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FROM EXCEPTION TO NORM: DEACCESSIONING IN LATE TWENTIETH CENTURY AMERICAN ART MUSEUMS

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ABSTRACT OF THESIS

FROM EXCEPTION TO NORM: DEACCESSIONING IN LATE TWENTIETH CENTURY AMERICAN ART MUSEUMS

Throughout their history in America, museums, including those of art, have adapted according to their environment. One result of this adaptability is that objects in art museum collections are not as permanent as those outside the museum field tend to believe. As scholarship, funding, and audiences change, objects which at one time were considered pertinent to a museum collection may be deaccessioned, the term used for when a museum removes an accessioned object from its permanent collection. Yet deaccessioning in America tended to remain the exception, rather than the rule, until the last three decades of the twentieth century. How deaccessioning became a normal element of collections management in the late twentieth century can be understood as a consequence of a number of factors, including a change in the institutional and economic climate in which art museums operated. Examining some of the factors leading to the normalization of deaccessioning, at least for those in the museum community, can help us better understand the implications of such a shift.

KEYWORDS: Deaccession, History of American Museums, Public Accountability, Art Market, Collections Management Policy

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FROM EXCEPTION TO NORM: DEACCESSIONING IN LATE TWENTIETH
CENTURY AMERICAN ART MUSEUMS

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THESIS

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The Graduate School
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2007

FROM EXCEPTION TO NORM: DEACCESSIONING IN LATE TWENTIETH
CENTURY AMERICAN ART MUSEUMS

THESIS

A thesis submitted in partial fulfillment of the
requirements for the degree of Master of Arts in the
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I. Introduction

In 1972, in an editorial criticizing the deaccessions and sales of important works from the Metropolitan Museum of Art's collection, art critic John Canaday declared,

Art museums are neither merchandise marts nor esthetic stock exchanges. They are repositories of precious records. Nothing worth buying or accepting, as a gift in the first place ever becomes less than part of the record of a phase of our culture, even if it also represents a curatorial idiocy. In spite of every exception, the rule is that selling from the collection is hazardous policy, and often unethical policy.¹

Canaday's view that art museums should never sell from the collection greatly contrasts with that of Glenn Lowry, the current director of the Museum of Modern Art (MoMA). Thirty years after Canaday wrote his editorial, in 2005 Lowry stated the museum's view on deaccessioning and selling:

...the inaugural gift was given to us [MoMA] with the understanding that we would sell from that collection to buy more significant and important works of art. We always understood, from that moment on, that we had a double responsibility – to build a collection and *refine* the collection, which meant that when we *do* accept gifts, they're always unconditional, for a reason.²

Lowry reiterated his point in a 2007 interview: "It is by selling to get an even more important work that we became and are the most important museum of contemporary art in the world."³

The opinion expressed by Canaday reveals that in 1972, the deaccession and disposal of artworks was still enough of an exception that the Metropolitan Museum's actions created a public "scandal." Ultimately, the protest over the deaccessions led to government hearings and the museum agreeing to implement strict written deaccession policies. This is in stark contrast to Lowry's open acknowledgment that deaccessioning and selling artworks from the collection is an integral component in the building and refinement of MoMA's collection. These two vastly different opinions raise the question of how and why did deaccessioning, the process of legally removing an accessioned

¹ John Canaday, "Very Quiet and Very Dangerous," *New York Times*, Feb. 27 1972.

² Adam Lindemann, *Collecting Contemporary* (Köln, London, 2006), 265.

³ Louise Nicholson, "Modern Master: Interview with Glenn Lowry," *Apollo* 2007, 27.

object from a museum collection, become a part of normal museum operating procedures in America, rather than an exception, in the span of only thirty years?⁴ With this question in mind, I will present an argument that in the late twentieth century, American art museums institutionalized deaccessioning as a normal practice as a consequence of significant changes in the institutional and economic environment, including a decrease in government funding, tax restrictions on gifts to art museums, and increasing expectation of public accountability. These and other factors created a need for art museums to modify their institutional behavior in order to survive and thrive in a more competitive market. The establishment of official policies and procedures for regulating but also normalizing deaccessions was part and parcel of that process.

Museums in America have shown themselves to be adaptable institutions. As audiences, founders, and scholarship changed, museums have changed in response. Museums were first established in America during the early nineteenth century as for-profit enterprises, which often emphasized entertainment over education. Later in the century, wealthy supporters intent on improving the aesthetic taste of the general populace, as well as increasing the cultural standing of their cities, began acquiring and donating everything they could in order to establish both industrial and fine art museums. After the initial flurry of acquisitions, American art museums gradually began to favor quality over quantity, partially as a result of an increasing emphasis on artistic originality. It is at this point that deaccessioning in American art museums truly begins. Art museums' curators and boards became more selective in what they brought in, as well as what they kept. As a result, "less important" objects began to be deaccessioned from collections.

As an established practice, however, deaccessioning did not come into its own until the last three decades of the twentieth century. Deaccessions before this were generally not regulated, and usually practiced at the discretion of a museum. However, as government funding for arts organizations and art museums increased during the 1960s and 1970s, so did the expectation of public accountability on the part of art museums.

⁴ Additionally, deaccessioning does not affect a museum's ownership of an object. According to the Association of American Museums, museums can dispose of deaccessioned objects in a variety of ways: an object can be kept in a study collection, given to another museum that might make more use of it, thrown out (although this rarely happens), or sold at auction. "Peer Review Manual: Glossary," American Association of Museums, http://www.aam-us.org/getinvolved/pr/upload/F8_Glossary.pdf. F8-F9.

When the Metropolitan Museum deaccessioned important works in 1972 from its collections to raise acquisition funds, deaccessioning as a practice was publicly and widely discussed for the first time. The scandal over the Metropolitan Museum deaccessions centered on the fact that the museum attempted, and somewhat succeeded, to sell important works rather than items of lesser value. Many critics, including Canaday, felt that the deaccessions revealed a failure in the trusteeship invested in the Metropolitan Museum to guard the public patrimony of America.

The issue of accountability was raised once again when another upsurge of deaccessions of important works occurred in the late 1980s and 1990s. At this point in time, museums were adapting their approaches to collection management as a consequence of decreased government funding, a detrimental tax reform act, and a booming art market. These factors created a newly competitive market in which American art museums had to change their operating procedures in order to thrive and, in some instances, to survive. Some art museums chose to redefine themselves through the vehicle of their mission statements in order to either exploit under-utilized market niches, while others emphasized their current standing within a respective market niche.⁵ As mission statements were re-crafted, collections were likewise being re-shaped to be more fully integrated with either existing or new goals established by an art museum. This resulted in art museums feeling justified in selling great works if they did not ‘fit’ the purview of their missions. These refinements were guided by collections policies, which allowed for a methodical approach to deaccessioning. Collections policies also provided proof that when an art museum deaccessions, it followed ethical policies approved by professional museum organizations. By instituting official procedures, art museums and their respective museum associations made deaccessioning into a permanent and normal aspect of museum culture.

⁵ This is also the same time when blockbuster exhibitions became standard practice, with which art museums could attract huge numbers and gain a large profit. See Gary Tinterow’s essay, “The Blockbuster, Art History, and the Public: The Case of *Origins of Impressionism*,” in *The Two Art Histories: The Museum and the University*, ed. Charles W. Hauxthausen (Williamstown, Mass: Sterling and Francine Clark Art Institute, 2002), 142-153.

II. Adaptive American Art Museums

Originally, museums in America were founded as for-profit enterprises by private individuals. The national government has had no hand in establishing museums of any sort, with the exception of the National Gallery. In the years after the Revolutionary War, the early Republican government repeatedly refused to fund museums.⁶ As a result, the first museums in America were established by entrepreneurial individuals for a number of reasons. Motives for the establishment of museums in early America ranged from a republican desire to educate to profit from credulous crowds willing to pay a coin to see “natural wonders.” As popular taste and scholarship changed through time, so did these museums. Without interested audiences or benefactors, it proved difficult for museums to thrive. This resulted in museums willing to transform themselves and their collections in order to be more relevant and, hopefully, to keep their doors open. It is perhaps this historically adaptive quality that has led American art museums in the late twentieth century to change their business practices in response to an increasingly competitive environment.

Competition in Nineteenth Century America: The Early American Museum

In the late eighteenth and early nineteenth century America, public museums first began as democratic arenas in which the natural world could be displayed for the edification of all. The hope was that by learning about nature, man could learn his place in Creation and therefore learn to “respect and honor truth and virtue, for what were truth and virtue but distillations of divine wisdom?”⁷ The first American museum founded upon these Enlightenment ideals belonged to Charles Willson Peale, who began his endeavor in Philadelphia in 1784.⁸ With his Philadelphia Museum, Peale hoped to achieve two main goals. The first was to teach natural science, with a dabbling of art and some history. To realize the first aim, Peale arranged the objects in his museum hierarchically, with portraits of famous and contemporary figures at top, stuffed specimens of known animals in the middle, and unknown species and fossil remains at the bottom. In this way, the

⁶ Ruth Helm, “Peale’s Museum: Politics, Idealism, and Public Patronage in the Early Republic,” in *Mermaids, Mummies, and Mastodons: The Emergence of the American Museum*, ed. William T. Alderson (Washington, D.C.: American Association of Museums, 1992), 70.

⁷ Neil Harris, *Humbug: The Art of P.T. Barnum*, [1st]. ed. (Boston: Little, Brown, 1973), 33-34.

⁸ *Ibid.*

natural world was arranged from highest to lowest, with humans representing the peak of creation.⁹

Yet Peale, for all his enthusiasm for republican ideals, was also a business man who relied on the profits from admissions to support himself and his family. In order to attract greater crowds to his museum, Peale displayed exhibits he termed, “rational amusements.”¹⁰ These “rational amusements,” consisting of entertaining but educational activities, were used as a way to attract common people who would be willing to pay a twenty-five cent admission fee to experience Peale’s offerings:

...magic mirrors that distorted a viewer into a giant, a dwarf, or a monster with seven heads; a speaking tube mounted in a lion’s head that allowed one to shout back and forth with one’s friends in another room; a phsiognotrace that would sketch one’s silhouette; a pipe organ of eight stops that talented visitors might play; an electrical machine that gave those who touched its extension a moderate shock; and a compound blowpipe to demonstrate the wonders of chemistry.¹¹

Peale realized that in order to draw people into his museum, his exhibits needed to be actively engaging. In this way, audiences would be intrigued enough hopefully to learn more about what they were experiencing, or if nothing else, at least have their curiosity aroused.

With its intent on educating citizens, Peale viewed his museum as an institution worthy of federal and state funding, stating that since museums are “for a public benefit, [they] should be a public charge.”¹² However, both George Washington and Thomas Jefferson turned a deaf ear to his appeals, regarding museums as private concerns and as such, should be privately funded.¹³ Peale also campaigned for financial support from both the Pennsylvania Legislature and the Philadelphia civic government. Although he was somewhat more successful at receiving funds at the state and local level, Peale’s museum was never taken on as a government-supported institution.¹⁴

⁹ Steven Conn, *Museums and American Intellectual Life, 1876-1926* (Chicago: The University of Chicago Press, 1998), 35.

¹⁰Edward P. Alexander, “Mermaids, Mummies, and Mastodons: An Exhibition on the Evolution of Early American Museums,” in *Mermaids, Mummies, and Mastodons: The Emergence of the American Museum*, ed. William T. Alderson (Washington, D.C.: American Association of Museums, 1992), 19.

¹¹ Ibid.

¹² Charles Willson Peale to John Hawkins, 3 March 1807, Peale-Sellers Papers. Cited in Helm, “Peale’s Museum: Politics, Idealism, and Public Patronage in the Early Republic,” 69.

¹³ Helm, “Peale’s Museum: Politics, Idealism, and Public Patronage in the Early Republic,” 70.

