ART AND AUTHORITY

MORAL RIGHTS AND MEANING IN CONTEMPORARY VISUAL ART

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Introduction

On your way to these words, you probably skimmed past a few pages containing the usual perfunctory text that begins any book, what publishers call the 'front matter.' Within the familiar blur of fine print sits a striking statement: "The moral rights of the author have been asserted." There, amid the formulaic language announcing publisher's address, assertions of copyright, ISBN, and other essential pieces of legal boilerplate, the book makes a quiet demand of its reader. It asks him to recognize that the author of the book has certain rights with respect to its content. Moral rights protect the special interests that an author has in her work insofar as it is her personal creation and expression, and they are maintained even when the author has surrendered her economic rights to it. Under the doctrine of moral rights, the work—be it an artwork, a novel, or even a piece of academic scholarship—serves as a distal extension of the author as it leaves her hands and passes into yours. She is thereby entitled to retain a certain degree of control over its disposition, presentation, and treatment.

Considered in these terms, authorship seems to entail a strange and powerful bond between creator and work. This is particularly the case with art, which in contemporary Western culture is seen as primarily if not purely the personal expression of the artist. And yet we tend to take the concept of authorship for granted. People engage with authored works all the time. They buy paintings, read books, and download songs. They might even be artists themselves. The basic idea that an artist as author maintains some kind of claim to his creation, even as it circulates in the world at large, seems natural. In our familiarity with the functions and trappings of authorship, we pass over the book publisher's front matter unless some reason compels us to consult it. Similarly, we accept without question the fundamental concepts upon which those legal declarations are based—authorship, copyright, moral rights—unless an

unusual set of circumstances, such as a lawsuit or controversy, brings them to our attention.

My interest in moral rights and the nature of authorship began in 2007, when a bitter dispute between an artist and a major museum located thirty miles from my home turned into a lawsuit that attracted international attention. Put simply, the case hinged on the question of who had the right to determine the fate of an abandoned, unfinished work of installation art in the museum's largest gallery. The museum wanted to show it to the public; the artist insisted that it be dismantled and discarded without the unfinished work being shown. As I began to follow the case closely, I realized that both sides were claiming ownership over the same set of physical objects, but in different respects: the artist was asserting that the unfinished installation was, in an important sense, *his* insofar as it was an artwork that he conceived and designed, whereas the museum, which had provided all of the financial and logistical support for its construction, claimed that it had the right to show the abandoned objects assembled on its property. The museum owned the materials, but their presence was largely the result of the artist's choices. To that extent, they embodied something that belonged only to him: his artistic vision, his intentions. While the installation was left unfinished and unrealized, it was nevertheless in many respects his creation. But who had the right to decide the fate of these 'materials,' as the courts, in an attempt at neutrality, called them? How do we parse the competing claims over the corpse of this unfinished work of art? Does it matter that the artist never gave the work the carapace of completion by declaring it 'done'? As art experts, journalists, and judges weighed in on the fiasco, I realized that the dual nature of the artwork, as both a material object, and an authored creation, is a metaphysical distinction that can lead to some very concrete battles.

My fascination with the case between the artist and the museum also became a turning point in my thinking about philosophical aesthetics. I noticed that the dispute generated a lot of impassioned claims by the litigants and by commentators about the nature of art and what it means to be an artist. What seemed to be a legal wrangle over contracts and property became a charged debate about ontology, ethics, and the nature of artistic authorship. These are subjects that philosophers of art have considered in great detail for some time. But when I turned to the scholarly literature to help clarify my thinking about the case, I noticed

that very little of it addressed my questions directly. Certainly, there is no shortage of theoretical material addressing the same general areas of interest that this case touched on. Philosophers have devoted a great deal of attention in the past fifty years to the definition of art, its nature, and ontology. Arthur Danto revolutionized the field by making some of the twentieth century's most challenging artworks the centerpiece of his philosophical reflections on art and aesthetics. And in literary circles, the concept of authorship has come under a great deal of scrutiny in recent decades, inspired by Barthes' and Foucault's notorious and highly influential polemics against it. All of these were highly relevant to the issues raised by the case.

