

**A DIACHRONIC IDENTITY CRITERION
FOR ARTWORKS**

BY

CYNTHIA N. READ

**A Thesis/Practicum submitted to the Faculty of Graduate Studies of The University
of Manitoba in partial fulfillment of the requirements of the degree
of
Master of Arts**

Cynthia N. Read © 2003

THE UNIVERSITY OF MANITOBA
FACULTY OF GRADUATE STUDIES

COPYRIGHT PERMISSION PAGE

**A DIACHRONIC IDENTITY CRITERION
FOR ARTWORKS**

BY

CYNTHIA N. READ

**A Thesis/Practicum submitted to the Faculty of Graduate Studies of The University
of Manitoba in partial fulfillment of the requirements of the degree
of
Master of Arts**

Cynthia N. Read © 2003

Permission has been granted to the Library of The University of Manitoba to lend or sell copies of this thesis/practicum, to the National Library of Canada to microfilm this thesis and to lend or sell copies of the film, and to University Microfilm Inc. to publish an abstract of this thesis/practicum.

This reproduction or copy of this thesis has been made available by authority of the copyright owner solely for the purpose of private study and research, and may only be reproduced and copied as permitted by copyright laws or with express written authorization from the copyright owner.

Abstract

Beginning with the assumption that there are at least some physical artworks, this thesis is an attempt to answer the question: how much physical change can an artwork undergo and still be that same artwork? Using both real examples from the art world and classic examples from metaphysics, a diachronic identity criterion (or persistence condition) for artworks is provided. This Artwork Identity Criterion (AIC) consists of two main parts. The first part addresses the importance of sameness of original materials. The second part addresses the importance of sameness of meaning and formal content. A number of problems for the AIC (such as those produced by the transitivity of identity and vagueness) are presented and the criterion is subsequently revised. In the end, the AIC suffers from two main flaws. First, the AIC appears unable to handle the identity of physical artworks that are mainly conceptual. Second, it is possible that the AIC is not actually an identity criterion for artworks, but rather one for a small class of historical artefacts.

Author's Note

This thesis was supported in part by a fellowship from the University of Manitoba Graduate Studies. I thank Carl Matheson for his invaluable guidance as advisor of this project. Thank you also to my committee members: Ben Caplan and Adam Muller. Finally, I wish to thank my fellow students: Donovan Hulse, Lori Callaghan, and Mark Barber for their comments on early drafts of this thesis.

A Diachronic Identity Criterion for Artworks

Cynthia N. Read

When you visit Richard Zahler's web page you will see an image of a painting.¹ It is primarily black with a large, dark-brownish yellow patch in the bottom right quarter. Near the top of the painting you can discern some black lines extending upward. There are short, light green lines scattered throughout the bottom of the brownish yellow patch. If you know what to look for, you might be able to discern the brownish grey patch as water and one of the black spots as a boat of some sort. Next to this image is the image of the painting after Zahler restored it. Here you can clearly see ships coming and going from the city's harbour front which is littered with ships and their masts. The water is a mottled grey colour and the sky above the city is the same grey but with hints of pink and blue. The wave of a boat that is only partly in the picture splashes into the front of the painting. Another boat with a large sail enters the harbour from the other direction.

Are these paintings the same artwork? Are either of them the same artwork as the original? These are questions about the identity of an artwork at different times, or diachronic identity. Specifically, it is about how the object persists through change. How much and what sort of change can an artwork undergo and still be that same artwork?

The purpose of this thesis is to provide an identity criterion for artworks that will yield answers to questions like the ones posed above. The thesis is divided into three

¹ Zahler is a preeminent private art restorer in Britain. His website is: <http://www.studioarts.co.uk/zahler.htm>.

chapters. The first chapter deals with preliminary issues like the various changes artworks can undergo, general problems in the metaphysics of identity, and general motivation for the identity criterion I provide later in Chapter Two. Chapter One deals with specific changes to artworks and with general problems of identity and persistence. The second chapter brings these two together in a presentation of my identity criterion for artworks. The second chapter also includes various revisions of the criterion in response to problems. The third chapter includes application of the criterion to specific cases and a discussion of some problem cases.

Chapter 1 - Motivating the Criterion

I will begin this chapter by outlining a number of ways artworks can change and by giving examples of these types of changes. Next, I will discuss a number of key metaphysical problems with identity in general. I will conclude the chapter by providing motivation for the particular formulation of the criterion I present in Chapter 2.

Types of Changes

An artwork can change in many ways. It can undergo physical changes. For example, a sculpture may be broken or a painting torn. An artwork can change relational properties, such as changing location, or art-historical influence. For example, *The Kiss* may go from being in a Rodin exhibit to being in an exhibit on passion, or a relatively unknown painting may become the impetus for a new genre of painting. An artwork can change in function. For example, a painting we once used as art may now be used as drapery, or a sculpture that once induced serenity in viewers now induces anger. Although changes of any type will affect identity claims, the criterion presented in this thesis addresses only what physical changes an artwork's identity can endure. The other types of changes fall outside the scope of this work.

Through what physical changes can an artwork persist? Asking the question thus makes an important assumption: that (at least some) artworks are physical. As a result, I discuss only those artworks that are generally considered to be physical objects (e.g., paintings and sculptures as opposed to literary works and works of music). The claim that

some artworks have physical properties means, for example, they have a certain location in space and time or are constituted by certain matter. The distinction between physical and non-physical artworks is not new to the philosophy of art. Wollheim's (1980) individual-type distinction and Goodman's (1976) autographic-allographic distinction both reflect the intuitive physical/non-physical distinction.^{2,3} The distinction also has intuitive force as we are inclined to see paintings and sculptures as physical objects but works of music and literature as non-physical. I do not intend to defend this distinction here. For the purpose of this thesis, the physicality of some forms of art will be assumed.

An artwork may undergo physical changes in a number of different ways. I have created four categories of physical change for artworks: (a) cases in which only some of the original material is lost, (b) cases in which some original material is lost and some new material added, (c) cases in which the original material is simply altered, and (d) cases in which only some new material is added. The following list contains real examples of each sort of change.

A. Loss of some original materials

- Da Vinci's *Mona Lisa*.⁴ Originally the painting had two columns painted on the sides,

² Wollheim (1980) explicitly defends the physical object hypothesis for some works of art in *Art and Its Objects*, particularly in the supplementary essay, "A Note on the Physical Object Hypothesis," found in the 2nd edition.

³ Currie (1990) claims that all artworks are non-physical. According to him, they are abstract objects, action-types. D. Davies (personal communication, June 15, 2003) also takes artworks to be non-physical. They are performances that indicate a focus of appreciation.

⁴ Information on this work may be found at the following websites:
<http://www.kausal.com/leonardo/monalisa.html>; <http://www.lairweb.org.nz/leonardo/mona.html>.

which indicated clearly that she was on a balcony. Sometime in the history of the painting while it was privately owned, the edges of the painting were cut off. The painting, as it now hangs in the Louvre, has no columns.

- Chinese paintings.⁵ In China this year large pieces of two-thousand-year-old paintings in a World Heritage Site Confucian temple were washed off the walls because the workers washed the walls with a pressure hose.

- Michelangelo's *Sistine Chapel*. In the restoration of frescos such as the *Sistine Chapel* a thin layer of the original wall is removed to reveal some of the original paint underneath, paint that has not been dirtied or destroyed with age.

- Cleaning of oil paintings. Cleaning of oil paintings involves removing the layer of varnish that so often covers works. It is the varnish that darkens and becomes dirty with age. The varnish is removed with solvents.

These are cases of works that have had some of their original materials removed. Each case is significantly different. The *Mona Lisa* case involves an extremely valuable work in which the loss of material has altered the look of the work. The Chinese paintings provide a case of large losses of original materials. It is safe to say most people would consider these paintings destroyed. With the *Sistine Chapel* and the cleaning of oil paintings we have a case where there is a significant amount of original material removed but doing so has restored the original look of the work. Cleaning oil paintings is a common practice in most museums.

⁵ Information on this work may be found at the following website:
<http://www.theage.com.au/news/2001/02/07/FFXDZFFGUIC.html>.

B. Loss of some original materials and addition of new material

- Rembrandt's *Danae*.⁶ In 1985, this painting was slashed twice and had sulphuric acid poured on it. The acid destroyed some of the original paint. The restoration process involved retouching with new paint those areas destroyed by the acid and replacing the canvas. It was thirteen years before the work could be hung back in the gallery for viewing.
- Michelangelo's *Pieta*. Someone smashed this marble sculpture fifteen times with a hammer. As a result a number of pieces were broken off. The larger pieces were salvaged and reattached, but some smaller chips were lost. Thus, repairs involved reforming part of the sculpture out of new materials (Wreen, 1985).
- Velázquez' *Toilet of Venus*. In 1914, this work was slashed five times. To restore the work special putty was used to adhere the slashed portions together and new paint was used to touch up the slash marks (Ruhemann, 1968).
- Degas' *M. et Mme Edouard Manet*. As a friend of Manet's, Degas painted a portrait of Manet and his wife for him. However, Manet was displeased with the way Degas had depicted his wife and cut off the right quarter of the painting. In the painting, this left his wife, who was standing in profile, faceless. Degas took the painting back and added a piece of canvas intending to repaint that portion of the work, but he never did (Kirsh & Levenson, 2000).
- Cleaning of oil paintings. As described above, the varnish is removed with solvents.

⁶ Information on this work may be found at the following website:
<http://www.renewal.org.au/artcrime/pages/front.html>.

Sometimes, however, it is replaced with new varnish.

- Canvas replacement. Often the canvas a work is painted on will deteriorate before the painting. Because the material used to size the canvas (this is the primer coating applied to the canvas before painting on it) is usually water-based, the canvas can be removed from the paint. By soaking the canvas (carefully, of course), it will actually detach itself from the layers of oil paint. The painting can then be glued to a new canvas.

The cases listed above are cases in which some original material has been lost and some new material has been added. Almost all of the cases involve an attempt to make the work look more like the original than it did. Some cases involve adding materials like paint, varnish or canvas that are of the same type as the original (the *Danae*, the cleaning of oil paintings and canvas replacement). Other cases involve adding materials like glues or putty that are of a different type than those originally used in the work (the *Pieta*, the *Toilet of Venus*). In all of the cases, a significant number of people within the art community have no problem with these types of restorative work. The Degas case is interesting because the blank piece of canvas now attached to the work, though attached by the artist, was added after he finished the work originally. The artist's intention was to change the way the work looked originally.

C. Changes in original materials

- Costa Rican statue. A statue from the famous Teatro Nacional in Costa Rica was sent to Europe for cleaning. The statue is an angel carved out of a single piece of marble. In order to transport it, the wings of the angel were cut off. However, in putting it back

together they were unable to maintain the centre of balance. As a result, the statue can no longer stand on its own. It must be guyed to the ceiling.

- McNichol's *A Question of Who's in Charge*.⁷ Just this year, vandals bent this 17-foot tall sculpture to the ground twice. Both times the artist himself was called in to repair the work.

- Emin's *My Bed*.⁸ The piece consists of an unmade bed littered with dirty clothes, used condoms and empty vodka bottles. One day performance artists Yuan Cai and Jian Jun Xi went into the Tate London Gallery, stripped off their shirts and started jumping on the work. They then proceeded to have a pillow fight. No permanent damage was done and after about 15 minutes they were escorted out of the gallery. The work was rearranged back to its original state.

- Correggio's *The Virgin Adoring the Child*.⁹ Correggio painted *The Virgin Adoring the Child* around 1522. It is one of the paintings yet to be restored by the Uffizi Gallery. The painting has darkened with age. Though the main components of the painting (the Virgin, the Child) remain visible, much of the rest of the work is indistinguishable.

These cases involve changes in, but not losses of, the original materials. No new material is added. With some of these cases, questions about the continued identity of the

⁷ Information on this work may be found at the following website:
http://www.cambridge-reporter.com/topstory_02070994659.html.

⁸ Information on this work may be found at the following websites:
<http://www.s-t.com/daily/10-00/10-04-00/b03ae119.htm>;
<http://www.renewal.org.au/artcrime/pages/front.html>.