¹⁴ Helm sees Peale’s failure to receive full federal, state or local support as a result of the obsolescence of his argument: “While Peale insisted that the museum would admirably serve republicanism by educating

As a result of the lack of government funding, by the 1830s and 1840s, Peale and his sons, Rubens and Rembrandt, increasingly relied on amusements such as gas lighting at night and exotic curios to attract crowds.¹⁵ The need to increase attendance was a consequence of the growing competition presented by similar natural history museums, as well as theaters and circuses.¹⁶ Hucksters like P.T. Barnum quickly took advantage of the lucrative opportunities presented by natural “curiosities” by presenting to the credulous public bizarre and strange exhibits. To appear more legitimate, these purveyors of the fantastic applied the name ‘museum’ to their collections of offerings. For example, in New York City, Scudder’s American Museum, obtained by Barnum in 1841 and changed to the more simple title of the American Museum, offered for viewing “...a tattooed man; H.G. Sherman, a ballad singer; dioramas of European landscapes and Biblical scenes; an albino lady; a model of Niagara Falls with running water...” and a number of other curiosities and entertainments.¹⁷ These entertainment venues quickly drew the public’s attention away from the more legitimate natural history museums. Since both types of museums were privately operated for profit, those with educational exhibits failed to attract enough audiences in order to remain open.¹⁸ Charles Wilson Peale’s museum of natural and historical exhibits was itself eventually bought by Barnum and subsequently began to display similar oddities as the American Museum.¹⁹ In this way, the antebellum American “museum” came to represent a form of popular entertainment, rather than popular education.²⁰

the population, inspiring morality, and encouraging a selfless devotion to the state, the nation turned increasingly toward commerce and individualism.” *Ibid.*, 74.

¹⁵ Sally Gregory Kohlstedt, “Entrepreneurs and Intellectuals: Natural History in Early American Museums,” in *Mermaids, Mummies, and Mastodons: The Emergence of the American Museum*, ed. William T. Alderson (Washington, D.C.: American Association of Museums, 1992), 33.

¹⁶ Harris, *Humbug: The Art of P.T. Barnum*, 35.

¹⁷ *Ibid.*, 41.

¹⁸ *Ibid.*, 35.

¹⁹ Barnum secretly bought Peale’s museum in 1843 from its manager, in order to generate publicity between competing exhibits. Neil Harris, *Humbug: the Art of P.T. Barnum*, [1st]. ed. (Boston: Little, Brown, 1973). 42

²⁰ Alan Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States* (Amherst, Mass: University of Massachusetts Press, 1998), 24.

American Art Museums Acquire

Despite the number of private individuals and concerns financing museums, whether for popular entertainment or education, *art* museums as we know them today did not begin to emerge in the United States until after the conclusion of the Civil War. According to Alan Wallach, the sudden interest in establishing art museums after the Civil War arose as a result of an emerging national upper class interested in formulating a high art aesthetic.²¹ With the United States government continuing to demonstrate a lack of interest in establishing any kind of national museum, individuals took it upon themselves to establish art museums that would educate and culturally uplift audiences. The American art museums founded between 1870 and 1900 were modeled after either London's South Kensington complex (which eventually became the Victoria & Albert Museum) or the Louvre in Paris.²²

The South Kensington, a complex of schools and museums merging science and art in an attempt to raise the tastes of British producers and consumers, provided a particularly pertinent example to American museum founders. Growing out of the enthusiasm generated from the 1851 Crystal Palace Exhibition in London, the South Kensington complex was intended to raise the taste of both British consumers and producers through its displays of both fine and industrial arts. The South Kensington model appealed to some of the more democratically-minded museum builders in the United States.²³ The American Centennial Exhibition, held in Philadelphia, had revealed the woeful state of national products and fine arts as compared to other international exhibitors. Similar to their British counterparts, the original initiators of American industrial art museums hoped to repeat Britain's industrial success through the elevation of their fellow countrymen's aesthetic taste.²⁴ To do this, massive quantities of tools, weapons, textiles and other forms of industrial arts were gathered from around the world, and then displayed so as to create exhibits which conveyed information through their arrangement.²⁵ Nineteenth-century exhibit designers in industrial art museums took as their cue the Linnaean classification system used at this time by natural history and

²¹ Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 21.

²² Conn, *Museums and American Intellectual Life, 1876-1926*, 194-95.

²³ *Ibid.*, 195-96.

²⁴ *Ibid.*, 199.

²⁵ *Ibid.* Conn uses the term "object-based epistemology" to describe this phenomenon. See pg. 23-24.

science museums. Objects were systematically arranged and classified so that the American industrial producer could compare groups of similar tools from different cultures. For example, a hammer from sixteenth century Denmark stood in as a whole for the category of hammers, just as a butterfly in a natural history museum could stand in as a whole for its genus. Like displays in contemporary natural history museums, the more examples to show the variety and congruity of a species in a genus, the better understanding one could obtain. This gave an observer the opportunity to compare and contrast more fully a group of objects' differences and similarities, and then apply his new knowledge to his own work.²⁶ In this manner, craftsmen and other manufacturers could raise their aesthetic taste to a higher level, eventually resulting in an increase in the quality of their craftsmanship. With superior quality products, people hoped to be able to compete with and hopefully surpass the European industrial economy.

For example, in Cincinnati, an art museum devoted to the industrial arts was founded in 1881, in conjunction with a school offering classes for women on the arts of "...china painting, watercolor painting, and artistic embroidery."²⁷ According to its founders, the concentration on applied arts, rather than fine arts, seemed more appropriate to Cincinnati, a center of business and industry.²⁸ Similarly, the Chicago Academy of Fine Arts (now known as the Art Institute of Chicago), founded in 1878, was begun by businessmen assured that art education would ultimately lead to the commercial success of their city. Throughout the 1880s, evening and Saturday classes were offered to train working-class artisans in woodcarving, ornamental design, mosaic, frescoing, and stained glass.²⁹

In addition to the industrial art museums, fine art museums were also founded at the end of the nineteenth century in America. Established by wealthy magnates interested in not only elevating the taste and morals of their fellow countrymen, but also in raising their own status and that of their cities, these fine art museums chose the Louvre as their

²⁶ Ibid., 206.

²⁷ Kenneth R. Trapp, "Art Palace of the West: Its Beginnings," in *Celebrate Cincinnati Art: In Honor of the One Hundredth Anniversary of the Cincinnati Art Museum, 1881-1981* ([Cincinnati, Ohio]: The Museum, 1982), 23.

²⁸ Ibid., 18.

²⁹ Barbara Jaffee, "Before the New Bauhaus: From Industrial Drawing to Art and Design Education in Chicago," *Design Issues* 21, no. 1 (2005).

model.³⁰ The Louvre, with its emphasis on displaying the great artistic achievements of mankind, ultimately proved a more appealing choice than the South Kensington, with its more humble focus on everyday craft. Many of these museums began with (usually) European works donated or purchased specifically for them by wealthy trustees. Additionally, there was also a desire to display high-caliber examples of antique and Renaissance art. For many, these two epochs in the history of art represented "...the genius of man at its highest period of development in the world of art."³¹

One of the most well-known fine art museums in America, the Metropolitan Museum of Art in New York, was founded in 1872 with 174 European old master paintings. These paintings, consisting mostly of Northern Baroque old masters, reflected not only the taste of the moment on the part of the purchasers, but also a specific moment of opportunity.³² William Tilden Blodgett (1823-1875) bought all of the works from 1870 to 1872 in Europe for the specific purpose of being the founding collection of the museum. The first chairman of the executive committee and also the first vice president of the Metropolitan Museum, Blodgett had taken advantage of the conditions of the Franco-Prussian War while acquiring the initial Metropolitan Museum collection. As a result of the disastrous French war, beleaguered aristocrats were jettisoning artworks in attempts to avoid financial ruin, and Blodgett was in the position to buy works the trustees might not have been able to afford at any other time.³³

In addition to old master paintings, the Metropolitan Museum, along with other fine art museums such as the Boston Museum of Fine Arts, wanted to display sculptures representing the peak of mankind's creativity, which according to nineteenth century opinion, took place during the Classical and Renaissance periods. However, sculptures of this age and caliber proved difficult to obtain. The solution to this obstacle came in the form of plaster reproductions. From about 1874 to 1914, American fine art museums bought, borrowed, and commissioned plaster casts and electrotype reproductions of

³⁰ Conn, *Museums and American Intellectual Life, 1876-1926*, 195.

³¹ Samuel L. B. Parrish, *Historical, Bibliographical, and Descriptive Catalogue of the Objects Exhibited at the Southampton Art Museum* (New York: B.H. Tyrrel, 1898), ix-x. Cited in Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 38.

³² Katherine Baetjer, "Buying Pictures for New York: The Founding Purchase of 1871," *Metropolitan Museum Journal* 38 (2004), 161, 172.

³³ *Ibid.*, 162-63.

famous, but unmovable, artworks residing in Europe.³⁴ They were intended to serve the didactic purpose of indoctrinating an American public into the eternal values represented by classical art. As Alan Wallach terms it, this “cast culture” of the United States was predicated on the European humanist approach to education, with its emphasis on the study of Greek and Latin, as well as classical literature and art. At first resolutely dedicating themselves to public education based on this European model, American museums used casts and reproductions of classical and Renaissance art in order to represent to a broad audience the entire canon of antique sculpture. With any luck, exposure to the highest expressions of man’s creativity would convey to the American public the values and beliefs associated with the classical European tradition.³⁵

An example of this enthusiasm for plaster casts can be seen again in the example of the Metropolitan Museum. Between 1890 and 1894, the Metropolitan Museum raised almost \$80,000 for the purchase of casts, which were to be “...historically arranged, so as to illustrate the progress and development of plastic art in all epochs, and mainly in those that have influenced our civilization.”³⁶ The emphasis on the Classical and Renaissance eras can be seen in the museum’s 1908 catalog of plaster casts, which is devoted mainly to “Greek and Roman Art” and “Renaissance Art.”³⁷ Likewise, the Boston Museum of Fine Arts opened in 1876 with a total of seventy-five casts. Twenty-five of these casts were on loan from the Boston Athenaeum, while the other fifty were purchased with proceeds from the sale of original oil paintings bequeathed to the museum by Charles Sumner.³⁸ It is clear, especially in light of the Boston Museum of Fine Arts example, that late nineteenth century American art museums were not concerned with Benjamin’s aura of authenticity just yet. Rather, the didactic and civilizing aspects represented by the canon of plaster casts served to raise the minds and tastes of the American public, so they could better compete with their European brethren.

³⁴ Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 38. Electrotpe reproductions can refer to both metal castings of other metal objects, and to a particular method of making prints.

³⁵ *Ibid.*, 48.

³⁶ Winifred E. B. Kent Henry Watson Howe, *A History of the Metropolitan Museum of Art, with a Chapter on the Early Institutions of Art in New York* (New York [Printed at the Gilliss Press], 1913). Cited in Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 49.

³⁷ Metropolitan Museum of Art, *Catalog of the Collection of Casts* (New York: Printed for the Museum, 1908).

³⁸ Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 41.

American Art Museums Begin Deaccessioning

Although many fine art and industrial arts museums were established at the same time in the late nineteenth century, it was the fine art museums that ultimately proved most popular in the twentieth. Industrial arts museums suffered in popularity in part because the United States gradually surpassed Europe on both an economic and industrial level. The perceived need for the display of handicrafts waned as a result. The very way in which industrial arts museums exhibited their collections was also out of sync with the growing concern for the originality of an artwork. The cult of artistic originality, begun by the Romantics in the mid-nineteenth century and continued by modern artists into the twentieth century, led to a reevaluation of how and what was displayed in American art museums. Wealthy patrons who funded art museums no longer saw the value of displays of utilitarian objects that might or might not be viewed by their employees. Instead, they often preferred to donate their money for the purchase of original artworks in order to conspicuously display their largesse and their refined taste.³⁹

In response to the changing taste of trustees and audiences, some museums that originally began with displays of handicrafts shifted their emphasis to the fine arts. An example of this is the Pennsylvania Museum in Philadelphia. Established in 1876, immediately following the end of the Centennial Exposition, the Pennsylvania Museum began with democratic and educational objectives in mind. The museum taxonomically displayed utilitarian objects in addition to operating a school of industrial design. Both the museum and the school were established in order to educate Philadelphia's artisans in good design.⁴⁰ However, the Pennsylvania Museum began to increasingly turn away from the industrial arts, instead choosing to focus upon collecting and displaying the fine arts. A number of factors influenced this decision. One chief cause for this institutional re-direction included a lack of interest generated by the taxonomic displays. The desire to scientifically arrange collections by material, use, or even geographical origin created a dizzying display that tended to confuse visitors, rather than enlighten.⁴¹ The final blow to the Pennsylvania Museum's industrial arts objectives came in 1882, when the museum

³⁹ Rosalind E. Krauss, "The Originality of the Avante-Garde," in *The Originality of the Avante-Garde and Other Myths*, ed. Rosalind E. Krauss (Cambridge, Mass., The MIT Press, 1986), 151-170.

⁴⁰ Conn, *Museums and American Intellectual Life, 1876-1926*, 209-210.

