

CHINA'S IVORY

AN APPROACH TO THE CONFLICT BETWEEN TRADITION AND ETHICAL
RESPONSIBILITY



Sophia I. R. Kappus
S1994921

s.i.r.kappus@umail.leidenuniv.nl
MA Arts & Culture – Design, Culture & Society
Universiteit Leiden

Supervisor: Prof. Dr. R. Zwijnenberg

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Introduction

The use of elephant ivory for decorative and religious objects can be traced back for many centuries. Ivory has been a highly sought-after and precious material, treated equal to gold and jade in China and used for a variety of objects since antiquity. From ancient to contemporary times in Asia, ivory carving has been regarded as a highly valuable art form. However the view on the use of ivory has drastically changed within the last century. Conservationists and scientists are presenting disconcerting data supporting the plausible extinction of the African elephant. Governments have started to take action against the illegal trade in ivory but the fight against illegal poaching in Africa has claimed many lives and the trade has become governed by organized crime on an industrial scale. The reason for this crisis is the ever growing demand for ivory in Asia, particularly in China. The Chinese government abandoned the international trade in 1989 and vowed to abandon the domestic trade by the end of 2017 because of international pressure and outrage about the effects which Chinese ivory consumption has had on elephant populations. However, the Chinese government promoted the craft and its deep roots in Chinese culture when it was included in The First National List of the Intangible Cultural Heritage Foundation in 2006.¹

The tradition as well as the material's purity and exclusivity, and the sheer cost of an elaborate carving made of ivory are understood to be signs of class and social status and a reflection of the collector's national pride. Nevertheless, the use of ivory and the demand for it in countries such as China, Japan, Taiwan and Thailand have raised a discussion about the sustainability of this art form. Since 2007 sub-Saharan Africa has seen a staggering 30% decrease in the populations of elephants, due to illegal poaching.² Moreover, "[E]lephants are endangered across Asia, with about 40,000 to 50,000 remaining in 2003, down from more than 100,000 at the start of the 20th century, according to the IUCN red list (which holds official information on threatened species worldwide). After India, Myanmar has the largest population of the Asian elephant, with as few as 1,400 wild elephants and 6,000 domesticated timber elephants."³ Most, if not all of the ivory is harvested to meet the increasing demand of the ivory market in Asia.

During the research it has become apparent that the current state and future of ivory carving and carvers has been discussed in investigative journalism and conservation reports

¹ http://www.chinaheritagequarterly.org/features.php?searchterm=007_twolists.inc&issue=007 (accessed Nov. 2017) This list included several different Chinese cultural forms such as dance, music, sports and craftsmanships of various kinds.

² Great Elephant Census, "Savanna elephant populations **declined by 30 percent** (equal to 144,000 elephants) between 2007 and 2014." (accessed Nov. 2017)

³ Kronholm 2017.

by organisations such as *Save the Elephants*, *National Geographic* and *Wildaid*, highlighting the current state of elephant populations and ivory poaching. This discussion has been missing the engagement of art historians. The topic could open up a discourse supporting an approach to art history, which examines the sustainability, ethics and morality of art. To discuss the practices of ivory carving, in regards to morals and ethics of the use of animal products in art, is a pressing matter. This should interest art historians and conservationists alike, as ivory is harvested for the purpose of creating art or supplying materials for traditional Chinese and Asian medical practices. In an attempt to engage in this debate, this thesis is meant to be a balanced observation, analyzing a topic which is not routinely discussed by art historians. Most of the consulted literature discusses ivory as a material and its benefits for carving. Yet, it is almost never mentioned which impact the use of ivory has had and still has on the ecosystem. As previously mentioned, ivory is predominately used to produce art and design objects, which is why art historians should involve themselves in this discussion and lead the way to educating about the history and current state of ivory carving worldwide. It is not purely a discussion about the use of ivory but most importantly about the need to rethink the position artists hold with respect to morality, ethics and sustainability, most of all regarding the use of animals and animal products for their works. The discussion about ivory carving and the moral and ethical struggles surrounding it link together within the question: Can the claim of artistic license justify the production of unsustainable artworks with oftentimes unethically sourced materials?

The discussions about the future of elephants and ivory often mainly focus on the most obvious conflict, which is taking place in Africa but they don't substantially explain the cultural tradition of ivory carving and its acclaimed importance to China. This conflict is at its current state because of the swelling legal and illegal Asian ivory markets. China abandoned the international ivory trade in 1989 and vowed to banish the national trade by the end of 2017. The government attempted to control the ivory trade by only licensing a small number of carving factories and outlet shops to sell ivory. They invented an ID system for every piece of ivory, however these attempts were largely corrupted.⁴ Nevertheless, there still is a vast demand for fresh ivory on the black market which has led to an increase in poaching in mostly in Africa countries but also to a lesser extent in Asia.

⁴ Actman 2016. "Meanwhile, Beijing's plan to assign legally carved ivory products photo IDs backfired—the photos are so small that an ID used to identify a legal piece of ivory can easily be attached to an illegal one to legitimize it. The photos are so small that it's hard to tell whether the piece in the photo is the same one being sold."

In order to change the discussion about ivory poaching and the question of how it can be upheld, scholars from both fields, art history and ecology, have to understand and evaluate the cause of the high demand for ivory. There are many questions to be asked about this topic, all filled with cultural, political and economic paradoxes. For example why does ivory hold such value in Chinese culture and the art market? Is it possible to educate the consumer about the consequences of their purchasing ivory, ultimately derailing the world wide trade with ivory? Furthermore, would Chinese collectors invest in carvings made of a substitute for material or would they turn to the black market to invest in genuine ivory? Subsequently, is the material more important than the art? To answer the various questions this thesis will be split into three parts, each examining the past, present and future of ivory carving in China. The history and style of Chinese ivory carvings, the value carvings hold in Chinese society and finally the conservational aspects which focus on the sustainable future of the craftsmanship shall be discussed in detail. This thesis' aim is to question to what extend artists, art historians and consumers of art and design objects have a responsibility to engage in the discourse about the use of animal products in art works and if it is possible to evoke a cultural change in China to stop the demand for ivory.

It will first be discussed how the use of ivory has evolved in China since ancient times and the history, development and style of ivory carving will be summed up. Furthermore, there will be an observation of carvings originating from the southern Chinese city Guangzhou and which significance the city nowadays holds in regards to ivory carving. Additionally, it will be examined whether the elephant has received any specific iconographic importance through time.

This leads to the second chapter, which analyses ivory's role in contemporary Chinese society and how it relates to the government's aim to build a strong pride for the imperial arts. It will also be discussed who the consumers of ivory products are and which the main drivers for the high demand and consumption are. Furthermore, this chapter will concentrate on the moral and ethical responsibility of artists and consumers, ultimately challenging the concept of artistic license. In this context it shall be discussed to what extend animas and animal products can be used in art. Lastly, I will examine how philosophical teachings, both Western and Chinese might have an impact on the perception of animal rights and welfare internationally but mainly in contemporary China.

In the last chapter, I want to examine how the European art market contributes to the international trade in ivory. It will be discussed in which way auction houses play a role in the

sale of ivory. I also want to highlight some options for an alternative material which could be used by carvers as a substitute to elephant ivory.

To discuss these topics, I have made use of publications on art in China written by scholars such as Craig Clunas, Terese Tse Bartholomew Stephen Bushell, Berthold Laufer and others. To explain the Chinese ivory trade, the future of ivory carvers and numbers and trends in poaching as well as political decisions about the abandonment of the ivory trade I discuss articles published by *The Guardian*, *National Geographic*, *The New York Times* and the *BBC*. Furthermore, I relied on studies done by *Save the Elephants*, *National Geographic*, *Two Million Tusks* and the *International Fund of Animal Welfare*. There are no contemporary Western art historic essays and dissertations specifically about the topic of the sustainability of ivory carving.

1. The History of Chinese Ivory Carving

1.1 A Brief overview

Nowadays secluded to Sub-Sahara Africa and several different regions in Asia, it is hardly imaginable that many thousands of years ago, elephants used to roam vast areas of the world. However, obsessive trophy hunting in the early 20th century, the Asian demand for ivory and industrial expansions have lead to a drastic decrease in elephant population numbers.⁵ After a global ivory ban came into force in 1989, poaching activities in Africa skyrocketed mostly due to the strong demand for the raw tusks from China.⁶ One of the most coveted articles on ivory and the international trade called ‘Blood Ivory’ published by *National Geographic* in 2012 shows that between 1989 and 2011 the largest amounts of smuggled ivory were found in China (Fig.1).⁷ In order to understand why there is such a large demand for it, we have to assess the history of ivory in Chinese art. Therefore I will be looking at the material and its origins, forms and consistency and give a brief account on the history of ivory carving in China. Furthermore I will examine the city of Guangzhou and its importance for ivory carving. Additionally it will be discussed if elephants received an important role in Chinese iconography, in order to discuss the relationship the Chinese have with the animal and nature.

“For over a thousand years the art of China has served to interpret a civilization, and has satisfied the cravings of a whole people for beauty in their daily life, and in their religious and family ceremonies.”⁸ Chinese art objects, may they have been for daily use, religious practices or simple adoration and pleasure, were created with the utmost care and respect. Respect for the material they were made of and the skill they were made with. Moreover, the production of ceramics, carvings, paintings and textiles was executed with deliberateness and care by artisans who created objects with a very high standard of artistry and quality, aiming to bring beauty combined with practicality into everyday life.

1.2 The Origins and Characteristics of Ivory

When the Chinese began trading with the Arabic world they had access to African ivory, which meant that during the 12th century they “knew perfectly well, that the African ivory was best of all”.⁹ In his 1946 publication *Chinese Ivory Sculpture* Warren E. Cox describes ivory

⁵ Refer to Great Elephant Census Final Report for further details. See <http://www.greatelephantcensus.com/final-report/> (accessed Nov. 2017)

⁶ See Levin 2013, “Things were meant to turn out differently. In 1989, the United Nations -backed Convention on International Trade in Endangered Species, or Cites, banned the sale of ivory in an effort to stop what conservationists say was an elephant ‘holocaust’.”

⁷ Christy 2012.

⁸ Burling and Burling 1953, p. 9.

⁹ Cox 1946, p. 17.

as a substance “between bone and horn, being less fibrous than bone and less easily splintered.”¹⁰ He lays out how various types of ivory and their specific qualities compare to one another. He names more than ten kinds of ivory of which more than half are elephant ivory.¹¹ It is important to mention that ivory tusks are only found in five different mammal species including the Asian and African elephant, the hippopotamus, the narwhal, the warthog and the walrus. They vary in size and, slightly, in density and also in the way they are used by the corresponding animal. The majority of an elephant’s tusk is hidden in the skull of the animal; on average less than half of the tusk is visible and used by the animal for multiple purposes. It grows throughout a lifetime, with the interior being the last part to fully develop.¹² The outer layer of the tusk has to be elastic and gains its durability from exposure to minerals and other particles.¹³ Due to its internal composition the tusk, a quarter to half being hollow, is incredibly resistant to external forces.¹⁴ This can make it a difficult task for a carver to find the right tusks for a particular design. As these five species can be found around the world, objects made of ivory, both ancient and modern, are found in many different places. In ancient times Mammoth ivory was commonly used and even nowadays is still in high demand in China.¹⁵ When we specifically look at elephant ivory, it was the Chinese who began using it for art and understood that the composition of it, in particular that of the African Elephant, was the best to work with. The most precious kind of elephant ivory is what Warren E. Cox refers to as *Green Ivory* or *Live Ivory*¹⁶. This type, preferred by many carvers, is freshly ‘harvested’ from most often African elephants, specifically being hunted for their ivory. What makes this ivory outstanding and desirable for the production of carvings is its warm coloration, turning a lighter colour when dried and having a certain translucency.¹⁷ Ivory taken from an already deceased animal will turn opaque, brown in colour and start showing irregularities.¹⁸

Even though the Chinese used various different materials for carvings; Jade was regarded the most precious one. Nevertheless its value was closely followed by that of elephant ivory. Due to their preciousness and exclusivity these materials were used to symbolize power, strength, wealth and most importantly showcase social standing. Berthold

¹⁰ Cox 1946, p. 30.

¹¹ Ibidem, p. 17.

¹² Ibidem, p. 30.

¹³ Ibidem, p. 30.

¹⁴ Ibidem, p. 30.

¹⁵ Holland 2016. Refer to *Rise in demand for mammoth tusks*.

¹⁶ Cox 1946, p. 17.

¹⁷ Ibidem, p. 17.

¹⁸ Laufer 1925, p. 16.