⁹ Information on this work may be found at the following website:
<http://www.uffizi.firenze.it/Dipinti/corrverginE23.html>.

work can be asked at two different times. First, are the works identical with the original while they are broken or altered? Second, are the works identical with the original after they are reassembled? In general, breaking a work for transport is not meant to cause permanent damage. However, in the case of the Costa Rican statue there is a permanent change in the work. In the vandalism cases, no care is taken to preserve the work while it is being broken. The vandalism of Tracy Emin's *My Bed* did not change anything that could not be put back. The Correggio case may also belong in the addition of new materials category. The aging process involves both the changing of the original materials and the accumulation of dirt, which is a new material. Every component of the painting (the stretcher, the canvas, the ground, the paint, and the varnish) changes over time. For example, consider the changes that can occur in the paint layer.

Dark colors have become even darker and more translucent with age, so that details and subtleties of modeling have disappeared. . . . a green landscape turns brown and its subtle spatial regressions are lost to view; a shadowed face becomes pure shadow; rounded shapes decay to flat, dead planes. Lighter colours also become transparent so that one can see right through them. A thinly painted figure becomes a ghost through whom one can see the colors of the landscape behind. (p. 59, Hochfield, 1978)

The changes that occur due to aging, as in the Correggio case, are more gradual and the result of no one particular event. Some would consider changes due to aging natural, a part of the work's life cycle (Hochfield, 1978).¹⁰

¹⁰ For an interesting, but not too technical, look at the specific effects of light, humidity, warmth and pollution on paintings, see Michalski (1990).

D. Addition of new materials¹¹

- Malevich's *White Cross on Grey*. Kazimir Malevich's painting *White Cross on Grey* depicts an off-white cross on a light grey background. In 1997, Alexander Brener spray painted a green dollar sign on the painting.
- Ofili's *The Holy Virgin Mary*. Chris Ofili's painting *The Holy Virgin Mary* had white paint thrown on it as a protest to its portrayal of the virgin Mary with pornographic images and elephant dung.
- Creed's *The Lights Going On and Off*. This installation piece consists of a room in which the lights go on and off. In response to a dream, Jacqueline Crofton threw eggs at the work. She did not think the work should be considered art. The walls were simply cleaned off and the exhibit was reopened in a matter of minutes.

Here we have cases of works that have only gained new materials. The first two cases provide examples of the addition of new materials that require a significant amount of work and expertise to remove. The third case, however, was easily cleaned up. All of these instances of vandalism were performed to make a statement about either the work itself or the genre to which it belongs. Most people would say that, after these works have been cleaned, they are numerically identical with the works they were before the incident. However, while the various foreign materials are still on the work some people say that the work no longer exists because during that period of time the meaning of the work has been obscured or changed.

¹¹ The examples in this section can be found at the following website:
<http://www.renewal.org.au/artcrime/pages/front.html>.

Creating an identity criterion for any type of object is a difficult task. Why bother fighting through the metaphysical and aesthetic problems involved in the identity of artworks? I have two reasons. First, because the task is the metaphysician's job, as well as her passion. Second, because the identity of artworks matters, practically, to the artworld. Price tags on artworks show that we value works that are identified as originals more than those that are not. The mere fact that artworks can be forged suggests that the identity of a work is important to our appreciation of it. That we would rather look at the original than a forgery suggests we need to keep track of the identity of artworks. An entire profession centres around the persistence of artworks through change. The goal of conservators is to preserve artworks, be that through preventing them from undergoing change as much as possible or restoring them after they have been changed. The guidelines conservators provide for themselves take the maintenance of a work's existence as central. They regulate what physical interactions with a work are compatible with the work's maintenance of identity. There is at least *prima facie* practical evidence that the identity of artworks concerns us. Determining an identity criterion for artworks is more than a metaphysical exercise; it has potential practical import.¹²

Metaphysics of Identity

Before getting into an identity criterion for artworks specifically, some words need to be said about identity in general and some of the metaphysical problems associated with

¹² Wilsmore (1988) suggests that a correct account of the identity of works is going to be necessary for the work of conservators.

it. Many of these problems centre around the principle of the indiscernibility of identicals, or Leibniz' Law. That is, if x and y are identical (i.e., are the same thing), then they are indiscernible (i.e., have all the same properties).¹³ Stated logically, it looks like this:

Indiscernibility of Identicals: $x=y \rightarrow \forall F(Fx \leftrightarrow Fy)$

This principle has created a number of problems for the metaphysics of identity for ordinary objects.

First, the principle seems to suggest that two objects can occupy the same space at the same time. Consider a mug made from a coconut shell. We want to say that the mug and the coconut shell, which constitutes it, are the same object. However, the coconut shell has properties the mug does not. For example, it has the property of existing at a certain time, t_1 , prior to the mug's existence. With differences in properties such as these, it does not seem as though we are talking about the same object. The mug did not exist at t_1 . The coconut shell did. According the Leibniz' Law, they cannot be identical. If they are not identical, then there must be two objects (the mug and the coconut shell) occupying the same space at the same time.

This problem is relevant to artwork identity because the same problem that occurs with the mug and the coconut shell may occur with an artwork and its material constituents. In fact, the most commonly used example of this problem is that of the statue and the clay. The problem is the same with the statue and the clay. We are inclined to think

¹³ It is also possible to interpret Leibniz as proposing the principle of identity of indiscernibles. That is, if x and y are indiscernible (i.e., have all the same properties), then they are identical (i.e., name the same thing). Logically, it looks like this: $\forall F(Fx \leftrightarrow Fy) \rightarrow x=y$. Determining the correct way to interpret Leibniz (as proposing the identity of indiscernibles, the indiscernibility of identicals, or perhaps the biconditional of the two) is not something I will attempt here.

that the clay of which the statue is made and the statue itself are the same object. However, the clay has the property of existing at a time when the statue did not and in shapes that the statue did not. Later in this thesis, this problem will arise with respect to artworks and historical artefacts having the same material constituents at the same time. The criterion I will present, however, is for artworks. The criterion I present will not apply to the persistence of other objects that happen to occupy the same space at the same time.

In response to this problem, philosophers have proposed different conceptions of identity. One suggestion is to use temporal identity. Temporal identity is the “relationship which holds between a pair of strictly distinct things during a period of time when they are made up of the same matter” or “occupy the same place” or “share the same stages or parts of their history” (Hirsch, 1995). The third of these three different ways to characterize temporal identity implies a four-dimensional approach to objects. That is, objects have extension both spatially and temporally; they occupy both space and time. So the mug and the coconut shell are temporally identical during the period of time in which they both share the same matter or same place; or, in four-dimensional terms, they have some of the same temporal parts. Another suggestion is to use relative identity. Relative identity theorists claim that the proper way to make identity claims is always in relation to a particular concept (Geach, 1967). Thus, statements of identity relations would look like ‘x is the same F as y’. So the coconut shell is the same hunk of matter as the mug, but it is not the same kitchenware as the mug; hence, the identity claims are relative to a particular concept.

Second, Leibniz’ Law suggests that objects cannot persist through change. For

example, if this is the same hat I wore yesterday, then it must have all the same properties as the hat I wore yesterday. However, this morning I dropped the hat in the mud.

Yesterday, the hat was clean. Today the hat is dirty. Apparently, by Leibniz' Law, they cannot be the same object. Apparently, any time we add, change, or remove parts, the object ceases to exist. If I put a bumper on my car, paint my chair or prune my tree, I cause the car, chair or tree to go out of existence. But objects do (at least seem to) persist through these sorts of changes. How do we reconcile this with Leibniz' Law?

Philosophers have proposed a number of different ways to understand an object's persistence, or diachronic identity. The endurance theory of objects persisting through change accords most with our ordinary way of thinking. An object endures by being "wholly present" at each of the times when it exists. "An enduring object that exists at one time is identical to itself existing at another" (p. 166, Merricks, 1994). Of course, the endurance theory needs more than this to solve the problem of persistence through change. One way to do this is by making properties time-indexed relations. "When we say that Descartes was hungry at t_1 , we are saying either (take your pick) that this object bore the relation *having* to the time-indexed property *hunger-at- t_1* , or else that it bore the time-indexed relation *having-at- t_1* to hunger" (p. 247, Van Inwagen, 1990). Either way Descartes is wholly present at every time he exists. So my hat, both yesterday and today, has all the same properties, two of which are *cleanliness-at- t_1* and *dirtiness-at- t_2* .

The perdurance theory of objects persisting through change requires temporal parts. According to Lewis, "something *perdures* iff it persists by having different temporal parts, or stages, at different times, though no one part of it is wholly present at more than one

time” (p. 202, 1986). The object is the sum of all the temporal parts. So my hat persists via perdurance by having a temporal part that existed yesterday, and that temporal part has the property of being clean; and having a temporal part that exists today, and that temporal part has the property of being dirty. This way the conflicting properties are assigned to different things (the different temporal parts), thus they do not actually conflict.

The stage-theory of objects persisting though change is an interesting combination of the other two theories. According to this theory, my hat is wholly present only at one time, the current one. There is a temporal stage that has the property of being clean and because this temporal stage bears the appropriate relation to my hat we can say that my hat has the temporal property of having been clean (Sider 1996). These stages are two different objects but they are related to each other as temporal counterparts. Whatever the ‘appropriate relation’ is, it is not one of part to whole. Like endurantism, the object is wholly present, albeit only at one time, not every time. Like perdurantism, there are temporal parts of some sort, but the object is not the sum of these parts. Whether the stage-theorist’s account of objects actually counts as persistence or just an explanation for why we treat things as persisting is unclear.

To answer the problems with the metaphysics of identity philosophers have created a number of different theories of identity. Some theories are probably better than others. However, my point in raising some of them was not to argue for any one theory in particular. This thesis is not about the appropriate way to characterize how objects persist through change. In spite of it all, we will continue to make identity claims about artworks, with or without a theory of identity. What I am proposing with my identity criterion for

artworks is a systematic way to make those claims. We can understand the criterion's identity relation through the use of certain philosophical theories or through our intuitive understanding and everyday use of 'identity'. Either way we can still discuss under what conditions that relation holds.

However, one's choice of identity theory will determine the way the criterion will be phrased. The criterion I will provide is one of artwork identity. It will not provide identity or persistence conditions for all objects, only artworks. So, in a sense, the criterion will be relativistic. A perdurantist's phrasing would probably look like this: A temporal part, Y at t_2 , is part of the same artwork as a temporal part, X at t_1 , iff A relative identity theorist's phrasing would look like this: A thing, Y at t_2 , is the same artwork as a thing, X at t_1 , iff A stage-theorist's phrasing would look like this: A temporal stage, Y at t_2 , is an artwork temporal counterpart of a temporal stage, X at t_1 , iff This thesis is about what falls after the 'iff'. Thus, I do not want the phrasing I use prior to the 'iff' to be taken as ruling out any theories of identity. I will use an endurantist's phrasing: An artwork, Y at t_2 , is identical with an artwork, X at t_1 , iff Again, this is not meant to imply that objects are 'wholly present' at every point in their existence, that they are without temporal parts, etc. The criterion will be equally successful (or unsuccessful) with any of the identity theories. If you prefer a particular theory, substitute its phrasing for the phrasing I have given.¹⁴

¹⁴ A four-dimensional approach to objects and their persistence will have different logical constraints than those of the standard three-dimensional approaches. One of these differences will be addressed in Chapter Two.

Motivation

The artwork identity criterion (AIC), as I shall call it, provides an identity criterion (or persistence conditions) for artworks. That is, it tells us when an artwork is identical to a previous artwork (or when an artwork persists through change). Sameness of materials and sameness of representational content form the basis of the AIC. Before presenting the criterion, I will motivate my use of these two foundational components. Initial motivation for the two components will come from a review the standard Ship of Theseus case and a parallel application to artworks. Additional motivation will come from current art community practice.