⁴¹ *Ibid.*

trustees accepted the Wiltach Collection, a group of over three hundred largely European oil paintings.⁴² The addition of the paintings signaled a change in direction for the museum. Attendance jumped, as people flocked to view the fine art among the furniture. The recognition that industrial workers wanted to see fine art, in addition to industrial art, ultimately led to the decision to begin the “retirement of many of the least meritorious objects in the various departments”.⁴³ One of the reasons given for this choice was that the removal of less important objects resulted in increasing the value of the art kept on display.⁴⁴

The increasing emphasis on the aesthetic pleasure that could only be provided by authentic, unique artworks also led to the gradual removal of plaster casts from fine art museums. By about 1906, the popularity of plaster casts in fine art museums such as the Metropolitan Museum and the Boston Museum of Fine Art began to wane.⁴⁵ Like the industrial arts museums that were gradually turning themselves into fine art museums, fine art museums were increasingly focusing on what they considered authentic and unique works of art, which were also most popular with their patrons.⁴⁶ Although some art museums retained their plaster casts collections to be used in drawing classes, most were relegated to storerooms, or disposed of altogether.⁴⁷

The reigning philosophy of the art museum as temple continued throughout the majority of the twentieth century.⁴⁸ As places in which genuine works of art were to assuage the soul and give aesthetic pleasure, objects viewed either as inferior in quality or unnecessary duplicates were very often deaccessioned from museum collections. In 1929, the president of the Metropolitan Museum, Robert W. deForest, decided to deaccession and sell 159 paintings and 675 objects from the museum’s permanent collections. At this point in time, the Metropolitan Museum was literally running out of storage room for the vast amount of material it owned or was given. The curators had attempted to solve the

⁴² Conn, *Museums and American Intellectual Life, 1876-1926*, 214.

⁴³ Pennsylvania Museum, *Annual Report*, 1905, 15. Cited in Conn, *Museums and American Intellectual Life*, 1876-1926. 216.

⁴⁴ *Ibid.*.

⁴⁵ Wallach, *Exhibiting Contradiction: Essays on the Art Museum in the United States*, 49.

⁴⁶ *Ibid.*, 41.

⁴⁷ *Ibid.*, 55.

⁴⁸ Carol Duncan, and Alan Wallach,, "The Museum of Modern Art as Late Capitalist Ritual: An Iconographic Analysis," in *Grasping the World: The Idea of the Museum*, ed. Donald Preziosi and Clare J. Farago (Aldershot, Hants, England; Burlington, VT: Ashgate Pub., 2004).

problem by lending some objects to other museums. Despite this, it was felt that excess works and those of less exemplary value needed to be disposed of.⁴⁹ This is in keeping with the belief of museum curators and trustees that only the best should remain in a permanent collection. Throughout the twentieth century, the Metropolitan Museum continued the refinement of its collections through deaccessions and disposals. Out of the original 174 paintings the museum began with, 110 have been sold.⁵⁰ The majority of these paintings proved to have been wrongly attributed to more famous artists, or in such poor condition that they could not be displayed.⁵¹ With the reputation of the Metropolitan Museum resting upon quality, the desire to attract both crowds and donors with high-caliber artworks may have led to the deaccessioning and disposal of what was seen as less worthy objects.

From their inception, museums in America, particularly art museums, did not rely upon government funding as their main source of revenue. From Charles Willson Peale to Robert DeForest and beyond, museum curators and directors continuously struggled to attract both paying audiences and private trustees willing to donate time, money, and art. Moreover, depending upon whom and with what an art museum was begun, later museum administrators and boards had to creatively deal with what they had inherited. With this situation, American art museums were surely more agreeable to change themselves and their collections when it was felt to be necessary. While this statement is not to be construed as criticism, this historical willingness for museums to alter themselves eventually created conflicts in the late twentieth century between art museums that deaccessioned and a public that gradually saw itself deeply invested in these same art museums.

⁴⁹ Thomas Hoving, *Making the Mummies Dance: Inside the Metropolitan Museum of Art* (New York: Simon & Schuster, 1993), 290.

⁵⁰ Baetjer, "Buying Pictures for New York: The Founding Purchase of 1871, 171.

⁵¹ *Ibid.*, 185-87. The majority of these paintings were sold in 1956, 1981-82, and 1994.

III. Government Funding and Thomas Hoving: Art Museums in the Face of Public Accountability

The readiness of American art museums to alter themselves and their collections has not always met with approval from the public. After World War II, a number of art institutions in New York, Philadelphia, Minneapolis and other cities deaccessioned and sold a large number of artworks in order to improve the quality of their permanent collections. The public vocally disagreed with the museums' decisions, and as a result, art museums avoided deaccessioning for several decades.⁵² Yet the American public's interest in the actions of art museums was only to increase during the 1960s and 1970s. This was in part a consequence of augmented government support in the form of the National Foundation on the Arts and Humanities, in addition to the Museum Services Act. The general populace became increasingly aware that not only did art museums hold artworks in the public trust, but that museums were also being directly funded with tax dollars.⁵³ Consequently, when Thomas Hoving deaccessioned works from the Metropolitan Museum of Art's permanent collection in 1971, critics and government officials accused Hoving and the museum of being short-sighted and all too willing to jettison what they saw as artistic treasures.

Government Funding for the Arts in Mid-Twentieth Century America

During the 1960s and 1970s, America experienced an exponential increase of non-profit arts organizations, including art museums. One of the many possible stimuli for this unprecedented growth came from the congressional establishment in 1965 of the National Foundation on the Arts and Humanities. Composed of the National Endowment for the Arts, the National Endowment for the Humanities, and the Federal Council on the Arts

⁵² Michael Conforti, "Deaccessioning American Museums: II—Some Thoughts for England," in *A Deaccession Reader*, ed. Stephen E. Weil (Washington, D.C.: American Association of Museums, 2002), 74.

⁵³ Artistic and cultural organizations in the United States have been indirectly funded since the earliest days of the Republic, when they were exempt from property taxes. Beginning in the twentieth century, museums have also been exempt from federal, state, and local, income, death and gift taxes. See Dick Netzer, *The Subsidized Muse: Public Support for the Arts in the United States* (Cambridge: New York, 1978), 43-44.

and Humanities, these three agencies were founded by Congress in order to strengthen the artistic and cultural life in the United States.⁵⁴ The 1965 act states:

...it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry, but also the material conditions facilitating the release of this creative talent.⁵⁵

Almost 150 years after Charles Willson Peale petitioned for support from the federal government, Congress had at last recognized the democratic importance of subsidizing the arts. By 1980, all fifty states followed congressional example by establishing state art agencies.⁵⁶ Both the federal and state art agencies had policies intended to:

...increase opportunities for an appreciation and enjoyment of the arts through wider distribution; to sustain and encourage individual performers and creative artists; to increase the participation of the people in local artistic programs; and to provide the people with new opportunities in all aspects of the arts.⁵⁷

To sustain and increase the appreciation of the arts in America, from 1971 to 1974 the National Endowment for the Arts gave grants to museums totaling approximately \$18.7 million, amounting to twelve percent of total allocated funds from that agency.⁵⁸

Museums were specifically given an even larger boost in 1977, when Congress enacted the Museum Services Act. This purpose of the act is:

- (1) to encourage and support museums in carrying out their public service role of connecting the whole of society to the cultural, artistic, historical, natural, and scientific understandings that constitute our heritage;
- (2) to encourage and support museums in carrying out their educational role, as core providers of learning and in conjunction with schools, families, and communities;
- (3) to encourage leadership, innovation, and applications of the most current technologies and practices to enhance museum services;
- (4) to assist, encourage, and support museums in carrying out their stewardship responsibilities to achieve the highest standards in conservation and care of the

⁵⁴ *National Foundation of the Arts and the Humanities Act of 1965*, Public Law 89-209, 89th Cong. (Sept. 29, 1965), 845.

⁵⁵ *Ibid.*

⁵⁶ Edward Arian, *The Unfulfilled Promise: Public Subsidy of the Arts in America* (Philadelphia: Temple University Press, 1989), 5.

⁵⁷ Committee on Appropriations, *Roger Stevens, Testimony before a Subcommittee of the Committee on Appropriations*, 90th Cong., 2nd sess., March 1980.

⁵⁸ Netzer, *The Subsidized Muse: Public Support for the Arts in the United States*, 64-67.

- cultural, historic, natural, and scientific heritage of the United States to benefit future generations;
- (5) to assist, encourage, and support museums in achieving the highest standards of management and service to the public, and to ease the financial burden borne by museums as a result of their increasing use by and public; and
 - (6) to support resource sharing and partnerships among museums, libraries, schools, and other community organizations.⁵⁹

Although the act does not provide funding for construction expenses, having federal support for programs may have encouraged the development of new museums.

Almost one-third of all art museums in operation in the United States today were founded within the last twenty years.⁶⁰ While trustees and donors have almost always contributed financially to the art museums they choose to support, the commencement of funding by the federal government in 1965 and then again in 1977 further increased museums' ability to expand their programs, projects, and activities.⁶¹

Thomas Hoving's "Drive for the Best"

The increasing public interest in the arts and art museums, as well as a greater level of accountability now expected of art museums possibly led to one of the first significant battles over deaccessioning in the late twentieth century. In 1967, Thomas Hoving became the director of the New York Metropolitan Museum of Art. A medieval art historian by training, Hoving originally began in the curatorial department of The Cloisters of the Metropolitan Museum, gradually working his way up to become a full curator of the Medieval Department. In spite of this promising start, Hoving left the museum in 1965 for a job as the New York City parks commissioner, under the mayor John V. Lindsay.⁶² It was perhaps as parks commissioner that Hoving honed his skills for attracting the public eye. In *Making the Mummies Dance*, his "tell-all" memoir of his time as the Metropolitan Museum's director, Hoving admits that when he was parks commissioner, his middle initials, P.F., were speculated to stand for "Publicity

⁵⁹ U.S. Congress. House. *Museum and Library Services Act of 2003*, 108th Cong., 1st sess., 2003, H. Rep. 108-16.

⁶⁰ Paul J. DiMaggio, "Can Culture Survive the Marketplace?," in *Nonprofit Enterprise in the Arts; Studies in Mission and Constraint*, ed. Paul J. DiMaggio (New York; Oxford: Oxford University Press, 1986), 74.

⁶¹ Netzer, *The Subsidized Muse: Public Support for the Arts in the United States*, 63

⁶² Hoving, *Making the Mummies Dance: Inside the Metropolitan Museum of Art*, 17.

Forever.”⁶³ When hired as director of the Metropolitan Museum in 1967, Hoving brought with him his acumen for drawing both public love and ire. Among his many controversial actions as director, none was more so than the aggressive deaccessionings he enacted in 1971. These deaccessions, undertaken during a time of increased government involvement and funding, brought to the fore questions of the legal and ethical obligations of art museums that still resound today.⁶⁴

At a 1968 Metropolitan Museum acquisitions meetings, Hoving had a sudden revelation as a result of a curator’s request for funds to buy Antonio *Canova’s Perseus Holding the Head of the Gorgan*, an eight-foot tall sculpture:

To hell with the dribs and drabs—the little Egyptian pieces, the fragments, the also-rans. From then on I’d acquire only the big, rare, fantastic pieces, the expensive ones, the ones that would cause a splash. With the incalculable number of treasures already in the museum why bother with the footnotes? It would serve the Met more to collect nothing for years to save the money to obtain a single piece if it were one of the world’s finest masterworks. The day of relatively inexpensive acquisitions would soon be over. We had to drive for the best now.⁶⁵

Rather than acquiring small, relatively inexpensive works of art, Hoving now encouraged his curators to dream big and look to purchase works of art sure to attract attention. In order to fund his “drive for the best,” in 1971 Hoving and his curators began to systematically weed out and sell “unneded works of art, and use the money to acquire better, far more needed works of art.”⁶⁶ For Hoving, these “needed” works of art consisted of the very best, rather than the “dribs and drabs.”

Much of what was deaccessioned came from the very recent 1967 bequest of Adelaide Milton de Groot. The Metropolitan’s lawyers determined that despite the stipulation in de Groot’s will to give unwanted paintings to local museums, the phrase “without limiting in any way the absolute nature of this bequest,” meant the Metropolitan staff could do anything they wanted with the somewhat ‘mediocre’ collection of

⁶³ Ibid., 26.

⁶⁴ Literature on museum deaccessionings, when discussing public accountability, almost always mentions the 1971 deaccessions of the Metropolitan Museum. For clarification, see Stephen E. Weil, ed., *A Deaccession Reader* (Washington, D.C.: American Association of Museums, 1997).

