

**HARMING WORKS OF ART**  
**The challenges of contemporary**  
**conceptions of the artwork**

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## ABSTRACT

The aim of this thesis is to consider the role of conservation in response to the theoretical and ethical challenges posed by contemporary art phenomena. This is pursued through the investigation of various theoretical conceptions of artwork ontology, of artwork and heritage identities, and of the ways in which these articulate the concept of 'harm' and the principle 'do-no-harm' in conservation ethics. The thesis focuses on the harms that may be brought about to artworks by conservators by committing wrongs or injustices in decision-making processes due to the inadequacy of conservation's conceptual frame for guiding decisions. The perceived complexity of emerging conservation challenges has led to a widespread recognition that traditional conservation ethics cannot be reconciled with the demands of contemporary art forms. Against this, it is argued that the conception of conservation as a system, and the suggested subsumption of key concepts defining the object of conservation and evaluating conservation practice under broader ones, provide an adequate conceptual frame. The new frame incorporates the particularities of both traditional and contemporary art phenomena, as a unified methodology for conservation decision-making.

TABLE OF CONTENTS

---

<b>Introduction</b>	<b>9</b>
<b>Part I</b>	<b>14</b>
<b>A. Conservation and its principles</b>	<b>14</b>
1. Precursors of conservation	16
2. The Rise and Development of Conservation	19
3. Professionalization, key concepts, and Codes of Ethics	25
4. The traditional notion of conservation	31
<b>B. Contemporary art phenomena</b>	<b>34</b>
1. Traditional conceptions of the artwork	34
2. The conceptual in art	36
<b>C. Description of the problematic situation</b>	<b>39</b>
1. From object to concept	39
2. From original to no original	41
3. From perpetuity to ephemerality	43
4. From unique to variations	45
5. From heritage to potentially heritage	46
<b>D. Conservation challenges</b>	<b>48</b>
1. Conceptual lags	48
2. Substitution and recreation seem unethical	50
3. Conservation itself is questioned	53
<b>E. The state of the art</b>	<b>56</b>
<b>F. Towards integration</b>	<b>61</b>
1. Integration versus segregation	62
2. Systems approach	67
3. Systems approaches in conservation	73
4. Tracking the second loop	75
<b>Part II</b>	<b>77</b>
<b>A. Conservation in context</b>	<b>77</b>
1. Preservation as a moral duty	78
2. Aspects of preservation	80

<i>a. Creation</i>	81
<i>b. Dissemination</i>	82
<i>c. Conservation</i>	83
3. The aim of conservation	85
<b>B. The conservation system</b>	<b>89</b>
<b>C. Conceptual frame</b>	<b>92</b>
1. The scientific character of conservation	94
<b>D. The conservator</b>	<b>99</b>
<b>E. Technology support</b>	<b>101</b>
<b>F. Artwork</b>	<b>102</b>
1. Material and immaterial tensions	103
<i>a. Essence and phenomenon</i>	103
<i>b. Appearance and structure</i>	105
2. Artwork ontology	107
<i>a. Physical particulars and abstract entities</i>	109
<i>b. The link to conservation</i>	114
3. Artworks in space-time	118
4. Artwork and heritage as overlapping identities	121
5. Artwork identity	125
6. The axiology framing heritage identity	128
<b>Part III</b>	<b>131</b>
<b>A. Harming works of art</b>	<b>131</b>
1. Harms and goods	131
<b>B. The concept of harm</b>	<b>135</b>
1. Derivative sense	135
2. Interest set-back	137
3. Wrongdoing	138
<i>a. The heritage is the artwork</i>	139
i. Substitution and recreation	139
ii. Indeterminate ontological status	144
iii. Parts and wholes	146
iv. Issues of identity	149
v. Restrictions of the artwork	151

<i>b. The artwork is heritage</i>	153
i. Death of artworks	153
ii. Unjust hierarchy of heritage values	156
iii. Integrity versus significance	157
iv. Due respect	160
v. Narrow frame for decision-making	163
<b>C. Conservation's lack of requisite variety</b>	<b>164</b>
<b>D. Remodelling the conceptual frame</b>	<b>165</b>
1. Foundations	165
2. Theory	166
<i>a. Identity</i>	166
i. The specific artwork	167
ii. The specific heritage-artwork	169
<i>b. Vlave</i>	170
<i>c. Do-no-vlave</i>	172
3. Methodology	174
<b>E. Implications for the role of the conservator</b>	<b>177</b>
1. Conservation, not creation	178
<b>Conclusion</b>	<b>180</b>
<b>List of References</b>	
<b>Further Reading</b>	

## LIST OF DIAGRAMS

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<b>Diagram I.</b> Double-loop feedback	75
<b>Diagram II.</b> Aspects of heritage preservation	81
<b>Diagram III.</b> The conservation system	91
<b>Diagram IV.</b> The Domain of Science Model	95
<b>Diagram V.</b> Conservation's normative frame	98
<b>Diagram VI.</b> Integrity <i>versus</i> significance	160
<b>Diagram VII.</b> Conservation's revised normative frame	175

## LIST OF FIGURES

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<b>Fig.1</b> Pairs of antithetical concepts	63
<b>Fig.2</b> Conceptions of traditional and contemporary artworks	63
<b>Fig.3</b> Conceptions of <i>Drawings</i> and <i>Felt Suit</i>	64
<b>Fig.4</b> Conception of the <i>Canon</i>	65
<b>Fig.5</b> Four-dimensional objects occupy time like events do	118
<b>Fig.6</b> Heritage-artworks may gain or lose properties over time, but so long as they are artworks, they are necessarily heritage	124
<b>Fig.7</b> An artwork may be considered heritage only for certain periods of time during its lifespan, over which artwork and heritage identities overlap	125
<b>Fig.8</b> Gradation of negative effects	136
<b>Fig.9</b> Breadth of concepts	137
<b>Fig.10</b> In traditional art, the life of the material exceeds that of the artwork. In contemporary art, it is the life of the artwork which exceeds that of the material	141
<b>Fig.11</b> Hypothetical authenticity puzzle	142
<b>Fig.12</b> 'Artwork', i.e. <i>Felt Suit</i> , and 'heritage' coincide in the Tate suit. The Tate suit has retained only its heritage status, while the artwork continues to exist in or through the other editions	149
<b>Fig.13</b> Shifts of perspective within conservation	166



## INTRODUCTION

Conservation has reached today a turning point in its trajectory caused by a multi-faceted problematic situation. The accumulation of challenges, which seem to have grown exponentially with the advent of modern and contemporary art, has led to the belief that conservation is approaching a paradigm shift and that the role, aims, and purposes of conservation in society in general need to be reconsidered and redefined.

There is wide recognition within the conservation community that there is a problem in reconciling traditional conservation ethical rules and principles with the practical demands posed by the nature of modern and contemporary art forms. Conflicts of values, inadequacy of concepts and principles to guide action, and lack of a strong body of theory against which to measure failure and success of interventions are all part of what may be called the 'contemporary art problem'. This situation is what is generally considered to be the major conservation problem regarding the treatment of contemporary art phenomena.

This problematic situation has been the topic of numerous conferences and publications presented over the last few years, such as: *Modern Art: Who Cares?* (Amsterdam, 8-10 September 1997); *The Object in Transition* (Los Angeles, 24-26 January 2008); *Art d'aujourd'hui - Patrimoine de demain* (Paris, 24-26 June 2009); and the *Inside Installations* Project (2004-2007). While these attempts have provided significant insights, they have not yet managed to resolve the problem. Triggered by the perceived discrepancy between desired consequences and actual results of conservation activity regarding the treatment of contemporary art phenomena, this thesis contributes to the situation by offering a possible means to solve the contemporary art problem.

The title of the thesis indicates the main question it aims to answer, i.e. what are the theoretical and ethical challenges posed to conservation by contemporary conceptions of the artwork, in terms of harming works of art? It also indicates the central hypotheses which instigated the research, namely: a) that the investigation of artwork ontology will yield useful distinctions and outcomes, which are not consciously or consistently being considered in conservation decision-making; b) that it is worth examining the concept of harm and the principle do-no-harm as these have been systematized in other fields, such as law, in order to determine whether and what they can offer to conservation; and c) that the perceived complexity of the situation requires that the various factors involved be examined holistically, i.e. in their interactions and totality.

Conservation could very freely be defined as the activity responsible for ensuring the longevity of cultural heritage, which includes an abundance of artworks. Though usually associated with the

hard sciences and with direct intervention on materials, conservation activity has further implications for meaning, value and identity. Knowledge of the object of conservation intervention is what enables the correct evaluation of the effects of conservation decisions and actions. Conservation is also an activity that is framed by a set of values and principles, expressed in various national and international Codes of Ethics. These are meant to guide decisions in conflicting situations, where the issues that arise do not concern so much what conservators *can* do, but rather what they *should* or *should not* do.

This thesis explores the manner in which works of art exist, and it exposes the implications that this has for conservators. It finds that there is a conceptual lag between traditional conceptions of artwork ontology adopted by conservators and conceptions to which contemporary art phenomena seem to point. It finds some of the reasons behind the pronounced tensions between the material and the immaterial in modern and contemporary art. And it finds that artwork and heritage are distinct identities and each may require different conservation approaches.

The thesis further finds additional dimensions of possible harm to artworks that may be caused by conservators. It examines the ways in which the concept of harm is employed in other fields and it finds that conservators may harm artworks not only on a material level, but by committing wrongs or injustices in decision-making processes. It claims that such harms usually stem from ignoring two facts, namely that the heritage object is a work of art, and that the artwork under conservation is a heritage object. The legal formulation of the do-no-harm principle is further explored and it is found that this formulation contributes to conservation by forming the basis for the re-definition of more specific conservation concepts and guiding principles and of the ethical responsibilities and role of the conservator. Only harm caused or avoided by conservation decisions and actions is discussed. This excludes all other harms to artworks which may be caused by other heritage professionals, the public, vandals, natural forces, the passage of time, and so on.

It is argued that the solution to the contemporary art problem may be provided by thinking holistically, and in terms of integration instead of segregation. Integration is achieved through the adoption of systems approach and through the 'subsumptive transformation' of concepts. A systems approach is the most suitable to lead to a correct and full comprehension of the whole range of investigation in all its dimensions. The subsumption of key concepts defining the object of conservation and evaluating conservation practice under broader ones provides a sufficient conceptual frame, incorporating the particularities of both traditional and contemporary art phenomena.

Research is carried out on a theoretical level. It is generally oriented by systems methodology and directed towards a resolution of the problem that instigated it. The validity of the research rests on the satisfaction of the two main needs of theory, a) reference to reality and b) logical consistency. Reference to reality does not refer to the grounding of this thesis on the examination of specific case studies as is usually the practice in research in the field. Rather it refers to the reliance on conservation problems stemming or extrapolated from actual case studies discussed in literature. Specific cases of artworks and conservation realities are used as illustrative to the arguments of the thesis. Logical consistency is reached mainly through the explanatory strength of systems' properties and inner logic.

This thesis conceives of conservation as a man-made system directed towards the attainment of its main goal or target. It also conceives of conservation as a science ('episteme'). This conception is meant to emphasize the relationship between practice and theory in conservation and, through that, to further justify the adopted approach. Conservation is not a descriptive science aiming at the formulation of hypotheses and their testing in order to determine empirically observed regularities in objective reality. It is a prescriptive (or deontic) science, i.e. a theory which prescribes desired patterns of behaviour, whose criterion of validity is pragmatic (if it achieves its target goal it is valid). Conservation's scientific character is proven in the thesis by showing how conservation obeys a model of what is a science that has applications. Such a model reveals the components of conservation science and stresses its interaction with applications.

The problematic situation conservators are faced with regard to modern and contemporary art is a result of continuous unsuccessful attempts of conservation to cope with such art in terms of achieving its target goal. This, points to the need for taking the inquiry one step further into more fundamental assumptions framing conservation activity. Hence, the problematic situation bears the characteristics of a double-loop feedback problem. The thesis focuses on considerations relevant to the resolution of the second loop and succeeds in transforming the initial double-loop feedback problem into a new single-loop one.

This thesis achieves its aim by redesigning conservation's conceptual frame in a way that makes it capable of accommodating the conservation needs of the new art phenomena. Such a redesigning follows an investigation into the ontology and axiology framing artworks that direct conservators' attention to avoiding possible harms to artworks for which the existing conceptual frame does not warn them. The findings of the research are novel; they have not been considered in conservation theory yet. This is also the first known attempt to reach a resolution for the contemporary art

conservation problem by integrating traditional and modern art conservation under a unified theory, with a common methodology for conservation decision-making.

The legacy of the past which founded conservation as a distinct discipline with its own rules and guidelines is also retained. This is done a) by focusing discussion on key concepts which have defined and shaped conservation; b) by suggesting that the problem should be dealt with by seeking integration instead of segregation; and c) by suggesting a conceptual frame that accommodates both the old and the new art phenomena, and which is designed to address not only actual problems encountered to date in existing conservation cases, but also mainly to examine potential situations, which may theoretically present ethical dilemmas to conservators.

Research follows the three main steps of problem solving process, i.e. conceptualization, investigation, and solution. These roughly correspond to the tripartite division of the thesis. Part I mainly deals with conceptualization. It outlines the key conservation concepts and principles, as these emerge through the historical development of the field and its ethics. The most influential conservation theorists are introduced, while their views and further relative literature are analysed and reviewed throughout this thesis. The first part further presents the art phenomena that have instigated new challenges for conservation and offers a description of the problematic situation. It also outlines other conservation projects and ongoing research attempting to resolve or ameliorate the problematic situation and offers a justification for the adopted methodological orientation towards integration. The research methodology is also described in this part.

Part II mainly deals with investigation. It describes conservation as a system with four components and analyses each of them. In this analysis the value-led character of conservation is established and its scientific character is stressed. Actual as well as potential conceptions of artwork ontology and artwork and heritage identities are discussed. The nature of the conservation object, as revealed from the exploration of conceptions of the artwork, is used to expose the inadequacy of conservation's conceptual frame to guide decisions and to evaluate conservation practice.

Part III provides an in depth analysis of the concept of harm, which is defined as the central concept evaluating conservation decisions and actions. It focuses on examples of harm that may be identified as a result from the preceding considerations on conceptions of the artwork and does not refer to damages pertaining to the properties of materials. This analysis provides the basis for the suggestions for the revision of the existing conceptual frame. The concepts of 'identity' and 'value' are introduced as new concepts to guide decisions and evaluate

conservation practice. An articulation of the principle do-no-harm deriving from the newly identified dimensions of harm or 'vlave' is also offered and the implications of all the above for the conservator's role and ethical responsibilities are further examined. The conclusion offers a brief recapitulation of the findings of this thesis, it reflects on the strengths and weaknesses of the present research, and it identifies areas for further research.

## PART I

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### CONSERVATION AND ITS PRINCIPLES

The evolution of conservation as a distinct field developed out of the tradition of restoration in Europe. The first practitioners in the field of conservation were either hard scientists, who derived their goals and values from their respective fields, or individuals with technical or fine hand skills, such as preparator-restorers or artist-restorers, whose backgrounds varied greatly<sup>1</sup>. Gradually conservation solidified itself as a profession by defining *good* practice according to its own values and became more and more associated with concerns about how works *should* be preserved. The concepts and principles emerging from the historical development of conservation and from the writings of the field's most influential theorists comprise the foundational or key concepts and principles guiding decisions-making and practice in what is recognised today as the conservation profession.

Conservation, as a professional field, has been defined by different heritage organisations in different ways. Definitions of conservation appear inconsistent, often taking recourse into descriptions of the various, more specific processes it may involve, or simply making extremely vague generalisations. For example, The Illustrated Burra Charter (Australia International Council of Monuments and Sites) defines conservation as:

*All the processes of looking after a place in order to retain its cultural significance. Conservation activities include maintenance, preservation, and restoration, adaptation, explaining and campaigning<sup>2</sup>.*

The New Zealand International Council of Monuments and Sites (ICOMOS) states that "conservation means the processes of caring for a place so as to safeguard its cultural heritage value"<sup>3</sup>. English Heritage defines conservation as:

*The process of managing change to a significant place in its setting in ways that will best sustain its heritage values, while recognising opportunities to reveal or reinforce those values for present and future generations<sup>4</sup>.*

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<sup>1</sup> M Clavir, *Preserving What is Valued. Museums, Conservation and First Nations*, UBC Press, Vancouver, 2002, p.24-25.

<sup>2</sup> P Marquis-Kyle & M Walker Marquis-Kyle, *The Illustrated Burra Charter*, Australia ICOMOS Inc, 2004, Available online at: [http://www.icomos.org/burra\\_charter.html](http://www.icomos.org/burra_charter.html)

<sup>3</sup> International Council on Monuments and Sites, *ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value*, ICOMSO New Zealand, 1996, Available online at: [http://www.icomos.org/docs/nz\\_92charter.html](http://www.icomos.org/docs/nz_92charter.html)

<sup>4</sup> English Heritage, *Conservation principles, Policies and Guidance for the Sustainable Management of the Historic Environment*, English Heritage, UK, 2008, Available online at:

In the International Council of Museums – Committee for Conservation (ICOM-CC) section on terminology, conservation is defined as:

*All measures and actions aimed at safeguarding tangible cultural heritage while ensuring its accessibility to present and future generations. Conservation embraces preventive conservation, remedial conservation and restoration*<sup>5</sup>.

The Nara document on authenticity describes conservation as “all efforts designed to understand cultural heritage, know its history and meaning, ensure its material safeguard and, as required, its presentation, restoration and enhancement”<sup>6</sup>. Other definitions, for example in the European Confederation of Conservators-Restorers’ Organisations (ECCO) Professional Guidelines, indicate that the aim of conservation is “the preservation of cultural heritage for the benefit of present and future generations”<sup>7</sup>. The American Institute for Conservation for Historic and Artistic Works (AIC) also states that “conservation is the profession devoted to the preservation of cultural property for the future”<sup>8</sup>.

The above references to the aim of conservation include the notions of: retaining, safeguarding, sustaining, understanding and preserving. The first three are part of the definition of preservation, which further includes the notion of prevention from harm of any sort, and specifies that maintenance refers to keeping unaltered or intact. Understanding may be considered a prerequisite for preserving. In general, preservation is not defined in conservation charters or Codes of Ethics, other than, again, through the reference to specific conservation activities by which it is to be achieved. However, the ICOMOS statement that “the object of conservation is to prolong the life of cultural heritage”<sup>9</sup> seems to encapsulate the meaning that preservation has for conservation, i.e. that of prolonging the existence of cultural heritage. Hence a very free way of

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<http://www.english-heritage.org.uk/publications/conservation-principles-sustainable-management-historic-environment/>

<sup>5</sup> International Council of Museums-Committee for Conservation, *Resolution on Terminology*, ICOM-CC, 2008, Available online at:

<http://www.icom-cc.org/54/document/icom-cc-resolution-terminology-english/?id=744>

<sup>6</sup> International Council of Monuments and Sites, *The Nara Document on Authenticity*, UNESCO – ICOMOS, 1994, Available online at: [http://www.international.icomos.org/charters/nara\\_e.htm](http://www.international.icomos.org/charters/nara_e.htm)

<sup>7</sup> European Confederation of Conservator-Restorers’ Organisations, *ECCO Professional Guidelines*, Brussels, 2002, Available online at:

<http://www.ecco-eu.org/about-e.c.c.o./professional-guidelines.html>

<sup>8</sup> American Institute for Conservation of Historic and Artistic Works, ‘AIC Definitions of Conservation Terminology’, *Abbey Newsletter*, vol. 20, no. 4-5, 1996, Available online at:

<http://cool.conservation-us.org/byorg/abbey/an/an20/an20-4/an20-405.html>

<sup>9</sup> International Council of Monuments and Sites, *Guidelines for the Education and Training in the Conservation of Monuments, Ensembles and Sites*, ICOMOS General Assembly, Sri Lanka, 1993, Available online at: [http://www.icomos.org/docs/guidelines\\_for\\_education.html](http://www.icomos.org/docs/guidelines_for_education.html)

defining conservation is as the activity responsible for perpetuating or prolonging the lifespan of cultural heritage objects, for the benefit of present and future generations.

The above statements and definition immediately indicate the more specific areas framing conservation, which need to be clarified before any understanding of the field may be reached. On the one hand, these relate to the kind of activity conservation is, e.g. active, reactive, interventive, preventive. On the other hand, they relate to the objects of conservation and more specifically to the kind of objects cultural heritage incorporates, e.g., tangible, intangible (abstract), artworks. References to the object of conservation include: culturally significant place, heritage values, cultural property and (tangible) cultural heritage. 'Cultural heritage' is the most commonly adopted term, which will also be used in the present thesis, interchangeably with the term 'heritage' for the sake of simplicity. The specific methods and means by which the life of each object is to be prolonged depend on the above considerations.

### ***Precursors of Conservation***

The rise and development of the conservation profession has been attributed by many authors to the practice of collecting, to the advancement of science, and to the museum culture in general<sup>10</sup>. However, historical evidence shows that, from its earlier manifestations, conservation has been connected with the value system of society, and not necessarily with collections and museums.

The ancient Egyptians mummified their dead so that their bodies would be preserved along with their *ka* which presumably continued to exist after death. The *ka* was the Egyptian concept for one of the five parts of the human soul, the spiritual essence. The *ka* distinguished the difference between a living and a dead person, with death occurring when the *ka* left the body. Later on, Herodotus<sup>11</sup> mentions how, in 6<sup>th</sup> c. BC Athens, Greece, Onomakritos had been entrusted by the tyrant Peisistratus with the task of rescuing the Orphic verses, the Homeric epics, and other culturally valued texts, by collecting and putting them in writing so that they may survive for future generations.

Object maintenance and repair was also practiced for purposes other than that of fulfilling an object's initial function. Characteristic is the example of the ship of Theseus mentioned by Plutarch. The ship was carefully repaired and preserved after Theseus' return from Crete by

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<sup>10</sup> See for example M Clavir, *Preserving what is valued. Museums, Conservation and First Nations*, 2002.

<sup>11</sup> BLvan der Waerden, *Science Awakening II: The Birth of Astronomy*, Noordhoff International Publishing and Oxford University Press, Leyden-New York, 1974. (ed), 1974, p.169.

J Lempriere, *A Classical Dictionary: Containing a Copious Account of all the Proper Names Mentioned in Ancient Authors*, Collins and Co., New York, 1827, p.549.



replacing its rotten planks. This practice continued during the time of Demetrius Phalereus (c. 350-280 BC), when the ship was exhibited as a token of history and a symbol of bravery to be visited and viewed by anyone interested after the end of its journeys.

*The ship wherein Theseus and the youth of Athens returned (from Crete) had thirty oars and was preserved by the Athenians down even to the time of Demetrius Phalereus, for they took away the old planks as they decayed, putting in new and stronger timber in their place<sup>12</sup>.*

In the 16<sup>th</sup> c. writers on art, such as Giorgio Vasari, include in their writings observations relating to the conservation of works of art. In *The Lives of the Artists* (1568), Giorgio Vasari extensively discusses the problems and expectations connected with conservation and the possibility of survival of works of art, “as even marbles and the most eminent works of men are at the mercy of fortune”. He also refers to the creation of copies in order to preserve the memory of works of art, but which would also in themselves, sooner or later disappear. Vasari recounts how he had a cartoon reproduced in oil on canvas (or wood) “as paper is so easily damaged”, while a copy of Leonardo da Vinci’s *Last Supper* (1495-98) was useful to him in order to understand the original<sup>13</sup>.

During the 17<sup>th</sup> century, fashion and taste favoured antiquities as well as two-dimensional works of art that had the appearance of being whole. Consequently, missing parts were often added to objects by artists of the day, who crafted contemporary additions to complete the missing areas or used similar pieces from entirely different objects<sup>14</sup>. Following the Renaissance and the establishment of large private collections, an increased demand for the restoration of art works occurred. The Enlightenment was an era when many fine art academies were established, and when Winckelmann's art history raised the status of the art object<sup>15</sup>.

With the new historical approach there was growing concern about conserving the historical authenticity of the artwork. It is from this time on that official conservation guidelines and legislation are established. As Jukka Jokilehto<sup>16</sup> mentions, in the 17<sup>th</sup> century, Gian Pietro Bellori, Johann Joachim Winckelmann and Antonio Canova prescribed the restoration of monuments according to the age of the monument concerned. Historical authenticity accommodated the

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<sup>12</sup> Plutarch *Vita Thesei*, 22-23 cited in D Lowenthal, ‘Material Preservation and Its Alternatives’, *Perspecta*, vol.25, 1989, p.68-69.

<sup>13</sup> G Vasari, *Lives*, 1568, II cited in A Conti, *History of the Restoration and Conservation of Works of Art*, trans. H. Glanville, Elsevier Ltd., USA, 2007, p.37 and 39.

<sup>14</sup> M Clavir, *Preserving what is valued. Museums, Conservation and First Nations*, 2002, p.4-6.

<sup>15</sup> B Berenson, 'Rudiments of Connoisseurship' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.131.

<sup>16</sup> J Jokilehto, *A History of Architectural Conservation*, Butterworth-Heinemann, Oxford, 1999, p.12-18 and p.101.

"specific mark" left upon the object by each period, making it unique and authentic in relation to time. During the 17<sup>th</sup> and 18<sup>th</sup> centuries, with the rise of interest in excavated classical sculpture and the emergence of the notion of beauty, it was assumed that certain kinds of interventions to these objects were inappropriate, in that they altered their original appearance, hence historical truth, or in that they were much inferior in quality of design and manufacture than the original, hence diminishing their aesthetic appeal. By the 18<sup>th</sup> c., a strong tradition of restoration had been formed surrounding objects which had acquired special status, i.e. antiquities and artworks. Restoration refers to re-storing or returning to a previous state of being.

The historical consciousness that developed during the Age of Romanticism became a key factor in the development of a new approach to the conservation of historic objects and places. There emerged a new critical appreciation of antiquity, emphasizing the importance of antique sculptures as the highest achievement in the history of art, and urging the preservation of originals both for their artistic value and as lessons for contemporary artists. Historic buildings and the Cathedrals of Cologne etc. were now conceived of as national monuments and were restored according to their "original style" in order to transmit a particular message. During the French Revolution, monuments that were deemed as symbols of past oppression were destroyed. At the same time there emerged a consciousness of the value of these structures as a testimony of past achievements of the people who now formed a nation.

Towards the end of the first half of the 19th century, the romantic appreciation of historic monuments and the treatment of historic buildings found support in stylistic restoration. From the 1830s onwards historic buildings were forced to reach stylistic unity or even stylistic purity as the ultimate aim of restoration. Restorations were to be conducted with "respect for the original style", not for purely aesthetic reasons, but on the basis of the building's significance as a representation of achievements in the nation's history. Style was understood as something independent from the object, which could provide a set of references for the builder to choose from according to an inherent logic, and could be applied, to different types of buildings according to functional requirements. As a result, there was a wave of construction of architecture and monuments in different revival styles, and restoration to an original style came to be seen as a scientific activity based on objective logic and therefore beyond value judgements.

### ***The Rise and Development of Conservation***

In 1777, Pietro Edwards wrote the *Capitolato*, a book whereby he introduced for the first time a set of norms guiding conservation practice. According to Salvador Muñoz Viñas<sup>17</sup>, the rules concerning works of art, dictated in the *Capitolato* can be considered as the first consequential example of what we now call conservation. Pietro Edwards commanded the removal of old 'non-professional' interventions in paintings, the use of non-corrosive products in preservation processes and the limitation of restorations to a minimum. These commands already pointed to the desire for “honesty”, i.e. authenticity of the information contained in the material. Indeed, by the 18th century, authentic came to mean veridical, a thing evidently genuine as opposed to something forged.

Authenticity becomes contextualised and a struggle for the prevalence of history over aesthetics and *vice versa* begins. This attitude can be traced back to the 18th century, when the conception of history changed. Giambattista Vico claimed that history was a collective, social, experience rather than “imposed ideas”. Herder continued the new approach to history and developed ideas about cultural pluralism and the identity of nations. The essence of history and the “immortality of human beings” resided for Herder, not in the medium of historical understanding but rather in the creative acts in history. To him, the past, the present and the future together formed one unity<sup>18</sup>.

This attitude survived throughout the 19th century, whereby objects considered to be evidences of art, of history, etc., were to be preserved in a manner that did not hide or deform the information they conveyed. This conservation-conscious behaviour led to treating certain objects differently from the rest, preventing their “normal” use; these objects are not allowed to evolve in the same manner as common objects, nor can they be simply repaired or trashed<sup>19</sup>. The parallel advancement of hard science and its acknowledgement as the sole means to pursue the truth (of the object) dominated artistic theory and conservation practice.

The attribution of such special status to objects became the basis for strong argumentation and dispute in centuries that followed, concerning the right or proper manner of treating them. Most

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<sup>17</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, Elsevier Ltd., Oxford, 2005, p.29.

D Lowenthal 'Changing Criteria of Authenticity' in KE Larsen (ed.), *Nara Conference on Authenticity* UNESCO World Heritage Centre, 1995, Japan, p. 125-126.

<sup>18</sup>J Jokilehto Jokilehto, J, 'Authenticity: a General Framework for the Concept' in J Jokilehto & KE Larsen (eds), *Nara Conference on Authenticity*, Proceedings of the Nara Conference on Authenticity in Relation to the World Heritage Convention, Nara, Japan, 1-6 November 1994, UNESCO World Heritage Centre, 1995, p. 21-23.

<sup>19</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.29.

significant for the development of conservation into a distinct field was the debate of conservation *versus* restoration. At one extreme, purists maintained that there should be no intervention that will alter the current condition of an artwork in any way, while, at the other extreme, idealists advocated the restitution of an artwork to its “original state” regardless of whether this “state” could always be conclusively determined. Presumably, this was to be achieved by removing everything that was not part of the original work or by reconstructing missing parts.

John Ruskin, art critic and painter, is considered to be the main exponent of the purist movement and one of the most influential figures in the history and theory of conservation. Starting from the maxim that “the greatest glory of a building ... is in its Age”, Ruskin composed a theory of conservation; a theory that considered the preservation of architectural buildings and of art a moral duty; which affirmed that decisions in conservation are based on value judgments; which established Age as the highest value guiding conservation actions; and which set off the still ongoing "battle" between conservative repair and active restoration. Ruskin's views concerning each of the above points is gradually revealed through his understanding and criticism of architecture. His general conceptual framework is as characterised by a sense of urgency and immediacy, as a moral duty, in the treatment of art and architecture, in order to ensure its longevity.

Ruskin does not himself use the word “conservation”. However, his efforts are all directed against prevailing tendencies of his time to restore 13th and 14th century buildings, i.e. to return them to a pristine state by scraping the surfaces of their sculptural decorations, by reintegrating losses with new materials and even by destroying whole parts and rebuilding them in the aim of retrieving a previous, "original" appearance of the building. These attempts were a consequence of 19th century tendencies to recognise "great" (in terms of style or significance) buildings as national monuments and as constitutive of collective history and identity. Although Ruskin espoused similar beliefs, he condemned restorative activities as harmful to the "true meaning" and value of buildings which, according to him, was embedded in the marks of their Age.

The practice of repairing and reconstructing buildings and monuments as a means of protection had been a common one since antiquity. Jukka Jokilehto<sup>20</sup> refers to Procopius of Caesarea (c. 500-565 AD) describing restorations conducted by Emperor Justinian in the 6th century. Procopius specified that the general aim was to improve both the function and the aesthetic appearance of the buildings, while remembering their original name and significance at the same time. However,

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<sup>20</sup> J Jokilehto, *A History of Architectural Conservation*, 1999, p.5-6 and p.23-24.

this often meant an entirely new construction and in a different form from the original. During the Renaissance, restoration became part of a sculptor's normal activity and could be used as a test to prove the skill of a young artist. Already at this time a debate had started about how to restore. The majority was in favour of completing the missing parts of fragmented works of past or ancient art in order to make them more pleasing, but there were others who admired the quality of the original masterpiece too much to touch it. There were thus two lines of approach to the treatment of e.g. mutilated sculpture; one was its retaining in the broken state, the other was its restoration to the form that it was believed to have had originally. A most characteristic example of the debate stimulated by restoration is the one concerning the *Laocoön* group. Fashion favoured the second approach.

The French architect Eugène Viollet-le-Duc is considered to be the greatest exponent of the 19<sup>th</sup> century movement of restoration as imitation and as reconstruction "in the style of the original". Although he agreed with John Ruskin upon a concept of architecture, which demanded that we be "true to the program and to the process of construction" and that "we must fulfil exactly, scrupulously the conditions which needs impose and employ materials according to their qualities and properties", he and his followers believed that with careful study of the Gothic style and meticulous documentation of the details of the building and methods of construction, they could make possible the complete and accurate rebuilding of entire parts or phases of these buildings<sup>21</sup>.

Indeed, Viollet-le-Duc maintained that the truly modern architect must understand the structural logic of that style (Gothic). He insisted that a restoration architect should not only have good knowledge of the working methods in different periods and schools, but also that he should be able to make critical assessments. Ancient building methods were not necessarily of equal quality; they could have defects, and so could be replaced. Henceforth, a way for the restorer to act in the place of the original creative architect opened up. In the restoration of *La Madeleine* in Paris, for example, the work began as consolidation and ended up with the completion of ornamental details even where nothing had been there before<sup>22</sup>.

Gradually such "protection" faced increasing opposition that led to an anti-restoration movement. Restoration to an ideal "stylistic authenticity" gave way to preserving the existing old fabric from demolition and restoration. Authenticity was now defined not in terms of an original style, but in reference to the "collective social spirit" as shown in the cumulative fabric. Nation and tradition

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<sup>21</sup> AM Vaccaro, 'Restoration and Anti-Restoration' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.308.

<sup>22</sup> J Jokilehto, *A History of Architectural Conservation*, 1999, p.152-154.

become closely identified, and the concept of 'heritage' arose<sup>23</sup>. Initially this new consciousness was expressed in criticism against prevailing renovation tendencies to modify even in the very least historic buildings, emphasizing the irreversibility of time, the historicity and uniqueness of buildings and objects from the past<sup>24</sup>.

To John Ruskin, restoration meant nothing less than "the most total destruction which a building can suffer: a destruction out of which no remnants can be gathered: a destruction accompanied with a false description of the thing destroyed"<sup>25</sup>. As leader of the anti-restoration movement, he forcefully condemned any and all restorative activities. He argued that restoration was a lie, a falsification of past achievements, art, and history, a degradation of quality of workmanship, an unjustified claim to ownership, which had as further effects the insult to the memory of past generations and the deprivation of the very memory intervened upon from generations to come.

The architectural and moral principles of Truth, Beauty and Memory are the ones that Ruskin promoted for guidance in the "protection" of buildings and their marks of Age. Truth in architectural building and preservation is directly connected with the materials, as is authenticity. For John Ruskin the surface of the original stonework alone carries the mark of the hand of the craftsman and erasure of this mark represents nothing less than desecration. Moreover, any attempt to restore or create modern replicas of original parts or materials could only result in the loss of authenticity and the creation of a fake. The copy, the fake, was not only something negative in itself, but it was immoral in that it rendered the labour of those who had built the original, wasted.

Indeed, Ruskin considered direct violations of truth anything that would cause a wrong "assertion respecting the nature of material, or the quantity of labour". The painting of surfaces to represent some other material than that of which they actually consist and the use of cast or machine-made ornaments of any kind resulted in deceit and the creation of copies i.e. practices "as truly deserving of reprobation as any other moral delinquency". "Exactly as a woman of feeling would not wear false jewels", he says, "so would a builder of honour disdain false ornaments. The using of them is just a downright and inexcusable lie...". Wherever such violation of truth has widely and with toleration existed, it has been a sign of a singular debasement of the arts"<sup>26</sup>.

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<sup>23</sup> M Glendinning, 'A Cult of the Modern Age', *Context*, 68, Dec. 2000, n.p., Available online at: [http://www.ihbc.org.uk/context\\_archive/68/cult/cult.htm](http://www.ihbc.org.uk/context_archive/68/cult/cult.htm)

<sup>24</sup> J Jokilehto, *A History of Architectural Conservation*, 1999, p.18.

<sup>25</sup> J Ruskin, *The Seven Lamps of Architecture*, Dover Publications Inc., New York, 1989, p.215.

<sup>26</sup> J Ruskin cited in J Evans (ed.), *The Lamp of Beauty: Writings on Art by John Ruskin*, 3<sup>rd</sup> edition, Phaidon Press, London, 1995, p.207 and 201.

On March 22, 1877, John Ruskin, along with William Morris, founded the Society for the Protection of Ancient Buildings, whose *Manifesto* strongly condemned modern restoration as arbitrary; removing the appearance of antiquity results in a feeble and lifeless forgery.

*Restoration implies that it is possible to strip from a building this, that, and the other part of its history - of its life that is - and then to stay the hand at some arbitrary point and leave it still historical, living, and even as it once was... In early time this kind of forgery was impossible. If repairs were needed, if ambition or piety pricked on to change, that change was of necessity brought in the unmistakable fashion of the time<sup>27</sup>.*

As an alternative activity for the insurance of the longevity of buildings, John Ruskin suggested the care and maintenance of a building that would prolong its "life", but would allow it to fully deteriorate eventually. In the *Manifesto*, he says:

*Put Protection in the place of Restoration to stave off decay by daily care, ...show no pretence of other art, and otherwise to resist all tampering with either the fabric or ornament of the building as it stands; if it has become inconvenient for its present use, to raise another building rather than alter or enlarge the old one; in fine to treat our ancient buildings as monuments of a bygone art, created by bygone manners, that modern art cannot meddle with without destroying...Thus only can we protect our ancient buildings, and hand them down instructive and venerable to those that come after us<sup>28</sup>.*

Ultimately, Ruskin was unsuccessful and restoration continued to be practiced in parallel with the protection of buildings. Even though following his indications, revival of Gothic styles became quite common in 19<sup>th</sup> century England, societal values did not accompany building style. Yet, following John Ruskin, various theories emerged regarding the proper behaviour towards such objects as models for the distinct activity responsible for the preservation, maintenance and repair of these objects, conservation.

In the 20<sup>th</sup> century, Camillo Boito was the first to emphasize that the target state of a conservation process should not be dictated by personal tastes but rather by objective, scientifically grounded facts. He also announced the end of the epoch of imitative restoration in the style of the original. Scientific knowledge and methodology had been brought to bear on questions regarding works of art and antiquities in the 18<sup>th</sup> and 19<sup>th</sup> centuries. But scientific

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<sup>27</sup> W Morris, 'Manifesto of the Society for the Protection of Ancient Buildings' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.319-320.

<sup>28</sup> *Ibid.*, p.321.

conservation gained wide acceptance in the latter part of the 20<sup>th</sup> century; it is based upon the pre-eminence of objectivity, and as a consequence it emphasizes scientific forms of knowledge at all stages of the conservation process<sup>29</sup>.

Cesare Brandi on the other hand, stressed that conservation is not a (hard) science, but a critical act. In his *Theory of Restoration* (1963), he emphasized the need to avoid the risks involved in treatments that were based on empirical, artisan-type approaches to the physical conservation of artworks, and lacked a respect for the values that they contained<sup>30</sup>. According to Brandi, conservation ceases to be considered simply as an artistic (or artisan) activity, but rather as art critique. "This was the greatest novelty of the mailing: restoration as a critical reading of the work of art, a manual operation only indirectly: a liberal art, finally, and not a mechanical"<sup>31</sup>.

Brandi's aim was "to derive practical principles that cannot be considered empirical"<sup>32</sup>. The notions, on account of which he has become known among conservators, are those referring to conservation methodology, i.e. to principles and prescriptive rules for application in practice. Reversibility, or rather retreatability, integration of lacunae, partial cleaning, and limitations to reconstruction are among the most widespread ideas attributed to him. The fact that these notions have been consistently adopted by conservation Codes of Ethics since the Charter of Venice (1964), may perhaps account for the emphasis placed on Brandi's contribution to conservation thinking. Jonathan Ashley-Smith<sup>33</sup> has suggested, however, that similar concepts and principles were already disseminated in the field, mainly through practical experience, but also through the Charter of Athens (1931) which preceded that of Venice, before Brandi's writings, hence casting doubt to his actual input.

Indeed, the presence of the above principles in the *Theory of Restoration* does not necessarily suggest a direct link to their incorporation in Codes. Nonetheless, it is undeniable that Cesare Brandi systematized these principles in his writings and provided a theoretical basis from which such principles of methodology stem. This theoretical basis is, in turn, founded upon a philosophy of art and artistic creation, influenced by the ideas of Benedetto Croce, Edmund Husserl and Immanuel Kant<sup>34</sup>. Through his inquiry into the artwork's specificity, Brandi also distinguished

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<sup>29</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.89-90.

<sup>30</sup> G Basile, 'A Few Words About a Maestro, Cesare Brandi' in G Basile (ed.), *Cesare Brandi. Theory of Restoration*, trans. C. Rockwell, Nardini Editore, Italy, 2005, p.22.

<sup>31</sup> J Jokilehto, *A History of Architectural Conservation*, 2005, Note 24, p.424.

<sup>32</sup> C Brandi, 'Theory of Restoration', in G Basile (ed.), *Cesare Brandi. Theory of Restoration*, trans. C. Rockwell, Nardini Editore, Italy, 2005, p.57.

<sup>33</sup> See J Ashley-Smith, 'Theory Follows Practice' in G Basile (ed.), *Cesare Brandi's Thought from Theory to Practice*, Associazione Amici de Cesare Brandi, Rome, 2008, pp.189-193.

<sup>34</sup> G Basile, 'A Few Words About a Maestro, Cesare Brandi', 2005, p.24.



among the intrinsic, or characteristic, features of artworks, which are essential to reading a work and extrinsic considerations (e.g. religious, political or ideological), which can only influence this reading negatively.

Considering that although each case had to be seen in its own right, it was possible to foresee a unification of criteria and methods, and considering the richness of cultural heritage in Italy, Cesare Brandi and Giulio Carlo Argan proposed the foundation of a Central Institute of Restoration (ICR). The 1942 ICR exhibition which they organized was among the first to reveal to the public the principles, methods and techniques employed for the conservation of the exhibited works. Brandi also emphasized the need for legal coverage in establishing a uniform restoration practice and approach. As he later commented, it was this critical approach towards the appreciation of the work of art that represented the novelty in the formulation of the task<sup>35</sup>.

In Brandi's *Theory of Restoration*, there are four important points that may provide input to contemporary considerations regarding conservation practice. These are:

- His emphasis on the value of the work of art as a cultural good and his corresponding demand to conduct conservation within the broader frame of cultural heritage
- His emphasis on the importance of providing a Theory for conservation-restoration, as opposed to a collection of empirical rules based on case studies
- His maxim that it is the work of art that conditions the restoration and not *vice versa*
- His distinction between the material and the immaterial

### ***Professionalization, Key Concepts, and Codes of Ethics***

The recognition of conservation as a distinct field, based on scientific principles, can be said to have occurred in 1930 with the international conference in Rome, organized by the International Museums Office of the League of Nations. Conservation was recognized as a professional field in 1950 with the establishment of the International Institute for the Conservation of Museum Objects (becoming in 1959 the International Institute for the Conservation of Historic and Artistic Works)<sup>36</sup>. The term 'conservation' derives from the Latin '*conservare*', meaning to preserve, or to prolong the existence of. As it is set out in the objectives of the IIC drawn up in 1950, the term was deliberately chosen over other such as preservation, restoration, etc. because it embodied a

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<sup>35</sup> J Jokilehto, *A History of Architectural Conservation*, 2005, p.413.

<sup>36</sup> M Clavir, *Preserving what is valued. Museums, Conservation and First Nations*, 2002, p.6.

further concept, that of **integrity**, alluding to John Ruskin's understanding of authenticity as historic truth<sup>37</sup>.

The ethics and values of conservation were developed through the historical course and evolution of the discipline, through the handing over of experience, and the varying mental milieus. During the first half of the 20<sup>th</sup> century, various international Codes of Ethics emerged, aiming to outline the foundational assumptions, values and principles framing and guiding conservation. Conservation Codes of Ethics provide a basis for the professional behaviour of conservators as well as the priorities that determine their choices.

*The Code of Ethics embodies the principles, obligations and behaviour which every Conservator-Restorer belonging to a member organisation of ECCO should strive for in the practice of the profession<sup>38</sup>.*

The texts of the Codes are not necessarily legally binding. However, conservators' professional associations as well as State Law may demand either partial or full compliance with the general principles of such Codes as a prerequisite for granting permission to exercise the profession. Conservation principles should be viewed as highlights of the application of the theory of conservation.

The early debates on restoration vs. conservation that took place in Western and Southern Europe, in the 18<sup>th</sup> and 19<sup>th</sup> centuries were instrumental for the further definition of some of conservation's basic principles. In the 18<sup>th</sup> c. the notion of **cultural heritage** emerged; John Ruskin stressed the uniqueness of each heritage entity and introduced the concept of **respect** for cultural heritage. Ruskin also contended that both the methods and the materials of construction employed by the restorer must always be of superior quality. According to him, the restored building needed to be given a longer life than the one that was near expiration. The new method of restoration consisted in the principle that every building and every part of building should be restored in its own style, not only with regard to appearance, but also structure.

The case-specificity of conservation was also established.

*Both the earliest parts and the modified parts need to be restored. Should the unity of style simply be restored without taking into account the later modification? Or should the edifice be restored exactly as it was, that is with*

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<sup>37</sup> IIC 1999 cited in S Macdonald & G Fyfe, *Theorizing Museums. Representing Identity and Diversity in a Changing World*, Blackwell Publishing Inc., Oxford, 2004, p.49.

<sup>38</sup> European Confederation of Conservator-Restorers' Organisations, *ECCO Professional Guidelines*, Brussels, 2002, Code of Ethics, Article 1, Available online at: <http://www.ecco-eu.org/about-e.c.c.o./professional-guidelines.html>

*an original style and later modifications? It is in fact imperative not to adopt any either of these two courses of action in any absolute fashion; the action taken should depend instead upon the particular circumstances<sup>39</sup>.*

Even though conservation today recognises that almost all of its activities include major or minor restorations, it still adopts many of Ruskin's notions and adheres many of his criteria, practicing what may be called "conservative restoration". John Ruskin's concepts and principles, which may provide input to contemporary considerations regarding conservation practice, are:

- His concept of heritage, which is linked to a collective - national or cultural – identity
- His understanding of preservation as a moral duty, which ought to be done with respect for the cultural heritage
- His emphasis on the sense of danger that accompanies any conservation project and the introduction of what may be called precautionary principles and criteria, such as minimum intervention, discernibility of foreign materials and sustainability
- His acknowledgement that conservation decisions are based on value judgements, which are case specific

Between the two World Wars there was a further advance of the principles and practice of conservation. While the foundations were already laid in the 1930s, the policies had further important developments as a result of the experience of World War II. Also, while the foundations pertained mainly to architecture, in Italy, the contributions of Giulio Carlo Argan and Cesare Brandi were fundamental to the development of conservation as an autonomous field based on the recognition and critical assessment of the significance and values of **works of art**<sup>40</sup>.

Brandi extracted from his theoretical basis specific attitudes to be adopted by the conservator-restorer in relation to the practices of removing material (cleaning), of making additions and of reconstructing missing parts. As time goes by, he argued, the physicality of the works is affected. However, this elapsed time should be taken into consideration of the work as an aesthetic object. Hence he concluded that:

*...any integrative intervention must always be easily recognizable, but without interfering with the oneness that it is designed to re-establish...  
Materials cannot be replaced if they directly contribute to the figurative appearance of the image and not to the structure...*

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<sup>39</sup> J Ruskin, *The Seven Lamps of Architecture*, 1989, p.315-316.

<sup>40</sup> J Jokilehto, 'Conservation Principles in the International Context' in A Bracker & A Richmond (eds), *Conservation: Principles, Dilemmas and Uncomfortable Truths*, Elsevier, London, 2009, p.73-80.

