypothetical realm this could be the case; it is not a stretch to assume that a forgery could have modern aesthetic value, but it is understandable why this does not occur often. Whereas it would be difficult to preclude this causal relationship, especially as the moral and aesthetic issues seem to rise and fall with each other and with any ethical wrong preceding the aesthetic value (or lack thereof), there is philosophical evidence which leads me to the view that the correlation is not a causal one.

Lessing makes it obvious that he does not believe there to be a causal relation. He contends that “the matter of genuineness versus forgery is but another non-aesthetic standard of judgment.” Furthermore, he claims it makes no aesthetic difference whether or not a work is a forgery.<sup>117</sup> This view is common to all strict aestheticians<sup>118</sup>, including Beardsley and Goodman. If nothing imperceptible has aesthetic bearing, the moral issues of forgeries will have no effect on, and thus do not cause aesthetic problems which arise. In both the strict aesthetician view and my own, it seems that there is no causal relation.

Although he does make statements that would lead to the opposite belief, Dutton would probably agree that a causal relation between the moral and aesthetic in a forgery does not exist. He argues that the aesthetic wrong of a forgery is that a forgery misrepresents achievement. This can be taken to mean either that there is no causal relationship or that one may possibly exist. If Dutton is discussing a forgery as a lie in that a forgery lies about its achievement, then a causal relation could very well

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<sup>117</sup> Lessing, 62-63.

<sup>118</sup> The term “strict aesthetician” is used to denote any aesthetician that believes that the only things aesthetically relevant are those that are directly perceptible.

exist. Dutton summarizes his charge of forgeries as lies as “misrepresentations;” however, the categorization of forgeries must be expanded by incorporating their intent to deceive. In looking at lying in this manner, the aesthetic wrong is not necessarily caused by the moral wrongs. Dutton’s argument centers on the performative nature of each artwork, and he asserts that “whenever we observe the work of an artist...it is appropriate to speak of the performance of a task, and of the success or failure of the task at hand.”<sup>119</sup> This seems to distinguish the moral and the aesthetic. In coming to know that a work is a forgery, Dutton claims that we gain knowledge of the work in terms of the task the artist wished to perform. The performative nature of art is examined now, not within constraints due to an era’s technology or within artistic constraints, but as a forgery. Having been outed as a forgery, the work is no longer successful as such. Except in instances where deception is not intended to be permanent, so long as a work is a forgery and it wishes to be successful in perpetrating the artworld, public knowledge that a work is a forgery immediately halts its success. In looking at forgeries in this way, it seems that Dutton would indeed distinguish the morality and the aesthetic of a forgery and would contend that no causal relation exists between the two.

Rejecting the possibility that the aesthetic issues cause the moral issues and finding it unlikely that the moral standing of a work does not cause the aesthetic worth, a commonality of some sort between the moral and the aesthetic must yet be found. Since I am, from this point, neglecting causal relationships, the next step is whether or not there is a different variable or fact that engenders both the moral and the aesthetic evaluation of a forgery.

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<sup>119</sup> Dutton, 178.

Moral issues regarding forgeries arise because forgeries are lies with the intent to deceive the artworld and the public beyond it. Abstracting from this, forgeries, by definition, intend to deceive the artworld about their provenance—forging an artwork is synonymous with creating an artwork and lying about its provenance. The provenance of an artwork is significant because an accurate provenance directs the attendee's attention towards the artworld existent when the work was produced. In turn, especially since many artworks are released into the artworld for the first time long after they are created, the provenance of an artwork is a primary constituent in determining the proper achievement of an artwork. So, to compare with Dutton, not only does a forgery misrepresent achievement, it lies about it. The achievement of an artwork has already been shown to be directly relevant in the aesthetic realm. There is clearly *some* factor positively relating the moral and aesthetic issues to each other, and definitional consideration of what it is to be morally relevant and what it is to be aesthetically relevant should then indicate what common factor does underlie the moral and aesthetic issues. This does not mean that such a factor would be exclusively responsible for the positive correlation between the moral and aesthetic issues—although it might be.

Consideration of the nature of the moral issues will give us the first potential feature to be examined. The morality of forgeries stems directly from the categorization of forgeries as lies. The cardinal characteristic of forgeries as lies is, as realized from the instance of the museum raising awareness of forgeries, the intent to deceive. If an artwork did not intend to deceive its viewers over its provenance, it would not even be classified as a lie, let alone an immoral lie. So, the question arises:

is the intended deception by the artist in any forgery the cause of both the aesthetic and moral issues?