As I continued to think and write about the seemingly dual character of the artwork as a physical embodiment of the artist's immaterial ideas, choices, and expressions, however, I soon found myself at a loss. I discovered that there was very little written about the nature of the relation between artist and artwork, and what rights or obligations might follow from that relation. The messiness and high stakes of the lawsuit gave the philosophical ideas a new kind of urgency and potency that are often missing from the theoretical treatments of these topics. But it became increasingly difficult to find genuinely philosophical reflection on the questions raised by the case amid the rhetorical posturing of the players involved.

Hence the book you hold in your hands. It is a philosophical essay on artistic authority: its sources, nature, and limits. Unlike many works of academic philosophy, however, this inquiry draws upon real-world cases and controversies in contemporary art. Artworks, it is widely agreed, are the products of intentional human activity. And yet they are different from other kinds of artifacts; they are understood to be fundamentally and primarily the expression of some meaning intended by their makers. For this reason it is often presumed that artworks are an extension of their authors' personalities in ways that other kinds of artifacts are not. This is manifest in our recognition that an artist continues to own his or her creation even once the art object belongs to another. If I buy a handmade wooden table, I can do whatever I wish to the artifact in my possession. I can leave it outside in the rain, use it for firewood, or paint it purple. Not so with a wooden Martin Puryear sculpture. The Visual Artists' Rights Act (VARA), which is the US statute governing the moral rights of artists, protects artworks of "recognized stature" from

intentional destruction.[1] It also enjoins the owners of artworks from mutilating, distorting, or falsifying the authorship of the works in their possession. Copyright prevents the owner from making and selling derivative works such as facsimiles of the artwork or coffee mugs adorned with its image. The law thereby grants artists a degree of control over their creations that the producers of other kinds of artifacts do not enjoy.

But it is far from clear how or why artists acquire this authority, and whether it originates from a special, intimate bond between artist and work, as the traditional justification of artistic moral rights would have it. These questions are particularly pointed in our contemporary culture. The legal doctrine of artistic moral rights has gained international recognition and strength. And yet the rhetoric of postmodernism, which has been so influential in both art and theory, criticizes and even disavows the Romantic ideology of authorship that valorizes the solitary creator-genius, upon which that doctrine is based. This tension becomes particularly pointed in recent controversies involving contemporary visual art, because that is where these two worlds collide most explosively: the legal and the ideal.

Thus, our understanding of the nature and extent of artistic authority is significant for many reasons. It has philosophical importance insofar as it bears on ontological questions concerning the relation between the art object and the artwork. Where does the object end and the work begin, such that the artist can legitimately claim authority and ownership over the work, even as the object that embodies it belongs to a museum or collector? It is also relevant to the problem of how the art object expresses the intention of its maker. How and to what extent does artistic authority extend beyond the boundaries of the artwork and to its interpretation? How does this shift in the case of ontologically innovative works, in which we are unusually dependent on statements from the artist to indicate what, precisely, constitutes the features of the work that are relevant to interpretation? And how do we reconcile our recognition of the authorship rights of artists with the advances in contemporary art

[1] While the precise definition of "recognized stature" has never been clarified for the purposes of this law, Puryear's work, which is widely collected by and exhibited in major international art museums, would most certainly qualify.

that have sought precisely to problematize, deny, and challenge the very assumptions that ground those rights?

The concept of artistic authority also demands our philosophical attention because it entails provocative metaphysical and ontological assumptions about the nature of authorship. These claims in turn shape the legal landscape surrounding copyright and artistic moral rights. And yet, as I have mentioned, it has gone largely unexamined in the philosophical literature on art and aesthetics. Perhaps this is because the foundational ideas surrounding the nature of authorship are assumed to be the proper province of one or the other of two alien tribes: on the one hand, cultural and literary theorists have long expounded the theory of the 'death of the author.' On a purely theoretical level, at least, they have sought to dismantle the concept of authorship. On the other hand, scholars of intellectual property and copyright law deal in the legal manifestations of authorship. The postmodern critique of the concept of authorship seems not to have touched the legal realm in any significant sense. In this latter body of literature, we find many impassioned advocates for artists' rights, but the authors do not always submit their arguments' assumptions to critical reflection.

