Sin Objeto [2017], 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

1. Introduction

Numerous authors have pointed to the difficulty of applying established conservation-ethical principles such as authenticity, minimal intervention and reversibility to contemporary works of art. Due to the complicated nature of contemporary artworks, their inherent variability and reliance on technologies that become obsolete very rapidly, conservation seems to have no single set of clear principles or value system to guide conservation decisions and conservators have to find other beacons to navigate by (e.g. Real, 2001; Buskirk, 2003; Barker and Bracker, 2005; Wharton, 2005; Laurenson, 2006; Weyer, 2006; Hummelen & Scholte, 2006; Scholte & Te Brake-Baldock, 2007; Wharton & Molotch, 2009; Scholte, 2011; van Saaze, 2013a; and many others).

I'll argue that in the last two decades, in and through evolving and reflective practice, a situation has arisen in which new ethical paradigms are emerging, each embodying a different logic of perpetuation (1). Next to the established paradigm of 'scientific conservation', for which the preservation of the material integrity of the work as a physical object is the central aim of conservation (*cf.* Clavir, 1998; Villers, 2004; Muñoz Viñas, 2005), I discern two other models (often taken together in theoretical reflections): the 'performance paradigm', in which the core of the work is considered to consist in its concept, which should be realized through the faithful performance of a set of instructions stipulating the features defining the work's identity; and the 'processual paradigm', in which not the correspondence of an eventual result with a pre-existing concept, but the process is assumed to be the core of the work and the main aim of conservation is support of the work's continuation through transmission of the required information, skills and procedures to the designated participants or stakeholders.

We can safely state that nowadays different value systems with correspondent strategies exist (be it often implicitly) side by side and may all in their own way be relevant. Sometimes they may conflict, sometimes they won't. In concrete cases, preserving (at least some of the) authentic parts of the work may just be as urgent as respecting the work's immaterial idea, which might ask for properly engaging specific groups of people and playing according to the rules of the game. However, very often situations arise in which conservators have to choose between values without the consequences over time of those choices being clear yet. Contemporary conservation literature abounds with examples in which preserving one feature of the work may be harming another: for instance *Gismo* by Tinguely, which should move and make sound, but cannot do this without damage to its parts (Beerkens, Hummelen & Sillé, 1999) or Jamelie Hassan's 1981 work *Los Desaparecidos* where visitors should have been allowed to walk amidst the seventy four porcelain pieces displayed on the floor, but weren't because of the danger of breaking the pieces (Irvin, 2006).

Sin Objeto (2017), 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

In this situation of a plurality of emerging, as yet not clearly articulated, and possibly conflicting paradigms it is of major importance to develop a shared body of professional experience enabling conservation professionals to collectively establish the conditions for responsible, reflective judgment of concrete cases. Establishing these conditions amounts to: 1) articulating ethical principles and guidelines that would form an alternative for the standard ones of minimal intervention and reversibility; 2) facilitating deliberation about all those cases that fall in between in some way or another. Both aims require a sharing of not only best but also less fortunate practices, of the arguments pro *and* contra particular decisions taken in concrete cases, of remaining doubts, of interventions that turned out to be wrong on the long run. Documentation, I will argue, best serves the conservation of contemporary art when it does not only collect and record information about the work and its history, but also the dilemmas conservators have felt themselves confronted with when deciding their conservation strategy.

2. Ethics in times of historical change

The point I would like to make is *not* that the ethics connected with 'scientific conservation' does no longer make sense. There are plenty examples where the conscientious observation of the principles of minimal intervention and reversibility of treatments have resulted in generally admired restorations. The point is rather that their applicability to *all* possible cases is contested: new types of art have emerged that do no longer fit the paradigm. We could say that we witness a period of transition in which the field of relevance of existing ethical principles has relatively shrunk and new practices have emerged for which the old principles and guidelines are no longer fully applicable and more adequate guidelines still have to be invented or adequately articulated (2). Documentary practices, I will argue, should be aimed at facilitating the articulation of these guidelines and delineate the domains for which they are relevant.