Consider the Ship of Theseus. An old plank of Theseus' ship is removed and replaced with a new one. This process is repeated over a long period of time with each of the old planks, which are taken elsewhere and reassembled. The result is two ships: one made of the new planks (call it *Newplank ship*) and one made of the old planks (call it *Oldplank ship*). Which ship is (numerically) identical with the original ship? One suggestion is that identity follows continuity of form. *Newplank ship* is continuous in form with the original ship. So, on this suggestion, *Newplank ship* is the original ship. A second suggestion is that identity follows the original materials. *Oldplank ship* is made of the original materials. So, on this suggestion, *Oldplank ship* is the original ship. The standard solution, as it is called, is to say that continuity of form is what matters for identity, so *Newplank ship* is the original ship (Davis, 1973; Lowe, 1983; Smart, 1972).

Consider the following problem with the standard solution. Suppose that all of the planks from the original ship are removed (but not replaced) and reassembled later. In this

case, we want to say that the reassembled ship, Oldplank ship, is the original ship. The standard solution, however, implies that Oldplank ship is not the original ship. Oldplank ship is not continuous in form with the original ship, because before they were reassembled the planks did not exist in the form of a ship.

In response to this problem with the standard solution, philosophers have adopted what is called a *best candidate approach* (pp. 95ff., Wiggins, 2001; Heller, 1987). In the initial case, we have two candidates for identity with the original ship: namely, Newplank ship and Oldplank ship. We also have two criteria for determining which is the original ship: namely, continuity of form and sameness of material. On a best candidate approach, these criteria are lexically ordered and the ship that best satisfies the criteria is the original ship. If continuity of form is more important than sameness of material, as the standard solution supposes it is, then the best candidate for identity is Newplank ship. In the second case, we have only one candidate: namely, the reassembled ship (i.e., Oldplank ship). Although it meets only the second criterion, there is no other candidate, so it is the best candidate and hence is the original ship.

Consider a ship-of-Theseus-like example for an artwork. *Hunting Scene* is a Roman mosaic from the 6th century BCE that is currently in a museum in Massachusetts. Suppose that gradually all of the original Roman tiles in the mosaic are removed and replaced with ones that look exactly the same but that were made last week in New Jersey. All of the old tiles are then shipped to Britain, where they are reassembled exactly as they

were originally.¹⁵ The result is two mosaics: one made of the new tiles (call it *Newtile mosaic*) and one made of the old tiles (call it *Oldtile mosaic*). Newtile mosaic is continuous in form with the original mosaic. Oldtile mosaic is made of the original materials. Remember both mosaics look the same. I am inclined to say (and I think most people would agree) that in this case *Hunting Scene* has been moved to Britain. That is, Oldtile mosaic is the original mosaic. This is exactly the opposite of what people want to say about the ship of Theseus.

Consider another example. Suppose that Monet's *Water Lilies* could be frozen in such a way that each brushstroke of paint could be peeled off one by one and replaced by new paint that looks exactly the same. Later, all of the old brushstrokes are collected and reassembled onto another canvas. It seems that *Water Lilies* would lie where the original brushstrokes are. Or, if you think the canvas is part of the painting, suppose that small squares of the painting are cut off (without losing any of the material) and replaced with new pieces that look exactly the same. And suppose that we could reassemble all the old pieces, intertwining the fibres of the canvas back together. Again, it seems that *Water Lilies* would be where the original materials are. These examples suggest that for the identity of artworks, unlike for the identity of artefacts, sameness of material is more important than continuity of form.

Continuity of form is not sufficient for artwork identity even when there is no competing object with the original materials. Imagine that in the mosaic case the old tiles

¹⁵ For the sake of argument, assume that all of the mortar is preserved with the old tiles and that no new mortar is required to put them back together.

were destroyed as they were removed instead of being reassembled. At the end of the process all that remains is Newtile mosaic. Unlike our intuitions with Newplank ship, here Newtile mosaic still seems not to be the original mosaic. (We would likely consider it to be a copy or a replica). For artefacts, either sameness of material or continuity of form can yield identity and the best candidate approach is used to determine when to use which factor. For artworks, sameness of material is a necessary factor for identity in these cases. Continuity of form seems completely unnecessary. These examples are not meant to show that sameness of material is the identity criterion for artworks. Rather, they merely demonstrate the importance of original materials to artwork identity.¹⁶

To see how the original materials alone are not enough, consider a different situation with the mosaic *Hunting Scene*. We have all the original tiles but they are traded one for one with other tiles in the mosaic. The end result is a mosaic that does not look like a hunting scene at all. In this cases are we inclined to say identity has not been maintained, even though we have all of the original tiles. Identity seems to be lost in this case because of some sort of break in how the work looks. The mosaic has maintained continuity of mosaic form and the original materials, but it no longer looks the same. Looking the same alone was not enough for identity as suggested in the previous paragraph. But this example shows that sameness of material, by itself, is not enough for identity either. Instead of sameness of material and continuity of form, artworks seem to

¹⁶ Thus far, I have avoided talking about the identity of the pile of disassembled original parts. In these examples it is assumed that, whether they were discontinuous at one point or not, the object which is being identified is of the appropriate (ship or mosaic) form. I will address the possibility of intermittent existence later on.

have sameness of material and sameness of appearance as the key factors in identity. A best candidate approach will not work with artworks, however, because the criteria we are using are both necessary. Unlike in the ship cases, neither criterion alone is sufficient to produce identity.

Further evidence for the importance of original materials comes from the art community's approach to forgeries. If our interest in artworks lay solely in how they looked or in their form, we would be just as willing to view and purchase forgeries as we would originals. But we simply do not value forgeries as much as originals. Although part of our distaste for forgeries comes from the artist's deceit, even if an artist made a perfect copy of a masterpiece without lying about the work's origin, we would still not value the copy as much as the original. What is valuable about the original is its origin (or at least some aspects thereof). The original materials of a work guarantee us that origin because they are the physical materials that bear a direct relation with the relevant aspects of the work's origin (e.g., the artist, the art-historical time period, etc.). Thus, our concern for a work's origin generates our concern for the original materials. But, one may counter, sometimes forgeries are valued. Often great artists forged the works of their predecessors. For example, Velázquez copied works by Titian and Michelangelo, and Rubens copied the works of many of the Italian masters. Forgeries produced by these artist will fetch a high price at auction. But we value these forgeries because they were done by great artists, not because they look exactly like the originals. Just like the originals, these forgeries are valuable because of their origins.

Our distaste for forgeries does not mean that the representational content of the

work or how the work looks is of no value. The fact that the art community is willing to undertake more than merely preventative conservation of artworks speaks to the importance of the sameness of representational content. We want to see works as they looked originally. Inherent in the very definition of restoration is the idea of getting the work back to the way it originally was. The art community is so interested in the original representational content of a work that they are willing to spend many years and much money restoring a single work. For, example, the restoration of the Sistine Chapel took over 20 years and cost over 12 million dollars.¹⁷ Frequently, restorations will cost up to half the value of the work.

The two main principles conservators work under when compensating for the loss of original materials in a work are: any compensation must be detectable and any compensation must be reversible (American Institute for Conservation of Historic and Artistic Works, 1994). The first principle indicates that any additions to a work must be detectable by an experienced viewer in visible light. On paintings, this is often accomplished by not filling the missing sections in solidly. Rather, the new paint will be painted in as distinct lines that from a distance will look like a solid colour but on closer inspection will be clearly seen as a restored section. The second principle states that any restoration that is done to a work must be able to be undone at any time later. Compensation for loss of original materials is justified under three conditions: first, to restore structural stability (e.g., canvas replacement); second, to restore visual unity (e.g.,

¹⁷ See the following website for information on the financing of the Sistine Chapel restoration:
<http://www.nzz.ch/english/background/background1999/background9906/bg990606vatican.html>.

Michelangelo's *Pieta*); and, third, to restore function or use (e.g., Rembrandt's *Danae*).

These guidelines suggest that it is important to conservators to restore the visual and functional unity of works, to restore the works to the way they originally looked or functioned. They also show that the original materials have primacy, as any alteration made to the original materials must be distinct and potentially removable from the original work (Wilsmore, 1988).

Chapter 2 - The Artwork Identity Criterion (AIC)

In this chapter, I will present an initial formulation of the artwork identity criterion (AIC) and offer revisions in response to objections. The criterion has two components: sameness of materials and sameness of representational content. I will start the chapter with a general problem for the criterion, then I will discuss problems for the first component of the criterion, and I will end with problems for the second component of the criterion. The initial formulation of the criterion, as suggested by the motivations described in Chapter One, is:

AIC (1): An artwork, Y at t_2 , is identical with an artwork, X at t_1 , iff (1) Y has a substantial quantity of X's materials and (2) Y has almost exactly the same representational content as X.

The Transitivity Problem

The AIC (1) faces a transitivity problem. Transitivity is a property of certain relations. A relation is transitive if, when x stands in that relation to y and y stands in that relation to z, then x stands in that relation to z. Stated logically, transitivity looks like this:

$$(Rxy \wedge Ryz) \rightarrow Rxz$$

'Being taller than' is a transitive relation. If Fritz is taller than Ralph and Ralph is taller than Chuck, then Fritz is taller than Chuck. Identity is also a transitive relation. If A is identical with B and B is identical with C, then A is identical with C. Transitivity holds no matter how long the chain is. If A is identical to B, B is identical to C, C is identical to D,

and so on, then A is identical to the thing at the end of the chain. The problem arises for identity if we think that identity can hold even if there is a small difference in the thing being identified. With a long enough transitivity chain, these small differences could add up to a significant difference, a difference that obviously makes the identity claim false.

To understand the problem in terms of artworks, consider a painting that ages over time. Suppose, according to the AIC, the painting at t_1 is identical with the painting at t_0 (perhaps only slight discolouration has occurred). Now suppose the painting at t_2 is identical with the painting at t_1 (maybe only a small chip has flaked off), and the painting at t_3 identical with the one at t_2 (perhaps a little more discolouration has occurred) and so on to t_n . The painting at t_n could look very different from the painting at t_0 with virtually none of the original material, but because identity is transitive we have to say that the painting at t_n is identical with the painting at t_0 . In fact, any painting in this chain is identical with any other painting in the chain whether the two paintings together would meet the AIC or not. As long as a painting is linked to another painting through an identity chain, identity holds no matter how long the chain is and how dissimilar the two paintings are.

This problem is not particular to any version of the AIC, or even only to the AIC. Any criterion which makes identity claims over change will face this problem. As long as it is possible for two objects to be identical in spite of some difference (even if very small), we can construct a chain long enough to produce identity between very disparate objects on either end. Consider an extremely rigid criterion: B at t_2 is identical with A at t_1 iff B has 99.9% of A's materials in the same form as A. So there is at most a .1% difference

between B and A. But now use the criterion to establish identity between C and B.

Because of the transitivity of identity we have to say that A is identical with C, but C could be up to .2% different from A. Now we may be willing to overlook this small divergence from our criterion. But by continuing to use the criterion to establish identity between, say, D and C, E and D and so on, we can accrue a very large difference between A and the last object in the chain. Now, because of the transitivity of identity, we have an identity claim between two objects that are not only not intuitively identical but would not even come close to passing our original criterion. This is true of vague identity criteria (like the AIC) or arbitrary identity criteria (like the example above).

The problem clearly stems from the transitivity of identity. To solve it, either we need to block the transitivity of identity or say the criterion is of something other than identity (something that is not transitive). I could say that what I have produced is not a criterion of identity, but rather a criterion of similarity. Similarity is not transitive. X may be similar to Y and Y to Z, but it does not then follow that X is similar to Z. However, this would hardly be useful. Any value a criterion such as mine might have in the art community will be lost if it is merely a criterion of similarity. We know when works are similar: what we want to know is if they are identical. I know an aged painting is similar to the original: the question is whether it is similar enough to be identical. Furthermore, as a criterion of similarity the AIC would get many cases wrong. Forgeries are very similar to the forged work. However, a forgery would fail the AIC's first condition of 'substantial quantity of X's materials'. In fact, a forgery may be more similar to the original work than the work itself 100 years after completion. As a criterion of similarity the AIC would get

this backward. Even if we want a similarity criterion, the AIC is not it.

