

RESEARCH ARTICLE

The Critique of Commercialized Art

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Abstract

Art is not a resistance to repression but a form of repression itself. Contemporary art, primarily painting, does not provide a traditionalist response to the values of its time, but rather responds to commercial market positioning. Art critics who emerged during the period of modernism debated specific problems of form, content, and meaning in visual artworks, through which they interpreted and evaluated the works objectively. Contemporary critics succumb to the commercial norms of the current market. This paper will present how, and in what ways, today's commercial art interprets and evaluates artworks, whether legal markets are in fact legal, and to what extent the prices of artworks are realistic.

Keywords: Contemporary Art, Painting, Commercial Market, Criticism.

1. Introduction

There are different ways to sell or purchase a work of art. Auction sales are one of the most commercialized forms of contemporary market competition, which often renders artwork prices excessively high. The two largest auction houses, Christie's and Sotheby's, which organize two central auctions annually in May and November, control about 90% of the global art market, whose value exceeds \$15,000,000,000. The contractual provisions entered into by the auction houses with interested parties vary: at Christie's, the rate is 17% on amounts up to \$90,000, and 10% on any amount above that. Sotheby's charges 15% on amounts up to \$100,000 and 10% above that threshold. The history of the auction house Christie's began in 1776, when James Christie (1730 - 1803) started the business in London. Today, Christie's organizes sales in over 100 separate categories, encompassing all types of decorative arts, antiques, automobiles, etc. The history of Sotheby's began in 1744, when bookseller Samuel Baker started this business, naming

the company after his nephew John Sotheby (1740-1807). Sotheby's was among the first, in the early 1990s, to launch the era of online auctions, selling paintings, sculptures, celebrity clothing, photographs, etc.

For example, the photograph "Light Trap for Henry Moore No. 1" by Bruce Nauman was sold for \$340,000, which is twice the estimated amount, while "Cindy Sherman's Self-Portrait in a Renaissance Costume from 1989" reached a price of \$270,000 (the estimated and starting value was \$55,000). In the early 1990s, Asian countries (especially Japan) became dominant buyers on the global art market. Thus, Ryoei Saito (1916 - 1996), then president of Daishowa Paper Manufacturing, in the early 1990s bought the painting "Moulin de la Galette" by Pierre-Auguste Renoir at Sotheby's for \$78,100,000 and the painting "Portrait of Doctor Gachet" by Vincent Willem van Gogh at Christie's for \$82,500,000. After this purchase, prices could no longer be controlled.

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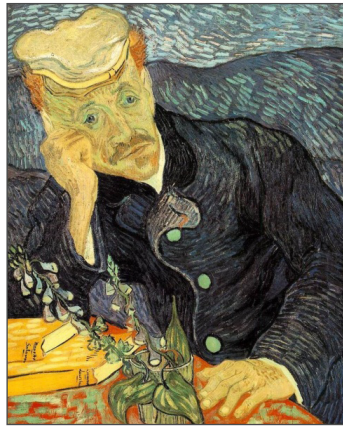


Figure 1. Vincent Willem van Gogh (1853 - 1890), *Portrait of doctor Gachet* (1890)



Figure 2. Pierre - Auguste Renoir (1841 - 1919), *Moulin de la Galette* (1876)

However, at the end of 1997, an FBI investigation was launched indicating the involvement of Christie's and Sotheby's in a price-fixing arrangement⁸, specifically in the coordinated increase of commission rates from 10% to 15% for amounts up to \$50,000, while maintaining a 10% rate for all amounts above that. Attorneys allegedly possessed data on lists containing the names of prominent collectors who were exempted from the newly introduced commission rates, which had been jointly established by the two houses. The prices of certain artworks were so vastly inflated that suspicions arose regarding organized crime related to the laundering of large sums of money. Under U.S. law, any form of price-fixing that prevents

competitive business practices constitutes an illegal method of conducting commercial transactions and is subject to severe financial and custodial penalties. Without prosecuting the actors involved in this scandal in the art market - and beyond - just ten years later, at the end of 2010, the same auction houses sold paintings by the founders of Pop Art, an artistic movement that counters the techniques and concepts of Abstract Expressionism and glorifies mass media techniques and icons of popular culture. Specifically, "Ohh... Alright.." by Roy Lichtenstein was sold at Christie's for \$42,600,000, and "Coca Cola" by Andy Warhol was sold at Sotheby's for \$35,300,000, both at extraordinarily high prices⁹.



