

Photography in the Picture: Style, Genre and Commerce in the Art of Jan Van Beers (1852-1927) (part I)

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Abstract (E): When at the Brussels Salon of 1881 a young painter was accused of exhibiting overpainted photographs, a huge scandal rocked the Belgian art world and resonated throughout Europe. The row and the subsequent debate catapulted the artist to instant celebrity status and redefined the artistic paradigm of modern life painting.

Abstract (F): Lorsqu'au Salon de Bruxelles de 1881 un jeune peintre fut accusé d'exposer des photographies repeintes, un grand scandale secoua le monde de l'art belge et fit des remous dans toute l'Europe. La querelle et le débat qui s'ensuivit firent non seulement de l'artiste une grande vedette, mais conduisit à un changement de paradigme dans la peinture contemporaine.

keywords: Jan Van Beers, Nineteenth-century realism, Salon painting, Photography

Article At the Brussels Salon of 1881, a scandal broke out over two entries by Jan Van Beers (1852-1927), a promising Belgian artist who had been living and working in Paris for some time. The scandal centred on the accusation made by three art critics that Van Beers's canvases were mere overpainted photographs or had at least, in some way or another, been made with the help of photographic means. Van Beers, who in the course of his career would develop quite a reputation for his eccentric and quarrelsome nature, did not react well. The artist and his critics fought out a fierce battle in the press, followed by a semi-official investigation of one of the paintings by a number of prominent artists and connoisseurs and, finally, actual legal proceedings initiated by Van Beers. In short: the row dominated Belgian art journals during the Salon and the months afterwards and, as a result, made Van Beers's name known all over Europe.

Although "*l'affaire Van Beers*", as it became known, was never quite forgotten by Belgian art historians, its importance to and impact on the Belgian art scene of the final decades of the nineteenth century have never been fully appreciated. The first art historian who *did*, was Nathalie Monteyne, who discussed the affair at some length in an-unpublished-graduate dissertation (Monteyne 1995). Monteyne's major problem was, however-as it had been for previous scholars-that nobody knew anymore

what both paintings around which the case revolved actually looked like. Art historians had lost track of them and it seemed that no photographs or other images had been saved either. My recent finding of a photograph of one of these paintings and the surfacing of a number of letters unknown until now, makes it-in combination with a re-examination of published source material-now possible to reconsider the affair from a different angle (AMVC 54946/7b; AMVC 121735/1-6). Monteyne's dealing with Van Beers's story was prompted by her interest in photography: she discussed the Van Beers scandal in order to illustrate the problematic status of photography as art (let alone high art) in the second half of the nineteenth century. In this article, I propose a different perspective, viz that of painting. After all, it were Van Beers's *paintings* that were under discussion in the affair and not his *photographs* (accepting for a moment that Van Beers photographed as well). So rather than photography it was painting that was at stake here. I will, therefore, suggest below that the sheer size the row around Van Beers's work took cannot be explained by his alleged use of photography only, but that matters of painterly style and genre were equally important. More specifically, I will suggest that "*l'affaire Van Beers*" redefined, or at least made clear on the Belgian art scene, what modern painting (*i.e.* painting of modern life) could be, had to be and, most importantly, was absolutely not to be-an aesthetic debate in which, however, commercial motives and ideas were, as I will also try to explain, never absent.

Child Prodigy, Genius, Transvestite, Chameleonic *Poseur*

Van Beers, writes one of his few biographers, was predestined for an artistic career: not only did he grow up in a particularly cultural and artistic milieu-his father being a famous poet and having befriended Belgian celebrities *avant la lettre* such as the famous composer Peter Benoit (1834-1901) and the internationally celebrated painter Baron Henri Leys (1815-1869); he also had an exceptional talent for drawing and painting which showed itself at an extremely early age (Pauw II 1897: 99). Studying later at the renowned Antwerp academy, Van Beers quickly became the leader of a group of ambitious young art students known as the "Van Beers *clique* ", including, besides Van Beers, talented and promising young artists such as Piet Verhaert (1852-1908), Alexander Struys (1852-1941) and Jef Lambeaux (1852-1908). Following

what-with hindsight-almost seems a proto-Dada strategy, their gang would, however, not build its reputation so much on the artistic potential of its members as on their mischief and eccentricities. Pol De Mont has recounted how the group of friends used to ramble through town all dressed up in historic costumes, Van Beers up front as Sir Anthony Van Dyck-Van Beers would later actually claim to descend from Van Dyck (figure 1) (De Mont 1927: *s.p.*; Jehu Junior 1891: 215). Jules Du Jardin, in his turn, described how the young Van Beers often strolled through Antwerp in a low-cut woman's dress (Du Jardin 1899: 171). It seems that these young artists did not take the art world too seriously. And that they actually mocked its self-important inhabitants can be illustrated by an anecdote from Van Beers's early Paris period: when receiving a possible client in the studio Van Beers shared with some other artists, the lot of them dressed up-once again-as women and welcomed the poor guest in an incomprehensible jabber; when Van Beers and his friends kept babbling madly, there was nothing their visitor could do but leave and return later (Du Jardin 1899: 172). Apparently, even before Van Beers would find himself in the centre of a storm that would sweep through the Belgian art scene, his relationship with the other actors on that scene was, at best, instable.



