

Dana Schutz's Painting of Emmett Till

Jay Miller

Warren Wilson College

One of the most exciting things about working in aesthetics and philosophy of art is that the pursuit of questions about art and beauty allows us, and sometimes forces us, into other fields of inquiry – to the ethical, the political, the metaphysical, the scientific, and so on. We are, by nature if not necessity, interdisciplinary. We enjoy a special kind of intellectual freedom to talk about nearly anything. That doesn't always mean, however, that we should.

I've recently been thinking about the Dana Schutz painting of Emmett Till, titled *Open Casket*. Like many of us, I was drawn to the complex interrelation of aesthetics, politics, and ethics that gave rise to the now infamous controversy that erupted when the painting was featured at the 2017 Whitney Biennial. The painting, a medium-large,¹ semi-abstract depiction of Till's disfigured visage facing upward in an open funeral casket, is based on documentary photographs taken after the gruesome 1955 lynching of the 14 year-old boy in rural Mississippi, wrongly accused of flirting with a white woman in a grocery store. The unavoidable question that this high-profile case raises has to do with a certain kind of normative relation between the image, the painting, and the artist. And this question – call it *The Question* – struck me as a profoundly philosophical question, one especially well-suited for the philosophy of art.

Certainly, there are plenty of straightforward aesthetic critiques that can be made about the painting. We might say, for example, that the playfulness of its gestural brushstrokes belie the gravity of its subject matter. Likewise, we might question the scale of the work, or whether abstraction is an appropriate stylistic choice for depicting such a difficult image. In "The Case Against Dana Schutz," critics Josephine Livingstone and Lovia Gyarkye argue along these lines, pointing out that, among other things, "the colors are pretty."² We might even take a stronger stance and claim that the mere attempt to render the image artistically inevitably results in the aestheticization of suffering.

Overwhelmingly, however, criticism of *Open Casket* has to do, not with the artwork, but with the artist, a white female American painter. More precisely, the controversy concerns, not how the image of Till is treated artistically, but *that* it is treated by a white artist. Leading the protest was African-American artist Parker Bright, who picketed daily in front of the painting at the Whitney wearing a shirt with "Black Death Spectacle" scrawled in permanent marker on the back. Soon after, another artist, Hannah Black, penned a scathing open letter to the curators of the biennial calling for the removal and destruction of the work, which in turn garnered a number of supporting signatures.³ Among several critical points she makes in the letter, the one that most poignantly summarizes the objection to *Open Casket* is that "the subject matter is not Schutz's."⁴

Now, for those of us eager to go beyond the familiar terrain of aesthetics – ontology, aesthetic judgment, Kant's Third *Critique*, etc. – the Dana Schutz case poses a new and interesting question, and indeed, one with both interdisciplinarity and broad public interest built into it from the outset. Stated more precisely, The Question is this: *What does it mean to say that certain subject matter is off-limits to certain artists?* What are the normative constraints around representation that make *Open Casket* problematic? I for one find such questions philosophically interesting and intellectually motivating, all the more so because they emerge within the context a broader, timely, and more familiar public debate. It's exciting, and sometimes rare in philosophy, to talk about the things people are talking about. So, with The Question in hand, the task of philosophers is then to explain, analyze, argue, articulate fine-grained conceptual distinctions, stake out positional terrain, defend, counter, tweak, and so on, until we settle upon The Answer.

Thus far, however, every attempt to get at what goes wrong in the Dana Schutz case comes up short. This is not because the critique isn't warranted; in fact, as I explain below, the one thing that seems clear about the Dana Schutz case is that it lacks a solid defense. Rather, it is because the attempt to articulate the moral force behind the claim "the subject matter is not Schutz's" ultimately leads to a question of what we might call (for lack of a better term) *cultural authority*, a question which goes so far beyond the aesthetic that I think maybe I couldn't, or shouldn't, attempt to go there. Every course of inquiry through the controversy, it seems, says less philosophically about the controversy itself and more about my own attempt to grasp it philosophically.

