The American Federation of Arts

Sixth Annual Directors Forum

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Contents

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Introduction

The Directors Forum, a program of the American Federation of Arts, is designed to provide the directors of not-for-profit art museums who are not members of the American Association of Art Museum Directors (AAMD) an opportunity to exchange ideas and information on issues of common interest. The program consists of a conference organized to benefit primarily the directors of small and medium sized museums. However, large institutions are not discouraged from participating since many of the themes are universal. A two-tier registration fee allows the Directors Forum to include those from institutions that are not members of the AFA.

To participate in Directors Forum individuals must be full-time, paid professional directors of not-for-profit art museums or galleries open to the public on a regular schedule. Members of AAMD and directors of artist-managed institutions are not eligible.

Education and the Museum of Fine Arts

Arthur C. Danto
Author, Art Critic, Johnsonian Professor Emeritus, Department of Philosophy, Columbia University

I suppose there was a time when it was believed that the four great values by which human beings live were allocated to the four institutions which collectively express our civilization–goodness to the church, truth to the school and especially to the university, justice to the court, beauty to the museum. Each of these once momentous values has undergone a degree of trivialization and fallen prey to one or another form of relativization in the course of our deconstructionist era, and this has to have had some impact on the authority of the institutions themselves. The trivialization appears in philosophy in a particularly deflationist way. A famous definition of "true" was "P is true if and only P"–which meant that calling a proposition true adds nothing to the proposition, so we can say whatever there is to say without even needing the truth-predicate. A no less famous analysis of "good" held that it describes nothing but expresses a feeling of approval. "Good" thus tells us nothing about the world, but discloses something about the speaker, and what he or she endorses. And this so-called Emotivist Theory of moral language is easily extended to beauty–"x is beautiful" does not describe x, but effectively whistles approval in x's presence. Which things we whistle at would then have been understood as culturally conditioned, leading inevitably to the relativization which is one of the commonplace positions of our age, most recently expressed by the practices of multiculturalism. This so penetrates the discourse of the our cultural institutions that "Whose truth?" is the reflexive challenge to "truth," with "Whose goodness?" and "Whose beauty?" serving parallel functions, leading to "Whose university?", "Whose church?", "Whose museum?" and "Whose justice?" And everything is immediately politicized.

In Henry James's great novel, *The Golden Bowl*, his hero, Adam Verver, is a self-made American millionaire, living abroad, and dedicated to the acquisition of works of art for a museum–for a "museum of museums"–he intends to establish in what James calls "American City". It is a way of giving something in return for what American City has given him. It is the gift of beauty. For a long time Verver was caught up with the business of business, but he underwent a near religious conversion to beauty at some point, and with that he began to see everything in a radically new light. It in any case made so profound a difference to him that the greatest benefit he can imagine as a philanthropist is to make beauty available for "the thirsting millions" in American City. Each object he acquires is a vehicle of beauty and a fulcrum into a higher realm of being. Verver would have been dismayed by what happened to the concept of beauty in the course of our century. What would be the point of acquiring damascene tiles and French porcelains and Sienese altarpieces if all of these objects merely served to understand the cultures they represented? What would that have to do with us? What is so important to know about that? Whereas the knowledge of beauty for Verver would have been like the knowledge of God, putting the whole world under a different perspective. Kant had written that beauty is the symbol of morality, and he argued that the beauty of the world was like a promise that the world was designed for our benefit. But that does not go down with "Whose beauty?" which has the sullen effect of "So what?" or "That's what you think!"

The history of beauty in the twentieth century is the history of injuries, beginning around the time of World War I when beauty was kicked out of bed by art, when it had been believed that they were inseparable. Their separability was the conceptual discovery of Dada, systematized by Duchamp in his polemic against taste. My concern, however, is only to point out how clear the mandate for museums was in Verver's time, in the so-called "Gilded Age" when so many American museums were built, showing through their templar architecture, that they were intended as shrines. Presenting beauty was as much as a museum was required to do by way of education. The experience of beauty would enrich the spirit and instill the highest of aspirations. The art museum was ipso facto educational, and it was in the belief that it was that its founders, very much in the spirit of Verver, were able to regard themselves as benefactors. This would have been true of American museums–museums on the continent always had nationalist sub-texts, beginning with the division of the Louvre's collection into national schools, giving the French school parity of standing with the schools of Italy, Spain, and the Low Countries.

It would, I think, be extremely ill advised for a museum in quest of funds today to justify its solicitations on the grounds that Verver took for granted. If they are not aesthetic skeptics, funding agents are disposed to think of beauty as a luxury rather than a spiritual necessity. Public funding is predicated on education, but what have museums to put in place of poor battered Beauty today? This question came home to me when I attended the press opening of the first part of *The American Century* at the Whitney Museum of American Art, where, before one went on to view the show, one was urged to visit the Web site in an adjoining gallery, in which a group of very attractive young men and women were to walk us through it. I guess every item in the show was on the site, with some accompanying text. You could zero in on any work, a painting say, magnifying any detail–resolving the leaves on trees into so many distinct brushstrokes, for example. There was a time-line at the bottom of the screen, which told the viewer what was happening in the world when the painting or whatever was made–events that were current at the time, locking the work into history. By clicking one could juxtapose any work with any work, so that you could "curate your own exhibition." And the director, Max Anderson, discussed his own favorite works from the show. I asked if one could see the exhibition itself on the Web site, but was told I could not. So one thing the Web site did not help a viewer do was to understand the exhibition. An exhibition, after all, is something more than a collection of individual objects. I thought of the wonderful videotapes Russell Conner, curator of education some years earlier, used to make after a show was installed. In any case, the Web site gave us not a ground on which to consider the exhibition critically. The persons who did the Web site were not from the museum, though my guide said they had curatorial input. Indeed, it rather depressed me that none of the Whitney people were in the Web-site room at all, as if the museum had turned the task of education over to a group of outsiders, as to an advertising agency, selected to represent the exhibition to the world. The glamour of cyberspace promised to bring the experience of art into the next millennium, and beyond that there was as much interactivity as the click of a mouse could furnish.