Figure 1. Unknown photographer, *Jan Van Beers posing as Sir Anthony Van Dyck*. (© AMVC - Letterenhuis, Antwerp)

Notwithstanding this inclination to mockery (and questionable sense of humour), Van Beers *had* moved to Paris in pursuit of fame and success. When still living and working in Antwerp, the painter had often been portrayed as one of Antwerp 's most gifted and promising talents, capable of achieving what most Antwerp painters had not been able to achieve: revitalising the glorious Antwerp school. Yet the actual reception of his work had at best been mixed: critics recognized Van Beers's superior technical skills, comparable to those of the old masters only, but rejected the often eccentric and mannered nature of his work. Van Beers, more ambitious than any other artist of his generation, tried everything

to turn the tide: he attempted every genre and every subject matter, changed styles as he changed clothes (and the styles he mastered were as various as the clothes he dressed in), painted huge historical pieces, landscapes and smallish genre pictures at the same time. To no avail, however: critics complained that Van Beers had not yet found his proper artistic identity, so that when the painter showed twenty of his pictures in a solo exhibition in 1877, even Gustave Lagye, an art critic with whom Van Beers was (and would always be) on good terms, remarked that every single picture on show could have been painted and signed by a different artist (Lagye 1876-1877: 357). Disappointed but still determined, Van Beers moved to Paris. His historical pieces did, however, not receive the critical acclaim he felt they were entitled to in Paris either. Thus, around 1879, the artist decided to play his final trick, one that would make him a rich and famous man-finally! Van Beers started painting small (sometimes even tiny) pictures, delicately brushed, hyperrealistic in their details and extremely finished. Success was almost immediate. *Soir d'été*, the first of these pictures to appear on an official Salon (*in casu* the Paris Salon of 1880), was greeted by Salon reviewers with praise and commendation (the painting can no longer be traced, which is, as a matter of fact, the case for almost all works by Van Beers). Art critics, in France and Belgium alike, lauded Van Beers's elegant and fine touch and remarked that no other artist could ever surpass the picture's finish (De Mons 1879-1880: 236; X. 1879-1880: 320). The painter, for his part, was obviously satisfied with the applause he was finally receiving and started producing and exhibiting more of his wonderful miniatures, in this way responding to the interest art critics and-probably equally important-well-to-do *amateurs* had now taken in his work. Commercial motives were clearly of some importance here, as *La Fédération Artistique* suggested (Lagye 1879-1880b: 429):

"Ah! Ah! s'est dit le malin artiste, on veut du précieux et du fini. On nous oppose les Dijckmans, les Menzel, les Desgoffes. Nous allons prouver que nous savons aussi pincer de cette corde-là."

Thus, by 1880, it seemed that Van Beers had found the artistic (and commercial) niche he had been looking for so long and was finally on his way to the top of his profession.

At the Brussels Salon of 1881, however, the artist became the centre of a scandal that rocked the Belgian art world and would forever deny him the prominent position he had aspired to so long-even though, admittedly, the affair would not halt his rise to fame but rather catapult him to instant celebrity.

"Qui expose, s'expose": Van Beers exposed

Van Beers exhibited two paintings at the Brussels Salon of 1881. Both were in his new, miniature-like and hyperrealistic style, but besides that, there seems to have been more that separated them from each other than there was that connected them. *Lily*, on the one hand, was a tiny, portrait-like painting, depicting a charming, pretty young girl (the painting can no longer be traced and no photographs or other images seem to have survived either). *Le Yacht "la Sirène"*, on the other hand, was a far more ambitious picture, even though it appears to have been of very modest dimensions as well. It is this painting of which we have now, once again, a photograph at our disposal. It shows an elegant young woman, escorted by a naval officer on a staircase leading to a rowing boat, where another officer and four sailors are waiting to row the woman to a large boat, lying at anchor a bit further away (figure 2). The title of the painting suggests that the large yacht in the back of the picture is called "*la Sirène*", but it is clear that the *real* siren is no other than the attractive woman escorted to the boat.



Figure 2. Jan Van Beers, *Le Yacht "la Sirène"*, 1881. unknown material, dimensions and location. (© AMVC - Letterenhuis, Antwerp)

When Van Beers had put his *Sirène* on show at the Paris Salon a couple of months earlier, there had already been rumours about the artist's

having used photography or photographic aid while working on the picture. Van Beers, so it seems, had pushed his realism beyond the impossible and his *Sirène* apparently wasn't like anything the public had ever seen before. Some details in it-in particular the face of the young woman-were of such unlikely realism that they could only be explained as the result of Van Beers's having used secret photographic techniques. Cautious Paris critics merely noted that Van Beers had pushed his miniaturist's style beyond the limits of beauty, but others maliciously asked "*à combien d'exemplaires cette photo-peinture (avait) été tirée*" (X. 1880-1881: 296-297). Of course it is impossible now, with no chance whatsoever to examine the lost painting itself and only a small photograph of it at hand, to judge this rather harsh portion of criticism. The painting seems peculiar enough, but it would be a far shot to make any more conclusive remarks in this respect on the sole basis of a photograph of a painting that has allegedly been made with the aid of an unknown photographic technique-maybe it would help to have a painting made of the photograph... Another photograph in the AMVC of an unknown, sketchy painting depicting the two principal figures of *la Sirène* -the woman and her escort-may suggest that no photography was involved at all-that is, if this second painting can rightfully be considered as a preparatory study for the larger picture (figure 3) (AMVC 74798/1). For all we know, however, this second painting may as well have been made *after la Sirène* and be nothing but a copy, thus proving nothing at all.



Figure 3. Jan Van Beers, *Study of two Figures*, ca. 1881. unknown material, dimensions and location. (© AMVC - Letterenhuis, Antwerp)

In any event, the real storm broke out only when Van Beers exhibited *la Sirène* (together with his *Lily*) at the Brussels Salon (which was, as I will argue, not just a coincidence). Three art critics, Max Sülzberger, Georges De Mons and Lucien Solvay, accused Van Beers in their Salon critiques of having painted his *Lily* and his *Sirène* over a photograph and of being, consequently, nothing but a "*retoucheur adroit*", in competition only with the most refined photographic cameras of his time (Lagye 1880-1881a: 387-392). The harshest accusations came from Solvay and De Mons: both claimed that traces of an underlying photograph were still visible under the pleats of *Lily's* dress. (Solvay 1881a: s.p.; De Mons 1881: s.p.). *L'Art Moderne*, not convinced by this criticism, observed that Solvay and De Mons were merely echoing comments of less skilful colleagues of Van Beers, jealous of his (commercial) success, but that did not prevent both critics from laying it on thick (X. 1881a: 211). De Mons wrote that this was not painting anymore, but "*de l'art à vingt francs la carte*", while Solvay stated that it was simply impossible to paint some of