⁶⁵ Thomas Hoving, *Making the Mummies Dance : Inside the Metropolitan Museum of Art* (New York: Simon & Schuster, 1993). 102.

⁶⁶ Ibid. 104.

paintings.⁶⁷ In addition to the de Groot collection, a large number of paintings were also slated for sale, including Manet's *Boy with a Sword* (fig. II.1; 1860-1), *George Moore (Au Café)* (fig. II.2; 1873-9), and *Woman with a Parrot* (fig. II.3; 1886), Cézanne's *View of the Domaine Saint-Joseph (La Colline des Pauvres)* (fig. II.4; c. 1880s), Renoir's *In the Meadow* (fig. II.5; 1888-92), Gauguin's *A Farm in Brittany* (fig. II.6; 1894), and Picasso's *Woman in White* (fig. II.7; 1923).⁶⁸ The majority of these paintings had been given to the museum through bequests. A few works, such as Cézanne's *La Colline des Pauvres* and Picasso's *Woman in White*, had been bought by the Metropolitan in the first decades of the twentieth century.⁶⁹ The Metropolitan also chose to sell van Gogh's *The Olive Pickers* and Rousseau's *Tropics*.⁷⁰ According to Hoving, Picasso's *Woman in White* could be sold because the museum had a better Picasso, the *Portrait of Gertrude Stein*, while others, such as the Gauguin and Manet's *Woman with a Parrot* were either of "so-so quality" or had been poorly restored.⁷¹

Despite the process of checks and balances the Metropolitan went through before deciding to deaccession and sell these paintings, the decision to dispose of such a large number of works by famous artists drew sharp criticism and much negative publicity.⁷² One of the most vehement critics of the sales was John Canaday, art critic for the *New York Times*. Accusing the Metropolitan of being short-sighted and unethical in an article titled, "Very Quiet and Very Dangerous," Canaday states that selling works, even if they are minor, is too risky a business in a market where art once thought worthless can later be seen as high quality.⁷³ Hoving replied to Canaday's accusations in a scathing editorial, averring that:

...the Metropolitan is not a Library of Congress of works of art, nor an archive similar to an etymological collection of a natural history museum. It is based upon the belief that

⁶⁷ Ibid. 291.

⁶⁸ Canaday, "Very Quiet and Very Dangerous."

⁶⁹ Ibid.

⁷⁰ Hess, *The Grand Acquisitors*, 55.

⁷¹ Hoving, *Making the Mummies Dance: Inside the Metropolitan Museum of Art*, 296-97.

⁷² The steps for disposal process "were more strict than those recommended by the American Association of Museums. I [Hoving] insisted upon two appraisals, one by a dealer and another by one of the auction houses. The checks and balances were tough, and there would be one full set for deaccessioning and another for actual disposal. I wanted time for all parties who had a vital role—curators, the administration, and the three committees of the board of trustees—to slow down the process, stop it, have another look, and change any decision." Ibid., 292.

⁷³ Canaday, "Very Quiet and Very Dangerous."

the business of a great art museum is quality, not numbers. Its business is to show the very finest works of art and in such a way that every visitor will be able to appreciate and understand them.⁷⁴

In an attempt to quell the editorial battle between the art critic and his director, Douglas Dillon, president of the Metropolitan, wrote his own editorial, clarifying the Metropolitan's stance on disposal of artworks. He states that the sale of artworks is nothing new, and since its existence the Metropolitan had sold over 50,000 objects from its collections. He explained that the decision to sell these works is only to "refine and improve our collections for the greater benefit of the public. The proceeds of sales are used exclusively for the purchase of finer and more significant works of art."⁷⁵ Dillon continued by describing the stringent process used to determine whether or not to dispose of an artwork.⁷⁶ To further assuage public dissent, the board and administration of the Metropolitan issued a public booklet in 1973 of its newly modified procedures for deaccessioning and disposing artworks.⁷⁷ Largely due to the public flap over the deaccessions, several paintings were 're-acquired' and withdrawn from auction, although *The Olive Pickers* and the *Tropics* paintings were ultimately sold to a private buyer.⁷⁸

Despite the Metropolitan's attempts to quell public discontent, its decision to dispose of a large number of paintings at auction was a catalyst for government inquiry into non-profit museum practices. Issues of ethics and the public trust were for the first time brought out by the Metropolitan Museum's deaccessions.⁷⁹ The uproar caused by the Metropolitan's sales resulted in a public hearing initiated by the attorney general of the State of New York to discuss museums and their disposal policies.⁸⁰ When the public hearing convened on October 19, 1973, New York State attorney general Louis J. Lefkowitz reminded the museum professionals present their duty "to guard and preserve

⁷⁴ Thomas Hoving, "Very Inaccurate and Very Dangerous," *New York Times*, Mar 5, 1972.

⁷⁵ Douglas Dillon, "The Metropolitan 'Sets the Record Straight'," *New York Times*, Oct. 22 1972.

⁷⁶ *Ibid.*

⁷⁷ "Procedures for deaccessioning and disposal of works of art." Metropolitan Museum of Art, June 20, 1973. Cited in Weil, ed. *A Deaccession Reader*, 197-202.

⁷⁸ Hess, *The Grand Acquisitors*, 153.

⁷⁹ Stephen E. Weil, "Introduction," in Weil, ed. *A Deaccession Reader*, 4.

⁸⁰ Donald Garfield, "Deaccessioning Goes Public," in *A Deaccession Reader*, ed. Steven E. Weil (Washington, D.C.: American Association of Museums, 1997).

the artistic and historic treasures” in their care.⁸¹ This trusteeship, Lefkowitz reminded them, engendered responsibility on their part to adhere to restrictions placed on donated works of art, in order to maintain non-profit status. According to the attorney general, the actions of the Metropolitan exposed the need for museums to be more self-regulatory in their day-to-day operations in the area of purchase and disposition, so as to avoid being subjected to state legislation.⁸²

The majority of museum professionals in attendance at the hearing responded negatively to Lefkowitz’s suggestion. Steven E. Weil, then deputy director of the Whitney Museum of American Art in New York, eloquently expressed the museum industry’s opposition to creating general self-regulating policies regarding the disposal of art. Responding to the question if other art museums should adopt the disposal policies agreed to by the Metropolitan, Weil stated that the attorney general’s proposals “so ignore the realities of how museum collections have been assembled, how they can best be refined and upgraded, and how the art market actually works, that rather than furthering the public interest, we think it would damage it.”⁸³ Weil, who would later go on to advocate deaccessioning as a necessary and normal museum activity, recognized that art museums are individual, and that applying broad deaccessioning policies could potentially create difficulties for unique institutions.

Despite museum professionals’ protestations against broad deaccessioning standards, it is very clear that critics and the government felt the Metropolitan Museum’s actions had betrayed the public trust. Although the majority of art museums in America are privately funded, they normally are chartered to serve a charitable (or educational) purpose. As such, the objects within museums’ collections are considered to be held in trust for the public.⁸⁴ In return for serving the public, art museums are given benefits, such as tax exemption, and increasingly during the 1960s and 1970s, direct funding by both state and federal government agencies. The Metropolitan Museum itself had received in 1974 \$428,000 in museum grants to mount a centenary exhibition of

⁸¹ Ibid., 17.

⁸² Ibid., 18.

⁸³ Ibid., 19-21.

⁸⁴ Marie C. Malaro, *Museum Governance: Mission, Ethics, Policy* (Washington: Smithsonian Institution Press, 1994), 3.

Impressionism.⁸⁵ To retain these benefits, art museums are expected to act in a way that guarantees the public's continuance of trust in them.⁸⁶ As both John Canaday and Louis J. Lefkowitz emphasized, selling artworks can be seen as not only short-sighted in terms of art history, but also a failure on the part of the trustees to safeguard the art for posterity. Yet if the Metropolitan Museum had tried to sell artworks by unimportant or unknown artists, it is possible public trust issues would not have surfaced. By selling important artworks by important artists, the Metropolitan Museum succeeded in raising awareness of deaccessioning to a new level.

⁸⁵ Netzer, *The Subsidized Muse: Public Support for the Arts in the United States*, 75.

⁸⁶ Glenn D. Lowry, "A Deontological Approach to Art Museums and the Public Trust," in *Whose Muse? Art Museums and the Public Trust*, ed. James B. Cuno and Neil MacGregor (Princeton, N.J.: Princeton University Press, 2004), 133-34.

Figures



Figure II.1 Édouard Manet,
Boy with a Sword, 1860-1,
Oil on canvas,
Metropolitan Museum of Art, New York.



Figure II.2 Édouard Manet,
George Moore (au Café), 1873-79,
Oil on canvas,
Metropolitan Museum of Art, New York.



Figure II.3 Édouard Manet,
Woman with a Parrot, 1886,
Oil on canvas,
Metropolitan Museum of Art, New York



Figure II.4 Paul Cézanne, *View of the
Domaine Saint-Joseph*, c. 1880s,
Oil on canvas,
Metropolitan Museum of Art, New York.



Figure II.5 Pierre-Auguste Renoir, *In the Meadow*, 1888-92, Oil on canvas, Metropolitan Museum of Art, New York.



Figure II.6 Paul Gauguin, *A Farm in Brittany*, 1894, Oil on canvas, Metropolitan Museum of Art, New York.



Figure II.6 Pablo Picasso, *Woman in White*, 1923, Oil on canvas, Metropolitan Museum of Art, New York.

IV. The Reagan Administration: Art Museums Struggle for Survival

The funding provided by the National Endowment for the Humanities, even with the increased expectation of public accountability (as revealed by the outrage over the Metropolitan Museum's deaccessions), allowed art museums to flourish throughout the 1970s. However, governmental assistance was dramatically reduced with the arrival of the Reagan administration in 1981. It was perhaps in response to the significant decrease in direct funding by the federal government that art museums once again had to increasingly rely on different methods for sustainability, some of which involved the deaccessioning of objects. Progressively, art museums began using marketing strategies in order to better compete for engaged volunteers, audiences, board members, as well as grants, donations, and bequests.⁸⁷ One method among many used to achieve sustainability included the "market repositioning" of a museum.⁸⁸ "Market repositioning" occurs when a museum decides to move away from its traditional audience and thus build new constituencies.⁸⁹ This method normally leads to drastic changes in what a museum collects. Market repositions often results in the deaccessioning of objects from a permanent collection, and the acquisition of new artworks. In a similar marketing practice, termed "branding," art museums with already strong collections and audiences can purchase artworks which further strengthen their distinctive identity.⁹⁰ Both marketing tactics are meant to increase an art museum's ability to compete for visitors with a variety of leisure options, and for donors and sponsor dollars.⁹¹ Yet as art museums in America undertook these strategies in regards to their collections during the 1980s, they found themselves unable to buy without selling. As a consequence, the specter of public trust, first raised in 1971 by the Metropolitan Museum, reappeared.

Before discussing the marketing tactics art museums engaged in in order to compete more successfully, it is enlightening to briefly examine what exactly *is* the

⁸⁷ Howard P. Tuckman, "Competition, Commercialization, and the Evolution of Nonprofit Organizational Structures," *Journal of Policy Analysis and Management* 17 (1998), 176.

⁸⁸ Neil Kotler and Philip Kotler, "Can Museums Be All Things to All People? Missions, Goals, and Marketing's Role," in *Reinventing the Museum: Historical and Contemporary Perspectives on the Paradigm Shift*, ed. Gail Anderson (Walnut Creek, Calif: AltaMira Press, 2004), 180.

⁸⁹ *Ibid.*

⁹⁰ Margot A. Wallace, *Museum Branding: How to Create and Maintain Image, Loyalty, and Support* (Lanham, MD: AltaMira Press, 2006), 1.

⁹¹ Kotler, "Can Museums Be All Things to All People? Mission, Goals, and Marketing's Role," 180; Wallace, *Museum Branding: How to Create and Maintain Image, Loyalty, and Support*, 1.

market that museums are competing for. Although museums began adopting business-style language such as “market repositioning” and “branding,” there is a distinct difference between what a for-profit competes for and what a non-profit competes for. In a for-profit business, competition is over the personal acquisition of profits. In contrast, non-profit organizations, like art museums, compete for revenues, board members, customers, contracts and grants, donations, gifts and bequests, prestige, political power, and volunteers.⁹² By beginning to utilize marketing tactics in the 1980s and 1990s, museums acknowledged their role as service providers competing within a marketplace for a market share.

