

Dana Schutz's Portrait "Open Casket" (2017) and Cultural Appropriation

In 2017 artist Dana Schutz showed her portrait "Open Casket" (2017) at the Whitney biennial. The painting, that captures one of the most prominent cases of racist lynching in U.S. history, becomes the subject of a debate about cultural appropriation. In the following it will be discussed what cultural appropriation is, why the artist painted the picture, how the debate arose, and what the arguments of the different sides in the discussion were. This will be done along the framework of the research question: Why did the exhibition of Dana Schutz Portrait "Open Casket" (2017) entail a debate about cultural appropriation? It will be important not only to classify the painting as cultural appropriation, but also to consider what moral implications such a classification has. Precisely because discussions about cultural appropriation often involve a high degree of emotionality, it will be important to ask whether cultural appropriation is morally justifiable or objectionable, and what claim to existence the painting has. In the following analysis, theoretical positions on the concept of cultural appropriation will first be presented, before various positions in the debate about Dana Schutz's painting will be discussed and compared in more detail. It will be shown that there are justified claims on both sides and that so far a universal authority is missing, which decides when and by whom a picture may be painted or not. Finally, this research paper is rather an account of a dialogue between two sides, which should stimulate to reflect and which shows that it may rather about personal responsibility and mutual respect than about generally valid answers.

Before turning to the positions that expressed the opinion that "Open Casket" is cultural appropriation, it will be necessary to provide the theoretical framework and the definition of cultural appropriation. Indeed, cultural appropriation is a relatively new term within the sciences, that was first used in 1945 but did not gain widespread usage until the 1980s (Oxford English Dictionary 2001). In her study "Who owns Culture?" (2005) American lawyer Susan Scafidi explains cultural appropriation as:

[...] taking intellectual property, traditional knowledge, cultural expression, or artifacts from someone else's culture without permission. This can include unauthorized use of another's culture's dance, dress, music, language, folklore, cuisine, traditional medicine, religious symbols, etc." (Scafidi 2005: 3)

Philosophy professor James O. Young condenses the definition further and summarizes it as a “variety of actions that have the common feature of the taking of something produced by members of one culture by members of another.” (Young 2005: 135). While these definitions focus on the process of acquisition, Canadian Indigenous film director Loretta Todd rather draws attention to the control of the culture of origin. In “Notes on Appropriation“ (1990) she writes: “For me, the definition of appropriation originates in its inversion, cultural autonomy. Cultural autonomy signifies a right to cultural specificity, a right to one's origins and histories as told from within the culture and not as mediated from without.“ (Todd 1990: 24). The discourse of cultural appropriation is a debate about who is allowed to use certain cultural goods, but research is also concerned with its moral implications. In order to be able to understand the debate about Schutz's portrait, it is important to move from the general to the specific and to ask how the harm that cultural appropriation entails for those affected is to be evaluated. Therefore, positions by Young and philosophy professor Erich Hatala Matthes will be introduced briefly, that address moral consequences of cultural appropriation particularly in the field of the arts.

Besides *object* and *content appropriation*, Young introduces the term of *subject appropriation*, which corresponds most closely to Schutz's case. Subject appropriation is the representation of members or aspects of a culture by somebody, who is an outsider to that culture (cf. Young 2005: 136). Hatala Matthes similarly calls the representation of cultural practices or experiences by cultural outsiders *voice appropriation* (cf. Hatala Matthes 2016: 343). In the debate about cultural appropriation, voices are repeatedly raised that consider this to be a normal exchange between cultures and that increasing westernization across the world could also be considered cultural appropriation. Hatala Matthes however states, that cultural appropriation only occurs when a dominant cultural group appropriates from a member of a marginalized group (cf. *ibid.*: 347). In some cases, works that are perceived as misusing something sacred or private are furthermore referred to as *violation offense* (cf. Young 2005: 145). In her artwork, Schutz does not seize the style or a tangible artifact of a particular culture, but she uses a narrative that is of deep meaning to the black community in the United States. As a white woman she is an outsider to black experience. Although the photo that served as model for the portrait is accessible to the public, it yet represents a private moment of and for the black movement in the U.S. Consequently, the discussed form of cultural appropriation could be categorized both as *subject* - or *voice appropriation* but also as *violation offense*.