the infinitely small details in *Lily's* dress. The latter even described a (presumably) imagined scene in which he had a group of connoisseurs discussing at the Salon by which photographer Van Beers's canvases were. The painter, who seems to have ignored the insinuations uttered earlier at the Paris Salon, now reacted promptly: in a registered letter addressed to all three critics, Van Beers proposed to the trio to have *la Sirène* or *Lily* scraped off and subsequently examined by experts of their choice (Lagye 1880-1881a: 387-392). If the experts were able to discover even the remotest trace of the use of photography, Van Beers would pay the critics 10,000 *francs* for *Lily* or 20,000 *francs* for *la Sirène*, the prices he had intended to sell them for. However, in the case where no trace of photography was found, the critics would have to pay the same amount to the *caisse de recours* of the Brussels artists. If Sülzberger, De Mons and Solvay would not accept Van Beers's offer, the painter would have no other choice-or so he wrote-than to take the matter to court.

Two of the three critics yielded to Van Beers's threat, but, nevertheless, had to have the last word-they were after all art critics. Sülzberger wrote that he would not even dream of being the cause of the damage which would be inflicted on the picture by scraping off the paint-especially when the painting, he added, was rated so highly... "*par son auteur*" (Lagye 1880-1881a: 388). De Mons, for his part, stated that Van Beers's words sufficed for him to recognize his mistake, but also remarked that he had found himself, in making that mistake, in the strikingly good company of Sülzberger, Solvay and thousands of Van Beers's colleagues (De Mons 1881: *s.p.*). Solvay, however, stood his ground and made a counterproposal: he challenged Van Beers to paint a second *Lily*. To make sure that Van Beers would not make any use of photographic aid, he would have to work on the copy in complete isolation or, at least, under the supervision of independent witnesses (Solvay 1881b: *s.p.*). Solvay added that if necessary, he was more than willing to pay for Van Beers's food during the time it would take him to finish the new picture. Naturally, a proud painter as Van Beers could never accept a proposal like Solvay's, and maybe the matter could have blown over at this point. On 3 September 1881, however, a new incident forced the artist to come into action: in the temporary absence of the guards, an unknown person vandalised *la Sirène* by scratching off the face of the young woman. Art journals reported that the painting now attracted even more attention: all visitors to the Salon wanted to examine by themselves if any trace of photography was visible where the paint had been scraped off-which was obviously what the iconoclast himself had had in mind as well (Lagye

1880-1881b: 400; X. 1881b: 223-224). Van Beers, now determined to have the case closed once and for all, reacted by appointing a semi-official *ad hoc* commission. Prominent members of the commission included the president of the Brussels *Cercle Artistique et littéraire*, the painters Charles Verlat (1824-1890) and Jean-François Portaels (1818-1895) and two professors specialised in photography and chemistry, which must have given it some authority (Lagye 1880-1881c: 408-409). In an open letter, the artist instructed the members of the committee to examine *la Sirène* for any indications of a photograph under the paint or of any other photographic transport to or impression on the canvas. The commission's report, not unexpectedly, cleared Van Beers of all charges: after a thorough examination of *la Sirène*, in particular the part where the vandal had scraped off the paint (the committee refrained from scratching off more in order not to damage the picture), the commission concluded that Van Beers was "*un honnête homme*" (*ibidem*).

The painter, not satisfied yet, now felt confident enough to take the matter to court and soon had a summons served on Solvay, his one remaining tormentor. In the writ of summons, Van Beers petitioned the court to order Solvay to retract his words and publish a rectification in no less than 15 national and 8 foreign newspapers—a clear indication of the proportions the affair was beginning to assume (X. 1881f: 301-302). Solvay, however, was not impressed by the report of Van Beers's *ad hoc* commission, which the artist now tried to use to substantiate his legal claim. The critic contended that Van Beers had simply put together a couple of friends in the commission he had after all set up himself, as a result of which the commission's report was predestined to be in his favour (Solvay 1881c: *s.p.*). Van Beers, of course, denied any relationship with most of the commission's members (Lagye 1880-1881c: 409-410). But despite his defiant pose, Solvay was busily preparing his legal defence: in a letter published in *L'Art Moderne*, the critic wrote that he had never claimed that *Lily* and *La Sirène* had been painted over photographs; Van Beers, Solvay suggested, could also have calqued a photograph, which was, from a purely artistic point of view, equally objectionable (X. 1881d: 245-246). Whether one agrees with this last contention or not, it is clear that Solvay, with the prospect of the upcoming legal proceedings, was already heavily nuancing his earlier allegations. Van Beers, for his part, did not bother to answer anymore: it was the Brussels Court of first instance that would now deal with the matter.

It was probably the first time in Belgian history that the art world and the

legal world came so close to one another: art journals such as *L'Art Moderne* published extensive analyses of the case, Van Beers's writ of summons, Solvay's statement of defence, the public attorney's advice, summaries of the hearings and, finally, the court's judgement; legal journals such as the *Journal des Tribunaux*, on their turn, gave an equal amount of attention to the affair, commenting on the freedom of art criticism and praising the art of rhetoric displayed by the parties' lawyers. Van Beers lost the case: the Brussels Court of first instance dismissed his claim and ordered the artist to pay the costs of the proceedings. This is of course not the place for a comprehensive legal analysis of both parties' arguments or the court's judgement, but since the court's decision may come as a surprise, some brief observations may be useful here. Intuitively, one would indeed be inclined to agree with Van Beers: what else *could* he do, with Solvay accusing him, without even trying to substantiate that claim, of being a photographer rather than a painter, of playing a trick on the public, of deceiving and overcharging the *amateurs* that bought his work? After all, Solvay's allegations, unproven as they were, could ruin his career. In addition, it should be taken into account here that photography was at the time far from being an accepted medium of artistic expression. Nowadays, obviously, nobody would even dream of questioning photography's artistic status, but for Van Beers and his contemporaries, calling a painter a photographer was, at best, insulting him as a painter, but more often calling him a cheater and a swindler. So why then did the Brussels Court of first instance dismiss the artist's claim?