When looking at this intended deception, it must be the case that it is considered free from any outside influences. Principally, this includes any features of an artwork that, when taken separately from the forger's deception, influence aesthetic evaluation. Unless the artist's deception directly affects the importance of an artwork's achievement in attending to that work, its achievement cannot be taken into consideration in reaching a conclusion about the question at hand. The deceptive nature of forgeries must be independently examined to come to an appropriate conclusion about its overall influence. So, the first question is, does the artist's intent to deceive directly affect the artistic achievement of an artwork? If there were no such consequence, whether or not an artist intended to deceive would be immaterial to the aesthetic evaluation of a work. If the inherent intent to deceive does alter the aesthetic evaluation of an artwork, then the achievement of the artwork is affected.

To respond to this question, two hypothetical instances are presented. First, consider a painter, Stan Gogh, who had just completed a classical painting and presented it to a famously honest and thorough art dealer (AD) to be subsequently sold to a local museum. When presenting it to the museum, AD is suffering from a bad head cold, but neglects to wait for his health to return since he gave Gogh his word that his work would be presented to be sold on that date. When AD presents the work to the museum and is asked the name of the painter of the work, he replies "Stan Gogh." The museum, due to AD's cold and to the relatively unknown name "Stan Gogh," misinterpreted AD as saying "van Gogh." The public status of AD and the

classical nature of the painting were sufficient; the museum put the work on display as a van Gogh, which received great critical acclaim, until Stan eventually noticed and pointed out the museum's blunder. The work still remained in the museum, but it lost its place as the centerpiece of its exhibition.

Secondly, upon completion of his next painting, Stan is interviewed by a local art magazine about the release of his work. The magazine interviewer, with no knowledge of who Stan is and of his status as the painter of the work, asks Stan who the painter of the work was. In jest, Stan, in appealing to the name mishap which he assumes is common knowledge in the local artworld, claims that "van Gogh" painted the work and that "it had been in his family for generations." The naïve interviewer, with no knowledge of the artworld or of the particular work in question, is unfortunately the first person to be presented with the painting and misses the ironic tone Stan speaks with. He proceeds to introduce the work into the artworld as a van Gogh and until Stan remedies the blunder, it exists in the artworld as a van Gogh. The evaluations before and after Stan remedies the situation are similar to the previous instance.

Naturally, in both of these cases, the works in question are not forgeries, as they lack the intent to deceive. However, they effectively exemplify the disconnect between the intent to deceive and the importance of it to aesthetic evaluation. In both of these instances, Stan did not intend to deceive anyone into believing that his paintings were van Gogh's. However, the aesthetic evaluation did not reflect this fact. Clearly, these instances are hypothetical, but a van Gogh would, in all likelihood, be the centerpiece of a local art museum whereas a "Stan Gogh" would

not. The aesthetic evaluation of the work, despite *not* being a forgery, will inevitably decline after realization that it is not a van Gogh. The aesthetic evaluation of a work is independent of the intent of the artist to deceive, as the achievement of an artwork is independent of the intentions of the artist.

Whether or not the artist's intended deception elicits the aesthetic and moral issues can also be determined by settling the issue whether or not there can be a work possessing high aesthetic value that is completely morally wrong. As I have suggested earlier, it seems plausible that a work with exclusively bad intentions, such as *Disciples* or the *Amarna Princess*, could still be an aesthetic achievement in the artworld. For instance, a painter decides to forge a painting in the style of a prominent contemporary artist. The color scheme employed is very reminiscent of the contemporary artist, but new artistic techniques are used and introduced in the forgery. The work could still be an aesthetic triumph despite being a forgery, but this infrequently, if ever, happens, perhaps because an artist, if capable of a contemporary achievement, would presumably release a work with proper provenance. The deception inherent in a forgery, then, is not the cause of the moral and aesthetic issues that arise with forgeries.