To illustrate what this historical transition could mean and why the documentation of dilemmas is important I would like to refer to a historical example given by Jonsen & Toulmin, the way moral theology of the 15th and 16th century struggled with the condemnation of usury. Jonsen and Toulmin argue for a casuist approach in ethics (Jonsen & Toulmin, 1988; *cf*. Brody, 2003; Nordgren, 2001; Cherry & Smith Iltis, 2007). Such an approach does not necessitate a reversal of existing practices, but to rethink their implications for ethics and for the kind of directions we expect of ethical codes. The main point is that rather than understanding moral reasoning as a theoretical science, a body of sure knowledge (*episteme*) based on general principles that should be applied to individual cases, the casuist approach treats it as a form of practical wisdom (*phronesis*) starting from the details and circumstances of particular situations and arguing from these

Sin Objeto (2017), 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

cases to more general rules or guidelines. This reverse reasoning is not simply inductive, however, because induction assumes that there is a common evaluative framework that these cases share – and that is exactly what is disputed. Casuist approaches assume that the default condition of moral deliberation is that value systems may and do conflict, but that this does not preclude agreement on concrete cases. Rather than starting from general principles or guidelines, one has to start from paradigm cases, examples that are generally recognised as morally good or bad practice (3). From there, the procedure has to evolve step by step. By comparing the similarities and differences of the problem at hand with relevant paradigmatic examples the casuist seeks to find out whether the former may be resolved in a like manner or not. The systematic comparison of cases becomes particularly urgent in times of historical change, for which the debates on usury are a telling example. What makes this history instructive for the ethical deliberations in contemporary art conservation is that it shows why and how a generally accepted ethical paradigm –in our case that of scientific conservation– may lose relevance and what is required to complement it with newer, more adequate paradigms.

Following the handbooks for moral counselling used by priests and other Catholic officials since the Middle Ages, Jonsen and Toulmin show how in the 15th and 16th century it became a problem that the lending of money against profit was considered to be usury and therefore sinful. The Scriptures (both Old and New Testament) condemned the lending of money, victuals, etc. against any profit. This prescription had a clear rationale in a subsistence economy with only little monetary circulation and low demand for credit: only people in great need would borrow, for instance after the failure of a crop or the loss of a flock, and it was considered shameful to gain financially from their misfortunes. Although there were also loans given in less extreme circumstances, the generally accepted moral paradigm –the exemplary case that people referred to when judging a practice as usury– was money given in times of distress (Jonsen and Toulmin, 1988, p. 183). From the fifteenth century onwards, with the rise of mercantile capitalism and the growth of nation-states, the prohibition of usury became a hindrance to investing money in commercial enterprises or state financing. More and more exceptions to the rule were allowed and formulations invented in which it was made clear that rather than lending money against profit to a person in distress, these exceptions concerned participating into a joint partnership like, for instance, of a merchant with a sea captain. Rather than making a profit of someone's misfortune, the interest might be considered a reward for risk-taking, an insurance against loss, or a compensation for other economic uses the lender could have made of his money. In changing economic and political circumstances, the Church's moral prescriptions gradually changed. The earlier definition of usury changed from 'where more is asked than is given' or 'whatever is demanded beyond the principal' into 'interest taken where there is no just title to profit'

Sin Objeto (2017), 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

(Jonsen and Toulmin, 1988, p.193).

What is important for Jonsen and Toulmin and instructive for my argument, is the case-by-case procedures through which the moral theologians tried to formulate a new ethical paradigm:

> The morally relevant differences among various forms of economic activity thus became apparent only as the result of case analysis. As each new case appeared, representing some new form of economic transaction devised by merchants, traders or landlords, it was measured against the relevant paradigmatic case: a loan made to someone in distress. In the eyes of all the moralists, the taking of profit on a loan to one in distress was clear immorality. It was simply theft and so contrary to the virtue of justice. How did each of the new cases differ from this paradigm? Did the structure, function and purpose of the new arrangement include morally relevant circumstances? If so, did they justify or excuse the activity? Did they aggravate or alleviate guilt? Did the new circumstances radically change the nature of the case? These questions were insistently asked and answered as the debate over usury moved through the sixteenth century (Jonsen and Toulmin, 1988, p. 191).

3. Transitional moments in contemporary art conservation: the emergence of a second paradigm

The situation prevailing in contemporary art conservation since two or three decades bears much resemblance with the perplexities the Catholic moral theologians were confronted with. The point is not that older moral prescriptions have all of a sudden lost validity for the cases they were meant for; the point is that new types of cases have emerged for which they do not make sense – at least not automatically. Think of the two successive restorations of – first – Barnett Newman's *Who is Afraid of Red, Yellow and Blue III* and – second– Newman's *Cathedra*. One could say that these two restorations together mark the ethical paradigm of scientific conservation and the principles of minimal intervention and reversibility. The first case is paradigmatic by constituting a generally deplored worst-case scenario; the second case is the complement of the first, in being generally applauded as a meticulous and conscientious observance of the ethical guidelines and a very successful restoration as well (Hummelen, 1992; Bracht et al., 2001; Matyssek, 2012). However, what is completely unthinkable (although it has been done) in the case of Newman, rolling over a painted surface, has become (with some exaggeration) common practice in the case of Sol Lewitt's *Wall Drawings*. Take *Wall Drawing #801: Spiral*, currently on show in the cupola of Maastricht's Bonnenfantenmuseum. It was first executed in 1996 and has been removed and re-executed twice since then; the last time after the death of LeWitt himself, nobody raising an eyebrow on either its removal or its reconstruction.