In order to understand the court's judgement, one must first of all appreciate the nature of the legal proceedings Van Beers initiated. These were not criminal proceedings, which the artist could have started by filing a civil complaint in criminal proceedings, for instance on the basis of libel and defamation, both criminal offences under Belgian law. If that had been the case, it would have sufficed to have Solvay convicted that the critic was unable to submit proof of his libellous allegations. Van Beers would then, however, also have had to prove that Solvay had acted in bad faith, *i.e.* had deliberately chosen to libel the artist. But that was hard to maintain: the whole of the Belgian press agreed that Solvay might have proceeded imprudently in the affair, but had certainly always acted in good faith. Therefore, Van Beers did not have Solvay sued for libel or defamation, but he *did* file a civil action against the art critic. This legal action was based on article 1382 of the Belgian Civil Code, *i.e.* the Belgian equivalent of the law of torts. By choosing this course of action, Van Beers no longer had to prove Solvay's bad faith, but, on the other

hand, it was no longer sufficient to simply state that the critic could not substantiate his detrimental allegations. By challenging Solvay on the basis of article 1382 of the Civil Code, Van Beers now had to establish that Solvay had demonstrated in his actions an imprudence or even a recklessness alien to any normal and reasonable art critic; he had to prove that no sensible art critic would ever act the way Solvay had acted, *i.e.* would ever wrongfully accuse the painter of the use of photography in his work and maintain these accusations without any proof, even when asked to withdraw them.

Solvay's principal argument in the case was that an artist showing his work at an official exhibition implicitly accepted to expose his work to the art critics' judgements and had no right to attack these critics if their judgement was unfavourable: "*qui expose, s'expose*". (X. 1881g: 319; Lagye 1881-1882: 90). The critic, however-or, rather, his legal counsel-won the case on two other grounds: firstly, he succeeded in convincing the court that he had had good reason to suspect Van Beers of using photography, thereby establishing that the reservations he had expressed about the artist's work had not been imprudent, let alone reckless; and secondly, he questioned the financial and moral damage that Van Beers alleged to have sustained as a result of his criticism. To make the first argument, Solvay surprised friend and foe by submitting to the court a painting by Van Beers depicting three donkeys and a photograph of the exact same donkeys in exactly the same positions. The painting, so it appeared, had been made on the basis of the photograph. Van Beers's counsel tried to refute the argument by stating that this other painting was of no relevance to *la Sirène* or *Lily* and surely painting a subject depicted on a photograph was still quite different from painting over a photograph, but doubt had been casted on the painter's integrity (Lagye 1881-1882: 89). The defending party's second argument was even simpler: Solvay's counsel plainly observed-as *L'Art Moderne* had done earlier-that Van Beers had not sustained any damage or, at least, hadn't succeeded in proving this (X. 1881c: 237; X. 1881g: 319). Before the 1881 Salon, Solvay's lawyer orated, Van Beers had been a relatively unknown painter, whose work had been refused by Belgian museums even when offered by the artist for free [2]. Now, he continued, the artist's name was known all over the world and Van Beers was able to charge extraordinary prices for his work-as he had done for his *Sirène* and *Lily*. In addition, Solvay's lawyer concluded, at least as many critics and journalists had written in favour of photography's artistic merits and its use in painting as there had been critics that had written against it: there is no such thing as bad publicity, seems to have been the tenor of

the argument.

The Brussels Court of first instance followed Solvay's line of argument on both points and, as mentioned above, dismissed Van Beers's claim (*Journal des Tribunaux* 1882: 123-124):

"Attendu que la responsabilité du défendeur ne peut être engagée que s'il y a faute de sa part, c'est à dire, s'il a excédé les limites d'une critique honnête et loyale. (...)

Que la bonne foi du défendeur doit être admise en ce sens qu'il n'a fait qu'exprimer dans des termes un peu vifs une conviction sincère qu'il s'était formée par l'examen des tableaux en eux-mêmes, abstraction faite de la personnalité de leur auteur. (...)

Attendu que l'emploi de la photographie dans la peinture est sujet à discussion; que certains critiques le considèrent comme un abaissement de l'art, indigne du véritable artiste; que d'autres, à tort ou à raison, n'y voient qu'un moyen mécanique de venir en aide à la réalisation des idées du peintre (...)."

The court's decision marked the end of "*l'affaire Van Beers*". Or did it? Several art journals reported that Van Beers had lodged an appeal against the verdict, but later never mentioned any appellate proceedings in their columns (X. 1882g: 21; X. 1882f: 150). A few years later, *La Fédération Artistique* -always well informed about Van Beers's doings- reported that the artist had, in a friendly gesture, invited Solvay to his studio in Paris, which suggests that the painter and his critic had settled their dispute and had even made up with each other (Redding 1884-1885: 21). But the affair lived on in another way: it had marked Van Beers for the rest of his career. Even years after the judgement, there would always be a smell of scandal following him. Conversely, the scandal also finally made Van Beers a well-known, rich and successful artist-as he had always wanted to be. So in a way, "*l'affaire Van Beers*" never lost its relevance to the painter. And maybe, in the end, it did not matter that much to him that he had lost the lawsuit.

