

BRUSH STROKES OF DECEPTION: AN EXAMINATION OF PLAGIARIZED PAINTINGS IN NIGERIA'S ART ECOSYSTEM

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ABSTRACT

The problem of plagiarism in painting is a perennial and yet under theorized challenge to the credibility, financial worth and globalization of the growing visual arts industry in Nigeria. Thematic analysis of this kind is qualitative in nature because it involves identifying and summarizing themes from the text, which is the nature of press reportage, gallery documentation, scholarly analysis and legal literature of the plagiarized paintings in Nigeria between 2017 and 2024. The analysis, which is based on documented cases of artists including Diseye Tantua, Tolu Aliko, Yisa Akinbolaji and Bunmi Babatunde, and the controversy surrounding *Golden Heads* by Damien Hirst at the 2017 Venice Biennale, highlights six interlocked themes that are emerging as a growing problem in the art market: market-driven incentives, weak legal and institutional enforcement, the double-edged role of digital technology, gallery and intermediary complicity, the contested boundary between inspiration and theft and the psychological toll of creative dispossession on artists. The article puts these themes into perspective in the context of the increasing monetisation of Nigerian art and the relative weakness of the country's IP enforcement system. It concludes that plagiarism in Nigerian painting is not an aberration of professional ethics but a systemic problem in an art eco system which has professionalised more rapidly than it has been able to self-regulate and suggests a multi-level approach of law reform, institutional art registers, self-regulation of galleries and art education as means to a more accountable art economy.

Keywords: Plagiarism, Forgery of Art Works, Nigeria, Visual Arts, Copyright, Culture Economy and Artistic Integrity.

1.0 Introduction

Nigeria's visual arts scene, until recently quite closed and locally patronized, has made a spectacular leap into the international art arena and is becoming a known and lucrative market. It is now common for auctioned Nigerian modernists like Ben Enwonwu to do six and seven figures: In 2018, his painting *Tutu* sold for £1.2 million at Bonhams, and his portrait *Christine* sold £1.1 million at Sotheby's the following year (Businessday NG, 2020; McBain, 2020). By the late 2010s, the majority of value and volume of African art auctions was in African modern and contemporary painting, and by the 2025/26 reporting period, Nigerian artists accounted for the bulk of the value and volume at African-art auctions (McBain, 2020; MoMAA, 2026; Nigeria234, 2025).

This commercial success, however, has been shadowed by another phenomenon that has been comparatively little subject of sustained scholarly study: the plagiarism, forgery and unauthorised reproduction of Nigerian artists' paintings. Plagiarism in painting, however, has not had decades of legal commentary and case law to document it like literary or musical plagiarism (Legal Ideas Forum 2022; Udeoji 2023), but rather newspaper investigations, artist-run exposés, and gallery statements. This article hereby acknowledges that this body of grey literature and very few scholarly works available are indeed valid primary data for a thematic analysis of how plagiarism works, why and what it says about the governance gap in the creative economy of Nigeria.

This study seeks to answer this main research question: 'What are the recurring patterns that account for the continuation of painting plagiarism in Nigeria's art eco-system and what implications do these patterns have for policy and institutional reform? In order to answer this, the study utilizes seven main documentary sources such as newspaper investigations, artist's own documentation of forgery, scholarly commentary on materials and authenticity in Nigerian painting with the aid of literature from subsequent searches, followed by legal and market analysis literature, and then examines them according to the six-phase, thematic analysis procedure proposed by Braun and Clarke (2006).

2.0 The literature review and theoretical framing

The Historical and Economic Context of Nigerian Painting

Modern Nigerian painting started developing through the works of artists like Aina Onabolu and Ben Enwonwu and was brought together by groups like the Zaria Art Society and Nsukka Group (Adelani, 2021). The study by Adelani (2021) on non-conventional materials in the postmodern Nigerian painting highlights that in the contemporary period, Nigerian painters like Kelani Abass, Alex Nwokolo, Kolade Oshinowo and Ayo Akinyemi are following the path of pursuing more and more individualistic and materially experimental forms which are seen as innovation but also produces the type of work which is recognisable by its signature and originality, making such artists more appealing to other artists who are interested in mimicking it and making an attractive marketable product.