Figure 3. Roy Lichtenstein (1923 - 1997), *Ohh... Alright...* (1964)



Figure 4. Andy Warholl (1928 - 1987), *Coca Cola* (1962)

2. Methodology

If we proceed from the premise that the icons of Pop Art-as well as their celebrated predecessors from the era of commercialized art (regardless of the medium of artistic expression)-were never created or brought into being autonomously, through their own artworks fundamentally distinct from those of others, we may then inquire: what are the criteria by which “artistic icons” are selected? The fundamental principle of commercialized art can be stated as follows: “The first person-that is, the affirmed artist-is always and exclusively produced by some other second, third... person” (Kuka, 2025). These “other persons” constitute the expansive infrastructure of those who prepare artworks for market circulation, and who groom selected individuals for future status as “artistic icons”: critics, analysts, media, sales agents, collectors, patrons, corporations... and ultimately the auction houses themselves-Christie’s, Sotheby’s, Phillips, and others. As a matter of unwritten rule, “artistic icons” are most often selected from marginal social or artistic circles, and are then constructed in the manner described by French dramatist Honoré de Balzac (1799 - 1850), who once remarked: “Fame is twelve thousand francs spent on newspaper articles and a thousand gold coins on lunches”⁵.

Thus, we may ask whether art is “the proclaimed beauty of expression through imitation” -Plato (Leszl, 2006), “the sublime imitation of nature” - Seneca (Gunderson, 2015), “the moral revelation of civilization and the spiritual radiance of a people” (Browne, 2015), “a critique of reality” – Brecht (Cronan, 2013), or whether art is merely a tool by which Machiavellian aims are pursued-aims wholly alien to art itself, and especially to the artist. Supporting this latter view is the fact that

most celebrated artists received recognition for their creative contributions only posthumously, or shortly before death-at the very moment when their death had become a certainty for the surrounding infrastructure. This form of cynicism, as one direction in the evolution of commercialized art, is perhaps best encapsulated by the saying: “A masterpiece is a child baptized after the death of its father.” Hence, the evaluation of an artwork-measured through its market value (its sale price)-is influenced least of all by the artwork itself.

This reflection returns us to the era of Plato and his denigration of art-a dismissal rooted not only in pragmatic concerns but also in the perceived epistemic nullity of the artist’s role. At the foundation of Plato’s misapprehension of art lies his aesthetic conception of *mimesis* (imitation), a notion that commercialized art unwittingly accepts. If one of the aims of art is the most faithful imitation of real-world objects, and if those real objects are, according to Plato, merely shadows of ideas, then art does nothing more than imitate what is already an imitation; it becomes a shadow itself-produced by, and sustaining, those who dwell in the shadow of art-namely, the merchants. These merchants are akin to oxen and donkeys standing before a work of art, who, instead of finding the expected hay in the manger, discover a child - Pichler (Grady, 2012). From such a vantage point, it becomes intelligible why, for Plato, a tangible table would possess greater value than the image of a table. Hence, those who do not create art, but make their living through its commodification, ultimately suffocate it through ignorance-namely, through the production and decades-long privileging of so-called “decadent artistic movements.”



Figure 5. Exhibition “Digital Art”, (author: Miroslav Kuka), Belgrade 2010.¹³

The French maxim “art for art’s sake” proclaims that art is its own end-it must have no external purpose and must never become a means to any other end. And yet, this is precisely what art has become today. If the ultimate goal of science is truth, and the goal of art is pleasure, then how great must the effort be to persuade people to take pleasure in today’s officially proclaimed art?