LeWitt's work is a good example of the second paradigm, which I have called the performance paradigm (4). One of the texts establishing the paradigm as a viable alternative was Pip Laurenson's 2006 paper "Authenticity, Change and Loss

in the Conservation of Time-Based Media Installations" (5). Instead of aiming at preserving a work's *authenticity*, she argued that one should try maintaining its *identity*, which lies in its work defining properties. Time based media installations, Laurenson argued, and in fact installations in general, are works that resemble notated music or theatre plays more than sculptures or paintings, because they are created and recreated according to instructions just like a script or score stipulate what properties are essential and what properties merely accidental or variable. This does not mean that all executions turn out in the same way. There is room for variation and interpretation by the persons recreating the work and adaptation to new circumstances; however, each new instantiation goes back to the instructions defining the core of the work, which as Laurenson notes, may be 'thickly' or 'thinly' specified (Laurenson, 2006).

Another, later example of a thickly specified installation is Olafur Eliasson's *Notion Motion* (2005), in the collection of Museum Boymans-Van Beuningen in Rotterdam. Apart from some technical equipment, the work mainly consists of large water basins and wooden walkways; water and wood are thrown away after the exhibition, the most important physical item remaining in the collection being the set of instructions.

> Since *Notion Motion* is built anew every time it is installed and new materials are used, physical preservation has no relevance at all. Precise documentation, both of the material aspects and the concept, on the other hand, are extremely important. Only through this, it is possible to preserve the work for the future. It is the preservation of a splash (De Groot, Guldemond & Kleizen, 2007, p. 2).

The same is true for the LeWitt *Wall Drawing*. As the Bonnenfantenmuseum's website reports: "At the root of every wall drawing by Sol LeWitt lies a precisely formulated assignment, or concise work description. This contains all the painting instructions which his assistants – often artists – have to follow as precisely as possible"(6).

One of LeWitt's most famous statements confirms this practice: "[The] idea or concept is the most important aspect of the work. When an artist uses a conceptual form of art, it means that all of the planning and decisions are made beforehand and the execution is a perfunctory affair. The idea becomes a machine that makes the art" (Lewitt, 1967). LeWitt himself made the comparison of his wall drawings with musical performances: "I think of them [wall drawings] like a musical score that can be redone by any or some people. I like the idea that the same work can exist in two or more places at the same time"(7).

Comparable to musical scores, *Wall Drawings* may vary according to certain parameters, such as the place of execution and the interpretation of the performers. *Wall Drawing No. 652*, for instance, was first executed in 1990 in the Indianapolis Museum of Art, where it covered three walls surrounding a grand staircase. In

Sin Objeto (2017), 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

2005, LeWitt supervised a remake by a team of assistants, in the Pulliam Great Hall on a 34-foot-high wall that measures 60 feet in width and done in acrylic paints rather than ink. According to the museum's website, "[a]side from the change from inks to acrylics, the only difference in the new version is that it needed to be extended downward and outward to accommodate the larger expanse of wall surface"(8). Wall drawings can be removed and redone – not by reproducing a first installation but by a new interpretation. Thus, in the Carnegie Museum of Art in 2007, a team of local artists under the direction of one of LeWitt's studio members repainted two adjacent *Wall Drawings*, *#450* and *#493*, acquired in 1985 and 1986 respectively (9).

The ethical appropriateness of re-doing the *Wall Drawings* now seems very clearly cut. However, re-executing LeWitts has not been an undisputed practice from the beginning. Not long after the scandal of the restoration of *Who is Afraid*, Kröller-Müller Museum's curator Marianne Brouwer suggested to remake a Sol LeWitt *Wall Drawing*. The museum's existing wall drawing had been smudged by a visitor's fingerprints, which compromised its optical qualities. As LeWitt was a conceptual artist, Brouwer had good reasons to suppose that there was no objection against re-executing his work. Yet Brouwer's suggestion was challenged at the time by one of the museum's free-lance conservators, who argued that recreating was against the current Code of Ethics (Sillé, 1999; van Wegen, 1999).

In the aftermath of this debate, moreover, it also became clear that there are limits to what is permissible or not. Eventually, the artist told Brouwer in an interview in 1995 that whereas in theory his earlier *Wall Drawings* could be executed by anyone, some of them required specific skills; those done in pencil, for instance, could only be done by two American specialists (van Wegen, 1999, p. 209). This must have convinced her to reconsider her initial position; in an interview in 1998, she criticized the Haagse Gemeentemuseum for demolishing a LeWitt wall painting in the course of the building's renovation. Whereas director Hans Locher declared that the removal of the painting had no consequences because the certificate and instructions of the work were being conserved, Brouwer commented that "A LeWitt lives on the wall"; "you cannot simply move it, it is more fragile [than a Newman or a Mondrian], it depends on our good faith" and "now we know that the history of the work's genesis and its location are essential as well"(10) (Suto, 1998, author's translation).