One way to defend Schutz would be to say simply that *nothing* is off limits when it comes to artistic expression. Call this the *artistic freedom* defense. There is a reason, of course, that Romantic appeals to the unfettered freedom of the artistic “genius” no longer hold up: we no longer regard the artist as the bearer of unique and infallible imaginative insight into all things human and divine. Yet, versions of this defense still appear today, typically deployed as a well-intended bulwark against equally untenable attempts to censor artists (think of the “culture wars”). One of the more robust defenses of Schutz out there, made by contemporary artist Coco Fusco, takes exactly this anti-censorship line.⁵ But almost never does this modern (and more moderate) form of defense imply total freedom from extra-aesthetic constraints. We wouldn’t give images of, say, child abuse a moral pass simply by virtue of their artistic status. So unless we’re willing to bite the Nietzschean bullet and say that the aesthetic always trumps all other sorts of value, the Schutz case is not a matter of whether there are limits, but where the limits are.

The defense offered in response to the mounting criticism by the Biennial’s curators, Christopher Y. Lew and Mia Locks, doesn’t fare much better. Acknowledging that the exhibition takes on themes which “are painful or difficult to confront,” they defend their decision to include *Open Casket* on the grounds that the exhibition aims to forge “empathetic connections,” arguing further that the image of Emmett Till “has tremendous emotional resonance” for many African-Americans.⁶ Call this the *raising awareness* defense. It is a clever formula for taking stock in the social capital of art without assuming risk or responsibility for its fallout. It’s no surprise, then, that this rings hollow for Schutz’s critics, as the generalized appeal to the virtue of raising awareness of suffering artfully dodges the relevant question of who gets to be the spokesperson of the specific kind of suffering at stake in the image of Emmett Till’s funeral. And as I explain below, acknowledging this specificity is key.

Meanwhile, Schutz’s own defense of *Open Casket* has been a bit scattershot, and not wholly consistent.⁷ But by far the defense Schutz has leaned into most heavily in response to the criticism of *Open Casket* is what we might call the *empathetic identification* defense:

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 was Mamie Till’s only son. The thought of anything happening to your child is beyond comprehension.⁸

The claim is that in fact there is a substantive point of connection between the image and the artist, and that point is a shared maternal identity. Schutz relates empathetically to the image from a mother’s perspective, through an imaginative identification with Till’s mother, Mamie Till. In contrast to the *raising awareness* defense from the Whitney curators, which defends the artists as third-party facilitators of “empathetic connections,” the *empathetic identification* defense positions Schutz as an insider to the pain and suffering conveyed in the image of Emmett Till through the first-person perspective shared among mothers. In making this identification, she is in effect saying in response to critics that, as a mother, the subject matter *is hers*.

There is, it seems to me, something partly compelling about Schutz’s appeal to maternal identity, if only because it’s hard *not* to see the mother’s perspective in the image. Much of the significance behind these images is certainly bound up with Mamie Till’s brave decision to hold an open-casket funeral for her son in hopes of making public the ugly image of racial violence in America, and to allow the photographic images to testify to the broader racial injustice that her son’s death represents.⁹ And indeed, we might even say that some of this significance is lost if we somehow fail to read the image through the empathetic lens of a mother suffering the loss of her child. Surely part of what makes the image so powerful is that it does solicit a response from its viewers. Assuming that Schutz’s defense is sincere (as I take it to be), she is to this extent not wrong in making an empathetic connection with the photograph of Emmett Till’s coffin on the basis of a mother’s perspective.

But that doesn’t mean she’s right to paint the image. Because, of course, the perspective in question isn’t simply a mother’s perspective, but a *black* mother’s perspective. What Schutz’s defense has in common with other defenses of *Open Casket* is that it *generalizes the particular*: it abstracts from the uniqueness and specificity of the thing in order to make something common, shared, and more broadly accessible. The *artistic freedom* defense is made on behalf of all art, regardless of subject matter. The *raising awareness* defense looks past the specific issues raised in art and how they are raised in praising art’s role as catalyst to social progress. Likewise, the *empathetic identification* defense, despite its appeal, only works in the Dana Schutz case by pushing past the particular characteristics of the thing to claim an affinity with its more general characteristics. In this regard, it’s sort of the artistic equivalent of classical liberalism: it abstracts individuality in the name of equality – and is therefore open to a similar set of objections.