To the strict aesthetician, it is clear that the deception does not affect the aesthetic issues that arise, because only what is perceptible has aesthetic relevance to them. To Lessing, deception is not what is wrong with forgeries, because he contends that not all forgeries break a moral code by way of their deception. He argues that the matter of being a forgery is a fact external to aesthetic evaluation because genuineness or spuriousness is simply a fact about a painting, and even if this fact is

established, it is still distinct from any sort of aesthetic judgment.<sup>120</sup> The same holds true for Beardsley and Goodman. The lack of influence that the intent to deceive has on aesthetic evaluation follows directly from the fundamental tenet of Beardsley's aesthetics, rooted in the thesis that only the perceptible is aesthetically relevant. Goodman's argument is that the potential for perceptible difference suffices for an aesthetic difference, but the intent to deceive is exclusive to this criterion of aesthetic difference.

Radford and Dutton would agree that the intent to deceive is external to the aesthetic issues raised by forgeries. Radford's primary contention is that forgeries are completely different works from originals and must be evaluated as such. The evaluation of a forgery is entirely distinct from the evaluation of the work when it is considered authentic; the work is placed along with its proper provenance and can thus be accurately evaluated. Whether or not an artwork was intended to deceive the artworld is distinct from an aesthetic evaluation. A similar statement applies to Dutton's position. He would undoubtedly agree that intended deception is independent from an aesthetic evaluation of an artwork because the work can and should be evaluated independently of the artist's intentions. Gaining knowledge that a work was intended to deceive the artworld would not alter the aesthetic evaluation of it.

Having rejected the defining characteristic of forgeries as lies as causing both the moral and aesthetic issues, it is important now to address the defining characteristic of aesthetic evaluations. The aesthetic issues engendered by forgeries, as previously established, are contingent on their achievement as artworks. Insofar as

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<sup>120</sup> Lessing, 63-64.



the artworld (in Danto's sense) is what defines the achievement of an artwork, the next relevant factor to be examined is the state of the artworld at the time an artwork enters into it.

It is clear that this question drives the aesthetic issues of forgeries. So, in an adjudication of this, whether or not the state of the artworld in respect to the provenance of an artwork affects the moral issues of forgeries must be determined. Achievement has already been established as common to both the moral and the aesthetic, so this seems to be a reasonable guess. Again, two hypothetical instances point to the relationship that the historical state of the artworld has with lying.

First, consider the case of a painter P who considers painter R to be the finest contemporary painter. P feels as though R's works are of the highest standard and are the most accomplished of any contemporary artworks. However, the artworld is continuously and excessively critical of R's works and none of his works have been sold to a public museum yet. R's works are not considered artistic achievements, but P uniquely feels that they are. P met the same lack of success in the artworld and so he decides to forge a contemporary painting. Believing R to be the best model to forge, P creates a stylistic forgery to be released as an R. In this instance, the forgery that P presents to the artworld could be evaluated aesthetically either positively or negatively. However, P's work is still a forgery, and thus regardless of the aesthetic evaluation, is still a lie.

Secondly, consider a painter with the surname Simpson. Simpson paints an original work and is ready to release it into the artworld. Upon presenting the work to an art dealer, the dealer asks, "Is this a Smithson?" Simpson misunderstands the

dealer and believes the dealer has asked if his work was a Simpson. So, the work gets released into the artworld with false authorship. This is the negation of the previous example. Regardless if the work, as a Smithson, is an artistic achievement in regards to the provenance it is falsely purported to possess, Simpson did not tell a lie, as the false provenance was unintentional and, potentially, unknown.

In both of these instances, it seems that the temporal state of the artworld does not affect the moral issues of forgeries. Philosophically, this makes sense. The state of the artworld at a given time, which can be rephrased, for these purposes, as what constitutes an achievement at a given time, does not have any bearing on the status of an artwork as a lie and the constitution of an artwork as a lie is external to this. Conversely, if a work is a lie, it makes no difference whether or not the work receives lavish aesthetic praise or if it is harshly aesthetically criticized. The same can be said for an artwork that is not a lie. No matter what the aesthetic evaluation is, it does not determine or depend on whether the artwork is a lie or not.

Both Radford and Dutton might be inclined to consider the historical state of the artworld as relevant to both the moral and the aesthetic issues. Radford, in contending that originality is not required for aesthetic virtues, works with the implicit assumption that a forgery is a lie in that it falsely purports originality. If, to Radford, the moral issues surrounding forgeries are derivative from a false sense of originality, it seems likely that he would agree that the morality of the artwork is affected by originality.<sup>121</sup> The state of the artworld at a given time does, in some

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<sup>121</sup> I agree that originality *could* have some moral bearing on forgeries, but it is not the constitutive feature that yields in forgeries being lies; whether or not a forgery lies about originality says nothing about the work being a lie. The intentional aspect of deception is the moral feature of the most importance. Knowledge that a work is unoriginal really has no moral affect—either an artwork is a lie

ways, define originality; degrees of originality exist in color, shading, etc. However, for the most part, artistic originality is constituted by originality of achievement, directly defined by the state of the artworld. In this way, it seems that Radford, with this conception of how a forgery is a lie, might accept the contention at hand.