In fairness, the Whitney Web site combined two educational models which have evolved in museums in recent decades: the art-appreciation model and the cultural insight model. In the latter, the art is a means to knowledge of a culture. In the former, the art is an object of knowledge in its own right. It is knowledge of art as art, and this means arriving at an understanding of works through noting their formal features. This may or may not be accompanied by historical explanations–what work influenced the artist, and perhaps what work the artist herself influenced. Still, the object of knowledge is the artwork, and funding agencies might wonder what is the value of such knowledge, and they might, again, raise the issue of elitism. Is it justified to spend the taxpayer's money on something so unconnected with the lives of those who tramp through the museums, let alone the lives of those who don't? If one responds by saying that knowing about art does something the taxpayers should think is valuable, it would be valuable to say what it is. It is here that the other model is brought forward. Art helps us understand the cultures to which it belongs, and in the particular case of American art, it helps Americans understand their own culture and hence, themselves. Much of the Whitney advertising promised that the show will help viewers "make sense" of America. Works of art are windows into the inner life of the culture.

But so is everything else, really. No painting tells us more about what it is to live American culture than the movies, the sitcom, the popular music, the dances, the clothing, the hairstyles, the automobiles, the plumbing, the guides to sex and stock investment–all those semiotic systems which define our form of life. There was an exhibition recently titled *Kitchen and Bathroom/ The Aesthetics of Waste.* It showed the evolution of these two rooms so central to modern domesticity, since appliances replaced servants. Advertisement after advertisement in the '30s and '40s showed perky wives in pretty aprons, loading washing machines, brewing coffee, using the toastmaster, serving their husbands. The bathroom was filled with hard surfaces, easy to clean. If one opened the cupboards or refrigerator, one would behold prepared foods, which took the drudgery out of cooking –all one needed to do was add water and heat. Feminism casts a backward illumination under which women were domestic slaves, which perhaps connects the kitchen with the paintings of Hopper, showing a lonelier America. But they show it in no way better than the advertisements in women's' magazines themselves show it or the fixtures of the bathroom and kitchen. For that matter, then, one could make American culture available without putting into a show any works of art at all–as with the famous 1969 exhibition, *Harlem on My Mind* at The Metropolitan Museum of Art, in which all that was on view were enlarged photographs of Harlem, with Cotton Club music piped into the galleries. That show was exceedingly controversial. Harlem artists were outraged. The Jewish Defense League was outraged by the anti-Semitic implications of the catalogue. The critics were outraged that a great art museum had been turned into an annex of a museum of natural history. But that is what the second model does. It anthropologizes art. But art is no better for its purposes than cookbooks, the polaroids, the Sears Roebuck catalog. So what is the point of an art museum, filled with expensive fragile objects collected by various rich persons for their private taste and turned over to the public in exchange for tax benefits?

In some way, it seems to me, museums must find their way back to a model as compelling as Verver's model of beauty as supremely edificatory. I cannot pretend to have such a model, but I do believe there is another way to look at the matter.

The central concept of the philosopher Hegel was that of *Geist,* which literally translates as "spirit," though the latter term is too associated with communications from a world beyond to capture what he meant. Let's just translate *Geist* as mind. Hegel distinguished subjective mind–the mind that connects with the body in some deeply un-understood way–from what he called objective mind. This consists of all the objects, practices, and institutions which together define a form of life actually lived. These are products of mind and not of nature and are internalized by those educated in the conduct of life. A form of life complex enough that human beings will always have something in it we can think of as art, whatever meaning may be assigned it by those in whose life it figures. Objective spirit lends itself as a concept to the "art as cultural index model," as it does to multiculturalism. It is an idea taken up as iconology by Professor Panofsky, who uses the example, as I recall it, of tipping a hat as a way into our system of meanings, which exposes him to the question of what the purpose of art can be for the iconologist other than as further elements in the language of the culture. Even perspective, for Panofsky, was a symbolic form.

Hegel had another concept of mind–what he termed Absolute Spirit. There were, he thought, three "moments" of Absolute Spirit: art, religion, and philosophy. Art made palpable the highest values of the human spirit, and in a sense showed human beings what it meant for them to be bearers of these values. It translated religious beliefs into sensuous images. The temple and the cathedral thus expressed their cultures, but they did something more than this: They expressed the vision of the world under which the people of those cultures lived. But in this way, art performed a philosophical function. It was philosophy in a displaced form. Hegel famously felt that this was no longer a possibility for art, that it had been superceded by philosophy for persons who no longer needed illustrative images to understand its propositions. This was his notorious "End of Art" thesis, a variant of which I have discussed in my own writings.