This innovative diversification has been accompanied by an exceptional commercial growth. The sales of Nigerian artworks by the big international auction houses have grown significantly in the 2010s, and Nigerian artists contributed approximately ninety per cent to the value of Bonhams' African art sales in 2017 (McBain, 2020). Domestic secondary-market institutions like Arthouse Contemporary (founded in 2007), and platforms like Art X Lagos (founded in 2016) have also developed valuation and provenance processes (Nigeria234, 2025). However, this increase in market value is consistently pointed out, both in the documentary sources considered in this paper and in the general literature, as an additional motivation to plagiarize, with the more valuable the work, the higher the reward for plagiarism (Chukwuma, 2017).

The law and institutional structures within the region, legal and institutional architecture.

Nigeria's copyright system is based on the Copyright Act 2022, which is an updated version of the Copyright Act (Cap C28, Laws of the Federation 2004), and now includes coverage for artistic works and provisions for digital reproduction and exceptions for research, review and parody (Udeoji, 2023). When comparing the Nigerian Copyright term and enforcement mechanisms with that of the United Kingdom, a general comparison would be copyright protection of similar duration, however, with vastly different level of institutional capacity for enforcement (Nwabachili & Iloka, n.d.). Olaniyan in his work (2023) also sets out the remedies, as it is called, notionally available to visual artists and photographers in Nigeria, which are civil damages and criminal sanctions with which he notes the awareness of the practicing artists is low. The Nigerian Copyright Commission (NCC), which is in charge of this protection, has mainly focused its enforcement efforts on the music and film industry, leaving visual art relatively under-policed (Chukwuma, 2017).

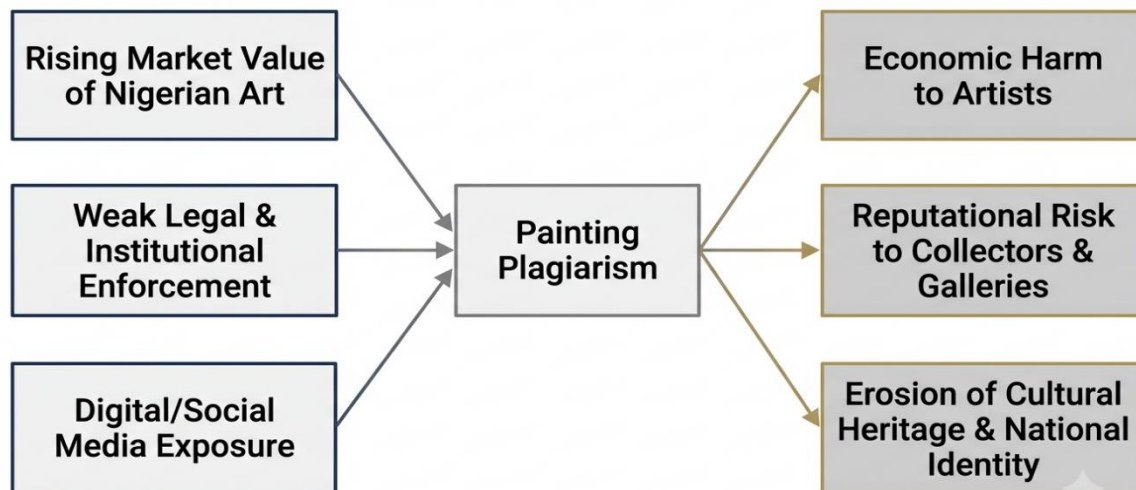


Figure 1. Conceptual Framework of Painting Plagiarism in Nigeria's Art Ecosystem

The concept of authenticity and originality; and the concept of appropriation.