Against the backdrop of this scholarly landscape, some argue that philosophers have no place on either terrain. They are usually not qualified to comment on matters requiring legal expertise.[2] And analytic philosophers do not generally have much patience for or interest in the post-structuralist attacks on the concept of authorship that have been inspired by Foucault.[3] It may seem as though there is no useful philosophical work to be done on the concept of artistic authorship, and that we are better off continuing to focus on its end product: art and artworks. However, as Darren Hudson Hick points out, the foundational ideas underpinning the rights of authors in their works are most definitely philosophical, and the conceptual confusion that surrounds them is

[2] Roger Shiner, "Ideas, Expressions, and Plots," *Journal of Aesthetics and Art Criticism* 68, no. 4 (2010).

[3] See Peter Lamarque, "The Death of the Author: An Analytical Autopsy," *British Journal of Aesthetics* 30, no. 4 (1990). See also the debate between John Searle and Jacques Derrida surrounding the latter's attempt to deconstruct copyright in Jacques Derrida, *Limited Inc*, trans. Jeffrey Mehlman and Samuel Weber (Northwestern University Press, 1988).

precisely the kind of 'housekeeping' (in the Wittgensteinian sense) that philosophy is good for. As Hick puts it:

> Copyright law is rife with metaphysical assumptions about its objects—beginning with the principle that authored works are abstract rather than material objects. The law goes further in suggesting that ideas are things themselves *embodied* in authored works. These are ontological distinctions, and in opening the door to ontology, the law invites in the philosopher. Introducing into copyright law a central distinction between ideas and expressions is like embossing the invitation in gold. And when the law is conceptually confused, whether about its own technical concepts or those of ordinary usage, I would argue not only that the door is open, but also that it is the philosopher's *duty* to step through it.[4]

The legal domain is a fertile site for theoretical investigation of artistic authority because it is the meeting point of the metaphysical and the everyday. And it is there, where these two make contact, that a better account can be given.

In cases of legal contest regarding the rights of authors in their works, the hitherto implicit values, norms, and assumptions surrounding artistic authority are rendered explicit. The role of the philosopher with respect to artworld controversies is not necessarily to take sides, particularly when such cases hinge on legal judgments. The philosopher can, however, critically examine the arguments given in support of each side and determine whether they are coherent or confused. She can also examine concepts such as 'artistic freedom' that are both rhetorically loaded and semantically vague in order to seek greater clarity about the principles they uphold. Moreover, the philosopher has the ability to suspend judgment on the specific legal questions that arise in a given case so as to focus on the larger principles or cultural values at stake in the conflict.

Some might argue that organizing one's inquiry around real-world cases may deflect energy and attention from the philosopher's proper task of pure conceptual analysis. But while analytic aesthetics is not concerned with simply providing a descriptive account of the artworld's activity, it cannot ignore actual art works and the cultural norms and practices surrounding art in the name of pure theory, either. I share the view of philosophers such as Amie Thomasson, Sherri Irvin, and David Davies that artistic practice is foundational to any adequate philosophical

[4] Darren Hudson Hick, "Expressing Ideas: A Reply to Roger A. Shiner," *Journal of Aesthetics and Art Criticism* 68, no. 4 (2010): 407.

reflection on art. As Irvin puts it, "only by looking carefully at particular, real works can we develop adequate theories of contemporary art, and, indeed, of art in general."[5] The same is true for artistic authorship—a concept that is assumed by all philosophers of art as a necessary condition for something to be an artwork, but which generally goes unexamined. This book seeks to fill that gap.

In Chapter Two, I consider the nature of artistic freedom and moral rights. I show that these concepts have their source in a conception of authorship that is assumed but incorrectly accounted for in both the legal and philosophical literature. I then present my 'dual-intention theory' of authorship. I argue that artistic authorship entails two orders of intention: the first, 'generative' moment, involves the intentions that guide the actions that lead to the production of an artwork. The second moment is the evaluative moment, in which the artist decides whether or not to accept and own the artwork she has made as 'hers.' This second moment often goes unnoticed in the theoretical accounts of authorship because it only becomes explicit when challenged: hence the importance of using real-world controversies as a lens through which we can better understand the nature of artistic authority.