Brouwer's revision touches on an important point. Although LeWitt may have stated once that the execution of his works was a "perfunctory affair", in fact he became increasingly precise about who was doing the re-execution, where and how. Whereas in 1974 he still maintained that the execution required few technical skills, in subsequent years he attributed increasing importance to production methods. The walls had to be prepared in a particular way; the wall drawings were carried out according to strict application techniques; new, more

Sin Objeto [2017], 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

demanding materials made their appearance, and the works themselves were bigger and bigger. All of these factors ultimately called for constituting a team of professional drafters (11) (Gross, 2012, 21).

After LeWitt's death in 2007, the LeWitt studio continues to supervise re-executions of his works. In 2013, for instance, the Centre Pompidou in Metz showed thirty-three of LeWitt's wall drawings, all black and white, executed by a team of sixty-five art school students and thirteen young artists under the supervision of seven professional assistants (12). The assistants had been accredited by the LeWitt estate, with the head assistant John Hogan with thirty-three years of experience, as 'chef d'orchestre'. Chief assistant Hogan emphasised that LeWitt is the composer and the drafters are his interpreters: they do not adapt but interpret his instructions. In the interpretation everything counts: the sizes of the pencils and chalk sticks, the wringing of the cloths used for the washing of the ink, the number of paint layers. Critic Bénedicte Ramade has remarked that this extreme perfectionism might surprise and shatter the image one might have formed of conceptualists neglecting realization. On the contrary, there are for instance five phases required for appropriately sharpening the points of the crayons (Ramade, 2012).

This increasing precision on the side of the artist and his estate may warn us that even if, in a general sense, there is a great difference between what is permitted in the case of a LeWitt *Wall Drawing* and what is permitted in the case of a Newman colour field painting, we cannot simply derive the guidelines for the perpetuation of a *Wall Drawing* from the work's ontological typology. We still have to look at the characteristics of a particular work (is it in pencil or in ink, made for a particular site or not) and how it is situated in the history of the artist's evolving practice, to know under which conditions it may be re-executed, how and by whom.

4. The processual paradigm

Although LeWitt's works leave room for variation, the wall drawings are not completely open-ended. If we take them as paradigm cases for the second paradigm, we can see that they differ from the third one —of genuinely processual works— in respect to the criteria governing their results. Whereas – like in the performance of a notated score – there should be compliance of the execution with the stipulations spelled out in the instructions, a fully processual work leaves the form of the outcome undefined. Processual works would be all those works which are intended to change and develop according to uncontrollable factors or interventions from inside or outside the work, be it the weather, material decay, visitors' interactions or participation, collaborative contributions by artists or public, etc. Rather than faithfully performing a script or score, here

Sin Objeto (2017), 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

the characteristic rationale would be playing according to the rules of the game. Where the performance paradigm would require going back to the instructions time and again, an exemplary processual work would evolve from one stage to the next. I am aware that the distinction with the previous model is a fluid one; however, if we were to compare both with music, then the performative model would resemble notated music like classical symphonies, whereas the processual model would rather resemble improvised music.

As an example of a processual work we might look at *Mission Eternity* by the Swiss based art group etoy, as it is described by Josephine Bosma. In her discussion of this work, Bosma has argued that in cases like this, rather than preserving or returning to a *past* state, conservation would mean supporting or maintaining the 'life' of the work (Bosma, 2011, pp. 164-191). *Mission Eternity* invites people to prolong their life after their physical death by uploading their immaterial life to an 'Arcanum Capsule', a digital file, and leaving their ashes in a kind of mausoleum, the 'Sarcophagus'. They live on as a cluster of data, texts, videos etc. through a file sharing software, the 'Angel Application', which keeps their memory alive. Participants are not only asked to store and share their data but also to take part in the development of the Angel Application which is based on open source.

> [This] means that everybody can add changes, modifications and upgrades to the core of the *Mission Eternity* project. Etoy allows participants, the active audience, to continue the *Mission Eternity* in any way they see fit. In many ways, the work can develop far beyond any one artist's influence (Bosma, 2011, p. 175).

For works like *Mission Eternity* conservation would mean continuation and development, rather than preservation or re-creation. Continuation should not take place in a separate and protected environment like a museum, but 'out there' in the real (or virtual) world, where the work should be kept alive by the continuous engagement of the public – the people involved in the work – rather than by a team of experts working from instructions. As such, Bosma (2011) argues, conserving a work like this necessitates a loss of control – even more poignantly: conservation only occurs *through* loss of control (p. 166). Therefore, it is processual works (or the processual aspects of performative works) that most profoundly challenge the institutional and professional parameters of conservation.