I recently spent some time at a gathering of curators, and it was in that context that I heard discussed the two exhibitions I spoke about earlier. I was, however, particularly struck by an exhibition still in the planning stage, to be curated by John Ravenal at the Virginia Museum of Fine Arts. It was originally titled *The Vanitas Theme in Contemporary Art*, but the curator had begun to think of calling it Meditations on Beauty and Death. There is a connection between beauty and death in that it is through beauty that we vest death with meaning, as in funeral ceremonies, with flowers and music and fine ceremonial words. Kant writes that death is appropriately expressed by means of a "beautiful genius". Perhaps beauty confers meaning on life in much the same way, as though its existence validates life. I once wrote about a Tibetan *tanka*, which shows the death of Buddha. The Buddha dies in a garden, in a beautiful pavilion, surrounded by plantings, on a beautiful day. He says farewell to the world at its most beautiful, which is when a Buddha would choose to die: The beauty of the world that holds lesser persons back from fulfilling their higher purposes. That is what the *vanitas* form is all about. It often is a still life in which a skull is surrounded by beautiful objects which the painting means to tell us are vain, are distractions, are ephemeral. The term *vanitas* means "nothing." And of course under Christianity one is urged not to be distracted, whatever the temptations and to fix ones mind on the next world. Thus the connection between beauty and death. That connection is extended by this exhibition into works very different from the Dutch *vanitas* of the seventeenth century. But as "meditations," a genre of philosophizing, they connect with the great mysteries of human life and meaning. I don't know if the curator will have included some examples of the traditional *vanitas*, but it would be very valuable to have them, I think, and having them would demonstrate one valuable way in which art can be connected with its own history. One finds other ways in which artists dealt with the themes contemporary art deals with, which helps us to understand why we need contemporary art to address these questions for contemporary men and women. The forms are different from culture to culture, but the questions transcend difference in culture. No culture is without a way of dealing with death or a strategy for handling suffering.

There is, then, what one might call a philosophical model for art, and it struck me in the course of listening and talking that the gap between artists and curators is narrowing. This is especially true for installation artists, who assemble objects to convey a piece of thought. The curator of the *Meditations* show does nothing different. I don't know how this will go down with funding agencies, but at least one can tell them that the museum is the place in which visitors confront the deepest questions of all, which affect them at every moment of their lives. Of course not all art is going to be philosophical in quite this way. But enough of it is to explain why, without being able entirely to explain it, we assign to art so high a value.

Competing for an Audience: Entertainment versus Education

Introduction

David Mickenberg
Director Mary & Leigh Block Museum of Art Northwestern University

It's somehow fitting that this conference begin with a discussion that resonates with many of the issues focused on last night by Arthur Danto. Those issues pertaining to the relationship between entertainment and education underlie why museums were founded and the manner in which the museological discourse and practice has changed in the recent past.

In organizing this panel there was an earlier conference call among my fellow panelists attempting to define the parameters of the discussion. My notes to that conversation reflect the pervasiveness of the topic throughout the museum field. The discussion went from the very basic question of how does one make a serious exhibition popular and a popular exhibition serious, to include serious debate as to: the functions of an art museum in contemporary society; the multiple ways in which a museum can stage and/or present and discuss a work of art and the messages it sends in that presentation; the challenges to the traditional ideas of a museum in a society where art, specifically contemporary art, may not be automatically considered good for you; the appropriateness of different modes of educational opportunities in relationship to a particular exhibition or collection; the responsibilities of the museum to donors and fiscal stability; and the influence of PR and marketing in the interpretation and presentation of an exhibition or collection. In short, after an hour, we had touched on almost every issue concerning the function and purpose of the contemporary art museum. We did not, however, find consensus throughout the conversation.

Lest we think that this is a new topic, we can go back to the very early history of the American museum in the late 18th and early 19th centuries, a history characterized by a didactic moralizing conception of education designed to inculcate respectable ideals. In the search for an audience; in recognizing that the take at the gate is imperative to survival; and in approaching the need to market the museum to a popular audience, it was stated by one contemporary critic that the museum in question had compromised its moral and educational integrity as its presentation clearly was based upon the fact that, "The truths of natural science were not as attractive as the occasional errors in her production."

Yet, one in every three Americans visited a museum more than three times in the past year. Blockbuster exhibitions such as the seemingly never-ending lineup of impressionists and the motorcycle design exhibition at the Guggenheim are on the rise and attract large audiences. This increasing popularity of the museum is reflected in the diversity and increasing sophistication of educational programs, factors indicating that the museum has become a place where Americans spend a good portion of their leisure time and where the dialogue between education and entertainment is ever flowing.

Indeed, you may find at the end of this panel, that the mediation between entertainment and education is not a fracturous one, but one characterized by an understanding and promotion of multiple narratives inherent in art, the diversity of audiences, the implementation of collaborative and multidisciplinary thinking and planning and an acknowledgment that both entertainment and education are, and maybe always have been, part of the museum mission.

Edmund Pillsbury
Art Historian and Consultant

As relevant as this topic is to those who, shall we say, cling to traditional distinctions between high and low art, I find it to be somewhat of a non sequitur. Why? Art, of course, exists to delight the eye as well as to enrich the mind.

Art, imbued with the most enduring value invariably captures the imagination of the informed viewer as much by entertainment as by education. Those who fear the term "edutainment"–viewing it as some kind of threat to the sanctity of art and even a challenge to the role of museums as promoters of knowledge and good taste–

misunderstand, I believe, the enjoyment principle. They want the public to learn. They want art to teach and inform, to be in a word, "high-minded". Yet, they distrust the senses to derive the full meaning from the experience of art.