A parallel scholarly debate is over the philosophical challenge of defining originality. Fabian Ajogwu and Jess Castellote state in their book *Creating Art: Authenticity and Ownership in the Visual Arts* that originality could be vested in the finished work or the idea itself, so that an original adaptation of an existing idea could be a legitimate creative endeavour (Anakua & Awode, 2024). This is a complicated situation that poses a difficult binary between plagiarism and inspiration, and this schism is repeated across the sources analyzed in this study, including artists, critics and gallery owners, who have significantly conflicting viewpoints on the boundaries between legitimate stylistic influence and theft (Sowole, 2017).

This definitional ambiguity takes on another transnational layer when the appropriating party is not a domestic imitator, but an internationally renowned artist who relates to African cultural heritage. In a bid to present gold-leafed heads at the 2017 Venice Biennale, Damien Hirst was accused by Nigerian artist, Victor Ehikhamenor and others of copying the Ife bronze heads of the 14th and 15th century without taking any credit for the originators of the work, which apparently occurred by scholars at the School of Oriental and African Studies (SOAS) (Daily Trust, 2017). As this case demonstrates, artistic plagiarism in Nigeria inevitably involves larger and longer discussions of the appropriation and restitution of African cultural heritage by Western institutions and artists (Kiwara-Wilson, 2013).

3. Methodology

The method applied in this research was qualitative document based design approach in which process developed by Braun and Clarke (2006) was used, namely familiarisation with the data, initial coding, searching for themes, reviewing of themes, defining and naming themes, and producing the analytic narrative. This comprised seven purposefully selected primary documents, which included five newspaper investigations, features, such as by Chukwuma (2017), Daily Trust (2017), Olagunju (2019), Sowole (2017) and Anakua & Awode (2024); one artist authored documentary expose of a specific case of forgery of paintings (Yisa Gallery, 2019); and one peer-reviewed scholarly article that placed the context of painting practice in Nigeria in modern times (Adelani, 2021). To provide context for how the phenomenon was enforced and its economy, additional legal-scholarly and art-market literature found through later, targeted searching was added to this corpus.

Documents were picked up on their direct engagement with documented, named cases of painting plagiarism in Nigeria, their consideration of the legal and institutional response to these cases, or their importance to the debate on originality and appropriation. All documents were open-coded line by line and themes were inductively clustered as they emerged from the coding process, and then iteratively compared to the whole corpus to ensure coherence and distinctiveness. Six themes emerged in prevalence across sources and analytic significance to the research question are presented in Section 4. The method used is in line with the long-standing use of thematic analysis in qualitative research, not only clinical psychology, but in policy and media studies (Braun & Clarke, 2006).

A methodological limitation that should be noted here is that as much as possible of this paper is based on journalistic and documentary sources given that there are few empirical studies based on a methodologically valid study methodology in Nigeria. This parallels the point raised within the corpus itself that visual-art plagiarism is not as well studied as plagiarism in music and literature in Nigeria (Chukwuma, 2017); the themes discussed in this analysis are offered as analytically grounded hypotheses which can be empirically verified with further studies, and cannot be returned to as "finding" because of the generalised nature of the data.

4. Thematic Findings

Market value as incentive

Throughout the corpus, the increase in the value of the market is a constant cause mentioned for plagiarism. In this context, the practice is put squarely in the realm of economics, as when the artist Diseye Tantua, upon finding an exhibition of his own 2011 painting, posed the question to his fellow artists: that they were "in art for the long haul" or "getting rich on the fast track?" (Chukwuma 2017). In the same report, the President of the Society of Nigerian Artists, Oliver Enwonwu, blamed the rampant copying on the rise of world-class exhibitions, auction houses, and the increased prices of Nigerian art, which he claims makes copying the established artists easier for "weaker artists" to achieve quick recognition and sales (Chukwuma, 2017). This is confirmed by the overall market figures tackled in Section 2.1, showing auction prices increasing from the low thousands to seven figures in just one career generation (McBain, 2020; Nigeria234, 2025) – exactly the kind of value rise that makes the cost of imitated much higher than the profit of creating.