Thus, the success of the AIC depends on finding a way around the transitivity problem of identity. One possibility is to remove one of the variables in the identity claim. Holding one variable constant will remove the possibility of a chain forming. Consider the following revision:

AIC (2): An artwork, Y at t_1 , is identical with the original artwork, X at t_0 , iff (1) Y has maintained a substantial amount of X 's materials and (2) Y has almost exactly the same representational content as X .

Identifying X as the original artwork fixes a point of reference. The criterion now has a smaller range of application. It can be used only to identify if a work is identical with the original. We can use the AIC to determine if the painting hanging in the Louvre is the same painting as the *Mona Lisa* Da Vinci painted in the 15th Century. We cannot, however, directly use it to determine if the painting in the Louvre now is the same painting as the one in the Louvre 10 years ago. The main use of the AIC in the art community would be to identify paintings as authentic originals. Conservators, curators, auction houses, etc. do not care if a painting is the same painting as it was 10 years ago; they want to know if it is the original. And the AIC can still determine this.

One might concede that the limitation of the AIC would be a cost we are willing to pay if the revision removed the transitivity. But, one may counter, it does not. In the initial example the painting at t_0 was identical with the painting at t_1 and the painting at t_1 was identical with the painting at t_2 , leaving the paintings at t_0 and t_2 also identical. With the revision we have only changed the formulation of the identities. The transitivity still holds.

The painting at t_1 is identical with the original and the painting at t_2 is identical with the original. By transitivity, the paintings at t_1 and t_2 are also identical.¹⁸ The problem remains; we still have transitivity yielding identity claims.

Naming this the transitivity problem was misleading. Transitivity itself is not the problem. Rather putting it to use in a certain way lead us to identity claims we did not want to make. Although the revision does not remove the transitivity from the identity claims, it does eliminate the distasteful identity claims (e.g., the claims of identity between an original and a work so far down the identity chain it bears no resemblance to the original). With the revision, transitivity-based identity claims can be made only between two works that have already been identified as identical to the original. These identity claims are likely to be acceptable to most. In fact, they are exactly the sort of identity claims we would want transitivity to produce. Two works that have a substantial amount of the materials of the original and have virtually the same representational content as the original are not going to be importantly different from each other. Thus, a transitivity-based identity claim made between these two works will not be troubling. The problem arose when the original (or a work close to it) was forced to be identified with a work very dissimilar to it, via transitivity. With the AIC (2), the only way the original may be a part of an identity claim is via the criterion. There is still an identity chain, but now the only works that make it into the chain are the ones that pass the AIC with respect to the original work.

¹⁸ Technically, symmetry is also required to produce the transitivity-based identity claim suggested here.

The transitivity problem looks a little different if you take a four-dimensional or perdurance approach to object persistence. The problem will not be that of distasteful identity claims between disparate objects, but that of distasteful claims that two disparate temporal parts belong to the same object. For example, temporal part, Y at t_2 , passes the criterion with respect to temporal part, X at t_1 , so is also a temporal part of the artwork, A . Then, Z at t_3 passes the criterion with respect to Y at t_2 , thus also being a temporal part of A . This chain can continue until the temporal parts we are identifying as parts of A are not at all the sorts of things we would want to include as temporal parts of A . The problem is the same, except instead of talking about identity between objects we are talking about temporal parts being included as parts of an artwork. The solution is also the same. We can hold one of the temporal parts constant. A temporal part, Y at t_1 , is part of the same artwork as the original temporal part, X at t_0 , iff

With AIC (2) I will have to define what I mean by 'original artwork'. In one sense any work that passes the AIC (2) is the original. It is so in virtue of being identical with a certain other work, the one I have called the 'original artwork'. A method for determining what object gets to count as the 'original artwork' is required. A number of possibilities are immediately apparent. I could say the object immediately after the last brushstroke, carve, etc. by the artist is the original artwork. Perhaps the object when first presented to an audience is the original artwork. Or perhaps the object the artist declares to be the finished work is the original artwork. There are obvious problems with all of these options. The task is starting to look much like that of defining art. How does one determine the point at which an object becomes an artwork? I think it is that point at which the object is

the original artwork. If this is the case, then to use the AIC consistently and accurately, one's definition of art should be kept constant. However, this is not to say that the AIC cannot be used without a definition of art. The identity claims yielded by the AIC will just be less consistent and accurate if we use only our intuitions for indicating the 'original artwork'.

Another problem with the AIC (2) is what to do with an object once it has failed the criterion. For example, what is left on the walls in the Confucian temple is not identical with the original painting. But it seems we still care about those pieces that are left. We still care if they maintain original materials and representational content. However, with the latest revision, the AIC can no longer be used to produce identity claims for these pieces we have in the temple. What if there were a fire in the temple and the pieces were damaged by the smoke? Clearly, the pieces after the fire are not the same as the original artwork. They were not the same as the original work before the fire. But have the smoke-damaged pieces maintained identity with the pieces before the fire? The AIC (2) cannot answer this question.

I could say that once a work fails the AIC it becomes a different artwork. This way we could make identity claims with this new artwork, using the object at the point of failing the AIC as the 'new' original artwork. We can use the AIC to determine if the smoke-damaged pieces are the same as the artwork that first failed to be identical to the original.¹⁹ However, saying that once a work fails the AIC it becomes a new artwork is

¹⁹ To be accurate it should be phrased: the first artwork spatiotemporally continuous with the original paintings in the temple to fail the AIC becomes a new artwork. Many artworks (e.g., Van Gogh's *Potatoe Eaters*) fail to be identical with the original, but these are not the ones we

unappealing, to say the least. It is also often wrong. Consider the ashes of a burned painting or the rubble of a smashed sculpture. Clearly, these cases would fail the AIC, but even more clearly, these things are not new artworks.²⁰ Who would be the artists of the artworks produced by this process? What were their intentions? What artistic value would these artworks have? Assigning arthood status on the basis of a work failing to be identical with the original artwork goes against both our everyday and philosophical conceptions of art. If anything seems like a wrong reason for something becoming art, this is certainly it. If we are concerned about identity maintenance after a work is no longer identical with the original, we will simply have to use a different identity criterion, whether that be a criterion for historical artefacts, or art pieces, or something else.

Material Intactness

Before getting to what the criterion does require, you may be wondering about something it does not require. The AIC does not require that the materials be intact, or adhering to one another. But we would not want to say that a pile composed of *Water Lilies* cut into tiny pieces is actually *Water Lilies*, or worse, that a pile of dust from *David* is *David*. However, neither of these cases would meet the second part of the criterion, so identity would not go through anyway. To motivate intactness as a part of the criterion we want to count as the 'new' original artwork.

²⁰ There will be cases when a work will fail to be identical with the original and in doing so become a new artwork. The case of Malevich's *White Cross on Grey* is an example of this. When Brener sprayed the green dollar sign on it, the work ceased to be identical with *White Cross on Grey*. It became a new work, Brener's work. However, it did not become a new work because it ceased to be identical with the original. It became a new work because of the artist's intentions, or the community's declaration, or its function, etc. (pick your favourite theory).

need a case of a loss of identity where the representational content remains and enough of the original materials remain though the materials are not intact. I think such a case will be hard to come by. For a work to have the same representational content with the same original materials, the original materials are going to have to be so close together that their intactness hardly seems important. For example, suppose that all the *Water Lilies* pieces were placed back together like a jigsaw puzzle, but without being glued or attached to a canvas. A painting whose pieces are not held together through the bond of paint, glue, etc. at various points is certainly more fragile than an intact painting. However, fragility or the ease with which an artwork's representational content can be destroyed hardly seems a factor in determining identity. If it were, we would have to vary identity conditions between works made of different materials. The bonds in a clay statue are easier to break than those in a bronze one. A painting on canvas is easier to destroy than, say, one on slate.

Our actual concern is probably not intactness at all, but rather some lower-level continuity of form. I say 'lower-level' because the AIC implies the occurrence of intermittent existence for artworks. For example, once the green dollar sign was successfully removed, the work would again be Kazimir Malevich's *White Cross on Grey*. To understand the appeal of intermittent existence, consider the case of a large work broken into a number of pieces. The pieces are transported separately to another location and reassembled there. Clearly, the object at the beginning of this process and the object at the end of this process are the same artwork. The problem is what to say about the intervening time. To avoid the unsavoury intermittent existence we might be inclined to say that work continues to exist, just disassembled. Now imagine that a large work is

broken into seven pieces, each piece is transported to one of the seven continents and left there. In this case, the work has been destroyed. But during the time of disassembly this case is not so different from the first one. In fact, the only difference is that in the first case we know that the work is going to be reassembled. Surely, the intention of future reassembly should not be what determines whether an object exists or not. What if the transport trucks in the first case got lost and the work was never reassembled? Do we say the work was destroyed at the time the trucks got lost? Or do we retroactively attribute the non-existence of the work to the time of its breaking now that we know it is not going to be reassembled? Suddenly, saying that the work went out of existence when it was broken apart and came back into existence when reassembled is the appealing option. I count it a virtue of the artwork identity criterion that it supports this option.²¹

There is a limit, however, to how much breakage and reassembly we want to allow. Breaking a work into seven pieces and reassembling it may be acceptable for intermittent existence. But reconsider the pile of dust that was *David*. What if we could reassemble it molecule for molecule? Would it then be *David* again? In this case, it is not as clear whether we want to re-identify the work. It almost seems as though we are okay with intermittent existence as long as the parts do not get too small. Some degree of continuity of form within the pieces of the work may be necessary. Perhaps the identity of an artwork can be intermittent only so long as the parts that constitute it maintain a continuity of 'art

²¹ In 1958, Margolis discussed the intermittent existence of artworks. Here he claimed that artworks can have intermittent existence. However, he claimed this because he took artworks to be, not the physical object, but that which comes into existence when the physical object is beheld. The physical object itself cannot go in and out of existence.

part' form. That is, if the parts that make up the artwork at some point cease to be identifiable as parts of an artwork (or maybe even parts of that particular work), then even when reassembled the object is no longer that artwork. Of course, now we need a definition of, and identity criterion, for art parts. Intuitions in extremely hypothetical cases, such as the *David* example given above, are so unclear. Also, any real cases where loss of intactness lead to loss of identity are likely to fail the second part of the criterion anyway. Thus, I am ready to just bite the bullet and say that intactness is not required. The *Water Lilies* that is just set together is *Water Lilies*. The reassembled *David* is *David*.

Sameness of Original Materials

While the AIC does not require intactness of materials, it does require that Y have a substantial quantity of the original materials found in X. Clearly, requiring all of the same materials is too strict. Artworks lose material all the time. For example, paint flecks fall off. Or, worse, at the molecular level a work loses original materials almost immediately after it is finished. We do not want loss of identity to follow these losses of original materials. However, demanding a 'substantial quantity of X's original materials' opens the first part of the criterion up to a number of other problems.

First, consider a case where someone paints over Vermeer's *Girl With a Pearl Earring* so that it looks exactly the same (with the same texture) as *Girl With a Pearl Earring* did. According to the AIC, the painting is identical with the original. Intuitively, we think that Vermeer's *Girl With a Pearl Earring* is underneath the painting we are now looking at. The original work is there, but that is not what we are looking at when we look

at the painted over Vermeer. Not only do we want an artwork to contain the same original materials; we also want to be interacting with those materials when we experience the artwork.

AIC (3): An artwork, Y at t_1 , is identical with the original artwork, X at t_0 , iff (1) Y has a substantial quantity of X's materials and most of those materials sensible to the audience in X are still sensible to the audience in Y, and (2) Y has almost exactly the same representational content as X.

I say 'most' here because I do not want to rule out cases where a conservator accidentally gets a small bit of new paint on the original material. I think, all else being equal, we would still like identity to be maintained in these cases.

This revision may prompt someone to wonder about the identity of, say, a statue with a cloth draped over it. Is the object no longer the same artwork? This is a matter of where you delineate the object. If the object is the thing on the pedestal (statue and cloth both), then it is no longer the same artwork as just the statue alone. If the object is the thing on the pedestal under the cloth, then it is the same artwork as the statue alone. The same move could be made for the Vermeer example. If we consider the object to be the thing underneath all the new paint, then it is the same artwork as the original. However, ordinarily we do not delineate objects this way. When a cloth is draped over something we tend to still think there are two objects (the cloth and the thing it is draped over). When we paint something we tend to think that there is only one object which has been altered.