Laufer names a particular example to illustrate the classification of materials in his very detailed publication on Chinese ivory carving from 1925. He describes state chariots which were utilized by several emperors during the Chou dynasty (1122-247 B.C.).¹⁹ According to Laufer there existed five different ones which were crafted in varying decors. The principle state chariot was varnished with jade, the second one with gold and the third with ivory.²⁰ This proves that ivory has been regarded as a material showcasing social standing and power since ancient times. It also shows that this relevance has not faded, instead it has become crucial to understanding China's present demand for ivory.

1.3 Ivory Carvings throughout history

According to Stephen Bushell, author of the publication *Chinese Art*, "there is no material more satisfying to a delicate and refined taste than ivory".²¹ Carving is a craftsmanship as old as humankind. The highly developed Chinese culture has produced some of the most splendid works in jade, wood, ivory, calligraphy, painting, enamels, glass work and furniture.²² Judith Burling and Arthur Hart Burling made a study of the arts in China which was published in 1953. In this publication they explain, that "[T]he Chinese have not endowed ivory with the supreme religious, mystical, philosophical, and poetic qualities of jade. They have, however, appreciated it for its intrinsic qualities of hardness and translucency, its soft warm tones, the ease with which it can be carved, and the beautiful polish it assumes."²³ The Chinese were familiar with elephants and used to carve their ivory during the Shang dynasty (1600-1100 B.C.). J. Burling and A. H. Burling name excavations which took place at Anyang, in the northern Chinese Shanxi province as the most significant archaeological find in relation to ivory carving.²⁴ The objects unearthed at this excavation site included small figurines displaying animals and mythical creatures of highly elaborate execution, which led historians to believe that the tradition of ivory carving must in fact go back to pre-historic times, because the designs and execution was already very developed.²⁵

The times of the Northern and Southern Song dynasties (960-1276 A.D.) saw a considerable advancement in the artistic completion of ivory carvings.²⁶ This was due to improved working conditions in the government established workshops and more freedom for

¹⁹ Laufer 1925, p. 8.

²⁰ Ibidem, p. 8.

²¹ Bushell 2012, p. 85.

²² Ibidem, p. 85.

²³ Burling and Burling 1953, p. 272.

²⁴ Ibidem, p. 272.

²⁵ 'Ivory Carving' Encyclopaedia Britannica Online (accessed Nov.2017).

²⁶ Jian and Qiuhui 2012, p. 113.

independent artisans.²⁷ Hang Jian and Guo Qihui state in their 2012 publication *Chinese Arts and Crafts*, that the Chinese were masters in fretwork, cleaving-plaiting and inlaying-dyeing.²⁸ During this period carvers developed a new and incredibly refined carving technique for an ivory ball, cut from one piece. Each had multiple concentric moving layers, of which all were displaying different designs.²⁹ J. Burling and A. Hart Burling confirm that the balls were first made during the Song dynasty. Moreover they also mention that the ivory balls saw the peak of their creation much later in the late 17th century, when various ateliers were established in the palace of the Ch'ing emperor.³⁰ In those days these multilayered balls were referred to as 'devil's work balls' as their production demanded extensive patience, skill and imagination.³¹ Stephen Bushell gives the following explanation for the manufacturing of such a ball (Fig.9): "The crude ball of solid ivory is first pierced in several directions through the centre, and then divided into spheres by means of cutting tools with stops on the handles introduced into the holes; these spheres are next revolved in turn to be cut in openwork into various patterns."³² Even today the creation of one such ball shows the ability and experience of an ivory carver as these balls can have up to 30 layers.³³

Another object made of ivory, which is mentioned by Berthold Laufer as well as Warren E. Cox is a tool for untying knots, which was given to young men when they came of age as a metaphor for maturity, economic competence as well as the ability to solve challenging problems.³⁴ Berthold Laufer quotes the Arabic geographer Al-Masudi (896-956), who wrote a detailed account on the African ivory that arrived in the Chinese ports and describes how it was further handled. He states that it was used "for the manufacture of palanquins for persons of high rank", who would not appear at court without being seated on a chair made of ivory.³⁵ During the time of the six dynasties the administrative system was strengthened because of careful positioning of bureaucratic stations around the realm.³⁶ It was common for officials to send items of value in lieu of taxes to court, including items such as salt, tea, and silver.³⁷ Consequently, the appreciation for local crafts as well as the materials

²⁷ Jian and Qihui 2012, p. 31.

²⁸ Ibidem, p. 115.

²⁹ Ibidem, p. 113.

³⁰ Burling and Burling 1953, p. 274.

³¹ Ibidem, p. 275.

³² Bushell 2012, p. 85.

³³ Gabriel 1997, p. 27.

³⁴ Cox 1946, p. 36.

³⁵ Laufer 1925, pp. 17.

³⁶ Tregear et al. 1993, p. 16.

³⁷ Ibidem, p. 16.

used to make them grew and lead to the development of the creation and collection of art in China.³⁸ These examples are some of the most outstanding and highly regarded pieces of Chinese ivory carving yet the illustrious Qing dynasty (1644-1912) saw the production of arts and crafts flourish even more and numerous objects were produced with tremendous competence and care.³⁹ Ivory was used for ‘objects for the scholars table’, brush holders and seals, decorations such as frames, a variety of boxes, trays, items for a lady’s toilette and handheld fans. Additionally it was also used for entertainment purposes such as cigarette holders, opium pipes, snuff boxes and game sets.⁴⁰ Furthermore artists used it for elaborate inlays for furniture, screens, panels and for architectural models, which were made by the ivory carvers of Guangzhou (Fig.5, 6, 7, 8.).⁴¹ However, the fall of the Qing dynasty in 1912 brought the end of the imperial patronage which led to ivory carvers beginning to produce carvings for a broader audience.⁴² Accordingly, foreign residents and tourist became the main source of income for the carvers, who also influenced the objects made and style of ivory carvings. This led to a heavy decrease in quality of the carving craftsmanship.⁴³

According to Stephen Bushell the Imperial Ivory Works were established in the emperor’s palace in Beijing.⁴⁴ Together with the Kung Pu, the Board of Works, this “art factory” produced some of the finest works of Chinese art.⁴⁵ Robert L. Thorp and Richard Ellis Vinograd’s publication *Chinese Art & Culture* from 2001, disputes the location of the workshops. According to them, there were several workshops found in the region where the craftsmanship originated from. Artisans were recruited under imperial command and produced their work either in Jiading in the Jiangsu province, in Guangzhou or Yangzhou and Tianjin.⁴⁶ Each of them was appointed to either bamboo, ivory or jade carving.⁴⁷ Guangzhou was proclaimed the centre for ivory carving and a flourishing period began. The city of Guangzhou is the capital of the southern Chinese province of Guangdong with currently over 11 million inhabitants.⁴⁸ Formerly known as Canton, the city has a vibrant and tumultuous history spanning over 2000 years. It is situated north of Hong Kong and Macao on the Pearl River. Being a maritime part of the Silk Route the ports of Guangzhou, Macao and Hong

³⁸Tregear et al. 1993, p. 16.

³⁹Bushell 2012, p. 85.

⁴⁰Burling and Burling 1953, p. 275.

⁴¹Ibidem, p. 275.

⁴²‘Ivory Carving’ Encyclopaedia Britannica Online (accessed November 2017).

⁴³Ibidem.

⁴⁴Bushell 2012, p. 85.

⁴⁵Ibidem, p. 85. Translation of Kung Pu adopted from S. Bushell.

⁴⁶Thorp and Vinograd 2001, p. 355.

⁴⁷Ibidem, p. 355.

⁴⁸Data taken from common online encyclopaedia.

Kong advantaged the distribution of goods traders imported from the Middle East and Africa. Amongst those goods was most importantly African ivory which was imported as early as the Tang Dynasty (618-907). As discussed before, the city was the main centre for ivory carving, however during the Ming dynasty carving workshops were also found in Beijing and Yangzhou.”⁴⁹ This led to the development of several different ivory carving styles of which the Cantonese carvings “[...] marvel(s) of technical ingenuity and patient workmanship, [and] are more distinguished for bizarre complexity of pattern than for artistic feeling.”⁵⁰ On certain kind of carving is discussed by Stephen Bushell. He names Guangzhou as the origin of many ivory carvings displaying highly intricate architectural models (Fig.8.).⁵¹

Nowadays the city of Guangzhou still prides itself with maintaining a high standard of ivory carving. There are only a few specific publications in English discussing the carving style of Guangzhou. One of them was published in 1973 by the Chen Chiu Publishing Co. in Hong Kong. This book gives a short description on Chinese Arts and Crafts and specifically mentions the style of Guangzhou, although in this case named Kwangchow.⁵² The carving style is “[...] characterised by its clearness and elaborateness”.⁵³ It also names the previously mentioned ivory balls and flower boats as particularly representative examples of the Guangzhou carving style.⁵⁴ The ivory balls, having up to 30 concentric layers, are here described as the “greatest feats in the art of carving”.⁵⁵ Additionally it says that the carving style included decorations such as characters, ornaments, birds and flowers.⁵⁶ There are several Chinese websites informing about and promoting ivory carving, particularly the carvings of Guangzhou, however they do not mention in any way that the art of ivory carving is unsustainable. One of these sites states that the ivory carving workshops of Guangzhou are famous for the highly artistic micro carving, which partly refers to the previously mentioned devil’s work balls.⁵⁷ According to this account the art of micro carving has its origins “(a)t the beginning of (the) 1930s, Mr. Feng Gongxia, a famous micro carving artist of Guangzhou

⁴⁹ Burling and Burling 1953, pp. 114.

⁵⁰ Bushell 2012, p. 85.

⁵¹ Ibidem, p. 86.

⁵² Chien Chiu Publishing Co. 1973, p. 6.

⁵³ Ibidem, p. 6.

⁵⁴ Ibidem, p. 6.

⁵⁵ Ibidem, p. 6.

⁵⁶ Ibidem, p. 6.

⁵⁷ Ibidem, p. 6.

carved the whole text with 154 Chinese characters of the testament of Mr. Sun Yat Sen on an ivory as small as a grain of rice.”⁵⁸

Another article divides ivory carvings from Guangzhou into three different categories, the first representing ‘appreciation’. This category includes decorative objects like the devil’s work ball, floral boats, human figurines and carvings portraying animals and mystical creatures.⁵⁹ The second group assembles all objects in regular use such as ashtrays, foldable fans, objects for (dental) hygiene and dining.⁶⁰ The last one consists of ivory jewellery. All of these objects and items are said to be produced in Guangzhou with a special technique, taught in apprenticeships or through family inheritance of the craftsmanship. The carving style of Guangzhou developed through its well established own school and is defined by inlay and openwork carving with the carvers paying special attention to the natural curve, colour and smoothness of the ivory tusk, which is outstanding in the national carving industry.⁶¹

Before approaching the present state of this field, it is necessary to step away from the material and examine to what extent the elephant has or hasn’t received an important role in Chinese culture in order to understand what the Chinese relationship with the animals is.

1.4 From the Material to the Animal – The Elephant in Chinese Culture

When discussing the use of ivory, we have to acknowledge its source, the elephant. In many cultures honoured as a god and a symbol of strength, power, intelligence and peace one would think that this animal has received a certain symbolic importance in art from China, too. However, is it possible that China, influenced by different streams of Buddhism and other philosophical teachings ascribes more significance to ivory rather than the animal? The answer to this lies in the relationship peoples of China have had with the animal over the centuries. It does not become quite clear in the scholarly discourse since when and to what extent elephants were domesticated for industrial work or warfare in ancient China. Whereas in most of Asia, India in particular, domesticated elephants were used for religious, processional and military purposes or for carrying heavy loads.

However, Berthold Laufer states that in ancient times the Chinese did not care much for the animal itself and that ivory was most often taken from animals that had passed away in the forests of the Yellow River and the Yang-tse River valleys. So initially the acquisition of

⁵⁸ ‘Ivory carving of Guangzhou’ www.guangzhoutravelguide.com, (accessed Oct. 2017). “He also carved the Communist Manifesto up to 25000 characters on a piece of ivory as big as a 64-mo paper (half of an A5 paper).”

⁵⁹ ‘Ivory Carving’ www.chinaculturetour.com, (accessed Oct. 2017).

⁶⁰ *Ibidem*.

⁶¹ *Ibidem*.

ivory might have been in a non violent manner, whereas on other occasions, it is described that ivory was purchased from “aboriginal ‘barbarous’ tribes”.⁶² The year 121 B.C. marks the first time an elephant was sent to emperors of the Han dynasty (Western Han 206 B.C. – 25 A.D., Eastern Han 25-220).⁶³ The physical and emotional capability of the animal spoke to the emperor, which in turn led to a wider use of elephants, in entertainment and for transportation purposes.⁶⁴ As an example by Berthold Laufer highlights, elephants were regularly used for a practise which was common in several East Asian countries. He speaks of elephants being used for the execution of prisoners in Canton (Guangzhou).⁶⁵ It comes to show that elephants were regarded mostly as working animals rather than spiritual creatures. Nowadays the general Chinese mentality towards elephants has become even less infatuated, however I will go into further detail in chapter two.