*...a restoration should not prevent any future restorations but, rather, facilitate them<sup>41</sup>.*

The driving concern behind such rules or specifications is that of artworks' **authenticity**. Authenticity in general refers to truthfulness, as opposed to falsity, to the original, the real and the genuine, as opposed to the copy, the pretended and the counterfeit<sup>42</sup>. Concerns about authenticity can be traced back to the story of Onomakritos. Herodotus<sup>43</sup> (c. 484-425 BC) tells that Onomakritos was prosecuted and exiled under the charge of making interpolations in Homer and attempting to include some of his own ideas in the works of Orpheus. That is, Onomakritos was exiled for his forgeries. Following John Ruskin and Cesare Brandi, concerns about authenticity became very prominent.

Authenticity in art in particular, may refer either to the correct identification of the origins, authorship or provenance of an object (nominal authenticity), or to an object's character as a true expression of an individual's or society's values and beliefs (expressive authenticity)<sup>44</sup>. The first kind of authenticity relates mostly to historic truth, to questions in art that require answers for matters of fact; it is accompanied by a conception of forgery as the intended misinterpretation of a work's history of production. This is the sense with which authenticity initially emerges as a concept in conservation, i.e. in conjunction with Ruskin's notion of truth and the 'true nature' of the artwork. It refers to the physical aspects of the works of art, i.e. material composition, construction techniques and any other material evidence of provenance, and to completeness. Authenticity in this sense is inextricably linked to the historical moment and process of creation, as well as the original medium or material used for concretization.

The second kind of authenticity refers to the full realization of the aesthetic potential of the artwork, to questions concerning how the products of art sustain purposes and interests which are both irreducible to the conditions of their emergence as well as inextricable from them ("critical history")<sup>45</sup>. Authenticity in this sense is closely connected with the experience generated by the aesthetic object of art. Kenneth Clark<sup>46</sup> argued that comprehension of art depends on our ability to look and Salomon Friedlander agreed that the meaningful comprehension of art

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<sup>41</sup> C Brandi, 'Theory of Restoration', 2005, p.57.

<sup>42</sup> J Jokilehto, 'Authenticity: a General Framework for the Concept', 1995, p.18.

<sup>43</sup> J Lempriere, *A Classical Dictionary*, 1827, p.549

JA Scott, *The Unity of Homer*, University of California Press, California, 1921, p. 57-58.

<sup>44</sup> D Dutton, 'Authenticity in Art' in J Levinson (ed.), *Oxford Handbook of Aesthetics*, Oxford University Press, New York, 2003, pp.258-274.

<sup>45</sup> M Podro, *The Critical Historians of Art*, Yale University Press, New Haven and London, 1982.

<sup>46</sup> MK Talley, 'The Eye's Caress: Looking, Appreciation, and Connoisseurship' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.3-35.

depends upon the "receptive powers of the beholder" (imagination). This notion of authenticity is accompanied by a conception of forgery as falsity in the use or presentation of the work.

Kirby Talley Jr.<sup>47</sup> explains that, following a similar line of thought, Walter Benjamin defined authenticity as "the essence of all that is transmissible from its [the artwork's] beginning, ranging from its substantive duration to its testimony to the history which it has experienced". Likewise, in the field of art history, since the art of the 1960s, authenticity in a work of art was defined almost exclusively in terms of the quality of immediacy of experience. This included both the immediacy of the artist's intention and the immediacy of his effect upon the viewer. In the field of conservation, it was Ernst Gombrich who suggested that restorers should also consider psychology of perception and not only technical matters prior to intervention. David Lowenthal observes that:

*Historically, there have been changes in the concept of authenticity, from authenticity of performance and possession (context) to authenticity of materials and form, of structure and process, and of aim and intent ... Increasingly, "authenticity" inheres in processes of change, mutabilities of time and history, continuities enlivened by alteration as much as constancy. There may be future authenticities, as yet unknown<sup>48</sup>.*

It is indeed the case that different conceptions of authenticity have been introduced and accepted in different times, and that many of the different views regarding authenticity of objects inform the theory and practice of conservation. For many years, however, prominent in conservation was the conception of authenticity as inextricably linked to objects' material constitution.

Change may be defined with regard to structure (i.e. transition from one state to another) and with regard to function (i.e. transition from one value of a variable to another, like the transition from artwork to non-artwork, or from heritage to non-heritage). Recognising that change is unavoidable, the notion of integrity was also translated in terms of the physical aspects of works of art. Not only were conservators responsible for retaining the original material of a work of art, but they also had to ensure the longevity of the material comprising the work of art; its everlastingness against natural degradation and against man. From the definitions within conservation Codes quoted previously, it becomes apparent that preservation has mainly been defined as an attempt to keep in existence by avoiding change.

According to United Nations Educational, Scientific and Cultural Organisation (UNESCO), preservation aims at the protection of artefacts made by previous and present generations from

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<sup>47</sup> *Ibid.*

<sup>48</sup> D Lowenthal, 'Changing Criteria of Authenticity', 1995, p. 132.

any change, damage, or loss caused by the course of time or by man, so as to pass them intact and in the authentic condition to the future generations. The contrary would constitute “a harmful impoverishment of all the nations of the world”<sup>49</sup>. Disorder is increase in entropy, i.e. change of what is; change in the order of things. Gain or loss of properties through, e.g. natural degradation of materials or human intervention, affects the organization of information comprising the heritage object, usually causing a shift towards increased entropy (disorder). Thus conservation practice is evaluated against the degrees of **harm**, **damage** and/or **loss** it avoids or causes. These concepts form the basis on which most conservation decision-making and practice are justified, but also the basis on which conservation failures are identified. A case of conservation failure is usually considered one in which the intervention has caused harm or damage to the heritage object.

**Minimum intervention** was further introduced in the Codes as a prescription or command to minimize physical intervention, thus securing that conservation itself would not jeopardise the authentic artwork in its integrity, as defined above. In 1994, the Nara conference on authenticity stressed how authenticity is a value concept, which cannot be objectively defined, but is rather case dependent. Moreover, it concluded that “authenticity, considered in this way and affirmed in the Charter of Venice, appears as the essential qualifying factor concerning values” in conservation<sup>50</sup>. The recognition that conservation decisions are based on **value judgments** depending on the **significance** of cultural heritage entities has been attributed, apart from Cesare Brandi, mainly to Alois Riegl.

Alois Riegl’s text that has mostly contributed to conservation theory is ‘The Modern Cult of the Monument: Its Character and Its Origins’ (1903). By monuments, Alois Riegl refers to deliberate or non-deliberate works of man with an artistic and/or historic value. According to Alois Riegl, different ages or times encourage different art values hence conservation decisions depend entirely upon the values attributed to the monument. Alois Riegl distinguished between two main categories of values, commemorative values and present-day values. His aim was to identify the processes of valuation that determine different approaches to conservation; for example the preference for reconstruction to regain the original condition, or the acceptance of the aging

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<sup>49</sup> United Nations Educational, Scientific and Cultural Organization, *World Convention Concerning the Protection of the World Cultural and Natural Heritage*, UNESCO General Conference, Paris, 1972, Available online at: <http://whc.unesco.org/archive/convention-en.pdf>

<sup>50</sup> ICOMOS, *The Nara Document on Authenticity*, 1994

process and the “mortality” of the work. He further suggested that there are instances in which different values can coexist within the same work, and others in which they may clash<sup>51</sup>.

### ***The Traditional Notion of Conservation***

In spite of various later attempts to establish a firm hierarchy of the values guiding conservation activities, questions relating to the limits and justification of conservation interventions still dominate discourse in the field. In his book *Contemporary Theory of Conservation* (2005), Salvador Muñoz Viñas quotes Giorgio Bonsanti who observes that “if we treat a chair, we repair it; but if the chair is by Brustolon, then we conserve it”<sup>52</sup>. This remark corroborates that conservation is dependent upon its objects of intervention. It shows that the same set of actions performed on two different objects may be considered as either carpentry or conservation. Hence, for an action to qualify as conservation, it must be performed upon a certain kind of object. However, the mere description of an object does not suffice in order to define conservation.

Muñoz Viñas takes this paradox one step further with the ‘Mustang paradox’, which suggests that the same action may be understood both as conservation and repair even if it is performed upon the very same object. This paradox is illustrated by the treatment of World War II Mustang airplanes. During the War, the airplanes were maintained through various activities such as replacing wires, polishing surfaces, etc.; later on the planes were modified for different uses, and, more recently, they were reconditioned to their 1940 state. The activities performed were the same in all stages, though only the last one was considered to be conservation. Because of these paradoxes, Bonsanti proposed what has been called a Copernican revolution in conservation. Conservation should not be characterised as such because of its objects or techniques, but because of the attitude of the conservator toward the object.

Neither the description of the activity and its aims, nor the description of its objects of intervention is enough to define conservation. Arguably, it is the ethics framing the conservation objects and the activity, which distinguish it from other similar activities, like maintenance or repair. Indeed, while conservation’s central concepts and principles emerged from theorists writing mainly about architecture or works of art, and the first Codes of Ethics referred precisely to the conservation of monuments and sites, whose historic value was considered to be inseparable from their value as works of art (Athens Charter, Venice Charter), they came to apply

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<sup>51</sup> S Barassi, ‘The Modern Cult of Replicas: A Rieglian Analysis of Values in Replication’, *Tate Papers*, issue 8, Autumn 2007, n.p., Available online at:

<http://www.tate.org.uk/research/tateresearch/tatepapers/07autumn/barassi.htm>

<sup>52</sup> G Bomsanti (1997) cited in S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.27-29.

to all conservation objects, i.e. all kinds of cultural heritage objects, whether these are artworks, machines, functional objects, human remains, ethnographic materials and so on.

Philosophies and methods of use, presentation, intervention, etc. are usually specific to the traditions of various cultures and are influenced by the general development or changes of the society that formulates them. Hence there are often differences in the adoption of values, goals and conservation strategies. According to Catherine Sease<sup>53</sup>, shifts and changes in the content of Codes across time and space further reflect shifts in the social position of the conservator and the development of the profession. There is, however, a current trend to reach universal agreement in the treatment of cultural heritage by establishing a unity of aims and means, expressed in commonly accepted Codes of (professional) Ethics. Miriam Clavir<sup>54</sup> has provided a list of the basic concepts appearing in conservation Codes and of their evolution as terms through the re-visiting of some of these Codes over time. She traces 'significance', 'respect' and 'integrity', and also mentions 'authenticity'.

Traditional conservation may be summarized as being:

- Case specific
- Focused on the tangible rather than emphasizing intangible aspects of heritage
- Guided by values and principles incorporated in Codes of Ethics
- Centred on a scientific paradigm for search for truth and on expert based models for decision-making

Traditional conservation has also historically developed following Western models of thought, relating to the definition of cultural heritage, to the establishment of the significance of each heritage object and, more importantly, to the interpretation of the aim of preservation. The meaning that the characteristics mentioned above attribute to the goal of preservation respectively may be summarized as follows:

- While the aim of preservation may be common for all cases, each case requires the adoption of different means and methods to secure preservation
- Preservation is defined strictly as extending the physical life of the object, and is to be achieved specifically by prolonging the existence of the object's original material in its entirety

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<sup>53</sup> C Sease, 'Codes of Ethics for Conservation', *International Journal of Cultural Property*, vol. 7, no. 1, 1998, pp.98-115.

<sup>54</sup> M Clavir, *Preserving What is Valued. Museums, Conservation and First Nations*, 2002, Appendix B. Conservation Codes of Ethics, p.253-262.



- Given the commonality of aim, there can and/or should be a universal conservation ethics
- There are objectively defined criteria for conservation actions to secure preservation and only experts can define these

Historically the practice of conservation has been compared to medical practice. Analogies between the two fields have prompted the use of similar language within conservation. Thus the aim of preservation has been interpreted as care, treatment, remedy and so on, while the objects of heritage have been anthropomorphized, becoming capable of suffering, of needing, and even of demanding. Regardless of the validity of these analogies, it may be argued that these analogies and comparisons with medicine have stemmed mainly for two reasons: a) the implicit acknowledgement that the notion of heritage refers to something more than strictly material objects, but rather to the people associated with them (hence the fate of these objects affects in some sense the fate of certain people); b) the recognition of similarities among the two fields as applied sciences. In this sense, the analogy is useful to retain, since it may provide further insight towards a better understanding of the aims and role of conservation.

## **CONTEMPORARY ART PHENOMENA**

The concepts of authenticity, uniqueness, the original, and integrity, as well as the principle of minimum intervention, are deeply rooted in the historical development of conservation. The traditional perception of conservation aims includes preservation over time, to ensure longevity by defending authenticity, to defer deterioration, to retain original material, not to copy, reproduce or act in a way that compromises the uniqueness of an artwork. These concepts and principles have become cardinal in the guidance for conservation decision-making. Their understanding stems from particular conceptions of the nature of the objects of conservation intervention. The conservational definition of these concepts and principles in relation to works of art is indicative of how they are understood in relation to all other kinds of heritage objects, always from the perspective of conservation.

### ***Traditional Conceptions of the Artwork***

In spite of minor variations and reconsiderations concerning the validity and scope of application of these concepts and principles, they seem to have been sufficient for guiding and evaluating conservation practice with regard to traditional works of art. Traditional works of art here refer to works which fall under the typical or commonly accepted division of the arts according to medium or end-product. Art categories such as painting, sculpture and music, have dominated the notion of what qualifies as a work of art, linked and distinguished according to end-products or on the basis of specific materials or medium. Traditionally, art has been divided into performing and non-performing arts. Pictures and sculptural works on the one hand, end-products of non-performing arts, are considered concrete physical particulars, while, on the other hand, literary and musical compositions, products of performing arts, are considered to be other kinds of entities, of which there may be multiple instances and which exist regardless of whether they are instantiated or not (e.g. a specific symphony exists even when it is not being performed). Art such as painting and sculpture, i.e. visual art, was distinguished from other art forms such as music or poetry, on the basis of having different ontology. Such division within the visual arts is based or accompanied by a philosophical conception of the artwork as a unique physical particular; the material constitutes the work.

Traditionally, the work of art has been understood as the unique end-product of the skills of an individual creator. The creation process has been defined as the process of realizing a mental image or idea through the help of a specific medium into a concrete object, which can then be experienced as a work of art. Since the Renaissance, the value of works of art has been

considered to reside in formal aspects, design, materials and most importantly technique, performed by the “genius-artist”, the master of the respective skill. Image and narrative are thus seen as integral to the success of the artwork in fulfilling its function as a work of art, traditionally linked to aesthetic properties or experience generated. The work of art itself has further been perceived as something meant to last forever. Giorgio Vasari’s observation on the reproduction of artworks in different, more durable, mediums during the 16<sup>th</sup> century refers precisely to this attitude.

Peter Goldie and Elisabeth Schellekens<sup>55</sup> observe that the idea of a medium suggests some kind of mediation or communication. Artists are usually trained to develop their skills to work in a particular physical medium, in a particular way, as the means of communicating an artistic statement; correlatively this medium is the means by which others’ appreciation of the artist’s artistic statement is mediated. So, for each traditional artwork, there is a medium in which that work will be made. That is, for each art form there is a limited range of media which are “proper” to it. For painting, there is the canvas and oils, for sculpture the clay or stone, for dance there is motion, for music there is sound and so on. This has been called by Clement Greenberg medium specificity. Means of production of artworks may be mere means, which is something different from the artistic medium (e.g. brushes, scalpels, dancers, and this violin instead of another).

Traditional conceptions of works of art are summarized as follows:

*Let us consider an example such as Botticelli’s Birth of Venus. Here... we presuppose that whatever the definition of art turns out to be, this picture had better be art. We think of it as a paradigm case of art. We also presuppose ... that the object that is the work of art is the picture itself, the marks and brush-strokes on the canvas<sup>56</sup>.*

Flowing from traditional perceptions of the artist as genius, which elevate the importance of the maker’s skill and dexterity in manufacture, writings in the history and theory of art have expanded on themes like the visibility of the artist’s hand or touch on objects’ surfaces and on the materiality of the very process of making. As such, the physical object becomes necessary for the appreciation of art, along with knowledge of what kind of art it is, or to which category it belongs, and its history of production, i.e. how the artwork came about.

*We take it for granted that the proper way to gain access to the work in order to appreciate it properly is by looking at it from front on, in good lighting conditions and so on. The suggestion, for example, that an*

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<sup>55</sup> P Goldie & E Schellekens, *Who’s Afraid of Conceptual Art?*, Routledge, USA, 2010, p.23-24 and p.53-54.

<sup>56</sup> *Ibid.*, p.36-37.

*adequate appreciation of Birth of Venus could be gained by reading about it, or by looking at it from side on, horizontal to the canvas, is obviously wrong*<sup>57</sup>.

As evidenced in the historical development of conservation, it is with respect to such a conception of the artwork that the conservational concepts and principles of authenticity, integrity, minimum intervention, damage, loss, etc., were defined as inextricably linked to original material constitution. The notion of the original material as integral to artness is supported by the view that artworks, when conceived of as heritage, are considered to be non-renewable resources, which has led to the recognition of conservation as moral imperative by all conservation Codes of Ethics. In this sense, artness is restricted to the material alone, and specifically to the preservation of what is thought to be the original matter of the artwork.

### ***The Conceptual in Art***

However, art phenomena such as the conceptual and the ephemeral, emerging from the mid 20<sup>th</sup> century onwards fundamentally undermine the traditional understanding of 'authenticity', 'uniqueness', the 'original', 'integrity' and 'minimum intervention', i.e. concepts central within conservation theory and ethics. On the one hand, the introduction of new materials prone to rapid deterioration presented artworks that perish, either intentionally or unintentionally, within very short time spans. On the other hand, the use of industrially produced materials and fabricators eliminated the artistic property of mastery of skill residing in the artist's touch on the physical surface of the artwork. Moreover, the art historical categories of Conceptual, Installation, Time-Based Media art, and so forth, seemed to resist traditional art categories in many ways.

The change in artistic practice brought about unprecedented challenges for conservation. These challenges are made manifest not only in terms of technical difficulties or inabilities, but mainly in terms of a plethora of conceptual and ethical dilemmas arising in conservation decision-making. The problems conservators encounter today, are interrelated and interconnected problems thus formulating a highly complex problematic situation within conservation. However, the problematic situation arises not so much from questions as to what conservators *can* technically do, but rather from questions as to what may be considered ethical practice or not.

Following the *Bicycle Wheel* (1913), his first readymade, Marcel Duchamp mounted a common urinal made of porcelain and signed 'R. Mutt' on a pedestal and submitted this work, called *Fountain*, at the 1916 exhibition of the Society of Independent Artists in New York. Though the

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<sup>57</sup> *Ibid.*

work was not actually exhibited, the implications of this gesture, i.e. the introduction of an industrially produced, everyday object in the gallery space, i.e. the realm of “high” art, were immense. Duchamp’s *Fountain* has since been considered a turning point in the history of art with regard to artistic practice.

Through the conceptual exploration of the possibilities of the readymade, the latter was allowed to function as a demolisher of traditional conservational and art historical values. With the introduction of the ready-made, the work itself stopped receiving central attention; instead there occurred a shift of emphasis towards the concept and the artist. Thus the attention brought to artistic intent became dominant. On the one hand, artists like Donald Judd and Dan Flavin started using industrially produced rather than hand-crafted materials for their art. The valuation of technical manual skill was abandoned as well as the notion of an original cohesive work<sup>58</sup>. The importance of the artist’s signature, i.e. the hand of the artist, the tactility of the surfaces and the original material, diminished. Instead, terms like ‘trace’ were deployed, denoting a plethora of factors responsible for the literal or conceptual ‘marking’ of the art object. On the other hand, artists like Eva Hesse and Joseph Beuys introduced fugitive materials that rapidly or deliberately degrade, aiming to explore processes with their works rather than necessarily produce finished objects.

Language, photography, serial systems, time-based media and acknowledgment of the viewer enter the realization of environmental works and installations; site-specific artworks push art beyond the boundaries of the object; process and audience participation become integral to the works. Artists challenge the idea that the work can reach a stage of completeness or that it can have clear boundaries. Works with “numerous lives”<sup>59</sup> appear, e.g. performances become installations through reconfiguration, and site-specific works become portable. But the greatest challenge brought about to conservation concepts and principles arose from what Lucy Lippard<sup>60</sup> called the dematerialization of the artwork.

The beginnings of dematerialization are usually linked to the art historical category of Conceptual art. The art historical category of Conceptual art is exemplified by very diverse artists such as Sol

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<sup>58</sup> A Alberro, ‘Preface: Reconsidering Conceptual art, 1966-1977’ in A Alberro & B Simson (eds), *Conceptual Art: A Critical Anthology*, MIT Press, USA, 2000, pp. xvi-xxxvii.

<sup>59</sup> *Shifting Practice, Shifting Roles? – Part1 Pip Laurenson: Introduction on the first session*, video recording, Tate Channel, Tate Modern London, 22 March 2007, Available online at: <http://channel.tate.org.uk/media/38065051001/24881405001>

<sup>60</sup> L Lippard, ‘The Dematerialization of Art’, *Art International*, vol. 12, no. 2, 1968, p.120 cited in K Stiles & P Selz, *Theories and Documents of Contemporary Art. A Sourcebook of Artists’ Writings*, University of California Press, USA, 1996, p.806.

LeWitt, Joseph Kosuth, Mel Bochner, and Hanne Darboven. However, it was one of the most influential art historical categories for all art to follow. Although the art historical category of Conceptual art has distinct features from other art historical categories, and it arose from specific social contexts, some of its main characteristics transcend the limits of the category. Anne Rorimer and Peter Goldie with Elisabeth Schellekens also support this view<sup>61</sup>.

Dematerialization may be thought of as encapsulated in two main general tendencies, a) the precedence of the concept of the work over the material manifestation and b) ephemerality (in multiple senses). As diverse as the practices of artists' of the 1960 onwards are, or were, these two denominators formed the basis for most art practice that followed and they still continue to inform contemporary art. These characteristics fundamentally challenge the assumed necessary materiality and permanence of artworks.

The term conceptual is currently used widely and loosely by art historians, critics and curators to refer to non-traditional art forms, or more specifically in association with a range of works created after 1965<sup>62</sup>. Similarly, the terms modern and contemporary art are also widely and loosely used to refer to the same kind of art forms, created after roughly the 1960s. In the present thesis, the terms modern, contemporary and conceptual will be interchangeably used to designate all and any art, which shares or alludes to the main features highlighted as characteristic of the conceptual in art. Where a distinction between the terms becomes consequential to the arguments of this thesis, it will be drawn.

In his *Art after Philosophy* (1969), Joseph Kosuth argued that "all art after Marcel Duchamp is conceptual (in nature)"<sup>63</sup>. Henry Flynt<sup>64</sup> defined conceptual art as "first of all an art of which the material is concepts, as the material of for example music is sounds". Such a definition denies time boundaries and allows the discussion of art and artists such as Marcel Duchamp, Dan Flavin, Eva Hesse, Joseph Beuys, Robert Morris, Sol LeWitt, Joseph Kosuth, but also Polycleitus, and other artists of what is usually called traditional art, under the tenets of the conceptual. That is, artworks from various art historical categories and by different artists may be similarly considered without drawing strict distinctions among them, but rather by abstraction and under their unifying elements.

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<sup>61</sup> A Rorimer, *New Art in the 60s and 70s: Redefining Reality*, Thames and Hudson, London, 2001, p.7.  
P Goldie & E Schellekens, *Who's Afraid of Conceptual Art?*, 2010, p.10.

<sup>62</sup> A Rorimer, *New Art in the 60s and 70s. Redefining Reality*, 2001, p.7.

<sup>63</sup> D Hopkins, 'Re-thinking the Duchamp effect' in A Jones (ed.), *A Companion to Contemporary Art since 1945*, Blackwell Publishing Ltd., UK, 2006, p.145.

<sup>64</sup> H Flynt, 'Concept Art' in K Stiles & P Selz (eds), *Theories and Documents of Contemporary Art. A Sourcebook of Artists' Writings*, University of California Press, USA, 1996, p.820.

## DESCRIPTION OF THE PROBLEMATIC SITUATION

The shifts brought about by conceptual art to traditional conceptions of the artwork and which are relevant to the problems raised for conservation may be presented in terms of the following five pairs of dichotomies describing the modern/traditional perceived divide among artworks.

### *From Object to Concept*

Traditional artworks are usually identified with a specific physical object, e.g. the *Mona Lisa* is the specific oils and the way they have been worked on the wood panel exhibited at this moment at the Louvre in Paris. Moreover, people's appreciation of the *Mona Lisa* occurs through the physicality of this object. Conceptual art challenges the intuition that an artwork is a physical object exemplified by centuries of traditional artworks. When conceptual art has some kind of physical presence, this need not involve any particular means of production. Bruce Altshuler<sup>65</sup> observes how, when considering for example works by Robert Barry, like a work which consists of Robert Barry's words, written on a wall in New York City, *All the things I know but of which I am not at the moment thinking, 1.36 pm June 15 (1969)* there seems to be no object to appreciate, nothing, no-thing. The words on the wall are the work. Artworks appear as "non-objects".

Conceptual art also rejects the specificity of medium typical of each traditional art form. Characteristic is the use of ready-mades, industrial and other materials, such as typed sheets, candy, lemons and trash, which have not traditionally been associated with specific art forms. Also characteristic are works that exhibit processes. According to Goldie and Schellekens<sup>66</sup>, what in traditional art would be the medium (the oils on the canvas worked by the artist) in conceptual art is merely the physical means. The medium of conceptual art is the idea, and any physical presence is merely the means by which the artist lets us gain access to the idea, and it is the idea that is the medium. Hence conceptual art works with concepts or ideas as the medium.

Conceptual artworks are often accompanied by instructions for creation/recreation. The use of industrial materials, ready-mades, repetition, replication, variation, as well as the substitutability of materials, seem to render the material manifestation secondary to the idea behind it. Materials are substituted, artworks are recreated or they appear as a set of instructions. Artistic objectives no longer necessarily include the production of a finished object, but rather the aim is to engage

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<sup>65</sup> *Shifting Practice, Shifting Roles? - Part 4 Bruce Altshuler: Exhibition, Collection, Re-creation*, video recording, Tate Channel, Tate Modern London, 22 March 2007, Available online at: <http://channel.tate.org.uk/media/38065051001#media:/media/38065051001/24881424001&context:channel/most-popular>

<sup>66</sup> P Goldie & E Schellekens, *Who's Afraid of Conceptual Art?*, 2010, p.23-24 and p.56-61.

the viewer mentally. This implies that meaning may be generated independently of a specific material state in which a work is considered, but also perhaps independently of the specific materials used to present it. A thing becomes an artwork on account of the choices and decisions made by the artist, rather than by the actions she performs.

In the late 1960s Lawrence Weiner and Douglas Hueber aimed for the democratization of the production and reception of art. The former presented information of the work only in the form of a statement. These statements define linguistically the material structure of the work. His art is equally valid whether communicated verbally or materially documented. More problematic is Weiner's assertion that the work does not have to take form. In his 1998 'Declaration of Intent'<sup>67</sup>, Lawrence Weiner wrote: "1) the artist may construct the piece; 2) the piece may be fabricated; 3) the piece need not be built; each being equal and consistent with the intent of the artist, the decision as to condition rests with the receiver upon the occasion of receivership". Thus the passive spectator was to be transformed into an active producer of the work.

The conceptual project has been to re-evaluate the autonomous object, which, when hanging on the wall or independently occupying space does not thematically attend to its surroundings, its viewers and/or its condition as representation. The art phenomena that started to appear from the 1960s onwards challenged the held conception of what kinds of things works of art are. The conceptual border between an object and its viewer was initially broached three to four decades after El Lissitzky's *Proun Room* (1923) by Allan Kaprow from the vantage point of his 'Environments' and by Robert Morris in his writings and sculpture. Kaprow's Environments of the late 1950s overtly promoted the idea of viewer participation insofar as they were conceived for the very purpose of circumnavigation by viewers who in some cases had to wend their way through massive accumulations of junk and debris. Kaprow not only surrounded his viewers with but also enveloped them within the material components of the Environment<sup>68</sup>.

One of the groundbreaking developments in 1960s art practice was the separation of the artistic proposition (in the form of drawings of specific instructions about what materials to use for an artwork and how to assemble them) from the aesthetic experience of the viewer. Joseph Kosuth<sup>69</sup> characteristically declared that a work could remain in its state as a proposition, document, or set of instructions to be remade when the need arose. Dan Flavin was an artist who used industrially fabricated fluorescent fixtures and lamps in order to make his art. His works were accompanied

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<sup>67</sup> A Alberro, 'Preface': *Reconsidering Conceptual Art, 1966-1977*, 2000, p.xxii.

<sup>68</sup> A Rorimer, *New Art in the 60s and 70s. Redefining Reality*, 2001, p.196.

<sup>69</sup> A Alberro, *Conceptual art and the politic of publicity*, MIT Press, USA, 2003, p.34-35.



by instructions concerning their installation and including the lamp specifications. On Flavin's work, Kosuth commented that:

*The value of his work is the power of his art as an idea – I don't think one can seriously argue that it is due to craft, composition, or the aura of the traces of his hand. Anybody can have a 'Flavin' by going into a hardware store, but you needed Flavin's initial 'proposal' for it to be art<sup>70</sup>.*

This was the minimalist implication, that the primary material of an artist's work is the concept, which is distinct from the materials of which the work is composed.

### ***From Original to No Original***

Because in traditional works the medium is the focus of appreciation of the artwork, the artist's skill and technique, as evidenced on artworks' surfaces, is considered essential for the appreciation of the work and especially for identifying the original work, as opposed to a forgery or a version of it by e.g. the master-artist's workshop. Scientific analysis of materials to determine e.g. constitution of paints, chronology of canvas structure, and connoisseurship are considered the most objective means for authenticating artworks, i.e. verifying provenance and authorship. Presence of the artist's signature on the work is considered to validate any such attempt.

With conceptual art, however, even where there are physical objects present, or where there is a performance, the skill of the artist doesn't seem to have the same kind of importance. This is explicitly made manifest by Mel Bochner's *Working Drawings* (1966). In December 1966, as a project for the New York School of Visual Arts, Bochner presented four identical, black, loose-leaf notebooks mounted on white pedestals. The notebooks were each composed of (the same) 100 pages, all photocopies of what he called *Working Drawings and Other Visible Things on Paper Not Necessarily to Be Viewed as Art*. The choice of artists was based on the fact that they were involved in ideas. Bochner asked artists such as Donald Judd, Dan Flavin, Sol LeWitt, Eva Hesse, and Robert Smithson, to submit drawings that were not necessarily works of art. Utilizing the technology of the photocopy machine, he photocopied the drawings, reducing and enlarging them to a uniform size and forming a booklet. He then added materials and projects by other

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<sup>70</sup> J Siegel 'Art as Idea as Idea', WBAI-FM New York radio interview, 7 April 1970 cited in Holzer, J, 'Language Games: Interview with Jeanne Siegel' in Stiles, K & P Selz, *Theories and Documents of Contemporary Art. A Sourcebook of Artists' Writings*, University of California Press, USA, 1996, pp.886-889.

intellectual workers, such as mathematicians, biologists, engineers, musicians and some anonymous entries, like pages from the journal *Scientific American*<sup>71</sup>.

The files on display hold an ambiguous status. The problem that arises from this ambiguity is made manifest in considering the possibility of recreating *Working Drawings*. In the 1997 exhibition at the Musees d'arte et d'histoire in Geneva an attempt was in fact made to resolve the issue of recreation. It was observed that one would have to choose among three alternatives. Either acquire the original photocopies dating from 1966, thus treating them as originals, or photocopy the 1966 photocopies once more, and thus introduce a principle of entropy in the show, or, finally, to remake the photocopies from an original master. Bochner himself advocated the last solution, indicating that, strictly speaking, there is no original of the 1966 show. As Laurent Jenny<sup>72</sup> observes, "the master cannot lay claim to that title since it never figured in the first exhibition, while the original photocopies themselves are revealed to be something other than originals".

The shift towards no original was mainly facilitated by the industrial nature of the materials employed by conceptual artists, as well as the removal of artists from the process of fabrication. After 1964 Donald Judd no longer crafted works himself, but employed artisans and manufacturers. Characteristic is Judd's collaboration with the Bernstein Brothers, during which he decided that one man, namely Jose Otero was most capable of realizing his intentions. Eventually, when the works began to be marked with numbers and "Bernstein Brothers" for the purposes of documentation and authentication, Otero's initials would be stamped along with Judd's on the back of the sculptures<sup>73</sup>. Dan Flavin also eventually removed himself completely from the fabrication process, depending on his wife Sonja, hired electricians, gallery art handlers and later studio assistants to make his works.

The lack of an original in conceptual art is accompanied by new ways of establishing the authenticity of artworks. Carl Andre and Dan Flavin pioneered a new form of guaranteeing authorship for works of art by providing certificates of authenticity along with the physical object. Authenticity and the original have been traditionally tied to the original material of artworks, and certificates issued for traditional art rely upon evidence from or of the material constituting the

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<sup>71</sup> J Meyer, 'The Second Degree. Working Drawings and Other Visible Things on Paper Not Necessarily to be Viewed as Art' in M Corris (ed.), *Conceptual Art. Theory, Myth and Practice*, Cambridge University Press, Cambridge, 2004, p.108-109.

<sup>72</sup> Jenny, L, 'Unidentifiable Visible Objects' in M Bochner, *Working Drawings and Other Visible Things on Paper not Necessarily to be Viewed as Art*, trans. J O'Toole, Picaron Editions, Paris, 1997, p.22.

<sup>73</sup> R Shiff, 'Donald Judd, Safe from the Birds' in N Serota (ed.), *Donald Judd*, Tate Publishing, London, 2004, p.39.

work. However, authenticity is now established through certificates signed by the artist, delineating in legalistic language the various components of the work, and often complimented by a sketch drawing on standard graph paper<sup>74</sup>. Modern art certificates function merely as a signature, since practically anyone can fabricate works composed of industrial materials or reproduce a simple idea. Again, as Joseph Kosuth remarked, “anybody can have a ‘Dan Flavin’ by going into a hardware store”<sup>75</sup>. Hence, in conceptual art, the original may only be established in terms of the idea; in terms of physical medium, there is no original.

### ***From Perpetuity to Ephemerality***

Perceptions about traditional art are further usually linked to notions of or aspirations for perpetuity, not only in terms of remembrance or appreciation, but especially in terms of everlasting endurance and existence of the (original) material comprising an artwork. Perpetuity is also considered to be an aspiration of artists themselves, whose choice of materials, e.g. stone rather than clay or canvas rather than paper, is often interpreted in support of the assumption. Modern and contemporary art phenomena, however, seem to reject notions of perpetuity linked to the material and, instead, embrace ephemerality in various forms.

The manifestations of ephemerality include the intentional degradation of materials, site-specificity, temporality of installation, specific durations and event-type nature (e.g. time-based media art, video art), self-destruction, obsolescence of constitutive materials, ephemerality of meaning owing e.g. to viewer participation, etc.

Zoe Leonard’s *Strange Fruit (For David)* (1993-98), for example, consists of about 300 skins of avocados, grapefruit and other exotic, or not so exotic, fruit scattered on the gallery floor. After the artist ate the fruit, she stitched the skins back together using coloured thread, wire, buttons or even zippers. Decomposition of the scattered fruit becomes the essence of the piece, the marker of what constitutes the work of art.

As artist Gustav Metzger describes,

*Self-destructive painting, sculpture and construction is a total unity of idea, site, form, colour, method and timing of the disintegrative process.... The amplified sound of the auto-destructive process can be an element of the total conception... Auto-destructive paintings, sculptures and constructions have a life time varying from a few moments to twenty years. When the*

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<sup>74</sup> A Alberro, *Conceptual Art and the Politics of Publicity*, 2003, p.23.

<sup>75</sup> J Siegel ‘Art as Idea as Idea’, WBAI-FM New York radio interview, 7 April 1970 cited in Holzer, J, ‘Language Games: Interview with Jeanne Siegel’, 1996.

*disintegrative process is complete the work is to be removed from the site and scrapped*<sup>76</sup>.

Process is also central to Joseph Beuys' work, who comments that:

*My objects are to be seen as stimulants for the transformation of the idea of sculpture, or of art in general. They should provoke thoughts about what sculpture can be and how the concept of sculpting can be extended to the invisible materials used by everyone.... That is why the nature of my sculpture is not fixed and finished. Processes continue in most of them: chemical reactions, fermentations, colour changes, decay, drying up. Everything is in a state of change*<sup>77</sup>.

Ephemerality in terms of site-specificity is linked, on the one hand, to a transitive definition of site and, on the other hand, to the incursion of surrounding space, literal space or real space into the viewer's experience of the artwork. When the thematic content of an artwork derives from its place of display, it is deemed to be site-specific. By posing questions of the location of place of the object, and by undermining conventional oppositions between the virtual space of the artwork and the real spaces of its contexts, modern art challenges the viewer's privileged position as reader outside the work.

Felix Gonzalez-Torres' *Untitled, Portrait of Ross in L.A.* (1991) for example consists of a pile of individual pieces of candy, placed on the gallery floor. The public is encouraged to consume the candy, which is regularly replenished by the gallery staff. In fact, the piece relies on the consumption of the candy by the public for its completion. The viewer no longer stands opposite an artwork, but is immersed in it. Dan Graham's *Public Space/Two Audiences* (1976) also depends on occupancy by viewers in order to function. The work's material construction, its exhibition premises, and its viewers become part of an undivided totality<sup>78</sup>. The approaches to specific sites which emerged from the art historical categories of Land art and Earth art, also frequently played on the gallery as a vantage point from which the viewer might look out toward designated mapped locations<sup>79</sup>.

Ephemerality further directs understanding of art in terms of life-cycles, which implies the possibility of death of an artwork. The ephemeral aspect of Flavin's lights is inherent in the

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<sup>76</sup> G Metzger, 'Auto-Destructive Art' in Stiles, K & P Selz, *Theories and Documents of Contemporary Art. A Sourcebook of Artists' Writings*, University of California Press, USA, 1996, p.401.

<sup>77</sup> J Beuys, 'Untitled Statement', 1973 Stiles, K & P Selz, *Theories and Documents of Contemporary Art. A Sourcebook of Artists' Writings*, 1996, p.633-634.

<sup>78</sup> A Rorimer, *New Art in the 60s and 70s. Redefining Reality*, 2001, p.207 and p.229.

<sup>79</sup> N Kaye, *Site-Specific Art: Performance, Place and Documentation*. Routledge, London, 2000, p.91 and p.25.

impermanence of the medium he uses. The lights can be turned on and off and have a limited life span. Moreover, undeniably, at some point the lights will become obsolete. As Dan Flavin remarked about his works, which he called “monuments” ironically due to their temporary nature, “these monuments only survive as long as the light system is useful”<sup>80</sup>.

### ***From Unique to Variations***

A traditional artwork is usually assumed to be unique, both in a sense pertaining to originality and, more importantly, in a sense pertaining to its existence. A traditional artwork is usually thought to be just one; the artwork is a very specific object and nothing else can be the same work of art. Contemporary art phenomena resist this held conception. The artwork no longer seems unique; rather it may be recreated, potentially many times and at any time, it may exist simultaneously at two different places at the same time, and it may appear in variations.

In discussing the art historical category of New Media art, Christian Paul provides an analysis that seems to encapsulate the shift from the unique to many variations for all art that is conceptual.

*... [art] has to multiply and mutate in order to survive and a work often undergoes changes in personnel, equipment and scale from one venue to the next. [Conceptual] works are time-based, dynamic, interactive and participatory, customizable and variable, though not necessarily medium specific. Presenting [conceptual] art in the museum or gallery always re-contextualizes it and often reconfigures it. The variability and modularity inherent to the medium often means that a work can be reconfigured for a space and shown in very different ways... the same work might be presented as an installation or projection or other<sup>81</sup>.*

Ian Wilson’s *Circle on the Floor* (1968), for example, known also as *Chalk Circle*, was drawn directly on the parquet floor when first shown in a group exhibition at the Bykert Gallery, New York. Consisting of a ½-inch thick white line, it circumscribed an area of about six feet in diameter. Anne Rorimer<sup>82</sup> stresses how the importance of *Circle on the floor* (and also of a nearly identical work of the same size drawn in pencil called *Circle on the wall*) lay not in its positioning on the floor or its minimal sparseness, but in its abstract intangibility. The work may be redrawn anywhere, at any time, and still remain the same. For Ian Wilson, the act of thinking and speaking about such a form came to suggest an even greater degree of abstraction than the reproduction of a circle on

<sup>80</sup> M Govan, ‘Irony and Light’ in M Govan & T Bell (eds), *Dan Flavin. The Complete Lights 1961-1996*, Dia Art Foundation, Yale University Press, USA, 2004, p.45.

<sup>81</sup> C Paul, ‘Challenges for a Ubiquitous Museum. From the White Cube to the Black Box and Beyond’ in C Paul (ed.), *Curatorial Models for Digital Art. New Media in the White Cube and Beyond*, University of California Press, USA, 2008, p. 53-75.

<sup>82</sup> A Rorimer, *New Art in the 60s and 70s. Redefining Reality*, 2001, p.91.

the floor or the wall. Once this work was no longer on display, it nonetheless could be pictured simply through the use of the term 'circle'. Wilson therefore concluded that the abstract shape of a circle need not be drawn since it could equally be brought to mind by a signifier.

In his 'Sentences on Conceptual Art' (1969), Sol LeWitt says that "for every work of art that assumes a physical form, there are any variations that do not" and that "a work of art may be interpreted as a conductor from the mind of the artist to that of the observer, but it may never reach the observer, or never leave the artist's mind"<sup>83</sup>. His work *on four black walls, white vertical parallel lines, and in the centre of the walls, eight geometric figures (including cross, X) within which are white horizontal parallel lines. The vertical lines do not enter the figures* (1980-81), otherwise known as *Six Geometric Figures (+ Two) (Wall Drawings)*, makes LeWitt's ideas about art even more apparent. Instructions about the work include sentences such as:

*... the distance between the figures and the edge of the wall is variable... The drawing can exist with any number of the figures from one to eight but must be done in the same sequence if more than one is used... Any single figure may be used at any time... They may be used separately... It may be loaned while still installed at the Tate by being drawn elsewhere<sup>84</sup>.*

### ***From Heritage to Potentially Heritage***

Traditionally the work of art has been understood as both an aesthetic and an historic object. This has been the basis for the argument that all artworks are, by definition, heritage. That is to say, it is commonly accepted that, in order for something to qualify as heritage, there needs to be a certain historical distance from the epoch during which it was created so that its value may be recognised (or attributed).

All 'conservation objects' are heritage objects. If not heritage, then these objects are non-conservation objects. That is, if a professional conservator acts upon an object which is not heritage, the aim and ethics of conservation need not apply. Cases of objects that are potentially heritage do not strictly comprise conservation objects. However, they do not necessarily qualify as non-conservation objects either. Modern and contemporary artworks lack this historical distance. They are not considered to be heritage yet. However, due to the fact that, historically most artworks have been considered heritage, contemporary artworks may be considered as

<sup>83</sup> L Vergine, *Art on the Cutting Edge: A guide to Contemporary Movements*, Skira, Milan, 1996, p.156.

<sup>84</sup> *Six Geometric Figures (+Two) (Wall Drawings) 1980-81* in *The Tate Gallery 1980-82: Illustrated Catalogue of Acquisitions*, London, 1984, n.p., Available online at: <http://www.tate.org.uk/servlet/ViewWork?workid=8765&searchid=12496&roomid=3670&tabview=text>

highly potential cases of heritage entities. The distinction is crucial for conservators, as the object of their intervention is and the ethics framing their intervention derive from cultural heritage.

## CONSERVATION CHALLENGES

The challenges brought about by the new art phenomena to the traditional understanding of conservation values and principles seem to have triggered a multi-faceted problematic situation within conservation. The situation may be presented in terms of three broad areas of escalating problems, starting from a) a conceptual lag within conservation with regard to conceptions of the artwork, leading to b) the inability to ethically justify substitution and recreation as conservation practices, and culminating in c) a questioning of the very notion of conservation.

### *Conceptual Lags*

a) With contemporary art it seems that the negative changes that may be brought about to a conservation object are not restricted to the material level. Intervention on the material level often influences immaterial aspects of a work, such as its intended meaning or even its identity as an artwork. Such changes result, or potentially result, in an alteration of the nature of the thing conservators are dealing with. While the new art phenomena directly challenge held conceptions of the artwork, conservation seems to lag behind.

New art phenomena raise questions about the relationship of the original to the copy and direct understanding of art to the notion of life-cycles, including the possibility of death of an artwork. Other problems include materials no longer being available, or technology becoming obsolete. The artwork itself may not exist anymore, it may never have materialized, or the artist may wish to conceive the work anew. Site-specific works may become void of meaning or substance outside the particular context in which they were created. Their complexity in terms of both structure (concept, materials, etc.) and function admittedly<sup>85</sup> questions what, e.g. an Installation artwork is (i.e. it seems to be only a number of objects or items that exist in different formulations in different spaces); what constitutes the authentic or the original work of art; and what it is that conservators are meant to preserve.

The aesthetic is now defined in terms of the meaning generated. Problems that have also been noted, pertaining to the objectives of artists in exhibiting 'meaning' through materials, present the issue of when the condition or state of the materials employed no longer convey this meaning. Questions that follow concern the legitimacy of presenting documentation as a replacement of original temporary and site-specific works, or of producing a replica or copy of

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<sup>85</sup> *Shifting Practice, Shifting Roles? - Part 5 Panel Discussion moderated by Ysbrand Hummelen*, video recording, Tate Channel, Tate Modern London, 22 March 2007, Available online at: <http://channel.tate.org.uk/media/38065051001#media:/media/38065051001/24884695001&context:channel/most-popular>



them. Such concerns have also led to a questioning of whether all artworks are meant to be preserved<sup>86</sup>.

Much of the debate focuses on the propriety and correctness of re-exhibiting or re-creating artworks. Joseph Beuys' works for example are part of the controversy over the re-exhibiting of temporary or site-specific installations<sup>87</sup>. On the one hand there is the opinion that parts of these installations can be shown in different spaces, independently of their original contexts. On the other hand, there is the opinion that Beuys' installations are the material remnants of an act that has no meaning without the determining intervention of the artist; hence exhibition of the parts cannot be justified.

The challenges presented in works that purposefully introduce decay are also obvious. An interesting case is Beuys' *Fettecke in Kartonschachtel* (corner of fat in a cardboard box) (1963). The fat and felt piece was displayed in a Plexiglas box under a spotlight. As a result, the fat heated, changed shape and sank into the felt. In 1977, the piece was restored by the reconstitution of the fat using stearin, linseed oil and beeswax so as to prevent it from melting again. The restoration can be criticised as unethical in that it defied the artist's intent to exhibit change and decay<sup>88</sup>.

Another artist, Dieter Roth appears to emphasise the irreconcilable need to maintain both the material dimension of the work and its conceptual dimension at the same time. Roth's works include installations, monumental objects, and sculptures made from edible substances (e.g. chocolate, sugar, yoghurt, cheese, bread, mince). While mutability and transience may be inherent in all works of art, Dieter Roth accelerates these phenomena making them visible within a short period of time. He is interested in the structure of decay. In his case conservators have the contradictory need to conserve that which was intended to be ephemeral. Heide Skowranek<sup>89</sup> asks whether it is legitimate to slow down the processes in a museum in order to preserve the

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<sup>86</sup> C Stringari, 'Installations and Problems of Preservation' in IJ Hummelen & D Sillé (eds), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art*, Foundation for the Conservation of Modern Art & Netherlands Institute for Cultural Heritage, Netherlands, 1999, p.272 and p.274.

<sup>87</sup> R Groenenboom, 'Installations and Interpretations' in IJ Hummelen & D Sillé (eds), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art*, Foundation for the Conservation of Modern Art & Netherlands Institute for Cultural Heritage, Netherlands, 1999, p.343.

<sup>88</sup> M McGrath, McGrath, M, 'Material Matters: The Conservation of Modern Art', *CIRCA*, 109, Autumn 2004, pp. 50-53.