Dutton's argument proceeds in a similar way. Dutton's thesis is reliant on the claim that every artwork is inherently performative. So, Dutton views the problem of forgeries, including the moral issues brought up by them, as stemming from dishonesty in performance. In misrepresenting performance, a forgery misrepresents achievement.<sup>122</sup> This belief falls in line with the contention that the historical state of the artworld affects both the aesthetic and the moral. Dutton makes it clear that, to him, the most serious wrong forgeries are guilty of is the misrepresentation of achievement; a forgery is a different work than the original because the achievement of the forgery is different than the achievement of the authentic work. Dutton explicates this by asserting that "the achievement of van Meegeren, however notable it may be, cannot be identical with that of Vermeer."<sup>123</sup> Subscription to a belief such as Dutton's does make the dual impact of the historical state of the artworld enticing, but it is not entirely accurate. Dutton relies on the premise that a forgery is a lie in that it misrepresents performance and, in only focusing on its misrepresented human origin, does not refer to the entity of forgery as a lie. Dutton neglects to mention the intent to deceive that is inherent in every forgery; an incorporation of this makes the moral issues seem more pressing.

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or is not, and the lack of originality could be a manifestation of the artwork being a lie, but it is nothing more than that.

<sup>122</sup> Dutton, 181.

<sup>123</sup> Ibid. 182.

To find a factor affecting, and thus relating, the moral with the aesthetic, the previous issue should be abstracted. As opposed to considering only the state of the artworld at a given time, the mere existence of the artworld should now be appraised. It is worth noting, first, that neither Radford nor Dutton would necessarily disagree that the mere existence of the artworld does not affect or determine its moral and aesthetic evaluation. This takes into account a broader conception of the moral issues, specifically, those discussed in Chapter Two. Both Radford and Dutton tend to be a bit too focused in considering the morality of forgeries, but a contention that this factor has a dual impact falls right in line with the stances that they present. Also, it is trivial that the three strict aestheticians that were discussed would disagree with the argument that follows.

The existence of the artworld is significant in that the artworld dictates what it means to attend to an artwork. The importance and influence of the artworld is what differentiates my view and the views of Radford and Dutton from the views of the strict aesthetician. In reference to Chapter Three, it is trivial that the existence of the artworld has aesthetic relevance. The artworld dictates what an aesthetic experience an artwork is. So, the question now, is whether or not the artworld influences the moral issues explored in Chapter Two.

To see the effect that Danto's artworld has on the moral issues raised by forgeries, we must consider what would transpire without the artworld. If provenance and achievement were irrelevant to the evaluation of an artwork, there would be no reason or incentive to forge. Authorship, study, theory and place of origin would, in turn, be of no importance in the art market. If this were the case, only the physical

marks on a painting or the musical notes in a composition would be of aesthetic importance. Without the artworld, the theory of snobbery that all strict aestheticians object to in the change in critical evaluation of, say, *Disciples* after it is revealed as a forgery would be nonexistent. If only what is physically perceptible is aesthetically relevant, there would be no moral issues to forgery. The institution of art, without the artworld, would effectively be entirely authorless and the practice of forgery would be inconsequential since there would be no artists to attribute works to. Moral issues do exist, and so, the role of the artworld in relation to them must be taken into account.

An examination of forgeries reveals separate moral and aesthetic issues that must be understood. Morally, a forgery, with its innate intent to deceive, is equivalent to a lie. An aesthetic evaluation of a forgery reveals that, perhaps against commonsensical belief, the achievement of an artwork is *only* aesthetically relevant. These two issues seem distinct, but in fact, they are both dependent on the existence of the artworld. In other words, because attending to a work of art is *more* than looking at it, listening to it, or simply perceiving it, the moral and aesthetic issues remain closely related to each other, and so, whereas the relation between them might not be causal, they cannot be properly considered independently from each other. The existence of the artworld may not be the only link between the moral and aesthetic realms of forgeries, but as a bond, it inextricably binds them together.

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