After briefly examining the past relationship conditions between the Chinese and the elephant, it should be discussed whether the elephant has received any specific allegorical or iconographic importance in Chinese art. According to Berthold Laufer the elephant by itself didn’t receive a larger role in Chinese mythology and “did not give rise to religious conceptions.”⁶⁶ Except for a certain type of depiction which is discussed in Terese Tse Bartholomew’s book *Hidden Meanings in Chinese Art*, published in 2006. This publication gives an account on the meaning of symbols and metaphors various motives hold in Chinese art. Bartholomew argues that the elephant is not only associated with the Emperor Shun but also with the Buddhist deity Samantabhadra.⁶⁷ This means that the imagery of an elephant is closely connected to Buddhist art. Furthermore Bartholomew elaborates on the frequently used image of an elephant carrying a vase found in multiple examples of Chinese art. This imagery exists due to a Chinese wordplay. The word for elephant is ‘xiang’, and as Bartholomew explains equals the Chinese word for ‘sign’ in writing and pronunciation.⁶⁸ The Chinese proverb “taiping youxiang (太平有象)” which translates to “When there is peace, there are signs” is illustrated by an elephant carrying a vase. This clever wordplay uses the sounds and rhymes of the words for elephant and sign (xiang 象), peace (taiping 太平) and vase (ping).⁶⁹ Bartholomew also adds that ‘real elephants carrying vases on their backs

⁶² Laufer 1925, p. 6., p. 10.

⁶³ Laufer 1925, p. 6.

⁶⁴ Ibidem, p. 11.

⁶⁵ Ibidem, p. 15.

⁶⁶ Ibidem, p. 10.

⁶⁷ Bartholomew 2006, p. 237.

⁶⁸ Ibidem, p. 237.

⁶⁹ Refer to Bartholomew p. 237 for a detailed description.

appeared in processions celebrating the Emperor's birthday' during the period of the Qing dynasty.⁷⁰

Curiously one of the oldest Chinese ivory carvings, from the Asian Art collection of the Metropolitan Museum of Art in New York City displays an elephant. Noticeable about this carving is that mammoth ivory was used instead of elephant ivory. It belongs to a group of three carvings which is dated back to the 12th to 14th century, originating either from the Southern Song (1127–1279) or Yuan (1271–1368) dynasty (Fig.2.). The trinity displays *Buddha Shakyamuni with attendant bodhisattvas*. Shakyamuni, the founder of Buddhism is seated on the mythical creature qilin, which is benevolent to all and a symbol of good omen.⁷¹ He is “attended by the bodhisattvas Samantabhadhra (Chinese: puxian) on an elephant and Manjushri (Chinese: wenshu) on a lion. The former symbolizes virtuous practice, the later wisdom.”⁷² In an article published in the Bulletin of the Metropolitan Museum of Art in 1935, Alan Priest acknowledges that the carvings were most likely polychrome including some details in gold, which left a discolouration of the ivory.⁷³

This example showcases that the elephant was a motif found most often in Buddhist art. Berthold Laufer names several examples of depictions not in ivory but on bronze vessels and bells from the Shang and Chou dynasties, which were used for religious and cultural rituals.⁷⁴ According to Laufer “(t)he most remarkable representation of the elephant in the Shang period occurs in a bronze bell discovered in [the] Shang-tung province and inscribed with the name of an emperor who reigned 1506-1491 B.C.”⁷⁵ He also mentions “elephant goblets”, which were believed to be used for ancestral worship rituals.⁷⁶ There were three known differences as the goblets were either decorated with ivory, shaped like an elephant or displaying an elephant.⁷⁷ This shows that elephant imagery was used both for religious and non religious purposes, yet nowadays these are of less importance. When looking at the relationship between ivory, elephants and Chinese culture now, it becomes evident that the elephant has lost its small symbolic importance to that of ivory and the financial security it may bring the collector in the future. Ivory carving has upheld its importance in Chinese culture, due to its long history and the pride Chinese collectors claim to take in this art form.

⁷⁰ Ibidem, p. 237.

⁷¹ Priest 1935, p. 8. See also Bartholomew 2006, p. 78.

⁷² *Buddha Shakyamuni with attendant bodhisattvas*: Description on MET online catalogue

⁷³ Priest 1935, p. 9.

⁷⁴ B. Laufer 1925, p. 4.

⁷⁵ Ibidem, p. 4.

⁷⁶ Ibidem, p. 4.

⁷⁷ Ibidem, pp. 4. Laufer also adds that the elephant was depicted ‘highly naturalistic’ in tomb sculpture carvings.

The craftsmanship behind the ivory balls, flower boats, furniture decorations and architectural models bear witness to one of the most important and oldest art forms of Chinese art history. However, stepping away from the history of ivory carving and looking at it from a present day angle brings up several controversial points which I will take a closer look at in the following chapter. I will discuss the role ivory has been given in the building of a national pride and its significance for cultural heritage. I will furthermore examine the consumers and collectors and the drivers and reasons for the ivory consumption. Most importantly I seek to answer the main question of this thesis: Can the claim of artistic license justify the production of unsustainable artworks with oftentimes unethically sourced materials? In order to do so I will be looking at not only the artist's position regarding morality and ethics but also the art historian's view, in regards to the use of animals and animal products in art. I will also call into question to what extent the artist has a responsibility to educate about the effects his art may have, in this instance, on the environment. Additionally I seek to relate the Chinese position towards animal welfare and animal right to Chinese philosophical teachings mainly led by Confucian philosophical thought. The most important question which shall be of interest in the next chapter is whether tradition can or can't stand above nature and if nature has an inherent value?

2. Ivory in Present Day China

2.1 Chinese National Pride and Cultural Heritage

The history of China as a nation is defined by many changes and shifts in the higher ranks of power, multiple cultural influences from various dynasties and foreign invaders.⁷⁸ Between the fall of the Qing dynasty at the beginning of the 20th century, the rise of communism and the propagandistic regime of Mao Zedong and a postmodern movement, Chinese national pride was exposed to various political and philosophical discourses. With modern-day globalization and a coherent rise in the population's wealth, the Chinese are eager to show their want for a new China, a nation regarded as a world leader standing strong on its ancient foundations. According to Sheldon Hsiao-peng Lu, China is finding itself embroiled in modern consumerism, commercialization of cultural production and a debate between elite culture and popular culture.⁷⁹

In this case ivory carving and the continuation of the craft could become a focal point in the building of a national identity. The Chinese government has attempted to proactively interfere with the illegal trade while supporting and protecting the continuation of the ivory carving craftsmanship. However, it seems more than impossible to find a feasible solution to the conflict as there are too many economic interests involved in the continuation of the ivory trade in Asia and Africa. Apart from the economic interests, a strong sense of national pride in regards to the art form and the animal appears to be reason for debate. Taking pride in the art of ivory carving has had a profound effect on the nation as a whole, half a world away from Chinese salesrooms and street markets. The poaching of the African elephant doesn't only decimate population numbers but also puts into question how important these animals actually are for the African people. This struggle between two very different regions of the world is complex and might not be solvable. Moreover, the pride each party takes comes from polar opposites. Southern, Central and East-African nations celebrate the elephant for its strength, beauty and importance as a keystone species for the ecosystem. Yet, the pride the Chinese take in ivory and the art of its carving seems to come from a very different angle which will be discussed in the next part.

It would be inconsiderate to jump to the conclusion that those ultimately responsible for the increase in poaching lies in Asia. African leaders have allowed large investments from China, and have allowed the ivory trade to influence their politics, military and economic

⁷⁸ Clunas 2009, p. 9.

⁷⁹ Lu 1997, p. 112.

power.⁸⁰ The accumulated wealth through the ivory trade was invested rather in patronage and import of goods rather than the local economy.⁸¹ Additionally, the increase of Chinese nationals in Africa has led to a spread of the illicit trade, which has led to Chinese crime syndicates settling within business networks in Tanzania and Sudan.⁸² With poverty and poor levels of education comes an increase of criminal activity which ivory poaching contributes to. Since 1979 Central and East Africa have lost vast amounts of their elephant populations to ivory poaching (Fig.2). In most cases, poaching is regarded as a safe form of income more so than any other job. In some cases it is seen as ‘fast money’ since laying out traps and shooting an elephant will earn those involved a lot of money. In 2014 a kilogram of raw ivory had a wholesale price of USD 2.100. This price, however, has dropped considerably over the past three years and was at USD 600 in February 2017.⁸³ This drop was attributed to the Chinese government’s announcement to fully abandon the domestic ivory trade. “China’s ivory factories were officially shut down by 31 March 2017, and all the retail outlets will be closed by the end of the year.”⁸⁴ The price for raw ivory might have dropped but poaching hasn’t and as stated in an article published in *The Guardian*, the declining price of ivory does not reflect an equal decline in demand.⁸⁵ If anything it demonstrates that it is possible to purchase the same amounts of ivory for a lower price and be able to afford more ivory than before. Even though the legal domestic market has been abandoned the illegal market is flourishing, with traders stockpiling ivory in the hope that prices will rise again as soon as it is visible that population numbers are further decreasing.

So can it be expected that the value of the material in China does not in fact connect to the historic tradition of ivory carving but only exists because of the material’s rarity? Is the investment interest the deciding factor or is it perhaps the metaphorical meanings ivory has held not only in art but also in traditional Chinese medicine? The aim of this chapter is to answer these questions and to gain an understanding of the Chinese attitude and argumentation for and against the continuation of the ivory trade and the tradition of ivory carving. Therefore the following part will analyse several different aspects such as the consumers and their retail behaviour, how ivory carving fits into the discourse surrounding the ethics and morals of using animals and animal products in art and hereafter introducing thoughts on the sustainability of ivory carving.

⁸⁰ Somerville 2016, p. 12.

⁸¹ Ibidem, p. 14.

⁸² Ibidem, p. 218.

⁸³ Compare Holland 2016 and Larsson 2017.

⁸⁴ Larsson 2017.

⁸⁵ Ibidem.

2.2 Consumers and Collectors

Consumerism, stronger spending power and assimilation to western portrayal of wealth has led to the Chinese investing in luxury products. The Chinese are admired for their unfailing business acumen which they show through their investment process, especially in ivory, a material often described as ‘White Gold’.⁸⁶ “The dramatic increase in consumer power among the Chinese, combined with the cultural interest in defining status, is driving an exponential rise in the consumption of luxury products such as elephant ivory.”⁸⁷ Ivory carving nowadays is a consumer driven craft, meaning that it exists and sustains itself through the demand of a customer eager to purchase luxury commodities. The question is whether it is possible to educate Chinese ivory collectors about the negative impact their consumption has had on the ecosystem. Moreover, this could proactively lead to evoking a change in their purchase behaviour. There have been several attempts by Chinese athletes, actors and other public figures to increase the public awareness about ivory poaching in Africa. The basketball player Yao Ming is most notably for being involved in several campaigns led by the *WildAid Foundation*.⁸⁸ He has been the face of video clips, posters as well as a documentary which aimed to educate his countrymen about the impact their ivory consumption has had. The demand for ivory in China requires the life of almost 30.000 animals each year.⁸⁹

But “(a)s the Chinese nation is furiously modernizing itself to overtake the post modernity of advanced First-World societies, culture and art have now inevitably become a matter of consumption and marketing in China as well, handled by corporations and businesses.”⁹⁰ Consumers are driven by numerous reasons when it comes to purchasing goods. In the case of ivory, it is assumed that the Chinese are driven by tradition, culture and business sense. However, it has to be questioned if tradition and culture, or the financial interest is the main driver in regards to purchasing ivory products.

In order to better understand the large demand for ivory in China it is important to identify who the biggest group of ivory consumers are. According to a 2007 study by the *International Fund of Animal Welfare (IFAW)* it is 25-45 year olds, who are well educated,

⁸⁶ Gabriel et al. 2011, p. 3.

⁸⁷ Ibidem, p. 5.

⁸⁸ Refer to Haas 2017. “A major player in the ban was sportsman Yao Ming, who has worked tirelessly to encourage his fellow countrymen to shun ivory. In 2012 he travelled to Kenya and South Africa to film a documentary where he encountered the bodies of five poached elephants. A year later he launched a leading ad campaign alongside international NGOs WildAid and Save the Elephants, addressing the Chinese overconsumption of ivory and the destruction of elephant populations.”

⁸⁹ Swain 2015.