When white paint was thrown on Ofili's *The Holy Virgin Mary* the art community's concern was not that someone put some white paint extremely close to the painting, but

that the painting had been changed. Thus, when I say the original materials must be 'sensible in Y' I mean sensible to someone who is looking at (touching, smelling, etc.) Y and Y only, not Y covered by something or Y somewhere where no one can see it. And I delineate the objects X and Y according to ordinary object delineation.

By adding a clause that includes the audience, I do not mean to make artwork identity audience-dependent. The clause is conditional. If there is an audience, then the materials that the audience sense in order to experience the work, X, must also be the ones the audience sense in order to experience the work, Y. Otherwise, identity fails. I am also not suggesting that artworks need to produce the same aesthetic experiences or sensations every time they are experienced. The point is, whatever the experiences or sensations produced, they must be produced by the same materials.

Second, with AIC we have the problem of articulating how much is a 'substantial quantity' of material. Whatever amount that is or however that amount is determined, it has to rule out the possibility of two (or more) works having a substantial quantity of X's materials. If a number of works were able to have a substantial amount of the original materials and all of these works looked the same as the original, then they would all be identical with the original work. If we really thought identity was maintained in these cases we would be cutting up valued paintings and piecing them together with appropriately painted new canvases to create numerous originals. Why have one *Mona Lisa* when you can have two (or more)? Clearly, we do not see artwork identity this way.

One solution to the problem of two or more works being identical with the original demands that the identical work be the one with most original materials.

AIC (4): An artwork, X at t_1 , is identical with the original artwork, Y at t_0 , iff (1) Y has a substantial quantity of X's materials, most of those materials sensible to the audience in X are still sensible to the audience in Y, and Y has more of X's materials than any other object, and (2) Y has almost exactly the same representational content as X.

A problem for AIC (4) can be seen in the following example. Two works have a substantial quantity of X's materials: one has 40.0% and the other has 40.3%. AIC (4) will clearly choose the latter as the work identical to X. What if we move .2% of the original materials from the latter to the former? The identity claim will also move. The change in identity with such small movements of original materials seems unintuitive.

Another way to solve the problem is to work out exactly how to determine how much is a 'substantial quantity'. There are two obvious options. First, stipulate an amount of material required for identity.

AIC (5a): An artwork, Y at t_1 , is identical with the original artwork, X at t_0 , iff (1) Y has more than 50% of X's materials and most of those materials sensible to the audience in X are still sensible to the audience in Y, and (2) Y has almost exactly the same representational content as X.

AIC (5a) avoids the problem encountered by AIC (4). However, this solution is arbitrary. Fifty percent is the lowest number I could pick to avoid the two-work problem. What if a work had only 49.9% of the original materials (and no other work had the other 50.1%)? Does .1% of the original materials really make a difference to identity? No matter what number I pick, the claims of identity and non-identity that surround that number will seem

ill justified. This is the problem with picking a specific number. Without some such stipulation the identity criterion remains vague, but I think vagueness is preferable to arbitrariness.

Vague identity occurs when you have two objects that are neither determinately identical nor determinately non-identical. Its proponents include Terence Parsons (1987) and Brian Garrett (1991). Consider the identity sentence for the *Mona Lisa*: 'the *Mona Lisa* now is the *Mona Lisa* Da Vinci painted in the 15th Century.' Vague identity makes it possible that this statement be neither true nor false because there is vagueness somewhere in the statement. One possible location for this vagueness is linguistic. That is, the identity criterion is vague not because there is no fact of the matter about whether the two works are identical, but because it is indeterminate which two objects we are referring to with 'X' and 'Y'. The same may be said of 'substantial amount'. It is indeterminate what specific quantity of original materials 'substantial amount' refers to. A second possible location for the vagueness is metaphysical. Possibly, objects themselves are vague (Parsons & Woodruff, 1995; Woodruff & Parsons, 1997; Zemach, 1991). There may be no fact of the matter regarding whether two works are identical. The fact of the matter is that the two works are neither identical nor non-identical. Similarly, there is no fact of the matter regarding how much exactly is a substantial quantity of original material. The boundaries for this quantity are fuzzy. That is, the term refers specifically to an indeterminate quantity. I do not intend to decide this issue here. Problems of vague identity are not limited to artworks. All medium- and large-sized objects face the same dilemma (e.g., pebbles, chairs, mountains). Thus, I will leave the working out of a solution to philosophers of

vagueness. However, if I want my identity criterion to be able to incorporate a general solution to vagueness that philosophers may produce in the future, I will need to build vagueness into the criterion.

Thus, I propose another revision of the AIC.

AIC (5b): An artwork, Y at t_1 , is identical with the original artwork, X at t_0 , iff (1) Y has maintained a substantial amount of X's materials, this substantial amount includes very nearly all of the significant portions of X's materials, and most of those materials sensible to the audience in X are still sensible to the audience in Y, and (2) Y has almost exactly the same representational content as X.

By 'significant portions' I mean those parts of the work upon which the artistic value of the work depends. That is, the physical parts necessary for the properties that contribute to the artistic value of the work are the 'significant portions' of the work. Of course, all parts of a work are valuable to the work, but some parts are more integral to the artistic value of a work than others. This revision rules out the possibility of two works having the appropriate substantial amount because only one work could have nearly all of the significant portions of the original materials. Although the artistic value of an artwork may lie in more than the work's physical properties, certainly some of the physical properties of a work contribute to its artistic value. These are the properties that must be maintained for identity. Artistic value can occur on a number of dimensions (Seamon, 2001). A work may be mimetically valuable for its accurate or interesting pictorial representation of things. It may be expressively valuable for its ability to convey or evoke emotion. It may be formally valuable for its success in dealing with the formal constraints of the medium. Or it may be

conceptually valuable for its ability to challenge assumptions in, or evoke thought about, various aspects of art. For a formal example, a work may be artistically valuable because it demonstrates a new way to capture light with paint. The physical parts of the work that are vital to this demonstration would count as 'significant portions' of the work. For a conceptual example, if the artistic value of a work is that the work demonstrates the thin line between painting and sculpture, then the parts of the painting that demonstrate this are necessary to the work's identity. For another example, consider two situations with Caravaggio's *Judith Beheading Holophrenes*. In one situation a chunk is missing out of the corner of the painting depicting the bed curtain. In the other situation a much smaller chunk is missing out of the portion of the painting depicting Holophrenes' face. Part of the artistic value of this work is its representation of the event of Judith cutting off Holophrenes' head. The portion depicting Holophrenes' face is a detailed portrayal of his surprise and horror. It conveys a large part of the emotional content of the work. Though the portion depicting the curtain may be well painted, it does not contribute to the artistic value of the work to the extent the portion with Holophrenes' face does. I think we are less likely to say that identity has been maintain in the second case even though less material is lost. My suggestion with this revision to the criterion is that both the quantity and the quality of original materials are important.

AIC (5b) both solves the problem of two or more works being identical with the original and maintains the desired vagueness. The vagueness comes in three places. First, it is vague how much is a 'substantial amount of X's original materials'. Second, it is vague how much is 'nearly all', though this may have more precise boundaries than

'substantial amount'. I say 'nearly all' here to avoid the problem I mentioned earlier. That is, artworks lose original materials the moment they are finished. Third, 'significant portions of X's original materials' will come in degrees. Significance to the artistic value of the work is not an all-or-nothing quality. Some portions may be more or less vital to the artistic value of the work.

While a vague criterion is preferable to an arbitrary one, it is possible for a criterion to be too vague. Making an identity criterion vague means that there will be cases in which neither identity nor the lack of it can be assigned. As I mentioned earlier, this may be due, depending on your theory, to linguistic indeterminacy or to indeterminacy in the objects themselves. The problem with an identity criterion that is too vague is that so many cases will fall into the indeterminate category that the criterion will be useless. For example, what if the AIC could tell us that cases like the paintings in the Chinese temple are cases of lost identity and cases like successfully relining a canvas are cases of maintained identity, but left all other types of cases indeterminate? They may be indeterminate because it is unclear whether they have a substantial amount of the original materials, because it is unclear whether they have enough of the significant portions, etc. Here the criterion can only handle the most extreme and easiest cases. But we were never intuitively unsure of these cases. What we want is a criterion that can handle at least some of the harder cases.

In trying to produce a vague criterion that can handle some of the harder cases, two things could happen. First, one could discover that there is no systematic and successful way to precisify the extremely vague criterion any further. In this case, one would have to

conclude that the quantity of vagueness inherent in artworks is so great as to preclude all but a few identity claims. However, it certainly seems true that identity is maintained and lost in at least some of the less extreme cases. An identity criterion that suggests identity can be determined only in the very extreme cases is not only useless; it also seems wrong. Second, one could find a criterion that is vague to just the right degree that gets the answers right in the easy cases and also yields identity claims for the appropriate hard cases.

The question now is how do we precisify the vagueness in the criterion without resorting to arbitrariness? I think the best way to do this is through dialogue with the art community. We have created this category of objects and we make the things that fall into the category, so, within certain metaphysical bounds, we should determine how they persist. Studying how we reacted to physical changes in artworks in the past and analysing debate surrounding current issues in vandalism, aging and restoration of actual artworks will indicate more precisely how much is a 'substantial amount' of original materials. The number will never be perfectly precise because of the inherent vagueness. But I think a detailed study will indicate whether we should be requiring, say, somewhere around 95% of the original materials or whether, say, 60% is sufficient.

Sameness of Representational Content

With the final revision, you may think that the representational content of the work has been built into the first part of the criterion. Why then do I even need the second part? First, the physical parts of the work that carry the representational content of the work may

not be those that contribute to the artistic value of the work. In such cases, the representational content of the work would not be covered by the first part of the criterion. Second, the second part of the criterion covers cases where the artwork still has its significant original materials and they are still visible, but where the work is no longer the same as the original. The discolouration of works as they age is a prime example of this. Sometimes the colours in paintings can become so changed that it is hard to tell even what the painting depicts. In these cases, often all the original materials remain and nothing new has been added to the work. With age the original materials themselves deteriorate and obscure the work. Bright colours fade, deep colours darken, and light colours become translucent. As a result, parts of the picture fade into, or show through, one another. The second part of the criterion accounts for these losses of identity.

Before going further, I need to say a little bit about representational content. Many standard physical artworks such as paintings and sculptures are generally thought to have pictorial or representational content. That is, there is something they picture or represent. Theories abound that try to elucidate how artworks come to represent X or be a picture of X. Nelson Goodman (1976) suggests that pictures denote things in a conventional language-like way. Others (e.g., Gilman, 1992; Peacock, 1987) suggest that pictures have their representational content by way of resemblance. That is, if the visual experience of a picture resembles the visual experience of an object, then that picture represents that object. Thomas (1997) claims that whatever is at the beginning of the causal chain which results in the picture is the content of that picture. Ernst Gombrich's (1960) theory rests on the idea of illusion. We 'see pictures as' the object they represent, hence the illusion. But

the illusion is only visual, not mental; we are aware that the picture is not the object.

Though not comprehensive, this list offers an idea of how varied theories of pictorial representation can be. I am not going to choose from among them, partly because none of the theories is overly successful (for a review, see Rollins, 2001) and partly because the criterion will be useful whichever theory is correct.

A related question regarding representational content complicates the issue. The theories indicated above all try to answer the question: how does picture or artwork X come to represent or be about thing Y? A separate question is: how do we figure out what the representational content of an artwork is? The first question is metaphysical. What is it about certain states of affairs (the causal chain, the way things appear, how our vision works, etc.) that makes it the case that picture or artwork X comes to represent or be about thing Y? The second question is epistemological. How do we come to know what the representational content of a work is? A theory which explains the first may well also explain the second, but it need not. You may think that pictures come to represent objects via a certain causal chain but that we know that the picture represents that object only because of some sort of resemblance. What is important for identity is that representational content be maintained. What is important for being able to use the AIC is that we can figure out what the representational content of a particular work is. It is obvious enough that this is the case. We talk about the content of artworks all the time.