They dismiss work that appeals strictly to the visceral appetite of the viewer, or work whose main purpose may be to entertain or even to shock, as if humor, prejudice, even political correctness, lie outside the purview of serious art. And further, they argue that museums should concern themselves only with art whose intent is to uplift the spirit or awaken a worthy idea.

The irony here is that connoisseurs or even amateur art lovers choose to go to museums and galleries rather than baseball games or movies mostly for pleasure. They want to be entertained. Bernard Berenson, the great critic and connoisseur, in fact, coined the phrase "life enhancing" to differentiate between art he liked and art he didn't like. He did not rely on any abstract concepts of beauty in doing this, but upon an art for art's sake sensibility steeped in Walter Pater's aestheticism. He looked for vitality in design and a certain palpability in the rendering of form regardless of the medium or subject. He carried the pleasure principle to the ultimate extreme by embracing expressions of art as diverse as those of Asia and Africa, tearing down the classicistic bias in favor of the Greco-Roman tradition.

All the same, in the interest of historical accuracy, the history of museums in America owes far less to Berenson's aestheticism than to the influence of social thinkers who believed art could and should serve as an educational tool to improve society. Under this rubric, collectors like Dr. Barnes in Philadelphia even excluded art historians like Kenneth Clark from seeing his collection on the pretext he was reserving the artworks for the enrichment of students drawn from the underprivileged.

By the late '60s, with social pressures mounting, museums found themselves in a predicament. While established, for the most part, as educational laboratories for the public's betterment, museums had become overly exclusive with low attendance and a shrinking constituency–sleepy cupboards, if you like, for the elite.

The response was dramatic. Emboldened by federal funding from the newly established endowments to support special projects, especially traveling exhibits, museums soon embarked on a new course with the dual objective of justifying themselves as responsible centers of social service and making their collections accessible through the creation of engaging programs. This change had both good and bad consequences.

With renewed relevance, museums made installations far more user-friendly, expanded educational programs, and found ways to earn revenues to offer an even greater array of educational programs. Exhibitions that were once undertaken solely for their ability to contribute to knowledge or to introduce unknown material were now being organized to generate the box office to support the operations of the museum. The relevance of the issue, *Competing for an Audience: Entertainment versus Education*, now is that museums, for the most part, no longer have the luxury of ignoring their ability to maximize the profit potential in developing revenue generating programs and services.

Every activity must be evaluated, or usually is now, in terms of the marketplace. What does it cost in terms of the revenues, both direct and indirect, it can produce? Although pure entertainment in the Walt Disney mode will, I think, always prevail over pure education in any competition for new audiences, notwithstanding the entertainment value and much good education, I'm optimistic. For years at the Kimbell, I tried to take serious subjects–Poussin, La Tour, Matisse sculpture, and make them popular; and likewise, take some rather popular subjects– Faberge, Lalique, or even Monet on trips to the Mediterranean and make them serious ones, or at least appear to be. I never measured success based on strictly financial criteria. But I was gratified when I could popularize more challenging art and dignify less serious investigation, which explains why today those who run art museums are no longer pure scholars, or simply administrators, diplomats, or businessmen, but they're art-trained individuals who have mastered all the business skills to be successful entrepreneurs in the field of art edutainment– museum directors as impresarios of culture.

It's a tough business now, highly competitive and extremely volatile, especially as we've seen in New York lately. I don't myself regret stepping off the treadmill, but I do worry about the toll that the job extracts from some of my former colleagues; and I wish them courage and good fortune.

Van Romans
Director of Cultural Alliances Walt Disney Imagineering

I 'm here because of my role as Director of Cultural Alliances for Walt Disney Imagineering. This is a unique opportunity to share with you some of the insight and understanding of what I believe will be our mutual and collaborative thinking on *Entertainment versus Education*.

Because of my involvement in education, I can certainly speak to the value of educating an audience, especially a captive one. As part of the entertainment industry, I can provide some insight into what it takes to entertain an audience. This personal history has provided me with, perhaps, special insights on how the two elements actually belong on the same team instead of versus and can work in concert to create engaging and inspiring experiences for our audiences.

A theme park does not have education as its primary mission, but in some cases, there are, indeed, educational components. For many years at Disneyland Adventure through Inner Space, an attraction which blended science and entertainment was highly popular. Granted, it wasn't hard science, but it was a portrayal of a microscopic world presented in a way that was harmonious with Disneyland's primary mission, which is, of course, entertainment.

Another clear example of this would be a documentary series on the history of civilization is meant to educate. When well made, as much of the PBS series are, it also entertains. So since each one of these has its own unique mission, what is the commonality? What do they really share? What is the catalyst that creates something that is both educational and entertaining so that it connects somehow to capture the attention of audiences?

We believe that leisure time in America is at a premium. The competition for the time and dollars that go with that leisure time is intense. When people invest their money and their precious time, they have expectations. In today's marketplace, to meet those expectations is to succeed. To not meet those expectations is to fail. It's important to consider what your visitors, or guests as we call them, will come away with once they've visited a place.

What was their experience? What did they learn? Were they emotionally moved? Did they feel a sense of awe? Did the experience stimulate conversation? Did it make guests want to learn more about what they saw or heard? Did their experience motivate them to purchase a book, a video, a mere souvenir to capture, relive, and share that experience with others? Most importantly, will they want to come back?