The Reagan Administration’s Policy Toward the Arts

As a conservative president, Reagan’s beliefs regarding the funding of the arts mirrored that of his early predecessors, Washington and Jefferson. Like them, he believed that the arts should be financially supported by the private sector and not by the government.⁹³ To implement this policy, the president established the Office of Management and the Budget, which recommended severe reductions in the federal government’s support for the arts and humanities. Many worried that even the NEA might be entirely eliminated.⁹⁴ While the dismantlement of the NEA never occurred, its budget was cut by ten percent in 1982, and government contributions stayed relatively flat throughout the length of the decade. In addition, a Presidential Task Force on the Arts and Humanities was formed in 1981 to review the purposes, activities, and records of the Arts and Humanities Endowments. The Task Force was also to find methods for increasing private, non-governmental support for the arts and humanities.⁹⁵ By suddenly and dramatically reducing funding, the federal government put art museums and other arts organization in a difficult position. Having increasingly relied upon the extra funding provided by Washington, art museums now had to locate ways to become more self-sufficient competitive in order to attract audiences and funding.

⁹² Evelyn Brody, “Agents without Principles: The Economic Convergence of the Nonprofit and for-Profit Organizational Forms,” *New York Law School Law Review* 40, no. 3 (1996), 469.

⁹³ Arian, *The Unfulfilled Promise: Public Subsidy of the Arts in America*, 60.

⁹⁴ DiMaggio, “Can Culture Survive the Marketplace?” 65.

⁹⁵ *The National Endowment for the Arts: A Brief Chronology of Federal Support for the Arts* (National Endowment for the Arts, 2000), 33-34.

The problematical situation created by the Reagan administration is illustrated in a 1981 advertisement taken out by the Business Committee for the Arts, in cooperation with the RCA Corporation (fig. III.1). Published in the January issue of *ARTnews*, the advertisement, although not specifically mentioning the Reagan administration, states that the “arts face an enormous cost problem” due to the “labor intensive” nature of the arts which is particularly prone to the effects of severe inflation.⁹⁶ Due to these high costs, the Business Committee for the Arts urges support of the arts not only through donations, attendance, and volunteerism, but to also petition local, state, and national legislatures for assistance. Although the intended audience consists of one that already participates in the arts, the advertisement points out that the expense of participating in the arts is immeasurably smaller in proportion to actual operating and production costs. This advertisement perhaps reveals the financial pinch arts organizations were beginning to feel in the early 1980s, and is a blatant appeal to the readers of *ARTnews* to support them in their time of need.

Market Repositioning Through Mission Statements

The advertisement taken out by the Business Committee for the Arts was only a small cry for help targeted toward a very specific audience. Individual art museums had to take their own steps in order to attract visitors and donors. One method art museums could apply was by drastically revising their mission statements. All art museums in America have mission statements which ultimately guide their actions toward their collections. According to the American Association of Museums (AAM):

- A mission statement describes the purpose of a museum—its reason for existence. It defines the museum’s unique identity and purpose, and provides a distinct focus for the institution.
- A mission statement articulates the museum’s understanding of its role and responsibility to the public and its collections, and reflects the environment in which it exists.⁹⁷

⁹⁶ Business Committee for the Arts, (*ARTnews*, 1980).

⁹⁷ "The Accreditation Commission’s Expectations Regarding Institutional Mission Statements," (Washington, D.C.: American Association of Museums, 2004).

Founded in 1906, AAM is an organization that represents all professionals and volunteers working within the museum community. AAM also helps to develop the professional standards and practices of museums, which are generally accepted by most museums.⁹⁸ According to AAM's definition of a mission statement, it serves the purpose of guiding every action taken by a museum, as well as stating the institution's role and responsibility to its collections and surrounding community.⁹⁹ A comprehensive art museum mission statement delineates the hoped-for quality of a collection, its intended audience, the geographic scope which a museum hopes to influence, the specific area of art a museum wants to collect, and the extent that education is to play a role.¹⁰⁰ All of these factors are influenced by the size and resources available to a particular museum. For example, the Metropolitan Museum, a large art museum with multiple resources, can have an encyclopedic scope and be capable of serving a large public. Its mission statement reflects this capability:

The mission of the Metropolitan Museum of Art is to collect, preserve, study, exhibit, and stimulate appreciation for and advance knowledge of works of art that collectively represent the broadest spectrum of human achievement at the highest level of quality, all in the service of the public and in accordance with the highest professional standards.¹⁰¹

The mission statement of the Metropolitan Museum indicates its purpose, "to collect, preserve, study, exhibit, and stimulate appreciation for and advance knowledge of works of art." It also states its focus, which is all encompassing, and it is clear that the museum is aware of its global audience, since the general word "public" is used rather than indicating a specific audience, such as New York City. Essentially, the Metropolitan Museum understands its role as a museum displaying a wide variety of artworks for the benefit of a wide variety of people.

⁹⁸ "About AAM," American Association of Museums, <http://www.aam-us.org/aboutaam/index.cfm>.

⁹⁹ Ibid.

¹⁰⁰ Michael M. Kaiser, "Writing a Mission Statement," The John F. Kennedy Center for the Performing Arts, <http://www.artsmanager.org/strategic/primer/chapter2.cfm>.

¹⁰¹ "Frequently Asked Questions: The Museum and Its History," Metropolitan Museum of Art, http://www.metmuseum.org/visitor/faq_hist.htm.

Often, mission statements can slowly morph over time, depending upon the governing board, the directors, curators, and available resources. They can also be quickly adjusted so as not to conflict with other regional museums, and focus on a specific area of collecting in order to exploit an untapped market niche. This type of revision is usually called “market repositioning.”¹⁰² An example of market repositioning occurred in 1990 when the Walker Art Center in Minneapolis chose to redefine itself from its original beginnings as a museum displaying pre-twentieth century art from around the globe, and instead become a center for contemporary art. The decision to focus on contemporary art allowed the Walker to strategically reposition itself in contrast to the Minneapolis Institute of Arts’ collection which surveys the history of world art.

A very brief perusal of the two Minneapolis art institutions current homepages on the Internet clarifies the extent to which the Walker eventually took its 1990 “marketing repositioning.” While both the Walker Art Center and the Minneapolis Institute of Arts websites are similar, the impression left upon the viewer is ultimately very different. Both the Walker and the Minneapolis Institute of Arts homepages have transitioning images in the upper areas to communicate current exhibitions, with the lower areas of the pages divided into different themed sections which the navigator can click on to access the collections, current events, and other areas of interests. In spite of these visual similarities, the Minneapolis Institute of Arts clearly presents itself as a traditional arts institution, with a mission of bringing “...arts and people together to discover, enjoy, and understand the world’s diverse artistic heritage.”¹⁰³ The message is one of aesthetic and purely mental pleasure. Overall, the homepage is static, with images of mostly pre-modern European and American art being viewed by passive spectators.

In contrast, the Walker Art Center declares as its mission to be “...a catalyst for the creative expression of artists and the active engagement of audiences, examines the questions that shape and inspire us as individuals, cultures, and communities.”¹⁰⁴ Although one can argue that images of museum-goers can be seen passively enjoying the art, the homepage attempts to engage the Internet viewer by locating the icons “connect,” “join,” and “blogs” directly below the quickly moving images at the top of the page. The

¹⁰² Kotler, “Can Museums Be All Things to All People? Mission, Goals, and Marketing’s Role,” 180.

¹⁰³ Minneapolis Institute of Arts, www.artsmia.org.

¹⁰⁴ Walker Art Center, <http://www.walkerart.org/index.wac>.

first two words “connect” and “join” mentally encourage participation. The third word, “blog,” describes a new technology offered by the Internet that allows anyone with a connected computer and a microphone to post verbal ideas, thoughts, and interviews. All three words, and their location, quickly communicate the Walker’s desire to actively engage its audience. Additionally, the Walker’s homepage emphasizes other activities its Minnesota audience can participate in, including dance performances, classes, theatre, and lectures. The Walker plainly positions itself as a community center in which both the audience and the museum staff engage in a conversation about contemporary arts.

Museum Branding Through Acquisitions

While the Walker chose to commit itself fully to contemporary arts, other American art museums with established collections opted to further strengthen their already existing identities. According to the author Margot A. Wallace, the marketing technique of “branding” allows American art museums to create “a distinctive identity that engenders loyalty. Branding consists of creating and maintaining a body of programs and attitudes that convey a clear promise, encourage familiarity, and generate ongoing support.”¹⁰⁵ Collections and acquisitions are one of the most visible methods in which an art museum is able to broadcast its formal identity.¹⁰⁶ In the early 1990s, both the Museum of Modern Art (hereafter MoMA) and the Solomon R. Guggenheim Museum in New York City purchased works that helped to further brand their collections as supreme examples of modern and contemporary art.

In 1989, MoMA purchased Van Gogh’s *Portrait of Joseph Roulin* (1889). According to Kirk Varnedoe, the Director of the Department of Painting and Sculpture at that time, maintained the Van Gogh purchase was to fill a perceived hole in the museum’s collection.¹⁰⁷ A year later, the Guggenheim acquired the Panza di Biumo Collection of Minimalist and Conceptual art. This acquisition greatly expanded the museum’s permanent collection, as well as adding depth to it by including examples of

¹⁰⁵ Wallace, *Museum Branding: How to Create and Maintaing Image, Loyalty, and Support*, 1.

¹⁰⁶ *Ibid.*, 9.

¹⁰⁷ Philip Weiss, “Selling the Collection,” *Art in America* 78 (1990), 128.

important American postwar artists.¹⁰⁸ Additionally, not only did these artworks complement the existing collections of the two museums, the purchases would also hopefully attract new and returning audiences. While not nearly as dramatic as the example of the Walker completely changing its mission, these acquisitions by MoMA and the Guggenheim certainly publicly strengthened their brand familiarity as museums displaying the best of modern and contemporary art.

The 1986 Tax Reform Act & A Booming Art Market: Museums Sell to Buy

Yet the transformation of the Walker collection and the additions to the collections of MoMA and the Guggenheim were not carried out without sacrifices. In addition to the funding restrictions imposed upon the NEA, which partially created the need for market repositioning and branding in the first place, the federal government enacted a 1986 tax reform act eradicating the deductibility of the market value of donated art objects. This act "...required that the portion of any such contribution [stocks, bonds, artworks] representing the appreciation over the donated property's original cost basis be included as a so-called tax preference item in the computation of an alternative minimum tax."¹⁰⁹ Essentially, what this means is that rather than being able to deduct the value an artwork had appreciated over time and what it would be worth if put on the current market, donors could only deduct what they had originally paid for the work. The restrictions were partially enacted as a response to alleged abuse by donors who overvalued the deduction of their gifts.¹¹⁰ With no monetary incentive to give to art museums, private donations became less attractive and gradually tapered off to a mere trickle. American art museums, as non-profit institutions almost exclusively relying on private donations to their collections, suddenly faced a serious hurdle. How were they to acquire artworks that would help them to achieve their goals?

In response to decreasing donations, many American art museums turned increasingly to the art market to obtain works that would further specialize and strengthen

¹⁰⁸ "Guggenheim Museum – History," Solomon R. Guggenheim Museum, <http://www.guggenheim.org/history.html>.

¹⁰⁹ Stephen E. Weil, "Tax Policy and Private Giving," in *A Cabinet of Curiosities: Inquiries into Museums and Their Prospects*, ed. Stephen E. Weil (Washington, D.C.: Smithsonian Institution Press, 1995), 177.

¹¹⁰ Willard L. Boyd, "Museum Accountability: Laws, Rules, Ethics, and Accreditation," in *Reinventing the Museum: Historical and Contemporary Perspectives on the Paradigm Shift*, ed. Gail Anderson (Walnut Creek, Calif: AltaMira Press, 2004), 352

their collections. Yet during the 1980s the acquisition budgets of most art museums failed to meet the exorbitant prices being asked for artworks sold at auction. The rapid upsurge of prices at this time can be attributed to a number of factors. Starting in the 1960s, collecting art and antiques became a widespread mania due to a redistribution of wealth in highly developed countries. Individuals with an excess of cash came to see art as an investment that almost never decreased in value, which also had the added benefit of increasing their personal prestige.¹¹¹ By 1979, auction records for fine arts, antiques, and decorative arts were continually being broken.¹¹² Especially favored were artworks of the Impressionist, Post-Impressionist, and Modernist eras. In 1980, Susumu Yamamoto of Fiji Television Gallery of Tokyo successfully bid on Picasso's *Saltimbanque (Acrobat Seated with Arms Crossed)*. The winning bid was \$3 million, the highest price paid for a painting other than an old master.¹¹³ That same year, Van Gogh's *Le Jardin du Poète, Arles* sold for \$5.2 million, speculated to be the highest price ever paid for a painting at auction. The record price before this had been \$5 million, the price paid in 1970 by the Metropolitan Museum for Velasquez's *Portrait of Juan de Pareja*.¹¹⁴ Records continued to be broken throughout the 1980s. In spite of the 1987 stock market crash, Van Gogh's *Iris* sold at a Sotheby's auction to Alan Bond for \$53.9 million, the highest price ever paid for a painting at auction.¹¹⁵ Work by Van Gogh proved to be a perennially hot ticket item yet again in 1990, when *The Portrait of Dr. Gachet* was bought at a Christie's auction for \$82.5 million by Hideto Kobayashi of the Gallery Kobayashi of Tokyo.¹¹⁶ These astronomical prices often prevented art museums from purchasing great artworks for their collections.