⁹⁰ Lu 1997, p. 112.

ambitious and who buy in order to show their social standing and wealth.⁹¹ These numbers were confirmed by a thorough survey conducted by *National Geographic* and *Globescan* in 2015.⁹² This detailed report shows why the Chinese are the largest group worldwide to purchase ivory. This report focused on the cities of Beijing, Shanghai and Chengdu.⁹³ However, the survey did not include statistics from the major illegal import hubs such as Hong Kong, Macao and Guangzhou.⁹⁴

Furthermore, the results of the survey showed, only half of those surveyed had heard of negative reports on the effect of the ivory trade, nevertheless awareness levels were still higher than in Vietnam, Thailand, the Philippines and the United States. China comparatively has the highest percentage of ‘likely buyers’.⁹⁵ In the report this group of ‘likely buyers’ described itself as fashionable, social and religious. They additionally had a desire to purchase products that portray financial and social position in order to highlight their sense of national pride.⁹⁶ Since ivory is perceived as a status symbol, it can be argued that the main reason for the trade and consumption of ivory is self-aggrandizement. The biggest driver for Chinese to purchase ivory and objects made of ivory is status. The objects provide a feeling of happiness to the giver and the receiver.⁹⁷ Lastly, the use of animal products for goods and material is acceptable, in Chinese psyche.⁹⁸

In spite of the high acquisition costs of the rare material, what has made ivory gain such an esteemed value? How has it continued to maintain its already considerable value for such a long period of time? The answer to this question can be found through a study of the efforts of the Chinese government to build a national identity, largely formed by the concepts of invented tradition and imagined community. The concept of invented tradition, for example discussed by Eric Hobsbawm, “[...] seek(s) to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past.”⁹⁹ Upholding and sustaining the ancient history of the art form, the knowledge of its importance to imperial courts and the contemporary wish to portray status plays a part in the formation and perception of tradition. The historical component is magnified by the origins of the art which, as previously discussed, goes back to the early Shang dynasty (1600-1046 BC). The age of the

⁹¹ Gabriel et al. 2011, p. 5.

⁹² National Geographic et al. 2015, p. 18.

⁹³ *Ibidem*, p. 17.

⁹⁴ Gossman 2009, p. 53.

⁹⁵ National Geographic et al. 2015, p. 19., p. 17.

⁹⁶ *Ibidem*, p. 7.

⁹⁷ *Ibidem*, p. 12.

⁹⁸ *Ibidem*, p. 12.

⁹⁹ Hobsbawm 2012, p. 1.

craftsmanship paired with its quality, which has not been exceeded by objects originating from other nations, the Chinese have, understandably, taken an interest in the continuation of this tradition. The inclusion of ivory carving in the National Intangible Cultural Heritage List in 2006 can be interpreted as an attempt by the government to fortify the traditional reputation of the craft. "Chinese people love it because it is an ancient skill - it's a practice that belongs to the imperial arts."¹⁰⁰

This cultural aspect, however, is not further discussed in the *National Geographic* survey, even though it is mentioned that ivory is used for "[...] jewelry, carvings, ornaments, medicine, chopsticks, signature stamps, musical instruments and other items".¹⁰¹ Ivory chopsticks are as valued as a silver cutlery is in the western world today. When examining the survey in detail, it becomes apparent that neither the cultural heritage nor the appreciation for the art form itself, play a large role in the decision making during the purchasing process. This might be caused by the surveyors not focusing on these two important components could expose that the cultural importance ivory has for China is an argument used to justify and bridge the gap between cultural and economic relevance. The Chinese government might have abandoned the international trade with ivory in 1989 and the domestic trade within this year but as Fig.2 shows, the dramatic decline in elephant populations due to poaching has not been upheld.¹⁰² This means that in order to maintain the domestic trade and sustain the Chinese ivory stockpiles, international ivory had to be imported. Bearing this in mind, the previously posed question, whether it is possible that the rising value does not connect to the historical tradition of ivory carving but to the material's rarity, can now be answered. Yes, the rising value is determined by the material's rarity and not by the tradition of ivory carving. Furthermore, it can be postulated that there appears to be a merge between investment interest and the metaphorical meaning the material entails.

Since the Chinese government publicly declared their aims to abandon the domestic ivory trade the black market has seen a large growth.¹⁰³ Purchasing illegal ivory is in fact largely uncomplicated, as it is made easily accessible through the use of the internet. "Elephant ivory products are increasingly promoted for their perceived investment value by

¹⁰⁰ Holland 2016.

¹⁰¹ National Geographic et al. 2015, p. 2.

¹⁰² Actman 2016.

¹⁰³ Meyers 2017. "Illegal trade, however, has flourished, as has poaching in Africa. According to an authoritative survey by the International Union for Conservation of Nature last year, 93,000 to 111,000 elephants were lost from 2006 to 2015, the most precipitous decline since the 1970s and 1980s. Most of the ivory ends up in Asia, especially China."

collection websites, auction houses, arts and crafts and other specialty purveyors.”¹⁰⁴ The use of online platforms promotes a considerably fast paced market, which is constantly increasing.¹⁰⁵ When offering ivory on the internet, traders make sure not to use the word ivory in their product descriptions; instead they use words such as elephant tooth, bloody tooth, big tooth etc. Taking advantage of the internet for the sale and trade of ivory helps to avoid unnecessary bureaucracy around the legality of each piece. Furthermore, a large group of Chinese consumers purchases their ivory in Hong Kong, where the trade is regulated by different laws than in mainland China.¹⁰⁶ Legal trade laws differ considerably between China and Hong Kong, as the latter is only just discussing the abandonment of the domestic trade by the year 2021.¹⁰⁷

A 2015 report on the ivory trade in Hong Kong by the British-Kenyan conservation organisation *Save the Elephants* showed, that even though vast amounts of elephant and mammoth ivory are imported, exported and sold in Hong Kong, it is primarily purchased by Chinese citizens from the mainland.¹⁰⁸ According to this report, residents of Hong Kong do not appear to be too keen on purchasing ivory themselves.¹⁰⁹ On the contrary, mainland Chinese are much more interested in elephant ivory than in mammoth ivory. This shows that the appreciation for the polished, white look of elephant ivory still persists, and has done for centuries.¹¹⁰ However, they largely only purchase smaller items as these are easier to transport and hide from border control when crossing back into mainland China. These results backed with those from the *National Geographic* report show that consumers are not only aware of the environmental issues triggered by purchasing ivory but also of the legal problems surrounding ivory. Accordingly, there exists a large group of consumers willing to involve themselves in a criminal act in order to possess an object made of ivory. As mentioned before, likely consumers are aware of the consequences their ivory purchases may entail but do not appear to be influenced by them. The existence of a broader environmental awareness in Chinese consumerism is something to be examined. It is generally acknowledged that

¹⁰⁴ Gabriel et al. 2011, p. 6.

¹⁰⁵ Grammaticas 2014, “To evade the current crackdown China's ivory traders are moving online. Selling ivory on the internet is illegal and major websites have banned it. But on sites specialising in auctions, antiques and collectables it is easy to find dozens of photos of ivory pieces for sale.”

¹⁰⁶ Martin and Vigne 2015, p. 35.

¹⁰⁷ Kao 2016. “Legislative amendments will involve banning the trade in elephant hunting trophies and ivory carvings, followed by a ban on ivory acquired before a 1975 convention regulating the trade in endangered species, and finally, a total ban on all sales of ivory obtained before 1990, when an international ban was enacted.”

¹⁰⁸ Martin and Vigne 2015, p. 35.

¹⁰⁹ There is no peer reviewed explanation to this phenomenon. It might connect to a different approach to animal rights and animal welfare.

¹¹⁰ Martin and Vigne 2015, pp. 35.

consumerism and its economic development supersede concerns regarding the social consequence. This might explain why the awareness and importance for animal protection laws aren't understood very well in mainland China.

“In 2008 the country successfully lobbied the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES), [...], to allow it to buy a limited amount of ivory to sell in a tightly controlled market within its borders. About that time it also built the world's largest ivory-carving factory and began opening shops to sell goods. To further legitimize the industry, the government even added ivory carving to its official register of Intangible Cultural Heritage.”¹¹¹

This quote by Jani Actman from a late 2016 *National Geographic* article shows that the Chinese government indeed took action to appease international conservation organisations, however, it also proves that there exists a duality in the opinion towards the sustainability of ivory carving and the conviction that a tradition, regardless of how unsustainable or unethical, should be protected. In the 2012 publication *Chinese Arts and Crafts* by the Cambridge University Press, the authors Hang Jian and Guo Qiuhui wrote the following quote as the ending paragraph of their publication.

“As the Chinese economy grows, the traditional arts and crafts, with their unique features of drawing on local resources, low energy consumption, low pollution, high-added value, and high earnings, are in conformity with the state strategy of sustainable development. [...] As an important carrier of Chinese national culture, arts and crafts still play a vital role with multiple values from economy to culture.”¹¹²

This statement is very controversial, if we acknowledge that ivory carving is mentioned and examined in this publication. Even though the craftsmanship of ivory carving is only discussed in a small section, it shows however, that the environmental issues around certain forms of art production are not acknowledged by the authors in their art historic discourse. The mention of the state strategy of sustainable development, is rather puzzling in regards to ivory, since it has taken the Chinese government five years to abandon the domestic ivory trade since the publication of the this book.

To conclude it can be stated that the material's rarity and consequently its high monetary value, the material's attributed importance in regards to the portrayal of wealth and

¹¹¹ Actman 2016.

¹¹² Jian and Qiuhui 2012, p. 194.

social standing are the driving forces behind the consumer's decision to purchase. Ivory carvers up until now have not been discussed in great detail in conservation reports. This could be a reason why there is little involvement by art historic-academics involvement in the research. The significance of the ivory carver could be seen as a supporting argument for more art historical research in this field. Otherwise it could be possible to miss a substantially important case study in regard to the use of animals and animal products in art works and design objects. If art historians only examine the forms and history of art works, the wider eco-political networks behind those cultural products are not recognized and leave art historians in a passive role. However, I seek to discuss how ivory carving could be included in the discourse about the use of animals and animal products in art. Therefore I will look at several examples of modern art works which have generated a lot of negative attention in regards to the limits of artistic license, morality and ethics. Further I will also be examining in which way the general public in China views the use of animals and animal welfare.

2.3 The Artist's Responsibility

There are several different aspects the artist may be responsible for which should be discussed in order to answer an important question: can the claim of artistic license justify the production of these artworks oftentimes through unethically and illegally sourced materials? The negative implications are the use of animals and animal products for art and design objects, the morality and ethical nature of producing this artwork. And lastly the most consequence that should be acknowledged is the claim that artistic license, which is linked to philosophical approaches in the field of animal rights and welfare, is enough of a reason to ignore this topic.

There are always several parties involved in the process of producing a piece of art. Often suppliers of the materials used are not given any greater amount of credit because the end product is what matters most to the audience, and the art historian who appreciates and evaluate the work. In the case of ivory carving there are several involved who all take a very active and important role. There are many groups on a series of levels that are responsible for the production of these art works and luxury items. It is important however, in this case, to examine each group's involvement individually, because the material and its origins are the centre of one of the most intense power struggles between economic interest, cultural traditions, conservationist groups, government officials, art collectors and consumers. The Asian but more so the African elephant faces an imminent extinction event, primarily because of human greed and behaviour. It could of course be questioned why the welfare and survival

of an animal should be of interest to art historians. In the case of elephants they not only benefit tourism industry in sub-Saharan countries that rely on visitors, in order to sustain a large number of jobs. More important though is the animal's role in the ecosystem. The website of *Save the Elephants*, one of the most prominent and esteemed elephant conservation organisations, explains the importance and value of the species. According to them elephants are among the most intelligent creatures on the planet, with complex consciousnesses, capable of strong emotions. Across Africa they have inspired respect from the people that share the landscape with them, giving them a strong cultural significance.¹¹³ Additionally, elephants are tourism magnets that attract funding that helps protect wilderness areas. They are also keystone species, playing an important role in maintaining the biodiversity of the ecosystems¹¹⁴

Through their migratory movement patterns, their feeding habits and the products of their digestion elephants have played a key role in sustaining the Sub-Saharan ecosystem.¹¹⁵ It is of great importance to conserve this species and discuss the effects that the use of ivory for art has, on their declining numbers. It is not only the poacher or the carver. It is also the consumer who has a moral responsibility to protect and promote elephants from extinction. This topic is of such importance for the art historic discourse because it doesn't only question the use of a material coming from an animal but it is the use of a material that comes from an endangered animal for the creation of art works. Since illegally poached and traded ivory tusks are used primarily for art works, the moral responsibility to educate about the immorality and untenability of this craft should be extended to art historians, too.