These issues are common to all cultural institutions, and they lead us to another area of common ground, or not so common ground, and that is presentation. Theme park presentations, by their nature, are mainly entertainment. Though some of the rides and attractions, such as Epcot, and of course, Disney's Animal Kingdom, have factual underpinnings, but their entertainment value is still the dominant driving force. But in these attractions, there's a balance of what I call "scholarship and show." All have a strong content base but lean toward entertainment.

As we know in museums, the balance of *Entertainment versus Education* can sometimes be at cross-purposes. Museums are, by and large, repositories for art and artifacts. The primary mission of most museums, I believe, is to collect, preserve, and exhibit their collections of art, history, and science (public programming) and to provide and maintain research and educational opportunities for both the academic and the general community. With the focus on academic pursuits, sometimes presentation and communication can take a back seat.

The visitor's experience can sometimes become less important, say if more conservative approaches are chosen, and the exhibit might be lacking in what I term "attraction quality". This creates the possibility that visitors might have an experience that does not meet their expectations.

This leads me to what I really believe is the single most important factor in creating a memorable experience for the visitor and that is the story. For those of you who know me, I've been talking about the story as the magical portal through which institutions can convey messages and peak interest in themselves. For me, story and a strong theme is the gateway to attracting an audience, but not only is it a vehicle for bringing in the audience, it also is a catalyst for combining education and entertainment which results in engaging and enriching experiences for the guest.

I'm not talking about anything new. In documentaries and feature films, storytelling has been used to capture moments in history and to present them to audiences in factual yet compelling fashion. Today, Steven Spielberg, with movies such as *Amistad*, *Schindler's List*, and *Saving Private Ryan*, is one of the filmmakers who has been very successful in taking historical facts and transforming them into films for public engagement and edification.

In general, museums such as the Smithsonian Institution's Air and Space Museum show films like the IMAX presentation, *The Blue Planet*. *The Blue Planet* tells dramatic stories through stunning visuals and spectacle. And the Los Angeles County Museum of Art brought the art of Van Gogh to an unusually large audience by telling the story of Van Gogh's art and the story behind the exhibit. The fact that this would be the only opportunity of a lifetime to view his work with such scope. This story attracted an audience from all over the country, of course, as Los Angeles was one of two U.S. venues for the exhibit.

On stage and screen, portraits of artists have been captured and transformed into experiences that gave audiences insight into the forces and circumstances that helped to shape the work of great artists. *Sunday in the Park with George* brought George Seurat's works to life on the New York stage. The film *Camille Claudel* allowed us an inside glimpse into the title character's relationship with Rodin and brought attention to a relatively unknown talented female artist. These and other stories helped to stimulate interest in art and artists and helped to pique the audience's curiosity.

Dramatic examples of storytelling and museums do abound. The Heard Museum's *Pueblo Room* gives a visitor a real life experience as they explore an authentic environment stimulating their imaginations with the opportunity to experience. In San Diego, guests have the opportunity to share the excitement and adventure found aboard working ships, including the Star of India. In North Carolina, the Museum of the Cherokee Indian, a miniature three-dimensional medicine man tells an origin story about the relationship between man and the animals, as ethereal images form in the smoke of a campfire. Granted, these are history museums, but I'm suggesting a more universal concept and understanding of story-based attractions, events, and places.

Although not a museum, at Disney's Epcot, our goal is to tell the story of various countries through art exhibits, media, performance, and cuisine. Literally, a layered experience. A guest to the China Pavilion can take in an exhibit of exquisite Qing Dynasty clocks from Beijing's Palace Museum, watch a film describing life in China, and listen to a skilled musician play authentic Bao instruments. By presenting the various facets of Chinese culture, the story of China is told on many different levels to our guests.

All of these examples stimulate the senses and not only create a learning experience, but also entertain while creating a memorable learning experience. The common thread through these films, plays, and exhibits is the platform on which they are built; and that platform, for us, is a story.

For many years, I've encouraged museums to develop entire scripts for their exhibits as well as apply that technique to their permanent collections. Scholars work with creative writers to develop a content document and compendium of resources to serve as the underpinnings of a creative/development process. After academic review by experts in respective fields, the document serves multiple purposes, among them, the springboard for the script, which consists of a series of stories, brought to life in various ways. Another benefit of creating this document is that as you broaden your scope of research, as you compile your resources and review your materials with an eye toward story, you gain new insights and find better ways to communicate with your audience. The presentation of these stories can take many forms limited only by the imaginations of the people involved in the process and also that ever present, nemesis: the budget. By working from a story, we all can increase understanding and, thereby, increase the visitor's appreciation for the art or whatever we might be presenting.

It's certainly satisfying for audiences "in the know" to view works of art or rare artifacts. These people bring with them the knowledge to understand the significance of the art, the understanding of the world within which the art was created. But the same significance may be lost on many others; those who are not knowledgeable about a particular subject or genre or those whose life's paths do not include esoteric pursuits. It is for these people, who are the core of your potential leisure-time visitor base, that story and presentation become essential. Stories bring your objects to life, create worlds to the experience, and enhance understanding for both those who already have knowledge of the subject art and who first will experience it.

And now marketing. After years at Disney and three museum trusteeships later, I do understand the value of good marketing. Frankly in my experience, it's an area that is somewhat misunderstood in museums. You may have heard this: If you wave in the dark, you might know exactly what you're doing, but no one else will. A little light changes all that. Well, that light for us is marketing.