<sup>89</sup> H Skowranek, 'Should we Reproduce the Beauty of Decay? A *Museumsleben* in the Work of Dieter Roth', *Tate Papers*, issue 8, Autumn 2007, n.p., Available online at: <http://www.tate.org.uk/research/tateresearch/tatepapers/07autumn/skowranek.htm>

object for reasons of cultural heritage. Can a replica be a way of overcoming this paradox? Such and other similar questions stemming from conceptual lags point to yet another question. If the work purposefully degrades and dies how can conservators protect it from harm?

***Substitution and Recreation seem Unethical***

b) Following the challenges brought about to notions like authenticity, unique, original, etc., new problems emerged for the evaluation of conservation practice. The greatest ethical and conceptual challenge to conservators stems from the practices of substitution and recreation. Contemporary artworks may require constant substitution and recreation for their survival. While it has become common practice to follow the intents of the artist where these are known, and either substitute or recreate within museums and galleries, issues of substitution, re-interpretation, material condition, artistic intent and criteria for presentation, often conflict with conventional conservation ethics, and principles like minimum intervention and no removal of original material render these practices seemingly unethical.

Modern and contemporary artworks are excessively prone to substitution and recreation. Substitution and recreation have, in a sense, always posed problems within conservation (e.g. replacements with other materials covering losses, or causing loss of material via cleaning). However, modern art requirements for substitution and recreation seem to pose more substantial challenges, since the former is against the notion of true nature or original material, while the latter involves the creation of replicas, mock-ups and copies. Restoration practices and the creation of copies relate to degrees of imaginative restoration. These were banned on the basis of causing harm, damage or loss of material on the one hand (issues of integrity), and on the basis of forgery, miss-conceptions and false presentation on the other hand (issues of authenticity).

John Ruskin considered the most fruitful sources of these kinds of corruptions, the use of iron, whether for support or in substitution of corroded materials. Unlike clay, wood, stone and other traditional architectural materials, iron does not exist in nature in pure form; nor is it accessible from the earth's surface, or to be found in great quantity. Thus, according to Ruskin, "the moment that iron in the least degree takes the place of stone...the building ceases...to be true architecture"<sup>90</sup>. Viollet-le-Duc also maintained that the architect (or restorer) must never work against truth. Respect for the original forms was one of the main objectives of restoration and, in principle, this was to be done with materials similar to the original. Viollet-le-Duc, however, also

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<sup>90</sup> J Ruskin, 'The Work of Iron' in D Birch (ed.), *John Ruskin Selected Writings*, Oxford University Press, New York, 2004, p.109-110.

J Ruskin cited in J Evans, *The Lamp of Beauty: Writings on Art by John Ruskin*, 1995, p. 205.

accepted the use of modern materials such as iron and steel in the place of stone and timber, so long as the original structural ideal was maintained and the weight of the structure not increased<sup>91</sup>. He not only employed iron for supports of wide-spanning vaults and ribs, but he demonstrably exposed the new material to common view. In his second volume of the *Entretiens sur l'architecture* (1858-72), he includes long calculations of cost in order to convince readers of the benefits of iron. As an additional advantage, Viollet-le-Duc recognises that the iron members of a building can be made in closed studios and assembled on the site<sup>92</sup>.

Truth for John Ruskin also demanded that all later alterations made to a building be kept intact. Ancient buildings were to be regarded as a whole with their historic alterations and additions. Buildings were the testaments of their first builder to later generation and the secular monuments were those out of which the nation's identity was built. However, they represented particular historic periods only insofar as their authentic material was undisturbed and preserved in situ. Therefore a moral authority lay in the substance of monuments and restoration constituted an immoral violation of ancestral piety.

The practice of completing or even re-creating an altered work constitutes the other extreme position, which has won over that of Ruskin's. According to Viollet-le-Duc, however, keeping later changes and additions could only be justified if these were significant from the point of view of the history of architecture, or if they were improvements of an originally defective element of the building. "It is impossible, as impossible to raise the dead, to restore anything that has ever been great or beautiful in architecture...that spirit, which is given only by the hand and eye of the workman, can never be recalled. Another spirit may be given by another time, and it is then a new building"<sup>93</sup>.

From 1854 onwards, Viollet-le-Duc's restoration replaced John Ruskin's materialism, signifying a shift, in the realm of art, from tangible to intangible values that still prevails today. Even Alois Riegl, who also acknowledged the appeal of age-value and the consequent duty to allow for a gradual, but nonetheless final, decay of buildings and of art with the least intervention upon original material, accepted the need for restoration<sup>94</sup>. Camillo Boito, who synthesised the philosophies of John Ruskin and Viollet-le-Duc, embraced Ruskin's demand to maintain the authenticity of the original matter as a means of preserving the documentary value of an historic

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<sup>91</sup> J Jokilehto, *A History of Architectural Conservation*, 1999, p. 155.

<sup>92</sup> N Pevsner, *Ruskin and Viollet le Duc: Englishness and Frenchness in the Appreciation of Gothic Architecture*, 1<sup>st</sup> Walter Neurath Memorial Lecture, London, Thames and Hudson, London, 1969, p.42.

<sup>93</sup> J Ruskin, *The Seven Lamps of Architecture*, 1989, 'Lamp of Memory' §18, p.176-198.

<sup>94</sup> MK Talley, 'The Eye's Caress', 1996, p.20.

work, but he also accepted interventions, claiming that "restoration is a necessary evil". "Older things", he said, "are always, in general, more venerable and more important than less old things"; but "when the latter prove themselves more beautiful than the former, beauty overcome age"<sup>95</sup>.

The question is also raised on whether there is a difference between sculpture and painting in terms of legitimacy of producing copies, especially when considering shifts of status that may occur for the replicas produced, i.e. from copies to originals. Considering the case of Donald Judd, on the one hand, the practice of making copies of his works has found no profound objections, as long as this is done by the designated fabricators. On the other hand, although Judd authorised editions to be made during his fabricator's lifetime, complete replacements, i.e. replicas, are not considered ethically permissible. However, in some cases of installations, for example, it has been suggested that the intensity, intention and meaning of the original works are represented more precisely through documentation than an attempted reinstallation<sup>96</sup>. The documentation presumably provides a "second life for the piece and serves as a recollection of the work". From the point of view of the conservator, however, keeping the original material in the best possible condition, which is the most original (in appearance) condition, has priority.

In 1966, Dan Flavin began to edition his lights. This practice gave rise to debates concerning the legitimacy of replacing the light tubes. When he began selling built works with drawings made by him that denoted how the lights should be configured, it was assumed that he accepted the changing of the light bulbs. Moreover, when the process of editioning was adapted to his earlier work, such as in the case of *the diagonal* whereby nine versions were created in the nine commercially available colours the Flavin consistently used, further debates were generated as to the legitimacy of reproducing his works. However, Tiffany Bell<sup>97</sup> remarks, in his certificates, Flavin incorporated all the dates needed to guarantee their authenticity: the date of the fundamental conception of the work, the date of first exhibition, which generally dates the first fabrication of the object, and the sale date, which indicated when a given numbered work from the edition was first fabricated. Because his drawings had been interpreted by some as individual works of art and sold independently of the constructions, Flavin began to make more informal documents on

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<sup>95</sup> Cited in NM Vieira, Vieira, NM, 'A Discipline in the Making. Classic Texts on Restoration Revisited', *City and Time*, vol. 1, no. 5, 2004, p.67, Available online at:

<http://www.ceci-br.org/novo/revista/docs2004/CT-2004-13.pdf>

<sup>96</sup> R Groenenboom, 'Installations and Interpretations', 1999, p.347.

<sup>97</sup> T Bell, 'Fluorescent light as art' in M Govan & T Bell (eds), *Dan Flavin. The Complete Lights 1961-1996*, Dia Art Foundation, Yale University Press, USA, 2004, p.121-124.

gallery stationary. From 1970 onwards, the certificates issued carried only his signature and the comment "this is a certificate only".

If the guarantee of authenticity lies more in the certificate rather than the physical object itself, then perhaps substitution and recreation do seem justifiable. However, these practices also appear to entail large degrees of damage or loss, thus suggesting that the results of such practices are cases of conservation failures. Hence conservators are ultimately unable to ethically justify these activities.

### ***Conservation Itself is Questioned***

c) The scope of the problem is much more severe, culminating in the questioning of the notion of conservation itself. While this thesis focuses on modern and contemporary art, the issues brought about by such art are in fact common to all art and conservation objects in general. Medium specificity used to form the basis for the distinction of conservation specialisms; this is now abandoned. When the conservators are asked to preserve an object that is intended to perform some kind of process, they are effectively being asked to conserve it by ensuring that change takes place, the change that results from process<sup>98</sup>. The principle of minimum intervention seems to become inapplicable.

John Ruskin maintained that "any work over which educated, artistic people would think it worthwhile to argue at all" is worthy of preservation. Considering today's cultural heritage objects and, especially mid. 20<sup>th</sup> century art, where works may be ephemeral, or composed of industrial materials and thus devoid of any "mark" of a craftsman, it seems almost impossible to ensure their longevity while retaining at the same time Ruskin's desired material authenticity. An extreme action, following his principle of prevention, would be to nearly freeze an ephemeral work at some point of its "life", for the sake of posterity, thus however, depriving the work's meaning to fully unfold for the sake of the present generation. Once entirely deteriorated, the work would never be instantiated again. Industrially made works, it seems, would only comprise potentially valued objects in terms of age, i.e. after the substitutable parts become obsolete. It would not thus be necessary to consider them in terms of preservation until then.

The problem is exemplified even more pronouncedly in Olafur Eliasson's *Notion Motion* (2005). The work is an installation specially made for Museum Boijmans Van Beuningen. It consists of three consecutive situations using water and light to visualise the reflection of the light on the

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<sup>98</sup> S Muñoz Viñas, 'The Artwork that Became a Symbol of Itself' in U Schäbler-Saub & A Weyer (eds), *Theory and Practice in the Conservation of Modern and Contemporary Art. Reflections on the Roots and the Perspectives*, Archetype Publications, London, 2010, p.15-17.

water, linked to the movement of the gallery visitors. Connected by a long, elevated wooden walkway, the situations experiment with vibrations as a phenomenon that defines and reconfigures space, the work was executed by a building company (Werkstatt in collaboration for the technical drawings with the artist), conservators, and the technical staff of the museum. It is built anew every time it is installed with new materials; physical preservation has no relevance<sup>99</sup>.

Following these artistic tendencies and the challenges they pose for traditional conservation ethics and principles, nihilist attitudes towards conservation developed. According to the nihilist attitude, conservation lacks a logical basis: conservation is what conservators recognize as such. Conservation is defined as it is performed, and its use and repetition is what allows conservators to know and understand it. That is, there is no real criterion that can explain or help to understand the conservation activity. The position, which can also be described as radical subjectivism, and which defines conservation as a creative activity (not merely in a technical sense, but also in an artistic sense), has been defended by authors such as Denis Cosgrove, John MacLean, etc<sup>100</sup>. More modest expressions of these ideas rely on historical arguments, recalling that in past times it was common practice to modify existing monuments with a great degree of freedom.

Conservation practice is affected by the new art phenomena and so are its goals and central aims as an activity. In essence what are questioned are the very foundations of conservation. Basic principles, i.e. referring to the goals and means of conservation, common to nearly all conservation Codes of Ethics are those of prevention, minimum intervention, retreatability, use of harmless materials, and reversibility. These principles have been profoundly contested and their usefulness has been challenged. The kinds of art discussed, not only challenge traditional understanding of conservation aims, but also challenge the necessity of these concepts to begin with.

Cesare Brandi had also identified a gap between the theoretical principles of restoration which he laid out and their practical application. This gap refers to the role of the principles, which he deems corresponsive to those of regulations in the field of law. According to Brandi, each case of restoration is a case in itself and not an element in a collective series. Nevertheless, he concludes, “there can be determined a few broad categories of art, on the basis of the system of reference by which a work of art is a work of art, both as historic record and as form”<sup>101</sup>. In the transition

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<sup>99</sup> E De Groot & J Guldemond, ‘Olafur Eliasson, Notion Motion, 2005’ in T Scholte & P Hoen (eds), [www.inside-installations.org](http://www.inside-installations.org), ICN/SBMK, 2007, p.13.

<sup>100</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.43 and p.147-150.

<sup>101</sup> *Ibid.*, p.65.

from norms to application, these categories must act as a reference point in the same way that regulations provide instruments for implementing legal norms. These reference points, however, will group an indefinite number of individual cases on the basis of fairly general characteristics. Consequently, they do not function as norms themselves, but as an interpretative basis for the application of an actual norm.

Giovanni Carbonara on the other hand, expressed objections to a systematic view of conservation altogether.

*The danger of betraying guiding principles is always present when faced with the difficulties of individual concrete cases. They seem to justify setting aside the development of principles as useless, academic baggage, in favour of direct and active contact with the monument<sup>102</sup>.*

In the conservation of modern and contemporary art, preconceived rules appear counter-productive. However, the nature of the conservation object requires that such rules exist; suggesting otherwise would be like suggesting that it is counter-productive to have rules in medicine.

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<sup>102</sup> G Carbonara, 'The Integration of the Image: Problems in the Restoration of Monuments' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.237.

## THE STATE OF THE ART

While currently substitution and recreation have become common practices within museums, they are still unethical with respect to conservation Codes of Ethics and guidelines for practice. A justification for substitution and recreation as conservation practices is provided by conservators arguing that the alternative option is the total loss of artworks. Most conservators, for example, feel that replacement of a light tube is a perfectly eligible conservation action for Dan Flavin's works, at least in that, "if nothing else, it is an attempt against the alternative of total loss of the work"<sup>103</sup>. The danger of the total loss of the artwork then is what denies the conservator an alternative approach to Flavin's works. As Frank Whitford remarked "questions about conservation refused to go away when I considered the difficulty of adequately representing light in a work of art other than with light itself"<sup>104</sup>.

In cases of emergency, conservation Codes allow conservators much more freedom in action in order to prevent the total loss of cultural heritage. But it hardly seems plausible to classify all of conceptual art, past, present and art yet to be created, as an "emergency" conservation case. The ethical justification of substitution and recreation must be solidified through specific concepts and principles embedded in Codes of Ethics.

In many other modern and contemporary artworks, such as Joseph Beuy's *Capri-battery?*, which consists of a light bulb and a lemon, substitution does not seem so easily justifiable. Beuy's instructions about the piece say "after 1000 hours change the battery" of the light bulb; but there are no instructions about the lemon should it decay. Conservators feel that it needs to be clarified if it makes a difference whether the material is industrially produced or organic<sup>105</sup>.

Following this line of thought notions like those of "evolving identity", "collective connoisseurship" and "multiple interpretations or narratives" have emerged to define or justify practices like those on Artur Barrio's *Interminavel* (2005) for example. *Interminavel* is a work made up of ephemeral materials: coffee dregs were spread over the floor, along with crumpled paper and a pile of 1,000 loaves. The artist knocked pieces of plaster out of the wall, applied splashes of coffee and wrote texts in felt-tip pen, adding the periods of time he had worked on them. This was lit by a few small light bulbs suspended from heavy cables. The work was made as a temporary installation on the occasion of the Artur Barrio/Joseph Beuy's exhibition in the

<sup>103</sup> D Pullen, Lead Conservator Sculpture, Tate, Personal Communication, 23 June 2005.

<sup>104</sup> F Whitford, 'New Lamps for Old', *Sunday Times*, September 2<sup>nd</sup> 2001, Features: Culture, pp.14.

<sup>105</sup> M von der Goltz, 'Alois Riegl's *Denkmalswerte*: A Decision Chart Model?' in U Schäbler-Saub & A Weyer (eds), *Theory and Practice in the Conservation of Modern and Contemporary Art. Reflections on the Roots and the Perspectives*, Archetype Publications, London, 2010, p.58.



Municipal Museum of Contemporary Art at Ghent (S.M.A.K.), as an imaginary dialogue with the work of Joseph Beuys; it can never be finished and with each new production a new layer will be developed.

The S.M.A.K. purchased the installation in spite of the fact that it no longer exists in its original form. During the work's creation process in 2005, the artist was observed, and the result was a detailed documentation of the creation process. Additional material (texts, artist's writings etc.) was compiled into a reader, with the intent to incorporate Barrio's own opinions into a suitable strategy for reinstallation. Conservators state that the artist's reinstalling his work each time is only a temporary solution. After the artist's death the re-execution may be carried out by third parties via reinterpretation based on a conceptual scheme<sup>106</sup>.

In order to justify activities such as substitution and recreation museums and conservators rely on the permission provided by the artist as to such an approach. Such permission is either sought when the issue of rapid degradation arises, or immediately upon acquisition. According to copyright law, permission is to be gained by the artist himself or by his estate if he is no longer alive. Such permission as to substitution and recreation in the treatment of specific works of art, is a legal issue, and thus specific to the laws of individual countries or states. And while the law may be ultimately definitive of whether substitution or recreation will take place, the question of whether substitution and recreation are in principle ethically permissible conservation practices is a different thing all together.

Acknowledgement of this distinction within the conservation community has led to numerous attempts to redefine key or central concepts and principles in conservation ethical Codes, which appear problematic in relation to practices like substitution and recreation. Such attempts include the notable conferences and publications: *Reversibility: Does it Exist?* (1999); *Nara Conference on Authenticity* (1994); *Art Conservation and Authenticities. Material, Concept, Context* (2009), *Conservation: Principles, Dilemmas and Uncomfortable Truths* (2010). The premise framing these attempts is that concepts like reversibility, authenticity and integrity, and principles like minimum intervention are problematic in themselves; they are not clearly defined, they may only be subjectively approached and they do not provide sufficient guidance because of conservation's case specificity.

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<sup>106</sup> K Wijne, 'Artur Barrio, Interminavel, 2005' in T Scholte & P Hoen (eds), [www.inside-installations.org](http://www.inside-installations.org), ICN/SBMK, 2007, p.6.

Criticisms of the objectivity of these concepts have further led to new ways of understanding conservation. Salvador Muñoz Viñas<sup>107</sup> suggests that conservation deliberately alters both the objects and their meaning, instead of actually conserving them; it does not restore meanings or objects, but rather adapts them to present-day expectations and needs. This notion was also part of Carbonara's criticism of Brandi's theory in that it is too limiting when it restricts the creativity of the "architect-restorer"<sup>108</sup>. Alessandro Conti argued that "the historical aspects and the aesthetic ones, and indeed their distinction, belong to the culture of the individual carrying out the restoration"<sup>109</sup>. Muñoz Viñas also suggests that conservation will better respond to the problems it is supposed to solve if it is allowed to become a creative activity.

Again, however, recreation cannot seem to be justified in all cases, nor does there seem to be a criterion to distinguish among cases. In 2002, at the SFMOMA, mock ups were made to gain a greater understanding of the properties of the materials Eva Hesse used, and techniques were employed to recreate the effects as seen in her work. During a visit to SFMOMA, Hesse's fabricator, Doug Johns brought the two original polyurethane moulds he had used to make *Sans II* (1968) a fibreglass and polyester work comprised of five sections. Each section is made up of twelve boxes, six boxes from one mould across the top, and six from the second mould across the bottom. SFMOMA owns one of the five sections and original mould-making materials from the time of Hesse's studio and used them in the mock-up. The five sections of *Sans II* are all made from the same container of resin and have been shown both separately and all together. The initial goal for making the mock-up was to learn more about the process and techniques used by Hesse's original fabricator; i.e. it was created for educational purposes. Yet, after seeing the mock-up next to the original piece, conservators acknowledged that the end result begs the question of reproduction, or recreation<sup>110</sup>.

In the 2002 Retrospective, it was suggested that replicas of Hesse's works might legitimately be made and displayed alongside severely deteriorated works. However, at the point where the

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<sup>107</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.147-148.

<sup>108</sup> MA Vaccaro, 'The Emergence of Modern Conservation Theory' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.208-209.

<sup>109</sup> Cited in M Ferretti, 'A serene vision of the relationship between material and image' in A Conti, *History of the Restoration and Conservation of Works of Art*, trans. H. Glanville, Elsevier Ltd., USA, 2007, p.391 Note 16.

<sup>110</sup> M Barger, 'Thoughts on Replication and the Work of Eva Hesse', *Tate Papers*, issue 8, Autumn 2007, n.p., Available online at:

<http://www.tate.org.uk/research/tateresearch/tatepapers/07autumn/barger.htm>

Barger, M, C Stringari & E Sussman, 'Eva Hesse: Expanded Expansion', video recording of the conference *The Object in Transition*, The Getty Conservation Institute, Los Angeles, 2008, Available online at:

[http://www.getty.edu/conservation/publications/videos/object\\_in\\_transition\\_day2.html#3](http://www.getty.edu/conservation/publications/videos/object_in_transition_day2.html#3)

original work degrades to a degree “that it was little more than a meaningless pile of dust and rubble”, the replica would probably need to be re-designated a reconstruction, thus acquiring a status similar to the reconstructions attempted from photographic images of lost works<sup>111</sup>. Again, recreations are not considered to be able to stand in for the work and hence fail to be justified outside the scope of education or dissemination of the artwork.

There are quite a few published efforts to rectify the situation by addressing the problems of modern and contemporary art conservation. The most notable and influential ones have been: *From Marble to Chocolate: Conservation of Modern Sculpture* (1995); *Modern Art: Who Cares?* (1999); *Mortality-Immortality? The Legacy of 20<sup>th</sup> Century Art* (1999); the *Matters in Media Art* project (2003-); the *Inside Installations* project (2004-07), *Modern Art: New Museums* (Bilbao, 13-17 September 2004); ‘Inherent Vice; The Replica and its Implications in Modern Sculpture’ (2007); *Theory and Practice in the Conservation of Modern and Contemporary Art* (2010). The majority of these publications present the central theoretical and ethical problems arising in specific conservation cases of modern and contemporary artworks. They examine the behaviour of their materials; they investigate how certain art historical categories of artworks, or how the works of a certain artist function; and they discuss the conservation concepts which they challenge. The two projects further attempt to draw guidelines for the care of Time-Based Media art and Installation art respectively.

The International Network for the Conservation of Contemporary Art (INCCA) is another initiative, which hosts a number of research projects and a database of artists’ interviews and personal experience of conservators regarding the treatment of contemporary artworks. The aim is to provide a platform of information exchange, including published and unpublished data, to be handled properly under copyright law. The main objective of the database is to provide a basis for conservation practice through comparison with other, previous cases. Other attempts to tackle the modern art problem include the organisation of subject specific conferences, such as the *The Object in Transition* (2008); *Permanence in Contemporary Art: Checking Reality* (Copenhagen, 2-3 November 2008); *Art d'aujourd'hui - Patrimoine de demain* (2009); *Contemporary Art: Who Cares?* (Amsterdam, 9-11 June 2010).

The most recent projects that have emerged as attempts to address the contemporary art problem specifically are the *New Strategies for Conservation* project of the Netherlands Institute for Cultural Heritage (Instituut Collectie Nederland, ICN) and the *Innovative Approach to the*

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<sup>111</sup> A Potts, ‘The Enduringly Ephemeral’, *Tate Papers*, issue 8, Autumn 2007, n.p., Available online at: <http://www.tate.org.uk/research/tateresearch/tatepapers/07autumn/potts.htm>

*Complex Care of Contemporary Art* (IACCCA) project, supervised by Iwona Szmelter and Monika Jadzińska<sup>112</sup>. The former project focuses on the study of individual case studies – following from the results of the Inside Installations programme – from which it tries to extract more general conclusions and generalised ethical principles that should guide modern and contemporary art conservation; these generalisations are to be based on the identification of paradigm conservation cases. The latter project aims at a new conceptual framework specifically for the care of modern and contemporary art.

These two projects are still in progress; they have not been completed nor have they been wholly published yet. Thus it is not possible to know the full extent of their contribution or do them proper justice at present. But what may be observed from the above mentioned projects and attempts to resolve the situations is that, on the one hand, the vast majority of conservation research to date is case-study based and, on the other hand, there is a still pending need to draw generalised conclusions about the ethical legitimacy of conservation actions in relation to the new art phenomena.

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<sup>112</sup> R Van de Vall, 'Towards a Theory and Ethics for the Conservation of Contemporary Art' in Stefanaggi, M & R Hocquette, *Art D'Aujourd'Hui, Patrimoine de Demain, Conservation et Restauration des Oeuvres Contemporaines*, 13es journées d'études de la SFIIC, 24-26 June 2009, Institut National du Patrimoine, SFIIC, Paris, 2009, pp.51-56.

R Van de Vall, 'Cases of What? On Mapping the Middle Range', International Symposium, *Contemporary Art: Who Cares? Research and Practices in Contemporary Art Conservation*, ICN, SBMK & UvA, Royal Tropical Institute, Amsterdam, 9-11 June 2010.

I Szmelter, 'A New Conceptual Framework for the Preservation of the Heritage of Modern and Contemporary Art' in U Schähler-Saub & A Weyer (eds), *Theory and Practice in the Conservation of Modern and Contemporary Art. Reflections on the Roots and the Perspectives*, Archetype Publications, London, 2010, pp.33-49.

I Szmelter, 'Rethinking A New Complex Science and Care Of the Heritage of Visual Art' in GE Lasker, H Schinzel & K Boullart (eds), *Art and Science*, Vol. VIII., Proceedings of a Special Focus Symposium on Art and Science, 22<sup>nd</sup> International Conference on Systems Research, Informatics and Cybernetics, 2010, pp.65-70.

## TOWARDS INTEGRATION

Attempts to date to resolve the situation have been mainly reductionist; they focus on the examination of specific case histories and the evaluation of different approaches used by conservators, aiming to synthesize their finds and draw more general conclusions about “proper” or ethical conservation methods for modern and contemporary artworks. While these attempts have provided significant insight into some of the theoretical issues and conflicts introduced to conservators by art forms such as the conceptual or the ephemeral, as well as certain plausible, practical ways by which to overcome these issues, they essentially reject traditional principles as inapplicable to the conservation of modern and contemporary art. Moreover, they present their findings in a manner relatively isolated from theory. The findings are not linked to the postulates of conservation thus resulting in free-floating conclusions, which leave the contemporary art problem unresolved. Rather, what they consistently indicate is that modern art conservation may need to break with traditional art conservation and ethics, and form a distinct field with its own guidelines for practice.

As Iwona Szmelter puts it:

*A paradigm of preservation theory and practice in relation to modern art is presently being formulated by the conservation community worldwide. This of course applies only to certain well-founded exceptions, to which normal principles of conservation could not be applied ... we need to observe the norms and verify preservation practice only when there is a real connection between theory and practice. Diverse aims make a common methodology impossible. Thus, it can be concluded that significant discrepancies have emerged between the chances of implementing conservation doctrines and preserving evidence of impermanent and ephemeral culture particularly in the last two hundred years. In order to present art more objectively, we naturally need to fine tune theory according to the real and increasingly dual image of art (matter/idea); a need that is universal, yet specific in the context of art. Hence we are proposing a new conceptual framework for the care of modern and contemporary art<sup>113</sup>.*

The overall tendency of these attempts appears to be one supporting the segregation of modern and contemporary art conservation from traditional conservation, at least in terms of the ethical rules guiding decisions and interventions. This suggested removal from conservation’s general orientation, i.e. from preservation to creation and from cultural heritage to modern art, challenges the unity of the profession and the status of conservators. A further problem arising

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<sup>113</sup> I Szmelter, ‘A New Conceptual Framework for the Preservation of the Heritage of Modern and Contemporary Art’, 2010, p.40-41.

from such a standpoint is that the core or the heart of the issue within conservation is not addressed, i.e. the general rule about whether and when substitution and recreation are ethically legitimate conservation actions. The answer to this question can only be provided through the conception of the artwork as a heritage object subject to conservation and through the attempt to achieve integration instead of segregation.

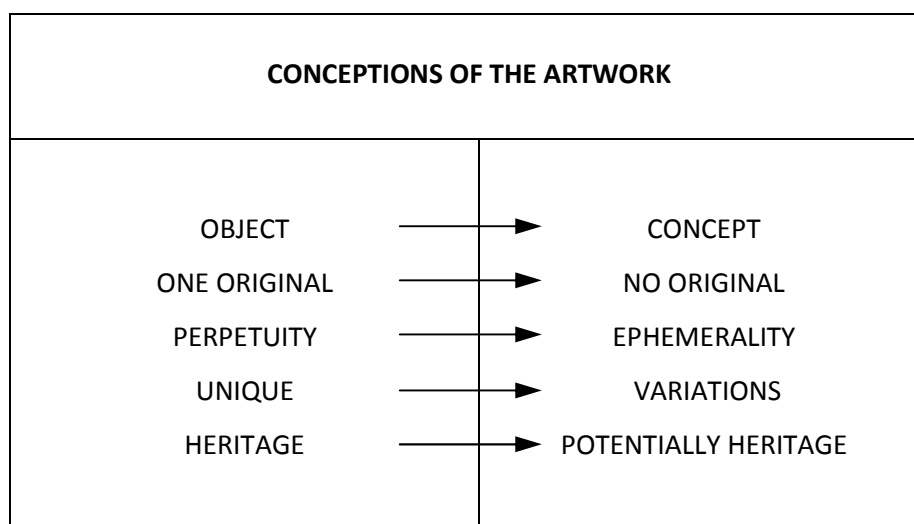
### ***Integration versus Segregation***

Contemporary artworks, as conservation cases, seem to present new non-anticipated data which contradict existing conservation theory, as the latter is expressed in existing conservation Codes of Ethics. Contemporary artworks deny the notion of the unique, they renounce authenticity based on original material, they require substitution and recreation as opposed to the principle of minimum intervention, and they celebrate change over permanence and stability. It is such observations that have indicated that conservation should be headed towards the creation of a new theory, which will be in line with the new data of contemporary art.

The situation, however, may be perceived otherwise; the data that appear to be new and contradictory to existing conservation theory are not in fact such. 'Unique' refers to a possible ontology of works of art; 'authenticity' also refers to artwork ontology as well as to artwork and heritage identities; specific conservation practices are evaluated against the concept of 'harm'; change, permanence and stability refer to persistence conditions, i.e. the necessary and sufficient conditions for something to continue to exist. As illustrated in the presentation of the historical development of conservation, artworks' ontology, persistence conditions for artworks, and causing or avoiding causing harm to artworks have been cardinal to conservation theory since the inception of the field. As such, they cannot be considered new data. Rather, the seemingly contradictory data presented by contemporary art are further dimensions of already existing concepts of conservation's theoretical framework. The contradiction is only illusory. What is required in this case is an expansion of the existing theory in order to integrate the new dimensions introduced by modern and contemporary art.

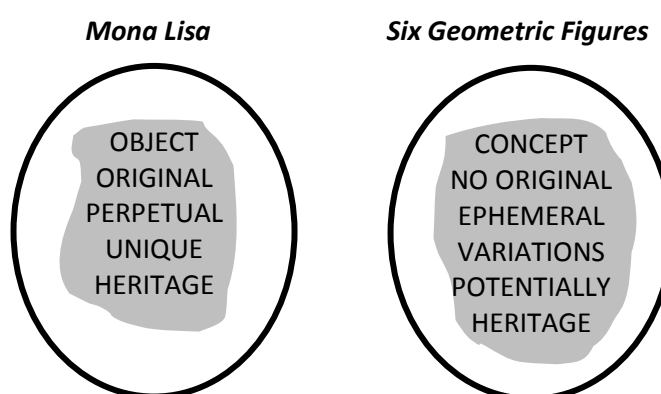
Moreover, the majority of the above mentioned attempts to respond to the problematic situation seem to support a break of modern art conservation from traditional art conservation on account of the fact that modern art presents entirely new phenomena and conceptions of the artwork, distinct from traditional art. The examples mentioned below, however, support the opposite.

This thesis has described the problematic situation in terms of five pairs of antithetical concepts that direct conservators' attention to conceptions of artworks as conservation objects (**Fig.1**).



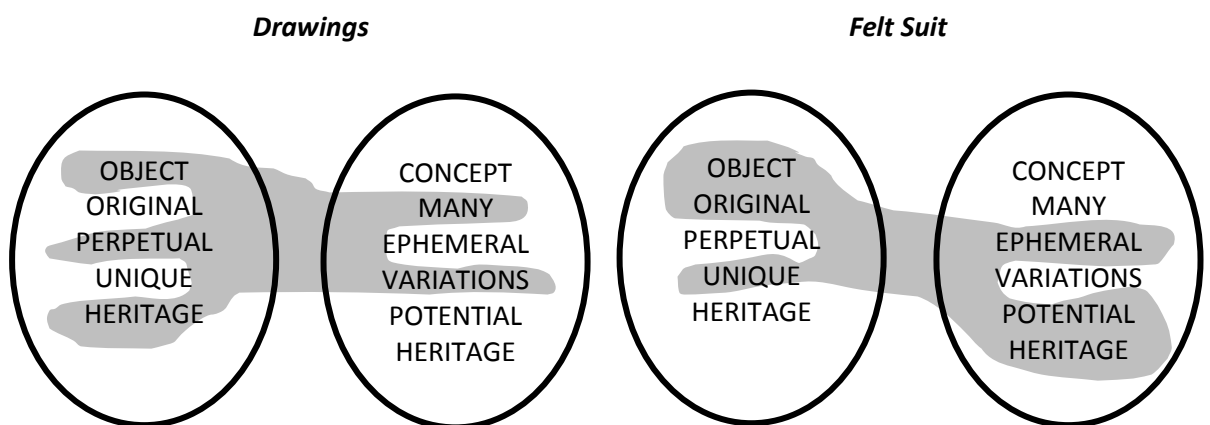
**Fig.1** Pairs of antithetical concepts.

The dichotomies, with regard to traditional and modern conceptions of the artwork, have been drawn based on the relevancy of the issues they raise for conservation. The left side of the Table presents characteristics or conceptions that roughly correspond to traditional works of art. For example, people tend to understand works like Leonardo da Vinci's *Mona Lisa* (1503-06) as an object, which is one and original (it even bears the artist's signature), it lays claims to perpetual existence, it is unique since nothing else can be the *Mona Lisa*, and it is definitely cultural heritage, worthy of preservation. The right side presents conceptions that roughly correspond to modern works of art. For example, Sol LeWitt's *Six Geometric Figures* (1980-81) is a work which is essentially a concept, it does not have an original since it can have many instances, it is ephemeral as it is site-specific and may be destroyed and created again, it may appear in variations and it is still only potentially heritage. One side of each pair must be chosen by the conservator in order to formulate a full conception of the artwork's situation, and before he can act with respect to the situation (**Fig.2**).



**Fig.2** Conceptions of traditional (left) and contemporary (right) artworks.

While these dichotomies may be said to represent traditional art and modern art, they are not strict. Examples show intermingling both in modern but also in traditional art. If more cases of works of art are examined, one may observe that these variables may be presented in different combinations. For example, Mel Bochner's *Working Drawings and Other Visible Things on Paper Not Necessarily to be Viewed as Art* (1966) is a conceptual work which, in spite of the fact that it was meant to be a curated exhibition, it is considered to be an object (four ring-bound copies of a collection of drawings and other visible things on paper). There is no original of the work, since it is all photocopied; it is perpetual in a traditional sense, it is not unique in that it has been re-exhibited and re-photocopied, but it is treated as heritage. Joseph Beuy's *Felt Suit* (1970) is an editioned piece, but it is an object (comprised of its editioned pieces) of which there is an original (all the editioned pieces), it is ephemeral in that the suits are consciously made out of a degradable material, it is unique in that it does not appear in variations and it is potentially heritage (Fig.3).



**Fig.3** Conceptions of *Drawings* (left) and *Felt Suit* (right).

Traditional artworks also partake in contemporary conceptions of the artwork. Such an example is Polycleitus' *Canon*. In the 5<sup>th</sup> century BC, the sculptor Polycleitus wrote a treatise on the method by which to create ideal sculpture and then he made a statue to illustrate it. As Galen of Pergamum records, "Polycleitus supported his treatise with a work of art; that is he made a statue according to the tenets of his treatise, and called the statue, like the work, the *Canon*"<sup>114</sup>. Both the treatise and the statue comprise the *Canon*. Moreover, the statue presumably makes manifest a concept, i.e. the 'εὖ' in art or the principle of 'συμμετρία' (commensurability). Should

<sup>114</sup> Galen, *de Placitis Hippocratis et Platonis* 5, cited in JJ Pollitt *The Art of Ancient Greece. Sources and Documents*, Cambridge University Press, UK and USA, 1990, p.75-77.



one take for granted, as most scholars do<sup>115</sup>, a consistency between Polycleitus' written treatise and his practice in sculpture, then all his works, at least those following the *Canon*, embody and reveal the instructions in the treatise for achieving the concept of the 'εὖ'. The statue *Canon* has been identified by many as the *Doryphoros*, but Pliny the elder strictly distinguishes the two<sup>116</sup>. However, whether *Doryphoros* is in fact the *Canon* or not is of little importance; like almost any other sculptures by Polycleitus, such as the *Diadoumenos* or the *Discophoros*, the *Doryphoros* may be considered as one of the many manifestations of the concept. In the case of the *Canon*, the work is the concept, of which there are many instances, it still aims at perpetuity, it is prone to variation and, it is heritage (Fig.4).

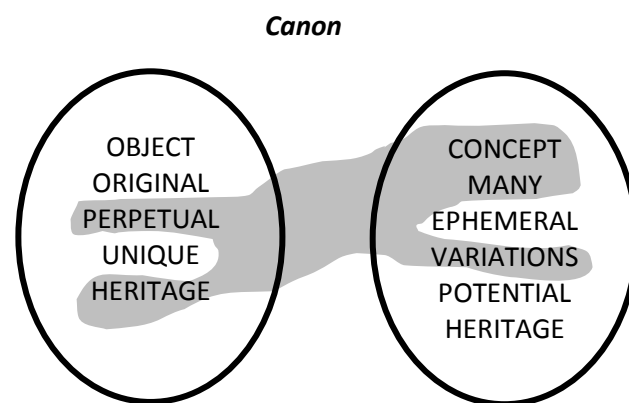


Fig.4 Conception of the *Canon*.

These and similar interpretations of artwork characteristics are usually provided by art historians, curators, or other experts. They are ambiguous and may be subject to further or alternative interpretations even with respect to the same artworks. Works seemingly conceptual may also present similar constraints as works usually considered to be objects.

Ephemerality as process, for example, is best represented by Eva Hesse. For Hesse, art is the process of making a piece, i.e. its meaning arises circumstantially. Even though Hesse was one of those artists who had her work fabricated outside her studio, Gioia Timpanelli recalls an incident when, in spite of the precise instructions Hesse had given her fabricator, Doug Johns, on how to make some pieces, she was disappointed with the result saying that they had to be remade. She said that was why she had to be there when the work was made in case it did not convey her intention<sup>117</sup>.

<sup>115</sup> M Miranda, 'Roman Sculptural Reproductions or Polykleitos: The Sequel' in A Hughes & E Ranfft (eds), *Sculpture and its Reproductions*, Reaktion Books, London, 1997, p.13.

<sup>116</sup> JJ Pollitt, *The Art of Ancient Greece. Sources and Documents*, 1990, p.77.

<sup>117</sup> Cited in C Coerver, 'Uncertain Mandate: A Roundtable Discussion on Conservation Issues' in E Sussman (ed.), *Eva Hesse 1936-1970*, SF MOMA, San Francisco, 2002, p.298.

Donald Judd was also an artist who, not only used fabricators to make his works, but did not materialize all of them. In the 1970s Count Giuseppe Panza purchased a large group of his works, among which some existed only in paper. Years later he had them fabricated without alerting or consulting Judd, justifying his act with the assertion that, since conceptual art is not realized by the artist's hand, it is the "project" that acquired the status of the original and not the execution<sup>118</sup>. Distancing, however, himself from any notion of a project, Judd wrote that "work made without my supervision is not my work". In cases when he could not personally supervise re-fabrications, he would accept them only if people he himself designated had made them. Characteristically, in the certificate of *Untitled* (1970) (Count Giuseppe Panza collection, Guggenheim Museum), Judd added an exception to the granted right for re-fabrication, indicating that "this piece should only be remade by Bernstein"<sup>119</sup>.

Dan Flavin never relinquished authority over the presentation of his work either. Since it is in the nature of fluorescent light that the quality of colour can be adjusted by the lights' placement in relation to other lights, the details, i.e. placement on the wall, height, colour, and relationships of the works to one another, were determined and ultimately approved by him. As a matter of fact, in the case when purchased works were exhibited without his input, such as in the 1967 Milan show at Gian Enzo Sperone's gallery or in the 1988 Giuseppe Panza exhibition in Madrid, he objected to the liberties taken in the presentation of his lights and protested publicly<sup>120</sup>.

The point stemming from this intermingling of the antithetical concepts is that traditional conceptions of the artwork are also present in the contemporary, just as contemporary conceptions are present in the traditional. This situation, as described in terms of the five dichotomies, contradicts attempts for segregation of the traditional from the modern as distinct; instead it supports integration of the two. Modern art is not a distinct case; rather it presents further dimensions to traditional conceptions about the kinds of things that works of art are.

While the possible combinations made out of the five pairs are finite (252 assuming that all works of art present one variable out of each of the five pairs), the pairs of dichotomies are not. That is, the oppositions in conceptions of the artwork brought about after conceptual art have not been

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<sup>118</sup> Scedemann C. (1999) 'Men at Work: The Significance of Material in the Collaboration Between Artist and Fabricator in the 1960s and 1970s' In Hummelen J. *et al* (eds.) *Modern Art: who cares?* P.242-249, p.242-244

<sup>119</sup> C Scedemann, 'Men at Work: The Significance of Material in the Collaboration Between Artist and Fabricator in the 1960s and 1970s' in IJ Hummelen & D Sillé (eds), *Modern Art:Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art*, Foundation for the Conservation of Modern Art & Netherlands Institute for Cultural Heritage, Netherlands, 1999, p.242-244.

<sup>120</sup> T Bell, 'Fluorescent light as art', 2004, p.114-115.

exhausted here. Moreover, as it is in the nature of creativity, further dimensions of art are constantly being invented and explored. Thus an even larger space of possibility is created for other pattern variables to develop and even more combinations to be identified, either in actual works of art or, again, potential cases of works of art.

All the variables seem to present issues of artwork ontology; as such they indicate that it is artwork ontology that directs conservation decision and action. Theories about art, on which conservation ethics have been based, betray a philosophical conception of the artwork as a unique physical particular. Hence the conservation principles that flow from such a conception emphasize the importance of retaining as much of the original material as possible by minimizing intervention. Contemporary art phenomena, however, seem to support a different conception of the artwork. While recurrent themes in art-historical and philosophical approaches to contemporary artworks tend to recognise an independency of the artwork from its material manifestations, conservation's key concepts and principles do not.

Criticism and tendencies to reject traditional conservation concepts and principles, which are supported by views that they are insufficient in themselves for guiding conservation action, often collapse into complete relativism. They more or less lead to *ad hoc* decisions, i.e. the kind of decisions against which the ethics of conservation developed, and they too make the problem specific to modern art asking for new rules to be drawn for the conservation of modern and contemporary art alone. This is a further way by which attempts to resolve the problematic situation support segregation. These attempts, however, fail to consider conservation principles in their proper context. They consider conservation rules and principles as axiomatic or *ipso facto* norms, interpreting and criticizing them without connecting them to their context. In this way, they become part of the problem they aim to resolve.

The nature of the objects of conservation intervention as well as the historical founding of conservation's key concepts and principles suggest that the solution to the contemporary art problem will be reached through the integration of the modern with the traditional instead of their segregation. Systems approach is the appropriate method to achieve this integration.

### ***Systems Approach***

This research employs both the analytic and the systemic method in the treatment of its subject. Analysis is employed to facilitate in-depth insights regarding specific conservation concepts and conceptions of the artwork. However, the general orientation of the research is that of systems approach. Systems approach helps grasp a situation in its totality, thus broadening the horizon of

the researcher. Systems approach or methodology is a scientific method for approaching complex problems and a strategy for the resolution of those problems. Since René Descartes, analytic approaches have been dominant in academic disciplines and research. However, with the increase in complexity of the modern world, scientists became increasingly oriented towards systems methodology.

A systems oriented researcher views the subject under study as a system (i.e. a whole of interrelated parts) within a broader whole of systems that form a hierarchy, according to their degree of complexity. Thus each system is conceived as a sub-system of a larger system, while at the same time as a system composed of other smaller, less complex sub-systems<sup>121</sup>. Complexity refers both to the number and type of parts (components) of a system, and the number and type of relationships among the parts.

Systems methodology is not a new method of study. Thinking about wholes and parts dates back to ancient Greek philosophy. Plato and Aristotle were the first to realise that the whole is something different from the sum of its parts. Yet the whole was never called a system. Systems methodology was formed by convergent system ideas coming from various scientific disciplines, and it gradually gained ground through its parallel development in a wide range of scientific and technological fields. Its application was a result of the inability of analytic methods to cope with complexity, which led to the increased recognition that it is better to know a few things about the whole of a problem or situation than a lot of things about its isolated parts.

The concept of system was first clarified and applied in the area of social sciences. Among the precursors of systems methodology are Ferdinand de Saussure, working in linguistics, Wolfgang Köhler in psychology, Ludwig von Bertalanffy who came up with a “general systems theory” in biology, Bronisław Malinowski and Alfred Radcliffe-Brown in anthropology<sup>122</sup>. One of the greater contributors to systems science was Talcott Parsons, working in the field of sociology, who clarified and used the concept of system in large-scale social phenomena. Systems methodology gained wide recognition during World War II, when it was applied for the resolution of highly complex practical problems involving the synergy between humans and machines. The shift towards practical problems and the advancements of the period led to the development of new sciences, such as information theory, operation research, cybernetics, policy science, decision-making, etc.

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<sup>121</sup> M Decleris, ‘State and Justice Systems Theory’ in M Decleris (ed.), *Systems Theory*, Sakkoulas, Athens, 1986, pp. 19-94.

<sup>122</sup> M Decleris, ‘The Evolution of Systems Thinking’ in M Decleris (ed.), *Handbook of Systems Science*, European Systems Union – Hellenic Systems Society, UNESCO, Athens, 1991, pp.13-23.

Today, systems methodology is widely applied across various disciplines and in all sorts of large-scale programmes, both technological and social, for the resolution of complex problems. The distinction between technological and social disciplines roughly corresponds to the distinction between hard and soft systems, as well as the hard and the soft systems approach. Physical or technological systems are the most common example of hard systems. Soft systems are human-made or biological. The difference between hard and soft systems mostly has to do with their degree of autonomy. Hard systems are closed and deterministic, while soft ones operate in a state of uncertainty.

What follows is a presentation of the general aspects and characteristics of systems theory which will be framing the present thesis and introducing a new way of thinking about current debates on conservation theory and practice.

The foundational axiom behind systems approach is that research is conducted from the whole to the part. This means that the object of study is placed under a broader whole or system, within which the researcher tries to identify its function (i.e. its role in the attainment of the broader system's main goal). A whole-part relationship differs from the relationship between genus and species. While a species always retains the properties of its genus, this is not the case with the part in relation to the whole. A whole is more than the sum of its parts; it has additional, emergent properties that none of its parts has. This means that a system cannot be reduced to its elements. The systemic method grasps the object as a unified and indivisible whole, by constructing a model of its behaviour. The systemic model tries to answer what the system does, instead of what the system is.

Central to this process is the use of systems language, i.e. a combination of prose and graphics, which enables the researcher to represent the object under study in a simple way, without losing any of its substantial or critical factors. The criterion of scientific correctness of a descriptive systemic prototype is approximation to reality. With regard to prescriptive systemic prototypes, those that achieve their practical aims are deemed scientifically correct<sup>123</sup>.

Systems method is based on the design of the "proper" behaviour of the system, i.e. that behaviour which considers the existing constraints and is based on reason. According to Michael Decleris<sup>124</sup>, in this way, a) objectivity is introduced in the decision-making process, b) uncertainty is made visible, c) decisions and actions are placed within the existing hierarchy of systems, d)

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<sup>123</sup> M Decleris, 'State and Justice Systems Theory', 1986, p. 23-25.