Since few American museums could afford to purchase outright a painting priced at over a million dollars, artworks were very often deaccessioned and sold in order to

¹¹¹ Christopher Wood, Duncan Hislop, and Sharon Clarke *The Great Art Boom, 1970-1997* (Weybridge, Surrey, England: Art Sales Index, 1997), John Russell, "What Price Art? Today's Auction Boom Mixes Smart Money and Pounding Hearts," *New York Times* (1857-Current file) 1980.

¹¹² Rita Reif, "At Auctions in 1979: The Stars That Broke the Records," *New York Times* (1857-Current file) 1980.

¹¹³ _____, "A Picasso Goes for \$3 Million at Record Sale," *New York Times* (1857-Current file) 1980.

¹¹⁴ _____, "A Van Gogh Sells for \$5.2 Million as Ford Auction Breaks Records," *New York Times* (1857-Current file) 1980.

¹¹⁵ _____, "Van Gogh's 'Iris' Sells for \$53.9 Million," *New York Times* (1857-Current file) 1987. Ben Heller, "The 'Iris' Affair," *Art in America* 78 (1990).

¹¹⁶ Rita Reif, "\$82.5 Million Van Gogh Sets Auction Record," *New York Times* (1857-Current file) 1990.

raise funds for the purchase of new artworks. Large auction houses such as Christie's and Sotheby's saw a significant increase in sales from museum collections. Christie's share went from three million dollars in sales from museum collections during the 1984-85 season, to thirty million in the 1989-90 season. At the same time, the auction house went from doing business with twenty-eight museums to eighty-eight. Sotheby's also saw a dramatic rise in revenue in sales from museum collections. Between 1985 and 1989, almost thirty-nine million dollars in sales came from objects deaccessioned by only six art museums.¹¹⁷

Yet when American art museums deaccessioned in order to raise purchasing funds, questions of public accountability and trust arose. Although art museums were only reacting to the economic and financial hardships experienced by all arts organizations during the 1980s, deaccessioning with the intention of increasing purchasing funds particularly upset the public. The Metropolitan Museum's deaccessions originally had raised awareness of the issue in 1971. When art museums began to deaccession again on a large scale almost two decades later, the same questions of public trust were repeated. The examples of the Walker Art Center, MoMA, and the Guggenheim are helpful in exploring the multi-faceted arguments offered by those who were against and those who were for deaccessioning.

With its new focus on contemporary art, the Walker in particular needed a significant increase in acquisition funds in order to purchase an almost entirely new collection. One way money was raised was through the deaccessioning and selling of objects from its original collection of 19th and 20th century American and European paintings, Chinese porcelains, Syrian glass, and Near Eastern jewelry. In 1989, the items were auctioned to raise money for the purchase of works deemed more appropriate to the Walker's new mission.¹¹⁸ Frederic Church's *Home by the Lake* (fig. III.7) was among those sold. Church's painting brought \$8.25 million at auction, a record for the time, and the sale price purportedly raised the Walker's acquisition funds from \$116,000 a year to \$600,000.¹¹⁹

¹¹⁷ Evan Roth, "Deaccession Debate," *Museum News* (1990), 45

¹¹⁸ Weiss, "Selling the Collection," 127.

¹¹⁹ *Ibid.*

Many critics were against the sale, arguing that at an auction the Church painting would very likely be bought by a private individual and be lost to the public patrimony forever. However, an attempt had been made to keep the Church landscape available to the public. The painting was offered for sale to the Minneapolis Institute of Art and other Minnesota museums before the public auction. Unfortunately, the Minneapolis Institute, with financial problems of its own, could not afford to purchase the painting. Despite the efforts to keep the Church available to the public critics were not acquiesced. The chief culture critic of *The Washington Post*, John Yardley, grumbled that "...thanks to selling off giants of the 19th century, the museum has the money to buy up more pygmies of the 20th." ¹²⁰ Yardley's comment reveals the general opinion held by many that the Walker had betrayed the public trust by selling a work of an already established artist, Church, in order to invest in lesser known contemporary artists who might or might not eventually be critically received into the canon of art history. Yet the sale of the painting was within the full rights of the Walker. With the market repositioning of its mission, it made little sense to retain objects that no longer fit into the collecting policies of the Walker, and would only succeed in further draining limited resources.

When MoMA and the Guggenheim also deaccessioned to raise purchasing funds in 1989 and 1990, they too faced criticism for their actions, especially because artworks were removed from their permanent collections in order to purchase specific pieces which had recently come on the market. The exchange of "new for old" was seen by the curators and boards of the two museums as a logical way of obtaining works of art that further strengthened their existing collections and brand identities. This was very much in contrast to critics who saw the sales not only as ethically shady, but also as yet another example of art museums betraying the public trust by selling the public patrimony.

In 1989, van Gogh's *Portrait of Joseph Roulin* (fig III.2; 1889) became available for purchase through a private collector. As mentioned above, the curator Varnedoe believed the van Gogh would be beneficial to the museum's collection, since it only possessed one other painting by the artist, *Starry Night* (1889), and no portraits.¹²¹ To acquire the painting, a deal was struck between the MoMA and the anonymous Swiss

¹²⁰ Roth, "Deaccession Debate," 42.

¹²¹ Rita Reif, "The Modern Acquires a Van Gogh," *New York Times* (1857-Current file) 1989.

seller of van Gogh's portrait. The museum exchanged four paintings, Picasso's *Striped Bodice* (1956), Kandinsky's *Autumn Landscape, Murnau* (1908), Monet's *Corona (Water Lilies)* (1920), and Renoir's *Reclining Nude* (fig. III.3; 1902) and an undisclosed amount of cash loaned by a bank for the portrait. To raise funds for the payment of the loan, three more paintings were deaccessioned so they could be auctioned at Sotheby's: de Chirico's *Evangelical Still Life* (1916), Picasso's *Studio in a Painted Frame* (1956), and Mondrian's *Blue Façade (Composition 9)* (1913-14).¹²²

When the sales and exchange were announced publicly much later, MoMA was criticized sharply because of the secret nature of the transactions, indicating that in the public's mind, museums are the keepers of a public trust. Many felt the MoMA had transgressed that trust by selling the paintings without prior public notice.¹²³ The museum was forced to disclose the details of the sales and justify what was seen as an elitist decision to deaccession and sell the paintings. Critics argued the deaccessions sent a mixed message to potential donors, who might decide against giving artworks to museums which could possibly later sell their well-intended gifts.¹²⁴ Additionally, it was believed that the museum gave Van Gogh too much primacy as an artist.¹²⁵ Questions were raised concerning whether or not the museum was eschewing a more comprehensive collection for an artist who might have limited popularity in the future, compared to those sold.

To answer the allegations that MoMA was too eager to jettison works in a hot art market, defenders of the sales and exchanges highlighted the difficulties caused by that very same market, as well as the relative quality of the deaccessioned artworks compared to the van Gogh portrait. William Rubin, former Director of the Department of Painting and Sculpture at MoMA, strongly supported the sales. It was he who had first wanted to buy the portrait of the postman when it had originally come up for sale. At that time, the astronomical prices being asked for any van Gogh prevented the museum's ability to

¹²² Weiss, "Selling the Collection," 128.

¹²³ Lee Rosenbaum's and Philip Weiss's articles, "How Permanent is the Permanent Collection?" and "Selling the Collection", respectively, provide evidence that the public felt its trust betrayed.

¹²⁴ Steven Miller, "What Do Museums Owe Donors?," *New York Times (1857-Current file)* 1989.

¹²⁵ This concern was voiced by Robert Rosenblum, a New York University professor who was on the painting and sculpture subcommittee of the Museum of Modern Art's board. In Weiss's article, "Selling the Collection", he is quoted as saying that Van Gogh is given too much primacy in the museum and that art history may shift soon to an area the museum is less strong in.

purchase it. In 1989, however, when the portrait came on to the market a second time, prices of certain paintings in the MoMA collection had sufficiently risen enough that the money raised by their sales would cover the cost of the Van Gogh painting. Rubin approved of the actions taken by Varnedoe, and defended him by pointing out that (according to him) the museum owned better examples of de Chirico, Picasso, and Mondrian.¹²⁶ Both Varnedoe and Rubin also agreed that in addition to not having an important place in the story the museum was trying to tell, the Renoir painting was not a particularly good work by the artist.¹²⁷ MoMA's director, Richard Oldenburg echoed these sentiments, stating "... that you give up something to get something. Our mission isn't just to keep and conserve objects but to do it for a purpose: to strive for the highest level of quality to bring to the public."¹²⁸ Ultimately, for those involved with the deaccessions, the belief was that the MoMA had not been left bereft. If anything, the museum had instead gained an important example by one of the leading 19th century predecessors to the Modern art era.

In 1990, only a year after the MoMA controversy, the Guggenheim Museum in New York deaccessioned and auctioned at Sotheby's three paintings from its collections: Modigliani's *Boy in a Blue Vest* (1918), Kandinsky's *Fugue* (fig.III.4; 1914), and Chagall's *Anniversaire* (Fig. III.5; 1943). All together, the paintings sold at auction raised \$47.3 million. This amount was more than enough to cover the estimated price-tag of \$24 million to \$35 million being asked for the Panza Collection of American Minimalists (example of a work from the collection: Fig. III.6).¹²⁹ Thomas Krens, director of the Solomon R. Guggenheim Foundation and propagator of the sale, strongly regarded the deaccessions and sales as a trade of old masterpieces for new. When controversy erupted over the sales, Krens defended the museum's actions, declaring, "I think the artists we've acquired in the Panza collection will be among the most important artists of the 20th century, if they are not already. I believe that half of what we acquired at the very least

¹²⁶ Philip Weiss, "William Rubin on Deaccessioning, the Postman Roulin, Art Prices, & More..." *Art in America* 89, no. 5 (1990), 129.

¹²⁷ *Ibid.*; Michael Kimmelman, "How the Modern Got the Van Gogh," *New York Times* (1857-Current file) 1989.

¹²⁸ Lee Rosenbaum, "How Permanent Is the Permanent Collection?" *ARTnews*, 89, no. 5 (1990), 193.

¹²⁹ Weiss, "Selling the Collection," 130; Rosenbaum, "How Permanent is the Permanent Collection?" 192.

are masterpieces...I believe these are classical works of the 20th century, and they deal with the fundamental issue of the 20th century, which is the notion of abstraction.”¹³⁰

One of the major criticisms of the sale was that the Guggenheim sold works of high quality and renown by early twentieth century masters, in order to purchase Minimalist sculptures of the 1960s and 70s.¹³¹ Of especial distress was the sale of the Kandinsky *Fugue*, considered by many to be a centerpiece of the Guggenheim’s collection.¹³² This “dumping of treasures” at auction drew disapproval even from Kirk Varnedoe, the curator who advocated the MoMA deaccessions. He is quoted as commenting that the Guggenheim sale “set a dangerous precedent.”¹³³ Diane Waldman, the deputy director of the Guggenheim, admitted the outstanding nature of the deaccessioned works. Yet she defended the museum’s actions, stating that they still owned “an outstanding group” of Kandinskys from the same period as the one auctioned, while the acquisition of the “extraordinary” Panza Collection filled in an art historical hole in the Guggenheim’s contemporary collection.¹³⁴ Like the administrators of the Walker Art Center and the MoMA, the Guggenheim saw the opportunity for the strengthening of its collections, but could only do so by sacrificing works that would unquestionably bring high prices at auction.