This challenge was recognised by the Van Abbe Museum when it acquired another work we could call processual, *No Ghost Just a Shell* initiated by Pierre Huyghe and Philippe Parreno in 2002 (van Saaze, 2013a, p. 169). This work was a collaborative project by twenty-five artists or artists groups, who all contributed to the life of a virtual Manga character AnnLee. Although the initiators did proclaim AnnLee's death in 2002, the work has not stopped evolving, new works featuring AnnLee popping up since 2002, and new versions of the project being acquired by other collections. Vivian van Saaze, who has followed the re-exhibition of the

project (van Saaze, 2013 a & b) noted that "such collaborative projects ask for a collaborative attitude from their collectors" in order to "ensure the perpetuation of *No Ghost Just a Shell* and its vivid and hybrid character" (van Saaze, 2013b, p. 175).

5. To conclude: there are no short cuts in ethics

From the previous discussion I have tried to delineate three distinct paradigms, defined by paradigmatic cases: a generally accepted but nowadays relatively less relevant paradigm of scientific conservation, an increasingly acknowledged performance paradigm and a still very experimental processual paradigm. I would like to argue that documentation should include conservation dilemmas in order to better enable the profession to articulate the domain of relevance and guidelines for the new paradigms in a comparative case-by-case approach. Although the challenges of conserving contemporary art for documentation have received much attention and several professional organizations have been developing new methods and systems to improve documentation (13), these initiatives pay only little attention to the recording and sharing of dilemmas. The Variable Media Initiative, for instance, is an innovative approach in which artworks are acknowledged to embody different behaviours that ask for different conservation strategies; opinions (of artists) about the works' future conservation are also assembled, but there is no entry for conservation discussions and dilemmas (14). The same applies to the Docam Documentation Model (15) and the Inside Installations Documentation Model - 2IDM (16). Necessary and useful as these models are, they focus on the best ways to record and make accessible factual information about the works, including their more ephemeral and experiential aspects, and the intentions of their makers (17). Only the Model for Condition Registration developed by the *Modern Art: Who Cares?* team has an entry "weighing the options for conservation", asking to record the discussion about the selection of one of the conservation options and explaining the reasons for selecting the option chosen. This is a step into the direction I would like to plead for and I hope that this example will be followed more broadly. Only by systematically recording and sharing arguments pro and contra a particular decision, doubts, and disappointments is it possible to clarify for which cases what kind of conservation strategies would be ethically appropriate and whether guidelines that have proven to be adequate for one case may be safely translated to another (18).

However, it might now seem that the once the appropriate paradigms are sufficiently articulated, the ethics of contemporary art conservation could return to a normal state of rule application and do away with the case-by-case approach and with documenting dilemmas. As soon as we have determined whether a work falls under a certain paradigm, we would be certain how to act. I am afraid this

will never happen. In the practice of daily conservation work, most cases are rather messy, many artworks consisting of heterogeneous assemblages of objects, ideas and practices that each have their own logic of perpetuation, other artworks hovering between logics, or passing from one logic to another in the course of their biographies.

Returning to LeWitt we may for instance note that despite the fact that an established practice of recreating his *Wall Drawings* has developed, perplexities still occur, as when in 2008 a museum conservator asked on the forum *cool. conservation* whether the museum should adopt "more invasive" measures than consolidating existing paint layers to repair a *Wall Drawing* –a phrase that would be typical for the rule of minimal intervention belonging to the scientific paradigm (19). Apparently the fact that a *Wall Drawing* as a whole may be re-executed (and in this particular case *had* been re-executed just a year before) did not by itself imply a clear-cut guideline for what to do when a *part* of it would be damaged. We might furthermore ask ourselves whether perpetuation of LeWitt's work in the future will continue to be so tightly controlled and would not rather move more into the direction of the processual paradigm – as the project FREE SOL LEWITT by the Danish artist collective SUPERFLEX for the Van Abbe Museum seems to imply (20).

This means that "there are no short cuts in ethics": no standardized procedure can ever substitute for the careful, informed, sensitive and imaginative exercise of judgment of individual cases.

> There are no short cuts in ethics. We have to interpret and balance the relevant principles in each case or type of cases, and the result depends, in part, on which cases we choose as prototype cases, i.e. on our previous experience of problem-solving, and in part on how we carry out the metaphorical extensions to non-prototypical cases. This means that different persons may come to different conclusions (Nordgren, 2001, pp. 36-7).

The good news is that much already happens in the field to develop this collective art of careful judgment, in particular through conferences, research publications and networks (21) –but it could be done more systematically and more in the open: only through sharing both good and bad experiences we will learn how to care for the artistic heritage of the future.