Style and Genre, Past and Present

In this section of this article, I will now argue that far more was at stake in the Van Beers scandal than the artist's alleged use (or abuse) of photography. I will suggest that the incident redefined-or at least

revealed-what was and what was not stylistically acceptable for the new genre of modern life painting, a genre to which *la Sirène*, at least, belonged. More particularly, I will propose that the new, hyperrealistic-or, rather, photorealistic-style Van Beers used in his *Sirène* was considered inappropriate because it violated an implicit artistic code, which reserved specific subject-matters or genres for specific painterly styles and *vice versa*. Consequently, Van Beers's *Sirène* was rejected so violently not only because it was suspected of being an overpainted photograph, but also because it combined a genre (modern life painting) and a style (the artist's photorealism) which were irreconcilable according to the code. Modern life subject-matter was reserved for modern style painting, which Van Beers's photorealism was not: rather than modern, the artist's so-called new style was in fact-or was perceived as such-nothing less than a transposition of the old Flemish masters' style, in particular that of the Flemish Primitives and their successors. Now, the legacy of the Primitives was not something to be toyed with in nineteenth-century Belgium. On the globalizing art scene, Belgian artists and art critics alike championed the (alleged) supremacy of Belgian/Flemish art precisely by referring to the Flemish Primitives: the glory of the Belgian school still heavily depended on its fifteenth-century founders. Van Beers, however, had prostituted this Flemish artistic inheritance by applying the Primitives' delicate style to a painting-*la Sirène*- that was not only modern but also essentially *Parisien* -another violation of the code.

A second key-element I want to consider in the Van Beers affair is commerce. Not only was commerce possibly of quite some importance to the artistic code which Van Beers had so imprudently violated, commercial issues also appear to have been crucial in the arguments both Van Beers and Solvay developed before the court. Moreover, the scandal seems to have brought to Van Beers massive commercial success and enormous wealth, which is not something we would normally expect. So perhaps we should consider the possibility that the artist did, after all, not regret the accusations and the affair to which they lead *too* much.

All that is not to say that Van Beers's suspected use of photography was *not* an issue in the scandal: of course it was. Neither do I pretend that Solvay's motives for criticising the painter were in some way commerce-driven or insincere. Looking back on the incident years later, Solvay would in any event still affirm that he had been disappointed by the change Van Beers's work had taken and had been shocked to perceive the traces of photography under *Lily's* dress (Solvay 1934: 104-108).

However, I *do* claim that the proportions of the affair cannot be explained by the possible abuse of photography only; *and* that a substantial part of the art journals' comments on the matter and of the arguments both parties used to plead their cause indicate that genre, style and commerce were as central to the debate as the use of photography itself. In this section, I will discuss the role of style and genre in the Van Beers scandal. After a brief interlude on Van Beers's portraiture, I will turn to the commercial issues that were at stake.

Style had always been a major element of concern in the comments of and criticism on Van Beers's work. Gustave Lagye's complaint, mentioned above, that each and every of the twenty works Van Beers had shown in an 1877 solo-exhibition could have been painted by a different artist, came not alone (Lagye 1876-1877: 357). Georges De Mons, one of Van Beers's later critics, remarked two years after Lagye that Van Beers had been a member of all existing schools, so that the public had already come to know him at the Belgian Salons as a classicist, a romantic, a realist, an impressionist and even a naturalist painter (De Mons 1879-1880: 236). The painter's biographer in *De Vlaamse School*, for his part, wrote years later that Van Beers was thoroughly artistic, which meant in this case: inconstant, capricious and floating with the current of fashion (Pauw II 1897: 103). In an article on another Van Beers solo-exhibition in 1879, to conclude, Lagye elaborated his earlier complaint (Lagye 1879-1880a: 78). Considering the wide variety of the work Van Beers had shown in the past, Lagye wrote, the public was right to distrust the painter now:

"C'étaient à chaque instant des combinaisons nouvelles, des étrangetés voulues, des plaisanteries à froid. Et les gammes impossibles, les sujets abracadabrants, les cadres de haute fantaisie? (...) Et les tableaux jaunes, verts ou bleus? Les impertinentes gamineries, les colossals sophismes? Tous les genres abordés, toutes les factures prises sur le vif, (...)!"

Nonetheless, Lagye argued, *"il y a un homme sous cet habit de carnaval"*. What sort of man that was, however, remained to be seen.

But Van Beers not only almost continuously changed his style and technique: he went even further and also mixed different styles in a single picture. Lagye, for instance, remarked in 1878 that Van Beers had used a *"piquante"* variety of brushing techniques in his *Camelia*, shown at the time at the painter's parental home because it arrived too late for the 1877 Christmas exhibition of the Antwerp *Cercle artistique* -which had, as a matter of fact, caused a little scandal in its own (Lagye 1877-

1878: 349). It is striking that the commission which Van Beers appointed years later to examine his *Sirène* for traces of photography, made more or less the same remark. "We have paid in our examination particular attention," the committee wrote in their report, "to the face of the young woman depicted in the painting, not only because this is the part of the painting that has been damaged, but also because it remarkably contrasts with the rest of it": "*Il semble, à première vue, que deux artistes aient collaboré à cette exécution, et que le peintre, après avoir fait le tableau, ait confié la tête de la jeune femme à un miniaturiste*" (Lagye 1880-1881c: 408).

So Van Beers's oeuvre-history and genre pieces, portraits and landscapes, in ever changing styles and brush techniques-apparently resisted any classification in any particular school or movement. And even more unconventionally, the artist conspicuously used radically different styles and techniques in a single picture, which made these pictures even more intangible. It almost seemed that Van Beers was aiming to ridicule the importance art critics traditionally attached to an artist's personal touch or even to mock the concept of painterly style as such. In other words, Van Beers seemed to defy traditional conventions of style and genre, all part of a vast body of explicit and implicit rules-a code-that defined what was artistically acceptable and what was not. His work simply did not fit in. Or, to put it in yet another way, Van Beers's work, if it didn't break the artistic code yet, at least ignored it, it took no notice of it. But what was it then in the work which Van Beers showed at the 1881 Salon that suddenly triggered such violent reactions? Why had art critics, on earlier occasions, never reacted as vehemently as they did when confronted with Van Beers's eccentric work? Why did his *Sirène* and *Lily* cause such a scandal?