At Disney, marketing is a constant. Advertising, promotions, follow-up, guest comments, consumer feedback, all of these are taken very seriously because they are the light that allows us to tell guests and potential guests what we're doing and what we're planning. But the key here is a point of promoting the story to the guests. The idea of story can be used on several levels, and marketing is just one way to leverage the story to attract guests. I admit, this is not my field, but I do want to express the importance of having clear marketing goals built on story and understanding one's audience. Through aggressive marketing strategies that promote the story in combination with public programs, especially new projects, museums can dramatically increase their attendance.

I hope I've illustrated here, it's not so much about *Entertainment versus Education*, but the blending of the two to create truly enriching and engaging layered experiences to attract audiences. The examples I've mentioned demonstrate how education and entertainment can, and in some cases, already do coexist without compromising integrity. I'm excited about the possibilities, by the new ideas, and the new style of thinking that is transforming many of our cultural institutions here in this country and around the world.

With your collections, with your solid base of scholarship, and a focus on story and presentation, museums have a great opportunity to realize that they really can compete for an audience by pairing education and entertainment, a winning team that will keep audiences coming back time after time.

Let's work together in pursuit of these goals and collaborate where we can to enhance the public's perceptions about these two very different but ultimately collaborative areas of entertainment and education.

Mary Jane Jacob
Independent Curator

Growing up in New York, I had two favorite places to visit–The Museum of Modern Art and The Cloisters: two places, two environments, two kinds of art. I was entertained and educated at both. In this panel we have discussed, thus far, how education and entertainment blend and do not present a strict dichotomy. In spite of being able to intellectualize about their relationship, many of our common perceptions about the art experience are based on just that difference. I would like to point out some of the "truisms" that emerge from their historic opposition.

On the side of education and against entertainment are the notions that: to understand art you need to study art history, and to understand contemporary art, you need to know the art of the past; art viewing is a solitary experience and a serious endeavor; art is challenging and contemporary art is confrontational, an unpleasant experience, like medicine, but good for you; commodification and blockbusters conspire against education and degrade the quality of art and the art experience; and the museum is a temple not a playground, it is for contemplation, not a forum for dialogue.

In favor of entertainment and against education: going to museums is a leisure-time, passive activity; art is an esoteric pursuit; to attract and hold a broader audience (beyond the regular museumgoer, demographically defined as having a higher education and a higher income bracket), you have to appeal to the lowest common denominator and that involves making the museum experience more fun and playing-down content; and museums need to include amenities and enticements, and be better marketed.

Or, for the art-world connoisseur (we might say, the elitist)–who is both anti-entertainment and anti-education–educational and entertaining devices both compromise the true experience of the art object. But education and entertainment are interrelated and the dynamic between them not only can be positive but also must be grappled with as a reality of our field and our culture. Embracing the tension, we can take and use and learn from each. As Marshall McLuhan said, "Anyone who does not understand the relationship between entertainment and education doesn't know much about either."

To further our understanding of education and entertainment, I think it is important to introduce some other words into our discussion. The first word is *experience*. While we may not all agree, I want to posit that the art experience is not located solely in the art object. For this reason, museums have increasingly become seen as not just places for collections but, significantly, for visitors. (Let's resist dichotomizing, falling into the tendency to view one function as taking away from another, that is, to see visitor services as taking away from functions of collection and research; or opening up to other communities of persons as decreasing the experience of existing communities, like our own. Instead, let's hold out the possibility that the multiple roles of the art museum can help to maximize the effectiveness of each individual function.)

Today the function of an art museum is not singular; there is not one use and maybe not a fixed hierarchy. Museums are open to uses other than art viewing, and these come about through visitors services or corporate events as well as the education department. They take the form of donor-related benefits and revenue-generating uses (the museum as banquet hall, wedding site, and so on). How can these very real functions be philosophically incorporated into the museum's identity, cooperatively coexisting with its mandated mission of collecting, preserving, exhibiting, and educating? How can we engage groups who occupy the museum for reasons other than exclusively for art viewing? Or can we expand the demographic profile of those groups who use the museum for social functions (moving beyond the museum's own members or corporations who rent spaces and others who pay for the privilege) and embrace community groups in order to diversify and strengthen long-term alliances with other audiences and voices not yet evident in the institution? How can we use so-called profit-generating centers within the institution and related activities to enhance the meaning of the museum as a cultural space, as a part of community life?

I'll give two examples. One is Grand Forks where, in the wake of 1997 floods, the North Dakota Museum of Art, which had been spared, opened its doors to other uses, to organizations–cultural, civic, religious–ultimately making people aware that cultural life and arts institutions serve a critical function in a community and have a place right up there with food and shelter. Importantly, this occasion also served as a case study for examining the general public's experience of contemporary art. Director Laurel Reuter found that those she welcomed into the museum for their own programs "began to realize how much they understood the works without a formal education." They had experiences which were neither entertaining nor intellectual and educational in the conventional sense. Rather, they found ways to make art a real experience. As they became more familiar, hence more comfortable, with the work, they "were surprised at how much the works related to their own lives," Reuter said.

The other example is the 1991 exhibition *Places with a Past*, which I curated for the Spoleto Festival U.S.A. in Charleston, South Carolina, coincidentally also in the wake of a natural disaster. The devastation of Hurricane Hugo of 1989 forced the project to be moved from the gardens of a plantation into the city itself, which became the site for the reinvestigation of history through the artists' engagement of places, people, and the stories they tell. This exhibition was highly criticized by festival founder Giancarlo Menotti who (like [Mayor] Giuliani in the case of Sensation at the Brooklyn Museum) had not seen the actual art. His argument was based on his belief that contemporary art lacked craft and civility. Menotti maintained that this work was not important, maybe not art at all, and that the populace must be uplifted by high art, notably opera. For the institution, this controversy lead to the temporary demise of the administration and board, restored six years later. But for the public otherwise unfamiliar with contemporary art, these installations had an immediate resonance and power because histories–unwritten and invisible–were the subject of this art.