The mass replication of over two dozen paintings by the same artist, Usuf Dsali, is emphasized by the multiple paintings he sold in various galleries in Kenya, the United States and elsewhere, a copy of the artist's statement and biography (Yisa Gallery, 2019). Its commercial intent is also obvious, as is the documentation of the price of the fake painting in Kenyan shillings, which means that the painting was being sold for a specific purpose, rather than for personal admiration or study (Yisa Gallery, 2019).

Weak Legal and Institutional Enforcement

Another, similar theme is the lack of any viable legal recourse to which a victimised artist can appeal. In the marketplaces in London that were online, and in galleries in Lagos, Tolu Aliko, whose work was being sold, reported that enforcement was limited, and the rogue dealers continued to profit, despite her issuing cease-and-desist correspondence (Chukwuma, 2017). Aliko is further quoted as saying that pursuing a copyist is "a waste of time and energy", which is a sentiment echoed throughout the collection (Chukwuma, 2017). This is also consistent with the institutional critique found in the literature such as the Nigerian Copyright Commission's ability to tackle copyright issues is largely limited to music and film, while there is relatively few investment in awareness-raising amongst artists of the formal remedies available under the

Copyright Act (Udeoji, 2023); and, the awareness of artists of the formal remedies that they are entitled to access under the Copyright Act is low (Olaniyan, 2023).

This institutional critique is further illustrated in the works of Sowole (2017) who documents a trend of non-formal "settlement" between galleries and irate artists, which renders formal legal action entirely moot: after the alleged plagiarised versions of sculptor Bunmi Babatunde's celebrated Possibilities series was traced to a named gallery in Lagos State, a threat of legal action reportedly "evaporated" when informal negotiation began. Sowole (2017) describes these thieves who engage in such copying as "ghost artists" whose identity is covered by a "silent agreement" between galleries, victims, and the wider trade, which is inaccessible to the legal system.

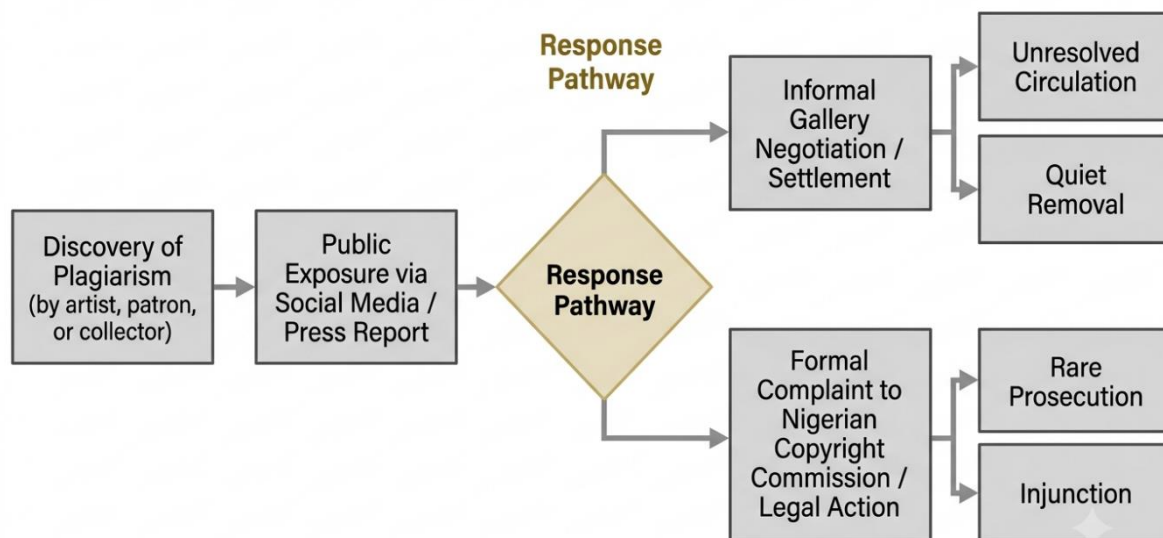


Figure 2. Institutional Pathway from Detection to (Non-) Resolution of Art Plagiarism Cases in Nigeria

The Double-Edged Role of Digital Technology

Digital and social media become the main source of plagiarism and the main method of making it known. Facebook and Instagram have made it easier than ever for a "new generation of plagiarists" to get and replicate an artist's pictures, says Sowole (2017), and the same platforms made it easy for Tantua to share his discovery and spark broad commentary. Nigeria's cultural context of content appropriation with low barriers and few accountability mechanisms for original written content, which Olagunju (2019) documents on its social media, illustrates a similar phenomenon of intellectual theft in an adjacent creative field, such as painting.