<sup>124</sup> M Decleris, 'Η Συστημική Σχεδίαση της Δημοσίας Πολιτικής' (The Systemic Design of Public Policy) in M Decleris (ed.), *Διοίκηση Συστημάτων (Systems Governance)*, Σάκκουλας, 1989, p.64.

decisions and actions are evaluated according to their consequences in order to avoid unforeseen ones, e) creativity is advanced, f) values are logically processed and the resolution of conflicts of values and value-systems is introduced.

The systemic approach places emphasis on the relations or interactions among the elements of the system, which determine the system's behaviour. The performance of a system is not the sum of the performances of its parts taken separately, but the product of their interactions. The defining function of a system cannot be carried out by any part of the system separately, and when an essential part is separated from the system of which it is a part, that part loses its ability to carry out its defining function<sup>125</sup>.

The term system comes from the Greek word 'σύστημα/συν-ίστημι'. The etymology of the word expresses the two main characteristics of systemic thought, i.e. a) that the system is a construct, and b) that this construct is the composition of interconnected and interdependent parts into an integrated whole. Systems are organised wholes. This means that any alteration to one of its parts, affects all of its parts and the system as a whole<sup>126</sup>. A system may be tangible (e.g. a machine) or intangible (e.g. a conceptual model). The latter may either be descriptive of a complex and more or less identifiable and permanently observed real world entities, or deontic, i.e. a prescription for action.

The word 'information' has been introduced as a term to signify organisation. As a result of empirical observation, information science rests on the assumption that systems have a tendency towards increased entropy, i.e. towards disorganisation. Information has been associated with the reduction of uncertainty and the increase of order within a system. It is considered the opposite of entropy<sup>127</sup>.

A system's structure is the relatively stable organisation of the system in time and space, i.e. the placement of its components/elements. Components are those essential and stable parts of systems that are recognised as contributing to the system's behaviour as a whole. Interconnections are the relations that connect the elements of the system. The type of these connections varies depending on the type of system<sup>128</sup>. The existence of structure is dictated by the goal or target of the system to be attained. In other words, the function determines the structure of the system and directs its behaviour.

<sup>125</sup> R Ackoff, *The Democratic Corporation*, Oxford University Press, New York, 1994, p.25.

<sup>126</sup> M Decleris, 'State and Justice Systems Theory', 1986, p. 23-25.

<sup>127</sup> N Paritsis, 'Συστημική Θεώρηση της Διευθυντικής Συμπεριφοράς' (The Systemic Design of Public Policy) in M Decleris (ed.), *Διοίκηση Συστημάτων (Systems Governance)*, Σάκκουλας, 1989, pp.411-453.

<sup>128</sup> M Decleris, 'State and Justice Systems Theory', 1986, p. 36-37.

Ludwig von Bertalanffy developed the concepts of open and closed systems<sup>129</sup>. Closed systems are essentially mechanical and cannot adjust themselves to take account of external changes, whereas open systems are purposeful and can adjust themselves so as to continue operating in a changing environment; examples are biological, ecological and organizational systems. Systems that are open are open in the sense that they interact with their environment. A system's environment consists of those factors which do affect the system, or are affected by the system, but are beyond its control. Even though open, systems have some boundaries and retain an identity. The boundaries of the system are the limits that encompass all of its elements and their interconnections. Anything inside this border is part of the system; anything outside it belongs to the system's environment<sup>130</sup>. The limits of the system are the limits of its control, which retain it as distinct and recognizable, i.e. relatively autonomous.

Human-made systems in particular are characteristically more complex, self-regulating, dynamic, hierarchical, of low control, and they process symbolic information. Their high complexity is not so much due to their number of elements, but due to the high differentiation among components and the tension, multiplicity, density and variety of their objectives, values, functional networks and controls. They have self-organisation and self-regulation in their interaction with the environment and they constantly readjust their functions and structures with a high degree of autonomy. Growth or development is the transition of the system towards organised complexity<sup>131</sup>.

Human systems are stochastic in that they act on purpose based on a certain target. They are also adaptive. According to Russell Ackoff<sup>132</sup> "a system is adaptive if, when there is a change in its environment and/or internal state which reduces its efficiency in pursuing one or more of its goals which define its function(s), it reacts or responds by changing its state and/or that of its environment so as to increase its efficiency with respect to that goal or goals. In human systems, an objective change in the system's environment, or a change in the conception and evaluation of the information concerning both system and environment, may result in a discrepancy between the system's present state and a desirable state. In both cases, the system seeks a new state, but

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<sup>129</sup> S Keene, *Managing Conservation in Museums*, 2<sup>nd</sup> edition, Butterworth-Heinemann, Oxford, 2002, p.80.

<sup>130</sup> RR Delgado, 'Systems Theory: Main Topics and Concepts' in M Decleris (ed.), *Handbook of Systems Science*, European Systems Union – Hellenic Systems Society, UNESCO, Athens, 1991, pp.25-43.

<sup>131</sup> M Decleris, 'State and Justice Systems Theory', 1986, p. 36-37 and p. 41-42.

<sup>132</sup> C François, *International Encyclopedia of Systems and Cybernetics*, 2<sup>nd</sup> edition, KG Saur, USA, 1998, System (Adaptive).

which is not yet known. This disturbance of the system is called a problematic situation (or problem)<sup>133</sup>.

Central to systems theory is the idea of the regulator, or control system, based on Norbert Wiener's cybernetics<sup>134</sup>. Cybernetics is a control theory, mainly used in the study of purposeful systems. Control is the mechanism that retains the structure and function of the system. Control is integral to any behavioural system and it aims at retaining the system's structure and function. In human systems, control refers to the regulation of human behaviour. In this broader sense, control is the correction of mistakes, i.e. of the diversion of behaviour away from its programmed goal. According to Ross Ashby<sup>135</sup>, in order for a control system to be more efficient, it needs to have requisite variety, i.e. the variety of possible situations in its environment should not be greater than the variety of the system's possible responses to these situations in its attempt to adapt. This idea was formulated by Ross Ashby as a law, namely the 'law of requisite variety'.

Cybernetic systems are usually teleological, because they have been designed for the attainment of a certain goal. Evaluation of the system is based on the degree to which it attains its goal. Control allows feedback to the system, either positive or negative, concerning the results of its behaviour. The cybernetic systems require control, which consists in observation of the system's behaviour, comparison of the behaviour with the criteria of the attainment of the goal, and transmission of information capable of correcting the mistakes, i.e. of countering the system's behaviour which diverts from its goal. This is a description of what may be considered normal or single feedback loop. Feedback is a learning process. In more complex problems, double-loop learning, as Chris Argyris<sup>136</sup> has called it, may be required for their solution. If actions taken in an activity result in a mismatch between their intended or expected and actual consequences the actions are repeated with minor variations. Continued unsuccessful iterative treks around this loop mark the inability or failure to succeed by traversing the first-loop. This leads to the conclusion that the governing variables in the process are at fault and that it is necessary to rethink them.

Human systems are also hierarchical, i.e. their structure and function are multi-level in that they include several levels of control. The hierarchical organisation of the system entails that each

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<sup>133</sup> M Decleris, 'Η Συστημική Σχεδίαση της Δημόσιας Πολιτικής' (The Systemic Design of Public Policy), 1989, p.36-37.

<sup>134</sup> M Decleris, 'The Evolution of Systems Thinking', 1991, p. 18-21.

<sup>135</sup> Cited in RP Wolff, 'Beyond Tolerance' in RP Wolff, B Morre Jr. & H Marcuse (eds), *A Critique of Pure Tolerance*, Cape Editions, 1969, p.11.

<sup>136</sup> Cited in J Warfield, *A Science of Generic Design Vol. 1*, Society for Systems Research, Intersystems Publishers, USA, 1990, p.136-137.



element on a certain level is on the one hand a subsystem of those of higher levels, but also a system in relation to other elements of the immediately lower level. Thus the super system may be represented in the form of a reversed tree. The hierarchical structure of human systems is the result of their evolution, which occurs with the emergence of new hierarchical levels. The higher the levels, the denser and more stable the elements. In this sense, the hierarchical structure retains the system's identity. Information is more generalised in the upper levels and more specialised in lower levels<sup>137</sup>. Hierarchy itself is a sort of control. Hierarchical control is static.

Within each human system, there exists a central subsystem that controls the behaviour of the system in its entirety. The more advanced the subsystem the more purposeful the behaviour of the system. Human systems are dynamic, i.e. they change over time. Retention of structure and function does not mean retention of the system in an unchangeable state, but rather in a state of dynamic equilibrium. Hence the control system acts in order to retain the coherency of the system, ensuring its gradual and smooth transition from one state to another in time<sup>138</sup>. In dynamic systems, control acquires the notion of steering. Hence cybernetics from the Greek word 'κυβερνητική'.

Human systems are action systems, whose most characteristic function is value transformation. Action is the human behaviour based on a decision of a certain aim and the proper action for its attainment. Values may be chosen as goal values or as base values for the execution of actions. General decisions come from higher levels and become more specific at lower levels. Optimization is the idea that there is an optimal way to co-ordinate and conduct operations in systems. The idea of optimal decision-making is contrasted to mere incrementalism (improving the *status quo*)<sup>139</sup>. Optimal solution is that which approximates in reality the optimal model.

### ***Systems Approaches in Conservation***

There are few, yet characteristic, attempts to adopt holistic approaches within and towards conservation and to define its function in relation to other heritage related fields. Systems methodology has specifically been employed in relation to conservation and cultural resources management by Bosse Lagerqvist<sup>140</sup>. Suzanne Keene and Jeremy Hutchings with May Cassar also

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<sup>137</sup> N Paritsis, 'Η Συστημική Θεώρηση της Διευθυντικής Συμπεριφοράς' (A Systemic Overview of Managerial Behaviour), 1989, p.38-40.

<sup>138</sup> M Decleris, 'State and Justice Systems Theory', 1986, p. 36-37.

<sup>139</sup> M Decleris, 'The Evolution of Systems Thinking', 1991, p. 13-23.

<sup>140</sup> B Lagerqvist, *A System Approach to Conservation and Cultural Resources Management. Photogrammetry as a Base for Designing Documentation Models*, ICOMOS, 1996, n.p., Available online at: <http://cipa.icomos.org/text%20files/olinda/99c101.pdf>

adopt systems approach in their analyses of conservation<sup>141</sup>. Suzanne Keene has described conservation as a subsystem of the museum system, constrained by the latter's aims. This view, however, on the one hand, restricts the domain of conservation solely to museum sheltered heritage objects rather than cultural heritage in general and, on the other hand, confines conservation to its technology support component. Keene's root definition of conservation is:

*... a sub-system of a museum in which trained people preserve the historical and physical integrity of museum collections for the present and future public, by maintaining objects, preventing deterioration, controlling use and raising awareness of requirements for preservation. They thus contribute effectively to museum objectives<sup>142</sup>.*

Jeremy Hutchings and May Cassar have criticised that:

*Although this and Keene's subsequent conceptual model confirms what is generally accepted to be the objectives of conservation within museums, it does not address the wider context of conservation including the various tasks that contribute to the revelation of the material's original form, interpretation of evidence and its continued survival at all levels. For example, conservation actions such as the treatment and restoration of objects, maintenance of suitable environmental conditions and the restriction of access to prevent damage, lose their purpose when material heritage is not valued by society<sup>143</sup>.*

Therefore, they conclude that Keene's model misses a key task of conservation, namely the retention and rediscovery of cultural meaning.

Hutchings and Cassar suggest an alternative conservation framework. Their framework is also multi-valued in that it contains a wide range of relevant and often conflicting elements. They place conservation within a larger system, and divide the external factors influencing cultural heritage into social, economic and environmental factors. But, while their approach is very plausible, and it stresses the feedback loop from the conservator to the cultural heritage entity, it does not address the contemporary art problem. It is also meant to be descriptive rather than aimed at the amelioration of a problematic situation. Moreover, while this framework is meant to point to a "suitable course of action" for conservators in general (i.e. by exposing the context within which conservation operates and the competing values that frame conservation decisions

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<sup>141</sup> S Keene, *Managing Conservation in Museums*, 2002, p.97-113.

J Hutchings & M Cassar, 'A Soft System Framework for the Conservation Management of Material Cultural Heritage', *Syst Pract Act Res*, vol. 19, no. 2, 2006, pp. 201-216.

<sup>142</sup> S Keene, *Managing Conservation in Museums*, 2002, p.101.

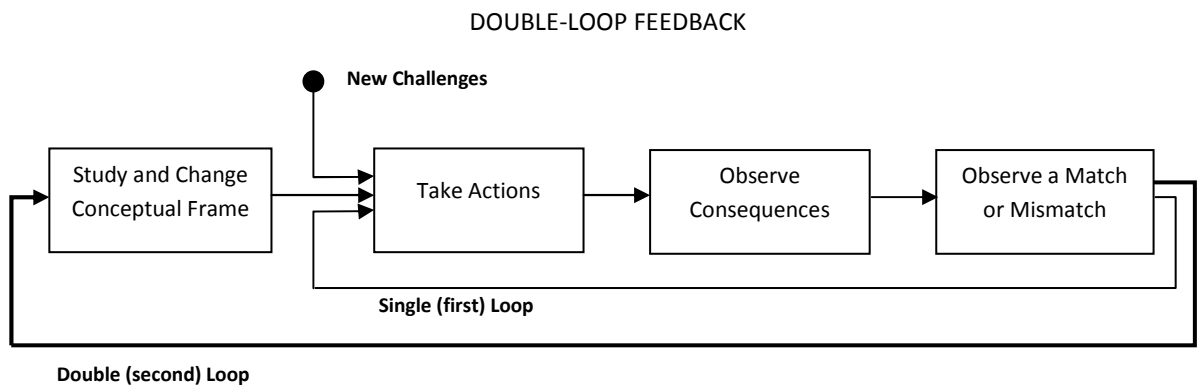
<sup>143</sup> J Hutchings & M Cassar, 'A Soft System Framework for the Conservation Management of Material Cultural Heritage', 2006, p.205.

and action), the authors argue that “this [action] may not be the optimal course in respect to individual criteria, such as use or preservation”, since, because of the diversity of the conflicting elements, “there can never be a single optimal solution”<sup>144</sup>.

Against this, it is argued that the ethics of conservation demand an idealised approach, namely one that aims at optimal solutions. While decisions about the fate of cultural heritage are indeed ultimately political, often interdisciplinary and perhaps not the responsibility of the conservator proper, where the conservator is called to provide an opinion or a decision from the conservation perspective, that should be the optimal decision in line with the conservation ethic to preserve cultural heritage (in the sense of extending its lifespan). The view of the conservation system presented below stresses the role of ethics as conservation’s normative frame, and provides a definition of conservation’s central aim in relation to cultural heritage that incorporates a wider diversity of values than that suggested so far. It is also directed towards the resolution of a specific problem, namely of what has been called here the ‘contemporary art problem’.

### ***Tracking the Second-Loop***

The thesis conceives the problematic situation as a double-loop feedback problem and offers a partial solution to the problem by tracking the second loop (**Diagram I**).



Contemporary art phenomena present new challenges for conservation. Attempts to date to contribute towards a possible solution of the problematic situation track the first-loop of the problem through actions that are normally taken in problem-solving activity. That is, actions are taken, such as substitution of materials, substitution of parts, and recreation of artworks and their consequences are observed. These consequences appear to be incompatible with conservation’s conceptual frame since the practices of substitution and recreation which they support conflict

<sup>144</sup> *Ibid.*, p.214

with the concepts and principles guiding conservation decisions and actions. The desired and actual consequences of these attempts do not, therefore, match.

This presents an escalated problem, the solution to which may be reached by moving to the second-loop, i.e. by revising conservation's conceptual frame and rethinking those values and assumptions that promoted the actions taken in the first-loop. By working on this revision, this thesis addresses a problem which is different from the one addressed in the first-loop. Its connection to the first loop-problem is that failure on working on the first-loop problem motivated the effort to rethink conservation's conceptual frame.

As Joel Feinberg has observed,

*Often the lack of clarity of principles derives from the vagueness of the central concepts in whose terms they are too simply formulated. Facts are important not only for the proper application of principles but also for their convincing derivation, since if the facts are such that tentative hypothetical testing of principles yield consistently unsatisfactory results in particular cases, then the principles themselves are defective as formulated and must be revised<sup>145</sup>.*

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<sup>145</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law Vol. I*, Oxford University Press, UK, 1984, p.16-17.

## PART II

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### CONSERVATION IN CONTEXT

A system's approach conceives conservation as a man-made system of action operating within the broader system of culture. The latter is inextricably linked to the value (or ethical) system of the social complex, which determines the identity of society at large.

According to Talcott Parsons<sup>146</sup>, societies are formed around cultural values. The cultural system includes religious beliefs, languages, and national values. These values are shared, through the process of socialization, whereby societies' values are internalized by a society's members. Socialization is considered a central force in maintaining social control and holding a society together. The cultural system, Parson says, is and needs to be relatively stable, meaning not being contingent on highly particularized situations; this he calls cultural tradition. In his scheme, the cultural system is ranked at the top of the hierarchy of the systems comprising society.

Other systems theorists have also placed the cultural system at the top of the hierarchy of the social complex, i.e. they consider it as dominant in any and every human society. One of the most recent descriptions of the social complex considers the latter as a system hierarchically structured according to the breadth of its seven subsystems<sup>147</sup>. These are social systems of human behaviour, which are interrelated and interacting. They are the moral or cultural, the communication, the stratification system, the governance, the economic, the affective, and the personality system. The value system, being at the top of the hierarchy, is, according to systems theory, subject to slower change.

Culture is commonly defined as the set of values and norms proper to a social system. It includes world views, religions, ethical, philosophical and aesthetic beliefs, basic concepts, political ideologies, law systems, technical practices, economic attitudes, etc. Culture is embodied in various customs, social events and human made artefacts, such as monuments, buildings, works of art and technology. It is considered to shape collective and personal identities and to provide

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<sup>146</sup> T Parsons, 'Social Systems' in T Parsons (ed.), *Social Systems and the Evolution of Action Theory*, The Free Press, New York, 1977, pp.177-203.

<sup>147</sup> M Decleris, *Εισαγωγή στη Βιώσιμη Πολιτεία (Introduction to Sustainable Society)*, Βιώσιμος Κόσμος, Αθήνα, 2005, p.28-29.

continuity and stability in societies<sup>148</sup>. In this sense culture is, or is present, and dispersed within the value system of society.

### ***Preservation as a Moral Duty***

Within the context of culture, certain entities, tangible or intangible, that are either representative of a particular culture, or exhibit interactions among various cultures, or convey developments in architecture, technology, art and science, or testify important changes in human history, are deemed worthy to be passed on to the future. They are valued as evidence of the past, as mnemonics and as an integral part of cultural identity<sup>149</sup>. These are called cultural heritage.

Conservation is an activity stemming from the assumption that cultural heritage *ought* to be preserved. The Principle of Cultural Heritage seeks to maintain stability and historical continuity of the anthropogenic environment and through that, the cultural identity of people. As social and cultural change intensifies, greater demands are made to conserve heritage as a brake against unwanted change and even as a means of effecting change. Heritage is one of the mainstays of culture, art, and creativity<sup>150</sup>. Cultural heritage is considered to be an inheritance from the past and a non-renewable resource. It is also deemed to be inextricably linked to cultural identity or the value system of society. A sense of identity is considered to be essential to human dignity. It is also accepted that defence of cultural diversity is an “ethical imperative inseparable from respect for human dignity”<sup>151</sup>. It arguably follows that cultural heritage elements can be considered morally significant in themselves and, as such, they ought to be respected and preserved.

While debates surrounding the intrinsic value of cultural heritage are not resolved<sup>152</sup>, this assumption has been defended historically by many theorists, leading to the establishment of conservation as a professional field. John Ruskin was the first to articulate the duty for

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<sup>148</sup> United Nations Educational, Scientific and Cultural Organization, *Operational Guidelines for the Implementation of the World Heritage Convention*, UNESCO Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, 2008, Available online at:

<http://whc.unesco.org/en/guidelines>

<sup>149</sup> J Blake, 'On Defining the Cultural Heritage', *International and Comparative Law Quarterly*, no.49, 2000, p. 68.

<sup>150</sup> E Avrami, R Mason & M de la Torre, 'Report on Research' in E Avrami, R Mason & M de la Torre (eds), *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000, p.5-6.

<sup>151</sup> United Nations Educational, Scientific and Cultural Organization, *UNESCO Universal Declaration on Cultural Diversity*, UNESCO General Conference, Paris, 2001, Article 4, Available online at: <http://unesdoc.unesco.org/images/0012/001271/127160m.pdf>

<sup>152</sup> See J Almqvist, *Human Rights Law in Perspective. Human Rights, Culture and the Rule of Law*, Hart Publishing, Oxford, 2005, p. 3-30.

preservation. John Ruskin develops his thinking on the value of Age in a building. "If we want to learn anything from the past, he says, and we have any pleasure in being remembered in the future, we need memory, and something to which to attach our memories". Architecture is more permanent in relation to "natural objects of the world around it", i.e. objects that are subject to cycles of decay and renewal; and, as "witness" to the passing of generations, it will "create continuity through various transitional events, linking different ages and contributing to a nation's identity"<sup>153</sup>. Ruskin exclaims about architecture:

*We may live without her, and worship without her, but we cannot remember without her. And if indeed there be any profit in our knowledge of the past, or any joy in the thought of being remembered hereafter, there are two duties respecting national architecture whose importance it is impossible to overrate: the first, to render the architecture of the day, historical; and the second, to preserve, as the most precious of inheritances, that of past ages<sup>154</sup>.*

Concerning the first duty, Ruskin suggests that people should build in such a way as though it were forever. "Let it not be for present delight, nor for present use alone", he says.

*Let it be such work as our descendants will thank us for, and let us think, as we lay stone on stone, that a time is to come when those stones will be held sacred because our hands have touched them, and that men will say as they look upon the labour and wrought substance of them, "See! this our fathers did for us" ... For it is in becoming memorial or monumental that a true perfection is attained by civil and domestic buildings. And this is so partly in their being build more stably and partly in their decorations, when they have metaphorical or historical meaning<sup>155</sup>.*

In speaking of the second duty, to preserve, Ruskin introduces the concept of "inheritance of past ages" as the enforcer of that duty. Because it is God who "has lent us the earth for our life", things belong "partly to those who built them and partly to all the generations of mankind who are to follow us". "The dead have still their right in them: that which they laboured for, the praise of achievement or the expression of religious feeling, or whatsoever else it might be which in those buildings they intended to be permanent, we have no right to obliterate"<sup>156</sup>. Neither do we have any right, "by anything that we do or neglect", to deprive those who are to come after us "of benefits which it was in our power to bequeath". And though "the idea of self-denial for the sake

<sup>153</sup> Cited in J Jokilehto, *A History of Architectural Conservation*, 1999, p.180.

<sup>154</sup> J Ruskin, *The Seven Lamps of Architecture*, 1853, 'Lamp of Memory' §2, p.176-198.

<sup>155</sup> *Ibid.*, §10 and §3

<sup>156</sup> Cited in P Hatton, 'Ruskin and Architecture: The Argument of the Text' in M Wheeler & N Whiteley (eds), *The Lamp of Memory. Ruskin, Tradition and Architecture*, Manchester University Press, New York, 1992, p.124.

of posterity..., never, I suppose, efficiently takes place among publicly recognised motives of exertion", yet our part is not "fitly sustained upon the earth, unless the range of our intended and deliberate usefulness include, not only the companions but the successors of our pilgrimage"<sup>157</sup>.

In his *Seven Lamps of Architecture* (1849), Ruskin sets out the seven fundamental and cardinal laws to be observed and obeyed by any conscientious architect and builder in order to build "good" art architecture. The Lamps or guiding principles for architecture are: Sacrifice, Truth, Power, Beauty, Life, Obedience and Memory, all evocative qualities and not strictly architectural. They are evocative in that they represent the moral values which, according to John Ruskin, ought to be adopted by a nation's people and be preserved. Financial gain lies entirely opposite these values. As such, preservation is, according to John Ruskin, inextricably linked to the moral or value system of society.

Similar arguments continue to appear today. Characteristically, David Throsby<sup>158</sup> defines cultural heritage in terms of capital, in a sense parallel to natural capital. Cultural heritage, then, is an asset that embodies a store of cultural value, separable from whatever economic value it might possess. Tangible cultural capital has arisen from the creative activities of human kind, and like natural resources, he concludes, it imposes a duty of care. Bosse Lagerqvist<sup>159</sup> also argues for this view by claiming that cultural heritage elements function as "valuable components for the benefit of social development". Objects selected, preserved, or constructed as objects of cultural heritage may play a significant role as a means of promoting human flourishing. They give individuals an understanding of themselves as belonging to something or as being part of something beyond their own particular existence. Preservation is thus still perceived as inextricably linked to society's value system.

### ***Aspects of Preservation***

Preservation in the context of culture and cultural heritage may be seen as having a triple sense. Preservation is achieved through *creation* of culture, through *dissemination* of culture, and through the *extension of the lifespan* of existing culture and heritage entities (**Diagram II**).

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<sup>157</sup> J Ruskin, *The Seven Lamps of Architecture*, 1853, 'Lamp of Memory' §9, p.176-198.

<sup>158</sup> D Throsby, 'Cultural Capital and Sustainability Concepts in the Economics of Cultural Heritage' in M De La Torre (ed.), *Assessing the Values of Cultural Heritage: Research Report*, The Getty Conservation Institute, Los Angeles, 2002, p.103 and p.106.

<sup>159</sup> B Lagerqvist, 'The Conservation Information System. A System Approach to Conservation and Cultural Resources Management. Photogrammetry as a Base for Designing Documentation Models', 1996, p.8.



## ASPECTS OF HERITAGE PRESERVATION

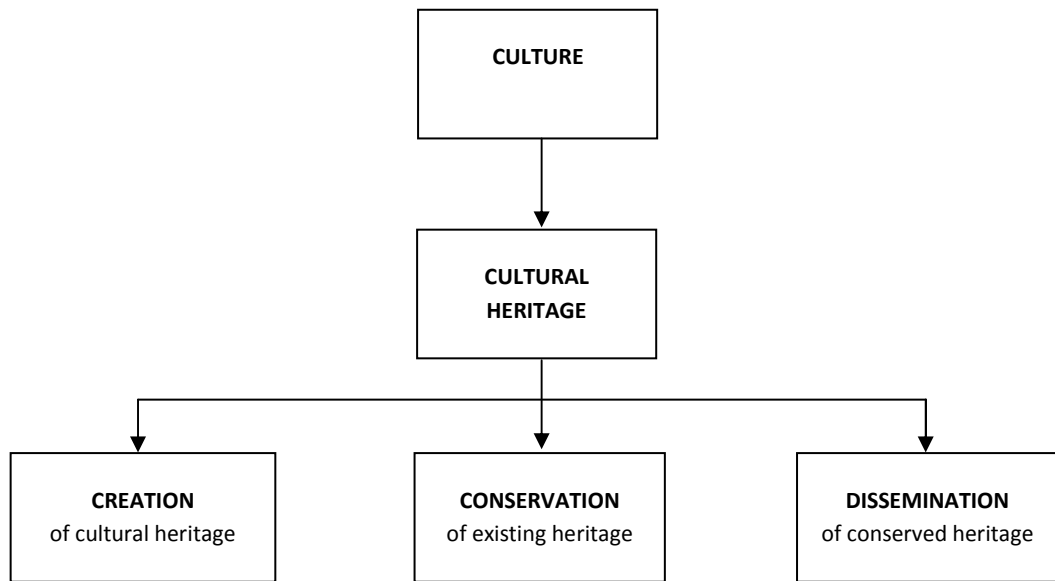


Diagram II

Creation

All the creative activities of human kind, including artistic creation, advances in technology, scientific or other kinds of knowledge, as well as recognition of existing objects as cultural heritage entities may be considered as actions leading or contributing to the creation of cultural heritage. In this sense, any culture or community plays an important role in determining, and thereby constructing, its own cultural heritage. As David Lowenthal remarked, “a heritage must feel truly our own – not something to dispose of as a commodity but integral to our lives. Like our forebears and our heirs, we make it our own by adding to it our own stamp, now creative, now corrosive. Heritage is never merely conserved or protected; it is modified – both enhanced and degraded – by each new generation”<sup>160</sup>.

Curators, for example, usually use cultural heritage in order to provide activities to attract and interest the public of the present day. Through these activities, they often attribute new meanings or interpretations to existing cultural entities. In this sense, curators, also become part of heritage preservation via creation. Moreover, hitherto neglected objects may be later recognised as heritage. As Lourdes Arizpe<sup>161</sup> observes, most interesting aspect of the World Heritage List is that it keeps opening up to allow the inclusion of new categories of things that have not traditionally

<sup>160</sup> D Lowenthal, ‘Stewarding the Past in a Perplexing Present’ in E Avrami, R Mason & M de la Torre (eds), *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000, p.23.

<sup>161</sup> L Arizpe, ‘Cultural Heritage and Globalization’ in E Avrami, R Mason & M de la Torre (eds), *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000, p.35-36.

been considered to be heritage. The new category of ‘cultural landscape’ was recently added to or created in the List, which has allowed for the inclusion of the Philippine rice terraces. Also, 20<sup>th</sup> century heritage is now taken into account, such as Brasilia, Brazil’s novel capital city.

In their traditional role, museums have also been part of heritage creation in that collection of an entity by a museum signified its recognition as heritage. Sharon Macdonald and Gordon Fyfe<sup>162</sup> stress how museums “don’t just exist within a context, but they also create cultural contexts”. Hence objects can or could be seen as validated as heritage by being acquired by a museum. Today, on the one hand, museums are still largely managed as staging areas for the contemplative engagement with canonical works, which are cultural heritage objects. On the other hand, they are increasingly becoming sites of artistic production. With the convergence of artistic auto-curation and curatorship as authorship, increasingly they are being perceived as discursive, dynamic or multifunctional structures, i.e. more akin to disseminators rather than creators of cultural heritage<sup>163</sup>.

#### Dissemination

Dissemination of culture and cultural heritage in particular is usually the aim of domains like that of education, museums in their current role, cultural tourism, etc. Dissemination occurs not only via the exchange of physical objects but mainly through the exchange and transmission of meanings, values and ideas associated with these objects.

‘Meaning’ provides a good criterion for understanding how heritage objects may be disseminated. Curators are concerned with the role of objects within the collection and the way in which different meanings can be transmitted to visitors through their exhibition in different contexts. Artists have their own views about the meaning of their works and about how they should be exhibited with museums or galleries. Indigenous peoples may wish to remove one of their heritage objects from a museum altogether, in order to re-establish its initial meaning as a functional object. Literary works and, why not, conceptual artworks may also be disseminated by reproducing the written word, the story in the case of the former, the instructions in the case of the latter.

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<sup>162</sup> S Macdonald & G Fyfe, *Theorizing Museums. Representing identity and diversity in a changing world*, 2004, p.8-9.

<sup>163</sup> ELJ Roberts, *The Intangibilities of Form: Skill and Deskilling in Art after the Readymade*, Verso, London, 2007, p.187-188.

## Conservation

Conservation is responsible for the latter aspect of preservation, the extension of the lifespan of existing heritage entities. Preservation, in the context of conservation, is meant to benefit present and future generations not only by prolonging the life of heritage objects, but also by keeping them safe from harm. This is in line with the moral imperative to respect cultural heritage.

The historical development of conservation, as presented earlier, emphasizes how conservation's key concepts and principles are embedded in the value systems of society. Because of its relation to the social value-system, it necessarily follows that conservation is value-led. That is, conservation decisions are based on the formation of value hierarchies.

According to the Getty Conservation's Institute (GCI) *Research Report* (2002), the notion of value-led conservation may be understood in two main senses, (a) "as morals, principles or other ideas that serve as guides to action (individual and collective), and (b) in reference to the qualities and characteristics seen in things, in particular the positive characteristics (actual and potential)"<sup>164</sup>. The second notion of values relates to the establishment of objects' identity. The first notion of values is paralleled to the definition given in the field of environmental conservation to held values, i.e. the principles or ideologies that guide environmental professionals and advocates in their work or that constitute 'the cause' of environmentalism; it corroborates the view that conservation stems from and is steered by a set of foundational values.

Conservation has commonly been viewed as a technical response after an object has been recognised as having value. The underlying belief has been that preservation treatment should not change the value of the heritage object. Yet, every conservation decision affects how that object will be perceived, understood and used, and thus transmitted into the future. A decision to undertake a certain conservation intervention gives priority to a certain set of values over others. As stated in the *GCI Report*<sup>165</sup>, values give some things significance over others and thereby transform some objects into heritage. The ultimate aim of conservation is not to preserve the material of these objects for its own sake, but rather, to maintain the values embodied by the heritage, with physical intervention or treatment being one of many means toward that end.

The core notion behind value-led conservation is that conservation decision-making should be based on the analysis of the values an object possesses for different people in order to reach

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<sup>164</sup> R Mason, 'Assessing Values in Conservation Planning: Methodological Issues and Choices' in M De La Torre (ed.), *Assessing the Values of Cultural Heritage: Research Report*, The Getty Conservation Institute, Los Angeles, 2002, p.7.

<sup>165</sup> E Avrami, R Mason & M de la Torre, *Values and Heritage Conservation Research Report*, 2000, p.7.

equilibrium among all the parties involved. Every act of conservation is shaped by how an object or place is valued, its social contexts, available resources, local priorities and so on. By assessing conceptual significance, conservators aim to discover how the object is valued and by whom and what it can indicate about the people who made and used it.

Alois Riegl<sup>166</sup> had also argued that value is the reason underlying heritage conservation. His analysis of values guiding conservation proves this. According to Riegl, age-value celebrates the past for its own sake; it promotes a view of the monument as an organism which should live its life freely, and man may, at most, prevent its premature demise. Historical-value views the monument as representative of a particular moment in history; it is concerned with preserving the most genuine document possible for future restoration and art-historical research. Deliberate commemorative-value only applies to intentional monuments (those created specifically to memorialise an event or deed). In this case conservation's purpose is to keep a monument perpetually alive through restoration. Use-value relates to functionality and everyday use; copies or substituting a monument for use are not equivalent measures for practical use. Newness-value demands formal integrity and preservation by removing all traces of age, all signs of disintegration. Relative artistic value, which advocates a purely aesthetic and educated appreciation of the monument, requires in all cases conservation and at times even restoration to a pristine condition.

More recently, in addition to value-led approaches, expressive and functional theories have developed, defining the central goal of conservation as the expression of peoples' feelings, views, etc., and the exposure of the different functions of cultural heritage respectively (subjective)<sup>167</sup>. Functional views for example stress that conservation should not just consider the artistic and historic functions of a heritage object, but also its other more mundane functions. Macdonald and Fyfe<sup>168</sup> say "if and how a conservation process is to be performed should be decided after considering all the possible functions performed by an object, as even the damage that conservation is thought to repair or prevent can be considered as directly related to functionality.

The aims of these approaches are contrasted to traditional or "scientific" aims to reveal a presumed truth residing in objects. However, it is not necessarily the case that the above views represent a divergence of opinion in the goal of conservation, thus precluding perhaps the duty

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<sup>166</sup> A Riegl, 'The Modern Cult of Monuments: Its Essence and Its Development' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.69.

<sup>167</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.171-181.

<sup>168</sup> S Macdonald & G Fyfe, *Theorizing Museums. Representing Identity and Diversity in a Changing World*, 2004, p.110-113.

argument. It seems equally reasonable to say that they simply adopt different criteria (value, meaning and function) as guides for the task of conservation. This can be paralleled to the different criteria adopted by Ruskin and Viollet-le-Duc in the 19<sup>th</sup> century for the common aim to preserve architectural monuments.

Salvador Muñoz Viñas observes that function and value are closely related notions, for it is the service objects deliver that ascribes value to them. A value would thus be directly related to an object's ability to perform a given function<sup>169</sup>. Indeed, the functions, meanings, interpretation and so forth that a cultural heritage entity may have may be considered within conservation through the respective value, i.e. the value of having that function, meaning, interpretation, etc.

An object may have a meaning or function for which it is not valued. Although the potential that the object has to possess more meanings and functions may be something to which people ascribe value, it is not necessarily the case that people value all the meanings and functions that this object has or may acquire. Value, as discussed here, is only qualitative. That is, this thesis assumes that not all values may be quantified. It also distinguishes among values of two kinds: a) cultural heritage values, which are embedded or attributed to cultural heritage entities because of the relation of these entities with cultural identity (either representative or constitutive); b) other values attributed to cultural heritage, which refer to values such as monetary, exploitation, etc.

### ***The Aim of Conservation***

Establishing the main goal or goals of conservation appears to be a bit problematic in existing literature. Muñoz Viñas, for example, includes among the suggested reasons for conservation piety, love for money or power, genetic reasons, and psychological ones. David Throsby links care to maintenance or preservation; Debra Hess Norris argues that conservation ought to ensure heritage's long-term preservation but also adds "appropriate use"<sup>170</sup>. As it has already been noted, theories, methods and approaches to conservation may vary across time and space. Yet, there seems to be convergence of views in that preservation, or insurance of longevity, is the main target of conservation. Differences, however, occur in the definition of preservation and the determination of the ethically appropriate means and methods for achieving this preservation.

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<sup>169</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.177-181.

<sup>170</sup> *Ibid.*

D Throsby, 'Cultural Capital and Sustainability Concepts in the Economics of Cultural Heritage', 2002, p.103 and p.106.

DH Norris, 'The Survival of Contemporary Art: The Role of the Conservation Professional in this Delicate Ecosystem' in MA Corzo (ed.), *Mortality Immortality? The Legacy of 20<sup>th</sup> Century Art*, The Getty Conservation Institute, Los Angeles, 1999, p.131.

The term 'conservation' has been officially adopted by various State, National and International organisations to describe the profession performing the activity of conservation. Different activities performed as part of conservation have been identified, and are often quoted within conservation definitions. These include cleaning, retouching, restoration, adaptation, explaining, examination, documentation, preventive care, remedial conservation, etc. The specific practices employed by conservators may be divided into three main categories of activities, namely a) *prevention*, b) *preservation* (in the limited sense of freezing in a certain physical state), and c) *restoration*.

These practices have at times been considered distinct aims within conservation, or even different kinds of practices from conservation all together. Characteristic has been the division among western and eastern conservation practices in relation to determining a fixed goal for conservation. Western tradition is much more associated with attempts to freeze objects in a certain physical state, or attempts to restore them to a previous condition (regardless of whether such a thing is in fact possible). Eastern tradition is closer to Viollet-le-Duc's practices of rebuilding, building from the start, and building with variation. Viollet-le-Duc insisted that "to restore an edifice means neither to maintain it, nor to repair it, nor to rebuild it; it means to re-establish it in a finished state, which may in fact never have actually existed at any given time"<sup>171</sup>.

Today it is widely acknowledged within the conservation community that each of these three categories includes practices which may be performed by conservators depending on the needs of each case, in order to attain the goal of preservation in the sense of extending the lifespan of cultural heritage objects. All these activities are understood to be specifications of different processes, included under the tenet 'conservation profession'. Characteristically, the latest definition of conservation abandons the traditional distinction from restoration, suggesting a common definition<sup>172</sup>.

Following a similar line of thought, UNESCO, through its international recommendations and conventions, has provided a general framework for conservation ethics, claiming that this framework has universal validity. Universality is the assumption that some heritage is meaningful to all of mankind. It is one of the basic assumptions underlying conservation practice and one which emphasizes the positive role of heritage in promoting unity and understanding. Universality assumes that certain aspects of heritage are meaningful to all people, regardless of cultural,

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<sup>171</sup> E Viollet-le-Duc, 'Restoration' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.314.

<sup>172</sup> G De Guichen, 'Forbes Prize Lecture 2006: A Common Definition of Conservation and Restoration', *Studies in Conservation*, no. 52, 2007, pp.69-73.

social, political, and economic differences. The fact that conservation is practiced at several scales – personal, family, community, city, region, nation, nation-state, contingent, global, etc. – does not necessarily undermine the possibility of universally held values. This universality need not be absolute; rather it may have a character similar to that of Human Rights, but in relation to the collective identity of a particular cultural entity.

The possibility for ethical principles with universal application is a philosophical debate that remains unresolved. Indeed, as Jokilehto<sup>173</sup> stresses, the western-eastern difference of approach has raised many questions within conservation about the universality of internationally adopted conservation principles as well as the justification of emphasis on the preservation of historical material over reconstruction. However, in spite of their different understanding, eastern and western models of conservation again seem to share the goal of preservation, but they use different means to achieve it. Much like the Greek notion of ‘*υστεροφημία*’ the aim concerning the fate of heritage objects is the extension of their lifespan, the perpetuation of their existence, in order to secure their endurance for posterity. As a further confirmation of convergence of aims, the Principles for Conservation of Heritage Sites in China (2000)<sup>174</sup>, the most recent Code of what may be called Eastern conservation Ethics, is based on the Venice and Burra Charters.

Cultural heritage consists of different kinds of objects, e.g. artworks, monuments, books, machines, chairs, cutlery, musical instruments. Hence conservation is sub-divided into various specialisms, such as art conservation, archaeological conservation, digital conservation, media conservation, depending on the kinds of objects treated. Art conservation, or the conservation of works of art, is one of the most prominent and widely practiced conservation specialisms. The distinction between different kinds of heritage objects and the potentially different specific means to conserve them does not imply that the various conservation specialisms are distinct from the conservation profession. On the contrary, they are to be seen as different areas within the same profession, in a manner similar to the various specialties of medicine (surgeons, psychiatrists, pathologists, etc.).

If conservation’s aim is to prolong the existence of heritage, then it is the value of cultural heritage that provides conservators’ central aims and goals. The role of the conservator has been linked to processes of change over time, change here referring mainly to the physical aspects of heritage objects (e.g. deterioration, fading, malfunctioning). Change is conceived as something

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<sup>173</sup> J Jokilehto, ‘Conservation Principles in the International Context’, 2009, p.73-80.

<sup>174</sup> N Agnew & M Demas, *Principles for the Conservation of Heritage Sites in China*, English-language Text, The Getty Conservation Institute, 2004, Available online at: [http://www.macauheritage.net/en/Decree/china\\_prinE.pdf](http://www.macauheritage.net/en/Decree/china_prinE.pdf)

necessarily negative within conservation, i.e. as damage, or loss (of material, of colour, of the image, etc.). Arguably, this attitude may be justified insofar as change jeopardises one or more of the persistence conditions of the object.

Persistence conditions are the necessary and sufficient conditions for something to continue to exist. The role of the conservator, then, is to ensure that these conditions are satisfied at present, and also to secure that these conditions will be satisfied for as long as possible into the future. Just like a medical treatment is case dependent, but cannot be performed without knowledge of the physiology of the human body, a conservation treatment cannot be carried out without knowledge of the nature of the object of intervention (i.e. of what kind of object it is and how it exists).



## THE CONSERVATION SYSTEM

In conservation literature there appears to be a discrepancy between an understanding of conservation in a broader sense and a narrower one, corresponding to the definition of the conservation profession. According to the *GCI Research Report (2000)*<sup>175</sup>, the broad sense of conservation signifies the entire field or realm of cultural heritage preservation, from academic enquiry and historical research to policy making to planning to technical intervention. In its narrow sense, conservation refers specifically to physical intervention or treatment. This definition of conservation refers to the more technically oriented functions of the broader field. Salvador Muñoz Viñas and Miriam Clavir employ a distinction between the “conservator”, a term which includes specialties other than that of the person who intervenes directly on, or treats the material, and the “conservation professional”, who is responsible for this type of intervention<sup>176</sup>. Muñoz Viñas argues that conservators perform only part of the activity understood generally as conservation. “The profession of conservation”, he says, “is not equivalent to the general activity of conservation”, which is understood as broader in scope. However, the profession of conservation is understood as a domain inside the larger more undefined field of conservation.

It would seem that the narrower definition of conservation is an element of the more expansive definition. However in practice, the actual intervention or treatment of objects has become somewhat disconnected from the broader notion of conservation. According to Erica Avrami *et al*<sup>177</sup>, this is partly due to the relative isolation of different groups or spheres of professionals that engage in the work of conservation (broadly defined). Conservation is often seen as a service provided to the curator, acting on behalf of the museum and collection. This perceived role and status of conservation causes tensions between colleagues in the various museum and archaeological disciplines and the conservator is frequently put in a subsidiary position in terms of decision-making. However, conservation provides a service to heritage and to the owners and stakeholders of heritage, as do curators<sup>178</sup>. While conservation is closely linked to other disciplines which involve the study of heritage, it is recognized as a distinct field with its own Codes of Ethics and professional associations.

Translated in systems terms, the relation between “conservation” and the “conservation profession” appears to be one where the conservation profession is a sub-system of conservation.

<sup>175</sup> E Avrami, R Mason & M de la Torre, ‘Report on Research’, 2000, p.3.

<sup>176</sup> Cited in S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.10-12.

<sup>177</sup> E Avrami, R Mason & M de la Torre, ‘Report on Research’, 2000, p.3.

<sup>178</sup> S Macdonald & G Fyfe, *Theorizing Museums. Representing Identity and Diversity in a Changing World*, 2004, p.152-153.

As such, the theoretical principles which apply to the former will pose constraints to the latter as well. Even though, in such a relation, it is possible that the objectives of the conservation profession slightly diverge from those of conservation in the broad sense, they coincide in the general direction of their intent. If the conservation profession is seen as a sub-system of conservation, then ultimately, it too should be directed towards the main goal of conservation. This is a matter of consistency, both logical and ethical.

As a system of action, conservation is defined through its aim. Conservation's aim, as outlined above, is to preserve cultural heritage by means of extending the lifespan of objects that embody heritage values. As a system, conservation is directed towards its main goal. Transformed into practical ends and means, this target or goal directs decision-making by dictating criteria for choices regarding action or "non action". Conservators are those sharing the aim of preservation and who abide to the same ethics framing the realisation of this goal.

**Diagram III** presents the conservation system as a value-led enterprise. In such a system, conservators' interventions regarding an object (cultural heritage) are constrained by a conceptual or normative frame (regulator) and assisted by available technology regarding materials and techniques (technology support). The conserved object in turn provides feedback to the regulator as to the success or failure of interventions. Norms, values and principles which are meant to guide conservation decisions and actions are included in national and international Charters and Codes of Ethics; these provide conservation's conceptual frame.

## THE CONSERVATION SYSTEM

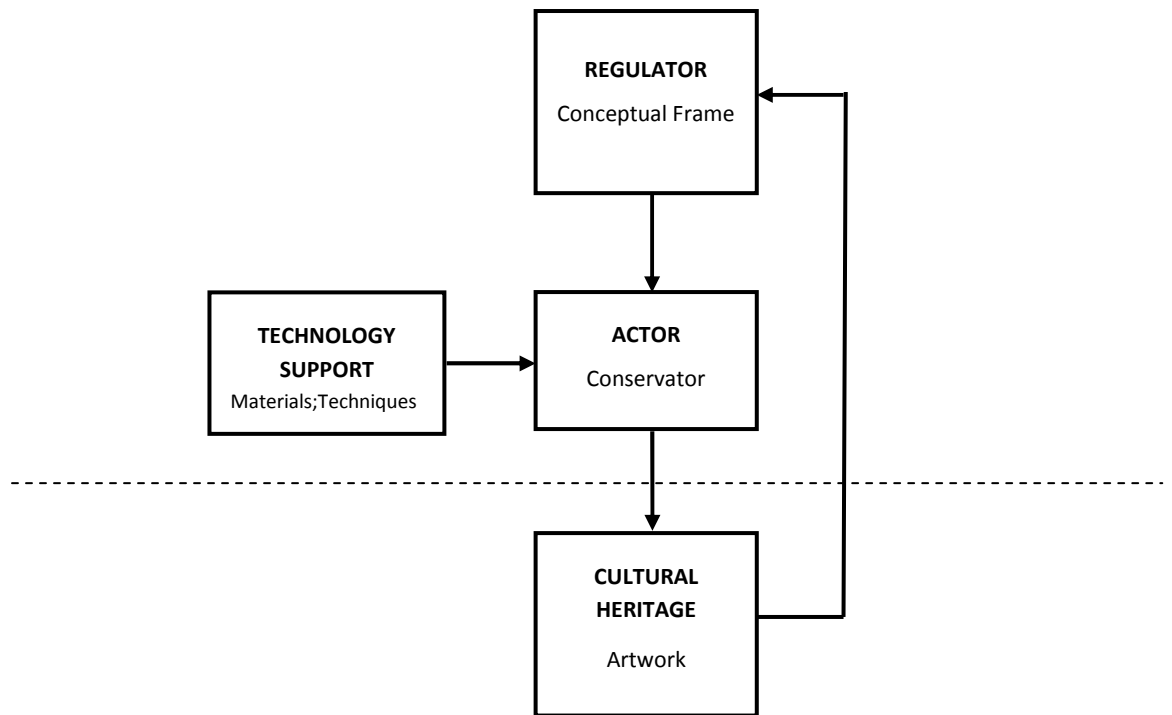


Diagram III

Because conservation is concerned with the tangible, i.e. objects, 'lifespan' has been traditionally understood as necessarily linked and limited to original material constitution. While the notion 'tangible' does indeed point to the material, what constitutes an object's lifespan depends on its ontology; it depends on what kind of object it is, and what persistence conditions it has. It also depends on its identity as heritage, which is provided by the hierarchy of all the heritage values attributed to the object at a given point in time, based on the current social value system. This view of the heritage object suggests not only that the effects of conservation interventions expand to the immaterial, but that they may also affect it directly, e.g. through the hierarchies of heritage values that are formed in decision-making processes. Because of its value-led character, conservation requires other kinds of knowledge than strictly technical. Conservators intervene on embodied value; hence conservation's decisions and actions pertain more to the conceptual rather than to the material. This shows that conservation can only be defined in the 'broad sense' referenced in conservation literature, with technology being a support system to its proper aim and activities.

