



Fractionalized Artworks as a Pentecostal Miracle?



Walter De Maria: *Cross*
1965–66, Aluminum
10,2 × 106,7 × 57,5 cm
Solomon R. Guggenheim
Museum, New York

“Your sons and daughters will prophesy, your young men will see visions, your old men will dream dreams.” Thus spoke St. Peter in the Book of Acts. According to his message, conversion and baptism of individuals will lead to a changed society founded on faith. **In the winter months of 1965, the American artist Walter De Maria designed an unlimited edition of a “High Energy Bar.” By means of a certificate, he attested to art collectors not only that they were the rightful owners of the work that had come into their possession, but that from now on they would also be members of a “High Energy Unit.”** The stainless-steel sculpture, which was produced in 1966 and measured 4 × 4 × 35.5 centimeters, was rod-shaped and easy to handle. Collectors of the edition work were supposed to carry it with them. De Maria told an art critic that the shiny metal bar could also be put on public display. This would create a “terrific network of ‘High Energy Agents,’ ideally beautiful men and women who could show the energy bars to that area of civilization that lies beyond the art world.” The possession of art is as a rule defined as private property. It is bound by law, with the understanding that it may be disposed of at the owner’s discretion. According to De Maria’s stipulation, the owners of his works also became members of a unique group. It was not simply a matter of membership in an owner company, as is common in joint stock corporations. Rather, the idea was that of a spiritual community which follows the artist’s work. Like an Antipope, De Maria wanted to make sure that buyers of his subsequent works would be lovers of art who would experience their acquisition as a confessional step toward conversion. **The historian Yuval Noah Harari wrote in his “Brief History of Mankind” in 2011 on the subject of money that it is “the most universal and most efficient system of mutual trust ever devised” and that “it works by converting matter into mind.”** As is well known, where there are no titles of ownership, there is no need for a money economy. In today’s art world, when there is a dispute about the rank and value of a piece, the issue, beyond the title of ownership, is mainly the work’s monetary value. Recently, from May 11 to 14, 2021, *Christie’s* and *Sotheby’s* tested the art system in several New York auctions and confirmed it as solid. More than half a dozen works by Claude Monet, Pablo Picasso, Mark Rothko, Vincent van Gogh, Jean-Michel Basquiat and Andy Warhol were sold at prices ranging from \$37 million to \$103 million including the premium. *Sotheby’s* was able to clinch the sale of a work by Banksy that came with the written assurance that the auction house “accepts cryptocurrency” for \$12.9 million (estimated at \$3–5 million), including the buyer’s premium. The work “9 Cryptopunks” by the Larva Labs team, resembling faces made of Lego bricks, sold at *Christie’s* for a remarkable \$17 million (estimated at \$7–9 million) including premium.

While the market values of Matthew Barney, John Currin, Mark Grotjahn, Albert Oehlen, Richard Prince or Christopher Wool are currently stagnating, the values of young African American artists such as Mark Bradford, Rashid Johnson and Mickalene Thomas are noticeably increasing. Portrait artist Alice Neel, who died in 1984, is now selling for up to \$3 million due to her exhibition at the *Metropolitan Museum of Art*. Among the “Old White Men,” Wayne Thiebaud is still very much in demand with his delicious paintings of people and cakes, and almost everything by David Hockney and Ed Ruscha sells extremely well. **But what about the hype around cryptocurrencies and “non-fungible tokens” and the likelihood of an additional, possibly greatly expanded money economy in the arts? Is a genuine “High Energy Unit” coming to the fore that will gradually turn the relatively ingrown art world outwards?** Because eventually there could be a lot of new owners who may even have the support of bank supervision? The hype concerning crypto has three dimensions: firstly, it revolves around new currencies such as Bitcoin and Ethereum, which are establishing themselves in parallel with the money of the powerful national banks. Second, a financially strong marketplace for digital art, which is supposed to be authenticated by blockchain technology instead of by signatures and certificates, is emerging and becoming fashionable. Thirdly, a new sharing culture is coming to light, for behind the crypto sales there is also the idea that works of art that are traded as NFTs could henceforth be fractionalized like an AG, like a piece of real estate with many apartments. This emerging conception in the art world is more revolutionary than is indicated by the signals coming from blockchain and digital currencies. **The fractionalization implies that participants in the art market who do not yet exist but who would like to enter and participate to a measurable degree would be authorized to own works of art in small shares, as if they were buying individual stocks, as if they were acquiring gold in more or less minimal amounts.** Even though for the time being these ventures are a matter of high expectations and hence also fears, they would like to have clear information, a certified affiliation to the market and a form of supervision that is similar to FINMA in Switzerland, BAFIN in Germany and the SEC in the USA, so that despite an almost immaterial fractional ownership of the work, they could feel empowered to play a role in the market. After several hundred years of an art market with auctions, this represents a new and definitely pathbreaking phase in the international cultural industry. Let us not forget that there is no such thing as art, or money, without belief and conviction. The year 2021 is laying the tracks for the future of fractionalization. Let us wait and see if and when the first trains leave the station.

DR. THOMAS KELLEIN
Head of Art Consult
thomas.kellein@bergos.ch

This publication is for information and marketing purposes only. The provided information is not legally binding and neither constitutes a financial analysis, nor a sales prospectus, an offer for investment-transactions, an asset management mandate or an investment idea and does not substitute any legal, tax or financial advice.