The case of Yisa Akinbolaji is a good example of how far this can go: it was an incidental visit by a patron to the Nairobi National Museum, followed by a campaign of social media and email messages to museums, galleries and universities, which ultimately led to the withdrawal of the plagiarist's work and a repudiation by Oakland Art Murmur and others, without the involvement of any formal Nigerian legal proceedings (Yisa Gallery, 2019). The digital exposure, therefore, has practically replaced institutional enforcement as the main mechanism of accountability that is available to Nigerian painters.

Cooperation in the Complicity of the Gallery / Intermediate(s).

Another theme that keeps recurring and is morally charged is the complicity of galleries and dealers, and how they can be negligent, or even actively involved, in hiding problems. According

to Sowole (2017), galleries exhibiting work that was found to be plagiarised negotiated with the offending artist, but did not seek to have them publicly exposed, and copyists "ghost artists" were not disclosed even when known by the trade. The article submitted for publication on plagiarised paintings is similarly published online, and records that Lagos-based galleries are involved in the sale of plagiarised works under the banner of supporting local artists, citing the lack of checks and balances on emerging artists and their agents' originality. This theme places the galleries as not only passive victims of deception but in some cases, as those who are actively encouraged, even structurally motivated, to engage in a market in which it is often difficult and expensive to verify the origins of the paintings, and where the risks to their reputation of having their origins disclosed often exceed the perceived benefits of transparency. The fifth theme relates to definitional contestation. A general condemnatory reading of the whole class of imitation is resisted by several voices in the corpus. In his reporting on Josiah, Sowole (2017) separates the study that informs practice from the copying that is a lack of originality, noting that Josiah considers the latter "intellectually impoverished" as well as art institutions that accept students who have no real desire to create art, and then graduate with a lack of originality. Oliver Enwonwu also states that in some instances there is a "thin line between original and copied work" and that appropriation is "generally accepted by both scholars and collectors as a valid means of creating art" (Sowole, 2017). This ambiguity has been explored in a more in-depth and theoretical manner in Ajogwu and Castellote's *Creating Art*, where the term originality can be linked to the process of making a work as well as its conceptual content; an original interpretation of an existing concept may be a creative work itself (Anakua & Awode, 2024).

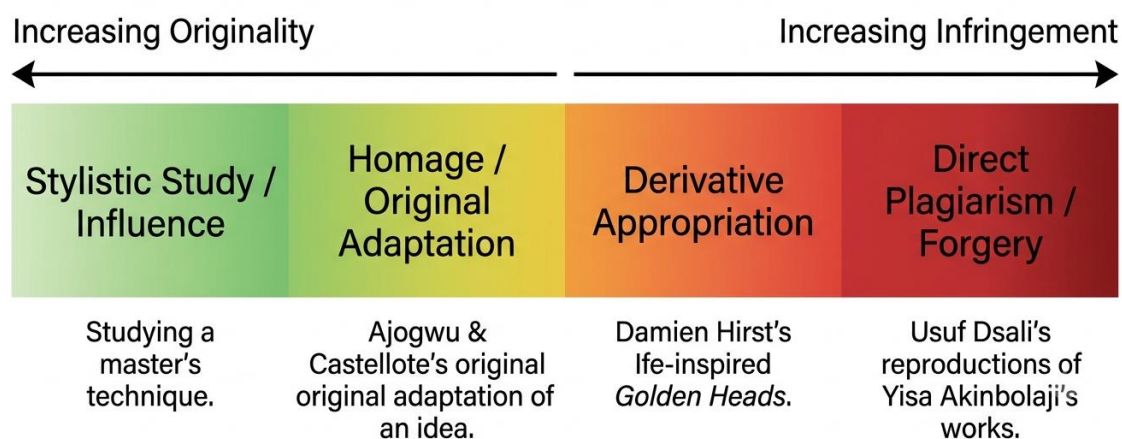


Figure 3. Spectrum of Artistic Influence: From Legitimate Inspiration to Plagiarism and Cultural Appropriation