It is one question what classifies as cultural appropriation, it is another question how certain incidences of cultural appropriation are to be evaluated. Is cultural appropriation *wrong*? Young points out that cultural appropriation can cause profound offense that strikes a person's core values (cf. Young 2005: 135). Only because cultural appropriation was legally protected by the right to free speech, he states, it still could be morally wrong (ibid.: 140f.). Yet, he announces "[...] that individuals do not act wrongly when their pursuit of self-realization and inquiry requires expressive acts that involve profoundly offensive cultural appropriation." (ibid.). He thus advocates the protection of the creative and expressive process of the artist. In order to be able to determine the moral wrongness of certain acts of cultural appropriation, he nevertheless names two parameters. On the one hand, he suggests that a wide-spread opposition to cultural appropriation within a minority culture is a good basis for labeling it as wrong (cf. ibid.: 143). On the other hand, it were necessary to take the artist's intention into consideration (cf. ibid.: 144). He states: "If one acts in a way that one knows will reasonably offend people, this is a prima facie reason for thinking one's action is wrong." (ibid.). Hatala Matthes critiques Young for that he views cultural appropriation solely as cause for offense but not for harm (cf. Hatala Matthes 2016: 344). To him, Young's position constitutes "a moral and aesthetic defense of cultural appropriation" (ibid.: 344). In clear opposition he enunciates: "Cultural appropriation can harm by interacting with preexisting social injustices to compromise and distort the communicative ability and social credibility of members of marginalized groups." (ibid.: 353f.). There are not only differences of opinion among theorists, however, but also difficulties with the concept itself. To be able to distinguish cultural insiders from cultural outsiders, Hatala Matthes explains, it is necessary to have criteria for cultural membership (cf. ibid.: 355). According to him, the problem with such criteria is that they construct essential boundaries that tend to "[...] falsely portray cultures as homogeneous, static, and monolithic." (ibid.). Especially because the evaluation of cultural appropriation varies, it opens a field for discussion. In the following, points of criticism on Schutz's work in particular will therefore be examined and related to the theoretical positions presented here.

Before turning to the debate around the painting, Dana Schutz and her work shall briefly be introduced, as well as the case of Emmett Till's murder. Dana Schutz, born 1976, is an American artist (cf. Saatchi Gallery Online). Already in the early stages of her career she was highly praised by the art world and extremely successful as to be seen in the

blooming market for her paintings (cf. Tomkins 2017: 5). Arts critic Calvin Tomkins describes her paintings as “[...] private worlds with bold, declarative colors, and thrusting forms that resonate with anxieties and contradictions of contemporary life.” (ibid.: 4). Schutz herself publicly positions herself as a political person and Trump critic (cf. ibid.: 9). Her 2016 oil on canvas painting “Open Casket“ is based on a widely reproduced photograph of Emmett Till’s mutilated corpse in his coffin (ibid.: 5). The left side of the painting is dominated by Till’s abstracted head, painted in thick strokes of shades of dark brown and black. The right side forms a contrast between the white tones of the shirt and the blackness of the suit. The figure is surrounded by a bright orange background and delicate shapes reminiscent of flowers or ruffles. Despite the geometric and abstract shapes of the painting, a resemblance to the original photographs taken of Emmett Till's funeral is easily recognizable.

In 1955, 14 year old Emmett Till visited his uncle in Mississippi where he allegedly teased white store clerk Carolyn Bryant and was thereafter lynched by her husband and his half-brother (cf. Harold & DeLuca 2005: 264). The two men were found not guilty by the all-male, all-white jury after little more than an hour of deliberations, only to later confess the murder to a journalist for *Look Magazine* in exchange for a financial settlement (cf. ibid.: 264f.). Carolyn Bryant testified in court that Till had molested her verbally and physically, but 60 years later at the age of 82 she confessed in an interview with historian Timothy Tyson that she lied about the entire event (NMAAHC 2019). Still, it was not only for the blatant injustice that the case became a catalyst for the civil rights movement, but also for the decision of Emmett's mother, Mamie Till Mobley. She arranged for the funeral to take place with the coffin open and later explained her decision with the words:

I knew that I could talk for the rest of my life about what had happened to my baby, I could explain it in great detail [...]. They would not be able to visualize what had happened, unless they were allowed to see the results of what had happened. They had to see what I had seen. The whole nation had to bear witness to this. (Till-Mobley 2003: 104)

Till's case entered civil rights history at latest when his funeral was attended by 50,000 people and reported on by *Jet Magazine* (cf. NMAAHC 2019: Online). The activism of Rosa Parks and Martin Luther King, among others, repeatedly referred to the injustice that had been done to the young boy (cf. ibid.). Conclusively, it can be noted that the image carries a profound meaning for the black community in the U.S.A., which is an important factor in the reception of Schutz’s painting. Professor of American Studies Emily Lutenski

additionally points out that for the past decade problems of racism have again become highly topical. Since the election of the first Black president, she states, the U.S. have reached a “[...] fever pitch in a new set of culture wars.” that also shows in the Black Lives Matter movement (Lutenski 2017: 9). All of this forms the basis for the debate that flared up around Schutz’s painting when it was exhibited as part of the 2017 Whitney Biennial in New York.