But now how do we characterize this tendency—generalizing the particular—as a moral or aesthetic defect? Where does this line of inquiry take us? Let’s start with the obvious candidates.

One way to diagnose the Dana Schutz case is through the moral language of authenticity. We might say, for example, that Schutz lacks an *authentic* relation to the subject matter of Emmett Till’s death because she’s not sufficiently rooted in the history and shared experiences that give it specific cultural relevance. Which is of course true. But to call this “inauthentic” is at the same time to take on essentialist assumptions about what counts as an “authentic” culture, self, or identity. As Paul Taylor rightly points out, the language of cultural authenticity “often leads to arbitrarily truncated narratives of individual and collective origin, insulating the subject from the messy processes of subject formation and cultural transmission under conditions of historical change.”¹⁰ This is, in fact, precisely the concern that contemporary author Zadie Smith raises in response to the criticism of *Open Casket*: as soon as we ask “Who owns black pain?” we get into problematic questions about who counts as black.¹¹

But even if we allow for a more nuanced, fluid conception of *cultural authenticity* of the kind that Taylor recommends—one culled from the context and contingency of actual lives and experiences—it’s not clear that it would fully capture what goes wrong in the case of *Open Casket*. Allowing that Schutz’s connection to the maternal perspective present in the image of Emmett Till *is* authentic, the charge of cultural authenticity would then concern the authenticity of her connection to African-American culture, which, of course, she explicitly disavows (“I don’t know what it is like to be black in America”). The issue, then, is not the cultural authenticity of the artist, but the artist’s appeal to one form of cultural identification in place of another, and with it, questions of which counts, which doesn’t, or which counts more than the other, and so on. The issue, in other words, is a matter of *cultural authority*.

Another, perhaps more obvious, way to frame the objection that “the subject matter is not Schutz’s” is through the language of *cultural appropriation*. We might say, for example, that Schutz is guilty of cultural appropriation¹² in that she has taken a cultural product from a cultural context that is not her own. Of course, there are different ways of formulating this accusation. Perhaps most relevant to this case is James Young’s attempt to define cultural appropriation in terms of what he calls (using a moral category introduced by Joel Feinberg) “profound offense,” a particularly egregious form of offense which “strikes at a person’s core values or sense of self.”¹³ This gives us a standard by which to distinguish acceptable from illicit forms of cultural appropriation. The worry about framing cultural appropriation this way, as Thi Nguyen and Matthew Strohl have recently argued, is that it makes claims of cultural appropriation contingent upon independently grounded reasons, putting the burden of proof for the offense on the offended rather than the offender(s). Not all appropriation claims are backed by a clearly articulated rationale; sometimes they emerge from the mere fact that a cultural group expresses a shared desire not to have elements of their culture appropriated. In such cases, they argue, we might better understand the act of cultural appropriation as violating *group intimacy*, understood in terms of the intimate bonds formed through cultural practices which “embody or promote a sense of common identity and group connection among participants.”¹⁴

In the case of *Open Casket*, however, the status of “intimacy” is precisely what is at stake. She expressly disavows sharing in the group intimacy of African-Americans, but nevertheless appeals to the shared experiences and perspectives of motherhood as a different form of group intimacy that she thinks licenses artistic use of the subject matter in the image of Emmett Till. Rather than breaching the shared intimacy of African-Americans, Schutz seeks access to the subject matter by going around it, as it were, approaching it from a different form of intimacy. And the way she does this, as we’ve seen, is by generalizing the particular; that is, by abstracting from the historical and cultural specificity of the image of Emmett Till and foregrounding a far more common and shareable form of intimacy with which she does identify. We can—and I think *should*—call foul on this strategy. We might gauge the weight and relevance of one form of group intimacy in relation to another. But notice that at this point the critique points to something more basic than cultural appropriation, namely, *cultural authority*. To speak “as a mother” is—at least in this case—to appeal to a position, perspective, or experience that warrants some degree of authority to speak. And if, in response, we appeal to the weightier, more relevant intimacy among African-Americans, we do so by appealing to the greater degree of cultural authority that such group intimacy carries with it. Whereas cultural appropriation (in the negative sense) implies some form of unwarranted entry into a cultural group or illicit displacements of a cultural object from its cultural context, Schutz’s transgression seems to be more a matter of placing herself in false proximity to the cultural object by generalizing its cultural significance. And if the right response is to say that the general does not have standing to speak on behalf of the particular, then again, the critique of *Open Casket* comes down to a matter of Schutz’s lacking *cultural authority* to make the subject matter of Emmett Till’s death her own.

