

LEGAL BLOG

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LET THEM EAT CAKE: WHAT COULD THE RECENT ATTACK ON THE MONA LISA POSSIBLY HAVE TO DO WITH CLIMATE CHANGE?

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Last week, Leonardo da Vinci's Mona Lisa (well, the bulletproof glass she's encased in) was smeared with cake—apparently to protest climate change.¹ The protester was a man disguised, in wig and makeup, as an elderly lady in a wheelchair. As if engaged in a tango dance with Ms. Lisa, the protestor had a single-red rose in his mouth when he suddenly sprang out of the wheelchair, jumped the barrier and hurled cake at the world's most famous piece of art.² Security quickly stopped him, and as he was led away, the protestor told the crowd, "There are people who are destroying the Earth... think about the Earth. That's why I did this. Think of the planet."³

The melodrama! Add this stunt onto the list of inexplicable and dramatic events Mona Lisa has suffered through over the last century or so: (1) being stolen (with Pablo Picasso being a prime suspect at one point in time) without a trace for two years⁴; (2) having acid thrown on her (that one landed and did cause some damage)⁵; (3) having a cup hurled at her in anger; and now, (4) being caked in the face, kind of, in the name of climate change.

This isn't the only act of protest in the name of climate change. There is, in fact, a recent history of climate change protests though, which have resulted in litigation or new laws worldwide. For example, in December 2019, in the Australian state of Queensland, "two Extinction Rebellion (XR) climate activists climbed upon and delayed a coal train".⁶ The following year, Queensland's parliament sought to enact new anti-protest laws which "threaten sentences of up to two years in prison for using 'lock-on' devices to disrupt transport or hinder

¹ <https://www.artnews.com/art-news/news/mona-lisa-smeared-cake-vandalism-1234630315/>

² <https://www.tiktok.com/t/ZTd7baqCj/?k=1>

³ *Id.*

⁴ <https://edition.cnn.com/2013/11/18/world/europe/mona-lisa-the-theft/index.html>

⁵ <https://www.mentalfloss.com/article/62280/14-things-you-didnt-know-about-mona-lisa>

⁶ <https://www.dw.com/en/anti-protest-laws-and-litigation-take-aim-at-climate-activism/a-51701293>

business in Queensland”.⁷ In 2017, climate activist group “WeShutDown” blockaded production at a coal power plant in Germany and were later sued by the owner of the plant, RWE for 2 Million Euros.⁸

However, the recent cake-based theatrics make one wonder how climate change comes into play at all. For these writers, this outrageous act of vandalism brings to mind Marie Antoinette’s infamous declaration “let them eat cake”—referring to the starving peasants when bread was unavailable. Marie’s time, not unlike our own, was a time of recession and shortage. While her statement is credited as the spark that led to the beginning of the French Revolution, the cake-smearing protestor perhaps cannot be credited with spurring on any sort of climate change movement. It is notable that change protests are becoming more prevalent as concerns about the climate effect on the economy, and its ramifications on water and food (and cake) into the future,⁹ increases. The decisions made and the actions taken today will affect food and water availability over the next century.¹⁰ Government and business entities will want to continue to watch this space, as liability for climate change inaction remains in flux¹¹.

If you are a business with climate change litigation concerns or potential claims, Hahn Loeser & Parks LLP can help. Contact: Sarah Dunkley, sdunkley@hahnlaw.com or Kelsey Smith, klsmith@hahnlaw.com.

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⁷ *Id.*

⁸ <https://code-rod.org/en/2019/05/29/germanys-biggest-co2-polluter-rwe-claims-2-million-euros-from-climate-activists/>

⁹ <https://www.weforum.org/agenda/2021/12/climate-change-extreme-weather-food-shortages-rise-prices;>
<https://reliefweb.int/report/world/climate-change-hunger-crisis-making>

¹⁰ <https://www.nrdc.org/onearth/let-them-eat-cake>

¹¹ <https://www.hahnlaw.com/insights/ok-doomer-climate-change-litigation-led-by-our-youth-and-indigenous-peoples/>