Acknowledgments

Notes

(1) Following the casuist approach to ethics outlined by Jonsen and Toulmin, which I will explain below, I understand the term 'paradigm' as a theoretical construct denoting a more or less coherent cluster of ethical values, guidelines, strategies and practices defined by "paradigmatic cases", "central, unambiguous kinds of cases ... that those [values, guidelines, etc.,] are commonly understood to cover". The paradigm cases clearly exemplify a specific logic of perpetuation. However, as "every moral maxim, rule, or other generalization applies to certain actual situations centrally and unambiguously but to others only marginally or ambiguously" (Jonsen and Toulmin, 1988, p. 8), in many cases, several paradigms may apply simultaneously. The value of discerning the paradigms is in analytically clarifying the ethical complexity of these cases.

(2) An interesting text that acknowledges the insufficiency of standard ethical principles for technology based artworks and proposes five different options for how to proceed in case of technical malfunctioning is Bek (2011); there is no recognition, however, that *other* ethical principles might have to be articulated to justify these options.

(3) 'Starting from' is to be taken in an analytical sense: one never starts from scratch. Tsalling Swierstra has pointed to the 'hermeneutical interaction between [ethical] problem and solution': problems can only be apprehended on the basis of existing ethical norms and values, themselves being solutions to previous problems; once perceived, however, they may give rise to a re-interpretation of amendment of the existing ethical repertoire. (Swierstra, 2002, p. 21; author's translation).

(4) This term has its drawbacks. It suggests that the paradigm is exclusively linked to performance art, whereas it applies to a much wider range of contemporary art genres (like conceptual art or installations) and there are examples of performance art that might better be described as 'processual'. I have decided to maintain the term, because the practice models itself on the example of what are traditionally called 'the performance arts', like theatre plays and musical performances, to the extent that these are working with scenarios, scripts or scores that can be executed by others than the writer or composer.

(5) See also Groys (1996) for an earlier proposal.

(6) Retrieved from: http://www.bonnefanten.nl/en/collection/current_presentations/spiral_sol_lewitt

(7) From Miller-Keller, A. (1984). Excerpts from a correspondence, 1981-1983. In Susanna Singer (Ed.), *Sol LeWitt: Wall Drawings 1969-1984*, exhibition catalogue, Amsterdam Stedelijk Museum. Quoted by Roberts (2012, p. 193).

(8) This relocation is not mentioned on the museum's website text; it is however

in a announcement in *artdaily.org*. Retrieved from: http://www.artdaily.com/index.asp?intsec=2&int_ new=14676#.URzA5jtvIiE

(9) Hannon, J. (2007, Summer). Another Look: Sol Lewitt. Wall Drawings. *Carnegie*. Retrieved from: http://www.carnegiemuseums.org/cmp/cmag/article.php?id=27

(10) Suto, Wilma (1998, November 13). Conceptuele werken sneuvelen bij renovatie van Haags Gemeentemuseum. *Volkskrant*. Retrieved from:
http://www.volkskrant.nl/archief/conceptuele-werken-sneuvelen-bij-renovatie-van-haags-gemeentemuseum-lewitt-wist-niets-van-verwijderen-kunst~a495755/

(11) See also Roberts (2012) and Lovatt (2010).

(12) Retrieved from: http://www.centrepompidou-metz.fr/en/sol-lewitt-wall-drawings-1968-2007

(13) For an overview of the challenges and of initiatives taken to address them see Heydenreich (2011).

(14) Retrieved from: http://variablemediaquestionnaire.net/

(15) Retrieved from: http://www.docam.ca/en/documentation-model.html

(16) Retrieved from: http://www.inside-installations.org/

(17) Cf Hummelen y Scholte (2006).

(18) Cf Swierstra (2002, p. 21) [author's translation]: "Just like technology, ethics is always about tinkering, in order that a fit may grow between norms and facts. It is always an open – ethically normative – question whether an ethical solution can be transported to another problem situation. Whether a norm (or vocabulary) has been appropriately relocated from (old) empirical situation A to (new) empirical situation B can only be determined by investigating whether there are – in the light of this transport – relevant differences between A and B that make this transport undesirable"

(19) Retrieved from: http://cool.conservation-us.org/byform/mailing-lists/cdl/2008/0888.html

The measures in case would be: removing tape joining the dry sheets on which the wall drawing had been applied, filling the gaps underneath and repainting the removed areas.