Taking an applied perspective on the controversy surrounding Damien Hirst, one would likely understand why such reactions sprung from different directions: Hirst's camp argued that the Ife heads, as part of a set of accompanying text, were credited in the accompanying exhibition material and that this was one of a series of sources of inspiration for an ongoing project (Daily Trust, 2017); meanwhile, Nigerian commentators like Ehihamenor would understand that the visual form itself, as claimed in the accompanying exhibition guide, would not suffice to prevent Nigerian audiences, or indeed global ones, from connecting the image to Hirst and not to Ife, thus displacing Ife's authorship of its image without a loud shout. The Yoruba scholar's argument (as opposed to a legal one) is one on symbolic authorship and on historical memory, which current copyright regimes, which focus on individually owned economic rights of authors, are ill-equipped to address (Kiwara-Wilson, 2013).

The psychological impacts and resigned adaptation are discussed

A final theme that is mentioned in the corpus frequently is the emotional and behaviour response of the victimated artists, with resignation the most recurring term. Copying, in Aliko's words, is "happening all the time," and "there's nothing I can do" (Chukwuma, 2017), is a refrain that reflects a broader trend that artists normalise victimisation as an inevitable consequence of success, and transform it, in Aliko's phrase, into "implicit validation" (Chukwuma, 2017) that all strong brands are "always" being copied. Others artists, out of the reach of formal channels, talked about adaptive strategies such as watermarking their pictures and obscuring the visibility of their new work on online platforms, and others, as in Tantua's case, chose to meet the public face-to-face through social media platforms because they felt that the formal channels were not effective (Chukwuma, 2017; Sowole, 2017). In his comment on the same discourse, photographer Uche James Iroha, pointed to the lack of professional platforms and infrastructure, which forces practitioners to deal in a defensive and survival mode that is not built on a foundation of secure professional practice (Sowole, 2017).

5. Discussion: towards integrated understanding.

Together, these six themes offer an understanding that plagiarism in Nigerian painting is not something that can be viewed as a standalone crime by itself, but is also an emergent phenomenon of a specific institutional configuration: a fast commercialising market (Theme 1); an enforcement architecture that is structurally weak and under-resourced for visual art specifically (Theme 2); a digital communications environment that lowers the cost of both theft and exposure simultaneously (Theme 3); a genuinely unsettled theoretical boundary between influence and infringement, enabling good-faith disagreement and providing cover for bad-faith copying (Theme 4); and a resulting pattern of individual artist adaptation, where resigning to and protecting oneself from plagiarism is the preferred option over collective demands for it to be changed (Theme 6).

This configuration points to another pattern that has been observed in multiple reports: When plagiarism is clear, it is not usually followed by formal action, especially when it is well documented, as in the case of the Usuf Dsali theft where over twenty works were copied without permission, or the case of Bunmi Babatunde, where a record auction piece was directly pilfered (Sowole, 2017; Yisa Gallery, 2019). The two cases were resolved without any pressure from the Nigerian Copyright Commission or the courts, but by informal negotiation, or by institutional self-policing by third parties like museums, and eventually via public social-media pressure. This indicates that without other institutional measures or a change in attitudes within the gallery sector, legal steps will not significantly curb the painting plagiarism phenomenon.