Both examples tell us a great deal about how art is experienced on a broad, popular level, and when engaged not for the primary purpose of viewing art (in the former instance, it was a backdrop to other activities, in the later, a backdrop to a festival and daily life). Because the constituencies served were "other" than the regular museumgoer, present for other purposes, and of another class and background, these examples might seem outside the demographic definition of your audience. These audiences, however, can be thought of within the entertainment model where the marketing reach aims toward a more inclusive constituency. In doing so, we might be able to see how audiences, such as in the two cases cited, are engaged in art in deeper ways than we conventionally associate with entertainment and, from that, to contemplate what their experiences can mean for museums.

Another word to consider is time. We know that people have a limited amount of time to spend in the museum. We think of entertainment as fast, a well-packaged use of time. But we also need to think about investing time in those whom we seek to engage in the art experience. It is important to think about organic processes which develop over time. We need to have ways of working by which we can change over time–begin with a series of questions and, through a co-investigation with the public, arrive at answers that work for that given situation, if not all. Entering into a mode of inquiry is a useful strategy not only for drawing the visitor into the work of art, but also for enabling the museum professional to design programs. We need time to enter into a self-critical process and to bring staff from different museum departments into the discussion in order to analyze, reflect, and think–emotionally and intellectually–about what a program aims to do and what it means for the concept and meaning of your museum.

Most of all we need to value the public experience, which brings me to the word respect. This involves thinking beyond standard marketing study-driven audience profiles and imagine who is or could be the museum visitor. To respect the audience is also to understand that people do come to museums to learn. The public doesn't have to have a type of anesthetized learning to be entertained and then surprised they were educated in the process. The information we give does not have to be simplified and reductive because we are addressing a broader, so-called uninitiated public. More complex, deeper meanings do not necessarily mean more information (have more art history packed in), but can come about through a participatory process. We don't need to prescribe to a deficiency syndrome by which we view the audience as lacking knowledge. Learning, understanding, and appreciating art can start with what people already know and build other meanings from there. In encouraging visitors' stories to emerge, museum staff can become both teacher and student in an exchange that can re-inform our practice.

Finally, I want to focus on the word "stories". Museum education is not just an issue of telling a story better, but of telling multiple stories around the same object, of which the museum's narrative is one. These are not stories in a linear or progressive sequence but different and conflicting versions. To encourage this to happen, we need to allow for multiple routes of access to art. Lisa Roberts, in *From Knowledge to Narrative* (Smithsonian Institution Press, 1997), defines education in ways that point to this possibility: (1) entertainment, linguistic, and cultural forms that are comfortable to people and may fall outside traditional forms of cognitive engagement; (2) empowerment, people allowed to speak to what is meaningful to them from their own experiences, to take an active role in defining meaning according to individual and cultural context; (3) experience, the context and character of the visit; and (4) ethics, recognizing that educational content emanates from a belief system and these values need to be revealed as to their role in the construction of meaning–not just the values of visitors but of the museum and of the artist. For Roberts, education is a narrative endeavor.

How does a museum impart information while also engendering personal narratives? How can alternative meanings be negotiated? How can the museum create an environment for posing questions, leaving itself open for questioning, too? How does a museum allow for conflict which can be a corollary of acknowledging multiple meanings?

In his book *Trickster Makes the World: Mischief, Myth, and Art* (Farrar, Straus and Giroux, 1998), Lewis Hyde discusses the Latin word *articulus* (which can mean joint in a body) as part of the word group with the ancient root *ar-*, meaning to join, to fit, to make. From this we derive *ars* or art (skill, artifice, craft), a performance, a work of art) as well as *artus* (joint in body). Hyde goes on to speak of artists as *artus*-workers, joint workers, tricksters who can rearticulate things for ends which have larger social and spiritual implications. Trickster artists shift relationships between things, move our thinking, and change the shape of things. They are able to traverse boundaries and facilitate communication. They are the translators, the boundary crossers who, in articulating things, connect them. Thus, artists exist between realms, inhabit a place between fixed points or polarities in order to bridge differences.

The notion of trickster may lead us to a way of defining the function of museums in regard to audiences and the culture-at-large. Museums serve the role of communicator and educator. As places that can be forums for understanding differences, museums can begin a process by which visitors can evaluate art and ideas, comparing their own perspective to other narratives (that of the museum, critics, other persons, and so on). The audience's engagement in viewing art is a critical activity. It is one of inquiry: posing questions but not necessarily answering them, examining art critically and discovering the right questions to think about when viewing a work of art. Education is to teach this critical thinking, showing us how to think about art and about the world, and how to negotiate meaning in both the realms. Through education we can enable museumgoers to determine which interpretations and ideas are true and meaningful to them. This will, hopefully, lead them to discover how art can have meaning in their lives. If we can do that with the tools of entertainment, too, then great. Entertainment per se is not a critical tool for evaluation, but it can help enhance the job of education–and herein lies the greatest difference between education and entertainment.