Taking more responsibility has been the subject of discussion and controversy many times. Primarily the display of sexuality, violence or death has enraged audiences since artists became independent from patrons and the stylistic rules given out by religious authorities, allowing them to fully expand their artistic visions. Only recently though have the discussions also included the use of animals in art, particularly in performance and installation art. The exhibition of an animal is not unusual. Hunting trophies, taxidermists, circuses and zoos have contributed to zoological education and entertainment.¹¹⁶ However, a new form of animal display developed over the last fifty years, shaped by prominent artists such as Joseph Beuys, Damien Hirst and others. I'm referring to some of the most prominent works of Modern Art

¹¹³ Refer to website of *Save the Elephants*. 'Why are Elephants important?'

¹¹⁴ *Ibidem*.

¹¹⁵ Somerville 2016, p. 10.

¹¹⁶ Zammit-Lucia 2014, p. 434.

involving animals such as *How to explain Pictures to a Dead Hare*, 1965 by Joseph Beuys or *The Golden Calf*, 2008 by Damien Hirst for example. The display of animals has put into question to what extent art and artists have the authority to showcase living, dying and dead animals and use animal products and how far artistic license can stretch. The animal, whether it is an insect or a large mammal, is used by an artist to highlight a theme, provoke discussion, develop conversation or evoke emotional reflections by the audience. Animals living or dead can be used as sculptures, tableaux vivants or installations. They are also used for performances depicting an artist's vision. From an interaction of the animal with the artist or the audience, the killing of an animal, or solely the exhibition of a deceased animal, artists have begun using animals as tools and props on a regular basis.¹¹⁷ Chinese artists have developed their own form of installations and performances using animals, described as 'animalworks' since 1989. This term was first coined by Meiling Cheng in her essay called *Animalworks in China*, published in 2007.¹¹⁸

Apart from the animal itself being used in contemporary art, other materials coming from the animal, such as bone, teeth, (ostrich) eggs and shells have also been used to create artworks and design objects for many centuries. There is a long standing tradition of arts and crafts utilizing animals and animal products. In turn, these are of special interest to art historians. During my research it has become evident that recent publications on Chinese art, in particular do not address the negative implications of using animal materials on the environment. The effect on certain species is rarely addressed under present circumstances.

Do museums exhibiting objects made of animal products comment on the consequences? When exhibiting them, often they highlight the skills and art practices humans have developed over centuries and therefore the objects are important historic attestations of design, culture and society. However, it has to be noted whether there is a distinction between the notion of Artificiality and Natural. If ivory is regarded as the former, does it cloak the fact that it derives from nature and the exploited system behind it? To what extent can the concept of artificiality connected with regards to morals and ethics?

As Joe Zammit-Lucia states in his essay *Practice and Ethics of the Use of Animals in Contemporary Art* published in 2014, a discussion about the ethics of some of these art works

¹¹⁷ Zammit-Lucia 2014, p. 438. "However, the death of the animal can be an integral part of the art work – whether as an accidental and unintended consequence, as a known possible, though not certain, outcome of the artwork, or as a direct intent of the artwork."

¹¹⁸ I will go into greater detail about 'animalworks' in chapter 2.3, when examining the contemporary relationship between humans and animals in China.

can lead to a debate on principles which make it difficult to find a conclusive or inclusive synthesis. These principles can be based on opinions regarding animal welfare laws known as 'Five Freedoms'.¹¹⁹ As views on animal rights, artistic license and the definition of what art is or is not allowed to show, are specific to any person with an opinion, shaped by ethic and aesthetic principles. However, in recent years the critical voices against the use of animal products in art for performances and complex installations have become louder and more controversial. They have raised questions regarding the morality of such art works and whether the artistic license and basic right of free speech allows artists to overstep ethical boundaries.¹²⁰

One example for the diverse opinions on the use of animals in art is the work titled *Helena* by the Danish artist Marco Evaristti at the Trapholt Museum.¹²¹ This work was part of an exhibition in 2000 where the artist exhibited ten *Moulinex* mixers in which he had put living goldfish.¹²² The aim of this work was to showcase a 'person's' journey in life highlighting three different types of personalities, the Sadist, the Voyeur and the Moralist. As the mixers were turned on the audience was allowed to decide whether or not to push the 'Start' button; ultimately leading to the death of the goldfish.¹²³ The installation came under strong criticism by animal rights activists as they claimed the fish were subject to unethical treatment. What followed was a lawsuit against the gallery to assert "[...] whether there had been reasonable grounds to suppose that observing the demise of the goldfish in the exhibition was in violation of the Animal Welfare Act."¹²⁴ The outcome was that there was no evidence that the death of the goldfish did violate the Animal Welfare Act, and the use of the mixers was allowed.¹²⁵ The outrage surrounding this work showcases the opposing points of view various parties can have, in the judgment of an art work using animals. Additionally, it depicts that the generalized human consensus prevails that we, as a higher, emotionally capable specimen can decide about the physical and emotional sentiments of an animal. However, is it possible, in view of this assumed higher position, to establish a code of conduct in regards to the use of animals in art? According to Joe Zammit-Lucia "(m)any difficulties arise when trying to

¹¹⁹ Five Freedoms were five regulations for animal welfare under human control, established in 1975 by the UK Farm Animal Welfare Council. See: <http://webarchive.nationalarchives.gov.uk/20121010012427/http://www.fawc.org.uk/freedoms.htm> for detailed account.

¹²⁰ Compare Zammit-Lucia 2014, p. 443.

¹²¹ Is it necessary to distinguish between Eastern and Western art or is modern art understood to come from one global body of thought.

¹²² Refer to Marco Evaristti's website, *Helena & El Pescador*.

¹²³ *Ibidem*.

¹²⁴ *Ibidem*.

¹²⁵ *Ibidem*.

establish general principles to define the boundaries of the use of animals in art. The questions become more indefinable still when, as some argue it should, the debate is taken beyond just issues of cruelty and harm to encompass the ethics of the whole idea of the instrumental use of animals for the purpose of artistic expression.”¹²⁶

The essay *Artists and Morality: Toward and Ethics of Art* published in 1977 by Arnold Berleant, touches upon the ethical discussion of art and moral responsibilities of artists and their artistic expression. The author distinguishes between two different “axes”.¹²⁷

“One is the moral status of art objects, objects challenged for their formative influence on those who are exposed to them and, as a consequence, subjected to the restrictive hands of a censor. The other is the moral stature of artists themselves, pursued, tempted, co-opted, perhaps exploited by a social order that encompasses many interest but seldom those that are their own.”¹²⁸

Even though this essay was published forty years ago, these two opposing opinions of the moral status of art objects and of artists have not lost their contextual relevance. The essay further promotes this assumption, that artists have the same moral duties as people of other professions. Hence, they have to take the same responsibility for their actions.¹²⁹ Accordingly, artists are obliged to act for their better conscience without patrons, politics or the art market dominating and influencing their work to any degree. This challenges the all encompassing freedoms that artists claim in their right. It is difficult to determine a generally accepted understanding of ‘better conscience’. The most notable argument Arnold Berleant discusses in his essay is, that artists have an even more exposed ‘ability to influence’ and a significant control over their chores. In regards to the use of animals in art, this ‘ability’ could be interpreted as an appeal to rethink and evaluate the use of animals.¹³⁰ His thoughts are generally targeted towards an artist’s morals and not as Zammit-Lucia’s at animals in art. They are relevant to this discussion nonetheless. Berleant states that “(t)here are times when the integrity of artists to their art is expressed in dramatic ways, but none more than when it becomes destructive.”¹³¹ This destructiveness is oftentimes the theme of an art work involving an animal, whether it is the idea or the act. Destructiveness in its most literal sense is also part of the carving craft. Even though the carver ‘creates’, he doesn’t acknowledge that the only

¹²⁶ Zammit-Lucia 2014, p. 443.

¹²⁷ Berleant 1977, p. 196.

¹²⁸ *Ibidem*, p. 196.

¹²⁹ *Ibidem*, p. 196.

¹³⁰ *Ibidem*, pp. 197.

¹³¹ Berleant 1977, p. 200.

reason he can do so is that the acquisition of the material he uses demands destruction. Generally not all ivory carvers use ivory which comes from recent poaching incidents as the Chinese government supplied their certified carving factories with certificates limiting the amounts of ivory for sale.¹³² Nonetheless, the attack on elephant populations in Africa through poaching is a confirmed consequence of the high demand for ivory in China. According to Joe Zammit-Lucia “(t)he debate about the use of the animal in art boils down to a conflict between two moral imperatives: freedom of artistic expression versus the limit of acceptable moral behaviour.”¹³³ Zammit-Lucia states that in discussions about the opposing views, taking offence against appreciating transgression and challenge has hardly changed over the last years.¹³⁴

To elaborate further on this conundrum of artist’s moral responsibility and artistic license, I want to use an example from Western contemporary art. In recent years the most prominent example for animal use and the theme of destructiveness is by the British artist Damien Hirst, who has come under harsh criticism for his art works displaying the decay and death of animals, directly critiquing our consumerist society. An article by Caroline Goldstein, published on *Artnet* in early 2017, highlights just how many animals have been used by the artist for his works to-date.¹³⁵ Goldstein counted almost 1 million including insects, reptiles, fish and mammals. One important question concerning this work is: where did the artist source the animals for his works? Were the animals dead before he used them or did they die in order to complete his? Goldstein answers these questions as follows:

“Throughout his career, Hirst has sourced his materials through a variety of methods and from a variety of sources, including Australian shark-hunter Vic Hislop, the London-based taxidermist Emily Mayer, and London’s own fabled Billingsgate Fish Market. Some of the animals were dead before Hirst came around, while others met ends tailored to their artistically-conceived resting places.”¹³⁶

The last part of this quote is quite compelling. It could be assumed that the animals, which found their last resting place in Hirst’s works, were not only insects and fish but also mammals. It could be of interest to study whether the audience’s reaction is stronger over the death of a mammal compared to that of a fish, reptile or insect. If mammals evoke a larger

¹³² Yang 2013. According to a 2013 interview in the China Daily newspaper with an ivory carver from Beijing, carving factories were given 629 kg of ivory annually.

¹³³ Zammit-Lucia 2014, p. 440.

¹³⁴ *Ibidem*, p. 441.

¹³⁵ Goldstein 2017.

¹³⁶ *Ibidem*.

emotional reaction from the audience, could this not be considered partly benevolent or showing a certain degree of pity towards the animal? Do other creatures receive an equal amount of compassionate emotion or are they looked upon absent of feeling? The outcome of this study could show that the power of artistic license is so entrenched that it might be impossible to establish an effective code of conduct that artists adhere. We should ask two more questions. First, is the artist allowed to inflict death in order to create and potentially benefit without defending their actions, hiding behind artistic license? And second, how commuted is the concept of morality really to artistic license?

I will try to answer these questions by using one of Damien Hirst's major commissions. *The Physical Impossibility of Death in the Mind of Someone Living* is an example of the use of a fish in an art installation. This work has gathered large amounts of media coverage since its first exhibition in 1991. Since then it has been considered one of the most important works in Modern Art. It displays a large tiger shark, conserved in formaldehyde with its jaws wide open as if it were about to attack. The shark is not in its natural habitat and is being used as an image representing life. It's an attempt to explore and exploit some of our greatest fears and emotions.¹³⁷ "As Hirst states: 'You try and avoid [death], but it's such a big thing that you can't.'¹³⁸ The artist used an animal, which is now considered near threatened¹³⁹, to make his audience face their deepest fears, but is that morally correct? Does a shark have to be hunted in Australia, to be shipped around the world, in order to evoke an emotional reaction in a gallery? There is no definite answer to this question but it may be possible to answer the first question. Yes, artists do take the liberty to decide about life and death of the used animal. In the case of Marco Evaristti, they let the audience be the decision-maker. Establishing a notion whether it is moral or immoral depends on the previously mentioned opposing points of view.

I want to emphasise the defence of artistic license and the use of animals in art using Hirst's and Evaristti's works. They are strong examples highlighting the divide between moral and immoral and the ethical and unethical. Opponents of art works using animals often accuse either the artists or the artwork of being immoral. But, can pieces of art really be immoral? If so, does it make the act of creation a criminal offence? It could be interpreted as the artist,

¹³⁷ Damien Hirst on 'The Physical Impossibility of Death in the Mind of Someone Living' Refer to artist's website

¹³⁸ Ibidem. 'The Physical Impossibility of Death in the Mind of Someone Living'

¹³⁹ See The IUCN List of Threatened Species <http://www.iucnredlist.org/details/39378/0>. According to the WWF the threat to sharks is growing continuously with the increasing demand for shark fins and threads through careless fishing practices. See <https://www.worldwildlife.org/species/shark> (accessed Nov. 2017)

being the one creating an artwork, makes the artwork a display of immorality. However, it is the audience which has to interpret whether or not to take offence which then decides whether the artwork is unethical or not. The feeling of immorality is heavily dependent on the ethical and aesthetic reception, determined by the audience. Ivory has so far not been accepted by the Chinese consumers as immoral. This may be because the material is a resource from nature not often seen in China and the art is an ancient, imperial tradition.