## CONCEPTUAL FRAME

Every inquiry takes place within a conceptual frame. A frame is a mental model providing a starting point for inquiry, a finishing point for inquiry and a context for interpretation of the results of an inquiry. National and international conservation Charters and Codes of Ethics include the foundational values and assumptions which define and shape conservation as an activity; they also include principles that are meant to guide and control decisions about action in order to secure efficiency. As such, Codes of Ethics provide the conceptual frame for conservation decision-making.

Codes of Ethics have a long history, which can be traced back to one of the earliest scientific disciplines, medicine. Like most professional Codes, the commands for the conservator's attitude and the limits of intervention on the conservation object are similar to those of the Hippocratic Laws (4<sup>th</sup> c. BC) concerning the attitude and limits of intervention of the physician<sup>179</sup>. These commands advocate primarily independence in practice, preference for preventive measures as opposed to direct intervention, avoidance of harm, upholding of high standards in professional practice, constant education and respect among colleagues. The commands pertain to the status of the physician, which is determined by the very object upon which she acts, namely the human being. Also acting upon morally significant objects valued in virtue of their import to human identity and dignity, conservators are guided in practice and in their general choices by similar standards and commands. Because of the moral significance of heritage objects and the imposed duty to conserve them, conservation's frame guiding decisions necessarily acquires a normative dimension. Conservation's conceptual frame is also a normative frame.

Conservation Codes incorporate principles that advocate the public character of the profession, the conservator's independence in practice and his personal responsibility for his actions. They define the goal of the conservation activity, which should be dominated by "respect" for the integrity of the object; they set as guiding principles for the realization of this goal the principles of prevention, of minimum intervention, and of no removal of original material; they provide criteria for the selection of materials and techniques, such as harmlessness, reversibility and detectability. In addition, the Codes stress the need to avoid confusion as to the objects' authenticity, integrity, and significance.

Since most values are embodied in Codes of Ethics, ethics is the source of values that shape the identity of conservation as an activity. Otherwise put, ethics are the source of goals for

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<sup>179</sup> Hippocrates, 'The Oath' in GER Lloyd (ed.), *Hippocratic Writings*, trans. J. Chadwick & W.N. Mann Penguin Books, UK, 1983, p.67.

conservation as a man-made system. They indicate what the system does rather than what it is. The perception of the task of the conservator changes, depending on the set goal of conservation. In the process of achieving conservation aims, decisions are taken to control interventions. The specific goal, or goals, of conservation determines what ethical rules conservation ought to fulfil and what it ought to do. In the latter sense ethics is conceived as the field which deals with what is right and what is wrong (very loosely stated); as such ethics provides criteria for choices in conservation decision-making (e.g. prevention, minimum intervention, reversibility).

The function of the Codes is to guide and control, or limit actions in order to secure efficiency. In this sense, conservation's normative frame, whether explicit in Codes or implicit in everyday practice, functions as a regulator, or a control mechanism for conservators' activities; in its ideal state, it sets limits to the real, i.e. the actual intervention, in order to secure the attainment of the main goal. This observation reveals the proximity of conservation to cybernetic systems. In order for Codes of Ethics to function properly, they need to clearly indicate which foundational principles they are based upon and to include principles peculiar to conservation alone (i.e. not only generic principles that may be employed in any professional activity). The distinctive characteristic of conservation is the relationship between people (conservators) and objects. It is precisely in reference to this peculiar relationship that conservation Codes define right decisions and actions, as opposed to wrong ones.

Right and wrong should be determined by the values that constitute the main goal of conservation and be consistent with the ends of conservation practice. From a systems point of view, right may be considered that which is instrumental to the attainment of the main goal, and wrong that which contradicts it. This notion points to Plato's definition of virtue, i.e. that state or condition which enables a thing to perform its proper function well<sup>180</sup>. Plato's definition does not apply to humans alone, but to all kinds of entities, including objects and activities. It also links virtue and ethics directly to efficiency, i.e. to doing things rightly. The function of each thing is that which it alone does best. And each thing to which a particular function is assigned also has a virtue. The virtue of a knife, for example, is its sharpness. Thinking in a similar manner, the virtue of a human activity is the set of ethical qualities that enable it to do what it is intended to do in the best possible way, i.e. that enable it to fulfil its purpose optimally. Normative commands or moral principles like those expressed in Codes of Ethics, determine what ought or ought not to be done if an activity is to perform its function rightly. In the case of conservation they determine what ought or ought not to be done in order to secure preservation, or extension of lifespan.

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<sup>180</sup> Plato, *The Republic*, tras. P. Shorey, Harvard University Press, Cambridge & London, 2003, Book I, §353, p.102-105.

### ***The Scientific Character of Conservation***

Conservation is a science, which is prescriptive and applied. It is prescriptive in that it says how decisions should be made. Decisions within conservation are based on an ideal model, which is based on the scientific principles framing the processing of information, and interventions. It is applied in that it does not just record the principles of perfect policy and intervention, but it seeks to enhance its abilities towards correct and reasonable decisions. It assumes that the correct decision is didactic. Conservation combines theory and practice: it looks at theoretical models, but is also directed towards practical problems. The criterion of correctness/appropriateness of a certain policy or intervention is the degree of approximation to the ideal model, as it is formulated in practice.

John Warfield's Domain of Science Model (DSM)<sup>181</sup> may be used to establish the scientific character of conservation. The model is generic; it represents what is commonly perceived to be science, and it is designed especially to include sciences that have applications. Because conservation is a field with applications, this model is appropriate.

The model has multiple uses. It identifies the constituent parts of science and organizes its information. In this way the model facilitates reference to it. It has been constructed as a feedback mechanism composed of four parts, namely Foundations, Theory, Methodology and Applications. The first three blocks of the DSM comprise the Science; the fourth the Applications of the Science. The component parts are linked to each other in such a way that the Foundations steer Theory, Theory steers Methodology and all these steer Applications. In their turn, Applications provide information as to the strengths and weaknesses of the Science (**Diagram IV**). The DSM emphasizes that the validity of scientific knowledge rests on the continuous tracing of these components. It reveals the systemic character of science, which is not identical to any one of its parts, but rather the result of their interdependence. It also disciplines discussion about the scientific character of an activity.

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<sup>181</sup> J Warfield, *A Science of Generic Design Vol. 1*, Intersystems Publications, USA, 1990, p.109-127.

## THE DOMAIN OF SCIENCE MODEL

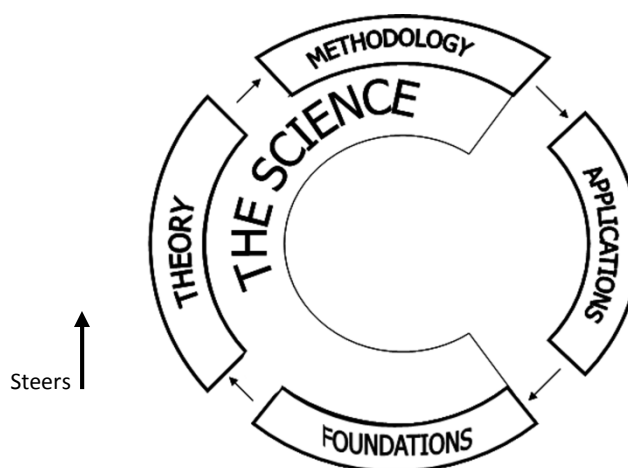


Diagram IV

According to the DSM, the Foundations contain ideas that have been tested by observation, experiment, experience, and dialogue and that are not dependent on Theory. They also incorporate propositions peculiar to a specific science and provide the basic guidance for the resolution of problems arising in Theory and Methodology. Theory derives from the Foundations by use of logical inference and provides principles and laws pertaining to the application of Methodology, as well as criteria for selecting methods that are consistent with the laws and principles. Methodology is a prescription for action and it defines means and ways of intervention in practical applications. It follows that completeness (i.e. presence of all the components) and internal consistency are necessary requirements if an activity is to fit the model. The case for conservation will be examined through the content of conservation Code of Ethics and in particular through the example of the ECCO Code of Ethics<sup>182</sup>.

As it has been shown in the historical development and diffusion of conservation Codes of Ethics, there exists basic agreement on, and common acceptance of central principles and concepts among the ECCO Code (2002) and other National and International Codes such as Canadian Association for Professional Conservators (CAPC, 1991), American Institute for Conservation (AIC, 1994) and the Burra Charter (1999). The European Confederation of Conservator-Restorers' Organisations (ECCO) is the unique body currently representing the profession of the conservator at a European level. Established in 1991, ECCO represents about 5000 practicing conservators through 20 national associations across Europe. Each national association must formally adopt its

<sup>182</sup> European Confederation of Conservator-Restorers' Organisations, *ECCO Professional Guidelines*, 2002.

official document (*Professional Guidelines*) upon becoming a member<sup>183</sup>. The ECCO Code is one of the more recent conservation Codes of Ethics and may be considered representative to a large extent of the content of the previously mentioned Codes.

The ECCO Code incorporates principles that advocate the public character of conservators' profession, independence in the practice of conservation and personal responsibility for one's actions (Art. 2 and 3). It also provides guidelines for the execution of conservation practice. The code sets as the basic aim of conservation the preservation of cultural heritage with the provision or obligation to respect its "aesthetic, historic and spiritual significance and the physical integrity" (Art. 5). The goal of preservation as stated in the ECCO Code may be interpreted as an act of such respectful attitude. The Code sets as guiding principles indicative of the requirement for respect, the principles of preventive conservation, of minimum intervention (Art. 8), and of no removal of original material (Art. 15). It further provides criteria for the selection of materials and procedures or techniques such as harmlessness, reversibility and detectability (Art. 9). The first three of these principles refer to the attitude required from the conservator towards the object, while the rest refer to properties of the materials used for conservation. With slight variations, nearly all of the aforementioned principles are explicitly adopted by the other cited Codes. In addition, the Codes stress the need to avoid confusion as to the objects' authenticity.

According to the DSM, the Foundations include, among other things, axioms from which the principles of Theory logically derive. The assumed moral duty to preserve cultural heritage is the aim of conservation and as such cannot be included in the Foundations. However, the obligation to do that with 'respect' may be considered an axiomatic component of the Foundations of the ECCO Code. The assumption of 'uniqueness' of heritage objects may also be included in the Foundations; it highlights case specificity.

The Theory component includes principles guiding the application of Methodology, such as prevention and the retaining of authenticity and integrity. The latter two have been historically linked to the conception of heritage entities as unique objects. Particular attention may be drawn to the 'do-no-harm' principle included in Theory, which is an integral moral principle delineating the overall attitude of respect, albeit implicit in conservation theory and practice. Similarly,

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<sup>183</sup>Castaldi, MM & V Negri, 'Legal Issues of the Conservation Restoration Profession' in M. Drádcký & M. Chapuis (eds), *Safeguarded Cultural Heritage, Understanding & Viability for the Enlarged Europe*, Proceedings of the 7<sup>th</sup> European Conference "SAUVEUR", Prague, 31 May- 3 June 2006, 2007, p.545, Available online at: [http://www.arcchip.cz/ec-conference/download/A-1\\_182.pdf](http://www.arcchip.cz/ec-conference/download/A-1_182.pdf)



prevention or precaution may also be considered an attitude of respect, in line with the principle to do-no-harm.

Methodology includes criteria for selecting among available conservation materials and techniques, i.e. harmlessness of materials, reversibility of materials and techniques and detectability of conservation interventions (either in terms of materials used or techniques employed). These may be considered specifications of the do-no-harm principle. 'Minimum intervention' and 'no removal of original material' may also be included in this block. Minimum intervention may be seen as a specification of the principle of prevention, while no removal of original material may be linked to conceptions of 'authenticity' and 'integrity' of heritage objects. The lack of reference to particular materials and techniques cannot be considered a deficiency of the Code since it is not in itself a necessary part of an ethical Code. The Code apparently takes for granted the existing materials and techniques used in conservation practice at each period. However, based on the criteria set forth, selection of the most effective from the readily available means and techniques is demanded.

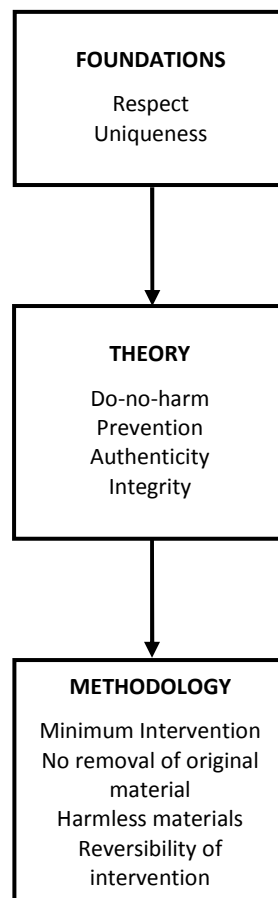
The professional requirements for constant education (Art. 12), for mutual respect among colleagues (Art. 20) and for the keeping of high standards (Art. 7) refer to the quality of conservation practice and may be considered as supportive to the above principles. Though the Code recognises that external factors, or other objective conditions (such as availability of funds or technical means, legal restrictions, or restrictions owing to religious and other factors), may affect conservation activity, it places these factors at a lower level. "Although circumstances may limit the extent of a Conservator-Restorer's action, respect for the Code should not be compromised" (Art. 7).

The above reduction of the ECCO Code to the DSM (**Diagram V**) reveals a logical consistency among the central aim of conservation, the prerequisites this aim sets for conservation and which provide the general orientation for conservation (Foundations), the guiding principles and values included in Theory, and the prescriptions for action (Methodology). Such consistency immediately refutes nihilist perceptions of conservation.

The DSM also makes apparent science's relation to practical applications. The relationship between practice and theory is one of mutual interdependence. One way to conceive this interrelationship between practice and theory is as a feedback mechanism, which is perhaps a bit more complex than simply one amphidromous relation, (i.e. a feedback relation among only two factors, theory and practice). In their mutual steering condition, the Foundations, Theory and

Methodology blocks make up the Science of the DSM, to which Applications provide feedback. In conservation, the various case studies may be said to comprise the applications against which its conceptual frame is to be evaluated. But conservation's conceptual frame rests not only on certain logical prerequisites, but also on a set of ethical prerequisites, which give conservation its normative dimension. The theory determines, at least to some extent, the methodology to be used and applied to each case.

#### CONSERVATION'S NORMATIVE FRAME



**Diagram V**

It is the Science division of the DSM that comprises the conceptual or normative frame of conservation (**Diagram II**). Hence the feedback loop among practice and theory appears to involve the interplay of four components rather than only two: the prerequisites, which provide the general orientation of conservation; conservation theory; methodology; and case studies (applications). Each of these components informs and shapes the other through their continuous interaction.

## THE CONSERVATOR

The above schema of the conservation system emphasizes that the conservator ought to know a) the nature of the object of intervention, b) the strength of conservation science, and c) the aim of conservation actions. The aim guiding conservation actions has been identified as that of extending the lifespan of cultural heritage objects for the benefit of past, present and future generations. In the process of achieving this aim, conservators are constantly faced with a plethora of problems. These problems stem either from the nature and physical state of conservation objects, or from factors not specific to the objects, but pertaining to external limitations like available technology, funds, etc. Even though conservators employ the tools of natural sciences, the aim of conservation is determined by humanist studies, which deal with values and the hierarchy of values. These, in connection with the long time span necessary for the evaluation of an intervention as effective or not, make it necessary for conservators to adopt a least risky attitude in their interventions. To the degree that conservators are those who decide for conservation actions, and in order to solve these problems efficiently, they must have scientific knowledge, skill, and a specific attitude (ethos) towards the object.

With regard to specific conservation actions, there are two common ways by which to distinguish the ethically permissible from the non-permissible: a) permissible is only what is explicitly stated, otherwise it is forbidden; b) permissible is what is not forbidden. In the context of conservation, this is also the criterion for measuring the responsibility or irresponsibility of the conservator.

The notion of the permissible as only that which is explicitly stated may be criticised as too restrictive in the context of conservation, in that it does not allow for advances in science, changes in views, or conceptual lags. Moreover, the case-specificity of heritage objects practically excludes any possibility for explicitly stating permissible actions for the conservation of each and all of cultural heritage entities. The alternative notion, of the permissible being whatever is not forbidden seems to be closer to what conservation adopts.

Indeed, the extent of negative or forbidding statements included in conservation Codes of Ethics betrays a conception of the 'permissible' as what is not forbidden. Conservation is usually thought of as a negative activity, in that it employs propositions like "assess the *fragility* of the object" as opposed to "assess the *robustness* of the object"<sup>184</sup>. It may also be thought of as negative in that, making is often identified with something positive, while allowing with something negative. Do-no-harm is also negative in this sense, i.e. in that it tells what *not* to do rather than defining

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<sup>184</sup> Ashley-Smith, J, Visiting Professor RCA/V&A Conservation, Personal Communication, London, 24 October 2007.

specific activities to be performed. This does not however distinguish two kinds of action; there are no negative actions, only negative duties. A positive duty is positive in that it is a duty to do some positive act which benefits. A negative duty is negative in that it is a duty not to do some positive act which harms<sup>185</sup>. The negative statements included in conservation Codes may be thus interpreted as attempts to fully record the forbidden in order to firmly establish where the responsibilities of the conservator begin and end. However, this notion of the permissible may also be criticised as being too broad, in that it seems to allow too much freedom which may result in actions which conflict with or impede conservation's aim.

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<sup>185</sup> AN Davis, 'The Priority of Avoiding Harm' in B Steinbock & A Norcross (eds), *Killing and Letting Die*, 2<sup>nd</sup> edition, Fordham University Press, USA, 1994, p.306.

## **TECHNOLOGY SUPPORT**

This component refers to conservation materials and techniques. It depends on hard science, technological knowledge and advancement, knowledge of the properties and behaviour of materials, but also on finances, etc. The Codes presuppose, through the demand for highest standards, that conservators employ the best available means for any intervention. Assuming that, even today, nearly anything is technically possible, the power of the science of conservation is not so much an issue of what is doable or not, but it is essentially an issue of what are ethically permissible or non permissible actions. Hence this thesis will not discuss technical issues or problems arising from the treatment of modern and contemporary art, which fall under the technology support component of the conservation system.

## ARTWORK

In his *Theory of Restoration*<sup>186</sup>, Cesare Brandi pointed to an “inseparable link between restoration and the work of art”, in the sense that “the work of art conditions the restoration and not *vice versa*”. Although this remark may seem, according to contemporary standards of defining conservation, somewhat limited in its perspective, it nonetheless directs attention to a fundamental responsibility on the part of conservators. Drawing attention to the fact that, similar procedures and techniques are carried out on a variety of human products, Brandi concludes that conservation’s particularity as an activity does not rest on the practical procedures that it employs, since these are common to maintenance and repair, but rather on the very nature of the products upon which it is performed.

The demand, hence, arises to define the specific nature of the work of art, or, in Brandi’s words, to inquire into its “specificity”. Contrary to Gerry Hedley’s<sup>187</sup> interpretation of specificity as an inquiry of each, specific artwork individually, Brandi’s text reveals that such an inquiry involves, if not a definition of art, then at least an examination of the way in which a work of art exists.

From a systems point of view, works of art may be seen as things created with the intention that their structure corresponds to a particular function, namely that of being the specific works art. Individual paints and brushstrokes, objects and sounds, etc. are placed into specific relations to each other that bring about certain effects. The totality of this organized information *is* the work of art. This is a minimalist definition of artworks and it is employed in order to direct attention to the distinction between ontology and identity, which is drawn below.

The description of the problematic situation in terms of the five suggested antithetical pairs indicates that the differences and thus the different kinds of problems that are raised for conservators by the new art phenomena reside in questions about artwork ontology, i.e. they are questions pertaining to what kinds or sorts of things works of art are, and how they exist. They are also questions of identity, both artwork and heritage identity. The relationship between works of art and cultural heritage further points to a distinction between the ontological and the axiological question, which conservators need to address. Ontological refers to how things, such as works of art exist. Axiological is used in this thesis to refer to the values that constitute an artwork’s heritage identity.

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<sup>186</sup> C Brandi, ‘Theory of Restoration’, 2005, p.48.

<sup>187</sup> G Hedley, ‘On Humanism, Aesthetics and the Cleaning of Paintings’ in G Hedley & C Villers (eds), *Measured Opinions*, United Kingdom Institute for Conservation, London, 1993, p.152.

The distinctions and observations drawn from the discussions on contemporary conceptions of the artwork which follow will provide necessary feedback as to the adequacy or inadequacy of conservation's guiding principles and central concepts to guide decisions and action. This feedback will also provide the basis for the identification of further dimensions and clarification of the concepts evaluating conservation practice, as well as for the suggestions for remodelling conservation's conceptual frame.

### ***Material and Immaterial Tensions***

As evidenced in debates emerging in conservation decision-making processes, conservation problems appear in the form of conflicts of values. What they indicate is that, even though conservators act upon the material of artworks, the effects of their actions expand to the immaterial as well. Thus an exploration of the relationship between the material and the immaterial in works of art becomes necessary.

Cesare Brandi clarified that conservators perform only on the material of the artwork; i.e. not on aspects of the work conferring aesthetic, historic or other symbolic value. Hence the obligation arises to define the kinds of objects upon which we intervene in their dual nature, the material and the immaterial. His distinction between the material and the immaterial is on two levels: a) on one level, he distinguishes between 'art as essence' and 'art as phenomenon'; b) on a second level, he distinguishes between 'appearance' (image) and 'structure'.

### Essence and Phenomenon

a) The distinction between art as essence and art as phenomenon is directly linked to what Brandi identifies as the two fundamental "moments" or phases constitutive of the creative process. Influenced by Immanuel Kant's distinction between the Ideal and the Real World, which refer to the '*noumena*' and the '*phenomena*' respectively<sup>188</sup>, Brandi identifies the former with the initial phase of the creative process, the "constitution of the object", and the latter with the second phase, the "formulation of the image". Constitution of the object is the symbolic identification of a mental object; formulation of the image is the creation of an actual object.

Where art as essence pertains to ontological questions concerning the creative process, art as phenomenon relates to the way in which art "enters into the world", i.e. to the way in which it

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<sup>188</sup> SW Pluhar, 'Introduction', in I Kant, *Critique of Judgment*, trans. WS Pluhar, USA, 1987, p.xxxii-xxxiii.

may be perceived and experienced through the human senses. Giuseppe Basile<sup>189</sup> emphasizes how, even though these two polarities through which art is conceived are complementary (since essence necessarily precedes the phenomenon by causal law) they must nonetheless remain distinct.

The constitution of the object is described by Brandi as a synthetic process, whereby the artist chooses an aspect of reality and attributes to it symbolic meaning, through his own state of mind, experiences, etc. In order to explain this process, Brandi employs concepts and arguments from phenomenology, with particular reference to Edmund Husserl's *Cartesian Meditations* (1931). Husserl<sup>190</sup> defines phenomenology as "the scientific study of the essential structures of consciousness", necessary for the attainment of certainty or for knowledge. To describe these structures he proposes a method of "bracketing out" everything that is not essential. This method is called phenomenological reduction, and it is the method through which, according to Brandi, the artist selects some aspects of reality and excludes others, in order to re-present those retained in a mental image<sup>191</sup>. The conditions of time and space, which Brandi assumes *a priori*, structure artist's mental image. The synthesis of the two creates the specific "rhythm" of each artwork, which becomes the form of the mental image. As an outcome of this process, the artist's mental image is connected with art as essence.

In the second phase of artistic creation, the formulation of the image, the artist's mental image is exteriorized or artistically realized into an "existential" object. The formulated mental image exists henceforth in the Real world as phenomenon, inextricably linked to a physical object and capable of being perceived by the human senses. However, the work as phenomenon, maintains the quality of art as essence (like a pebble which is swept away by the current can still be different from it). This process cannot be considered an act of mimesis, precisely because it follows as a conclusion of the preceding phase<sup>192</sup>.

As something inexistent, or as Brandi was to say later, "a phenomenon-that-is-not-a-phenomenon", the work distinguishes itself thus from the material object in which it is formulated and it is never realized *as an artwork* except in an individual consciousness. This is not meant to suggest that art becomes an issue of subjective judgment. Rather, the role of the

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<sup>189</sup> Basile, G, 'Theory and Practice of Conservation-Restoration According to Cesare Brandi' in P Orizio, A Lonati & RF Valentini (eds), *Teoria e Pratica del Restauro in Cesare Brandi. Prima Definizione dei Termini*, Associazione Giovanni Secco Suardo, Il Prato Editore, Lurano, 2007, p.61.

<sup>190</sup> Science Encyclopedia, *The History of Ideas, Phenomenology – Edmund Husserl*, Available online at: <http://science.jrank.org/pages/10639/Phenomenology-Edmund-Husserl.html>

<sup>191</sup> G Basile, 'Theory and Practice of Conservation-Restoration According to Cesare Brandi', 2007, p.56.

<sup>192</sup> *Ibid.*



consciousness is not to make a judgment that something *is* art, but rather to recognize something *as* art<sup>193</sup>.

This recognition is presented by Brandi as occurring within a “moment”, following those of the formulation of the image and the constitution of the object. ‘Moment’ is not defined in phenomenological terms, but in ideal terms. Hence Brandi allows his moments to have duration<sup>194</sup>. During, then, recognition, the observer presumably realizes that the encountered product, even though apparently identical to many other objects in the real world, is the product of artistic creation. Basile<sup>195</sup> clarifies that it is through the retracing of the process of artistic creation, made possible from art as phenomenon, that an aesthetic experience is obtained, and which is thus contrasted to the mere admiration of technical skill, mimetic ability, or other exterior features of the object.

Responsibility for conservation lies, according to Brandi, in the safeguarding of both the material and the image of the work. However, even though the artist’s mental image is the focus of the imagination of the onlooker, the material, or physical means, is where this image is made manifest. Moreover, because the mental image is abstract, it cannot be the object of intervention. Consequently, because it is the physical nature of the work that represents simultaneously the time and place of recognition, then it will necessarily represent the time and place of restoration. The first axiom is thus drawn, that “only the material of a work of art is restored”.

#### Appearance and Structure

b) Brandi<sup>196</sup> assumes the undeniable physicality of all works of art. Contrary to objections that could be made for a poem, i.e. that, if read silently, only with the eyes, it needs no physical vehicle, in that writing is merely a conventional tool for indicating certain sounds, he argues that, not knowing the sound that corresponds to the symbol does not imply that the sound is unnecessary to the substance of the poetic image. “The image would be as diminished in its figurativeness as the famous compositions of ancient paintings for which there is only a description and no longer an image”.

From this point on Brandi seems to assimilate art as phenomenon with the mental image, as the latter is made manifest through the physical object. In order to formulate the image, the artist

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<sup>193</sup> C. Brandi, ‘Theory of Restoration’, 2005, p.79.

<sup>194</sup> P Philippot, ‘The Phenomenology of Artistic Creation According to Cesare Brandi’ in G Basile (ed.), *Cesare Brandi. Theory of Restoration*, trans. C. Rockwell, Nardini Editore, Italy, 2005, p.30-31.

<sup>195</sup> G Basile, ‘Theory and Practice of Conservation-Restoration According to Cesare Brandi’, 2007, p.57.

<sup>196</sup> C Brandi, ‘Theory of Restoration’, 2005, p.51.

needs a vehicle, to transmit the mental image. This includes materials, physical medium, etc., without which the mental image could not be the object of experience of others. The moment, in which those materials give shape to the image, they become the *material* of the work of art. Structure and appearance represent “the two functions of material in a work of art”.

The material does not merely accompany the mental image, neither is it completely subsumed within it (like the Parthenon, for example, does not coincide with the marble used to build it). Only some of the physical aspects are actually transmitting the formal values of the mental image (appearance), while the rest act as their supports (structure). The appearance taken on by the material is not a function of the structure; rather structure is subordinate to appearance<sup>197</sup>. The work of art in which the opposite is the case, i.e. “in which the materials triumph”, he continues, is not a work of art at all; it is “handicraft”<sup>198</sup>.

The notion of the material as appearance is more expanded than just the material consistency of the work. Other elements can also be taken as the physical means to transmit the image, acting as intermediaries between the work and the beholder (e.g. atmosphere and light). A statue, to follow Brandi’s example<sup>199</sup>, requires from the start certain characteristics of natural space, but these refer to the artist’s conception of the work, and in particular as conditions that allow the revelation of the image. These are also to be included in the notion of material as appearance.

Cesare Brandi makes a note that in painting and sculpture, appearance always precedes structure, whereas in poetry and music, the opposite is the case. Nonetheless, the distinction exists. Such a distinction could perhaps be drawn in music between the written score and the performance of a musical work. Just as in painting and sculpture, the particular kinds of art are revealed through sight alone, so in music, the sense through which the work (in its essence) is revealed, is hearing. Music is an audible art form and is presented in the “real world” through its performance. Performance, however, comes after the written musical score, which reveals the structure of the work. In this sense we have structure preceding image. Brandi does not make any distinction between live performances and recorded technologies. But given that, according to him, the sense through which music is apprehended is hearing then he would also accept them as appearance.

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<sup>197</sup> *Ibid*, p.49-52.

<sup>198</sup> C Brandi, ‘The Cleaning of Pictures in Relation to Patina, Varnish, and Glazes’, *The Burlington Magazine*, vol. XCI, no. 556, July 1949, p.183.

<sup>199</sup> C Brandi, *Αρκάδιος ή περί Γλυπτικής (On Sculpture)*, Νεφέλη, Athens, 1983, p.24-25.

Even though he emphasizes how only art as phenomenon exists in the real world, his concept of the whole, or of the unity of the artwork as an indivisible whole, reveals that, what in fact conditions the restoration is not art as phenomenon, but art as essence. What initially appears to relate to the distinction between structure and appearance, in fact pertains to the first level of distinction between art as phenomenon and art as essence.

Brandi argued that conflicts could be resolved ethically through a distinction between appearance and structure. Appearance is the image or symbolic message of the work of art, while structure is the carrier of the image and is only subordinate to appearance. Where there is an irreconcilable conflict between the two, according to Brandi, conservation demands of appearance should override those of structure. In this way the friction between the material and the immaterial is resolved.

Not so much the result of philosophical sophistry, as he would call it, but rather of artistic practice aiming at a redefinition of the concept of art itself, from the mid. 1960s onwards there appears to be a pronounced tension between the material and the immaterial in works of art, which is largely responsible for the problems conservators face today. Indeed modern and contemporary art seem to introduce further tensions between the material and the immaterial. It has been argued<sup>200</sup> that while in traditional art the separation between concept and material manifestation was “just possible”, installations, time-based media art, and contemporary art in general positively demand that we examine how the concept and the intent square with the physical way the work is presented.

The increase of tension may be interpreted in terms of a shift in how the material/immaterial relationship is perceived over time or in terms of a disjunction between meaning and the physical state of an object. Such tensions include a) the possibility of the material being immersed in the meaning of a work of art (i.e. the choice of material gives meaning to the artwork); b) the material is not a medium for an image, but a medium for an idea; and c) the material may now include subjects or actors as constitutive of the work (audience participation, interactive works).

### ***Artwork Ontology***

Concerns about the nature of the relationship between the material and the immaterial in works of art, have been central in the field of philosophy. The shifts in the perception of the

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<sup>200</sup> *Shifting Practice, Shifting Roles? – Part1 Lesley Carlyle: Introduction*, video recording, Tate Channel, Tate Modern London, 22 March 2007, Available online at: <http://channel.tate.org.uk/media/38065051001/24881405001>

material/immaterial relationship point to a different conception of modern and contemporary artworks in terms of what kinds of things they are, i.e. in terms of their ontology.

Ontology is the branch of philosophy, which examines how things, such as works of art, exist. It addresses questions concerning things that do exist, such as questions about the nature of their existence, their properties and their relations to other things that exist<sup>201</sup>. Ontology assumes that there are things, such as artworks, and it asks the above questions by looking at the things already considered to be works of art. As such, ontology does not question whether something is a work of art or not.

Things exist in our world for a certain span. Within this span things change, i.e. they gain or lose properties, yet people still perceive them to be the same things they are, or were, without the change. This phenomenon is called persistence of things over time. Persistence conditions are the necessary and sufficient conditions for something at one time (either previous or future) to be numerically the same as e.g. the object in front of us now.

Because conservators usually act upon the material of objects, artworks have been understood and treated as unique physical particulars. According to the conception of artworks as unique physical particulars, the work of art is a concrete object whose authenticity depends on its history of production, incorporated in the material of which it is made. This view assumes the necessary materiality of works of art; the artwork is one original object. In the times of John Ruskin and Bernard Berenson, for example, it was considered that the meaning of an artwork is contained in its physical presence. Berenson wrote: “all that remains of an event in general history is the account of it in document or tradition; but in art, the work of art itself is the event. Any other information, particularly of the merely literary kind, is utterly incapable of conveying an idea of the precise nature and value of the event in art”<sup>202</sup>.

Contemporary artworks, however, seem to point to a conception that is more similar to that of abstract entities or types with elements. Brandi's<sup>203</sup> distinction between arts like sculpture and painting on the one hand and dance on the other hand is indicative of such a difference in conception. Cesare Brandi commented that someone may touch a sculptural work more than a painting, but one only touches the material through which the image is transmitted, not the image itself. In touch, like in vision, only the phenomenon may be perceived and nothing else. In sculpture, touch is simply complementary to vision, but not in the least necessary for the

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<sup>201</sup> P Goldie & E Schellekens, *Who's Afraid of Conceptual Art?*, 2010, p.1-52.

<sup>202</sup> B Berenson, 'Rudiments of Connoisseurship', 1996, p.131.

<sup>203</sup> C Brandi, *Αρκάδιος ή περί Γλυπτικής (On Sculpture)*, 1983, p.23-24.

recognition of the image through sense experience. According to Cesare Brandi, dance is also an art. However it is not something that persists or remains. Unlike unique physical particulars, he considers dance a unified and unrepeatable vision, about which one cannot speak differently than by referring to memories or to others' accounts. Music is characteristically conceived in a like manner.

It is not within the aims of this thesis to provide an ontology for modern and contemporary artworks. However, the following presentation of philosophical perspectives on artwork ontology helps illustrate the main points in debates about how works of art exist, which may influence conservation decisions and action. It also serves in the clarification of terms which are used in the thesis and provides a framework for the discussions that follow. Philosophical debates on artwork ontology mainly revolve around the distinction between unique physical particulars and abstract entities.

#### Physical Particulars and Abstract Entities

The philosophical conception of artworks as unique physical particulars is best illustrated in Richard Wollheim's most influential book *Art and its Objects* (1980)<sup>204</sup>. In his book, Wollheim presents the hypothesis which assumes the necessary materiality of works of art, i.e. the "physical-object hypothesis". According to this hypothesis, all works of art are concrete, physical objects. It stems from the observation that in arts, such as painting and sculpture, there seems to be a specific physical object, with which the work of art may be identified and in which it is exhausted. Moreover, the hypothesis assumes that works of art are merely physical objects, i.e. just that and nothing more.

Diametrically opposed to the physical-object hypothesis is the "idealist hypothesis", a main exponent of which is Robin George Collingwood<sup>205</sup>. The idealist hypothesis assumes that works of art are purely mental or imaginary things. They may be completed in the artist's mind, while no material manifestation is requisite to the work's completeness or existence.

Collingwood, bases his view of art as imagination on the peculiar kind of "making" that takes place in relation to the work of art. This making is *creation*; to create something means to make it non-technically, i.e. with no ulterior end to meet (as in craft making), yet consciously and voluntarily. The making of the work of art is seen as an instance of creation of an original "plan" in the mind of the artist (which is considered different from the fabrication of an artefact). A tune

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<sup>204</sup> R Wollheim, *Art and its Objects*, 2<sup>nd</sup> edition, Cambridge University Press, Cambridge, 1990.

<sup>205</sup> RG Collingwood, *The Principles of Art*, Oxford University Press, UK, 1938, p.128-129.

that has not been written down, for example, exists in the musician's mind as an imaginary tune. If it is played out, it becomes a real tune. The former constitutes the plan in the artist's mind, which, if executed, will be embodied in the manufactured object. Thus, the noises at a performance are only the means by which the audience can reconstruct in their own mind the imaginary tune that existed in the artist's mind. This can only be done if one listens to the noises intelligibly<sup>206</sup>.

Collingwood<sup>207</sup> stresses however, how this imaginative experience is one of "total activity", i.e. one that includes a specialized sensuous experience as well; the acknowledgement of a sensuous experience is meant to rescue the work of art from being understood as something that is not real. The sensuous experience arises through the tactile qualities of the artwork, which refer not to sight and touch sensations alone, but to motor sensations as well (i.e. having to do with how one experiences distance, space and mass). The sensuous qualities do not belong to the work itself, but rather lie in the agent who contemplates it.

The strongest and most persuasive criticism to this account comes from Jerrold Levinson<sup>208</sup>. He maintains that the idealist hypothesis is implausible and that it threatens the public character of art and its integral involvement with physical media; something created by mental activity does not mean it is mental in nature itself. Arguably the work of art can be both or neither of the above alternatives. Following a similar line of thought, Jean-Paul Sartre<sup>209</sup> distinguishes, in arts such as painting, between the physical and the aesthetic object. According to Sartre, the artist does not realize a mental image in the act of e.g. making a painting; rather the artist constructs a material analogue of the mental image. An observer perceives only the analogue, while the aesthetic object (Sartre identifies this with the 'beautiful') can only be experienced by imagination.

Apart from the idealist hypothesis, the physical-object hypothesis has also found a number of objections. Wollheim challenges and rejects the physical-object hypothesis on two levels, each corresponding to the strong and the weak version of the hypothesis respectively. The strong version of the hypothesis argues that *all* works of art are physical objects. The weaker version argues that *some* works of art are physical objects, whereas others are not. This version points to a wide acceptance of the division of art into various art forms, which may have different ontological status.

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<sup>206</sup> *Ibid.*, p.131 and p.136.

<sup>207</sup> *Ibid.*, p.128-129.

<sup>208</sup> J Levinson, 'The Work of Art' in J Levinson (ed.), *The Pleasures of Aesthetics. Philosophical Essays*, Cornell University Press, New York, 1996, p.136.

<sup>209</sup> JP Sartre, 'The Work of Art' in P Lamarque & SH Olse (eds), *Aesthetics*, Oxford University Press, Oxford, 1950, p.32-34.

Indeed, the basis on which the hypothesis that *all* works of art are physical objects is primarily rejected by Wollheim is that, in some arts, like music and literature, there is no physical object that exists in a particular time and space that can plausibly be identified as the work of art *per se* (i.e. that can be thought of as a piece of music or as a literary novel). More importantly, in these arts, one can distinguish between the works of art themselves, and the copies, performances, etc. of these works. To confuse or identify the latter with the 'work' is erroneous. Furthermore, this hypothesis cannot account for the ostensible existence of works of art such as an unperformed opera, or a literary piece without a manuscript.

In response to the weaker version of the hypothesis, according to Wollheim, even if this is case (as it appears to be in painting and in sculpture), the identifications that arise are wrong. Works of art appear to have certain properties in addition to those of the mere physical object with which they may be identified. These properties usually refer to the expression or arousal of some emotional state. Yet again, in providing a 'corrected' notion of expressiveness, i.e. as the intersection of "natural expression" (the process by which the audience immediately perceives from the work the artist's inner emotional or mental state) and "correspondence" (of the condition in which the audience find themselves with the condition expressed), he concludes that a given work of art can be both a physical object and expressive.

Wollheim suggests that, in those arts where no physical object can plausibly be thought of as the physical object with which a work of art may be identified, works of art are generic entities of which there are elements. Nicholas Wolterstorff<sup>210</sup> seems to agree with Wollheim that some works of art are kinds, or types. He examines the particular cases of in prints, cast sculpture and architecture. These arts also seem to be types, for one speaks of impressions of a print and that of which there are impressions, castings of a sculpture and that of which there are castings, and examples of an architectural building and that of which there are examples. Considerations of divergent properties (e.g. of a given impression with the print), of identity and diversity (e.g. neither each nor both of two different castings of the same sculptural work can be identified with the work), as well as considerations pertaining to the application of the concepts of existence and non-existence (e.g. an object of the object-work may be destroyed without the object-work itself being destroyed) steer Wolterstorff to the conclusion that all these arts are types. Painting and traditional sculpture, however, seem to be other than types in that they lack a counterpart to the print/impression distinction; there is only distinction between the work and a reproduction of it

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<sup>210</sup> N Wolterstorff, 'Toward an Ontology of Art Works', *Nous*, vol. IX, no. 2, 1975, p.117-120.

(as opposed to e.g. impressions of a print which are all thought of as originals, none as reproductions). Rather, such works of art appear to be particular physical objects.

In suggesting that at least some works of art are types, the question that immediately arises is as to the nature of these kinds or types. The main distinctions to be drawn are, according to Wollheim<sup>211</sup>, between 'types', 'classes', and 'universals'. Such distinctions are based on the characteristic relationship between each of these generic entities to its elements. To identify a work of art with a class of particular objects (e.g. a novel with the class of its copies), whereby grouping or classification occurs by virtue of some relation of resemblance among copies, performances, etc. not only is circular, but also denies creativity in art, which is counter-intuitive. In the first case, resemblance is an observation or conclusion that follows from the fact that some e.g. copies are of the same novel; thus, it cannot serve as criterion by which to group the copies together. In the second case, because objects belonging to the same class could be produced indefinitely then the work cannot be ever rendered complete, and thus cannot be said to have a moment of creation. A work of art is not a class.

The distinction between types and universals is facilitated by the examination of a particular case of a work of art, namely the musical work. A musical work, which is a performance work, is conceived as distinct from its performances. Musical works can be multiply performed, but they differ from their performances in that performances are occurrences, or events; they take place at a certain time and place, they are finite, they have certain duration and they have temporal parts. Wolterstorff<sup>212</sup> argues that, if that which is performed on one occasion is identical with that which is performed on another, then there may be two distinct performances of one single musical work. But two distinct things cannot be identical with some one thing. Thus the two distinct performances cannot both be identical with the work performed; and neither can the latter be reduced to only one of its performances. Thus, musical works are indeed generic entities of which there are elements.

Wolterstorff and Jean-Paul Sartre conceive the musical work as a universal, in that it can be grasped as an absolute beyond space and time<sup>213</sup>. As such, the work would seem to exist everlastingly and, in the case of a musical work which is not exemplified, no act would be identified or recognised as an act of bringing the work into existence. This however is also counter-intuitive. Arguably, one can alternatively hold that an entity exists everlastingly, but it is

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<sup>211</sup> R Wollheim, *Art and its Objects*, 1990.

<sup>212</sup> N Wolterstorff, 'Toward an Ontology of Art Works', 1975, p.116.

<sup>213</sup> *Ibid.*, p.129 and p.139.

JP Sartre, 'The work of art', 1950, p. 36-37.



not a musical work until someone instantiates the conditions for it to become one. In the account of the musical work as “a kind whose examples are sound-sequence-occurrences” produced by the activity of performing, these conditions would be either or both of the two-part act of composing, i.e. the determination and the recording of the correctness conditions of the work. The musical work is not a universal.

Levinson<sup>214</sup> agrees with Wollheim that works of music are types, and, in particular he holds that a musical work is a structural type or kind, instances of which occur in various performances. The type can be heard through its instances and yet exists independently of them. He does present, however, three objections to the above view, which pose in turn three requirements to be met by musical works. First, musical works must be such that they do not exist prior to the composer's compositional activity; rather, they are brought into existence by that activity (requirement of creatability). Second, musical works must be such that composers composing on different musical-historical contexts invariably compose distinct musical works (requirement of individuation). Thirdly, musical works must be such that specific means of performance or sound production are integral to them (requirement of performance).

The observation that Installation and Time-Based Media artworks are prone to substitution and recreation, has led to parallelisms of the ontology of such artworks to that of musical works. Pip Laurenson and Bruce Altshuler have strongly supported this view in the field of conservation<sup>215</sup>. The preceding discussion on artwork ontology has shed light to how musical works are conceived, and thus by extension to how conservation objects may be conceived if their ontology is indeed similar to that of music.

This thesis has shown that contemporary artworks have introduced further dimensions to traditional notions of art. It has also provided a broad definition of conceptual art, which encompasses traditional and new art phenomena and which is meant to be open to incorporate even further dimensions, on the basis that art has a general tendency to constantly expand its scope. The philosophical conception that works of art are types with elements appears to be broader and more flexible than that of the physical particular. Thus the preceding reflections direct attention to the possibility that all conceptual works of art may be conceived as generic entities with elements, or instances. Moreover, in accordance to the definition of the artwork

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<sup>214</sup> J Levinson, 'What a musical work is', *Journal of Philosophy*, no. 77, 1980, pp.5-28.

<sup>215</sup> P Laurenson, 'Authenticity, Change and Loss in the Conservation of Time-Based Media Installations', *Tate Papers*, issue 6, Autumn 2006, n.p., Available online at:

<http://www.tate.org.uk/research/tateresearch/tatepapers/06autumn/laurenson.htm>

B Altshuler, 'Collecting the New: A Historical Introduction' in B. Altshuler (ed.), *Collecting the New. Museums and Contemporary Art*, Princeton University Press, Princeton and Oxford, 2005, pp.1-14.

provided above, the structure of a work corresponds to some sort of mental plan created in the artist's mind; fulfilment of its function, i.e. being the specific work of art, depends on the realisation of this structure.

### The Link to Conservation

Such a conception implies that the artwork may appear in multiple instances and it may have different modes of existence, i.e. as a written score, as a performance, as a description, as a set of instructions, as an installation in a museum or gallery, as an archived event. The different manifestations of a work of art need not be instantiated by the same person, in the same site, or with the same materials as the initial manifestation. Moreover, each of the modes of existence may be instantiated at a certain point in time or not without the work of art ceasing to exist. Just as one would not say that Ludwig van Beethoven's *Symphony No.9* (1824) does not exist if it is not being performed or if nobody is reading the musical score, or even if the musical score disappears (one could argue that memory suffices as a tool to keep the score in existence), one would not say that Sol LeWitt's wall drawing has ceased to exist if it is not anywhere installed, or if the initial format carrying the artist's instructions has been lost.

The artwork is an artwork on account of the intention of the artist to make work of art. Whether the instances produced are good or bad instances is a different issue, but all are equally instances of the same work of art. Moreover, the degree of variation in the performance and performance means of e.g. a musical work, perhaps allows similar flexibility of variation in the specific materials and/or means of a conceptual work of art.