Not all artworks have pictorial content, however. Does this mean there is no representational content? With pictorial works, often the representational content is merely the pictorial content. Sometimes, however, there is more to a work than that. This is

especially so with works that have no pictorial content. Consider Yves Klein's *Untitled Blue Monochrome* painting. It is a large canvas evenly painted a particular shade of blue (International Klein Blue). Is there anything this work is a representation of? It is not a representation of International Klein Blue. It is International Klein Blue. But this is not to say there is nothing the work is about. Consider what Klein says of his monochrome period:

Painting no longer appeared to me to be functionally related to the gaze, since during the blue monochrome period of 1957 I became aware of what I called the pictorial sensibility. This pictorial sensibility exists beyond our being and yet belongs in our sphere. We hold no right of possession over life itself. It is only by the intermediary of our taking possession of sensibility that we are able to purchase life. . . . The explanation of the conditions that led me to pictorial sensibility, is to be found in the intrinsic power of the monochromes of my blue period of 1957. This period of blue monochromes was the fruit of my quest for the indefinable in painting which Delacroix the master could already intimate in his time. From 1946 to 1956, my monochrome experiments, tried with various other colors than blue, never allowed me to lose sight of the fundamental truth of our time - namely that form, henceforth, would no longer be a simple linear value, but rather a value of impregnation. (Klein, 1989)

Clearly, Klein thinks the work is about something. It is about the way we look at things and how unimportant that may be to making paintings. However, it is still not a painting of a certain thing.

Although Klein's *Untitled Blue Monochrome* may not have pictorial content, it is about something. It has representational content. The representational content of a work is what it is about or what it expresses. It often involves the way in which the representational content of the work is presented or the way the representational content interacts with the vehicle it is presented in. Even pictorial works may be about more than just what they picture.

What if a work has no representational content? Modern art being what it is, this is something to which artists could aspire. My initial inclination is to say that all works of art are either of or about something. A work may be about the state of modern art such that it allows works that are apparently about nothing to be considered art. However, even if I am wrong, and there are artworks with no representational content, the AIC can still be useful here. What is important is that work Y has the same representational content as work X. Thus, if X has no representational content, then Y too must remain without representational content. A gain of representational content would make it a different work.

In the criterion, I say 'almost exactly the same representational content' because I do not want to rule out cases where there are only slight changes in the representational content. Because of slight discolouration, part of the representational content of a work could change from being about a girl with an ivory dress to being about a girl with a cream dress. This is likely too little change to result in a change in identity, especially if the girl is a very minor character in the representational content of the work and the colour of her dress carries no special meaning. However, we may wonder where to draw the line. What if the discolouration caused the representational content to change from being about a girl with an ivory dress to being about a girl with a yellow dress?

We can vary the degree to which the representational content has changed by changing the degree of detail of the representational content. If we took the representational content to be about a girl with a dress, then the slight discolouration has not resulted in a change in representational content. A problem arises when the

specification of representational content is too general. Consider the following case. I spend the day making popsicle stick art. My first work of the day is a portrait of Winston Churchill. After looking at it for a while, I decide to take it apart and do another work. My second work is also a portrait of Winston Churchill, but where the first was his full face the second is his left profile. If we take Winston Churchill (or perhaps Winston Churchill's head) to be the representational content of the work, then, according to the AIC, the second work is identical with the original (the first work). (Remember, they are made of the same popsicle sticks.) But they are not the same works. To avoid this we have to say that the representational contents of the works are Churchill's head as seen from the front and Churchill's head as seen from the left side, respectively. My third work of the day is again of Winston Churchill, but this time a left profile with Churchill looking toward the ground slightly. So now the representational contents of the second and third works need to be Churchill's head looking straight ahead as seen from the left side and Churchill's head looking slightly downward as seen from the left side, respectively. The problem is that we do not generally think of representational content in this sort of detail.

Perhaps the difference between the three Churchill works is not in representational content, but in form. The form of a work is the arrangements of parts of the work, specifically, the arrangement of the non-content-based parts. Clive Bell considered the significant form of a work to be "the play of striking arrangements of lines, colors, shapes, volumes, vectors and space" (Carroll, 2001). When we consider these aspects of the Churchill works we can easily distinguish between them. Each consist of different lines, shapes, volumes and vectors. This suggests another revision to the criterion:

AIC (6): An artwork, *Y* at t_1 , is identical with the original artwork, *X* at t_0 , iff (1) *Y* has maintained a substantial amount of *X*'s materials, this substantial amount includes very nearly all of the significant portions of *X*'s materials, and most of those materials sensible to the audience in *X* are still sensible to the audience in *Y*, and (2) *Y* has almost exactly the same representational content and form as *X*.

Now we can construe representational content more generally, as we normally would when talking about a work, without falling prey to the Churchill problem. It should be noted that depending on your theory of representational content, representational content may turn out to supervene on the formal aspects of the work. If this is the case, then you need require only form in the second part of the criterion, not form and representational content.

To use the AIC, the second part requires that we can figure out changes in representational content. However, figuring out what a work is about is not an easy task. Philosophers do not even agree on how we should go about the task. Some suggest we should use artist's intentions, while others think it is determined by the art community. This does not, however, mean the task is impossible. Some cases will be clearly identifiable as constituting changes in representational content regardless of what method we use. The case of Creed's *The Lights Going On and Off* is fairly clear. While the eggs were on the wall, the work would be about something different. The role of the bare room in the meaning of the work was drastically changed once there were eggs running down the walls. Another clear example is that of Kazimir Malevich's *White Cross on Grey*. Clearly, the work has a different representational content while the dollar sign is on it.

Of course, many cases will not be so clear. This is so for both parts of the criterion,

because they both include vagueness. The lack of clarity may be in whether the work contains enough original materials to be considered a substantial amount, how significant the portions of original materials (both those maintained and those lost) are, whether the work has enough of the significant portions to be nearly all of them, or whether the representational content is similar enough to the original to be considered virtually the same. Until we have a way to deal decisively with the vagueness, we may have to be content with not knowing in some cases.

Chapter 3 - Application, Clarification and Difficult Cases

This Chapter has three main sections. In the first section, I describe how the AIC applies to particular cases. In the second section, I discuss two problem cases for the AIC. In the third section I clarify what the AIC does and does not entail, both within philosophy of art and metaphysics.

The AIC Applied

The AIC is likely to determine that many objects are not the same artworks as the original. In many cases, we may still talk about these objects as though they are the original artworks. In this section, I consider what the AIC will say about some particular cases and then discuss how this will fit with ordinary practice.

The wall paintings of the Confucian temple are lost. This is a clear case of loss of identity. Far too much of the original material has been washed off the walls. Not only this, but the gaps have not been filled in, so the representational content and form have not survived either. No aspect of the criterion is met.

Another clear case is that of Malevich's *White Cross on Grey*. Clearly the representational content and form of this work are not the same with the green dollar sign painted on it. So the work fails the second part of the criterion. One may also object to this work maintaining identity on the grounds that too much of the original material is covered by new material. The dollar sign extended the full length of the painting. However, it is not clear that this is the reason for the loss of identity. If Brener had painted the areas that the

dollar sign covered, not green, but the appropriate whites to match the original, we would be less inclined to say identity was lost. It is unclear whether enough of the original materials are covered up. The case of the appropriately white dollar sign might also be a case of a loss of identity, but it is not obviously so. In the actual case, the change in representational content and form obviously causes the loss of identity.

In the case of Rembrandt's *Danae*, the work now looks much like it originally did. However, the painting is at most 70% original paint and has a new canvas.²² Many of the areas attacked by the acid were the parts of the painting depicting Danae. The paint in these areas was lost completely. This is a case of loss of identity because the painting is missing so much of its significant original material. The restorers at the Hermitage Museum decided not to restore the work to its original look because they believed that the work would then be a 'falsification'. What they did was fill in the lost areas with similar colours to "visually pull the painting back together" (Talley, Jr., 1998). Mikhail Piotrovsky, the Hermitage director, said of the work

Some people are critical of what we have done. They believe we should have made the painting prettier than it is today. What they forget is that what is gone is gone. You have no right to repaint such a picture. (p. 90, Talley, Jr., 1998)

The painting as it now hangs in the State Hermitage Museum is not *Danae*. Even if they had restored the original look of the work, the restorers and director rightfully realized that it would not have made the painting *Danae* again. In this case, the loss of identity is due to a loss of original materials. One may also argue that the restored painting does not meet

²² Information on the restoration of Rembrandt's *Danae* may be found at the Hermitage Museum website: http://www.hermitagemuseum.org/html_En/04/hm4_3_2a.html.

the representational content requirement. When you have an identity criterion that involves a conjunction, as the AIC does, losses of identity may be overdetermined. Both this case and the Malevich case demonstrate this.²³

The case of the *Mona Lisa* is not as obvious as the previous two. The painting in the Louvre retains a large part of the original materials and new materials have not been added. I would argue, however, that the materials removed from the work count as significant materials, even though they were only on the edge of the painting. The removal of the columns has significantly affected the representational content of the work. Some perspective has been lost. It is no longer obvious that she is sitting on a balcony. Thus, according to AIC, the painting in the Louvre is not the *Mona Lisa*. With this case we can see how the vagueness of 'significant portions' occurs on two dimensions. The degree of significance will affect how much of the significant material can be lost. Although the columns in the *Mona Lisa* were not as significant as other areas of the painting, I argue that they were significant enough such that the work did not survive their entire removal. For more significant areas less may have to be lost for the work to lose identity. For example, the removal of the original materials that depict her smile, though much smaller in quantity than the columns, would also constitute a loss of identity. There is an inverse (perhaps logarithmic) relationship between the significance of the material and the quantity of loss a work can endure.

²³ This case presents an interesting question: Why did the conservators not repaint the *Danae* to look exactly the same as the original? They believe the original was destroyed. If their goal after determining that was to restore some functional use, then why didn't they paint it as much like the original as possible? Perhaps they are restoring and conserving historical artefacts and not artworks.

The *Mona Lisa* case is one over which there will likely be disagreement. Such disagreement does not necessarily indicate that the AIC is wrong. Rather I think the disagreement is a result of the vagueness. Resolving the disagreement will likely involve discussing how much original material was actually removed from the painting and how important those materials were to the artistic value of the work. But discussion of this sort is not about the validity of the requirements of the AIC; rather, it works within the requirements. In a sense, if you disagree with my claim about the *Mona Lisa* because you think that the columns were insignificant to the value of the work, say, you are actually agreeing with one of the requirements of the AIC (the requirement that work include nearly all of the significant portions of the original's materials). Disagreements like this will arise because the criterion is vague. But the resolutions to them will indicate how we should precisify the various parts of the criterion.

Cases of age-darkened paintings, such as Correggio's *The Virgin Adoring the Child*, or Rembrandt's *Aristotle with a Bust of Homer*,²⁴ are even more difficult when applying the AIC. In these paintings, the key figures are still visible, but the painting has become so darkened that the background and peripheral objects are hard to distinguish. The colours also are considerably more dull than they were originally. These works contain virtually all of their original materials, but these materials have altered. The question here is whether the changes in the original material have caused a change in

²⁴ For an image of Rembrandt's *Aristotle with a Bust of Homer* see the following website: <http://www.metmuseum.org/collections/view1.asp?dep=11&full=0&item=61%2E198>.

representational content of the works. These cases are even more difficult, because we rarely have a record of how the work looked originally. Though some cases will be clear cases of a significant loss of representational content, in many cases we will be unable to know whether a work is the same work or not. With no knowledge of how the work looked originally, we may be unable to identify. Whether an age-darkened work is the same as the original may become clear after it has been cleaned. We may then be better able to tell how much of the representational content was changed by the aged materials. Assessing identity retroactively like this needs to be done with caution. Using the cleaned work as the standard for how the work looked originally is clearly problematic. However, it may be the best (or only) estimate we have.