3. Materials and Methods

To offer a direct illustration of the contemporary art market in Serbia-though the observation may be extended more broadly - I conducted a fictional sale in 2018 of the painting “Winter” (1962), oil on

hardboard, measuring 50 x 100 cm, from my private collection. The author of the work, signing only as Ignjatovic, remained personally unidentified and was thus designated as an anonymous artist (N.N.). The price of the painting “Winter”, in comparison to other paintings from the same collection, was artificially increased several hundredfold solely through a change of frame and its presentation in an auction format. When the painting attracted two confirmed buyers prepared to pay the quoted price, I withdrew it from sale. Each stage of the preparation and intended sale was carefully documented¹⁰ and subsequently published in the article “The Deception of Commercialized Art” (Kuka, 2025).



Figure 6. Ignjatovic (N.N. painter), Winter (1962), (private collection, Miroslav Kuka)

4. Conclusion

Contemporary art is subject to market dumping and overwhelmed by forgeries. In mid-2013, Madrid’s *Circulo de Bellas Artes* hosted the exhibition *Proyecto Fake*, dedicated to the notorious forger Elmyr de Hory (1906 - 1976). Over the course of his thirty-year career, he is believed to have produced approximately 4,000 forged works, many of which entered prestigious collections under the names of Picasso, Modigliani, Matisse, Degas, and others.

One of the most productive painters in history-renowned landscape artist and founding figure of

French Impressionism-Jean-Baptiste Camille Corot (1796 - 1875), is credited with some 2,000 original paintings. Yet, he also produced forgeries in parallel with his legitimate oeuvre. Within artistic circles, it is commonly remarked that American museums alone house several thousand copies of his supposed originals.

The Croatian art collector and dealer Ante Topić Mimara (1898 - 1987), who represented the Socialist Federal Republic of Yugoslavia in post-World War II reparations negotiations, offers another striking example. His museum, inaugurated in Zagreb in 1987,

was denounced by British art critic Brian Sewell (1931 - 2015) as “a disgrace to Croatia,” and Mimara himself was described as one of the greatest forgers and impostors of the modern era.¹¹ In 1963, he sold

the “Cloisters Cross-a” purported 12th-century ivory crucifix to the Metropolitan Museum of Art in New York for \$600,000; it was subsequently revealed to be a forgery.¹²

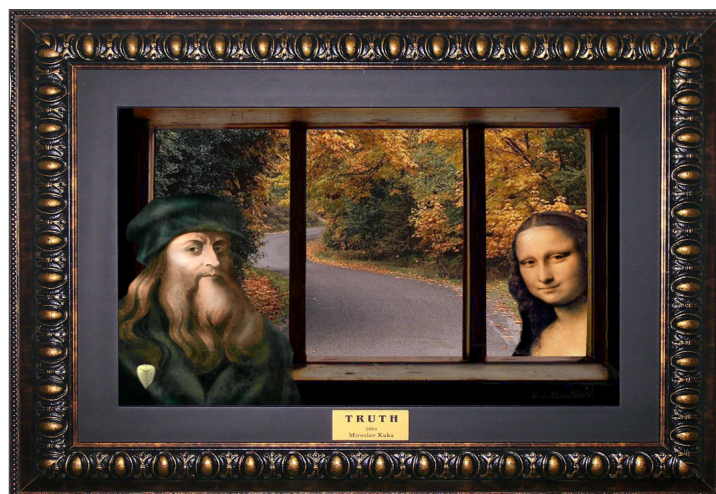


Figure 7. Miroslav Kuka, *Truth* (2004), (Nancy / France - private collection)

Within the commercialized art world, the only certainty is that truth has become a rare commodity-and one for which supply perpetually exceeds demand. As Swiss writer Louis Dumur (1860 - 1933) observed: “People never seek the truth; they seek to have their lies concealed.”

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