To what extent does Chinese ivory carving and carvers relate to the works of Damien Hirst. The relationship might not initially seem obvious. What connects them is, both make use of animals or animal products with the intention to create art. In these cases a 3000 year old Chinese cultural practice and a British artist's work designed to push the boundaries of European, or rather Western Modern, art. Hirst's work displays dead animals whilst ivory carving only makes use of a particular piece of the elephant.¹⁴⁰ Second, the consequence of the production of the piece of art, which with regards to ivory carving is particularly destructive. Do people take more offence seeing a corpse or just a piece of a corpse? Is the fact that the animal cannot be seen in full reason enough to care less about the origin or the material?

The remains of an animal can be used for multiple purposes. They may include art, even if the animal died of natural causes. If Damien Hirst chooses to use an already dead cow or horse for his work, the only argument that speaks against it is that his moral intentions might possibly be an offence to his audience. The ivory of a dead elephant, given its quality for carving, can be used for the creation of art. Carvers can use the ivory coming from specific stockpiles that have been collected due to natural deaths of elephants and annual culling in national parks. However, this is not the focal point of the problem surrounding Chinese ivory carving as there are vast amounts of ivory originating from poaching incidents carved. According to an ivory carving factory owner from Shanghai, the demand for the carvings is so high that the annual quota of 330 pounds of legally purchased ivory only last a month. To produce further carvings and meet the demand, the owner has to acquire ivory from the black market.¹⁴¹

¹⁴⁰ Haas 2017.

¹⁴¹ Lev in 2013, "Conservation group investigators say licensed factories often supplement official purchases with smuggled ivory, sometimes by adding illegal pieces to legitimate carvings. One factory owner privately acknowledged that the 330 pounds of legal ivory he acquires annually lasts just one month. The rest, he said, is bought on the black market."

The fact that an endangered species is specifically hunted down for its teeth, which are considered a natural resource, to create art, questions the morality of all involved stakeholders and their actions may they be in favour of the trade or not. The artists only makes use of a small piece of animal, and is not involved in the killing of the animal. However, they do make the choice to create art out of something that involves unnecessary slaughter. To offer an overview of the carvers' general point of view in regards to the divide between the conservation of elephants and that of their craftsmanship's future is ambiguous. In some interviews in newspaper articles about the future of the craft, individuals argue that the tradition is reason to continue. They give little or no thought to the effect it has on the African elephant.¹⁴² Others argue the complete opposite.¹⁴³ As the *National Geographic* survey has shown, there is an acknowledgement of the effects of the trade and craft. However, it hasn't changed the general behaviour of the consumers and carvers.

Ivory carvers are proud of their craft and its tradition. Ivory carvings are magnificent pieces of art, products of a distinguished skill-set, which takes a long time to develop and perfect. However, the use of artistic license, challenging the sustainability of the craft, is under current circumstances an unconvincing argument. It is indeed a controversial topic. To what extend can artists be reckoned of moral responsibility? How much are they allowed to display their thoughts through artistic expression? Nevertheless, researching this topic has shown that taking pride in an art form could lead to an alarmingly high level of ignorance. It can lead to a misunderstanding of facts not only from buyers of ivory but also from the carvers themselves. One of the many reasons why there is such a high demand for ivory, even with the increasing number of anti-ivory campaigns in China, is that the general population does not take an interest in the animal to any great extend. Contrary to most art, ivory carving involves a much larger number of participants who could question the immorality of the practise, which could lead to a change in the perception of the art. The poacher, the hunter, the trafficker, the trader, the carving factory owner, the carver and finally the consumer all hold a part in making this art form possible. To place the fault or blame on one of the participants in this chain would not be constructive and correct because the relationship between all the various participants is different. Ivory carvers need hunters, traders and traffickers to supply

¹⁴² See article 'Ivory carvers want craft preserved' written by Y. Wanli published on China Daily May 2017.

¹⁴³ Refer to Chen 2017. "I think elephants should be protected," he continues. "The key is stopping poaching in Africa. More should be done in Africa. Much more. Africa, not China, is the source of illegal elephant tusks. Yes, elephants should be protected, but so should the tradition and art of ivory carving. Honestly, we artists don't need a lot of tusks. Those from elephants' natural deaths are more than enough for our creative works because each piece takes months, sometimes years, to finish." This quote is interesting because the carver understandably does not think that the craft of ivory carving is unsustainable.

them with ivory. Hunters and poachers need traders and ivory consumers to sustain their profession. Ivory consumers need manufacturers to produce carvings according to levels of demand.

In regards to what ivory carvings display, it can be said that they rarely depict immoral topics. Carvings from Guangzhou and Beijing are known for displaying flowers and birds, ornamental designs as well as architectural models.¹⁴⁴ The theme of the piece of art therefore generates a different emotion than those works by Damien Hirst or Marco Evaristti. One problematic issue is the origin of the materials used for artworks. Ivory carvings become the symbol of immoral and unsustainable art practice. They are immoral, because the production of the piece of art is unethical therefore the piece of art is immoral. Why has the immorality of ivory carving neglected in scholarly art historic discussion? It could be argued that because China is the origin of a large number of ivory carvings, it should be Chinese art historians critically discussing ivory carving. Furthermore, the wellbeing and sustainment of an animal species is not part of art historic practice. To art historians the end product of the creative production of a piece of art is more important.

When the obvious visual features and characteristics of an animal are taken away does it make for example ivory less of an animal product since the elephant that was once the 'owner' of the tusks is not physically connected to the animal anymore? If the slaughter of an animal is not visible to the audience does it exclude the art work from the discussion about morality and ethics?

Joe Zammit-Lucia's essay discusses some very valid points concerning the use and misuse of animals for art. It appears that the discussion about this is still at a very early stage as there are two opposing opinion groups unable to find a consensus through the juxtaposition of their arguments.¹⁴⁵ His text solely focuses on animals though, not on animal products to which skulls, bones, teeth and shells could be counted. Of course the remains of a dead animal can be used and have been used over thousands of years and there have been laws and regulations established to protect certain species from endangerment through trade but there is hardly any recent art historic discussion about the morality and particularly the sustainability of the use of animal products for art. Something that has been absent from at historical discussion is, whether there is a necessity to use animals or animal products in art?

¹⁴⁴ Refer to p. 12 of this thesis.

¹⁴⁵ See Zammit-Lucia 2014, p. 443.

It seems as though these laws and regulations were established by conservation groups not influenced by the moral and ethical concerns of artists, interested in the protection of endangered species. One reason why the discussion about the abandonment of the ivory trade in China and the potential end of the carving tradition is so difficult is the fact, that the artists are not the ones pushing for a more sustainable future of their craft. Instead, Western conservationists and wild life organisations without profound knowledge of the importance of ivory carving's history in China have successfully moved the country's government to the full abandonment of the ivory trade. Carvers find themselves in precarious situation as some of them understand the urgency to protect the African elephant but are facing the end of this ancient art form as well as the occupation which pays for their life. As the borders between legal and illegal interlock carvers attempt to take a stand in proving that they stay on the legal side of the business. "We work with legal ivory, not tusks from illegally slaughtered animals. Sure, those thousands of elephants should be protected, but what about all the ivory carvers? Doesn't anyone care about the extinction of our art?"¹⁴⁶ If the results from the 2015 National Geographic survey can be taken as evidence for the interest of collectors in the craftsmanship and the carvers, the question could be answered with both, yes and no. On the one hand, yes collectors are interested in the continuation of the art and the artists, because they have an interest in purchasing highly valued objects. On the other hand, it could be answered with no because the used material is of more interest than the craftsmanship. "The rarer the animal, the more it is coveted by wealthy consumers and investors, a growing cohort in China."¹⁴⁷

"Proponents of legal sales of ivory argue that saturating the market with legal ivory could reduce ivory prices and stem illegal trade, thereby reduce poaching. However, the facts showed that the exact opposite has occurred: The repeated ivory stockpile sales have failed to reduce ivory prices and control illegal trade. The influx of 'legal' ivory further challenges market control and enforcement efforts, providing loopholes for smuggled ivory to be freely traded under the cover of legal domestic markets."¹⁴⁸

Because the reason for consumers to purchase ivory is the financial interest, it brings up a third aspect. It has to be examined to what extend the philosophical approaches to the field of animal rights and welfare might have an influence on today's views. Furthermore, what is the Chinese consensus on animal rights and animal welfare?

¹⁴⁶ Wanli 2017.

¹⁴⁷ Gabriel et al. 2011, p. 17.

¹⁴⁸ *Ibidem*, p. 3.

2.4 Animal Welfare in Chinese Philosophy

As described by Matthew Calarco in his 2015 publication, *Thinking through Animals*, capabilities and behaviour patterns in animals are now more closely studied and prove that barriers between humans and animals regarding their abilities are beginning to fade.¹⁴⁹ In his opinion the exclusive position humans have held, through the knowledge of “language, self-consciousness, tool use [and] awareness of death” is losing its value.¹⁵⁰ Calarco furthermore criticizes that in Western tradition, philosophy has played a leading role in the construction of ethical and philosophical dogmas in concerns to animals.¹⁵¹ This of course is a critical observation of Western philosophy but it shows that critical discussion about animal rights and welfare is rather new.

One part of the problem concerning the position of Chinese collectors and carvers towards the continuation of the ivory carving tradition and their argumentation for it is the position they inhabit in regards to the worth of animals and animal welfare. To understand the relationship between the Chinese and animals, we could look at the philosophical theories of Confucius. Primarily on morals and ethics in regards to animal welfare have to be consulted. These can be read as a guide whether China has developed a contemporary and ethical position towards animal rights. It also helps to clarify why the Chinese consumers might not be concerned about the pending extinction of the African elephant. Donald N. Blakeley wrote an essay titled *Listening to the Animals: The Confucian View of Animal Welfare* in 2003. This essay is one of the key publications on this topic in recent years. Multiple peers have referred to it as a leading analysis of animal welfare in Confucian philosophy and its influence on present day Chinese society. Blakeley writes:

“Ethical values and moral sensibilities are inculcated in family life and early education. Progress in the cultivation of self and filial conduct expands ideally to embrace standards of propriety in social-political affairs, and these, in turn, are set within and integral to the wider context of nature and operation of the greater cosmos [...].”¹⁵²

Confucian philosophy describes that the cosmos, moral integrity and proper governance are strongly interlinked.¹⁵³ The *Analectics* written by Confucius (551-479 B.C.) mention the use of animals and the relationship humans should have with them in a detailed

¹⁴⁹ Calarco 2015, p. 6.

¹⁵⁰ *Ibidem*, p. 7.

¹⁵¹ *Ibidem*, p. 7.

¹⁵² Blakeley 2003, p. 137.

¹⁵³ *Ibidem*, p. 137.

code of conduct.¹⁵⁴ There are strict rules about what is allowed to be done with certain animals and how they should be treated. In his writings it appears that his thoughts about the value of animals are worthy of interest to humans due to their quality as a resource and their service provided to human needs and their enterprises.¹⁵⁵ Blakeley describes that animals have three different levels of value, firstly the value for and in themselves as living beings. Second, a value for others in regards to the service they provide and third, they are a valuable part of the whole engaging affairs of nature.¹⁵⁶ Most importantly however is that “[...] integrity serves as the fundamental measure of value.”¹⁵⁷ His thoughts concerning the distinct hierarchy between humans and animals don’t differ much from ideas expressed by Aristotle (384-322 B.C.), who proposed a natural hierarchy of living beings determined by their capability of conscious experience.¹⁵⁸ Where these two philosophers differ in their views however is, what humans can learn from animals concerning their proper form of conduct.¹⁵⁹ According to Confucius animals can generate sympathetic interest in a human which will lead to an emotional connection leading to normative reasoning.¹⁶⁰ However, nowadays these views have drastically lost importance as China has no laws in regards to proper, ethical treatment of animals.¹⁶¹

Apart from Aristotle, René Descartes (1596-1650) and Immanuel Kant (1724-1804) are two of the most notable Western philosophers who focussed on the relationship and hierarchy between animals and humans.¹⁶² Descartes thoughts were based on the conviction that there was a strong cognitive divide between the two and that there was nothing unethical about using animals for the human’s benefit.¹⁶³ Kant, “[...] denie(d) that animals possess rationality and self-consciousness.”¹⁶⁴ He believed, like Descartes, that animals serve as instruments to be used by humans, however they should be treated well for their use.¹⁶⁵ According to Matthew Calarco, Western philosophy has been an obstacle in the development of a critical approach towards the ‘human/animal’ distinction.¹⁶⁶ Nowadays, animal rights and animal welfare have created new philosophical exchanges of ideas. However, searching

¹⁵⁴ Ibidem, p.137. Dates taken from Internet Encyclopaedia of Philosophy, (accessed Nov. 2017)

¹⁵⁵ Ibidem, p. 137.