The *Sistine Chapel* is a good example of a work that was age-darkened and then restored.²⁵ The difference between the work before and after restoration is remarkable. Areas where before one could hardly make out a figure are now vibrant with colour and detail. The *Sistine Chapel* offers us a clear case where restoration has produced an object that is more like the original than the pre-restoration object. This case almost pits the two parts of the criterion against each other. In order to recover the representational content, original materials had to be removed. However, the properties involved in the artistic value of the work did not depend upon the removed materials since the materials that remain have the same properties. The question for this case is: has the work maintained a substantial amount of its original material? Answering this question will require more

²⁵ For before, during and after images of a portion of the *Sistine Chapel*, see the following website: <http://daphne.palomar.edu/mhudelson/WorksofArt/13HighRen/3182.html>.

detailed information about the restoration process. In the end, this may be one of the indeterminate cases.

The case of canvas replacement demonstrates a change that a work can endure. A moderate portion of the original materials is removed. However, none of these original materials is significant to the work's artistic value. Everything that was visible in the original is still visible and the representational content and form have stayed the same. This may be true, however, only of good canvas replacement. When a new canvas is glued to the original, heat is often used to adhere them. If too much heat is applied the pattern of the new canvas will become visible in the painting. In this case it is not so clear that the work has maintained identity. If the change is large enough to affect the representational content of the work, then it would be a case of a destroyed work.

The works in many of these examples are not the originals. But then, what are they? They are the remaining part of the original. The painting hanging in the Louvre is a large part of the *Mona Lisa*. But we still speak of the remaining parts as though they are the original works. When we say "This is the *Mona Lisa*" what we really mean is "This is what is left of what was the *Mona Lisa*." The fact that it is not the *Mona Lisa* does not preclude us from enjoying it aesthetically. Our aesthetic experience of the remaining part of the *Mona Lisa* is different from the aesthetic experience we would have were it the actual *Mona Lisa*. Yet, even as the remaining part of the *Mona Lisa*, it is still valuable aesthetically and historically. Perhaps it is valuable precisely because it is all we have left of that great work.

Before leaving this discussion of the AIC a comment about restorative practices is

needed. It may appear as though the criterion demands an aggressive approach to restoration. This is not the case. The AIC will tell us that many works are not identical with the originals. However, this is not a normative claim. It does not tell us whether the identity *ought* to be restored or maintained.²⁶

Problem Cases

Two types of cases appear to cause problems for the AIC. First, there are those works that are multiply instantiable (e.g., photographs, sculptures from moulds, lithograph prints, etc.). These types of works are multiply instantiable, because they are made from a more basic object. Photographs are made from negatives, sculptures from moulds, and lithograph prints from plates. Many copies can be made from the initial object. A large part of the problem here is knowing what the artwork is. Is it the negative, mould or plate, or is it the photograph, sculpture or print? The phrase 'multiply instantiable' seems to imply that the photographs, sculptures and prints are instantiations of the artwork. On the other hand, we talk about having an original photograph, sculpture or print. We do not go to galleries to see the negative, mould, or plate; we go to see what was made from it. The negative, mould or plate is a tool the artist created in order to make the artwork. The object at the end of the process is the artwork. That is not to say that the negative, mould or plate is not valuable. In fact, they are necessary to the creation of the artwork. However, that does not mean it is the artwork.

²⁶ For a taste of the philosophical debate over restoration see Sagoff, 1978; Saito, 1985; Saville, 1993; Wilshire, 1986; 1988; and Wreen, 1985.

With multiply instantiable works it is important to keep the role of the AIC straight. The AIC can be used to tell us when a particular photograph is no longer identical with the original photograph. The original photograph would be the one that exists immediately after developing is complete. What the AIC cannot do is tell us when a photograph is an original of a particular type. For example, consider an Arbus photograph *Twins*. Imagine you received this photograph directly from the developer (be that Arbus or someone else) immediately after it was developed. Ten years later (or after, say, a house fire), you will be able to use the AIC to determine if the photograph you now have is identical with the one you received from the developer ten years earlier. What you will not be able to use the AIC for is finding out whether the photograph you have is actually *Twins*, that is, is an authentic Arbus *Twins* photograph. The AIC is not a criterion of identity between artworks and their instances (or basic art objects and their artworks, depending on how you want to say it). The AIC is a criterion of identity, not a criterion of authenticity.

Deciding which objects are the artworks and what counts as authentic is something I will leave to other philosophers of art and to the art community. Actually, some headway has been made in this regard. The art community considers photographs, sculptures and prints authentic if they were made from the artist's original negative, mould or plate during the artist's lifetime. Works made posthumously are considered copies. The main art auction houses, Christie's and Sotheby's, will not even sell posthumous casts. Wollheim's (1980) type/individual distinction is probably the best way to think of multiply instantiable works. Each print, cast or photograph is an artwork of a particular type. Thus, each cast of

The Thinker is an artwork. What connects them is that they are all artworks of the same type. Of course, qualifications are required in order to avoid the problem of forgeries and fakes. In order for something to be an artwork of a particular type, it must be produced by the artist. I am using 'produced' very loosely here. For example, in order for a cast to be an artwork of the type *The Thinker*, it must be cast from a mould made by Rodin, and the casting must be authorized by Rodin. I added the necessity of authorization (as opposed to just requiring it be made in his lifetime) to avoid problems like those currently arising with de Kooning's sculptures. He is still alive but incapacitated by Alzheimer's disease. We value lifetime castings more than posthumous ones because the artist is still playing an active role (however minimal) in the casting process. Although de Kooning is still alive, this important feature of his lifetime casts is missing. Regardless of how authenticity is determined with respect to multiply instantiable works, whether in the manner I have suggested or not, the AIC can still be applied to the instances (the artworks) of the particular type.

The AIC may also serve as the identity criterion for the basic object (negative, mould or plate). Original materials are important to the basic object for the same reason they are important to artworks. They tie the object to a particular time and process of creation. If all the original materials of an Arbus negative were replaced with new materials, I think we would be inclined to say that it is not the same basic object. That is, we could not produce authentic Arbus photographs from it. Certainly, the maintenance of representational content and form is also vital to these objects' identity. If this is the case, then the AIC or something very much like it might work as the identity criterion for these

objects. However, the success of the AIC does not depend on its use with basic objects such as negatives, moulds or plates.

Second, certain installation works may be problematic for the AIC. Consider Collette Urban's *Gambler*. The work consists of a large table upon which there are thousands of puzzle pieces with an audio tape playing the calling of a bingo game in the background. Viewers are encouraged to assemble pieces of the puzzles. Each time the work is moved, curators are instructed to purchase three used puzzles from a local second-hand store and add them to the pile. Thus, after being displayed in a number of galleries, the work will have more new pieces than original ones. Previously, I used the example of Creed's *The Lights Going On and Off*. The eggs that were thrown at the work altered the representational content of the work even though they did not mar any of the original materials. The walls were a part of the gallery. Only the lights and their timer were added to the room to create the work. The idea is the important aspect of installation works like Urban's and Creed's. Although the physical materials are necessary to produce the work, the originality of those materials seems irrelevant. This may be true not only of installation works. Consider Robert Rauschenberg's *White Painting*. This work is seven wooden panels painted white with ordinary house paint and a roller. He wanted the shadows of the viewers' bodies to be the main content of the work. Rauschenberg has left instructions with curators that the work be painted over to restore its fresh white colour. He specifies the type of roller and paint to be used. The work has been repainted a few times since its creation in 1951. Thus, these installation works offer a direct counterexample to AIC.

They are artworks with a physical component, but for which sameness of original materials is not important.

Yet, if I placed a large table in my living room, piled it with used puzzle pieces and played a audio tape of a bingo game, I would not have the artwork *Gambler* in my living room. Even if I intended the whole thing to represent the visual fragmentation of our time (as Urban did), I would still not have *Gambler* in my living room. It may be a work of art, but it is not that work of art. Why not? Clearly, something about the work's origin remains important. I believe it is the artist's choosing or authorizing that the materials be arranged in that way. Thus, with Creed's work, he did not authorize the addition of eggs to the walls. However, he does authorize different walls to be used when the piece is installed in a different gallery. In the same way, Urban authorized the adding of used pieces to the pile. She did not authorize the addition of new puzzle pieces. So, were someone to add puzzle pieces from a new puzzle, the identity of the work might be in jeopardy. Or, were someone to repaint *White Painting* with a texture-producing brush instead of a smooth roller, the work may be destroyed.

Identity claims for works that are mainly conceptual, even if they have physical components, cannot be produced with the AIC. With physical works that are fundamentally conceptual like the ones I described, the first part of the criterion appears inappropriate. The second part of the criterion will still apply to these works because the representational content of these works is necessary for their identity. However, the sameness of original materials does not seem to be a necessary feature of these works. What is important with respect to their physical components is that the materials be artist-

approved. The above analysis suggests that an identity criterion other than what I have provided with the AIC is necessary for conceptual physical works.

What the AIC is Not

This thesis is not about the definition of art. The AIC does not require a certain definition of art. The purpose of a definition of art is to indicate when something falls under the concept *artwork*. The AIC works within the concept *artwork*. Regardless of how an object becomes classified as an artwork, once it is so classified the AIC will apply as its identity criterion. If, by our chosen definition of art, an object has its artwork status revoked, then the AIC will no longer apply as its identity criterion. For example, a functional definition of art claims that an artwork is “an arrangement of conditions intended to be capable of affording an aesthetic experience with marked aesthetic character” (Davies, 1991). Many things will fall under this definition that will not have the AIC apply to them. This definition includes non-physical things, which I explicitly avoid with the criterion. However, if anything falls under this definition (i.e., it affords “an aesthetic experience with marked aesthetic character”) and is physical, then the AIC will apply to it. One can see by this conditional that the definition of art determines the scope of the AIC. The definition of art we use will determine to which objects the criterion applies. Thus, the AIC does not require a certain definition of art. In fact, even if we did not want or know how to choose a definition of art, the AIC could still be used. A definition of art will tell us how certain objects manage to fall under the concept *artwork*, but all the AIC needs is that there be such a concept with objects falling under it. So long as we can

identify some objects as artworks we need not know how they came to be so in order to use the AIC.

This thesis is also not about necessity of origin. The AIC indicates properties an artwork must have to maintain its identity as that artwork. But this is not the same as saying that the object must have had those properties originally in order to be that artwork. As Kripke (1972) rightly points out, asking whether an object, X, would be that same object had it originated from different materials is different from asking whether X could survive a change in its materials now that it exists. The first question deals with necessity of origin. The second question deals with identity over time. And it is the second that the AIC deals with. For example, reconsider the *Hunting Scene* mosaic. The AIC does not tell us whether *Hunting Scene* could have been originally constituted by different tiles. What it does tell us is that, consisting of the tiles it now does, *Hunting Scene* cannot survive a complete change of those tiles. Perhaps *Hunting Scene* could have been made of other materials, perhaps not. But, being what it is now, it cannot survive the loss of its materials. Whether you subscribe to a necessity of origin thesis for artworks or not is immaterial to the use of the AIC.

The AIC is not an identity criterion for historical artefacts. Even if it were, I am not sure that would be a problem. If an identity criterion works for more than one type of object, then all the better for our ontological simplicity. However, I do not think that the AIC actually works for historical artefacts. I think that historical artefacts can survive far more change than artworks. Suppose we have one of Galileo's quills. The value of this historical artefact comes from its connection to someone who famously made important

contributions to science. Even if the quill had deteriorated so that it was merely a couple fragments of the shaft, I think most people would be inclined to say it was still the historical artefact that is Galileo's quill. Although it may not look very quill-like anymore, it still has whatever necessary to be considered the historical artefact that is Galileo's quill. This suggests that all historical artefacts need for survival is some of the original materials, that is, the materials that carry the appropriate historical connection.

Not all historical artefacts are like this, however. Consider a 19th-century woman's satin carriage dress. The value of this historical artefact will be lost to a great degree if all that were left of the dress were some strips of fabric. The dress gets its historical value from representing to us certain aspects of fashion from a past time period, and it cannot do this without maintaining some of its original form. Who made, wore, or owned the dress is not significant. The important historical connection in this case is not to a particular person but to a particular time. This does not mean that the original materials are not important to the identity of the artefact. A satin carriage dress in exactly the same style but made today with new satin would not even be an historical artefact, let alone the same historical artefact. In the case of the dress, we need the original materials maintained to provide the connection to the time period, but we also need the form of the dress maintained to provide us with valuable historical fashion information.