(20) "A metal workshop was created in the Van Abbemuseum where copies were produced and distributed for free to the public. The copied work is *Untitled (wall structure)*, 1972, and was acquired by the Van Abbemuseum in 1977". Retrieved from: http://www.superflex.net/freesollewitt/

(21) For an exemplary case of museums engaging in 'casuist practice': see the Platform Conservation Issues - the former 'Balansgroep' – of the Dutch SBMK. Retrieved from: http://www.sbmk.nl/agenda/archive

References

Barker, R. y Bracker, A. (2005, Autumn). Beuys is Dead: Long Live Beuys! Characterising Volition, Longevity, and Decision-Making in the Work of Joseph Beuys. *Tate Papers*, (4) Autumn 2005. Recuperado de: http://www.tate.org.uk/research/tateresearch/tatepapers/05autumn/barker.htm

Beerkens, L., Hummelen, I. y Sillé, D. (1999). Reconstruction of a Moving

Sin Objeto (2017), 00: 83-100   Renée van de Vall

DOI 10.18239/sinobj_2017.00.05   Documentig dilemmas. On the relevance of ethically...

Life. In Hummelen, I. y Sillé, D. (Eds.), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art* (pp. 23-41). Amsterdam: The Foundation for the Conservation of Modern Art and the Netherlands Institute for Cultural Heritage.

Bek, R. (2011). Between Ephemeral and Material – Documentation and Preservation of technology-Based Works of Art. En T. Scholte y G. Wharton (Eds.), *Inside Installations. Theory and Practice in the Care of Complex Artworks* (pp. 205-215). Amsterdam: Amsterdam University Press.

Bosma, J. (2011). *Nettitudes. Let's Talk Net Art*. Rotterdam: NAi Publishers.

Bracht, E. et. al. (2001). The Restoration of Barnett Newman's *Cathedra. SMA Cahiers* 24 (pp. 66-102). Amsterdam: Stedelijk Museum Amsterdam.

Brody, B. A. (2003). *Taking Issue: Pluralism and Casuistry in Bioethics*. Washington DC: Georgetown University Press.

Buskirk, M. (2003). *The contingent object of contemporary art*. London, Cambridge, MA: The MIT Press.

Cherry, M. y Smith Iltis, A. (2007). *Pluralistic Casuistry: Moral Arguments, Economic Realities, and Political Theory. Dordrecht: Springer.*

Clavir, M. (1998). The Social and Historic Construction of Professional Values in Conservation. *Studies in Conservation* 43 (1), 1-8.

Groot, E de, Guldemond, J. y Kleizen, A. (2007). Summary of the case study *Notion Motion 2005. Inside Installations: Preservation and Presentation of Installation Art.* Recuperado de: www.inside-installations.org

Gross, B. (2012). Order and Disorder: Where Every Wall is a Door. En B. Gross, *Sol LeWitt* (pp. 10-29). Metz: Éditions du Centre Pompidou-Metz.

Groys, B. (1996, March). The Restoration of Destruction. *Witte de With Cahiers* (4), 155-160.

Heydenreich, G. (2011). Documentation of Change – Change of Documentation. En T. Scholte y G. Wharton (Eds.), *Inside Installations. Theory and Practice in the Care of Complex Artworks* (pp. 155-171). Amsterdam: Amsterdam University Press.

Hummelen, I. (1992). Who's afraid of Red, Yellow and Blue III, Barnett Newman. *Zeitschrift für Kunsttechnologie und Konservierung 6*(2), 215-222.

Hummelen, I. y Scholte, T. (2006). Capturing the Ephemeral and Unfinished. Archiving and documentation as conservation strategies of transient (as transfinite) contemporary art. *Technè*, (24), 5-11.

Irvin, S. (2006). Museums and the Shaping of Contemporary Artworks. *Museum Management and Curatorship*, *21*(2), 143–156.

Jonson, A.R. y Toulmin, S. (1988). *The Abuse of Casuistry. A History of Moral Reasoning. Berkeley, Los Angeles y Londres: University of California Press.*

Laurenson, P. (2006, Autumn). Authenticity, Change and Loss in the Conservation

Sin Objeto [2017], 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically…

of Time-Based Media Installations. *Tate Papers*, (6). Recuperado de: http://www.tate.org.uk/research/tateresearch/tatepapers/06autumn/laurenson.htm

Lewitt, S. (1967). Paragraphs on Conceptual Art. *Artforum*, *5*(10), 79-83.

Lovatt, A. (2010). Ideas in Transmission: LeWitt's Wall Drawings and the Question of Medium. *Tate Papers*, (14). Recuperado de: www.tate.org.uk/research/publications/tate-papers/ideas-...

Matyssek, A. (2012). Überleben und Restaurierung. Barnett Newmans *Who's Afraid of Red, Yellow and Blue III* und *Cathedra*. En P. Geimer y M. Hagner (Eds.), *Nachleben und Rekonstruktion. Vergangenheit im Bild* (pp. 49-69). München: Wilhelm Fink Verlag.