In Chapter Three, I look at the relation between the second moment of authorship, in which the author ratifies the work as his or her own, and another crucial but often overlooked aspect of authorship, which is artwork completion. These two moments are logically separate but often collapsed, both in theory and in practice. I explain what is at stake for authors, audiences, and philosophers in determining whether an artwork is finished or not. Clement Greenberg's controversial decision to strip the paint from five of the late David Smith's unfinished sculptures serves to illustrate how unfinished works complicate any claims to a moral right of integrity with respect to artworks. Finally, I turn to the philosophical debate surrounding the necessary and sufficient conditions for artwork completion. While I find much to agree with in their work, I find that both Hick and Livingston, the chief interloctors in this debate, commit a fundamental error in ontology when reasoning about artwork completion. Because being finished is a relational property of an artwork

[5] Sherri Irvin, "The Artist's Sanction in Contemporary Art," *Journal of Aesthetics and Art Criticism* 63, no. 4 (2005). See also David Davies, "The Primacy of Practice in the Ontology of Art," *Journal of Aesthetics and Art Criticism* 67, no. 2 (2009).

that is tied to the potentially vacillating attitudes, beliefs, and dispositions of the artist, there is no single moment when a work can be said to cross the threshold from incomplete to complete such that its formal features are irrevocably locked in. Artwork completion is ultimately provisional.

In Chapter Four, I provide an analysis of the aforementioned controversy between the Massachusetts Museum of Contemporary Art (Mass MoCA) and the artist Christoph Büchel. This case provides a clear example of a situation in which the second, evaluative moment of art authorship is thrown into high relief, as the artist refused to recognize as 'his' a work that he nevertheless saw himself as having authored in the generative sense. This explains the seemingly paradoxical situation that arose, in which he claimed that the unfinished artwork was not a 'Büchel,' and yet he nevertheless insisted on his right as author to determine its fate. In my view, the Mass MoCA case represents a significant challenge to the widespread artworld intuition that the creative freedom of the artist should be given virtually absolute precedence in decisions about the creation, exhibition, and treatment of artworks. I argue that this view is incorrect: respect for the artist's moral rights does not require deferring to the artist's wishes in every case. I show that the distinction between artifactual ownership and artistic ownership that underlies the notion of artistic moral rights also serves to establish limits on those rights.

In Chapter Five, I reconsider Irvin's theory of the 'artist's sanction,' which articulates the authority of artists to determine the boundaries of ontologically innovative works of art through their public declarations. While this theory shares some similarities with my 'dual-intention theory' of art authorship, it is importantly different in scope. I argue that this principle effaces the boundary between the artist's authority to determine, on the one hand, the disposition of the work as an object-to-be-interpreted and, on the other hand, the proper interpretation of the work. I turn to the example of site-specific artworks to illustrate the theoretical and practical difficulties that can arise when artists use their authority to bestow features of an artwork through their declarations.

Chapter Six examines the problem of appropriation art as a seemingly paradoxical renunciation and reinforcement of artistic authority. I then turn to the established philosophical debate surrounding interpretive intentionalism in light of the 2008 lawsuit between photographer Patrick Cariou and the contemporary appropriation artist Richard Prince. This case illustrates the essential role that intentionalism plays in deciding

copyright suits. I then consider the philosophical problems surrounding the legal status of appropriation art. A number of scholars have proposed ways for the courts to accommodate appropriation art without eroding copyright protections for authors. I consider some recent proposals and reject them. I then argue that appropriation art should be considered derivative and hence presumptively *unfair*. This is actually more in accord with appropriation art's theoretical purpose to undermine originality as an ideal of authorship.

In the Conclusion, I argue that the challenges to artistic authority by contemporary art practice have certainly enlarged our sense of what kinds of things count as artworks, and by extension they have altered our sense of who artists are and what they do. However, while the landscape of art has changed, these ideal or rhetorical challenges to the modernist ideology of artistic authority have not in fact penetrated our most deeply held cultural beliefs and practices surrounding the artist's special relationship to his or her work. The concept of the artist serves as a regulative ideal, and the gestures by the avant-garde to demystify or destroy this ideal serve a largely rhetorical function. However, this is not a condemnation of contemporary artists as hypocrites or charlatans, as some might have it, but rather an acknowledgement that our current system for recognizing and valuing artworks depends on the conception of artworks as primarily the expression of their makers, and hence as uniquely tied to them. Truly ontologically innovative works that do not accommodate themselves to this conception risk not being recognized as artworks at all.

In the chapters that follow, I do not offer an abstract, universal definition of authorship, nor do I attempt a sociological 'thick description' of authorship as it functions in the artworld context. My approach stakes out an intermediate position between the rarefied air of the high-altitude theorist and the boots-on-the-ground descriptivist in order to provide a philosophical account of the basic structure of the moment in which authorship emerges.[6] I intend for this book to be an example of the kind of reflective equilibrium between description and analysis that a robust, culturally relevant philosophy of art aims to cultivate.