Different objects count as historical artefacts for different reasons and their persistence conditions will vary with these reasons. Some reasons point to identity based on sameness of material, others point to identity based on a combination of sameness of material and form. A revised AIC may actually be sufficient as a criterion for identity in all

these cases. Call it the Historical Artefacts Identity Criterion:

HAIC: An historical artefact, Y at t_1 , is identical with the original historical artefact, X at t_0 iff (1) Y has maintained some of X's materials and (2) if necessary for the historic value, Y has nearly the same form as X.

This criterion has many weaknesses, even as an initial rough attempt. One problem is determining what the original historical artefact is. This may be an even more formidable task than determining what the original artwork is. One thing is clear; though similar, the HAIC is certainly not the same criterion as the AIC. However, the purpose of this thesis is not to provide an identity criterion for historical artefacts. Had the Artwork Identity Criterion also worked for historical artefacts, so much the better for it. Seeing that the AIC does not work for historical artefacts, does not detract from its use as an identity criterion for artworks.

A more striking objection along these lines is that the AIC is not a criterion for artworks at all. Instead, it is a criterion for a limited group of historical artefacts, those that are also artworks. I have already suggested that different historical artefacts may have different persistence conditions. So perhaps the AIC is not the criterion for the artwork *Mona Lisa*, but for the historical artefact *Mona Lisa*.²⁷ Like the coconut shell and the mug, these two objects share the same material constituents but are different objects. One may argue that the original physical components are important for the identity of the historical artefact but not for the artwork. Although both parts of the criterion are required for the

²⁷ David Carrier (1985) makes a similar distinction in his discussion of the dispute over restoration. The distinction he makes involves whether we should restore for the age value of a work (its value as an historical artefact) or the artistic value of a work (its value as an artwork).

identity of this type of historical artefact, the second part of the criterion alone may be enough for artwork identity. For artworks, as long as it looks like the original, it is the original. This has the added benefit of including the conceptual works that I previously ruled out of the scope of the criterion. The reason I included the necessity of original materials in the criterion was my failure to distinguish these two objects: the artwork and the historical artefact. Interestingly, this objection is not suggesting that artworks do not need physical materials, but just that they do not need their original physical materials. If the objection were making the first claim, then it would not be an objection against the AIC. It would be against the initial assumption about the physicality of some works of art with which I began the project, something I admitted I had not argued for, but was merely going to assume.

I have two reasons for rejecting this objection. First, removing the necessity of original materials from the identity criterion for artworks means that any object that looks the same as the original artwork is the original artwork. This is so, regardless of how many objects look the same as the original. Perfect copies (or perfect enough copies, depending on what exactly the criterion is) will all be original artworks. Not everyone finds this consequence objectionable (e.g., Currie, 1990). However, the position should not be taken as a default position, neither intuitively nor philosophically. Independent reasons for holding it need to be offered.

Second, including the necessity of original materials in the criterion guarantees that the work maintains certain important properties. Sometimes an object's process of creation is relevant to the object and the properties it has. My sweater has the property of being

hand-made because it was created via a certain process. The process of creation of artworks is relevant to the artwork. An artwork has the properties of being skillful, original (i.e., creatively unique, fresh, or inventive), or Cezanne-influenced because it was created via a certain process. A sweater that looks exactly like mine (flaws and all), but which was made by a machine, does not have the property of being hand-made. This is true even if its design is derived from my hand-made sweater. The same goes for artworks. Objects that look exactly like the original work, but which had a different process of creation, will not have all the same properties. Certainly different processes can yield the same properties. The process of Gauguin painting and the process of Matisse painting may both yield artworks that are skillful. However, one may involve the skillful use of colour and the other the skillful use of shape. Furthermore, properties like skillful, original, and Cezanne-influenced are time-relative. A painting using pointillism in 1879 would be original. A painting using pointillism in 2003 would not be original (at least not for that reason). So actually it is both the process and when the process occurred that convey the properties to the object.²⁸

We interact with artworks as though they have these properties. So much of what goes on in museums and art history lectures would be misleading if this were not so. When we talk about a work's value, we often talk about its originality or skilfulness. When we are trying to understand artworks, we evaluate the influences on, or limitations of, the artist. Museum guides and art history professors do not say things like: "Look at how the

²⁸ For a deeper analysis of the importance of seeing artworks as products of a certain process, see Mark Sagoff's (1978) *On Restoring and Reproducing Art*.

artwork achieves a balance of colour, and see how the historical artefact reflects early Cezanne cubist tendencies.” We do not talk this way, not because talking like this is cumbersome but, because we actually think both sorts of properties belong to the artwork. When assessing and evaluating an artwork (as an artwork, not as an historical artefact), we take into account both how the work looks and the process by which it was created.

If properties like skilfulness, originality or being Cezanne-influenced are properties of artworks (not merely historical artefacts), as I suggest they are, and if having certain important aesthetic properties is tied to the process of creation, then only objects with that process of creation will have those properties. Being constituted of the materials present during the creation process is how we tie the object to that process. There are many ‘if’s in my reasoning for the importance of original materials to artwork identity. Thus, there are many places for disagreement. I do not pretend to have argued decisively against this important objection. However, I think that the direction I have taken is the only potentially successful avenue for showing the necessity of original materials to artworks.

Conclusion

The AIC has a number of problems; some are problems with the criterion itself, and some are problems with its usability. Problems of the first sort include the following. The AIC cannot handle physical artworks that are mainly conceptual. There may even be other classes of physical artworks that do not conform to the requirements laid out by the AIC. The AIC requires that there be such a thing as the original artwork. This means we must make sense of the idea of an exact point at which an object becomes an artwork.

More devastating is the suggestion that the first component of the criterion is actually unnecessary for artwork identity. Additionally, the AIC rests on the assumption I made from the start; namely, that at least some artworks are physical objects. Problems of the second sort include the following. To use the AIC we have to be able to determine the representational content of a work. We cannot merely determine a possible representational content of the work but we must determine *the* representational content of the work. To be used accurately it also requires that we know what the original artwork looked like and of what it consisted. This is something that is easy to start documenting now, but for older works it is nearly impossible to determine. The AIC also requires that, wherever the vagueness may lie (in language or metaphysics), we can figure out quantities, at least approximately, for 'substantial amount', 'most' and 'almost exactly the same'.

If the goal of this thesis were to provide the most philosophically sound and usable identity criterion for artworks, then clearly I would have failed. However, I believe this thesis offers something different. It offers a start. Virtually no work has been done on determining the identity criteria (or persistence conditions) for artworks. The AIC may not be the best identity criterion for artworks; but it is the first, and as such it will hopefully be a stepping stone for future work in the area. The problems that I have addressed as I revised the criterion provide an outline of the issues that any identity criterion for artworks needs to address.

References

- American Institute for Conservation of Historic and Artistic Works. (1994). AIC Code of Ethics and Guidelines for Practice.
- Carrier, D. (1985). Art and its preservation. Journal of Aesthetics and Art Criticism, 44, 291-300.
- Carroll, N. (2001). Formalism. In B. Gaut and D. McIvor Lopes (Eds.), The Routledge Companion to Aesthetics (pp.87-96). London: Routeledge.
- Currie, G. (1990). An Ontology of Art. New York: St. Martin's Press.
- Davies, S. (1991). Definitions of Art. Ithaca: Cornell University Press.
- Davis, L. D. (1973). Smart on conditions of identity. Analysis, 33, 109-110.
- Garrett, B. (1991). Vague identity and vague objects. Nous, 25, 341-351.
- Geach, P. T. (1967). Identity. Review of Metaphysics, 21, 3-12.
- Gilman, D. (1992). A new perspective on pictorial representation. Australian Journal of Philosophy, 70, 174-186.
- Gombrich, E. H. (1960). Art and Illusion: A Study in the Psychology of Pictorial Representation. Bollingen Series 35, Vol. 5. Princeton: Princeton University Press.
- Goodman, N. (1976). Languages of Art. Indianapolis: Hackett Publishing.
- Heller, M. (1987). The best candidate approach to diachronic identity. Australasian Journal of Philosophy, 65, 434-451.
- Hirsch, E. (1995). Identity. In J. Kim and E. Sosa (Eds.), A Companion to Metaphysics. Oxford: Blackwell Publishers.
- Hochfield, S. (1978). The great National Gallery cleaning controversy. ARTnews, 77, 58-

61.

Kirsh, A. & Levenson, R. S. (2000). Seeing Through Paintings: Physical Examination in Art Historical Studies. Materials and Meaning in the Fine Arts Series, Vol. 1. New Haven: Yale University Press.

Klein, Y. (1989). The Chelsea Hotel Manifesto. Copyright of the Gagosian Gallery.

Kripke, S. (1972). Naming and Necessity. Cambridge: Harvard University Press.

Lewis, D. (1986). On the Plurality of Worlds. Oxford: Basil Blackwell.

Lowe, E. J. (1983). On the identity of artefacts. Journal of Philosophy, 80, 220-232.

Margolis, J. (1958). The mode of existence of a work of art. Review of Metaphysics, 12, 26-34.

Merricks, T (1994). Endurance and indiscernibility. Journal of Philosophy, 91, 165-184.

Michalski, S. (1990). Time's effects on paintings. In B. A. Ramsay-Jolicoeur and I. N. M. Wainwright (Eds.), Shared Responsibility: Proceedings of a Seminar for Curators and Conservators. (pp. 39-53). Ottawa: National Gallery of Canada.

Parsons, T. (1987). Entities without identity. Philosophical Perspectives, Vol. 1, Metaphysics, (pp. 1-19). Oxford: Blackwell Publishers.

Parsons, T. & Woodruff, P. (1995). Worldly indeterminacy of identity. Proceedings of the Aristotelian Society, 95, 171-191.

Peacock, C. (1987). Depiction. Philosophical Review, 96, 383-410.

Rollins, M. (2001). Pictorial representation. In B. Gaut and D. McIvor Lopes (Eds.), The Routledge Companion to Aesthetics (pp.297-312). London: Routledge.

Ruhemann, H. (1968). The Cleaning of Paintings: Problems and Potentialities. New York:

Hacker Art Books.

Sagoff, M. (1978). On restoring and reproducing art. Journal of Philosophy, 75, 453-470.

Saito, Y. (1985). Why restore works of art? Journal of Aesthetics and Art Criticism, 44, 142-151.

Saville, A. (1993). The rationale of restoration. Journal of Aesthetics and Art Criticism, 51, 463-474.

Seamon (2001). The conceptual dimension in art and the modern theory of artistic value. Journal of Aesthetics and Art Criticism, 59, 139-151.

Sider, T. (1996). All the world's a stage. Australasian Journal of Philosophy, 74, 433-453.

Smart, B. (1972). How to reidentify the ship of Theseus. Analysis, 32, 145-148.

Talley, Jr., M. K. (1998). Looking at art: Rembrandt's *Danaë*. ARTnews, 97, 86-90.

Thomas, L. (1997). Junk Representations. British Journal for the Philosophy of Science, 48, 345-361.

Van Inwagen, P. (1990). Four-Dimensional Objects. Nous, 24, 245-255.

Wiggins, D. (1980). Sameness and Substance Renewed. Cambridge: Cambridge University Press.

Wilshire, S. J. (1988). What justifies restoration? Philosophical Quarterly, 38, 56-67.

Wilshire, S. J. (1986). Authenticity and restoration. British Journal of Aesthetics, 26, 228-238.

Wollheim, R. (1980). Art and Its Objects (2nd ed.). Cambridge: Cambridge University Press.

Woodruff, P. W. & Parsons, T. D. (1997). Indeterminacy of identity of objects and sets. In

J. E. Tomberlin (Ed.), Philosophical Perspectives, Vol. 11, Mind, Causation, and
World, (pp. 321-348). Oxford: Blackwell Publishers.

Wreen, M. (1985). The restoration and reproduction of works of art. Dialogue, 24, 91-100.

Zemach, E. (1991). Vague objects. Nous, 25, 323-340.