The suggested conception of works of art further implies that held notions about what constitutes forgery or what contradicts artwork authenticity, which are based on a distinction between an original work and other things which are not this original, are at least limited in perspective. This entails significant implications for conservation treatments and especially for the ethical legitimization of practices such as substitution and recreation.

In relation to artworks, two types of possible forgery are generally acknowledged. On the one hand there is "referential forgery", whereby something falsely purports to be the or an original of a particular actually existing work of art, while, on the other hand, there is "inventive forgery", whereby something falsely purports to be the or an original of a work that does not exist and whose ascribed artist may or may not exist either. Referential forgery is what Nelson Goodman refers to in saying that, "a forgery of a work of art is an object falsely purporting to have the

history of production requisite for the original of the work". It is the case, however, that "history does not always include ultimate execution by the (original) artist"<sup>216</sup>.

Goodman<sup>217</sup> maintains that one can speak of forgery of a painting even when there is no perceptual difference between an original and its forgery, because there still is aesthetic difference between the two. His argument is that no one can ascertain that no one has or ever will be able to distinguish them by merely looking at them. Moreover, when the original is made known (by other means, e.g. scientific examination), one could learn to look at them in a way that he/she will be eventually able to make the distinction by plain sight alone. In fact, the knowledge that there exists a difference a) stands as evidence that there may be a difference one can learn to perceive, b) assigns the present looking a role as training towards such a perceptual discrimination, and c) makes consequent demands that modify the present experience in looking at these pictures.

Music, on the other hand, it is suggested, cannot be forged. According to Goodman, in music, unlike painting, there is no such thing as a forgery of a known work. Joseph Haydn's manuscript, for example, is no more a genuine instance of the score than is a printed copy off the press this morning and last night's performance no less genuine than the premiere. Copies of the score may vary in accuracy, but all accurate copies, even if forgeries of Haydn's manuscript are equally genuine instances of the score<sup>218</sup>. So, for Goodman, there are forgeries of performances just as there are forgeries of manuscripts and editions. But what makes a performance an instance of a given work is not the same as what makes a performance a premiere, i.e. the first or the specific instance of the same given work. Though there may be forgeries of performances (which would nevertheless have to be in accordance with the score) they are all genuine instances of the work.

According to Levinson<sup>219</sup> the musical work has inextricable dependence on historical context as well. This dependence is made apparent on two levels. First, on the level of meaning, whereby a work of art may arguably be taken to mean something different depending on its art-historical location, its antecedents, etc.; second, on the level of establishing the work's authenticity. Authenticity pertains to the issues of authorship and forgery, and it becomes a rather problematic issue in the exploration of the ontology of the work of art in that, according to the distinctions drafted above, it appears as though some works of art can be forged while others not.

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<sup>216</sup> N Goodman, *Languages of Art: An Approach to a Theory of Symbols*, 2<sup>nd</sup> edition, Hackett, Indianapolis, 1976, p.119 Note 12, and p.122.

<sup>217</sup> *Ibid.*, p.99-103 and p.105.

<sup>218</sup> N Goodman, 'Art and Authenticity' in D Dutton (ed.), *The forger's art, Forgery and the philosophy of art*, University of California Press, USA, 1983, p.103.

<sup>219</sup> AC Danto 'Artworks and real things', *Theoria*, vol. 39, no. 1-3, 1973, p.13-15.

In the case of works of art such as etching, printmaking and cast sculpture, Levinson<sup>220</sup> stresses the distinction between the impressions of an etching, which are presentations of the etching, as opposed to copies and reproductions (forgery) of the etching which are re-presentations of it. The individual impressions or castings of cast sculpture also differ from performances in that the former may be occasionally regarded as individual works in their own right, though we still invariably recognise as well the overarching work, or type to which they belong. One wonders then, however, whether music can be thought of in the same way and thus be rendered capable of forgery.

Cesare Brandi<sup>221</sup> stressed that the distinction between structure and appearance is not always very clear, and that, with the passage of time, it becomes harder to evaluate conservation demands posed by each. Just like patina is the mark of time on the surface of a painting or sculpture, time also leaves a mark on musical works through the means of their performance. It appears as though the practice to change performance means is more or less accepted by Cesare Brandi as the patina of music. By analogy to his criticism of removing the patina off paintings, any attempt to suspend the passage of time e.g. by insisting upon original performance means however deteriorated their material and sound may have become, would obstruct the image and its appreciation, and hence would be unethical.

In Arthur Danto's<sup>222</sup> conception of the work of art as something by which the artist makes a statement, there can be forgery equally of all works of art. In this conception the forger copies what an artist makes a statement with. Copies lack the properties of the originals which they denote or resemble. A fake pretends to be a statement, but it is not in that it lacks the required relation to the artist. Thus, for Danto, it is authorship that distinguishes the actual work from a copy. Goodman<sup>223</sup> also accepts the significance of determining authorship in works of art because, for him, knowledge of authorship can contribute to the development of the ability to eventually distinguish authorship by merely looking at the works. Danto however refers to authorship as a generic term, indicative of 'artist'. According to him, the notions 'work of art' and 'artist' are ascriptive (as opposed to descriptive) of status. It is then the case that works of art can only be by artists and, in this sense, they can all be forged.

According to Goodman, where artworks are transitory as in singing and reciting, or require many persons for their production, a notation may be devised in order to transcend the limitations of

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<sup>220</sup> J Levinson, 'The work of art', 1996, p.133-134.

<sup>221</sup> C Brandi, *Αρκάδιος ή περί Γλυπτικής (On Sculpture)*, Νεφέλη, Athens, 1983, p.75-80.

<sup>222</sup> Danto A.C. 1973, 'Artworks and Real Things', p.10-13

<sup>223</sup> N Goodman, *Languages of Art*, 1976, p.106-110.

time and the individual. This involves establishing a distinction between the constitutive, i.e. essential, and the contingent, or non-essential, properties of a work. The constitutive properties demanded of a performance of a musical work are those prescribed in the score. Performances that comply with the score may differ appreciably in musical features (e.g. tempo, timbre, phrasing, expressiveness). That is, musical works may be performed with variations. A performance may or may not have all the constitutive properties of a given work; and may or may not strictly be a performance of that work. Following Neslon Goodman's distinction between essential and non-essential properties, Pip Laurenson has suggested a similar distinction for Installation artworks<sup>224</sup>.

David Phillips<sup>225</sup> considers the work of art an imaginative invention, whereby even the object itself may only be a variation on a theme. Every invention is realised in a whole series of presentations, first in the studio, then for a client, later for successive owners. The re-presentations are as various as performances. In some cases, if instrumentation of the date of composition and some record of style of performance are available, the re-presented piece may physically be quite close to its first presentation. In others the initial invention has been radically transformed in later presentations. Phillips observes that musical compositions are allowed a good deal of freedom in their lives without this seeming to compromise their integrity, because somehow their essence seems captured in written score.

Conceptual art may be thought in a similar manner. Authorship distinguishes the actual work from a copy or a forgery. Authorship refers generically to the creation or invention of the structure of the work by the artist, whereby its essential properties are defined; it is only linked to performances, installations, or other manifestations of the work, in terms of whether the work is in fact instantiated, i.e. whether all its essential properties are present. Specific instances or manifestations of the artwork may be copied or forged in the traditional sense (i.e. in relation to an original, e.g. the 1938 performance of that specific work at that location). Forgery of the work proper may be thought of in terms of false attribution, but also in terms of inventive forgery, when a manifestation based on incomplete knowledge of the essential properties of a work claims to be an instance of that work.

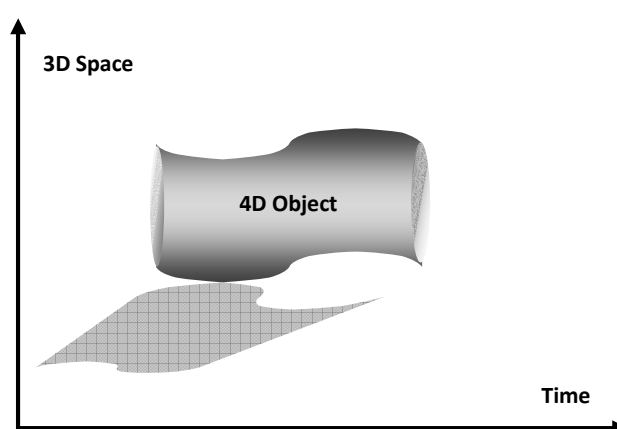
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<sup>224</sup> P Laurenson, *'Authenticity, Change and Loss in the Conservation of Time-Based Media Installations'*, 2006.

<sup>225</sup> D Phillips, *Exhibiting Authenticity*, Manchester University Press, USA, 1997, p. 191-192.

### **Artworks in Space-time**

The suggested conception of works of art, i.e. as generic entities of which there are instances, has parallels to four-dimensionalist philosophy. Four-dimensionalism is a branch of philosophy that examines how objects exist. It has been mainly developed by Theodore Sider and Michael Rea<sup>226</sup>. According to four-dimensionalism, objects encompass time as a further dimension that defines them. In this conception objects are both spatially and temporally extended, i.e. they occupy time much like events do (Fig.5). What are seen in the 'actual' world at different times are distinct temporal parts of one four-dimensionally extended object. According to this philosophy, each and every temporal part of an object is authentic. The four-dimensional object always retains all of its properties, e.g. being white at a time, carrying a discus at a time, or having a specific light tube at a time, but its temporal parts may have different properties. Thus, an artwork may decay and yellow, a discus attached to a statue may be lost or broken, and a specific light tube may be substituted with another one, without questioning whether the artwork remains the same. Change, in a four-dimensional object is defined as difference between successive temporal parts rather than in terms of gain or loss of properties.



**Fig.5** Four-dimensional objects occupy time like events do.

The different modes of existence and the various instances of a work of art may be seen as projections of the (four-dimensional) artwork. They are perceived not only at different points in time, but also at different points in space. It is therefore possible to have two instances of the same work of art at the same time, in a different space, in a manner similar to LeWitt's *Six*

<sup>226</sup> T Sider, 'Four Dimensionalism', *Philosophical Reviews*, no. 106, 1997, pp.197-231.

T Sider, *Four-Dimensionalism: An Ontology of Persistence and Time*, 2003.

MC Rea, 'Four Dimensionalism' in M J Loux & D W Zimmerman (eds) *The Oxford Handbook for Metaphysics*, Oxford University Press, 2003, pp.246-280.

*Geometric Figures*. Both manifestations are equally the work of art; neither is a copy or a reproduction of it.

The four-dimensionalist conception of objects addresses a further issue with regard to artwork ontology, namely the question of whether all works of art have common ontology. While a few of the attempts to date to address the contemporary art problem in conservation have assumed that works of art may have different ontological status, they do not examine the possibility that all works of art may have the same ontological status. It is a central point of controversy in ontological debates, whether all works of art have the same ontological status or not. It is more often argued that different forms of art have a different ontology, but it may also be the case that all art shares a common ontological status.

John Ruskin<sup>227</sup> had expressed concern that the viewer may be tempted to like the sculpture as object and not, in his view, for the right reasons, i.e. as developed through association. Seth Siegelau, art dealer in 1969, also argued that in conceptual art the material presentation of the work and the intrinsic elements of the art were distinct:

*...you see, one of the issues that has interested me about this art is the separation between the art itself and its presentation. This discrepancy or this difference is a relatively recent undertaking, or a relatively recent issue... (but) now you have a case where...the art is not the same thing as how you are given the information*<sup>228</sup>.

According to Siegelau, it was now possible to split the artwork into “the essence of the piece”, its ideational part and “secondary information”, i.e. the material information by which one becomes aware of the piece, the raw matter, the fabricated part, the form of presentation. Indeed, as Joseph Kosuth said, “the art is the idea; the idea is the art”.

The description of the problematic situation in terms of the five antithetical pairs of concepts provided earlier indicates that it is not implausible that all conceptual artworks have the same ontological status. The conceptualisation of the problem and the requirement for integration further indicates that there is need to adopt, within conservation, the broader possible conception of how works of art exist. This includes the view that all works of art have the same ontological status and in particular, they are generic entities of which there are instances. While the implications of such a view may seem counter-intuitive, this does not exclude it as a plausible

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<sup>227</sup> P Hatton, 'Ruskin and Architecture: The Argument of the Text', 1992, p.126-127.

<sup>228</sup> A Alberro, *Conceptual Art and the Politics of Publicity*, 2003, p.39 and p.56.

or possible conception of how works of art exist. In fact, the account of the *Canon* provided earlier may be considered as supportive of such a conception.

According to this conception, variation in traditional artworks may be perceived otherwise. London's National Gallery Exhibition *Close Examination: Fakes, Mistakes & Discoveries* (30 June-12 September 2010), for example, showcased a number of traditional paintings which had been made by various artists, either unknown or working in a master's workshop. These were presented as either copies of the master's original, or as versions of an original work. Several paintings of *The Baptism of Christ* (1630-1685), for example, had been at times assumed to be originals, 19<sup>th</sup> century fakes, and early copies after Pietro Perugino.

Frans van Mieris the Elder, used to paint many of his works in pairs, i.e. nearly identical, but would only sign one of them. The exhibition attempted to shed light as to which of his *A Woman in a Red Jacket Feeding a Parrot* (1663) was the original, or the actual 'work'. Scientific investigation was expected to reveal that only one of two versions of Caspar Friedrich's *Winter Landscape* (1811) is the original. *The Adoration of the Shepherds* (1646) in the National Gallery was presented as a work made in Rembrandt van Rijn's studio "by an advanced pupil as an independent reworking of Rembrandt's original design", whereas the painting with the same title in the Alte Pinakothek in Munich is considered to be the original work<sup>229</sup>.

The National Gallery exhibition confirms that, while an 'original' may have resulted from a collective creative process, presence of the signature of the master-artist usually acts as testimony that the work bearing the signature is the master's work rather than any of the other versions. However, according to the suggested conception of artworks as generic entities of which there are instances, this practice may be thought as the multiple instantiation of the structure (concept) in the master's mind; the choice of one among the instances is then a choice as the best instance or the best example of the concept. While they are all equally instances of the same artwork, the other versions are not as good an instance as the one that has been signed by the master-artist. Following this line of thought, the National Gallery examples may be re-interpreted or re-articulated; they are not fakes, mistakes and forgeries, but unrecognized or unknown instances of artworks.

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<sup>229</sup> The National Gallery, *Close Examination: Fakes, Mistakes & Discoveries*, The National Gallery, Sainsbury Wing, London, 30 June-12 September 2010, Room 4 *Secrets & Conundrums* and Room 6 *Redemption & Recovery*.



### ***Artwork and Heritage as Overlapping Identities***

According to the definition of the artwork provided in this thesis, conservators are responsible for perpetuating the existence of the specific artworks which are considered to be heritage. This notion points to questions of identity and in particular of artwork and of heritage identity.

The identity of a thing consists of those properties that make it unique and different from other things. The philosophical problem that was formulated around the Theseus ship example reveals concerns about the 'identity' of a preserved object.

*...insomuch that this ship became a standing example among the philosophers, for the logical question of things that grow; one side holding that the ship remained the same, and the other contending that it was not the same*<sup>230</sup>.

It is therefore suggested that, what becomes the primary role of conservators, is to preserve heritage artworks *as the things that they are* over time by controlling change. This role on the one hand presents the problem of determining the identity of things, and on the other hand of choosing the appropriate means by which to extend their lifespan without compromising this identity.

Gain or loss of properties through e.g. natural degradation of materials or human intervention, affects the organization of information comprising the work of art, usually causing a shift towards increased entropy. This shift is perceived as change in the work's material structure and/or function. There is a limit beyond which change amounts to the annihilation of the work's identity, as of any persisting thing in general. It is then perhaps possible to declare the end of an artwork's lifespan, or its death. Death corresponds to loss of identity. Decisions about intervention depend on the identity against which the conservation question is raised. Consequently, specific rules and principles should be formed depending on the perception of the relation between artwork and heritage identities.

According to one prominent view, a thing's identity is relative to the concept under which it is subsumed. Such concepts, employed to describe of what sort things are, are called 'sortals'. Identification of sortals relies on ignoring certain differences (e.g. differences among various human creations) and regarding different items as parts of some wholes (e.g. artwork or heritage)<sup>231</sup>. 'Substance sortals' are considered definitive of the identity of a thing. Something that

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<sup>230</sup> Plutarch, *Vita Thesei*, 22-23 cited in D Lowenthal, 'Material Preservation and Its Alternatives', 1989, p.68-69.

<sup>231</sup> A Gallois, 'Identity Over Time', *Stanford Encyclopedia of Philosophy*, 2005, n.p., Available online at:

falls under such a sortal cannot cease to do so without ceasing to exist. Consider for example a sculpture made out of a lump of clay. If the clay is crushed, the sculpture will cease to exist whereas the lump of clay will not. 'Phase sortals', on the contrary, allow for something to stop falling under them without ceasing existing (e.g. child)<sup>232</sup>.

It is generally acknowledged that things such as artworks enter the domain of conservation when they are recognized as cultural heritage. Contemporary art seems to challenge the existing frame in that many works have indeterminate heritage status. Traditional conservation rules and principles seem to have emerged from the assumption that all art is necessarily heritage. However, in the contemporary treatment of art it appears that this relationship between artwork and heritage no longer holds. 'Artwork' and 'heritage' are sortals, which may overlap for certain periods of time.

Regarding 'artwork', there is a large debate as to whether artness is a property of the things called artworks, or something imposed on them by external factors. However, it appears as though there may be some essential properties to something being an artwork, or at least to being a specific artwork. Hence it is not implausible to suggest that 'artwork' is a substance sortal. As to 'heritage', although in current literature it appears as a phase sortal, in traditional conservation, 'artwork' and 'heritage' are treated as interchangeable; i.e. as two different names for the same substance sortal.

The first conservation Charters and Codes of Ethics concerning works of art seem to have supported a notion of art as integrally or necessarily heritage. The ideas of John Ruskin and Cesare Brandi had influenced not only principles guiding the attitude and practice of conservators, but were also reflected in the notion that all art is by definition heritage and hence ought to be preserved.

In the preface to *St. Mark's Rest* (1884), Ruskin states that great nations "write their autobiographies in three manuscripts; the book of their deeds, the book of their words and the book of their art". Of the three, art is afforded the status of being the only true record of a cultural condition. "Deeds may be compelled by external agencies, (...) their policies and words may at worst be false, at best only indicative of genius of but a few of its citizens. Art, however, exists as a symbolic representation of the general gifts and common sympathies of the race"<sup>233</sup>. As

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<http://stanford.library.usyd.edu.au/contents.html>

<sup>232</sup> M Zemach, 'No Identification without Evaluation', *British Journal of Aesthetics*, vol. 26, no. 3, 1986, p.244.

<sup>233</sup> Cited in P Hatton, 'Ruskin and Architecture: The Argument of the Text', 1992, p.124.

Ruskin suggests, every great, national, architecture has been the result and exponent of a great national religion. Once built, its longevity would ensure that successive generations would be educated by its symbolic content and that the traditions which embodied the "Polity, Life, History and Religious Faith of nations" would be maintained.

The foundational premise, which Brandi assumes to be true and upon which his entire theory is based, is that the work of art, as opposed to simple manufactured objects, is the highest form of cultural expression<sup>234</sup>. A work of art belongs to everyone, apart from the individual who actually "owns" the physical object concerned. As such, he concludes, it is an invaluable asset to all of humanity, including not only present, but future generations as well.

The particular significance of art stems, on the one hand from the valuation of artistic activity as the supreme expression of human creativity, and, on the other hand, more importantly, from the kind of experience it offers to anyone who encounters it, i.e. the aesthetic experience. This experience is within everyone's grasp, and is necessary to cultural living. In fact, Brandi<sup>235</sup> continues, the experience of art is "the greatest effort that man can make to transcend his own transient existence". Even though the experience of the artwork is strictly individual, it involves universal conscience.

It is the value of aesthetic experience that demands conservation. Cesare Brandi's emphasis on experience seems to coincide with Kant's view that the object is of interest only because the mental activity it affords is of interest (i.e. aesthetic appreciation). For Kant, the aesthetic judgment is not saying something about the object, but is doing something with it<sup>236</sup>. Appealing to arguments similar to those employed by Ruskin, Brandi concludes upon a moral obligation to respect and, hence, conserve and restore works of art. The person, who has this aesthetic experience, has the moral obligation to take any action necessary to ensure the work is conserved for as long as possible, so that as many as possible may have the same experience.

Riegl's notion of the deliberate monument is also supportive of this view. According to Alois Riegl<sup>237</sup>, deliberate are those works of man that are erected so as to commemorate a specific human act, or event. In his view, deliberate monuments are intentionally heritage. Hence conservation has been based on the assumption that artworks are heritage in virtue of being works of art. In such a conception, if something ceases being an artwork it automatically ceases to

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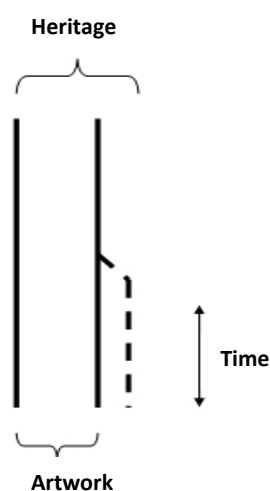
<sup>234</sup> G Basile, 'A Few Words about Maestro, Cesare Brandi', 2005, p.21.

<sup>235</sup> P Philippot, 'The Phenomenology of Artistic Creation According to Cesare Brandi', 2005, p.31.

<sup>236</sup> M Podro, *The Critical Historians of Art*, 1982, p.11.

<sup>237</sup> A Riegl, 'The Modern Cult of Monuments: Its Essence and Its Development', p.69.

be heritage. The identity of an artwork as artwork is conceived as one and the same with its identity as heritage (**Fig.6**).



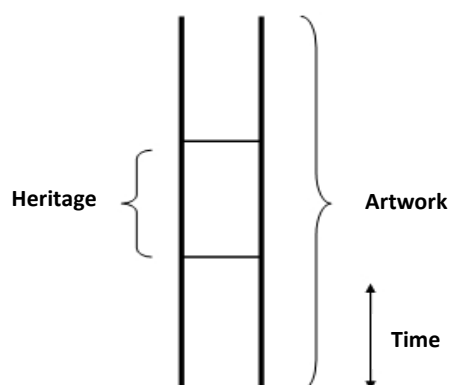
**Fig.6** Heritage-artworks may gain or lose properties over time, but so long as they are artworks, they are necessarily heritage.

However, in the case of contemporary art, an object's identity as artwork does not necessarily coincide with its identity as heritage. Some more recently produced art is not thought of as heritage yet. Moreover, as the proliferation of discussions on de-accessioning, de-acquisitions etc. indicate, exhibition of an artwork in a museum or gallery, does not automatically qualify it as heritage. In Kunsthalle zu Kiel, for example, temporary projects are commissioned and exhibited, however not all are accepted for acquisition (as heritage)<sup>238</sup>.

In addition, as the notion of significance suggests, a work of art may be considered heritage because of e.g. its historical value. Although the artwork will not stop being an artwork, in terms of heritage identity it may be an historical object (which just also happens to be an artwork). Consequently, artworks may fall in and out of the category heritage. Something that was not considered heritage may be recognized as such and *vice versa*, without ceasing to exist. University collections characteristically consider the de-accessioning or disposal of cultural artefacts, which, however, do not cease to exist as the kinds of objects they are (e.g. portraits)<sup>239</sup>. Heritage then is a phase sortal, overlapping with the sortal artwork only for a certain period of time (**Fig.7**).

<sup>238</sup> See R Barker & P Smithen, 'New Art, New Challenges: The Changing Face of Conservation in the Twenty-First Century' in M Janet (ed.), *New Museum Theory and Practice*, Blackwell Publishing, Oxford, 2006, p.99.

<sup>239</sup> Waterfield, G, 'Disposing of Cultural Artefacts in University Collections', *The Art Newspaper*, published online 21 October 2009, n.p., Available online at: <http://www.theartnewspaper.com/articles/Disposing-of-cultural-artefacts-in-university-collections%20/19622>



**Fig.7** An artwork may be considered heritage only for certain periods of time during its lifespan, over which artwork and heritage identities overlap.

The traditional notion of the artwork being necessarily heritage may alternatively be seen as a limited case of this conception, just as the circle is a limited case of the ellipse, i.e. an ellipse in which the two centres coincide.

Following the view that ‘heritage’ is one identity overlapping with ‘artwork’ identity for a certain period of time, four possible combinations emerge: a) an object is an artwork and it is also heritage (heritage-artwork); b) an object is an artwork but is not heritage (artwork); c) an object is not an artwork but it is heritage (heritage); and d) an object is neither artwork nor heritage. It may also be the case that different means and practices are required for the satisfaction of ‘artwork’ or ‘heritage’ persistence conditions. The heritage object may be considered either the artwork, or a specific mode of existence of the artwork (e.g. only in an installed state), or a specific physical manifestation of it (e.g. the 1965 installation performed by the artist himself in that space). Each of these may require different interventions for its preservation.

### ***Artwork Identity***

Artworks become heritage on account of being the specific works of art that they are. Another artwork, i.e. a work with a different identity or a work which has lost its identity as the specific work of art, may not be considered heritage.

The work of art has primarily been understood in conservation as carrier of aesthetic, conceptual and historical value. Alternatively, the work of art is conceived as a carrier of aesthetic, historic and conceptual information that contributes to its understanding. The thesis conceives of artistic value as the value an artwork has as a work of art; it implies intent to produce art, which is considered a necessary condition for something being art. An artwork may perform different,

additional functions, just as other kinds of objects (non-art) may also be recognised to have aesthetic, etc. values. Artistic value here is defined as a value exclusive to artworks. Moreover, the artistic value of a given work of art is also linked to its identity, i.e. to the fact that it is the specific work of art. This thesis argues that the particularity or identity of an artwork (from which its artistic value stems) resides in the essential properties of the object.

Other values, e.g. aesthetic, historical and conceptual values may stem from properties of the work which may or may not be essential to its being an artwork. The aesthetic value usually refers to the sensible properties of the artwork that produce an artistic experience; conceptual value relates to an understanding of the work of art as a means of expressing ideas or concepts<sup>240</sup>; historical value may refer to provenance of the work and/or to its trajectory through history. However, different ontological frameworks and respective conservational conceptions of identity place the above mentioned parameters constitutive of artistic value in a different relationship. Thus, artwork identity has been considered to reside in knowledge of provenance, in the effect or experience generated by a specific work, in context, or in artistic intent.

Different structures may have the same function; hence artwork identity is established on account of structure. The distinction between essential and non-essential properties serves to identify those elements of the structure that are necessary and sufficient conditions to instantiate a specific work of art. The artwork is the work of art that it is regardless of whether its non-essential properties are instantiated. The experience(s) generated by the work of art are necessarily a result of its essential properties and possibly a result of its non-essential properties, or other accidental or coincidental properties it may have or subsequently acquire (e.g. different context).

This is an essentialist conception of artworks. According to essentialists, objects or kinds of objects acquire their identity from their inherent nature. The Ruskinian perspective is an example of an essentialist conception of art and of cultural heritage. While Ruskin<sup>241</sup> maintained that the primal aim of art is the representation of some natural fact as accurately as possible, he also argued that artists had to employ a penetrative imagination through which they would "transform the object of their sight" and "reveal its inner truth". The ability of the artist to convey his vision of truth through the medium of art Ruskin termed "associative imagination". The production of good art is therefore the result of two main activities: the direct perception of the eye and the creative working of the imagination. The good work of art, however, does not exist as a self-contained object to be passively received by the viewer. Rather it is symbolic and it invites the viewer to

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<sup>240</sup> M Clavir, 'The Social and Historic Construction of Professional Values in Conservation', *Studies in Conservation*, no. 43, 1998, pp.1-8.

<sup>241</sup> P Hatton, 'Ruskin and Architecture: The Argument of the Text', 1992, p.124.

engage in an associative act which contextualises the work, locating it in a shared system of signs and meanings<sup>242</sup>. Quality resides in the relationship which the work establishes with a spectator who engages in an active interpretation of its form. Yet, just as the artist needs to guard against the danger associated with a potentially misleading imagination (i.e. one which would not reveal the truth of an object), so must the viewer be cautious in order to achieve a correct reading of the work<sup>243</sup>. Riegl is also an essentialist in that he believed that some objects are worth preserving because of specific inner features. His disagreement with Ruskin was about the essential characteristics of objects worth preserving.

The constructivist view, which contradicts essentialism, considers identity as a function of relations. Cesare Brandi may be considered in this context. According to Brandi<sup>244</sup>, every work of art is a unique example (this is made evident through his analysis of the creative process). It is a unique and totally personal experience, which cannot be transmitted to others and can be attained only through direct contact with the work of art, and not by any surrogate, as is the case with other artefacts with purely documentary or historical value. Based on this distinction he sets out to define conservation (or restoration in Brandi's terms) in a manner that applies solely to works of art.

Acknowledgment that something is in fact art occurs through, what Brandi calls, the special act of recognition. The act of recognition thus sets the premise and the conditions for conservation. From that recognition, not only do the material components of the work of art come into consideration, but also the dual nature of the way the work of art offers itself to the individual consciousness, the aesthetic and the historical.

*The first aspect of this coincides with the act that formed the work, an act of creation by an artist in a certain time and place. The second derives from its existence in the individual consciousness, which at a given moment fixes it in relation to that time and place...the historical case refers to both aspects of historicity*<sup>245</sup>

The aesthetic case is what actually reveals a product's property of being an artwork. It takes precedence in the recognition of a work of art as such, since the uniqueness of the work of art compared to other human products does not depend on its material being or on its dual historical nature, but on its artistic nature. Bringing the aesthetic and the historic aspects together represents the dialectics of conservation, as "the methodological moment" in which the work of

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<sup>242</sup> *Ibid.*, p.123.

<sup>243</sup> *Ibid.*, p.125.

<sup>244</sup> C. Brandi, 'Theory of Restoration', 2005, pp.45-170.

<sup>245</sup> *Ibid.*, p.49-50.

art is recognized, in its physical being, and in its dual aesthetic and historical nature, in view of its transmission to the future.

According to Brandi, the imperative to conserve addresses the work of art as a complex whole, but it focuses on the material in which the image is made manifest; this is why conservators need to ensure that the material lasts as long as possible. However, he also argues that any way of acting upon a work of art depends on its being recognised as such. Conservation interventions depend on the recognition of the artwork, which is performed and validated again and again by each individual. Thus, even though, for Cesare Brandi, an artwork is a unique physical object, artistic value is revealed only in the experience of its material (aesthetic) by an individual.

According to the constructivist view, social relations and practices embodying social relations determine the identity of cultural and social objects. The uniqueness that gives an object its value is grounded in a particular social or cultural setting. But, as Uffe Juul Jensen suggests, because social practices change, the object will only keep its particularity and value if peoples' relations to it are reconstructed<sup>246</sup>.

### ***The Axiology Framing Heritage Identity***

Inheritance is usually thought of as something outside the control of those who inherit. Following this line of thought, cultural heritage has traditionally been considered as something objectively given, as something that the culture one is born into hands over or entrusts to new generations. However, many authors<sup>247</sup> argue that the decision about what constitutes heritage is not always something already given; rather it may be selected, negotiated, and perhaps even constructed by the heirs.

The fact that the decision whether an object is cultural heritage or not is based on values is widely accepted today. What is further acknowledged is that the same heritage object, e.g. a work of art, may be the carrier of multiple values at the same time. This means that people may attribute different values to the same object at the same time; that people may attribute different values to the same object at different times; and also that people may attribute same values to the same object at different times.

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<sup>246</sup> UJ Jensen, 'Cultural Heritage, Liberal Education, and Human Flourishing' in E Avrami, R Mason & M de la Torre (eds), *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000, p.43.

<sup>247</sup> E Avrami, R Mason & M de la Torre, *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000.



There is a sense in which it is possible to distinguish among interests, or values, specific to an artwork and values not specific to the same artwork. By definition, only the values that link an object to cultural identity may ascribe to it heritage status; only these values constitute cultural heritage values. Other conservation authors also draw an analogous distinction among values attributed to cultural heritage. Iwona Szmelter<sup>248</sup>, for example, differentiates “cultural values” from contemporary “socio-economic values”. David Throsby<sup>249</sup> separates “cultural value” from “economic value”. He asserts that cultural value is separable from whatever economic value the cultural heritage might possess, even though cultural value may be a significant determinant of economic value.

Conservation’s aim refers to the extension of the lifespan of the heritage object; otherwise put, it refers to the extension of the lifespan of the values that define the object as cultural heritage. It is these values that are pertinent for conservation decision-making only. Other values attributed to cultural heritage entities, which are not linked to cultural identity, are not relevant for conservation decision-making, at least not in idealistic models such as the one supported in this thesis. The latter kind of values may be considered as second order values. That is, although they may play a role in ultimate decisions about the fate of heritage entities, they are to be considered at a secondary level; the ideal decision voiced by the conservator does not incorporate considerations of these values. It is along similar lines of thought that John Ruskin excluded financial gain from considerations about conservation.

This thesis assumes that the identity of an object as cultural heritage at a given point in time is provided by the hierarchical relationship of the cultural heritage values attributed to the object at that point in time and mainly by the value at the top of this hierarchy. For example, if a work of art becomes heritage on account of the fact that it is a work of art, then it is the artistic value of that object that mainly provides its identity as heritage as well. An artwork may be considered heritage on account of another kind of value, e.g. historical. In this case the heritage object is an historic object, which just happens to be a work of art, and thus whose artistic value is ranked lower than the historic. This clarification is significant, since different values may pose different conservation demands.

Because there cannot be said to exist a “true general overall ranking of the realization of one value against the realization of the other value”, heritage values may be seen as

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<sup>248</sup> I Szmelter, ‘A New Conceptual Framework for the Preservation of the Heritage of Modern and Contemporary Art’, 2010, p. 40.

<sup>249</sup> D Throsby, ‘Cultural Capital and Sustainability Concepts in the Economics of Cultural Heritage’, 2002, p.103.

incommensurable<sup>250</sup>. Yet, it is argued that equilibrium must be reached in the realization or satisfaction of the heritage values attributed to an object. Such equilibrium, however, *is* a hierarchy of values. Because the hierarchy is not based on a true or objective criterion by which the values are measured, it is dynamic (in the sense by which a system is also dynamic). At different points in time the hierarchical relationship among the heritage values of an object may be perceived differently and therefore its identity as heritage may also be perceived differently.

Thus, the thesis conceives of the heritage object as an aggregate of heritage identities, each provided by the hierarchy of the values attributed to the object at different points in time. Such a conception may be paralleled to the four-dimensional conception of objects. The heritage object incorporates all past, present and future heritage values that may be attributed to it; what is perceived as the heritage identity of that object presently, is only one of its projections. Different projections represent different heritage identities and, as such, different value systems. By extension, in assuming the duty to preserve cultural heritage objects, conservators assume a duty to preserve value systems.

This thesis confines further discussion to works of art that become heritage on account of being artworks and more specifically on account of being the works of art that they are. This distinction is necessary since change may, for example, bring about the existence of, or transform something into, a different work of art. In these cases conservation decisions and actions are not directed by the nature of the object as a work of art and are not discussed in this section. This notion of heritage identity does not exclude other heritage values from conservation decisions.

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<sup>250</sup>N Hsieh, 'Incommensurable Values', *Stanford Encyclopedia of Philosophy*, 2005, n.p., Available online at: <http://plato.stanford.edu/entries/value-incommensurable/>

## PART III

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### HARMING WORKS OF ART

The discussed contemporary conceptions of artwork ontology and artwork and heritage identities as definitive of the object of conservation are necessarily accompanied by new articulations of the concepts evaluating and the principles guiding conservation practice. Heritage objects function as manifestations of meaning and carriers of human values, which shape and comprise their identity. In this sense, any effects like harm, damage and loss, which occur to the material of heritage objects through conservation interventions, affect the immaterial. Moreover, it may be argued that further dimensions of harm may be brought about to an artwork or to a heritage object than those already considered in conservation literature, i.e. not only on a material level through contact with the object, but prior to or without contact, since they affect directly the immaterial rather than following from changes to the material first. Such would be harm caused by wrongs or injustices committed in conservation decision-making processes and resulting, or potentially resulting, in an alteration of the nature of the object of intervention.

Based on the feedback gained from the exploration of the artwork, this thesis identifies such harms to be incorporated in conservation's decision-making frame and defines which actions are to be or not to be subsumed under the do-no-harm principle. This exploration, on the one hand, introduces further dimensions of harm or negative change to works of art that are not usually considered when making conservation decisions, and, on the other hand, accommodates practices like substitution and recreation as acceptable, rather than unethical as cast by the existing formulation of the principle.

#### ***Harms and Goods***

The duty to extend the lifespan of heritage objects emerges from the conception of cultural heritage objects as *goods*. Conservators intervene upon artworks which, when conceived of as heritage, are also goods. Heritage is considered to benefit people and this is why Codes of Ethics specify that the goal of conservation serves the good of present and future generations. A good stands in opposition to an evil, a wrong, or harm.

Because heritage entities relate to a cultural collective, they are considered to be *collective goods*. Collective goods express and depend essentially upon shared meanings, understandings and valuing which are not just convergent individual interests, but common and interdependent. The private good or stake in the achievement of collective goods presupposes them. That is, the

collective interest exists prior to any individual interests. Collective interests define a state of affairs in which each individual has invested his or her own good, so that none of them can flourish unless it does<sup>251</sup>. This entails the necessary priority of the collective interest over private ones in decisions about cultural heritage, including conservation decisions.

Following from the recognition that past conservation practice, often applied in good faith with the knowledge available at the time, has actually done more harm than good in the long run, conservators have adopted the closely associated with the concept of harm principle, to do-no-harm<sup>252</sup>. The origins of the principle are traced back to the Hippocratic *Of the Epidemics* (400 BC), and John Stuart Mill's essay 'On Liberty' (1854). The former relate to the practice of medicine, stating as objectives to help or (at least) not to harm patients. The latter is routed in the utilitarian tradition, maintaining that the ethical action is the one that provides the most good or does the least harm; or rather that produces the greatest balance of good over harm as a consequence.

It has earlier been argued that the do-no-harm principle is a foundational principle in conservation, implicit in conservation theory and practice, functioning as a constraint that limits conservation interventions. Other authors writing on conservation have also identified it as such a principle<sup>253</sup>. The do-no-harm principle is dependent on cultural standards that may vary greatly from place to place or even within one culture. However its significance as a principle delineating the overall attitude of the conservator towards cultural heritage and the values it embodies is not contested.

Do-no-harm or *primum non nocere* has gained recognition as a "cardinal ethical principle" in fields like medicine, politics, environmental protection, etc. The principle states that interference with behaviour is morally justified when it would probably be effective in preventing (or eliminating, or reducing) harm or the unreasonable risk of harm to persons other than the actor and there is probably no other means that is equally effective at no greater cost to other values<sup>254</sup>.

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<sup>251</sup> J Feinberg, *Harmless Wrongdoing. The Moral Limits of the Criminal Law Vol. IV*, Oxford University Press, UK, 1988, p.35-36.

<sup>252</sup> NE Gwinn, 'Foreword' in J McIlwaine (ed.), *First, Do No Harm. A Register of Standards, Codes of Practice, Guidelines Recommendations and Similar Works relating to Preservation and Conservation in Libraries and Archives*. IFLA, 2005, p.ii, Available online at: <http://archive.ifla.org/VII/s19/pubs/first-do-no-harm.pdf>

<sup>253</sup> I Szmelter, 'Theory and Practice of the Preservation of Modern and Contemporary Art: Complex Tangible and Intangible Heritage', 2010, p.101.

<sup>254</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.31.

The objects of the do-no-harm principle are acts of harming rather than states of harm as such. According to Joel Feinberg<sup>255</sup>, harms may be distinguished as direct and deliberate, or as risks (of harm). The former are cases of direct production of harm, when harm is the certain upshot of one's action and its desired end. The latter are cases of the direct creation of a risk of harm, i.e. the endangerment of one's interests, in the course of activities directed towards other ends. Risk of harm is the increase beyond a normal level of the probability that harm will result. The principle is used in cases of merely minor harms, moderately probable harms, reasonable and unreasonable risks of harm, aggregative harms, harms to some interests preventable only at the cost of harms to other interests irreconcilable with them, accumulative harms, etc. Presuming that certain interests are shared by everyone and then imposing uniform duties of non-interference with them, do-no-harm indicates that harm to these interests at least must be prevented.

The obligation to do-no-harm is based on a negative duty of non-maleficence, but also on a positive duty of beneficence<sup>256</sup>. Similar to the objective of medicine, conservators have a duty both to intervene in ways that benefit the objects in their care, and to avoid or refrain from interventions that may cause harm to these objects. Conservation benefits heritage objects by extending their lifespan; the duty also entails that conservators avoid causing or prevent the occurrence of harm to these objects. For example conservators are equally obliged to stop deterioration of existing material damages and to find ways of intervention to prevent them in the first place. Acts of omission, i.e. the decision not to do anything to the object under conservation, are also included in the notion of intervention or action.

Conservation is essentially a moral enterprise in which the infliction of harm, which is frequently required in practice, can be justified only in the interests of human benefit. In assuming care, just like doctors, conservators assume an obligation to exercise *due care*<sup>257</sup>. That is, they need to balance intended benefits against risks and inevitabilities of harms. The notion of due care has both a procedural aspect as well as one relating to actual intervention; the means do not justify the end.

Benefiting has a generic sense to refer to any and all ways of affecting another party's interest for the better. It includes the senses: a) to produce any kind of favourable effect on another's

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<sup>255</sup> J Feinberg, *Harm to Self. The Moral Limits of the Criminal Law Vol. III*, Oxford University Press, UK, 1986, p.101.

J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.11, p.26 and p.187-188.

<sup>256</sup> VA Sharpe, 'Why «Do No Harm»?', *Theoretical Medicine Bioethics*, vol. 18, no. 1-2, 1997, pp.197-215.

<sup>257</sup> R Gillon, "'Primum non nocere" and the Principle of Non-maleficence', *Philosophical Medical Ethics*, no. 291, 1985, p.131.

interest, and also that of preventing harm threatened from another source; b) to advance a declining interest back up to or toward its normal baseline, or to prevent it from falling below that baseline; c) to produce benefit in the sense of net gain, profit, etc.; d) to produce gratuitously any favourable effect, including the prevention and withholding of harm. Withheld harm is a benefit when the withholding person had a right but freely decided not to exercise, to inflict, or to permit the harm<sup>258</sup>. Correspondingly, harming in the generic sense is any way of adversely affecting a party's interest condition, including preventing its improvement, and setting it back either from its immediate state or its normal one.

All these conceptions involve a starting point or baseline of measurement, which may be qualitative or quantitative. The distinction between the baseline of harm and non-benefit is not always clear; however it is more easily perceptible in extreme cases. To be robbed, e.g. of your objects of heritage is to suffer a harm; not be given a gift, e.g. a free airplane ticket to visit the British Museum is a non-benefit.

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<sup>258</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.136-141.

## THE CONCEPT OF HARM

Conservators often employ the concept of 'harm' in order to characterise undesirable effects on artworks and other conservation objects. Harm is usually conceived as an alternative term for damage and loss, which are more commonly used. Vandalism, negligence, or even natural deterioration have all been at times addressed as sorts of harms to artworks, mainly connected with material damages or losses. This thesis defines harm, not only as already perceived within conservation practice, but also in relation to the proper function of conservation within the broader system of culture, through the feedback gained from the exploration of the artwork.

According to Joel Feinberg<sup>259</sup>, there are three main senses in which the concept of harm is employed. The first is a derivative sense, in which it is possible to say that any kind of thing, as opposed to just people or sentient beings, can be harmed. The second sense is that of setting back an interest. The third sense of harm is that of wrongdoing. A person harms another, when he acts with the intention of producing the consequences for another that follow (or adverse ones), or with negligence or recklessness in respect to those consequences, and this acting is neither excusable nor justifiable, and is also cause of a setback of the other's interests, which is also a violation of their right. To wrong is to treat *unjustly*. Negligence is considered to be a direct and deliberate harm, while decisions and actions based on insufficient guidance may be considered risks of harm.

The legal formulation of the do-no-harm principle applies only to those harms that are wrongs. Following this line of thought, the thesis adopts a same distinction among the senses in which harm is employed in conservation, which clarifies the concept within the field and also provides a justification for its use. It identifies harms from the part of conservators that may be considered wrongs; and it considers the latter as harms which should be employed in the formulation of do-no-harm in the context of conservation and to which the principle should apply, in order to secure ethical practice.

### ***Derivative sense***

If works of art are simply objects (i.e. non-sentient beings) in that conservators usually have a specific material object or collection of objects to conserve, then one can only refer to harm of such works elliptically, for the harm done to those who have interests in them, i.e. those who have invested some of their own well-being in the maintenance or development of some

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<sup>259</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.32-35 and p. 105-119.

condition of those artworks. Therefore, when conservators refer to damaged works of art, or works suffering losses, as harmed, they are using harm in a transferred sense.

In such a sense, use of the concept of harm, as opposed to damage or loss, does not seem to have significant implications for conservation. Indeed, merely substituting one term with another would have little or no bearing other than in semantics, especially considering the fact that, in some languages (e.g. Dutch, Greek), there do not exist different terms for damage and harm. However, not everything can be damaged or broken. If artworks are not mere objects, then 'harm' may be employed generically, in order to denote other kinds of negative results, which are more akin to the conceptual nature of contemporary art, and which cannot all necessarily be characterised as damages or losses.

Damage is mainly discussed in conservation literature in terms of "changes in state". The purpose of conservation is defined accordingly, i.e. to slow down and prevent the process by which small changes may come to be called 'damage'. According to Barbara Appelbaum<sup>260</sup> "damage refers to the undesirable effects of one or more incidents, either intentional or unintentional". She defines 'damage' as "alteration of an object" that impairs on its values, particularly its most important ones. Both 'damage' and 'loss', are also defined as irreversible and undesirable change. Presumably, distinctions between 'damage' and 'loss' are meant to lead to judgments about whether the observed phenomena should be preserved or, alternatively, corrected.

From one point of view the concept 'harm' may be added to the notions of 'damage' and 'loss' as a further category of negative action and effects, which refers to more subtle gradations of such actions and effects. 'Harm' is presented as a softer concept than 'damage' and 'loss' (**Fig.8**).



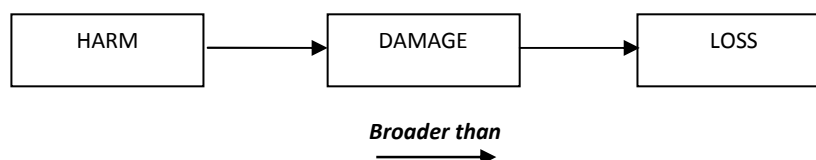
**Fig.8** Gradation of negative effects.

This relationship is transitive, i.e. 'damage' is worse than 'harm', 'loss' is worse than 'damage' (since it includes total loss which may be considered the definitive end of something), and therefore 'loss' is also worse than 'harm'.

<sup>260</sup> B Appelbaum, *Conservation Treatment Methodology*, Butterworth-Heinemann, USA, 2007, p.38.



From another point of view, the relationship of these three concepts may be seen as one of breadth, whereby 'harm' is broader than 'damage' and 'loss', since it may be used as an alternative term for both, thus inclusive of them (**Fig.9**).



**Fig.9** Breadth of concepts.

Use of 'harm' in its derivative sense by conservators is linked to parallels of conservation with medicine and it usually reaches the point of personifying the treated object. Muñoz Viñas has stressed a danger in this personification. He argues that

*By speaking of conservation objects metaphorically and treating them as 'ailing' subjects, they may even be thought of as possessing inherent rights – Beck's Declaration of the Rights of the Works of Art is a clear example of this view. However, the heritage values of an object are not inherent to it, but are rather generated by the people themselves<sup>261</sup>.*

### **Interest Set-back**

In the last few years damage and loss have been associated by conservators with the values attributed to heritage objects. In particular, Jonathan Ashley-Smith has linked damage not only to loss of material, but also to loss of value, and by extension to loss of well-being and of expectation<sup>262</sup>. Well-being and expectation of course refer to people; students, scholars, museum visitors, and society at large. People have certain expectations of cultural heritage objects, which conservators try to meet, and which stem from a perceived gain or benefit from interactions and encounters with these objects. Audience expectations correspond to a specific look or overall condition of artworks. They also correspond to specific conservation interventions and, more importantly to specific conservation decisions prior to intervention.