[6] On the aim and methodology of analytic aesthetics, see also Nicholas Wolterstorff, "Philosophy of Art after Analysis and Romanticism," *Journal of Aesthetics and Art Criticism* 46 (1987); Lydia Goehr, *The Imaginary Museum of Musical Works*, Revised ed. (New York: Oxford University Press, 2007).

2

Art, Authorship, and Authorization

> A large part of our practice is, and quite commonly through the history and tradition of Western art (to which we are constantly adjured to attend) has been, precisely not to treat visual works as physical objects.[1]

I. The Drama of the Gifted Artist

In December 1897, *The New York Times* reported that the lawsuit between artist James McNeill Whistler and Sir William Eden had ended in what the artist declared a "triumph": the Paris Court of Appeal determined that Whistler could not be forced to hand over a commissioned portrait of Lady Eden against his wishes. The dispute arose over Whistler's piqued response to Eden's payment for the picture. They had agreed that the price for the portrait would be between 100 and 150 guineas, but Whistler was insulted when Sir Eden gave him a "valentine" on February 14, 1894 containing 100 guineas for the picture, the minimum amount. The *Times* article points out that "Whistler is a peculiarly sensitive personality, as everybody knows."[2] The artist refused to hand over the painting, Eden sued, and the appellate court ruled that Whistler could be made to pay Eden damages, but could not be forced to give Eden the painting, which Whistler in any case had altered by painting over Lady Eden's face.

[1] Frank Sibley, *Approach to Aesthetics: Collected Papers on Philosophical Aesthetics*, ed. John Benson, Betty Redfern, and Jeremy Roxbee Cox (Oxford: Clarendon Press, 2001), 266.

[2] "Whistler's Paris Suit Ended: He May Keep the Picture of Lady Eden and Declares His Triumph," *The New York Times*, December 18, 1897.

The artist's lawyers argued that the breach of contract was an instance of the artist's absolute right to refuse to deliver his artwork, for any reason. As l'Avocat Général Bulot put it, "what he protests against in the name of personal freedom, the freedom of the artist, the independence and the sovereignty of art, is the judgment which condemns him to deliver the picture in its present state." The case is taken by French scholars to be a landmark decision in the artist's moral right of disclosure.[3] (The first technical use of the French term '*droit moral*', or moral right, occurred just twenty years before *Eden v. Whistler*).[4] The right of disclosure, also referred to as the right of divulgation, protects the artist's right to decide when or whether to release an artwork to the public.[5] Moral rights are a collection of rights designed to recognize and protect the non-economic rights of artists in their works. In addition to the right of disclosure, these rights typically include the right of integrity, which is the obligation not to distort or dismember an artwork, and the right of attribution or 'paternity', which is the right of the artist to have his or her name attached to the work. In Europe, it has included the right of withdrawal, which under certain conditions entitles the artist to alter or take back an artwork that has entered the public sphere.

Just over a century later, in another *New York Times* article, art critic Roberta Smith expressed her outrage at the Massachusetts Museum of Contemporary Art (Mass MoCA) for attempting to show Swiss artist Christoph Büchel's art installation against his will.[6] The exhibition was supposed to have opened in December 2006, but foundered over

[3] Cyrill Rigamonti, "Deconstructing Moral Rights," *Harvard International Law Journal* 47, no. 2 (2006): 373. While pointing out that it has been interpreted as a foundational case for the artist's right of disclosure in the French scholarship on moral rights, Rigamonti argues that this case is better understood more simply as arising from a general rule about service contracts.

[4] Cyrill Rigamonti, "The Conceptual Transformation of Moral Rights," *The American Journal of Comparative Law* 55 (2007).

[5] One of the ironies of this case is that Whistler had exhibited the painting at the Salon du Champs de Mars, so it had in that sense already been disclosed to the public. What was at issue in the lawsuit was whether he could be compelled to hand over the painting to Eden once he decided that 100 guineas was too low a price (though he had cashed Eden's check). John Henry Merryman, "The Refrigerator of Bernard Buffet," in *Thinking About the Elgin Marbles: Critical Essays on Cultural Property, Art, and Law* (Alphen aan den Rijn: Kluwer Law International, 2009), 407.