Much like the language of cultural authenticity, the language of cultural appropriation gets close to capturing what goes wrong in the Schutz case, but leads us to a more basic question about who has cultural authority to claim some ownership in all that the image of Emmett Till entails. In whatever way we articulate the criticism that “the subject matter is not Schutz’s,” it seems inevitably to lead to a question of who does or does not have standing to speak to certain kinds of subject matter. This, however, in turn poses a very different, and far more difficult, question, or rather, *meta*-question, namely: What to do with this? What can I say about *cultural authority*? Call this *The Other Question*. If all avenues of inquiry in the Schutz case lead here, shouldn’t I attempt to give an account of cultural authority, however tentative or sketchy or suggestive?

Suppose I press on. I might try, for example, to link the notion of cultural authority in this case to the wishes of Mamie Till, pointing out that she did not hand over the images of her son’s funeral to just anyone, but entrusted them to *Jet Magazine* and *Chicago Defender*, both black publications. I might conclude from this, as cultural scholar Christina Sharpe does, that the images “were meant to speak to and to move a Black audience.”¹⁵ It turns out, however, that there are conflicting accounts even of this. Simeon Wright, Till’s cousin who was with him the night of his murder and attended the funeral, recounts in an interview that Mamie Till “wanted the world to see what those men had done to her son because no one would have believed it if they didn’t the picture or didn’t see the casket.”¹⁶ So what then? Should I then attempt to adjudicate? Should I try get to the bottom of things to see whether and to what extent specific intentions bear on the conditions of cultural authority?

Suppose, alternatively, I let it go. What have I learned? Perhaps less about the Dana Schutz controversy and more about my own attempt to access it intellectually. Perhaps the most philosophically salient point relevant to this inquiry is that not everything is fair game to philosophical pursuit. When the very attempt to articulate the concept of cultural authority itself presumes a degree of cultural authority that I myself lack, perhaps letting it go is the best way to acknowledge this. Indeed, to give an account of cultural authority in general is at the same time to say what constitutes cultural authority in the particular case of *Open Casket*, which itself is subject to the same accusation of generalizing the particular leveled at Schutz. Nor am I in a position to hypothesize conditions under which some white painter might, under some circumstances, have some cultural authority to paint this image of Emmett Till. Even if such conditions exist, that discussion is so bound up with a form of cultural, experiential, and identity-specific particularity that abstract philosophical reasoning alone cannot carry it. Much of it is out of reach, inaccessible to many of us, myself included. So I have to let it go. I have to admit, as perhaps Schutz should have: the subject matter is not mine.

What could easily be said of philosophers could perhaps just as easily be said of privileged folks in general: we tend not to like the inaccessible. Because we feel intellectually compelled by something, we often assume a right to it. And, apart from a few notable exceptions in feminist theory and critical race theory, philosophy has been rather slow to acknowledge that the virtue of epistemic modesty is relative to social status. But I think it takes a good deal of intellectual honesty and humility to admit that I’m not just pursuing knowledge *as a philosopher*, but *as white person*, *as a male*, *as a Westerner*, etc. And for this reason, should I find myself in the fortunate position of being led to or compelled by The Question, this alone doesn’t mean that I am in a position to furnish The Answer. This should be read, not as a nod to radical contextualism, but as a gesture toward a different way of doing philosophy; one that entails, among other things, an acknowledgment of limits, a willingness to listen, and the occasional deference to perspectives and experiences that may yield more insight about these tricky cases than just concept-splicing analysis. To this end, I invite any and all input relevant to any aspect of this inquiry from the ASA community and beyond.