Muñoz Viñas, S. (2005). *Contemporary Theory of Conservation*. Amsterdam: Elsevier Butterworth-Heinemann.

Nordgren, A. (2001). Responsible Genetics. The Moral Responsibility of Geneticists for the Consequences of Human Genetics Research. *Philosophy and Medicine* (Vol 70). Dordrecht, Boston & London: Kluwer Academic Publishers.

Ramade, B. (2012, été). Sol LeWitt: Les coulisses du montage. *L'oeil* (648), 66-71.

Real, W.A. (2001). Toward guidelines for practice in the preservation and documentation of technology-based installation art. *Journal of the American Institute for Conservation 40*(3), 211-31.

Roberts, V. (2012). Like a musical score: Variability and Multiplicity in Sol LeWitt's 1970 Wall Drawings. *Master Drawings 50*(2), 193-211.

Sillé, D. (1999). Introduction to the project. En I. Hummeleny D. Sillé (Eds.), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art* (pp. 14-19). Amsterdam: The Foundation for the Conservation of Modern Art and the Netherlands Institute for Cultural Heritage.

Scholte, T. (2011). Introduction. En T. Scholte y G. Wharton (Eds.), *Inside Installations. Theory and Practice in the Care of Complex Artworks* (pp. 11-20). Amsterdam: Amsterdam University Press.

Scholte, T. y Brake-Baldock, K. te (2007). Introduction. En *Inside Installations. Preservation and Presentation of Installation Art*. Recuperado de: http://www.sbmk.nl/uploads/inside-installations-kl.pdf

Swierstra, T. (2002). Ethiek op zijn plaats zetten. Normatieve ethiek als empirische filosofie. *Krisis – Tijdschrift voor empirische filosofie 3*(3), 18-38.

Van Saaze, V. (2013a). *Installation Art and the Museum. Presentation and Conservation of Changing Artworks*. Amsterdam: Amsterdam University Press.

Van Saaze, V. (2013b). Case Study: No Ghost Just a Shell by Pierre Huyghe, Philippe Parreno, and Many Others. En J. Noordegraaf, C.A. Saba, B.

Sin Objeto [2017], 00: 83-100
DOI 10.18239/sinobj_2017.00.05

Renée van de Vall
Documentig dilemmas. On the relevance of ethically...

Le Maître y V. Hediger (Eds.), *Preserving and Exhibiting Media Art. Challenges and Perspectives* (pp. 170-175). Amsterdam: Amsterdam University Press.

Van Wegen, R. (1999). Between Fetish and Score: The Position of the Curator of Contemporary Art. En J. Hummelen y D. Sillé (Eds.), *Modern Art: Who Cares? An Interdisciplinary Research Project and an International Symposium on the Conservation of Modern and Contemporary Art* (pp. 201-209). Amsterdam: The Foundation for the Conservation of Modern Art and the Netherlands Institute for Cultural Heritage. Villers, C. (2004). Post Minimal Intervention. *The Conservator 28*(1), 3-10.

Wharton, G. (2005). The Challenges of Conserving Contemporary Art. En B. Altshuler. *Collecting the New: Museums and Contemporary Art* (pp. 163-178). Princeton: Princeton University Press.

Wharton, G. y Molotch, H. (2009). The Challenge of Installation Art. En A. Richmond y A. Bracker. *Conservation: Principles, Dilemmas, and Uncomfortable Truths* (pp. 210-222). Amsterdam: Elsevier/ Butterworth-Heinemann.

Wyer, C. (2006). Restoration Theory Applied to Installation Art. *Beitrage zur Erhaltung von Kunst und Kulturgut, Verband der Restoratoren* 2006(2), 40-48.

Suggested citation

Biography

Renée van de Vall
Mastricht University
r.vandevall@maastrichtuniversity.nl

Renée van de Vall studied sociology and philosophy at the University of Amsterdam. She received her PhD in philosophy from the same university in 1992 and teaches at the Faculty of Arts and Social Sciences since 1993. She is Chair of the Department Literature & Art and head of the inter-facultary research programme Arts, Media & Culture (AMC). She has co-ordinated and tutored courses on bachelors and masters level and was Director of Studies of the MA Media Culture until 2010. Since 2009 she holds a chair in Art and Media.

Van de Vall's research focuses on philosophy of art and aesthetics, specifically on the construction of spectatorship in contemporary visual and new media art; on the theory and ethics of contemporary art conservation; and on processes of globalisation in contemporary art and media. She was project leader of the NWO funded research project Transformations in Perception and Participation: Digital Games and currently leads another NWO funded project New Strategies in the Conservation of Contemporary Art and the NWO funded network Network for the Conservation of Contemporary Art (NECCAR).