¹⁵⁶ Ibidem, p. 137.

¹⁵⁷ Ibidem, p. 137.

¹⁵⁸ See World View/Religious Theories on *Internet Encyclopaedia of Philosophy*, (accessed Nov. 2017).

¹⁵⁹ Blakeley 2003, p. 140.

¹⁶⁰ Ibidem, p. 140.

¹⁶¹ Refer to Knot 2016.

¹⁶² Dates taken from common online encyclopaedia.

¹⁶³ Calarco 2015, p. 9.

¹⁶⁴ Calarco 2015, p. 10.

¹⁶⁵ Ibidem, p. 10.

¹⁶⁶ Ibidem, p. 10.

through the literature on the ethics and morality of the use of animals in art brings few results, which in part is due to the arguments being relatively new to the critical art historic world. However, does nature have an inherent value and is it of greater importance to incorporate sustainable thoughts on nature in artistic discussions? The answer to this question is heavily based on opinion, some will agree that the use of materials deriving from endangered species goes against a good moral conduct. Others will argue that nature exists in order to serve and be shaped by humans.

Another topic giving reason for divisions between Western and Eastern beliefs is the use of animal products for traditional medicine. Ancient traditional Chinese medicine makes use of many different substances which are highly uncommon in modern Western medicine. Ivory is believed to possess certain healing and is said to clean the body of toxins.¹⁶⁷ Chopsticks can supposedly change colour if they come in contact with poisonous food. As with many conflicts populations often will believe and put their trust into traditions and practices that have either proven helpful or helped. There is no research that proves that ivory does indeed have any medical benefit when ingested or used any other way. Another animal is heavily poached for a material essentially the same as human hair, keratin. Rhinoceroses in Sub-Sahara are extremely endangered as their horns are believed to have stimulating, aphrodisiac powers which help to improve male potency. China abandoned the trade with rhino horn in 1993 but as a 2016 study reveal the country is still the highest consumer.¹⁶⁸

Very different to ivory Rhinocerus horn has been endowed with magical and medical properties since the time of the T'ang dynasty.¹⁶⁹ The horn is of the same material as human hair or fingernails and therefore not as rare as believed. It has been said for many centuries that a rhino's horn has aphrodisiac powers, even now with all medical prove that it doesn't the demand for it in Asia hasn't stopped and decreased population numbers to a bare minimum. As these examples show, the philosophical position, to make use of an animal if it brings benefit to humans has prevailed. Traditional belief stands in the way of a modern and conscious approach to animal rights and welfare. Scientific prove that ivory and rhino horn do not have any medical benefit have little impact on the consumption. Because the symbolic

¹⁶⁷ Levin 2013. "Ivory is etched deeply into the Chinese identity. Popular lore tells of emperors who believed ivory chopsticks would change color upon contact with poisoned food. In Chinese medicine, ivory powder is said to purge toxins from the body and give a luminous complexion."

¹⁶⁸ Neme 2017. "Although trading rhino horn has been illegal in China since 1993, it's ubiquitous in the country. [...] China appears to be the largest consumer of illegal rhino horn, and Vietnam is a key enabler."

¹⁶⁹ Jenyns 1982, p. 138.

traits of ivory have such a high value in Chinese society, it is more than unlikely that there will be a change of heart, leading to a decrease of ivory purchases.

This chapter has shown, that Chinese ivory consumers buy ivory because of its monetary value. The cultural importance, which is believed to be the main driver, was exposed to only be an argument to keep the flourishing trade up. However, the rarity of the material is the main driver for consumers to purchase ivory objects. Ivory carvings are purchased to portray social standing and wealth and it is common believe that tusks can be used without concern because they are regarded as a natural resource.

3. Legality vs. Sustainability

3.1 Ivory on the European Art Market

European countries particularly the United Kingdom and Germany have played a significant role in the early 20th century slaughter of the African elephant. An obsession to produce a vast amount of objects made of ivory led to the near complete extinction of the African elephant in certain countries. “In the 1970s and 80s international demand, especially from a newly-enriched Japan for hankos or stamps, decimated many central and east African populations. Most recently a market largely in mainland China led to a 60 per cent decline in forest elephants in just 10 years.”¹⁷⁰ In Europe, laws were established, which forbade the trade with certain materials harvested and fabricated after 1947. Presently these laws are still in effect. The United Kingdom is one of the countries that allows the trade with ivory crafted before 1947, however many pieces offered at auctions nowadays are sold without certain prove of age and provenance.¹⁷¹ An organisation called *Two Million Tusks* published a report in ivory in British auction houses sales in October 2017. Their findings showed, that between the 19th and early 20th century almost one million elephants were killed, to cater the British demand for ivory.¹⁷² The report also showed that ivory lots for sale between 2016 and 2017 in 262 auction houses only made up 0.70% of the total number of lots for sale.¹⁷³ Furthermore, it proved, that a total ban of ivory in UK auction houses would not affect their survival. Auction houses claimed, that there was not link between modern poaching and the trade in antique ivory. Given that they were unable to prove the provenience as well as the manufacturing date of the ivory, it becomes evident that there is no guarantee that British and European auction houses are knowingly or unknowingly involved in the illegal ivory trade.¹⁷⁴

Compared to China and the USA, the European Union is the last large market to enact a definitive ban on all ivory trading, imports and exports.¹⁷⁵ “The EU is the world’s largest exporter of pre-convention ivory—ivory acquired before the creation, in 1976, of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES), the body that regulates wildlife trade.”¹⁷⁶ According to a 2016 National Geographic article Belgium in particular is a large source for carved ivory, because Belgian citizens are trading

¹⁷⁰ Knights 2017.

¹⁷¹ Two Million Tusks 2017, p. 4

¹⁷² Ibidem, p. 4.

¹⁷³ Ibidem, p. 4.

¹⁷⁴ Ibidem, p. 5.

¹⁷⁵ Cruise 2016. “Global demand for ivory remains high. Legal ivory exports from the EU, especially to China and Hong Kong, as well as trade among member states, likely fuel demand and facilitate laundering of poached ivory into the trade system.”

¹⁷⁶ Ibidem.

inherited ivory pieces. During the last ten years, as the article explains, almost 550 tusks and more than 20,000 carvings have been legally traded by the European Union.¹⁷⁷ The article furthermore quotes a French lawyer, who argues that because EU member states do not have one single position towards the full global abandonment of the ivory trade, “[...] the EU is hiding from its responsibility in this modern-day global ivory conflict.”¹⁷⁸ Europe still plays a significant role in the distribution of ivory. Art historians have yet to critically discuss this. There are no publications questioning how auction houses are potential trading posts for illegal objects. Therefore, to which extent do appraisers and auctioneers play a role?

3.3 Would Sustainable Ivory have a Chance?

Before the Chinese ivory ban was enforced earlier this year, it was reported that some carving factories had begun using mammoth instead of elephant ivory. It was promoted as an ethical alternative; however, it was argued that flooding the market with mammoth tusks would only increase the demand for the material in general. Furthermore, it was said, that the use of mammoth tusks provides a cover for the continued illegal trade with elephant-ivory.¹⁷⁹ Just like elephant ivory, mammoth ivory is not a sustainable material. The tusks harvested from the melting permafrost in Russia, are imported into China mainly through Hong Kong.¹⁸⁰ According to an article published in the *New York Times* in August 2017, over 34 tons of mammoth ivory are imported annually.¹⁸¹ Because of its fossil nature, mammoth ivory supplies won't last for an extended period of time. Accordingly, producing all carvings out of this material will dry up sources faster. Eventually carving factories will return to elephant ivory.

In recent years the quest to produce daily-use objects sustainably has swept over the world, mainly influenced by Western civilisation. Apart from creating more awareness for consumerist behaviour, it has also had the effect that in the art world, some artists have begun to work with the idea of sustainability as a theme and are trying to make art more

¹⁷⁷ Cruise 2016, “Many Europeans in countries such as Belgium, which had African colonies, have been selling off ivory pieces they inherited in the years since nations won their independence. During the past decade EU countries legally exported more than 20,000 carvings and 564 tusks, according to CITES, and the numbers have been going up.”

¹⁷⁸ Ibidem.

¹⁷⁹ Meyers 2017. “While mammoth ivory has been promoted as an ethical alternative, since it does not come from the poaching of live animals, some conservationists argue that the booming trade in it fuels demand for ivory in general. And the mammoth ivory industry, they say, could end up providing legal cover for the black-market trade in elephant ivory.”

¹⁸⁰ Ibidem.

¹⁸¹ Ibidem. “More mammoth ivory funnels in through Hong Kong, where imports are now averaging 34 tons a year, three times the average in 2003 [...]”

sustainable.¹⁸² Since we live in a throwaway society, which speeds up industrial production and accumulation of vast amounts of waste, deforestation, reef acidification and climate change have become heavily disputed as they all relate back to human influence. Sustainability is not associated with ivory carving, however, it could be. The biggest argument ivory carvers use, is, that their craft would die out if they didn't have any more ivory to carve, if indeed a total ban of ivory – legal and illegal – could be accomplished. This argument is flawed as there are materials which could be used as a substitute for ivory. Apart from mammoth ivory and ox bones, carvers already use materials such as soap and wood for their carvings.¹⁸³

However, there is one particular material which is almost identical in elasticity, colour and materiality to elephant ivory, which is the tagua nut growing on palm trees found in Central and South America. This nut and its substitute qualities were mentioned in an 1844 article in *Littell's Living Age*, a periodical published in Boston by Eliakim Littell (1797-1870) between 1844 and 1896.¹⁸⁴ This article describes the nut as 'vegetable ivory', growing on the *Phytelephas* palm found in Colombia.¹⁸⁵ The fruit, when dried becomes almost as solid and hard as ivory and resembles it also in colouration. Back in 1844 it was described to be used for "walking-stick knobs, reels of spindles and little toys".¹⁸⁶

A recent scientific report from 2015 provides a contemporary scientific survey about the *Phytelephas* palm and its 'ivory'. This is the first thorough study on this material, which proves that it could indeed be the most valid substitute for elephant ivory as well as other non-sustainable materials such as plastics. Researchers suggest that "[...] through selective breeding, larger seed, and tailored compositions [...] a greater flexibility in manufacture" could be achieved.¹⁸⁷ Apart from being a sustainable substitute, this material would make it possible for carvers to determine exactly what size and curve they want their artificial tusk to be and would improve the overall working process of a carver and contribute to the conservation of the African and Asian elephant as their ivory would no longer be required. However, to produce the demanded amount of ivory in its artificial form would take large

¹⁸² Refer to K. Wehr (ed.), 'Sustainable Art' in *Green Culture: An A-Z Guide* by Los Angeles: Sage Publication, 2011. 431 - 433.

¹⁸³ Compare Holland 2016 and Chen 2017. "He has expected this ban and prepared for a transition. Decades ago he diversified from ivory to carve other materials such as mammoth tusks and ox bones. 'We have saved some elephant tusks from before 1989 – all legal and certificated,' he says. 'As we are finishing our last legal ivory stock, we will use more oxbones and mammoth tusks.'"

¹⁸⁴ Birth dates taken from common online encyclopaedia.

¹⁸⁵ *Littell's Living Age* 1844, p. 476.

¹⁸⁶ *Ibidem*, p. 476.

¹⁸⁷ Chu et al. 2015, p. 7.

investments and a long development and breeding process. One could argue that countries with the highest import of ivory have the responsibility to provide their market with artificial ivory produced on national ground. This could increase the job market and at the same time set an example for other nations to abandon elephant ivory entirely. If the Chinese were to develop a system like this, they could become the biggest supplier for artificial ivory in Asia. But is this really a possibility or idle thinking?

As research has shown, consumers are not interested in the craftsmanship and skilful executions of ivory carvings but almost exclusively in the investment value that the material holds. It was reported back in 2011 that ivory auctions brought \$94 million in China.¹⁸⁸ Due to prices for ivory being at such a high level six years ago, buyers would immediately resell their ivory to make a profit. For a long time, cultural history and tradition have been the most frequent argument in support of the continuation of ivory carving. Consumers, even though educated about the impact of purchasing ivory are unlikely to change anything about their consumerist behaviour as long as governments do not show stricter legislation concerning the illegal trafficking with poached ivory and making the consumption of ivory a criminal offence. Between the highly elaborate carvings which take several years to finish and the fast produced chopsticks and bangles, a large divide has been generated. There is no certainty which ivory carvings are made of legal or illegal ivory. Afraid to lose their employment or because of a lack of empathy for animals, carvers do not question where ivory comes from. They do not demand the general use of another material, which could provide the survival of their craft. Carvers know that their craft will only stay sufficiently gainful by using elephant ivory.