1. 39” x 52”

2. Josephine Livingstone and Lovia Gyarkye, “The Case Against Dana Schutz,” *The New Republic* (March 22, 2017). <<https://newrepublic.com/article/141506/case-dana-schutz>>

3. <<http://www.artnews.com/2017/03/21/the-painting-must-go-hannah-black-pens-open-letter-to-the-whitney-about-controversial-biennial-work/>>

4. *Ibid.*

5. She writes: "I suspect that many of those endorsing the call have either forgotten or are unfamiliar with the ways Republicans, Christian Evangelicals, and black conservatives exploit the argument that audience offense justifies censorship in order to terminate public funding for art altogether and to perpetuate heterosexist values in black communities." <<https://hyperallergic.com/368290/censorship-not-the-painting-must-go-on-dana-schutzs-image-of-emmett-till/>>

6. <<https://news.artnet.com/art-world/dana-schutz-painting-emmett-till-whitney-biennial-protest-897929>>

7. In the same breath, she both acknowledges norms of artistic content ("You think maybe it's off limits [Till's image], and then extra off limits") and invokes the artistic freedom to do it so long as it is done well: "I really feel any subject is O.K., it's just how it's done. You never know how something is going to be until it's done." At other times, she's appeals to the currency of the image in American political landscape: "I was interested because it's something that keeps on happening. I feel somehow that it's an American image." "Why Dana Schutz Painted Emmett Till," Calvin Tomkins. *The New Yorker* (April 3, 2017). <<https://www.newyorker.com/magazine/2017/04/10/why-dana-schutz-painted-emmett-till>>

8. <<https://www.theguardian.com/artanddesign/2017/mar/21/whitney-biennial-emmett-till-painting-dana-schutz>>

9. As she put it then: "I know that this life can't be returned but I hope that his death will certainly start a movement in these United States." <<https://newrepublic.com/article/141506/case-dana-schutz>>

10. Paul C. Taylor, *Black is Beautiful: A Philosophy of Black Aesthetics* (Wiley, 2016), p. 134.

11. She writes "[...] I turn from the painting to my children. Their beloved father is white, I am biracial, so, by the old racial classifications of America, they are "quadroons." Could they take black suffering as a subject of their art, should they ever make any? Their grandmother is as black as the ace of spades, as the British used to say; their mother is what the French still call café au lait. They themselves are sort of yellowy. When exactly does black suffering cease to be their concern? Their grandmother – raised on a postcolonial island, in extreme poverty, descended from slaves – knew black suffering intimately. But her grandchildren look white. Are they? If they are, shouldn't white people like my children concern themselves with the suffering of Emmett Till?" Zadie Smith, "Getting In and Out: Who Owns Black Pain" *Harper's Magazine*, July 2017. <<https://harpers.org/archive/2017/07/getting-in-and-out/>>

12. Unlike some positive forms of cultural appropriation (e.g. music sampling), Schutz's is the bad kind in the sense that she is in some sense the beneficiary of something that does not belong to her

13. James Young, "Profound Offense and Cultural Appropriation," *The Journal of Aesthetics and Art Criticism*, Vol. 63, No. 2 (Spring 2005), p. 135.

14. C. Thi Nguyen and Matthew Strohl, "Cultural Appropriation and the Intimacy of Groups," *Philosophical Studies* Vo. 176, Issue 4 (2019), p. 989.

15. <<file:///localhost/Users/www/Zotero/storage/4QE3NVD3/what-does-it-mean-to-be-black-and-look-at-this-a-scholar-reflects-on-the-dana-schutz-controvers.html>>

16. <<https://hyperallergic.com/368290/censorship-not-the-painting-must-go-on-dana-schutzs-image-of-emmett-till/>>