At this point, the attentive reader would obviously reply that it was precisely Van Beers's use of photography which incited art critics to reject his work so much more vigorously than before; that it was the artist's cheating that caused the scandal. Or, put more objectively, that it was Van Beers's new, photorealistic style that got him into trouble: it had after all not been proven (and it never would be) that Van Beers had actually used photographic aid in *la Sirène* or *Lily*, so there was only the extreme realism of both pictures about which the public could have complete certainty. Now it was exactly this radical realism, or rather the sudden shift in Van Beers's work to this realistic style, which Solvay's solicitor invoked before the court to clear the critic of the charges brought against him. Even if Solvay had made an error of judgement, the argument ran, this error was excusable precisely because of Van Beers's

abrupt change to a new, hyperrealistic style (Lagye 1881-1882: 90):

"Or, généralement, le peintre a son dessin, sa facture, comme toute personne a son écriture qui lui est propre et si elle se transforme, c'est graduellement, lentement, par étapes... Le changement brusque, sans transition, ne se conçoit pas plus en matière artistique qu'elle ne se conçoit dans le style ou dans l'écriture."

Van Beers's solicitor, however, fiercely objected and refuted the argument by stating that the painter had started working in his miniature-like style from 1879 onwards, two years before the scandal (X. 1882b: 22). Almost surprisingly, this seems indeed to have been the case -difficult as it may be to form an opinion on the matter with hindsight and without having a *catalogue* or pictures of Van Beers's paintings at hand, let alone the paintings themselves. The accusations against Van Beers are based on a lie, cried out for instance the *Revue Artistique* (in an article rather tendentiously entitled "*Les critiques-vampires*"): "*Il faut revenir du Congo ou sortir d'une hutte d'Esquimaux pour ignorer l'adresse et la délicatesse du pinceau de Van Beers*" (Faber 1881-1882: 123-124). An examination of the reception of Van Beers's work before the scandal confirms the painter's lawyer and the *Revue Artistique* in their indignation. In 1880, the *Vlaamsche Kunstbode* already mockingly remarked of a landscape by Van Beers that there was as much artistic merit in writing the Lord's Prayer on a penny as there was in painting this microscopic panel (Moderatus 1880: 30). In the same year, Van Beers exhibited at the Paris Salon his *Soir d'été*, which caught the attention of critics and public precisely because of the extremely delicate, detailed and scrupulously fine touch by which the artist had rendered the principal figure on the canvas. Belgian and French critics alike were more than generous with their commendation of *Soir d'été*: "*une finesse de palette qui est loin d'être commune*", "*fini jusque dans les moindres détails*", "*une habilité extraordinaire*", "*une exécution merveilleuse*", "*un fini qui ne saura être dépassé*", etc.: there seemed no end to the praise of Van Beers's new, hyperrealistic style (De Mons 1879-1880: 236; J.D. 1879-1880: 284-285; X. 1879-1880: 320-321). Of course, as is clear by now, an end *did* come to it-when the painter's *Lily* and *Sirène* caused a scandal the next year. So once again the same question arises: why then had there been no scandal when Van Beers had started working in his photorealistic style two years earlier? Why not at the Paris Salon of 1880? Why not even at the Paris Salon of 1881, where Van Beers had exhibited his *Sirène* before sending it to the Brussels Salon? This seems even more odd when one takes into account that there had already been

rumours of Van Beers's suspected use of photographs long before the Brussels Salon. Stories in that sense had already been going around at earlier exhibitions in Ghent, Brussels and Paris (Lagye 1880-1881a: 388). So once again: why did it come to such an outrage only in 1881?

The first key to the answer to this question can be found, in my opinion, by considering the exact terms by which art critics defined Van Beers's new, realistic style. The painter's style, remarkable and eye-catching as it was, was after all not *that* new-on the contrary. There are some references in the art journals' columns that were filled with comments on Van Beers to Jean-Louis-Ernest Meissonier (1815-1891), a French painter of the previous generation who was famous for his detailed realism (and, as a matter of fact, notorious for using photography as well). Some references were also made to Jules Bastien-Lepage (1848-1884) and Jean-François Rafaëlli (1850-1924), but most critics looked further back in history and linked Van Beers's work to that of the Flemish Primitives and their followers: Van Eyck, Memling, Van Orley, *etc.* (although, admittedly, there were also mentions of Albrecht Dürer, Hans Holbein, Gerard Dou and Gabriël Metsu) (X. 1881a: 211; Lagye 1880-1881a: 388). In general, it seems fair to say that Van Beers's work was seen in the perspective of the historical northern tradition of detailed and (hyper)realistic painting.

When the Van Beers affair burst, the painter and his allies were smart enough to grasp the potential of an argument based on such a historic tradition. Didn't the Primitives paint as meticulously detailed as Van Beers, the artist's lawyer rhetorically wondered before the Brussels court (X. 1882b: 22). And weren't there paintings by Dürer in which every eyelash had its own shadow-had *they* been painted over photographs? In an open letter, an anonymous friend of Van Beers's went even further: had the brothers Van Eyck, he asked, been cheaters because they had used a secret technique, unknown to their predecessors (X. 1881-1882a: 19)?

But there was of course one massive difference between Van Beers and his artistic ancestors: *what* they painted; their subject-matter; the genre of their work. And in this difference, I suggest, lies the second key to a correct understanding of the outrage caused by Van Beers's work.