To conclude, there are many political and economic interest involved in the ivory trade. Ivory carving has become a play ball in the network of legal and illegal trading. The main interest of carvers is to preserve their craft in order to guarantee their profession and less for the art itself. Because ivory is continuing to hold its reputation of a luxury commodity the trade for it won't end with the establishment of international trading laws.

¹⁸⁸ Levin 2013. "In 2011, for example, auctioned ivory fetched about \$94 million, double the previous year's total, according to the China Association of Auctioneers. "Buyers wouldn't even take home the carvings they bought before putting them up for bid again," said an employee with a major Beijing auction house who asked for anonymity because of the sensitivities involved."

Conclusion

“In the end, though, this is purely a vanity market; there’s no health, welfare or security-related use for ivory. Nobody needs ivory, they just want ivory. And it seems a flawed argument that elephants should be killed for their tusks so as to meet a want for trinkets, earrings and chopsticks.”¹⁸⁹

The aim of this thesis was to question whether the claim of artistic license can justify the production of unsustainable artworks with oftentimes unethically sourced materials. The case study used to exemplify the conflict between tradition and ethical responsibility was the ancient art of Chinese ivory carving and its effects on African elephant populations. To introduce ivory carving, it was examined how the art developed over the centuries. The main focus of this thesis lay in the discussion on two conflict points first, the moral responsibility of the involved parties and second, the sustainability of the craft overall. It was further discussed how the European art market may contribute to the smuggling of illegal ivory items and if there are any substances which could be used instead of elephant ivory.

Research showed that contemporary Chinese ivory carving has not been thoroughly discussed in Western art historical discourse even though it is a topic which heavily relates to the boundaries of artistic license and the morality and ethics of the use of animals and animal products in art. It has also shown that this topic has been of primary concern to conservation initiatives and governments. However, this topic should have concerned art historians just the same. They could have raised awareness for art and pleasurable aesthetics being used as a cover up for the distribution of illegally sources and traded materials. Art historians should not be silent bystanders reporting on facts, they have the ability to engage in an educative discussion about sustainability. It would be of benefit to start a conversation about cultural traditions being put to an end because they are not progressive and immoral.

It was displayed that the economic aspect of collecting ivory is the biggest driver for potential consumers. Research has further proven that the claim, of ivory carvings holding a significant place in the historic tradition of imperial arts, is indeed used to justify the continuation of the craft. This is regardless of the abandonment of the ivory trade. And also through the continuation of trade in Hong Kong until presumably 2021 illegal ivory will find its way into the Chinese black market. The financial value ivory has to the Chinese collectors has falsely been declared to be of minor importance by those interested in the continuation of the ivory trade. Ivory is foremost purchased to display wealth and social standing and also for

¹⁸⁹ Gossmann 2010, p. 65.

investment purposes. It seems as though the appreciation for the art itself is of less interest to the buyers. That is not to say that highly elaborate carvings are purchased and admired for their beauty. But the more elaborate carvings are, the more expensive they are and will bring the owner an even higher price in the future.

This shows that Chinese ivory carving is part of a market fuelled by human greed, which has not made the leap into the 21st century in regards to the ethics and morals of animal welfare. Because ivory is still glorified as a symbol of wealth, social standing and good taste, the education and required rethinking of the necessity to continue the art of ivory carving with ivory as the main material is not yet advanced.

There are opportunities to save the art of ivory carving by using sustainable products which could be ethically produced by the nations themselves. It is doubtful that carvings made of 'ethical' ivory would proactively bring a change in the collection habits of elephant ivory consumers and ultimately lead to ivory becoming unpopular. The analysis of the Chinese position towards animal rights and animal welfare has shown that animals are of no greater importance and are a sole natural resource to be used by humans and provide them with material for their entrepreneurial intents.

Therefore, can the claim of artistic license justify the production of unsustainable artworks with oftentimes unethically sourced materials? The claim of artistic license cannot justify the production of unsustainable artworks. In a world driven by human greed and consumers looking for profit and smart investments, it is necessary to question the origins and production of objects we consume. From daily commodities, food and clothes to luxury items such as art objects it is necessary to compare the actual monetary value with the demand defined value. Most people do neither agree with child labour in mines and sweatshops nor do they appreciate pesticide infested vegetables and meat full of antibiotics. Questioning the ethicality and sustainability of art and design objects has been neglected by consumers so far.

As stated in the quote at the beginning of this conclusion, no one needs ivory. Ivory is not a necessity for life and is consumed purely to distinguish oneself. The sustainability of ivory carving has not been of greater interest in the western art historic discourse because, either, scholars are not interested in it or they feel it does not fall into their field of responsibility. Art historic publications about Chinese ivory carving, published within the last ten years do not mention what impact the demand for ivory has had over the past centuries. Museums do not educate their visitors about the numbers of elephants that were slaughtered in order to produce vanity kits, billiard balls, game chips and hand held fans, which were still

very desirable at the beginning of the 20th century. Educating about the use of ivory and the effects it has had on population numbers over centuries is important, because it shows how human greed and desire for luxury items made of a desirable material have influenced the face of the planet we live on. Art historians can have a great influence on how ethics, morality and sustainability are treated in future discussions. It should be of greater interest to the general public that a solution that suits artist, conservationists and governments.

“[...] I argue that the moral nature of a work's contents does not transfer to the work and that, if we are to morally evaluate works we should try to conceive of them as moral agents.”¹⁹⁰

Words: 16.500

¹⁹⁰ v. Gerwen.

List of Illustrations

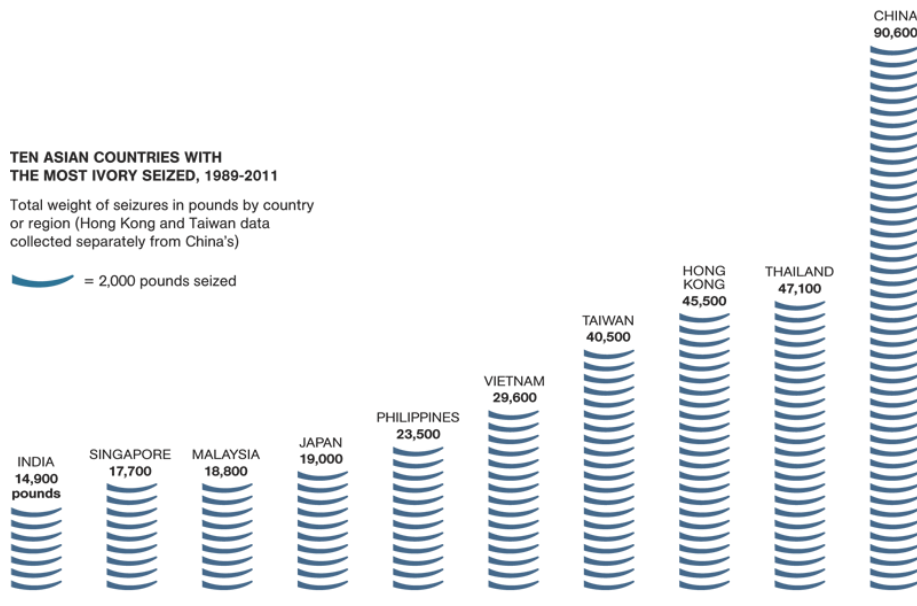


Fig. 1 This illustration was published in 2012 by National Geographic in context to the article ‘Blood Ivory’ by Bryan Christy. It shows that China has by far smuggled the most amount of illegal ivory between 1989 and 2011. Source: <http://ngm.nationalgeographic.com/2012/10/ivory/elephant-ivory-poaching-graphic> (accessed Nov. 2017)

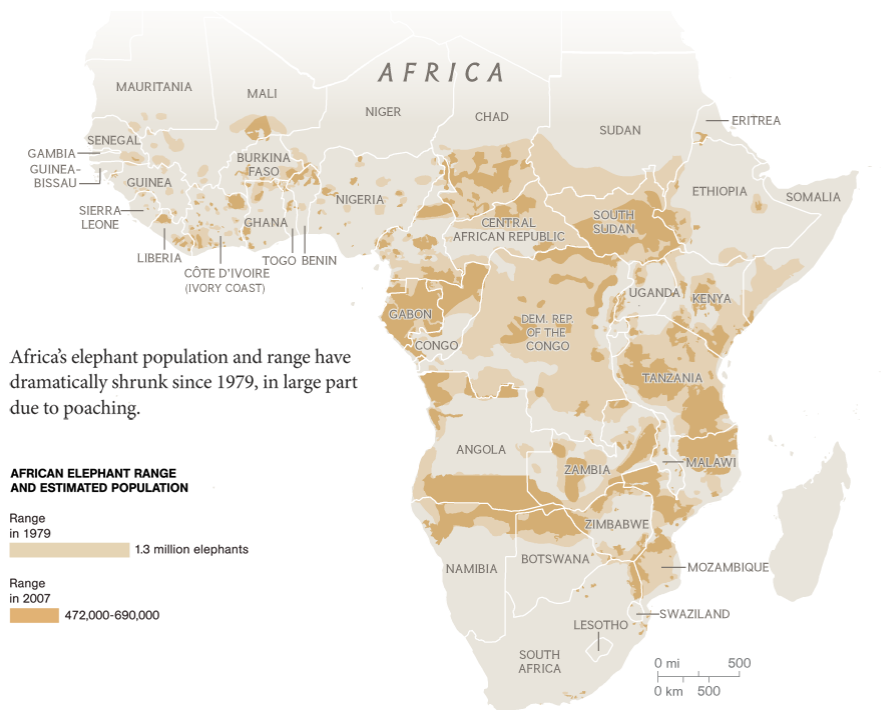


Fig.2 This illustration was published with Fig.1 in 2012. It shows which African nations have seen some of the biggest cuts in population numbers since 1979. It is visible that Central and East Africa has lost the majority of their elephants to poaching.



Fig.3

Buddha Shakyamuni with attendant bodhisattvas, 12 – 14th century
Period: Southern Song (1127–1279)–Yuan (1271–1368) dynasty
Measures: 23.5 cm (Height)
Medium: Mammoth Ivory
Depository: Metropolitan Museum of Art, New York, USA
Inventory-Number: 34.26.1a, b–.3a, b



Fig.4

Seal with knob in the shape of a wheel, 1424
Period: Ming dynasty (1368-1644), Yongle period (1403-24)
Measures: 7 x 4.2 x 4.2cm
Medium: Ivory
Depository: Metropolitan Museum of Art New York, USA
Inventory-Number: 1994.56



Fig. 5

Buddhist deity Guanyin (Bodhisattva Avalokiteshvara), 16th century
Period: Ming dynasty (1368-1644)
Measures: 26.7m (height)
Medium: Ivory
Depository: Metropolitan Museum of Art, New York USA
Inventory-Number: 12.219.1



Fig.6

Wardrobe, late 16th early 17th century
Period: Ming dynasty (1368-1644)
Measures: 285.5 x 158.4 x 82.6cm
Medium: Wood with inlay of mother-of-pearl, amber, glass, ivory, and other materials
Depository: Metropolitan Museum of Art, New York USA
Inventory-Number: 51.100.1a-f



Fig. 7

象牙插屏
Pair of Table Screens with Flowers and Birds,
17th century
Period: Ming (1368-1644)- Qing dynasty (1644-1911)
Measures: 26.4 x 12.2cm
Medium: Ivory
Depository: Metropolitan Museum of Art New York USA
Inventory-Number: 13.220.62a, b



Fig. 8

象牙插屏
Table screen with figures in a landscape, 18th century
Period: Qing dynasty (1644-1911), Qianlong period (1736-95)
Measures: 28.3 x 16.2 x 2.7cm
Medium: Ivory
Depository: Metropolitan Museum of Art
Inventory-Number: 2015.500.6.8



Fig. 9

Pagoda and Case (Made in China for the American market)

Period: late 18th century

Measures: 127 x 39,4 cm

Medium: Ivory, wood

Depository: Metropolitan Museum of Art, New York USA

Inventory-Number: 58.73a, b



Fig. 10

Concentric Balls

(Guangzhou)

Period: ca. 1820-1850

Measures: H 45,7cm,

Diameter 11,7cm

Medium: Ivory

Depository: Victoria and

Albert Museum, London,

United Kingdom

Inventory-Number: 380:1,

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