In each case, the furor was a response to the decisions to sell the art; many in the art world believed that museum administrators were “cashing in”,¹³⁵ and setting “a dangerous precedent.”¹³⁶ The journalist/critic Philip Weiss epitomized the sentiment many felt about this perceived glut of deaccessioning. In the July 1990 issue of *Art in America*, he scornfully wrote “...the museum community’s crisis results from the free-market spirit of the 1980s. The notion of the museum as a guardian of the public patrimony has given way to the notion of a museum as a corporate entity with a highly marketable inventory and the desire for growth.”¹³⁷ Along with others, he raised questions of museums’ responsibilities to the public, and wondered about motives behind

¹³⁰ Weiss, “Selling the Collection,” 130.

¹³¹ Michael Kimmelman, “The High Cost of Selling Art,” *New York Times* (1857-Current file) 1990.

¹³² Weiss, “Selling the Collection.”

¹³³ Ibid.

¹³⁴ Rosenbaum, “How Permanent is the Permanent Collection?” 192.

¹³⁵ Walter Robinson, “Battle Brews in Baltimore,” *Art in America* 83 (1995).

¹³⁶ Weiss, “Selling the Collection,” 130.

¹³⁷ Ibid. 125.

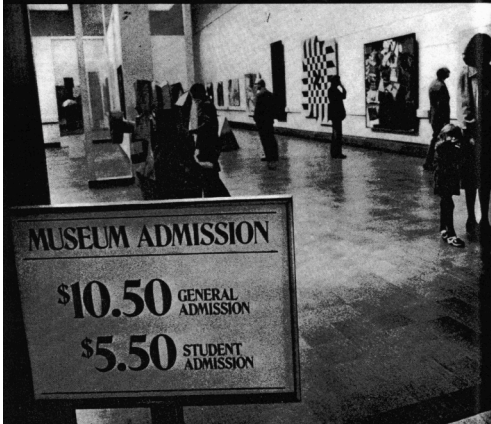
the sales. Clearly, people felt strongly about museums selling works of art, rather than preserving them for the greater good

The common thread which runs through all of these narratives is the conflict between a public presuming that art museums should never alter their collections, even if it meant retaining the dusty paintings languishing in a moldy corner of a museum basement, and the museum professionals overseeing living, changing organisms operating in an increasingly competitive environment. Essentially, by cutting public funding, the Reagan administration created the need for museums to find better methods to attract audiences. As one of the most visible aspects of an art museum, collections offered one way to do this. Either an art museum could change its mission and collections so as not to compete with a similar institution in the same geographic region, or it could increase its distinct brand identity by purchasing better artworks. Yet because of the art market of the 1980s, art museums were often forced to deaccession and sell paintings of high quality in order to purchase works they felt necessary to the continuing lives of their institutions. As Thomas Messer, ex-director of the Guggenheim frankly put it, "...for a museum to be alive, 'it must not only feed itself, it must excrete.'"¹³⁸

¹³⁸ Ibid. 131.

Figures

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Symphony tickets, \$30. Ballet, \$24. Opera, \$40. Museum admissions, \$10.50. If the arts were forced to charge fees that really covered operating or production costs...if the arts were "pay as you go," not many people would go. And life would be immeasurably duller.

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Figure III.1 Advertisement from *ARTnews*, Jan. 1981, v. 81



Figure III.2 Vincent van Gogh, *Portrait of Joseph Roulin*, 1889, Oil on canvas, Museum of Modern Art, New York.



Fig. III.3 Pierre-Auguste Renoir, *Reclining Nude*, 1902, Oil on canvas, Formerly owned by the Museum of Modern Art



Figure III.4 Wassily Kandinsky,
Fugue, 1914,
Oil on canvas,
Formerly owned by the Solomon R.
Guggenheim Museum, New York.



Figure III.5 Marc Chagall,
Anniversaire, 1923,
Oil on canvas,
Formerly owned by the Solomon R.
Guggenheim Museum, New York.



Figure III.6 Brice Marden,
D'Après la Marquise de la Solana, 1969,
Oil and wax on canvas,
Solomon R. Guggenheim Museum, New York.

V. Implications: The Museum Community Reacts

The controversial deaccessions that took place in the late 1980s and 1990s had far-reaching effects for the professional art museum field. No matter the reasons used to justify the actions of the Walker Art Center, MoMA, the Guggenheim, and other art museums that chose to deaccession, the museum field recognized that deaccessioning is almost always seen by the public as inexcusable. Museum professionals gradually began to appreciate the wisdom behind Louis J. Lefkowitz's 1973 recommendation of establishing self-regulating guidelines for deaccessioning. Already in the 1980s, art museums were considering their collections in a new light due to the financial hardships caused by the Reagan administration and the art market boom. Consequently, the museum community commenced to more systematically examine their collections. Rather than maintaining everything in a collection, objects were now being measured by their usefulness to a museum through the vehicle of collections policies. Later, with the spate of deaccessions during the late 1980s and 1990s again bringing up questions of the public trust held by art museums, these collection policies were increasingly adapted in order to deflect legal action and criticism, as well as regulate why, when, and how museums deaccessioned.

Collections Management Policies Help Museums Financially & Ethically

Beginning in the early 1980s, the costs of caring for artworks in collections were being more systematically considered by American art museums. This was in part spurred by a 1983 study conducted by the architect George Hartman of the Washington-based firm Hartman-Cox. Hartman developed a series of formulas that made it possible to calculate the costs associated with the care and storage per object in a museum's collection. His findings revealed that expenditure for the "specific costs of such elements as accessioning, cataloguing, periodic inventory, maintaining accessible records, environment and pest control, storage hardware, security, conservation, insurance, and general overhead including management and building expense," amounted to an average

of \$50 a year per object.¹³⁹ Using the consumer price index to adjust for the intervening inflation, this figure translates in 2006 to a little over \$100 per object.

As a result of the realization of the costs incurred while caring for collections, they began to be viewed, at least by the museum community, on a more practical and economic level than ever before. To aid in more systematic collections management, art museums in the 1980s and 1990s increasingly developed and implemented collections management policies. A collections management policy, or collections policy, is “a written document, approved by the governing authority [of a museum], that specifies the museum’s policies concerning all collections-related issues, including accessioning, documentation, storage, and disposition.”¹⁴⁰ A collections policy provides specific guidelines for accessioning and deaccessioning, usually based on documentation, ownership, authenticity, and condition of an object. In addition, a collections policy can outline the scope of a collection, stipulating the subject, geographical location, and time period on which a collection focuses.¹⁴¹ One of its fundamental intents is to ensure that the objects a museum holds are appropriate to and advance its mission and are properly cared for and documented.¹⁴²

To encourage museums to execute collections policies, in 1984 the AAM began requiring a written collections management policy to be in place for any museum seeking accreditation or reaccreditation.¹⁴³ To be accredited by AAM means a museum has received the organization’s “seal of approval,” and that a museum is committed to “excellence, accountability, high professional standards, and continued institutional improvement.”¹⁴⁴ Museums desiring to be accredited often follow AAM-approved policies, including their code of ethics regarding collections (See Appendix 1). AAM code of ethics suggests a reciprocal relationship between a museum and its objects.

¹³⁹ Stephen E. Weil, “Collecting Then, Collecting Today: What’s the Difference?” in *Reinventing the Museum: Historical and Contemporary Perspectives on the Paradigm Shift*, ed. Gail Anderson (Walnut Creek, Calif.: AltaMira Press, 2004), 285.

¹⁴⁰ “Peer Review Manual: Glossary.”

¹⁴¹ James B. Gardner and Elizabeth Merritt, “Collections Planning: Pinning Down a Strategy,” in *Reinventing the Museum: Historical and Contemporary Perspectives on the Paradigm Shift*, ed. Gail Anderson (Walnut Creek, Calif.: AltaMira Press, 2004), 293-94.

¹⁴² John Simmons, “Managing Things: Crafting a Collections Policy,” *Museum News* (2005), 30.

¹⁴³ Weil, “Introduction,” 4 .

¹⁴⁴ Julie Hart and Elizabeth E. Merritt, “A Higher Standard: Museum Accreditation Program Standards,” American Association of Museums, <http://www.aam-us.org/museumresources/accred/upload/Standards.pdf>. 2.

Stating that a museum should only own what supports its mission, the code also stipulates a museum should properly care for and protect those objects.¹⁴⁵ In this way, only objects which further the goals of a museum are retained, which makes for a more focused and economically-smart collection. Those that do not fit these conditions can therefore be deaccessioned. By requiring that museums have collections policies, AAM ensures that objects that are irrelevant to a museum and its mission can be recognized and properly deaccessioned.

Over and above the advantage of being able to analytically approach a collection, AAM recognized that by requiring collections policies, it could prevent museums from deaccessioning for reasons other than those approved by the museum community in general. An example of this comes from University of Kentucky Art Museum (UKAM).¹⁴⁶ Its deaccessioning policy reflects the code of ethics promulgated by AAM (See Appendix 2). UKAM's criteria for deaccessioning revolves around whether or not an object is "relevant and useful to the purposes and activities of the Art Museum and if they can be properly stored, preserved, and used."¹⁴⁷ Additionally, UKAM will deaccession objects that are too deteriorated to be displayed, are similar to other objects within the collection, are beyond the museum's capability to care for or store, or are outside the museum's collecting scope.¹⁴⁸ For no other reasons than these does UKAM find it proper to deaccession. This is essentially a reversal of AAM's stipulation that only objects advancing a museum's mission, and can be properly cared for, should be retained. If these conditions cannot be met, UKAM will deaccession.

In addition to criteria for deaccessioning, deaccessioning policies provide procedures outlining a course of action an art museum should follow when contemplating and carrying out a decision. Procedures often differ depending on the individual structure of an art museum. Nonetheless, according to the 1997 "Report to the Deaccessioning Task Force," there are general characteristics among these different deaccessioning

¹⁴⁵ Association of Art Museum Directors, "Code of Ethics for Museums: Collections," in *A Deaccession Reader*, ed. Stephen E. Weil (Washington, D.C.: American Association of Museums, 1994).

¹⁴⁶ An AAM-accredited museum, UKAM is a small, campus-based art museum displaying art from all cultures. University of Kentucky Art Museum, <http://www.uky.edu/ArtMuseum/staff.html>.

¹⁴⁷ "Deaccession of Objects," (Lexington, Ky.: University of Kentucky Art Museum).

¹⁴⁸ Ibid.

processes that can be identified.¹⁴⁹ Within their procedural guidelines, many art museums specify that either the curator responsible for the objects, the collections management teams, or the registrar recommend an object for deaccessioning. Once an object has been recommended to a governing board, a written document is often required describing the reason for deaccessioning, the donor, the object's history and provenance, its significance, physical condition, an appraisal, a proposed method of disposal, and a request for a photograph of the object. Art museums will also seek independent appraisals to establish market value, as well as expert opinions. Questions of legal requirements, title, and donor-imposed restrictions are also to be answered at this time. Donors are almost always notified, or their heirs, about the pending deaccession and the original donor's name will be attached to any purchases made with funds raised from the sale of the deaccessioned object. Once an object has been deaccessioned, all information on it is kept in a permanent file.¹⁵⁰

By following these procedures when deaccessioning, art museums can try to ensure that they are fully aware of their actions, and that no rushed judgments are made during the process. Likewise, written documentation of actions taken while deaccessioning can supply proof to the public that a museum has gone through careful considerations. These are both possible reasons as to why AAM began requiring written collections policies beginning in 1984. By having these in place, museum staffs and boards have concrete guidelines of approved collection practices that they can follow, which also act as physical evidence in the event of public disclosure of a deaccession.¹⁵¹

The success of collections policies in deflecting criticism can be questioned. As seen by the examples of the high-profile deaccessions undertaken by the Walker Art Center, MoMA, and the Guggenheim, even when documentation and justifications were produced by the museums, many were still not satisfied. This was in part because many critics saw the deaccessions and sales as part of an increasingly worrisome trend of art museums viewing their collections as a kind of investment that could be tapped whenever a curator or director saw fit. Tom Freudenheim, assistant secretary of museums at the

¹⁴⁹ Roberta Frey Gilboe, "Report to the Deaccessioning Task Force of the Registrars Committee of AAM," Washington, D.C.: American Association of Museums, 1997). Rpt. in Weil, ed., *A Deaccession Reader*, 205-245.

¹⁵⁰ Gilboe, "Report to the Deaccessioning Task Force of the Registrars Committee of AAM," 215-225.

¹⁵¹ Not all deaccessioning policies require public disclosure at the time of a deaccession. *Ibid.*, 224-225.