By the time of the exhibition, African-American artist Parker Bright reacted with peaceful protest to the display, positioning himself in front of the portrait, partly blacking it from the visitors’ views, while wearing a t-shirt with the words *Black Death Spectacle* on the back (cf. Kennedy 2017: 1). Reportedly, he told interested visitors: “She has nothing to say to the black community about black trauma.” (Greenberger 2017: 2). Online he stated that whites could not speak for black experience and that he wanted to raise questions about representation with his protest (cf. Kennedy 2017: 1). Soon later, British born black artist Hannah Black published an open letter together with 30 other co-signers, in which she demanded the removal of the painting from the exhibition if not even the general destruction of it (cf. Greenberger 2017: 1). She argues that “[...] the painting should not be acceptable to anyone who cares or pretends to care about black people, because it is not acceptable for a white person to transmute black suffering into profit and fun.” (quoted in Beauchamp 2017: 458). Black characterizes the art scene as elitist and white-supremacist, claiming “White free speech and white creative freedom have been founded on the constraint of others, and are not natural rights.” (quoted in Kennedy 2017: 2). On social media platforms, reactions to Schutz’s painting ranged from fierce approval to vehement opposition and featured topics of Black anguish, white guilt and the question of who has the right to use certain images (cf. Tomkins 2017: 15). Opposing positions frequently expressed a disdain of a possible financial profit Dana Schutz could gain from the picture (cf. Kennedy 2017: 2). Defensive positions predominately referred to the artistic value of the work and the good intention of the artist. Calvin Tompkins, for instance, writes for *The New Yorker*: “[...] »Open Casket« is a very dark picture—but it’s not grotesque. The horror is conveyed in painterly ways that, to me, make it seem more tragic than the photographs, because the viewer is drawn in, not repelled.” (Tomkins 2017: 14).

Schutz herself explains her motives for the creation of the work as an act of empathy that is based on the shared experience between the races, rather than on the differences. In an interview with *The New York Times* she explains:

I don't know what it is like to be black in America but I do know what it is like to be a mother. Emmett Till was Mamie Till's only son. The thought of anything happening to your child is beyond comprehension. Their pain is your pain. My engagement with this image was through empathy with his mother. (Kennedy 2017: 2)

She admits that she was aware of the sensitivity of the juxtaposition of using Emmett Till as her art's subject as white artist, however, she did not realize "[...] how bad it would look when seen out of context." (Tomkins 2017: 16). She approached the image rather as universal American image, seeing violence against Black people as an ongoing process in the U.S. (Tomkins 2017: 3).

Now it shall be the aim to give some structure to the different points of critique, to find a link to the theoretic positions by Young and Hatala Matthes, and to discuss the findings. Young mentions that a wide-spread opposition to a certain act of cultural appropriation within a minority culture is an indicator for its moral objection. If we apply this statement to the given situation, however, the question quickly arises: at what point is a reaction or opinion wide-spread? Is the open letter from Black and the co-signers, as well as the protest from Bright and other reactions on and offline, sufficient? English professor Gorman Beachamp, too, raises the question in how far Hannah Black can speak for the whole black community and if the interpretation by one person would then be tantamount to a permission (cf. Beachamp 2017: 459). He describes the fallacy that results from this. As soon as an artist has to obtain permission, there necessarily has to be an entity that may grant it. Beachamp asks: "What is that entity? How does one gain approval and on what grounds?" (ibid.: 464). To him, permission cannot be asked because there is no one to grant it (ibid.). As to be seen, the classification Young proposes is difficult to implement in reality. Moreover, it works only retrospectively, since the reaction of the particular community has to be awaited first, and even then it functions more as a moral compass than an actual instrument for evaluating between right and wrong. Although the critical voices concerning Schutz's painting have received a considerable amount of media attention, a statistical evaluation of the reactions is hardly possible.