[6] Roberta Smith, "Is It Art Yet? And Who Decides?," *The New York Times*, September 16, 2007.

disagreements between the artist and the museum over the budget and construction, eventually leading to Büchel's abandonment of the project. The museum, which had invested over $300,000 of its own money and nine months of labor in the work, was unwilling simply to discard the assembled objects that filled its football-field sized Gallery 5. It sought permission in federal court to show the unfinished work to the public. At issue in the lawsuit was whether the 1990 Visual Artists' Rights Act, a subset of US copyright law that protects the moral rights of artists, applied to unfinished works of art. Unlike *Eden v. Whistler*, the outcome of this case was not triumphant for either party. After an appellate court partially overturned the district court's ruling in favor of the museum, the two parties settled quietly, and the assembled objects of Gallery 5 were never shown to the public.

In the 110 years between these two lawsuits, our understanding of what art is, what it can look like, how it is made, and its proper role and function in society has undergone a profound transformation. Whistler was a virtuoso easel painter who made portraits of wealthy patrons' wives, whereas Büchel is an installation artist who makes edgy, politically charged environments using assemblages of junk. And yet there are some telling similarities to the cases. Both artists reneged on their verbal agreements to deliver an artwork and yet claimed that they, not the commissioners, were the victims in the transaction. Whistler and Büchel were cast by their supporters as making a principled stand for their freedom as artists not to be bound by prior contracts or agreements. Just as Whistler had a reputation for being 'sensitive,' Büchel was known to have a difficult, mercurial personality, which was treated by some as a sign of his authenticity. As Smith put it: "Maybe Mr. Büchel was behaving like a diva. But what some call temper tantrums are often an artist's last, furious stand for his or her art."[7]

Like Whistler's lawyer, Smith saw a deeper significance in what, on the surface, might seem to be a simple contract dispute. This was not a matter of failed communication or unmet expectations: what was really at stake was the absolute respect for Büchel's artistic freedom that the museum failed to heed. This view implies that the nature of artistic creation is something special, out of the ordinary, such that artists cannot

[7] Ibid.

be required to produce artworks in the same way that other kinds of fee-for-service labor is carried out. The unspoken premise in both cases is that the demands of art supersede venal concerns over money, contracts, or professional obligation. The doctrine of artistic freedom permits the artist to operate outside of the usual rules and obligations entailed by such economic arrangements. This is undoubtedly related to the ideals that we have inherited from the Romantic tradition, in which art and artists generally are seen to operate outside of rules and convention.[8] But while a great deal of effort has been expended both within artistic movements and in theoretical circles to reject this Romantic heritage, our beliefs and behaviors surrounding art and artists show that this disavowal has in many respects been more rhetorical than real.

II. Artistic Freedom and Moral Rights

On a cultural level, there is a widespread intuition that the creative freedom of the artist should be given virtually absolute precedence in decisions about the creation, exhibition, and treatment of artworks. But the concept of artistic freedom, like that of academic freedom, is as slippery as it is potent. Its indeterminacy may in fact lend the concept some power, since it can be uncritically applied to many different kinds of situations involving artists and their creations. Philosopher Paul Crowther has observed that the prevailing conception of artistic freedom is essentially negative in character: it is based "purely on the absence of ideological or conceptual restraint."[9] This ideal of artistic freedom stems from the conception of the artist as outsider, visionary, sufferer, and rebel that was consolidated in the late nineteenth century and which, I will argue, we are still in thrall to today.[10]

In some cases, the notion of artistic freedom is taken to mean that an artist should be able to dictate his creative vision for a work no matter

[8] Kant's definition of genius is the *locus classicus* for the expression of this idea. Adorno's understanding of art as having a fundamentally dual character, in which it participates in and yet is distant from the social world, is also an important outgrowth of this tradition. His idea that artistic freedom is a vehicle for critical reflection fits with his understanding of art's liminal status. Theodor Adorno, *Aesthetic Theory*, trans. Robert Hullot-Kentor (Minneapolis: University of Minnesota, 1997).

[9] Paul Crowther, "Art and Autonomy," *British Journal of Aesthetics* 21 (1981): 12.

[10] See Alexander Sturgis et al., *Rebels and Martyrs: The Image of the Artist in the Nineteenth Century*, ed. National Gallery (London: Yale University Press, 2006).