Smithsonian Institution in 1990 echoed these concerns in an *ARTnews* interview, stating that museums “see themselves no longer as custodians of culture but as institutions that hold lots of things that are assets and have monetary value.”¹⁵² Although this extreme view is also up to debate, the museum community became sufficiently worried that a discussion commenced over how funds from deaccessioning proceeds could be spent. Particularly when many art museums in America were struggling financially, it was feared that in addition to selling works in order to buy, museums might also perceive their collections as a cash reserve that could be used to pay for operating expenses. Several art museums had indeed either tried to sell works or sold works for purposes other than the replenishment of collections. In 1981, Harvard proposed deaccessioning works of art from the Fogg Art Museum in order to raise operating funds for what was to be a new wing for the museum. Harvard ultimately decided against the deaccessions after being threatened with a formal condemnation by the museum community.¹⁵³ Several years later, in 1987, the Phillips Collection in Washington, D.C. deaccessioned and sold at auction for \$3 million *Le Violin* by Georges Braque. The proceeds were originally to go into the Phillip’s general endowment fund, but the institution later agreed to use the funds for future acquisitions, with any income pending such use being applied exclusively to the care and maintenance of the permanent collection.¹⁵⁴

Both Harvard and the Phillips Collection were dissuaded from using funds from deaccessions for operating expenses by the disapproval voiced by the museum community and the public. Their examples, among others, made it clear that ethical codes recommending the use of deaccessioning proceeds needed to be established.¹⁵⁵ As a result, in 1991 and 1994, the Association of Art Museum Directors (AAMD) and AAM established in their collections codes stipulations restricting the use of monies raised through the deaccession of artworks.¹⁵⁶ In its “Professional Practices in Art Museum”,

¹⁵² Rosenbaum, “How Permanent is the Permanent Collection?” 192.

¹⁵³ Stephen E. Weil, “Deaccessioning in American Museums: I,” in *A Deaccession Reader*, ed., Stephen E. Weil (Washington, D.C.: American Association of Museums, 2004), 65.

¹⁵⁴ *Ibid.*, 65-66.

¹⁵⁵ Martin S. Feldstein and National Bureau of Economic Research, *The Economics of Art Museums* (Chicago: University of Chicago Press, 1991), 121.

¹⁵⁶ AAMD is a professional museum organization similar to AAM, except geared specifically toward art museums. Its mission is “...to support its members in increasing the contribution of art museums to society. The AAMD accomplishes this mission by establishing and maintaining the highest standards of professional practice; serving as forum for the exchange of information and ideas; acting as an advocate for

AAMD states that “Deaccessioning and disposal by sale shall not serve to provide operating funds, and the proceeds from disposal must be treated as acquisition funds.”¹⁵⁷ The AAMD wants profits from sales of deaccessioned items only to be returned in the form of another art object, disallowing funds to be used for any other purposes. In a similar vein, the new collections code of ethics adopted by AAM in 1994 contains a clause stating: “disposal of collections through sale, trade, or research activities is solely for the advancement of the museum’s mission. Proceeds from the sale of nonliving collections are to be used consistent with the established standards of the museum’s discipline, but in no event shall they be used for anything other than acquisition or direct care of collections.”¹⁵⁸ Although the wording of this code leaves some room for interpretation, AAM also requires that proceeds generated by deaccessions should be limited to enhancing the collection. Its stance is somewhat different from AAMD, because the clause “direct care of collections” allows income from deaccessioned objects to be used for the conservation and preservation of a collection, in addition to acquisition.¹⁵⁹ By restricting deaccessioning to the two purposes of replenishment and care of objects, AAMD and AAM hope to prevent art museums from deaccessioning for reasons other than to improve their collections.

In order to be recognized as an art museum of high quality and standards, most American art museums that have collections and deaccession policies in place abide by the rules of AAMD and AAM. As Marie C. Malaro, a lawyer specializing in museum law, points out, “...an ethical code sets forth conduct that a profession considers essential in order to uphold the integrity of the profession.”¹⁶⁰ If an art museum designs its collections and deaccession policies according to the professionally accepted code of ethics of these two organizations, and upholds them, it will hopefully be less likely to

its member art museums; and being a leader in shaping public discourse about the arts community and the role of art in society.” “About AAMD,” Association of Art Museum Directors, <http://www.aamd.org/about/>.

¹⁵⁷ Association of Art Museum Directors, "Code of Ethics for Museums: Collections." Rpt. in Weil, ed., *A Deaccession Reader*, 156.

¹⁵⁸ American Association of Museums, "Code of Ethics for Museums: Collections," (Washington, D.C.: American Association of Museums, 1994). Rpt. in Weil, ed., *A Deaccession Reader*, 151-152.

¹⁵⁹ Association of Art Museum Directors, "Code of Ethics for Museums: Collections."

¹⁶⁰ Malaro, *Museum Governance: Mission, Ethics, Policy*, 17.

make poor decisions when deaccessioning and subsequently avoid upsetting the public on which it relies for support.

VI. Conclusion

Since their beginning, American museums in general and American art museums in particular have shown a chameleon-like ability to change and adapt according to shifts and changes in their environment. One result of this adaptability is that objects in art museum collections are not as permanent as those outside the museum field still tend to believe. This became especially evident at the end of the twentieth century, when art museums sold important works from their collections in order to compete in a new economic climate. These deaccessions upset many people outside the museum community and some inside it as well. The development of collections management policies in the 1980s could be seen as a defensive response by the museum community to the ensuing uproar. Collections management policies ostensibly prevented museums from engaging in questionable practices that could cause them to run afoul of the public trust. Yet by requiring museums to have written rules for collections and deaccessioning, the professional museum organizations, such as AAM and AAMD clearly do not discourage deaccessioning as a practice. In fact, the very existence of established policies confirmed deaccessioning as a standard, if not always openly advertised as such, practice. Indeed, the “Professional Practices in Art Museums,” published by AAMD, states that deaccessioning and disposal is “a legitimate part of the formation and care of collections and, if practiced, should be intended to refine and improve the quality and appropriateness of the collections.”¹⁶¹ Deaccessioning is no longer considered an exception; it is now the rule, at least for many within the museum community.

Nonetheless, for many outside the museum profession, an art museum is still viewed as “...a permanent repository, a great barrel of amber in which things—once dropped—will be forever preserved.”¹⁶² The prevalence of this perception is confirmed by the outcry almost always generated whenever an art museum deaccessions and disposes what are perceived to be important objects at auction. A very recent example of this comes from the deaccessions and sales undertaken by the Albright-Knox Art Gallery in Buffalo, New York. In March 2007, the *New York Times* reported that the planned deaccessions and sales of the museum’s collection of antiquities, medieval, and

¹⁶¹ Association of Art Museum Directors, “Professional Practices in Art Museums,” (Washington, D.C.: 2002). Rpt. in Weil, ed., *A Deaccession Reader*, 156.

¹⁶² Weil, “Introduction,” 3.

Renaissance art was causing much controversy in the Buffalo area.¹⁶³ The board and director of the Albright-Knox had decided in November to sell works to add to the museum's acquisitions fund, in order to purchase Modern and contemporary artworks. The mission of the museum has long focused on Modern and contemporary art, and according to Charles W. Banta, the president of the board, the older pieces were bought in the 1930s during a time of "severe mission drift."¹⁶⁴ Opponents of the deaccessions, however, contended that the museum was misrepresenting its historical focus on Modern and contemporary art. Action was taken to prevent the deaccessions from going forward, including a lawsuit. The lawsuit was later thrown out by a New York State Supreme Court judge, on the basis that the museum was not in fact deviating from its mission.¹⁶⁵ As a result of the judge's decision, the deaccessions continued. Later in March 2007, the first sale of antiquities at Sotheby's in Manhattan brought \$18 million.¹⁶⁶

The case of the Albright-Knox sales reveal a gap in perception between how the public believes art museums function, and how art museums *actually* function. For a small museum like the Albright-Knox to compete in a market in which prices reach above several million dollars for a single Modern or contemporary artwork, it is impossible to expect it to *not* take measures such as deaccessioning of artworks to ensure their competitiveness. Indeed, given the museum's mission statement directed focus, holding onto artworks that do not fit its purview makes little sense. Perhaps, most significantly, the professional standards set up by the oversight organizations, AAM and AAMD, would actually discourage the museum from doing so. And yet, this aspect of museum practice clearly has not registered with those outside the professional museum field, who still believe the Albright-Knox is supposed to function as a "permanent repository." Perhaps to bridge this "perception gap," art museums could openly acknowledge that they do deaccession, and publicly announce in some way when they plan to do so. Although controversy will inevitably ensue at first, a gradual change in perception on the part of the public may occur. With time, it is possible a more balanced and educated understanding of how art museums really operate will materialize.

¹⁶³ Randy Kennedy, "Buffalo's Pain: Giving up Old Art to Gain New," *New York Times, The (NY)* 2007.

¹⁶⁴ Ibid.

¹⁶⁵ _____, "Despite Foes, Buffalo Museum Makes \$18 Million in Auction," *New York Times, The (NY)* 2007.

¹⁶⁶ Ibid.

Appendix 1

American Association of Museums' "Code of Ethics for Museums: Collections"

Excerpted from the American Association of Museum's *Code of Ethics for Museums* (1994)

The distinctive character of museum ethics derives from the ownership, care, and use of objects, specimens, and living collections representing the world's natural and cultural common wealth. This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.

Thus, the museum ensures that:

- collections in its custody support its mission and public trust responsibilities
- collections in its custody are protected, secure, unencumbered, cared for, and preserved
- collections in its custody are accounted for and documented
- access to the collections and related information is permitted and regulated
- acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials
- disposal of collections through sale, trade, or research activities is solely for the advancement of the museum's mission. Proceeds from the sale of nonliving collections are to be used consistent with the established standards of the museum's discipline, but in no event shall they be used for anything other than acquisitions or direct care of collections
- the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decision concerning such collections
- collections-related activities promote the public good rather than individual financial gain.

Appendix 2

University of Kentucky Art Museum's Policy for the Deaccession of Objects

A. **Definition:**

Deaccessioning means only that an object or collection of objects is removed from the collection. It does not mean sale, or gift, or exchange, etc., since such judgments will be made only after the decision to deaccession.

B. **Criteria:**

Objects in the collection should be retained permanently if they continue to be relevant and useful to the purposes and activities of the Art Museum and if they can be properly stored, preserved, and used. Deaccessioning of objects are considered when these conditions no longer prevail. Deaccessioning or disposal of objects by sale or trade is undertaken only when the objects are deemed by the director, in consultation with the curator, registrar, and/or other consultants, to be of a quality below the current standards of the Art Museum, closely parallel or are similar to other objects in the collection, or clearly fall outside the capability of the Art Museum to properly store or conserve. Deteriorated works should be deaccessioned unless their quality after conservation would be acceptable. An unexhibitable work might be retained as a study example of deterioration, but deaccessioned from the collection. Items that are outside the scope of the Art Museum, including any item whose lack of interest would preclude its public exhibition, should be deaccessioned and either disposed of or inventoried with educational, study, or other collections.

C. **Disclosure:**

Recommendations for such deaccessioning are brought by the director before the Art Museum Advisory Committee for its information and advice. The director has the responsibilities of ensuring that there are no legal or other obstacles to the disposal of objects in its possession and of informing the committee on these matters. The University's Board of Trustees must approve the decision to sell deaccessioned objects.

Public disclosure should be considered upon the disposition of any important item. In disposing of an object given by a living donor, reasonable effort must be made to notify the donor of the Art Museum's intention. When there are items in the possession of the museum the donors of which are unknown, which have never been accessioned and do not merit accessioning, the director is authorized to sell these objects and to place the proceeds in an acquisition fund.

D. **Records:**

Records pertaining to deaccessioned objects are retained: curatorial files are kept separate and organized by artist name; registration files are organized by accession number.

(See Appendix X.)

Appendix 2 Continued

E. **Disposal:**

Public auction is the preferred method of disposal of any important item. Exchange with a public museum might be contemplated. Trades should be undertaken only with a sure knowledge of the attendant values and advantages. Private sale to Art Museum staff or members of the Art Museum Advisory Committee or to their representatives is not allowed. If an object is to be deaccessioned because it is outside the scope of the Art Museum but it has historical or other value, preference should be given to another museum. No part of the collection will be removed for gifts.

F. **Income:**

Funds received from the sale of objects from the collection are to be used only to benefit the collection and all proceeds are to be placed in an Art Museum acquisition fund. *No* proceeds from deaccessioned materials may be used for operating expenses, but must be directed back into the collection.

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