Young also suggests to take the artist's intention into consideration and particularly whether he or she means to offend. According to Schutz, this is clearly not the case, although she also admits that she was aware of the risk to use the image. In an article for *The New Republic*, arts critics Josephine Livingstone and Lovia Gyarkye write:

For a white woman to paint Emmett Till's mutilated face communicates not only a tone-deafness toward the history of his murder, but an ignorance of the history of white

women's speech in that murder—the way it cancelled out Till's own expression, with lethal effect. (Livingstone & Gyarkye 2017: online)

With this, the authors open up the discussion about white guilt and also the responsibility of white women. Although Schutz can refer to her good intention and, according to Young's point of view, would thus not be morally attackable, her blindness towards her own responsibility can also be seen as insensitive. Tomkins describes the heavy reactions to the picture as outburst of a deep frustration among black artists that a theme so central to their history should be explored in a major museum by a white female artist (cf. Tomkins 2017: 15). This brings the discussion back to Hatala Matthes' position, who does speak of harm in terms of the consequences of cultural appropriation. Apparently, members of the black community experience the situation as invasive. The display of the intimate image reinforces and repeats the narrative of victimization and loss of control. While it cannot necessarily be said that Schutz portrait silences the group, it may draw attention away from the issue and towards the art. While for Schutz and the museum audience the issue remains artificial, to be viewed from distance within a safe space, for the black community it represents the mirror of a real life world and real fears that weigh heavily especially in the face of resurgent police brutality and ongoing inequality. Schutz's good intention blurs in the face of trauma. For certain affected people her picture represents the reinforcement of social injustice and therefore causes harm, which the artist certainly did not want but condoned.

Besides the topic of black trauma, Bright, too, alluded to questions of representation in his silent protest. Beauchamp stresses that the protest against the picture does not concern aesthetics but racial politics or identity aesthetics, which he explains as imposition of identity politics into the arts (cf. Beauchamp 2017: 458). Partly this is self-explanatory, as obviously it is not the style of the image that is at issue, however the consequences of identity aesthetics are worth noting. Beauchamp argues that Bright's and Black's demands imply that people are not able to understand the experiences and mentality of any identity group other than their own (cf. *ibid.*). Such an understanding of art, however, would need to lead to a consideration of all identity issues (cf. *ibid.*: 460). Artists then could only express themselves within an area of their own identity, including their ethnicity, gender, religion, class and sexual orientation (cf. *ibid.*). Art would become an object by one exclusive group for its members only (cf. *ibid.*). Bright's question about representation proves important, especially in light of the previous points of possible

causation of harm, but it is far more complex than one might expect. Such a question simultaneously asks about the nature and limits of art. Even if Schutz's portrait can be seen as insensitive and distasteful, she must have the right to paint it, especially as long as she does not deliberately and obviously disparage the story behind the image. Art that is not allowed to make use of the artist's environment can hardly exist. The question then serves to open a dialogue and reveal structural narratives, but it cannot be answered with a clear demand for decisive measures.

Black's demands from the open letter can be understood in a similar way, only that she expresses her opinion more radically. Her letter has some problematic aspects. On the one hand, she demands that the picture should not only be taken off the art market, but should best be destroyed altogether. Her intentions to express her legitimate opinion are superseded by a dangerous rhetoric. Thus, her letter does not raise the question of the limits to creative freedom, but rather constitutes a demand for censorship. On the other hand, she adheres too heavily to arguments that are not fact-based. Among other things, she accuses Schutz of having painted the picture for the purpose of profit and fun. Schutz, however, vowed that the painting is not for sale and as can be seen from the preceding discussion of her intention, she hardly undertook the subject for fun (cf. *ibid.*: 458). What remains important to note, however, is the emotionality that the image triggers in her and the other co-signers. That is why the letter is a document of the resistance to cultural appropriation.

What can be taken away from the debate about cultural appropriation is that so far there is no definite categorization of right and wrong. From a purely definitional point of view, Schutz engaged in subject appropriation by producing "Open Casket", but did she act morally objectionable after all? Strong arguments can be found for both positions. On the one side, there is creative freedom and the nature of art. If one thinks through a restriction of those, the concept of art *per sé* no longer works. Subject appropriation behaves differently than, for example, artefact appropriation, that is more about theft than about creative freedom. Also, the good intention of the artist, which is guided by empathy and the attempt to make contact, comes into play here. On the other side, artists can be expected to be educated about issues such as cultural appropriation and white guilt in the current times. Dealing with one's own responsibility and intention would then perhaps also mean not using certain images as the subject of one's own art, which is always related to one's own identity. Precisely because the case of Emmett Till so clearly reflects the real danger for black people in America and a narrative of ongoing trauma, and

has become emblematic of the civil rights movement, strong emotions accompany the debate about Schutz's portrait. The example of Dana Schutz's painting is a good illustration of the fact that there is still no right measure of responsibility in the arts. While the question of an authority that has to allow content can ultimately not be solved, there yet is an order to be found. It is much more about common sense and respect. The image has sparked a public debate and opened up a dialogue between two sides. While subject appropriation cannot be legitimately labeled as legally or morally wrong or right, it is this kind of dialogue that hopefully will lead to a more just and sensitive society eventually.

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Appendix

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