The people for whom a heritage object is meaningful are called stakeholders. Stakeholders own a tiny part of something larger; as such they are affected by the decisions that are taken regarding it<sup>263</sup>. The things stakeholder interests are in are distinguishable components of a person's well-being. They can be blocked or defeated by events of impersonal nature (e.g. natural disasters),

<sup>261</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.155-161.

<sup>262</sup> J Ashley-Smith, *Risk Assessment for Object Conservation*, Butterworth-Heinemann, UK, 1999, p. 99-119

<sup>263</sup> S Muñoz Viñas, *Contemporary Theory of Conservation*, 2005, p.155-161.

but they can only be invaded by human beings, e.g. conservators<sup>264</sup>. In this sense, ‘harm’ is a more appropriate concept to employ than ‘damage’ or ‘loss’, since in its first genuine sense harm is conceived as the setting back of an interest.

Harm to interests may occur in conservation, not only by direct intervention on the material or the immaterial, as described in the derivative sense of harm above, but mainly through the deficiency to consider further risk factors in decision-making processes, and the deficiency to consider decision-making processes as harmful factors in themselves. In this sense, harm is something different from the simply undesirable, since an undesirable thing is harmful only when its presence is sufficient to impede an interest.

Because in the case of conservation interest is collective (heritage is a collective good), harm is suffered by all individuals who have a direct personal stake in the avoidance of harmful or harmed conditions insofar as they regard themselves members of a collective. In this case one has a personal stake e.g. in the preservation of his community traditions or heritage objects, a vicarious stake analogous to that which a mother, for example, can have in the well-being of her child, so that when the other is harmed, they are also, or instead of<sup>265</sup>.

### **Wrongdoing**

Wrongdoing or treating unjustly is the normative sense of harm, which is the sense the concept must bear in any (legal) formulation of the do-no-harm principle. It is also the sense in which it seems to appear in the Hippocratic Oath (“ἐπι δὲ δήσει δὲ καὶ ἀδικίῃ εἶρξαι”, i.e. to avoid any harm and injustice). Injustice may be caused at any of the levels of a conservation decision-making process.

The preceding exploration of the artwork as a conservation object highlighted conceptions about artwork ontology and led to a distinction between artwork and heritage identities. The former relate to the fact that the heritage is a work of art, while the latter refer to the fact that the artwork is a heritage object. Wrongs by conservators may thus be caused by under-conceptualisations and/or by wrongful conceptions of the object under conservation, relating to the fact that a) on the one hand, the heritage object is a work of art and b) on the other hand, the artwork is a heritage object. While these two need not always conflict, they tend to present dilemma situations in conservation decision-making. Such dilemmas stem usually from conflicts between the material and the immaterial; from conflicts between past, present and future values;

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<sup>264</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.32-35 and p.47.

<sup>265</sup> J Feinberg, *Harmless Wrongdoing. The Moral Limits of the Criminal Law, Vol IV*, 1988, p.36-37.

and from conflicts between the principle to benefit or to enhance benefit, and the principle to do-no-harm.

### The heritage is the artwork

Conservators may form a wrongful conception of a heritage object mainly by ignoring the ontological particularities of works of art and by disregarding the multitude of concerns pertaining to artwork identity.

#### SUBSTITUTION AND RECREATION

Following a traditional and limited conception of artworks, conservation principles like minimum intervention and no removal of original material, aim at the preservation of their material, thus prohibiting actions like substitution and recreation. Such practices *may* be considered acceptable to some degree within conservation, but only so long as they are necessary for the structural integrity of the material object. But contemporary artworks, pose a greater challenge for conservators, in that they seem to *require* substitution and recreation for the continuation of their existence. Hence, it appears as though, in certain cases, which are not few, preservation is achieved not in spite of substitution and recreation, but in light of substitution and recreation.

If the artwork proper is a generic entity with instances, then only its manifestations may be damaged or broken. The artwork itself can be affected some way or another. If the effect is to the worse, then this may be considered harm to the work of art itself. A related example to the above concerns is Damien Hirst's *The physical impossibility of death in the mind of someone living* (1991). The work consists of a shark placed in a tank and suspended in a weak formaldehyde solution. It is a conceptual work of art and, as such, its significance presumably rests with the idea and concepts it communicates rather than the material manifestation of it. However, the work has decomposed to such a point that the artist himself argues that it no longer conveys the idea of "menace contained"<sup>266</sup>. Replacing the formaldehyde solution with a stronger one in order to preserve the shark better would mean disposal of original or authentic material. Would this act constitute a positive harm to the artwork? If the artwork is a unique physical particular, then the answer to this would be yes. If not, then replacement of the shark does not pose an issue.

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<sup>266</sup> A Bracker, 'Oh, The Shark has Pretty Teeth, Dear', *V&A Conservation Journal*, no. 35, Summer 2002, n.p., Available online at: [http://www.vam.ac.uk/res\\_cons/conservation/journal/issue35/shark35/index.html](http://www.vam.ac.uk/res_cons/conservation/journal/issue35/shark35/index.html)

A similar case may be put forth with regard to all artworks, i.e. including those found in archaeological digs (cast sculpture, mosaics), and with regard to heritage objects of other sorts, such as sacred and functional objects like Japanese temples, airplanes and other machines.

It is interesting to examine how Brandi's theory could be adapted following contemporary conceptions. As it has been argued, conceptual art is ontologically very similar to music, i.e. the artist's specifications (structure) precede the image (e.g. an actual installation); each installation of the work may be interpreted as a performance of it; while the media used as parts of the installation may require replacement by more advanced technology once the previous becomes obsolete so that the necessary information is still provided. Substitution, even though it involves removal of material, would be ethically justified by Brandi, to the degree that what is relevant to the phenomenon for the recognition of art in its essence is retained.

According to four-dimensionalism, the temporal parts of different objects may spatially coincide for certain periods of time, without however being identical. So, for example, when an artist forms a lump of clay into a statue, it seems that a pre-existing lump of clay continues to exist, but a statue is *created*. The statue and the lump are numerically distinct, since only one existed before the artist's work. Moreover, the lump, but not the statue, is such that it possibly survives being squashed – provided of course that it has not yet dried. And yet they coincide, i.e. they occupy the same space and time.

Now consider, for example Joseph Beuys's *Fetteche (Greasy Corner)* (1982). The work consists in an 11-pound blob of butter mounted at a wall, initially in Joseph Beuys' studio at the Dusseldorf Academy. Such a work was *created* by the decision or act of situating the blob of butter on to the wall. Arguably, squashing of the butter will not affect the work, since it is an artwork by virtue of location rather than form. In fact, as Beuys explicitly stated when cleaners accidentally disposed of the first piece in 1986, the work also survives if the piece of butter is replaced<sup>267</sup>.

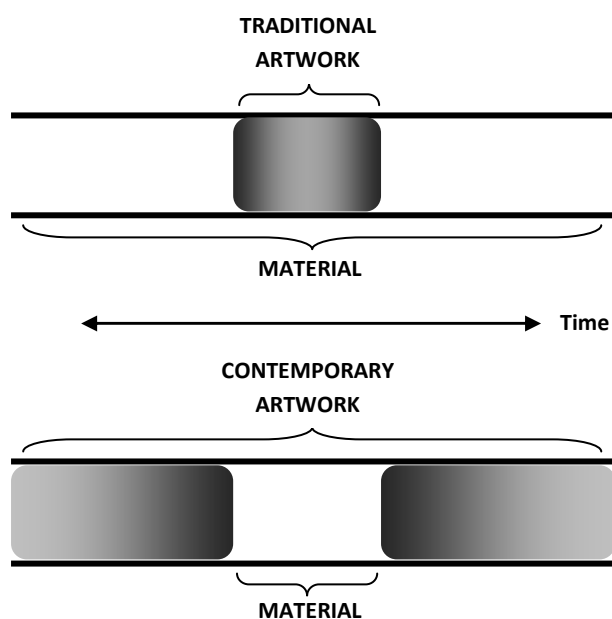
Dan Flavin's tube pieces function in a similar manner. For example, Flavin's *Diagonal of May 25* (1963), which consists of a fluorescent tube installed at a 45 degree angle on the wall, permits substitution. The phenomenon is the environment created by the positioning of a tube of certain specifications (length, colour, brightness) on a wall, in a certain space. Changing the angle, colour, brightness or length of the tube would change the phenomenon, as would change of site. But so long as the specifications are met, i.e. the desired environment is instantiated, the material tube is only structure, subordinate to the image or phenomenon, and hence can be replaced. The

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<sup>267</sup> J Dornberg, 'Intensive Care' *ARTnews*, vol. 90, no. 1, January 1991, p.131.

Flavin artwork and fluorescent tube 'bought and installed in 1963' coincide for as long as the tube lasts, while the Flavin piece coincides with another tube at a later time.

A rather significant observation is thus drawn. While in traditional forms of sculpture, it seems that the life of the material exceeds the life of the artwork, in the case of Beuys and Flavin, even though some material coincides with the work, it is the lifespan of the artwork that exceeds that of the material (**Fig.10**).



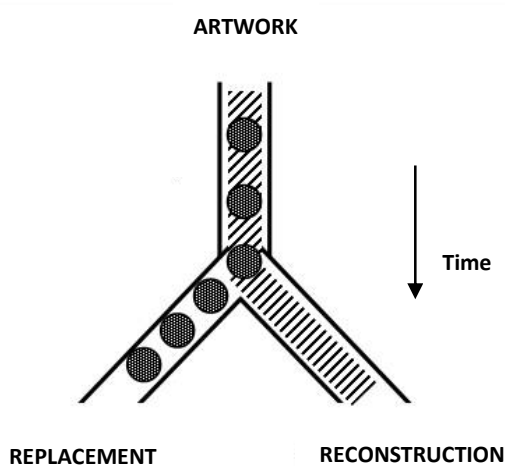
**Fig.10** In traditional art, the life of the material exceeds that of the artwork. In contemporary art, it is the life of the artwork which exceeds that of the material.

What underpins conservation theory and practice is a classical view of objects as existing in a 3-dimensional space, exhibiting change over time. Inevitably, conservators are faced with the philosophical problem of explaining, and even worse justifying, how an entity can have two incompatible states at different times and yet remain the same. How can a sculpture, e.g. both be white and not white, carry a disk and not carry a disk, or have and not have tube 'bought and installed in 1963', but have tube 'bought and installed 2.100 hours later', and yet remain authentic?

It may be argued that in order to avoid issues like the ones above, conservators try to secure as little change as possible by freezing artworks in a certain physical state. The ethical principles of minimum intervention and no removal of material, aim to guide conservation interventions following such a view. However, the different persistent conditions of contemporary artworks may require different conservation treatments than those suggested by traditional ethics.

Consider for example the hypothetical case of a Flavin installation work composed of a number of different fluorescent tubes of precise specifications. These tubes have a specific lifetime, namely of 2.100 hours. In order to extend their life, museums and galleries turn the tubes off for certain periods of time. When the tubes however begin to malfunction conservators substitute them with new ones that meet the required specifications.

Now imagine that someone took the rejected tubes, collected them somewhere and, after a while, started putting them back together into another tube piece, which looks exactly the same as the initial one, and such that the light tubes are still able to function for a few hours. There are now two installations, a replacement through substitution, and a reconstruction with original material (**Fig.11**).



**Fig.11** Hypothetical authenticity puzzle.

According to contemporary conceptions of the artwork discussed previously, both installations are authentic. They are both instances of the same work of art. The replacement makes claim to authenticity on the grounds of physical continuity, the reconstruction on the grounds of material composition.

In the classical conception of objects, conservators cannot accept that two numerically distinct objects existing contemporaneously may be identical, i.e. one and the same thing. Hence, it is argued, only one of the two installations at hand can be the authentic Dan Flavin. Surely the authenticity certificate provided by the artist for one of the pieces has some say with regard to copyright issues, but it does not resolve the identity problem presented in the example. The decision about which of the two installations is the authentic Flavin, will ultimately legitimise or disallow the practice of substitution. In order to provide a more agreeable answer with regard to

authenticity, one may appeal to the *concept* of the work of art. That is, authenticity will depend on the conception of the artwork, and in particular, on how one perceives the relevance of material to something's being an artwork.

In those cases of works of art, where specific materials do not appear as essential to artwork identity, substitution of parts and recreation become common practice, in order to ensure continuation of the function of the artwork. Moreover, the ephemeral nature (in terms of duration) of many installations results in a demand for recreation in order to be able to experience the artwork at a later time. Recreation affects the identity of the artwork, in that, if the work is not instantiated, it may cease to exist (or at least exist in hibernation).

Traditional conservation principles that prohibit substitution have been built upon a conception that the material necessarily has a longer life than the work of art, or at least the same, and that thus the life of the artwork depends on the life of the original material. Hence, with regard to a traditional artwork, only the reconstruction would be considered authentic. With regard to the hypothetical example, however, which involves more contemporary art forms, it seems that authenticity is dependent upon an opposite conception of the material/artwork relationship. Therefore the authentic Flavin is the replacement, which exhibits physical continuity from the initial piece through substitution. In fact, it seems that authenticity is retained by the successive coinciding of the work with new material constituents.

Richard Serra's sculptures effectively illustrate this. In the event of loss, any of his sculptures could presumably be remade according to the specifications of the original. Once one of his works has been fabricated, its individual components may be replaced or substituted as needed. Moreover, according to Lynne Cooke<sup>268</sup>, if owing to damage or loss, a work needs to be completely remade, the result is never considered a replica or a reconstruction. Switching out individual components in any of his lead pieces does not constitute a case of re-fabrication either. Even if all the parts of a work were eventually replaced at the one time, the result would not be considered a reconstruction.

Although tensions between the material and the immaterial, such as those in Dan Flavin's *Diagonal of May 25*, appear in Cesare Brandi mainly as conflicts between the aesthetic and the historic case or as conflicts of precedence of the appearance over structure, in conceptual art, tensions may be seen as a conflict between phenomenology and ontology.

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<sup>268</sup> L Cooke, 'Richard Serra: A Case Study', *Tate Papers*, issue 8, Autumn 2007, n.p., Available online at: <http://www.tate.org.uk/research/tateresearch/tatepapers/07autumn/cooke.htm>

Cesare Brandi maintained that “we must start from a phenomenological (as opposed to an ontological) viewpoint, and from this perspective examine how the material ‘transmits the epiphany of the image’”<sup>269</sup>. However, this thesis supports that the ontological viewpoint is the one from which conservators must extract the rules and principles for their decisions and interventions. Perhaps indirect support for this view may be found through an examination of practices for the preservation of artworks which appear as installations, even through the prism of Brandi’s theory.

It is argued that the nature of installation art is distinct from traditional art forms, because it is wholly dependent on display for its realization.

*The conservator’s preservation activity follows this shift away from a unique material object to an installed even... beyond minimizing change in a physical object to a broader mission to enable the installation of the work in the future, according to the artist’s intent and the historical character of the work*<sup>270</sup>.

However, it may be argued that, if an installation is the art product, then correctness of realization of the work of art proper cannot be determined by a strictly phenomenological approach. Nor can it be determined by consultation with living artists, as is common practice, since, according to Cesare Brandi, even the artist himself cannot re-enter the creative process. In installations, perceived from a phenomenological standpoint, definition of the phenomenon depends on the number of experiences of the artwork and personal testimonies from viewers (which are potentially very large, if not infinite). When an installation piece is, however, dismantled and re-installed elsewhere, then, it could be argued that, second or third installations of the same work offer a different phenomenological stimulus; hence experiences of these installations have a different point of reference and cannot provide an accurate testimony or “recognition”.

#### INDETERMINATE ONTOLOGICAL STATUS

In a four-dimensionalist view, past restorations also become part of the object or of the artwork. The artwork is what people define it to be today. The heritage also is what people define it to be today. Because according to four-dimensionalism the object may be constantly re-defined, similar views have led to the assumption that conservation is in fact a creative activity, in the sense of determining the identities of cultural heritage objects. On the one hand, in such a view there

<sup>269</sup> C Brandi, ‘Theory of Restoration’, 2005, p.49.

<sup>270</sup> Tate, ‘Research on Preservation Strategies’, *Inside Installations*, Available online at: [http://insideinstallations.org/research/detail.php?r\\_id=83&ct=preservation](http://insideinstallations.org/research/detail.php?r_id=83&ct=preservation)



never is an issue of authenticity, and there is no evaluative criterion by which to distinguish among projections of the four-dimensional objects as to which is better or worse, or which is preferred to another. Changes can be positive or negative and may be different for different people. Presumably no one intentionally wants to change an artwork in a way that is unanimously worse. One would not, for example, want to destroy the best instance of an artwork. On the other hand, failure to consider the evolving nature of a work (e.g. of time-based media art) may also lead to harming the artwork.

The moral duty assumed by conservators demands that they show ‘respect’ for a work of art *as* a work of art. This constitutes a central aim of conservation, and it is on this basis that conservation is distinguished from maintenance or repair. The following case presented at the *Object in Transition Conference*<sup>271</sup> is an example of how four-dimensionalism’s implication of inability to distinguish what the object under conservation is may constitute harm. Before intervention, conservators need to know what kind of thing the thing they act upon is.

In September 2007, the Centre for the Technical Study of Modern Art (CTSMA) of Harvard University Art Museums received a major gift of Barnett Newman’s studio materials and related ephemera from The Barnett and Annalee Newman Foundation. These materials, most of which have never been seen outside of Barnett Newman’s studio, include painting tools and supplies, damaged or unfinished paintings and multiples, drawings, unpublished sketches, notes and models, as well as rejected works, paint trials and canvas fragments.

While going through Newman’s “stuff” conservators discovered at the bottom of a box, a folded piece of canvas carrying what appeared to be another “zip painting” (only with 2 zips instead of the usual 3). Examination began to establish whether the canvas was by Barnett Newman’s hand. The canvas is cotton and from Newman’s regular supplier; the mode of application of paint, which seems to coincide with the artist’s working of the canvas both horizontally and vertically; the kind of paint used, i.e. acrylic paint, which Barnett Newman employed from 1964 onwards. However, the canvas is of significantly smaller size than that associated with Barnett Newman’s works (though there are a couple more examples of similar scale); it carries no indication of top and bottom as is typically provided by Barnett Newman on the back of his mounted works; the paint was applied with no special attention to retaining the edges of the design and canvas neat, as was characteristic of his technique.

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<sup>271</sup> Bois, YA & C Mancusi-Ungaro, ‘Encountering Newman’, video recording of the conference *The Object in Transition*, The Getty Conservation Institute, Los Angeles, 2008. Available online at: [http://www.getty.edu/conservation/publications/videos/object\\_in\\_transition\\_day2.html#3](http://www.getty.edu/conservation/publications/videos/object_in_transition_day2.html#3)

Conservators concluded that this object is by Newman's hand. Is it, however *a Barnett Newman*, i.e. an artwork by Barnett Newman? Although it seems easy to agree that the canvas was probably not destined by Newman to be a work, but rather a try-out, the question of defining the ontological status of this object remains. Conservation concerns stemming from this indeterminacy, question whether it is to be kept as part of an archive, or as part of the collection; whether and in what sense it would be problematic to show it; and whether there is a difference between a mounted Barnett Newman and a discarded work.

The work is unfinished; but one would not have a problem showing an unfinished Pablo Picasso. Nobody hesitates to play or exhibit scores, preparation notes etc. of Beethoven's symphonies; and often lost or rejected writings of authors are considered critical to understanding their work. The problem does not pertain so much to whether the Newman object should be exhibited or not, but as to the condition in which it should be shown: should it be stretched or left folded, as originally found in Newman's boxes? Many curators at the CTSMA wanted not only to stretch it but to show it *as a work of art* in its own right (in fact this has already been done). However, others argue that Newman did not consider this an artwork; it is not part of what he understood as the corpus of his work. The fact that it was folded at the bottom of a box *is* an opinion given by the artist. To what extent, however, should conservators abide by the artist's opinion, or presumed intent?

#### PARTS AND WHOLES

The harmful implications of the indeterminacy of ontological status are also made apparent in distinctions between parts and whole of works of art. For Brandi, the work of art is to be understood as a whole, which is contrasted to the notion of a unity reached by the sum of its parts. His notion of the "whole" is in line with Aristotle's saying that the whole is not identical to the sum of its parts<sup>272</sup>. It is the dialectics of the shaping principles, i.e. the *relationships* among them that differentiate one artwork from another. Giuseppe Basile comments that, according to Brandi's conception of the artwork as an indivisible whole, "every part has the properties of, represents and *is* potentially the whole"<sup>273</sup>. This comment, however, appears as a logical fallacy. For the view seems to be confusing the part-whole relationship to that of species-genus. A species always retains the property of the genus, whereas a part cannot have the properties of the whole.

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<sup>272</sup> Aristotle, 'Metaphysics' in WD Ross, MA Hon LLS (eds), *The Works of Aristotle Vol VIII Metaphysica*, Clarendon Press, Oxford, 1928, Book H 1045a, 8-10.

<sup>273</sup> G Basile, 'Theory and Practice of Conservation-Restoration According to Cesare Brandi', 2007, p.60.

The work is a whole because the material has the ability to reveal the mental image through appearance. Thus, through the material people may perceive the artwork in its essence. Brandi's analysis of recognition suggests that a work is meant to be *read* in a manner similar to that of a text<sup>274</sup>. Without this reading, a human product may never manifest itself as a work of art. Brandi cites John Dewey in order to further support his point. John Dewey distinguishes between the art product, the painting, sculpture, etc., created by the artist, and the work of art proper, which is only realized through "the active engagement of an astute audience"<sup>275</sup>. Again, this engagement is a reading or a retracing of the creative process. It is an attempt to reach the artist's mental image, through the cognitive substance of the physical object, i.e. that which the artist felt best to keep for the sake of the mental image's recognisability<sup>276</sup>.

Where the work has been physically broken up, one will have to attempt to develop the mental image through each fragment. The fragment may be the whole depending solely on the degree to which it retains the possibility to reveal the mental form<sup>277</sup>, i.e. to the degree that it is recognizable as a fragment of a type, e.g. of a 5<sup>th</sup> c. BC *Kouros*. This potential will be achieved in direct proportion to what has survived from the original artistic features on each fragment of the material that has disintegrated<sup>278</sup>. This is why the possibility of intervening in a fragmented work by analogy is denied, and why Brandi considers the moment of recognition as *methodological*, requiring some sort of connoisseur to perform it.

While Brandi considers the case of surviving fragments of lost wholes, he does not explore the relation between surviving parts of surviving wholes, which may exist in different locations, like different museums, different areas, or different countries. At the conference *Cultural Encounters and Explorations: Conservation's Catch-22* (London, 23 September 2009), a number of examples were presented of how similar objects gathered from all over the world for the purposes of an exhibition may exhibit very different levels or notions of "acceptable" condition<sup>279</sup>. Lengthy debates have also been witnessed, concerning the appropriateness of conservation interventions such as those on the Parthenon marbles in the British Museum, as opposed to those on the

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<sup>274</sup> P Philippot, 'The Phenomenology of Artistic Creation According to Cesare Brandi', 2005, p.37.

<sup>275</sup> Field, R, 'John Dewey', *Internet Encyclopedia of Philosophy*, Available online at: <http://www.iep.utm.edu/d/dewey.htm#H5>

<sup>276</sup> G Basile, 'Theory and Practice of Conservation-Restoration According to Cesare Brandi', 2007, p.56.

<sup>277</sup> A Philippot & P Philippot, 'The Problem of the Integration of Lacunae in the Restoration of Paintings' in NS Price, MK Talley Jr & AM Vaccaro (eds), *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, GCI, Los Angeles, 1996, p.335.

<sup>278</sup> C Brandi, 'Theory of Restoration', 20005, p.57.

<sup>279</sup> Cultural Encounters and Explorations: Conservation's Catch-22, *What's the Damage? Physical Encounters: Increased Benefit or Increased Risk? Conference*, Science and Heritage Programme, University College London, 23 September 2009.

marbles remaining on or near the actual monument. The dislocated marbles seem to be treated as distinct heritage objects, ignoring the fact that they are integral and structural elements of a work of art, the Parthenon, which is the heritage object.

This is indicative not only of lack of communication among conservators with regard to conservation plans for similar objects of a culture or for parts of the same object, but also of a narrow understanding of the role of the conservator, whether that comes from conservators themselves, or from other museum and heritage professionals. Even though conservation is mainly practiced within museums and galleries, and in relation to specific collections of objects, it nonetheless is a distinct profession and a distinct field that has been shaped and defined by an ultimate duty towards the heritage object as a whole. If it cannot be easily argued that the duty to the object overrides the duty to the museum, it may at least be argued that the duty to the object requires consideration of the impact of local conservation decisions and interventions to the object in its entirety and not just to its part.

There is the further case of the artwork being part of a collection. According to Suzan Pearce, there is a distinction between objects held for use and objects held as part of a sequence and it is the idea of series or class which creates the notion of a collection (as an interrelated set).

*A collection is basically determined by the nature of the value assigned to the objects, or ideas possessed. If the predominant value of an object or idea for the person possessing it is intrinsic, i.e. if it is valued primarily for use or purpose or aesthetically pleasing quality, or other value inherent in the object or accruing to it by circumstances of custom, training or habit, it is not a collection. If the predominant value is representative or representational, i.e. if said object or idea is valued chiefly for the relation it bears to some other object(s) or idea(s), such as being one of a series, part of a whole, a specimen of a class, then it is the subject of a collection<sup>280</sup>.*

If the heritage is the artwork then, even though the artwork is part of a collection, conservation demands of the artwork should override those of the collection. It would, for example, constitute harm if conservators cleaned an artwork's surface less, and only to a point which gave it a uniform look as the other objects in the collection, as opposed to cleaning it to a point where the image is fully revealed.

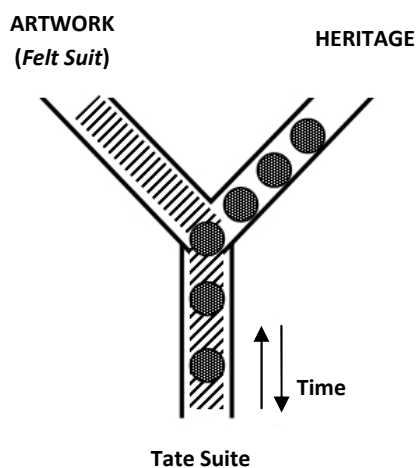
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<sup>280</sup> SM Pearce, 'The Urge to Collect' in SM Pearce (ed.), *Interpreting Objects and Collections*, Routledge, London, 2006, pp. 157-159.

## ISSUES OF IDENTITY

It has been argued that the primary role of conservators is to preserve heritage objects *as the things that they are* over time by controlling change. This role, on the one hand, requires the determination of the identity of objects, and, on the other hand, the choice of appropriate means by which to extend their lifespan without compromising this identity. In this context, decisions about intervention depend upon the identity against which the conservation question is raised.

The complications presented for conservation decision-making are immediately perceptible. Consider the case of Joseph Beuys's *Felt Suit* (1970). The artwork is an editioned piece, i.e. it exists in a number of suits. If one or some of the suits cease to exist, *Felt Suit* will still exist. Tate Modern acquired one of the suits in 1981 (Edition 27, no. 45) to exhibit and preserve as a heritage-artwork. The particular suit, however, degraded to such a point that it was decided that it no longer conveyed the intended meaning of *Felt Suit* and thus no longer qualified as artwork<sup>281</sup>. The Tate suit was de-accessioned in 1995; it has been archived and is still considered heritage, albeit on account of its historic value rather than the artistic. A single thing which was essentially artwork and coincidentally heritage ceased being an artwork and yet continued to exist as heritage (Fig.12).



**Fig.12** 'Artwork', i.e. *Felt Suit*, and 'heritage', i.e. the value of one of the work's material manifestations, coincide in the Tate-suit (1970). The Tate-suit (1995-) has retained only its heritage status, while the artwork continues to exist in or through the other editions.

Conservation concerns about avoiding change are essentially concerns about change in artwork identity. The new conceptions of the artwork introduce further concerns about change.

<sup>281</sup> R Barker & A Bracker, 'Beuys is Dead: Long Live Beuys! Characterizing Volition, Longevity and Decision-Making in the work of Joseph Beuys', *Tate Papers*, issue 4, 2005, n.p., Available online at: <http://www.tate.org.uk/research/tateresearch/tatepapers/05autumn/barker.htm>

Substitution and recreation not only involve removal of original material, but they may also potentially result in the contemporaneous existence of more than one manifestations of an artwork. The fact that artworks may be conceived as possibly existing in two different points in space at the same time presents not only issues about diachronic identity, but also issues about synchronic identity.

The question of conservation and change may be broken down to two separate ones: by what criterion do conservators determine whether an object now is the same heritage-artwork as an object at a later time, and by what criterion do they determine whether two coexistent objects are parts of the same heritage-artwork. For concrete objects, like those conservators intervene on, there should be one criterion determining their identity over time (diachronic identity), and another determining their identity through space (synchronic identity)<sup>282</sup>. Within conservation, the former identity issue refers to issues posed by processes like restoration and substitution of parts; the latter refers to the status of copies and reproductions. Because the questions posed are essentially issues of time and space, there is a need to explore the relationship between change, time and space.

According to artwork conceptions of traditional conservation Codes and ethics, transition from one physical state to another becomes the basic criterion for change in an artwork's function of being a work of art. In this context conservators are concerned with issues about diachronic identity, i.e. of retaining artwork or heritage identity over time. By contrast, conceptual works of art, present additional issues. Specific manifestations do have material structures, each presenting issues of diachronic identity. But the persistence conditions of manifestations may differ from those of the artwork proper.

For example, on the one hand, an instance of LeWitt's wall drawing *Six Geometric Figures* does present issues of cleaning the smudges off the walls, of retouching the white chalk marks and so on. Similarly, Beuys' *Felt Suit* at the Tate presents issues of pest control, fabric support, stitching, etc. On the other hand, *Six Geometric Figures* persists through the re-instantiation of the piece, i.e. by making the drawing again, rather than by keeping the wall clean. *Felt Suit* also continues to exist regardless of the fate of the Tate suit.

Hence, in the case of some contemporary artworks, the issue of change could be set out as follows. If an instance of a work is such that it falls under the concept of the work of art that it is, then conservators want to avoid change or instances resulting in something that no longer falls

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<sup>282</sup> H Noonan, 'Identity', *Stanford Encyclopedia of Philosophy*, 2005, n.p., Available online at: <http://plato.stanford.edu/entries/identity/>

under that concept of work of art. Therefore conservators ought to avoid instantiating things claiming to be a specific work of art, while these do not have all, or somehow violate some, of the essential properties of that work of art. A simplistic example is that conservators should not instantiate a wall drawing claiming it is LeWitt's *Six Geometric Figures*, which features black chalk marks on white walls rather than white chalk on black walls. They may, however, allow a different chair to be used for the instantiation of Joseph Kosuth's *One and Three Chairs* (1965), since the essential property of the work seems to be that there is a concrete chair present, rather than that there is a specific physical chair, e.g. that of the 1965 instance, present.

#### RESTRICTIONS OF THE ARTWORK

Harming an artwork, e.g. by failing to understand its essential properties, is different from harming a person, e.g. the artist's moral right or those of a potential audience (i.e. by depriving them of an experience).

The requirement for conservation is posed, according to Cesare Brandi, by the artwork itself, owing to its uniqueness and the universality of the experience it offers (and may potentially offer). Thus he asserts a moral imperative, similar to that of Immanuel Kant's, to protect artworks. That is, he asserts that people have to fulfil this duty even where doing so requires that they struggle against circumstances in nature or against our natural inclinations<sup>283</sup>. According to Brandi, this is a freely assumed obligation that cannot and must not be avoided. It is also a disinterested obligation, in that it cannot be influenced by any other factor, but is fully repaid by the very fact of being accomplished. Appealing to his assumed role of artworks in civilized life, Brandi equates this imperative with civic responsibility. Not only should the enjoyment of the arts be public, but private ownership is immoral, in that it limits access to the works<sup>284</sup>.

Restricting access to the artwork is harm when it entails, as it usually does, a restriction of its concept or meaning. Such harm usually concerns modes of exhibition. An example of such harm concerns Robert Morris' *Untitled* (1965/71), a work that consists of four mirror cubes placed on the floor. Interpretations of plans for the work in order to exhibit it or re-fabricate it may vary widely in sensibility, which makes this process highly subjective. Many conflicts arise when considering the use of barriers for the work's exhibition. The mirror cubes are meant to be shown on the floor, with people interacting and walking through them. This directly excludes the use of barriers. However, the cubes are usually physically damaged, i.e. their material suffers from scratches etc., so barriers become a necessity for the protection of the work. Conservators

<sup>283</sup> SW Pluhar, 'Introduction', 1987, p.xiii.

<sup>284</sup> G Basile, 'A Few Words about Maestro, Cesare Brandi', 2005, p.22.

observe that this “is definitely a compromise”; it is a compromise in that “we are restricting the concept of the work” since both interaction and the perfect state of the mirrors are just as important concepts of the work<sup>285</sup>.

A similar case may be put forth with regard to musical instruments, displayed in showcases, as opposed to being played, or with regard to paintings exhibited in very low lighting conditions, which prevent fading of their colours, but which also obstruct the reading of images.

A further kind of restriction involving different ethical issues for conservators concerns Eva Hesse’s *Expanded Expansion* (1969). The work consists of three sections made out of latex-covered cheesecloth. It was made in 1969, at a period of Hesse’s life when she was becoming increasingly ill and much less physically involved in the production of her work. The work has not been shown to the public since 1988, but the debate on whether it can still be exhibited *as an artwork* is ongoing. *Expanded Expansion* is currently stored at the Guggenheim Museum, NY. From 1973-74 it was exhibited in different museums, during which period many tears were reported. It was kept in storage from 1975-77 and was re-exhibited in one of the museum’s collections gallery in 1977. At the *Transformations and Sculpture* exhibition of 1986 the piece had already darkened and become brittle. The last time it was exhibited was in 1988 at the Guggenheim. Its appearance was not questioned at the time, however it has henceforth been considered “unexhibitable”<sup>286</sup>.

In its current condition, the latex has decomposed severely and the cloth can no longer support its own weight. In order to stand it upright the smaller section is supported from behind. The midsize section must remain horizontal. This is due to a shift in the way that the piece was stored; it was placed horizontally on cylinders to retain the flow of the cloth, but as a result it became more brittle and has since been unable to be lifted into an upright position. The third section remains folded in storage. At a roundtable discussion at the SFMOMA in 2002, many conservators and art historians felt that the work was a “hopeless case”; others however felt it was “incredibly beautiful”. Hence the questions remained: is this piece still an artwork?<sup>287</sup>

At *The Object in Transition* Conference (2008), the two sections of *Expanded Expansion* were installed in a gallery of the Getty Museum to be viewed only by conference participants; alongside was a mock-up recently created by conservators and Eva Hesse’s assistant Doug Johns, using

<sup>285</sup> P Smithen, Head of Conservation Programme, Tate, Personal Communication, London, 12 November 2007.

<sup>286</sup> M Barger, C Stringari & E Sussman, ‘Eva Hesse: *Expanded Expansion*’, video recording of the conference *The Object in Transition*, The Getty Conservation Institute, Los Angeles, 2008.

<sup>287</sup> C Coerver, ‘Uncertain Mandate: A Roundtable Discussion on Conservation Issues’, 2002, p. 295-297.



similar materials. All pieces were installed without labels; the program referred to them as “objects”. Conservators stressed that the material mock-up was made solely to help understand how the original piece was made and how to move it; it is not a replica and it is not to be seen as such. They even recorded the process of making the mock-up on video. What happens if this mock-up appears in the future as part of the collection or alongside the original? How, if at all, will it affect that status of the original? While the mock-up may be conceived as a valid instance of the artwork, thus not inflicting harm to the artwork proper, it may be harming the heritage status of the original or the first instance made by Eva Hesse.

### The artwork is heritage

Conservators may form a wrongful conception of an artwork by the unjust distribution of benefits among the past, present and future; by ignoring some of the values attributed to works of art when conceived as heritage; and by forming unjust hierarchies of values.

### DEATH OF ARTWORKS

In order to determine whether death of artworks constitutes harm, one must first of all define a criterion of death. While total irreversible loss of the material or form has so far been considered such a criterion, in relation to contemporary art, there is extensive discussion on works still functioning on a conceptual level in spite of material loss, or the opposite, of retaining their material yet no longer conveying the intended meaning as artworks, hence becoming “relics”<sup>288</sup>. The ‘relic’ seems to be a similar notion with Cesare Brandi’s definition of the ‘ruin’. According to Brandi, a ruin is a number of fragments that have lost all trace of their original function and aesthetic qualities. A ruin cannot be restored, because it is impossible to recover its lost unity; however, it might be possible to retain, through maintenance, its *status quo*<sup>289</sup>. The question is whether people value the artwork even if it is a relic, or only as a vehicle for meaning? Arguably, people may still value the relic as heritage, though not as artwork.

According to Rachel Barker, there are three stages for an art object: active (materially and conceptually), relic (still functioning on a conceptual level, but compromised on a physical level),

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<sup>288</sup> Barker, R & A Bracker, ‘Beuys is Dead: Long Live Beuys! Characterizing Volition, Longevity and Decision-Making in the work of Joseph Beuys’, *Tate Papers*, issue 4, 2005, n.p., Available online at:

<http://www.tate.org.uk/research/tateresearch/tatepapers/05autumn/barker.htm>

<sup>289</sup> Cited in Vaccaro, MA, ‘The Emergence of Modern Conservation Theory’, 1996, p.210.

and dead (does not function either materially or conceptually)<sup>290</sup>. The death of a work of art is possible only in such cases where the work loses its status as an artwork.

The preceding considerations on the artwork have shown that this does not occur with the perishing of the material alone. The concept may be retained in spite of the changed condition of the material manifestation of the artwork, whereas it is usually perceived that conceptual death necessarily follows material death. However, there might be conceptual death without material degradation. Material death is usually defined in terms of loss of the physical integrity of the object. Eva Hesse's *Sans II* has been discussed in these terms. "As far as I can see", observes Bill Barette, "*Sans III* has lost its physical integrity. It was intended to go from the wall to the floor and it obviously can't do that". "To me, it is not alive", adds Gioia Timpanelly. "It is not a work of art any longer"<sup>291</sup>.

The degree to which the initial artistic concept is still reflected by the material condition of the object and/or by the context in which a work is placed has been associated with the conceptual death of an artwork. The notion of conceptual death is in fact included in copyright laws for artist and artworks. For instance, according to Irish law, an artist's so called Moral Rights include the Paternity Right, i.e. the right to be identified as the author of the work, the Right against the false attribution of authorship and the Integrity Right, i.e. the author's right "to object to any distortion, mutilation or other modification of or other derogatory action in relation to the work" where that would prejudice the reputation of the artist<sup>292</sup>. Thus if an object is distorted to a point that it does not reflect the concept then, according to copyright laws in conceptual works, the artist can deny authorship.

Instead of the notion of a dead artwork, some institutions use alternatively the notion of exhibitability, according to which a work of art is evaluated on the basis of whether it is exhibitable or not. For example, Henk Peeters' *59-18* (1959), a work consisting of a sheet of polyurethane foam adhered to soft bolt board of the same size, is presently in a condition far beyond what is considered acceptable. According to Thea Van Oosten, the object has degraded too far; it has lost its original meaning and there is no conservation treatment which can restore

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<sup>290</sup> R Barker, Paintings' Conservator, Tate, Personal Communication, London, 21 June 2005.

<sup>291</sup> Cited in C Coerver, 'Uncertain Mandate: A Roundtable Discussion on Conservation Issues', 2002, p. 295-297.

<sup>292</sup> S McGuinne, P McLean and C Plunkett, 'Protecting the Integrity of Impermanent Art' in C Gogarty & Z Reid (eds), *Contemporary Art: Creation, Curation, Collection and Conservation*, proceedings of the conference held at the Irish Museum of Modern Art, IPCRA, Ireland, 2002, p.43.

the object. In consequence, the work was declared “non-exposable” and, with the artist’s consent, its “corpse” was donated to science<sup>293</sup>.

Characteristically, Eva Beuys asserted *droit mortel* over Joseph Beuys’ *Felt Suit*, proclaiming that:

*it is with some difficulty that I state – in the name and from knowledge of Joseph Beuys – that for reasons to do with copyright and individual rights Felt Suit, belonging to the Tate Gallery, must sadly never be shown again in any location, on any occasion and in any context, however constituted, including for the purposes of study.... For historical purposes it should continue to be recorded that the Tate Gallery possesses such a ‘Felt Suit’. For that remains an asset of the Tate Gallery<sup>294</sup>*

Alison Bracker and Rachel Barker<sup>295</sup> observe that the ongoing discussions on and about *Felt Suit* exhibit in themselves how “arguably defunct objects continue resonating within a collection and within culture itself, even after their alleged death”. Though categorized as an ‘archived object’, *Felt Suit* is stored as a vulnerable item along with the Tate collection. Whilst the work has suffered serious deterioration, both physically and, because of its inability to invoke the notions of warmth and protection intrinsic to Beuys’ use of felt, conceptually, its uselessness had yet to be determined. The suit was finally declared “defunct” both physically and conceptually. However it is also characterized as “dormant”, indicating that it still exists as an object, though now characterized as an archived object.

Artwork death may constitute a wrong as a side-effect, to people with interests in it. It may be argued that it is wrong to shorten a worth-while life. Arguably, an artwork’s life is worthwhile because it originates in a creative process, and because of its significance as heritage. Quality of life is not entirely independent of its length. For instance, an artwork exhibiting process may not be worthwhile without enough time to unfold and reach its fulfilment. Moreover, other things being equal, more of a good thing is always better than less of it<sup>296</sup>.

There are many who question whether there is a point in conserving a work after its death. Declaring an artwork dead has implications both for the artwork, i.e. in that it loses a future period of well-being it would otherwise have had, but also for those who had experienced it and

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<sup>293</sup> BT Van Ooste, ‘Plastic surgery: Conservation treatments for Flexible Polyurethane Foams: From face lift to donating the corpse to science’ in A Oddy & S Carroll (eds), *Reversibility – Does it Exist?*, British Museum Occasional Paper, no. 135, 1999, pp.33-36.

<sup>294</sup> A Bracker & R Barker, ‘Relic or Release: Defining and Documenting the Physical and Aesthetic Death of Contemporary Works of Art’, Presented at the 14<sup>th</sup> ICOM-CC Triennial Conference, The Hague, 11-17 September 2005.

<sup>295</sup> *Ibid.*

<sup>296</sup> J Glover, *Causing Death and Saving Lives*, Penguin, USA, 1977, p.54-55.

to the community to which it belongs, represents or tries to reach<sup>297</sup>. A collective interest in the strongest possible sense would be a resultant interest shared by everybody without exception: a universal (net) interest<sup>298</sup>. Given the universal interest assumed by conservation Codes (or at least by some heritage organisations like UNESCO) in not losing heritage, artwork death is harm. It is then possible to equally speak of some posthumous events as harms<sup>299</sup>. The exploitation of artworks (through t-shirts, coasters, shirts, etc.) has been characterized as an abuse of artworks<sup>300</sup>.

An artwork may cease being an artwork (or at least the specific artwork) if it loses its identity as a work of art; yet still remain in the domain of conservation if it remains heritage. Tate's *Felt Suit* is one such case. Of further interest are cases of "revived" artworks. Characteristic is the example of Piero Gilardi's *Still Life of Watermelons* (1967) at the Museum Boijmans Van Beuningen in Rotterdam. The work is one of Gilardi's nature carpets, made mainly out of natural vegetation, foam rubber and other painted synthetics. By 1983, the work had degraded to a point that it was declared a total loss, a lost cause, or otherwise dead. From 1979 it remained wrapped up and stored in the museum's depot until 1996, when conservators revisited the piece in light of an upcoming exhibition and were able to restore it (owing to advances in technology) to a condition that still conveyed the intended meaning<sup>301</sup>. This suggests that proclaimed dead artworks, or relics, retain the potential to be heritage as the same works of art that they were. This also points perhaps to an argument that artworks should never exit the category heritage.

#### UNJUST HIERARCHY OF HERITAGE VALUES

Interests of different people are unavoidably in conflict (e.g. prioritization of artist's interest). Hence, according to Joel Feinberg<sup>302</sup>, any system of rules aiming to minimize harm must incorporate judgments of the comparative importance of interests of different kinds. There can be wrongs that are not harms on balance, but there are few wrongs that are not to some extent harms. Harmful wrongs then will be invasions of interests which violate established priority rankings.

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<sup>297</sup> *Ibid.*, p.71.

<sup>298</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.224.

<sup>299</sup> *Ibid.*, p.81-82.

<sup>300</sup> M Shanks in Centre for the Ethics of Cultural Heritage, *Appropriating the Past: The Uses and Abuses of Cultural Heritage*, Durham University, 6-8 July 2009.

<sup>301</sup> P de Jonge, 'The Unexpected Life of a Total Loss' in IJ Hummelen & D Sillé (eds), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art*, Foundation for the Conservation of Modern Art & Netherlands Institute for Cultural Heritage, Netherlands, 1999, pp.137-141.

<sup>302</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.32-35.

There are differences in how a particular type of value is assessed by different stakeholders. Values are always changing in some respect. Heritage value comes in different articulations and values are at some level different expressions of the same thing. Hence heritage values cannot be objectively measured and broken down<sup>303</sup>. Moreover, decisions about artists' intent can be very problematic. Barnett Newman, for example, used to cut up the paintings he did not like. After his death his wife found a painting, which she knew Newman wanted to cut up, but apparently did not have the time. So, she cut it up for him. A short while later, she decided she felt uncomfortable with this and had the piece restored. How does the owner come in to play when it comes to making conservation decisions?

Collective harms are not additive nor are they diluted by wide distribution. Individuals can voice personal grievances only to the extent that they claim also to represent the interests of a wider collective. If the widely shared interest is an important one to the sharing individuals, but the impairment is only trivial, then the collectively shared harm is minor. If the impairment is great and the shared interest important, then the collective harm is also great. If the shared interest is only a weak one in most individuals and the degree of impairment done or threatened by a wrongful act also is minor, then the collective harm is relatively minor too. If the shared interest is weak but the impairment severe, then the collective harm is serious<sup>304</sup>.

The fairness or justice approach to ethics says that all equals should be treated equally, or if unequally, then fairly based on some standard that is defensible<sup>305</sup>. However, in such models, it is important to distinguish between different forms of equality (i.e. numerical or by analogy). Harm, through unjust hierarchy of values, may occur by failure to provide a just criterion for attributing due respect to each and all of the values involved in an artwork's conservation decision-making; by ignoring the duty to preserve past values as well as present ones and thus confronting the dilemma to preserve something as an artwork and destroy it as heritage and *vice versa*. If conservation ethics limit intervention on heritage, whereas the just artwork would have required e.g. constant recreation as a method of survival, then conservators should also be taking this into account when making decisions

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<sup>303</sup> R Mason, 'Assessing Values in Conservation Planning: Methodological Issues and Choices', 2002, p.9.

<sup>304</sup> J Feinberg, *Harmless Wrongdoing. The Moral Limits of the Criminal Law, Vol IV*, 1988, p.34-37.

<sup>305</sup> Markkula Center for Applied Ethics, *A Framework for Thinking Ethically*, Santa Clara University, 1988, Available online at:

<http://www.scu.edu/ethics/practicing/decision/framework.html>

## INTEGRITY VERSUS SIGNIFICANCE

It is not certain how strict or flexible Codes should be in providing criteria for choices. But in order to satisfy the demands of science, they should be a source for guidance in decision-making. Essential to this is that concepts employed are unambiguous and in line with the foundational values and principles. A good example to validate ECCO's attempts is its use of the notion of 'significance' in the place of 'integrity', employed in previous or other conservation Codes. This preference is presumably meant to provide clearer guidance and greater flexibility than concepts previously used.