Both paintings in the exhibition were very different from one another. *Lily*, on the one hand, had all the characteristics of a portrait. Whether it actually *was* a portrait or not, as a small, miniature-like picture of a young woman, presumably called Lily, it in any event presented itself as a portrait. *Le yacht la Sirène*, on the other hand, was quite different (figure 2). This was not a miniature portrait, but a more ambitious

painting and, moreover, it depicted something that was essentially a scene of modern life: a young officer escorting an attractive woman to a boat. Admittedly, *la Sirène* is not a picture of tourism or urban nightlife, nor are there any bar maids, prostitutes or railway stations in it, but in essence it is a modern *scène de courtoisie*, a depiction of a small, probably amorous event, of which we can imagine that once in a while, one could witness it in real life. In any case, at the time, the painting was certainly perceived as a depiction of modern life: "*un jeu tout moderne*" and "*à la dernière mode*", judged *La Défense*; "*une charmante scène moderne*", wrote *l'Événement*; etc. (X. 1880-1881: 296-297 and 306-307). This perception was even stronger in the case of *les Embarqués*, the (apparently equally hyperrealistic) painting Van Beers showed at the Paris Salon in 1882, a year after *la Sirène*. This second painting was generally considered to be a sequel to Van Beers's *Sirène*, depicting the same woman now accompanied by a man in a canoe on a river. (Once again the lack of a *catalogue* of Van Beers's oeuvre and the scarcity of photographs of his work makes it impossible to adequately describe or judge this picture. In 1884, *L'Art Moderne* reported that the painting had been reproduced as a publicity poster for cigarettes (X. 1884: 364-365).) Several critics remarked of *les Embarqués* that it would fit perfectly well in a fashion magazine. Elegantly modern, other critics agreed; too modern, was the position of still others (X. 1881-1882c: 258, 268, 275 and 284-285). Simultaneously, Van Beers's work was often judged as "*très parisien*" -not very surprisingly considering that Paris was, after all, the capital of modernity (*ibidem*). At the 1881 Salon, a year before *les Embarqués*, *la Sirène* had already been called "*la petite toile la plus artistiquement parisienne du Salon*" and after *la Sirène* and *les Embarqués* the epithet "*parisien*" would actually follow Van Beers's work everywhere (X. 1880-1881: 297). The artist himself would be stigmatized by Belgian art critics as a painter who had become more "*parisien*" than Paris 's autochthonous painters and had thus betrayed his Flemish roots (X.A. 1882-1883: 179) [3]. This later perception of Van Beers as an artist who had, in his search for success, sold out his Flemish roots, is announced in the scandal of 1881: besides Van Beers's modern subject-matter, his artistic nationality was, as I will argue further in this article, also crucial in the affair.

If we now reconsider the scandal itself, it is striking how in the course of the affair and the public debate the emphasis gradually shifted from Van Beers's *Lily* to his *Sirène*. The most explicit criticism of Solvay and De Mons, two out of the three critics that had attacked Van Beers, spoke of *Lily* rather than of *la Sirène* (as mentioned above, both critics claimed that traces of an underlying photograph were still visible under the pleats

of *Lily's* dress) (Solvay 1881a: *s.p.*; De Mons 1881: *s.p.*). It was, however, the woman on *la Sirène* which an artistic hooligan chose to damage (almost decapitate, in fact) and not *Lily*. And it was, subsequently, *la Sirène* which was examined by the commission that Van Beers appointed. So as a result, when in January 1882 the affair came to a climax in the Brussels courthouse, the *Journal des Tribunaux* could uncontestedly name *la Sirène* as the most conspicuous example of Van Beers's meticulously detailed painting technique (*Journal des Tribunaux* 1882: 7). Not understanding what had happened, Solvay wondered in a letter published in *La Fédération Artistique* why now everybody seemed to focus solely on *la Sirène* and to have forgotten all about *Lily* (Lagye 1880-1881d: 416). (The title of most of Lagye's articles- "*Le dossier de 'la sirène'*" -illustrates this point rather well.) All this seems to indicate that *la Sirène*, depicting a scene of modern life, was considered more problematic than *Lily*, the smallish portrait which had nonetheless been initially pointed at as the most photographic of the two. Van Beers's realistic style was, apparently, less objectionable for a portrait than it was for a depiction of modern life. Even Solvay, dissatisfied as he may have been with the public focus on *la Sirène*, seems to have reasoned in more or less the same way. In a letter published in *L'Art Moderne*, Solvay explained that he was not at all opposed to transposing the realism of Memling or Metsu to the present time, but not at any price: in the case of a portrait by Bastien-Lepage, he could agree, but not in the case of Van Beers's work (X. 1881d: 245). It is, I believe, not a coincidence that Solvay chose a portrait as an example of an *acceptable* contemporary use of the old masters' realism.

Thus, apparently, Van Beers's photorealistic portraiture was not too objectionable. Judging by some critics' comments, however, there was still another genre that would have been even less objectionable if treated in Van Beers's style: the genre of history painting. It is remarkable and peculiar that a substantial number of the critics that rejected Van Beers's *Sirène* at the same time begged the artist to return to painting history pieces, as he had done before. Remarkable and peculiar because, as Lagye pertinently observed, the very same critics had never demonstrated much enthusiasm for Van Beers's earlier historical pieces (Lagye 1880-1881a: 388). So possibly, the critics involved were not so much referring to Van Beers's earlier work itself, but merely to the *genre* of history painting: they did not want Van Beers to produce more history pieces in his old style (which they had judged to be mannered and eccentric), but they *did* relate his new style to history painting as such. Or, put in another way, critics had not thought much of Van Beers's earlier history pieces-done in a broader style-and they

certainly did not accept his modern pieces in his new, realistic style, but they would possibly appreciate this new style when applied to history pieces. It was, after all, the style and technique of the old masters which Van Beers had appropriated: a style of the past and not of the present, hence to be applied to the past and not to the present.

In *L'Art Moderne's* lengthy review of the Brussels Salon of 1881, there is a revealing passage on Van Beers's *Sirène*, which suggests how we can now piece all this together and finally explain what *was* the matter with *la Sirène*, what made it so unacceptable (X. 1881a: 211). The passage runs as follows:

"Ce qu'il y a de curieux c'est qu'alors que ce jeune peintre excelle d'une manière si extraordinaire dans ce fait minutieux et délicat, on l'engage à l'abandonner pour revenir à sa manière large dont son Artevelde et sa Laitière ont été des exemples. Comment! nous avons un artiste qui seul actuellement reprend en l'appliquant à des sujets modernes, l'art des Memling, des Gérard Dow et des Breughel, et nous le tourmentons pour qu'il nous donne un nouvel échantillon d'une manière dont les représentants sont déjà nombreux et estimés!"