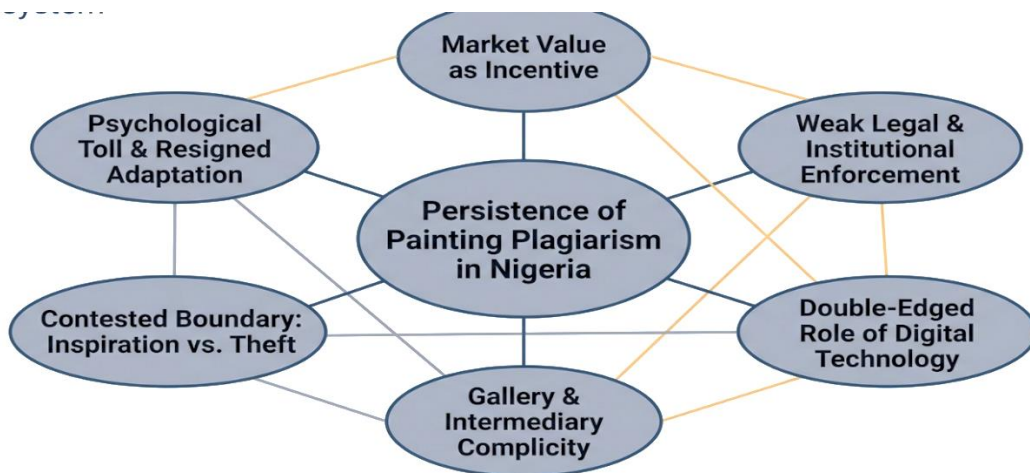


Figure 4. Integrated Thematic Map of Painting Plagiarism in Nigeria's Art Ecosystem

6. Recommendations

Based on the thematic findings, the following interventions are proposed:

- i. Improving laws enforcement: The new provisions of the Copyright Act 2022 should be implemented with a strengthened enforcement capacity in the Nigerian Copyright Commission, perhaps with a specific art based commission or a fast-track dispute resolution body, to overcome the enforcement challenges identified by Udeoji (2023) and Olaniyan (2023).
- ii. Institutional registries and authentication: There is a need to establish a centralised and publicly accessible registry of original Nigerian artworks, potentially managed by the National Commission for Museums and Monuments in collaboration with professional art and artists' associations, that would create a verifiable chain of custody similar to that of Sowole (2017) and Yisa Gallery (2019) for artworks, and leverage existing digital authentication technologies, including blockchain-based certificates or watermarking, discussed in the sector (Anakua & Awode, 2024).
- iii. Self-regulation of the gallery: As it is established that the gallery is complicit in the problem (Theme 4), professional gallery associations need to establish legally binding codes of conduct that include documented provenance checks before the gallery exhibits or sells a work, and that have a reputational and membership sanction for breaking such codes.
- iv. Public and artist education: Structured intellectual-property education, integrated into fine-art curricula and delivered through continuing-professional-development intellectual-property programming for practising artists, would tackle the low levels of awareness of legal remedies that Olaniyan (2023) has reported, and the definitional confusion between inspiration and infringement, as outlined in Theme 5.
- v. Using digital exposure constructively: As in the cases reviewed here (Theme 3), there is an informal reporting channel for social media and professional bodies could institutionalise that by implementing a monitored and moderated reporting system to direct public exposure to a documented institutional response instead of uncoordinated individual campaigns.

7. Conclusion

This article has done a thematic analysis of the documentary evidence available on plagiarism in Nigerian painting, finding six themes that intersect and collectively account for the phenomenon which had been documented, previously, mainly in the informal peer-reviewed literature, namely: market incentive, weak enforcement, digital double-exposure, gallery

complicity, contested originality and artist resignation. The Nigerian, and wider afrofiction, art market has grown financially in a dizzying manner that has left the legal, institutional and professional systems in place to safeguard the individual artist whose creative labor sustains the value of the art market lag behind. This needs a coordinated approach to reform in the fields of law, museum-gallery practice, art education and digital governance. With the rise of Nigerian art on the international stage, safeguarding its authenticity and the artists who produce it is not only a legal detail, but also a moral obligation to the sustainability of the creative economy as a whole (Yisa Gallery, 2019).

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