In the various Codes of Ethics, different aspects of 'integrity' are identified. The Hellenic Code (Article 6) states that "the Conservator is obliged to respect the aesthetic, historic, material and structural integrity of the objects he undertakes to conserve". Other Codes also refer to the aesthetic, material and historic integrity, while CAPC adds to them conceptual integrity and, UKIC, cultural, scientific and religious integrity.

The AIC code (1979) distinguishes aesthetic, historic and material integrity (Preamble A). The same code, as revised in 1994, maintains that cultural heritage items may have an artistic, historic, scientific, religious or social significance. In 1984, the definition of the conservator's profession, which was adopted by the International Council of Museums-Committee for Conservation (ICOM-CC), referred to the aesthetic and historic integrity of the objects (Art. 21); while the 1993 guiding principles of the International Council of Monuments and Sites (ICOMOS) refer to cultural heritage "messages", which are artistic and historic, and which should be conserved "without compromising authenticity and its importance" (Art. 3). The Australian Institute for Conservation of Cultural Material (AICCM) Code (1986) divides integrity into material, historic, aesthetic and cultural (Art. 2), and commands the preservation of the aesthetic, conceptual and material aspects of the object (Art. 33). Finally, ECCO (2002) employs the term integrity to define solely the material integrity of the object, while elsewhere it refers to the aesthetic and historical importance (II Art. 5), to which it adds the artistic, testimonial, scientific, social and conceptual ones (Edu. II).

The concept of integrity cannot be clearly defined through the Codes. However, through their evolution as texts, Conservation Codes reveal a tendency to include as many parameters that constitute 'integrity' as possible. Overall, the parameters of 'integrity' that have been recognised are the material, structural, aesthetic, artistic, historic, archival, scientific, conceptual, cultural, religious, social, and the integrity of the parts of a whole.

The tendency to include more and more parameters comprising 'integrity' appears to be an attempt to avoid under-conceptualisation of conservation objects and, as such, it may be considered expressive of respect. This is in accordance with the do-no-harm principle, which sets the limits of any conservation intervention; none of the values (or aspects conferring value) may be eliminated, for that would violate the concept of respect. Other things being equal, it seems that it is more important to prevent the total thwarting of one interest than the mere invasion to some small degree of another interest<sup>306</sup>.

*The term heritage may be described as embracing that which can be passed from one generation to the next and following generations, and to which descendants of the original owner have rights deemed worthy of respect. The term also presupposes an intrinsic relationship between those who went before and those who come after with concomitant notions of responsibility and holding in trust<sup>307</sup>.*

Hence, according to the way in which 'integrity' appears in Codes, it may be conceived of as a (case-dependent) multi-dimensional value concept, comprised of the values attributed to an object, which is in turn conceived as an integrated whole with multiple dimensions or values.

The notion of significance has been recently introduced in conservation Codes of Ethics in an effort to ensure that the heritage object is conceived as more than strictly a material thing. The preference for the notion of significance is presumably meant to provide clearer guidance and greater flexibility in decisions. The two notions appear to be somewhat contradictory. 'Significance' is usually thought of in contrast to 'insignificance'. Contrary to 'integrity', 'significance' implies an inherent value judgment, i.e. a hierarchy of values and it may be thought of as more selective and dividing in its function.

The difference of the two notions, however, is not limited to two different times within a similar decision-making process. Values attributed to cultural heritage are interrelated and interdependent. Hence, intervention, cannot take place exclusively on one of these parameters without affecting the rest of them (positively or negatively). This is not a problem in theory. At the level of intervention, however, their interactions appear mostly in the form of conflicts. Particular problems arise when different values pose conflicting conservation demands.

The foundational assumption of the ECCO Code suggests that respectful or proper conservation should not compromise any of the recognised values of an object. So long as these values are

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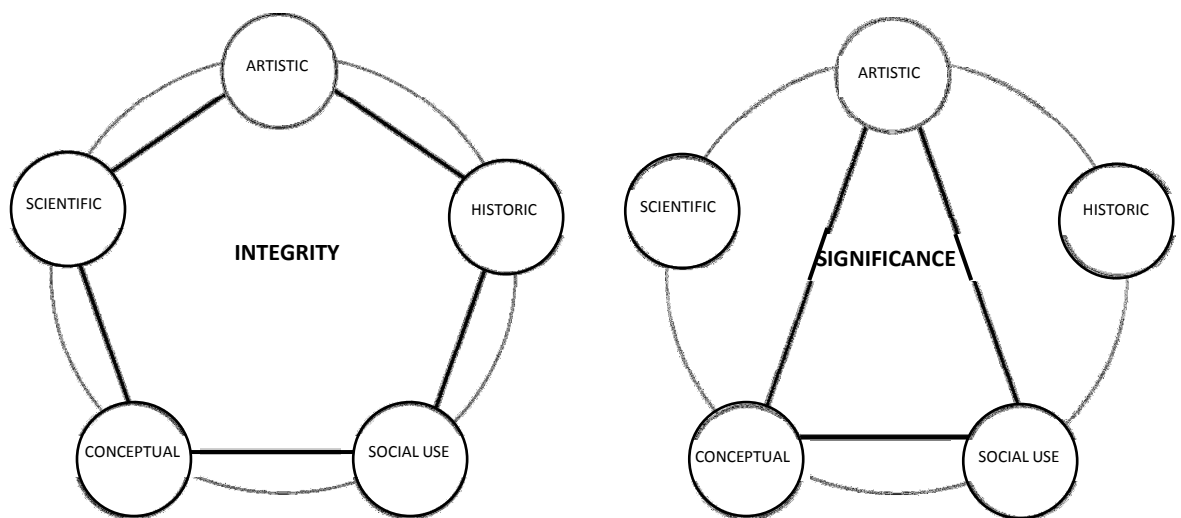
<sup>306</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.204.

<sup>307</sup> SM Pearce, 'The Making of Cultural Heritage' in E Avrami, R Mason & M de la Torre (eds), *Values and Heritage Conservation: Research Report*, The Getty Conservation Institute, Los Angeles, 2000, p.59.

conflicting, this is not possible. The conservator is called to resolve conflicts in a manner that is not only technically effective, but also consistent with the ethical command for respect. This inevitably presupposes a hierarchy of the recognised values based on their relative importance to the object's identification as a cultural heritage element. The dominant value (i.e. that on the top of the hierarchy) will direct conservation interventions; all other values are to be preserved to the best possible degree, according to their position in the hierarchy. At the same time, the do-no-harm principle sets the limits of any intervention; none of the values (or aspects conferring value) may be eliminated, for that would violate the concept of respect.

'Integrity' implies integration; it alludes to the unaltered, to that which is not diminished. As such, it implies that all heritage values are to be included in decisions and no value-conferring features are to be eliminated in intervention. The notion of integrity (as defined here), inevitably leads to a hierarchy of values. In this sense 'significance' follows the concept of integrity. 'Significance' on the other hand does not necessarily incorporate all values in decisions (**Diagram VI**). Although it may seem to allow for more flexibility and to speed up decision-making processes by choosing some values over others from the start, it nonetheless contradicts the precautionary approach highlighted in Theory and supports an incomplete conception of the heritage object.

INTEGRITY vs. SIGNIFICANCE



**Diagram VI**

#### DUE RESPECT

The concept of harming seems to be underpinned by a managerial perception of interests. Managerial approaches argue that, before any adequate notion of harm can be applied, an unavoidably controversial moral decision must be made about which interests to protect. Some



interests are unavoidably in conflict and cannot be protected except by suppressing the interests with which they contend. Deciding which, if either should be protected, is a moral decision made on grounds of greater relative worthiness or importance. Judgments of moral priority, however, must bring into play genuine moral considerations like rights and deserts<sup>308</sup>.

In the process of forming a hierarchy of the values attributed to a heritage objects, conservation treatment can be thought of as distributing to each value its *due respect*. The question that inevitably arises is what would be a just criterion for forming the required hierarchies and basing conservation decisions on them. There is one existing system of sources of criteria for resolving such conflicts with acknowledged authority. These criteria are preferred a) either because they have been officially acknowledged by the International community, or b) because they reside in the collective consciousness of a Nation, or, finally, c) simply because they stem from knowledge of the methods and ethos of conservators.

a) Some heritage objects acquire universal significance, in virtue of which they are included in the UNESCO Catalogue of World Cultural Heritage. Each of these objects has been included in the Catalogue on the basis of a proposal stating the “exceptional” value which justifies their inclusion in the list. The dominant value of each heritage object on the UNESCO list is thus determined through the process of identification, and automatically constitutes the value-criterion on the basis of which the “proper”, or respectful, conservation approach is to be determined. For instance, both the *Parthenon* and the *Statue of Liberty* in the USA are included in the UNESCO Catalogue, but their conservation approaches in relation to the cleaning of surfaces differ according to the criterion of their inclusion in the list. In the case of the *Parthenon*, the aesthetic value, which is considered predominant, cleaning of black crust created by air pollution on marble surfaces is considered necessary. In the case of the *Statue of Liberty*, on the contrary, it was considered appropriate to retain the dark patina of the metal surface formed due to corrosion, for this was the image of the sculpture that had established its social value as a symbol of faith.

b) On the National level, the values shared by a nation’s people are the criterion for assigning particular importance to a cultural heritage object and, on many occasions, for its legal protection. This criterion determines the dominant value on which conservation interventions are to be based. For example, in the case of the conservation of a piece of fabric stained with blood, though the stain would have to be removed if the fabric had acquired its value as a cultural object due to its decorative design, the stain would have to be left intact if the same fabric had been used as a banner in a revolution, thus acquiring national historic value.

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<sup>308</sup> J Feinberg, *Harmless Wrongdoing. The Moral Limits of the Criminal Law, Vol IV*, 1988, p.11.

c) Concerning cultural heritage objects of lesser significance (or of yet unrecognised greater significance), determination of the dominant value of their integrity rests with the conservator. 'Respect' demands that decision-making as to proper conservation approaches is not left to unauthorised persons. Though in the previous levels responsibility is shared among representatives of the above sources of criteria and conservators (inter-disciplinary decisions and responsibility), it is at this level that the moral responsibility of the conservator unfolds its full extent.

The conservators' aim is not only to preserve past values, but also to provide for future ones. Conservators' decision-making frame does not incorporate considerations on the dynamics of the entire possible trajectory of the artwork-heritage relation; it simply focuses instead on only one of the points in this trajectory where artwork and heritage coincide.

Following notions of death of artworks and relics, it is becoming customary for example to dispose of cultural heritage objects. The National Museum Directors' Conference<sup>309</sup> (NMDC) decided that objects may be disposed of between listed national museums by any means, such as sale and transfer, including destruction, if their condition has deteriorated to such an extent as to render them useless. But what does useless mean in the case of art?

It could be argued that even though artistic value is not presently the dominant heritage value in the hierarchy of the values comprising its identity, the object must be saved on account of the fact that it has been valued as a work of art. According to the conception of heritage identity provided in this thesis, conservators' obligation is to preserve past value systems. Conservators also have an obligation to provide for future value systems as well. Even though it is not possible to predict what or how an object may be valued in the future, or whether it will be valued at all, it may be argued that, at least those values that have already been attributed to a heritage object are also potential values to be attributed to the same object in the future. As such, conservators have an obligation to somehow preserve the value system that had defined the specific object heritage on account of being a work of art.

This is the line of thought of the NMDC when it identifies possible harm in the case of objects that were disposed of in ignorance of their "true" value. It illustrates this with the example of the V&A, which in 1949 sold a set of eighteenth century gilt wood chairs at auction. The chairs were acquired by the then King of Libya and turned into mirror frames and stools. This was a decision

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<sup>309</sup> National Museum Directors' Conference, *Too Much Stuff? Disposals from Museums*, 2003, Available online at: [http://www.nationalmuseums.org.uk/media/documents/publications/too\\_much\\_stuff.pdf](http://www.nationalmuseums.org.uk/media/documents/publications/too_much_stuff.pdf)

bitterly regretted when it was subsequently discovered that the chairs in question were from a set commissioned by the Venetian Doge Paolo Renier (1710-1779)<sup>310</sup>.

#### NARROW FRAME FOR DECISION-MAKING

Harm may be said to occur through the use of non-systemic conservation decision-making models. It may be argued that models that do not support a systems view of conservation are harmful in the sense that a) they often conflate or ignore the central aim of the conservation system, thus losing target and confusing decision-making processes, and that b) they attempt to divorce traditional conservation ethics from contemporary art conservation, thus diminishing the role of the conservator and endangering, heritage wise, the fate of both contemporary and traditional works of art. The former pertains to the question of whether failing to reach conservation's end is a positive harm to the heritage by conservators or not. The latter entails a strong potential for harm to artworks due to a future lack of requisite variety in the conceptual frame.

One may cause harms in order to achieve a specific benefit; one may avoid all harm and not achieve the benefit. In the broader context of culture, not achieving the aim of extending the lifespan of heritage objects is harm, in that people are deprived of a benefit, i.e. the benefit to be gained from interactions with heritage from the present or past. This means that the eclipse or the malfunctioning of the conservation system is harm. However, in the context of conservation, while not achieving the aim of extending the lifespan of a specific object is definitely a case of failure, it is not necessarily a direct harm from the part of the conservator.

So far 'harm' has been discussed in terms of harm in the process of achieving the aim of extending the lifespan of the heritage (seen as a benefit). If due procedures are followed and all dimensions of harm are taken into consideration, then failure to achieve the aim is not harm. Confusion about the aim of conservation, however, is harm.

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<sup>310</sup> *Ibid.*

### **CONSERVATION'S LACK OF REQUISITE VARIETY**

The tension between the material and the immaterial, the artwork and the heritage, in contemporary artworks manifests itself within conservation as a failure of the existing normative frame to ethically justify practices such as substitution and recreation on account of principles like minimum intervention and no removal of original material. Conservation principles that flow from such a conception emphasize the importance of retaining as much of the original material as possible by minimizing intervention. While recurrent themes in art-historical and philosophical approaches to contemporary artworks tend to recognise an independency of the artwork from its material manifestations, conservation lags behind. Conservation's conceptual frame lacks requisite variety and is in need of remodelling. The conceptions of its objects of interventions presented earlier, as well as the dimensions of harm deriving from these conceptions, will direct the revision.

## REMODELLING THE CONCEPTUAL FRAME

The presented examples of harm have been described as harm without contact. The fact that some of these are not necessarily irreversible kinds of harm before physical intervention takes place does not diminish their importance or severity. Quite the contrary, and especially in light of conservators' responsibility to prevent negative effects in order to secure benefit for future generations as well as for the present one, they should become integral parameters in conservation risk assessments and be seriously taken into account in any attempt to reconsider the goal, objectives and role of heritage conservators.

Conservation principles and Codes of Ethics presumably provide guidance for decision-making and action in order to avoid ethical conflicts, to undertake the optimal course of action, or to otherwise choose and perform the least harmful intervention. Contemporary conceptions of the artwork, as discussed above, seem to support the ethical legitimacy of substitution and recreation as conservation practices in light of the goal of artwork preservation. It may be argued that similar conceptions, which allow substitution and recreation as a method of preservation, may apply to all conservation objects. Even though the conclusions encouraged by such a view may seem counter-intuitive, they are logically consistent.

Following the feedback gained from the investigation of the possible harms to the artwork (the object of conservation interventions), revisions to the conceptual frame will be made according to the new information received. The Domain of Science Model's components comprising the conceptual frame will be each considered in light of the findings. Logical consistency of aim of an activity and principles supporting the aim demands, where the aim incorporates values and axioms, either that the principles directly derive from the axioms, or, if these are not explicit, that the theoretical principles converge towards an axiom implicit in the aim. Thus the specific conservation rules and guidelines that will be drawn need to be consistent with emerging principles, in order to properly determine various criteria for choices.

### ***Foundations***

The Foundations block is at the top of the hierarchy of the components comprising conservation's conceptual frame. As such its content is subject to slower change. If changes at the blocks of Theory and Methodology sufficiently and effectively resolve the problems in conservation, then the content of the Foundations does not need to change.

## Theory

Contemporary art brings about a shift in the understanding of conservation. This shift appears as a) a transition in the perception of the artwork-heritage relation from ‘artwork’ and ‘heritage’ conceived as substantially identical, to conceived as a temporally overlapping, possibly different identities; b) an emphasis on synchronic issues regarding artwork persistence conditions, rather than just diachronic ones; and c) an increase of tension between the material and the immaterial (seen either as structure and/or as function) when making decisions about intervention (**Fig.13**).

	<b>Traditional Conservation</b>	<b>Contemporary Art Conservation</b>
<b>ARTWORK – HERITAGE RELATION</b>	<i>Substance sortals</i>	<i>Overlapping of sortals</i>
<b>PERSISTENCE ISSUES</b>	<i>Diachronic</i>	<i>Both diachronic and synchronic</i>
<b>INTERVENTION</b>	<i>Physical structure</i>	<i>Material-immaterial tensions</i>

**Fig.13.** Shifts of perspective within conservation.

The preceding analyses show that new concepts are required to frame and guide the conservation of modern art. If integration is to be achieved, these new concepts ought, either to be such that they apply to all conservation objects, or to be subsumed under the umbrella of broader concepts, which accommodate the new ontological considerations and incorporate both old and new concepts. The terms ‘identity’ (deriving from the combination of ‘identity’ and ‘authenticity’) and ‘vlave’ (from the Greek term ‘βλάβη’) introduced below serve as such broader concepts, under which other ones are subsumed.

### Identity

‘Identity’ is defined as a concept encompassing authenticity, ontology and identity, as criteria for guiding conservation practice.

It has been argued that the role of the conservator and the ethics of conservation action are determined to a large extent by the nature of the object of intervention, i.e. the heritage object, which is heritage because it is the specific work of art. The nature of the work of art is a question of ontology: what kind of thing it is and how it exists. Thus it is artwork ontology that will determine whether a conservation action, such as substitution or recreation, is ethical or not. If all

artworks are such entities of which there may be many instances or which may appear with variations, etc., or if artworks are four-dimensional objects, then substitution and recreation are ethically permissible conservation actions (or even ethically necessary).

According to the definition of artwork provided in this thesis, works of art have a structure which corresponds to the function of 'being the specific works of art'. Hence conservators extend their lifespan according to what is required by their ontology, but also need to be aware of what it means for a work of art to be the specific work of art. This is a question of identity. Other authors have suggested that authenticity should, or can be viewed in terms of artwork identity (i.e. as opposed to original material, experience generated and so on)<sup>311</sup>. Conservation acts upon the material of an object. To the extent that the material involved is determinant to the object's being an artwork, it too should be considered in view of the demand for preserving (material) authenticity.

However, the analysis of the artwork has shown that this identity is twofold: artwork identity and heritage identity. In the authenticity puzzle presented earlier, the question of what it is that conservators are preserving is answered by reference to the heritage identity of the artwork. Certainly some people have interests in artworks *qua* artworks. But conservation is concerned about people who have interests in artworks *qua* heritage. In this context, decisions about intervention depend upon the identity against which the conservation question is raised. Thus, conservators also need to be aware of what it means for a heritage-artwork to be the specific heritage-artwork. So conservators need to address two questions of identity: a) how is a work of art the work of art that it is; and b) how is a work of art that is heritage the heritage-artwork that it is?

#### THE SPECIFIC ARTWORK

a) The structure of an artwork comprises of essential and non-essential properties of the work of art. Given that the structure corresponds to the function (of being the specific work of art), all essential properties necessarily need to be instantiated in order for the artwork to exist and to be the work of art that it is.

Essential properties in traditional artworks used to be determined through e.g. visual analysis of form, scientific measurements, or other methods aiming at an "objective" identification of these

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<sup>311</sup> P Laursen, 'Authenticity, Change and Loss in the Conservation of Time-Based Media Installations', 2006.

I Szmelter, 'A New Conceptual Framework for the Preservation of the Heritage of Modern and Contemporary Art', 2010, p. 40.

properties. In contemporary art, the focus for identifying essential properties of artworks has shifted towards the experience it generates for its viewers and the intentions of the artist who is still alive and able to express them verbally. These are subjective (or more subjective) ways of distinguishing essential from non-essential properties of artworks. They are also accompanied by views that there is no absolute way of establishing the essential and non-essential properties of artworks; rather works of art are conceived as having evolving identities, in that all and any meanings, interpretations, experiences associated with them become part of their identity. Thus the many contemporary attempts to gather as much information from the artists and viewers of these works at the moment of acquisition by a museum or gallery, or at their first encounter with a conservator, aim at establishing the (so far deemed) essential properties of these artworks.

The artist may be considered the closest person to the creative process, hence closer to knowing the essential properties of his artwork. However, caution must be taken with artists' interviews in that they raise questions (e.g. about change, longevity, substitution, recreation) which the artists' had not initially thought of or intended to address through their work. Their responses are based on intentions other than those of creating the specific work of art. Moreover, issues of ontology which legitimize, or which do not legitimize, conservation actions like substitution and recreation are not wholly dependent upon intentions. Similarly, they are not wholly dependent on audience experience. Audience experience is useful to record only in those cases where it is itself part of the essential properties of an artwork, or when it is the only available means of establishing the identity of a work of art whose structure is otherwise lost.

Such a case is James Turrell's *Trace Elements: Light into Space* (1990), presented at the *Object in Transition Conference*<sup>312</sup>. The work is an environment, an experience, generated by fluorescent tubes and light bulbs through an aperture. The piece is time-based and perception-based in that it instantiates changes in colours and hues producing multiple senses of, e.g. dawning, deep-blue saturation, and so on. The attempt to re-install the piece in 2007 brought up a number of problems; fluorescent light tube technology had changed, the hues could not be generated, and the only available information as to the structure of the work were the recollections of people who had experienced earlier installations of the piece. The accounts were not consistent, and the new environment was not an adequate re-enactment of the work. Moreover, the phenomenon

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<sup>312</sup> *The object in Transition Conference – James Turrell, Trace Elements: Light into Space*, A Perchuk & D Turnbull, The Getty Conservation Institute, Los Angeles, 25 January 2008, Available online at: [http://www.getty.edu/conservation/publications/videos/object\\_in\\_transition\\_day1.html#7](http://www.getty.edu/conservation/publications/videos/object_in_transition_day1.html#7)



can still not be captured or recorded by any known technology. The work was thus presented as an “un-recordable” object.

While, as Bruce Altshuler suggests<sup>313</sup>, all artworks may indeed be thought of having an open-endedness (in the sense that artists may never consider them “finished” or may change their mind about how they may look, or what materials may be used), the conservator has a duty to preserve the identity of the artwork, as established at the moment that it becomes heritage. That is, any further properties of the type ‘generating this or that experience/meaning’ may not be considered as part of its identity as that work of art. The thesis assumes that the artwork is pronounced to be heritage at a specific “moment”; this “moment” may be perceived similarly to Cesare Brandi’s definition of a moment which has duration.

One would not, for example, think that the experience of viewing a traditional painting which is considered to be heritage (on account of being the specific work of art) inside a cave rather than on the wall of the palace where it originally hung becomes part of its identity (i.e. it becomes an essential property for that work to be the work of art that it is). One might, however, say that the presentational context of the cave is such that the experience of the artwork that it generates is valuable; or alternatively that the heritage-artwork has been attributed another valuable property, namely that of “generating such and such an experience when presented within a cave”. Modern and contemporary artworks that are not heritage so far, may be thought of as a special case, whereby there is no reason to limit just yet the properties that may be deemed essential for such artworks.

#### THE SPECIFIC HERITAGE-ARTWORK

b) The identity of a heritage object is provided by the totality of all the heritage values attributed to it at a certain time in a certain hierarchy. Heritage identity has dynamic stability, since the hierarchy of heritage values for the same object may change over time, and new values may be added to it as well. Conservators have a duty to preserve or retain a given dynamic stability for as long as possible; thus it is not ethically permissible to eliminate any one of these values.

This thesis assumes that future functions, experience, meanings, etc. of a work of art are not part of the specific artwork’s identity. However, it does take them into account as part of its heritage identity. While this division is strict it is not altogether wrong. While many would plausibly argue that *some* further functions are indeed part of a specific artwork’s identity, they could not

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<sup>313</sup> *Shifting Practice, Shifting Roles? - Part 4 Bruce Altshuler: Exhibition, Collection, Re-creation*, video recording, Tate Channel, Tate Modern London, 22 March 2007.

plausibly argue that *all* further functions are part of its identity. One would not, for example, say that an artwork's function to generate a vandalistic response, e.g. like the one Barnett Newman's *Who's Afraid of Red, Yellow, and Blue III* (1966-67) at the Stedelijk Museum in Amsterdam did, has become a function definitive of the specific artwork (i.e. that it is an essential property of the work without which it cannot exist).

The values of new experiences, meanings, interpretations, etc. for a given work of art that is already heritage may be added to the values comprising its heritage identity. Their place in the hierarchy providing that identity is not ultimately determined by the conservator; however because none of these values may be generated without the essential properties of the artwork (structure – nature of the thing), the non-essential properties giving rise to these values cannot be ranked higher than the essential ones. Change in an artwork may occur with regard to either structure and/or function. Ideally, conservators try to retain unaltered both the structure and the function. However, the function is always different if the structure (defined here in terms of essential properties) is different.

The conception of authenticity as strictly related to the material constitution of a work is too limiting with regard to the satisfaction of the persistence conditions of modern/contemporary artworks. Identity is not included in conservation's normative frame. 'Identicity' may be introduced in the Theory block in the place of authenticity, as a concept including authenticity as well as identity as criteria for decision-making. 'Identicity' includes artwork and heritage identities, defined in terms of ontology and in terms of the relative hierarchy of the heritage values attributed to a work of art respectively.

### Vlave

'Vlave' is defined as a concept subsuming all sorts of negative changes that may be brought about to an artwork by conservators. It is a criterion evaluating conservation decisions and actions. All the dimensions of harm introduced in this thesis are incorporated in the concept of 'vlave'.

The conceptual nature of modern and contemporary artworks alludes to the possibility of causing subtler gradations of harm to a work of art. Such would be harm resulting or potentially resulting in an alternation of the identity of the conservation object. So, if an artwork's ontology is such that requires substitution and/or recreation for the continuation of its existence, then not performing these activities is harming the artwork.

Consider a conceptual work of art which has ontology similar to that of musical works. The artwork may have different modes of manifestation, e.g. as written instructions, as an installation,

and so forth. It may be instantiated in more than one place at the same time or at the same place at different times, its instructions may be recorded or written down in various media, it may be installed with variations, etc. Such a work exists insofar as the set of instructions (its structure) exists. That is it exists regardless of whether it is made manifest in any of the above considered modes.

Moreover, depending on what exactly is the heritage, conservators have different duties and obligations as well as different cautions to take into consideration. Considering contemporary conceptions of the artwork as an entity of which there are instances, then, if, for example, the heritage is the artwork, conservators, in their duty to extend the lifespan of the heritage, do not have any obligation to keep installing the work (for it may continue to exist in another mode or format). If the heritage is a specific mode of existence, then the conservator has a duty to re-instantiate the specific mode of existence as a means for preservation. If that mode of existence, which is considered to be the heritage, is the written or recorded instruction, then conservators ought to ensure that the written record lasts for as long as possible and/or transfer in a different means; if the mode of existence which is heritage is the installed state, then the conservator has an obligation to ensure the re-installation of the work over time and space. If the heritage is a specific instance of one of its modes of existence, e.g. the last instance of LeWitt's *Six Geometric Figures* at Tate Modern, which he personally approved just before his death, then conservators have a duty to extend the lifespan of the specific instance, which includes its original material.

In response to the problem of obsolescence of materials, conservators often conclude that different structures may result in the same function. For example, they often use different materials to re-present an organic material originally used by the artist but which degraded and cannot be found again (and which looks exactly the same as the organic one). While some contend that the result is no longer the same work of art, they argue in favour of the substitution since the alternative would have resulted in the total loss of the work. This thesis has shown that these types of substitutions result in different things, which may or may not be artworks. Assuming that they still are artworks, they no longer are the works of art that initially became heritage. However, even though they may be different artworks, they may still be the same heritage object; the value of 'having been that work of art rather than being the work of art that they are now' is simply ranked lower than the value of 'being the works of art that they are now' at the hierarchy comprising their heritage identity. Conservators have a duty to preserve both hierarchies of values (at least in the sense of not eliminating the aspects conferring the value of 'having been that work of art rather than being the work of art that they are now').

### Do-no-*vlave*

While the do-no-harm principle has been only implicit in conservation theory and Codes of Ethics, the exposed inadequacy of the conceptual frame indicates that the principle of non-maleficence needs to be made explicit in conservation's normative frame. Moreover, the preceding analysis of the concept '*vlave*' further indicates that the principle should be articulated as '*do-no-*vlave**'.

Conservators have a duty both to intervene in ways that benefit the objects in their care, and to avoid or refrain from interventions that may cause '*vlave*' to these objects. There is an ongoing debate whether avoiding harm, or avoiding '*vlave*' in conservation's case, necessarily has priority in cases of conflict over other moral principles.

'Do-no-harm' is a precautionary principle advocating the avoidance of harmful acts. Do-no-harm is not an absolute principle. That is, it does not necessarily have priority in cases of conflict with other moral principles. The same holds for '*do-no-*vlave**'. When there is also a moral obligation of beneficence, the principle of non-maleficence has to be considered in that context<sup>314</sup>. The principle of the Priority of Avoiding Harm states that, other things being equal, the obligation not to harm people is more stringent than the obligation to benefit people<sup>315</sup>. The misunderstanding that avoiding harm always has priority over doing good has arisen from the wrong translation of the Hippocratic texts. The phrase *primum non nocere* is not a literal translation of any part of the texts. In the Hippocratic *Of the Epidemics*, the obscure literal translation of the two relevant passages reads: "to practice about diseases two: to help or not to harm"; and "as to diseases make a habit of two things – to help, or, at least, to do-no-harm". There is no mention of anything along the lines of "first" or "above all" do-no-harm. A translation of the *Of the Epidemics* by Galen of Pergamum has the "above all" attached, but to helping and not to avoiding harm<sup>316</sup>. Thus the claim that avoiding doing harm must necessarily take priority in ethics does not hold, at least not on the grounds of the initial formulation of the principle.

Conservation, like medicine, is essentially a moral enterprise in which the infliction of harm can be justified only in the interests of human benefit. In the context of conservation, the priority of do-no-harm over other moral principles guiding behaviour may be further justified, by appealing to the role of the conservator. The appeal to roles states that, when someone occupies a role in virtue of which they are specially responsible for seeing to it that a certain outcome does not obtain, allowing that outcome is harming. To attribute such significance to roles is to say that the

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<sup>314</sup> R Gillon, "'Primum non nocere' and the Principle of Non-maleficence', 1985, pp.130-131.

<sup>315</sup> AN Davis, 'The Priority of Avoiding Harm', 1994, p.301.

<sup>316</sup> R Gillon, "'Primum non nocere' and the Principle of Non-maleficence', 1985, p.130.

stringency of prior obligation determines whether allowing is harming or merely failing to benefit. But what is in question is whether the obligations generated by a role are overriding (e.g. of the general utilitarian requirement for beneficence)<sup>317</sup>.

The role of the conservator is to preserve cultural heritage. It may be argued that the rarity and possible uniqueness of most cultural heritage elements allow very little room for learning through negative feedback to decisions through trial and error. This suggests that non-maleficence should always take priority in those cases of conservation objects that are unique and/or rare.

To the extent to which the role of the conservator is to prolong the life of artworks which are cultural heritage, conservators are faced with a twofold obligation. Their role entails an exploration of the ontology of artworks and their persistence conditions, and an exploration of the axiology framing these objects, i.e. of their identity as heritage.

Regarding contemporary artworks, the case is usually that their value of being the works of art that they are is ranked higher than all other heritage values they may have. However, ultimately, conservation decisions are based on the axiological question because their object of intervention is the cultural heritage. Hence, even if it were possible to identify the essential properties of a thing to being an artwork, it does not mean that conservators ought to give these properties priority in their treatment unless the work is considered heritage on account of these properties. This is also indicative of the fact that the notions of perpetuity, up to now intertwined with that of the museum or heritage institutions has changed. The duty now is to ensure persistence only for as long as something is heritage, or, arguably, has the potential to become heritage. Conservation's aim is not only to preserve past values, but also to provide for future ones.

How are the benefits of the past *versus* the present *versus* the future generation ensured? On the one hand, following John Ruskin's attempt for stylistic regulation would ultimately deprive his contemporaries of expressing their own architectural and social values, thus resulting in the presentation of a false social condition. Ruskin's deliberate choice of his own historic period as worthy of preserving buildings as they stood, i.e. banning any further man-made marks on their surface, disallowed his own generation to participate and leave its own mark in the history of these building. His attempt for social restoration contradicts his argument for architectural conservation, since it involves all that he condemns in buildings' restoration. On the other hand, one might ask whether there is too much focus on the present generation, in current times. Public

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<sup>317</sup> AN Davis, 'The Priority of Avoiding Harm', 1994, p.312-314.

voting on the fate of artworks should also be considered as to whether it may not be the least harmful method for decisions.

It could be argued that, while technically nearly anything is possible, there is strong possibility that an intervention upon an artwork which does not harm it as an artwork may reduce another one of its values (on account of which it is likely to be considered heritage). Hence conservators need to place emphasis on precautionary approaches when considering the fate of contemporary artworks, in order to avoid dilemma situations like preserving something as an artwork but destroying it as heritage and *vice versa*.

While modern and contemporary art are not heritage yet, they nonetheless comprise highly potential cases of becoming cultural heritage. History has shown that works of art usually become heritage on account of being the specific works of art. In light of this fact, it is arguably a precautionary measure for conservators to preserve the value that is most likely to be responsible for their inclusion in the heritage frame, i.e. artistic value. It thus becomes the duty of the conservator to preserve at least their artistic value, i.e. the value of being the works of art that they are. It further becomes the duty of the conservator to extend the lifespan of these artworks and to explore the ways in which their preservation may be achieved.

Most institutions have acknowledged the problem of indeterminate heritage status of artworks and increasingly consult conservators when making decisions about acquisitions or modes of exhibition of contemporary art. This is in essence a preventive measure, to avoid actions that may be deemed unethical in a heritage context, i.e. should the work eventually become heritage. Moreover, assignment of maintenance to conservators may itself be seen as an additional precautionary measure.

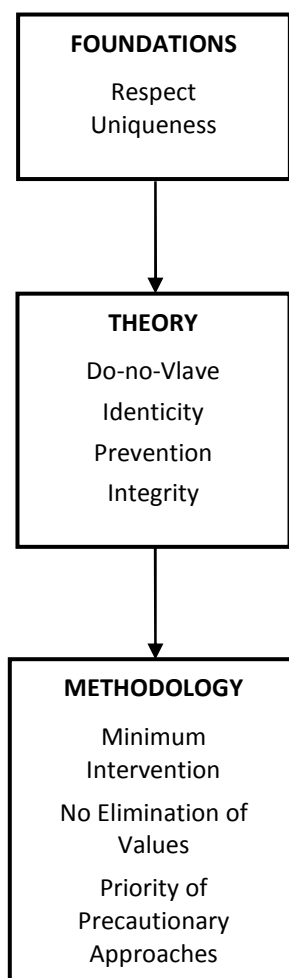
In the Theory block, the concept 'integrity' has also been shown to be more consistent with the principle than that of 'significance' and as such it should be retained. 'Prevention' remains a requirement of conservation.

### ***Methodology***

Up to date, the foundational assumption of uniqueness has been inextricably linked to original material constitution. But contemporary artworks appear unique in terms of conception rather than in terms of having a single material manifestation. In effect specifications of the principle of non-maleficence like 'no removal of original material' become too restrictive. They may be plausibly removed from Codes of Ethics, since the suggested concepts of 'identity' and 'value' sufficiently prevent removal of original material where it is integral to the identity of the artwork

and necessary for its persistence. ‘Minimum intervention’ may also be understood in a broader sense, i.e. as a limit to possible ‘vlave’. The rule of ‘no elimination of values’ defining the heritage object may also be included in this block as a specification of the obligation to act with due respect, as well as the requirement for ‘priority of precautionary approaches’. Conservation’s revised frame is presented in **Diagram VII**.

#### CONSERVATION’S REVISED NORMATIVE FRAME



**Diagram VII**

More specific guidance, extracted from the research, e.g. as to which ‘vlave’ may be considered acceptable or not, may further be added to conservation’s normative frame. Specifications to distinguish between ontology and axiology, to consider the case of overlapping identities, to base decisions baring in mind the entire trajectory of the artwork-heritage relationship, and to make use of the existing criteria outlined earlier concerning the hierarchy of the values attributed to a conservation object may also be included in Methodology. However, because the concepts ‘identity’ and ‘vlave’ are not part of conservators’ everyday use language, they will become

technical terms, which conservators will need to understand and examine before taking action. Knowledge of the concepts entails awareness of the above specifications; hence they do not necessarily need to be made explicit yet. The necessity to do so may arise, depending on the feedback gained from their application.



## IMPLICATIONS FOR THE ROLE OF THE CONSERVATOR

The concepts introduced above are directly connected with the very qualifications and necessary attributes of the conservator. In order to be able to avoid 'vlave' based on the concept of 'identicity', conservators must have knowledge of artwork ontology and of the persistence conditions of works of art. They must also be able to distinguish the particularities of the specific case of a work of art under conservation - artworks' identity as works of art (essential and non-essential properties), and artwork's heritage identity. Moreover, conservators must always remain alert and sensitive to further possible under-conceptualizations; this attribute is facilitated by the adoption of systems approach.

Two claims may be made regarding the role of the conservator, a strong claim and a weaker one. The strong claim is that conservation aims at stopping or delaying change of the initial object of heritage. This means that if an object's heritage identity has shifted over time, conservators have a greater duty to preserve the initial hierarchy of values determining its heritage identity over that of e.g. the present hierarchy of values or its present heritage identity. This position however is not easily argued for. The weaker claim concerning the conservator's role is that conservators have a duty to raise consciousness and protect the interests of previous generations since they are also part of the aggregate of heritage identity. Hence the conservator's role to extend the lifespan of heritage may be translated as extending the lifespan of past value systems (defining the heritage object) as well as present ones. It may also be argued that, since in the system of culture and preservation, the activities of creation and dissemination have a tendency to favour the present and the future, conservation should have a tendency to favour the past.

Salvador Muñoz Viñas suggests that modern art conservators make a choice that is an almost exclusive trademark of modern art conservation, either to preserve a work in a static condition for the future observer (which will only be a symbol of the work, as opposed to the actual artwork) or allowing the current spectator to enjoy the artwork to its full extent<sup>318</sup>. Is, then, the objective of conservation to enhance utility or to preserve past values? Can conservators cause 'vlave' through enhancement of utility e.g. of interpretative possibilities? It is important to address these questions, since other judgments, like recognizing a failure in conservation practice or defining an "impossible" conservation case, rest on how we define the limits of conservation. The harm/benefit doctrine requires that duties not to harm and duties to benefit be distinct and distinguishable.

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<sup>318</sup> S Muñoz Viñas, 'The Artwork that Became a Symbol of Itself', 2010, p.15-17.

There are two important distinctions: a) between not harming and failing to benefit, and b) between harming and allowing to be harmed<sup>319</sup>. The distinctions matter to conservators because they give rise to two important questions regarding their role: a) Do conservators cause harm if they fail to benefit, i.e. if they fail to fulfil conservation's aim? This is different from further benefits, i.e. other than the aim to extend the lifespan of objects, as these may not necessarily be part of the conservator's role; b) Are conservators equally ethically responsible when they cause harm and when they allows harm or a harmed condition to occur?

Harmful acts are different from harmed conditions. An act of harming is one which causes harm. A harmful act is one which has a tendency to cause harmed states or conditions. A harmed condition may or may not also be a harmful condition, depending on whether it has itself the tendency to generate further harm<sup>320</sup>. For example, if it is assumed that breaking something valuable is a harmful act, then breaking a cup's handles brings it in a harmed state for it cannot cause further harm as such. Breaking, however, a building's column foundations brings it in a harmful state or condition, i.e. that of possibly causing the collapse of the entire building. This distinction is relatively important in that, since conservation tries to limit negative change, then if harm is unavoidable, conservators should aim at causing harmed states instead of harmful ones.

A further concern with regard to the role of conservators is whether the conservator is to be included among the stakeholders of heritage objects. That is, whether extension of lifespan can be considered one among the other stakeholder values to be considered when making conservation decisions. According to the above analyses, while conservators ought to consider all stakes pertinent to the heritage good, i.e. whose values are constitutive of its identity as heritage, extension of lifespan cannot be one among these interests or stakes, because it is conservators' aim. Conservation's aim cannot be one of the stakes under consideration in conservation decisions. However, it may be one among the stakes in wider decision-making policies concerning the fate of an object, which are usually subject to interdisciplinary considerations. In these cases, conservators can and should voice an opinion regarding the fate of heritage objects which is exclusive and ideal to fulfilling their role of extending the lifespan of heritage artworks.

### ***Conservation, Not Creation***

It has been suggested that each installation of a work is in fact an act of recreation, in that where conditions of exhibition change, it is the conservators who need to adapt the piece, presenting a result in accordance to the plan in the artist's mind. Cesare Brandi does not acknowledge that

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<sup>319</sup> AN Davis, 'The Priority of Avoiding Harm', 1994, p.337.

<sup>320</sup> J Feinberg, *Harm to Others. The Moral Limits of the Criminal Law, Vol I*, 1984, p.31.

such recreation is possible without creating a forgery. However, the practice could be presented as a form of reconstruction intended to absorb and engulf the pre-existing work. Yet again, this practice “is either not a reconstruction of an artwork, or it is not conservation”<sup>321</sup>.

Brandi is against suggestive interpretations of artworks, whereby the work is judged according to contemporary standards (i.e. standards of the time in which it is experienced), in accordance with fashion, devolving to the work purposes that will always be extraneous to the form. Respect for authenticity is not identical to the capacity to adjust, complete or beautify, which amounts to nothing more than forgery (either aesthetic or historic).

*For the author, the symbolic act of the constitution of the object took place and concluded in the formulation of the image ... A new investment of symbols by the receiver is valid solely for the receiver and does not affect the work, which it lowers to the rank of a phenomenon in which one accentuates, isolates or extracts particular aspects to adapt them to a transient intentionality. Such a downgrading of the work to the rank of phenomenon is always possible but it is never justifiable*<sup>322</sup>.

Hence, he concludes, reconstruction, re-creation, or replication, have nothing to do with restoration proper. By their very nature they go too far and have legitimacy only in the field of deliberate reproduction of the processes used in forming a work of art. Re-creation or recognition cannot possess the same nature as artistic creation. Not even the artist, once having finished a work, can re-enter the creative process, let alone the restorer. This would be imaginary conservation, which is not acceptable; the restorer cannot be a creator<sup>323</sup>.

Indeed, just as creation precedes conservation, i.e. conservation is exercised on existing heritage objects, so conservation precedes dissemination. The practices of recreation, new creation, or assistance in instantiation are usually associated with the aims of dissemination. However, they may also be subordinate to the aim of extending the lifespan of the heritage-artwork. While these practices appear to exist in space, the inquiry into conceptions of the artwork has shown that they in fact serve the purposes of time. That is, they are performed in the service of conservation. Therefore, conservation is not a creative activity *per se*.

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<sup>321</sup> C Brandi, ‘Theory of Restoration’, 2005, p.69 and p.77.

<sup>322</sup> P Philippot, ‘The Phenomenology of Artistic Creation According to Cesare Brandi’, 2005, p.37.

<sup>323</sup> C Brandi, ‘Theory of Restoration’, 2005, p.66.

G Basile, ‘Theory and Practice of Conservation-Restoration According to Cesare Brandi’, 2007, p.61.

## CONCLUSION

The subject of this thesis is the need to respond to what has been called here conservation's 'contemporary art problem'. Research within the first-loop feedback learning process has led to an awareness of the inadequacy of conservation's normative frame to guide decisions and action. However, failure to direct attention to the fundamental assumptions and principles of conservation's normative frame has resulted in an inability to cope with the problem other than through the segregation of modern and contemporary art conservation from traditional conservation. By investigating the second loop of the feedback process, this thesis was able to offer a clear diagnosis and a solution to the contemporary art problem, and to achieve integration of modern and traditional art conservation. The integration achieved strengthens and enhances the role of the conservator and helps retain the unity of the profession.

The insights into artwork ontology and persistence conditions, and the distinctions between ontology and axiology and between artwork and heritage led to a fuller understanding of the nature of conservation objects and of the dimensions of possible harm they entail, which in turn informed the changes to conservation's normative frame. The systems approach emphasized the role of ethics in conservation as a control mechanism, enabled integration, and translated the insights of the research into suggestions for the necessary knowledge and skills of conservators.

This thesis systematizes the concept of harm and the do-no-harm principle in conservation, under the new concept 'vlave' and the principle 'do-no-vlave', it accommodates contemporary conceptions of the artwork under the concept 'identity' and it remains open in that it allows for further expansion in the future. The proposed conservation conceptual frame a) promotes the scientific character of conservation and eliminates conceptual lags; b) it ethically justifies substitution and recreation as conservation practices based on the conception of the artwork as a generic entity of which there are instances; and c) it solidifies the foundations of conservation by connecting the suggested conservation principles to the logical prerequisites and foundational assumptions of conservation. The model also applies to all works of art and, arguably, similar distinctions and modes of thinking may be followed for all conservation objects in general. As such, it provides a basis for advances in the conservation profession in general. The suggestions satisfy the scientific criteria of coherency, consistency and completeness and as such they secure efficiency in conservation decision-making.

In contrast to the traditional notion of conservation outlined in Part I, this thesis designs conservation according to contemporary conception as:

- Case specific
- Focused on the ontological and axiological aspects of heritage
- Guided by revised values and principles in Codes of Ethics (namely 'identity', 'value' and 'do-no-value')
- Scientific in character, in terms of the standards to be met by a body of knowledge in decision-making.

The implications of these characteristics for conservation as presented in the thesis are the following:

- While each case may require the adoption of different means and methods to secure preservation, the distinction drawn between ethically permissible and non-permissible actions indicates that the means do not justify the end and that conservators should place emphasis on precautionary approaches.
- Preservation refers to prolonging the existence of the 'identity' of heritage objects in their integrity, i.e. to extending lifespan by securing or instantiating necessary and sufficient persistence conditions and by retaining past as well as present value systems.
- The adoption of a universal conservation ethics is supported based on commonality of aim, i.e. preservation. The definition of this aim as extension of lifespan allows for very different methods and approaches in relation to how preservation is to be achieved. It accommodates for example Eastern practices of constant recreation as well as Western strict adherence to retaining the original material of a cultural heritage object. Moreover, the systemic definition of right and wrong provided in this thesis, does not assume that there is an absolute right and an absolute wrong with regard to the formation of value hierarchies in conservation decision-making. Rather, it provides a functional definition, dependent upon the main goal of conservation.
- Conservation decision-making remains expert-based. The criteria for decisions are value-led and based on a notion of just practice, i.e. the decisions to which they lead should not wrong any of the stakeholders of heritage and they must be optimal.

The suggested framework facilitates discussion; it accommodates diverse arguments; and it enables different views to be examined without losing sight of the mechanics of conservation. The generalisations made, the minimalist definitions employed, and the degree of abstraction retained in many discussions, serve the purpose of integrating various phenomena regardless of time or space limitations. While all the suggestions are logically derived, their ultimate test lies in their application in the conservation treatment of various cases that would otherwise present

theoretical and/or ethical problems. Such a testing, i.e. within the context of the first-loop feedback of conservators' everyday task, exceeds the scope of this thesis, but provides a fruitful area for further research.

This thesis has tried to provide a conceptual framework for thought about conservation all the way from foundations through to applications in detail in specific cases. The framework enables research to be conducted in a way that integrates its components, so that harm to artworks can be understood and avoided.

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