Here, *L'Art Moderne's* reviewer, although thoroughly enthusiastic about *la Sirène*, clearly points at what was precisely new and innovative about the painting-and what was therefore so shocking to other, less enthusiastic critics: nothing more and nothing less than Van Beers's application of the delicate, realistic style of the old northern masters-Memling, Brueghel, Dou-to a modern subject. In other words, by combining the style of Memling and Brueghel with an essentially modern subject-matter, Van Beers had violated a more or less implicit artistic code, which reserved this style of the past for the past (or, at least, for historical subject-matters). There is no doubt that it is also in this sense that a remark made by *De Vlaemsche School* in a review of one of Van Beers's later solo-exhibitions must be understood: the most vicious attacks on the artist, the journal observed, had been made when he had started painting... modern scenes ("*hedendaagsche toneelen*") (X. 1887b: 175).

Apparently, modern life was not to be dealt with in the style of the old masters, but in another, modern style. That modern style was probably impressionism, at least for art critics in Belgium, where impressionism around 1881 was if not *risqué* anymore, then at least still *avant-garde*. In Paris, however, the situation was quite different. Here, the public was by 1881 thoroughly familiar with impressionism, which was becoming more and more accepted as a valid artistic mode of expression. A

contrario, however, some of the reactions in Paris on Van Beers's pictures indicate that it was indeed impressionism which would have been the normal, acceptable style for Van Beers's modern *Sirène*. The way in which a number of Paris art journals praised Van Beers for using his new, realistic style in *les Embarqués*, the sequel to his *Sirène*, is telling in this respect: journals considered *les Embarqués* to be a thoroughly modern picture that could have been painted in an impressionist style as well, but had the subject been treated by an impressionist, one critic wrote, it would have been an ordinary, everyday painting, nothing like the refined and delicate canvas Van Beers had produced (X. 1881-1882c: 284). Impressionism was, apparently, the style one expected for a picture like *la Sirène*.

All this explains why Van Beers's earlier realistic work, in particular his *Soir d'été* -probably as ambitious a painting as his *Sirène* -had not raised the questions which *la Sirène* raised and had not triggered the same violent reactions. Contrary to the latter, *Soir d'été* -depicting a woman in a park with a classical statue in the front of the painting and a carriage with two footmen in the back-was generally not seen as a representation of modern life, but as a piece of romantic, dreamy fantasy (De Mons 1879-1880: 236). This also accounts for the shift in the attention of the press and the public in the course of the Van Beers scandal from *Lily* to *la Sirène*: not only was portraiture as such not a modern genre, in addition, Van Beers's predecessors such as Memling and Van Eyck all had had their share of portrait painting. Finally, this also explains why *la Sirène* caused a scandal in Belgium but had not done so (or in any event less done so) when shown on the Paris Salon a few months earlier. Besides art historical notions, nationalist notions were equally operative in the reception of Van Beers's work. Flemish and Belgian painters had, throughout the nineteenth century, always identified with artists such as Van Eyck, Memling and Metsys and had defended the superiority of their national school by referring to their (nonetheless more successful) ancestors. At first, Van Beers had fit right in: son of a famous militant Flemish poet and a painter with a technique only comparable to that of the old masters, who in addition even claimed to actually descend from Sir Anthony Van Dyck, Van Beers was often considered as one of Flanders ' most promising young painters, capable of revitalising Flemish art. Consequently, his work was often perceived as (besides eccentric) essentially Flemish: "*il n'est point possible de se tromper un seul instant sur la nationalité et sur l'éducation artistique de cet auteur*," wrote one critic of Van Beers only a year before the scandal (J.D. 1879-1880: 284). But in 1881, this same Van Beers, the hope of Flemish painting, betrayed his Flemish roots by applying the Flemish style on modern, elegant and

essentially Paris subject-matters. He abused the Flemish style of the glorious past in modern, Paris work: blasphemy! And in doing so, Van Beers violated the implicit artistic code a second time: not only did he use a style reserved for history pieces in a painting of modern life, in addition he sold out his superior Flemish style and technique to fanciful, frivolous Paris. Thus, Van Beers more or less signed his own death warrant as a member of the Flemish school. Or, as one critic put it a few years later, "*le Parisien a tué le vieil homme et ce n'est plus le sang flamand qui coule dans ses veines*" (Redding 1884-1885: 21).

Two questions remain unanswered at this point. Firstly, why did the artistic code dictate a modern style for modern subjects and reserved the Flemish Primitives' style for historical subject matter? And secondly, how should we interpret the role which nationalist or patriotic issues played in this artistic code? These are not questions that are easily answered. After a brief interlude on Van Beers's portraiture, I will nonetheless try to formulate a hypothesis and, more specifically, propose that commerce should be considered as the key-element here.

(to be continued)

Notes

[1] My heartfelt gratitude goes to professor Hilde Van Gelder, who gave me the opportunity to write this article, to Peter Koll, for his invaluable advice, and to my better half, Charlotte, to whom I owe almost everything else.

[2] Van Beers's *Artevelde*, one of his major history paintings (now in an unknown location) was apparently refused by the Museum of Ghent, even though Van Beers, determined to have his work in the collections of the important Belgian museums, offered it for free. Van Beers was greatly offended by the refusal. In a letter he wrote many years later, he would refer to the incident as one of the events that triggered his shift from history painting to genre painting, which is not without relevance to the issues I am discussing in this article (AMVC 148976/4). Van Beers added in the letter that he had eventually sold the painting for 1600 *francs*, the price of the frame and the canvas.

[3] In later years, however, Van Beers's work would be labelled "*parisien*" mainly because of its trivial, coquettish nature. This is, in my opinion, a different understanding of "*parisien*" than in the case of *la Sirène* and *les Embarqués*. For these latter paintings, "*parisien*"

essentially meant "modern"-both in style and subject matter.

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