A few footnotes. We need to be involved in this process, not hand over the job to experts, but view education as everyone's job in the museum and determine how all departments can be engaged in critical analysis, reflect on all functions and aspects of the institution. We must be directly part of the experience of rethinking the museum experience. This is beginning to happen, for instance, at Bard College's Center for Curatorial Studies where I teach; there students are using education as a creative and critical process intrinsic to exhibition making. It is happening, too, with artists who have been trained during the last twenty years to think and act critically. Artists can aid us immensely in this task and, in doing so, we can also learn about what artists do and why they are important to society.

Arnold Lehman
Director Brooklyn Museum of Art

Due to the controversy surrounding the Brooklyn Museum of Art's presentation of the *Sensations* exhibition, Arnold Lehman declined to include his comments in this year's transcripts.

Yours, Mine, or Ours: Intellectual Property Issues

Introduction

Annette Blaugrund, Ph.D.
Director, National Academy of Design Museum

The challenge of reproducing, disseminating, and, yet, protecting the intellectual property of artists, contractual presenters, distributors, and constitutional custodians of their work in this cybernetic age has presented both commercial and ethical dilemmas.

In December 1994, a day-long conference on intellectual property rights and the impact of new technologies brought together a multi-disciplined group of people to discuss the problems before an audience of invited guests. I was one of the 150 lucky attendees. The conference informed and updated the cultural community about the dangers as well as the exciting new advantages and opportunities provided by the information highway.

To quote from the booklet documenting the conference: "While the dimensions of the problem seem to be expanding in all directions at warp speed, the issues at stake are rooted deeply in mankind's creative history. More than 2,000 years ago in ancient Rome, during the reign of Augustus, a law was enacted securing for the scribes the rights to the material they wrote. It was the progenitor of the common laws that began to be codified seven or eight centuries later. Now, our current body of laws and our international agreements become the focus of new and vexing concerns as faxes, scanners, CD ROMs, and computer networks proliferate. Copy becomes more of a routine than a right."

As we approach the 21st century, the issues we will discuss here today have greater urgency and affect us all. Our speakers today will touch upon such topics as on-line publishing; standards for digitized images; new licensing paradigms; commercial uses of the Internet, such as gift shop sales and membership; educational uses and information sharing; and fee for access to databases. Legal approaches are being developed, tested, and modified in order to safeguard and maintain control of information and materials.

Michael Shapiro
Secretary and General Council International Intellectual Property Institute

Some members in the audience might be wondering why intellectual property even appears on the agenda for this meeting. Just a few years ago, it would be almost impossible to imagine busy museum directors taking time off to discuss leading-edge intellectual property issues at such a conference.

What's changed? Thomas L. Friedman, foreign affairs columnist for *The New York Times*, in his recent book *The Lexus and the Olive Tree*, described what he called the "democratization of technology." By this phrase he meant the innovations in computerization and telecommunications that "are enabling more and more people, with more and more home computers, modems, cellular phones, cable systems and Internet connections, to reach farther and farther, into more and more countries, faster and faster, deeper and deeper, cheaper and cheaper than ever before in history."

The democratization of technology has been massively reinforced by "digitalization." Early in the digital revolution, Nicholas Negroponte, author of *Being Digital*, described digitalization as follows: "It is as if we suddenly have been able to make freeze-dried cappuccino which is so good that by adding water it comes back to us as rich and aromatic as any freshly brewed in an Italian cafe."

Needless to say, many art museum directors were appropriately skeptical about freeze-drying the artistic masterpieces entrusted to their care, much less mounting them as digital reproductions on their new Web sites where they would be exposed to unauthorized reproduction and alteration. One Polish museum official expressed his concern this way: "Art cannot be digitized. You cannot produce on a screen of limited resolution the depth of colors of real paintings, the three dimensionality or the subtleties of actual textiles."

Yet, today museums are embracing with enthusiasm digital technology, new media, and interactive computer networks. The number of museum Web sites on the Internet is large and growing daily. One on-line directory lists over 10,000 museums and 120 countries with a new museum added to the list everyday.

Museums, as Annette Blaugrund mentioned, like other entrepreneurs in cyberspace, face new significant legal and business risks. The legal issues can become quite complex, but I think the conference planners did an excellent job in distilling the subject into three or four questions: What's yours? How does a museum avoid infringing on what's yours? What's mine, and how does a museum use and protect it against unauthorized use by others? And the flip side, what's yours is also mine under the fair use doctrine. Finally, what's ours? Or, whatever happened to the public domain, and do museums have any special obligations for its preservation? In the brief time available to me today, I'd like to give you a framework for analyzing these questions.

When I talk to museum groups around the country and around the world, I find that there's much confusion about copyright, so much so that I think it is helpful to return to basic principles. In the United States, the first principles of copyright law are set forth in the U.S. Constitution. Here's what the framers had to say about copyright: "Congress shall have the Power: to Promote the Progress of Science and useful Arts, by securing, for limited Times, to Authors and Inventors, the exclusive Right to their respective Writings and Discoveries."

The copyright clause is one of the few clauses in the Constitution that has its own preamble: "To Promote the Progress of Science and useful Arts..." Thus, U.S. copyright law provides an economic incentive for individual creativity in order to promote the public welfare. In the words of the Supreme Court: "Creative work is to be encouraged and rewarded, but private motivation must ultimately serve the cause of promoting broad public availability of literature, music and the arts. The immediate effect of our copyright laws is to secure a fair return for an author's creative labor. But the ultimate aims is, by this incentive, to stimulate artistic creativity for the general public good."

As owners, producers, and users of protected works, and motivated by a similar vision of the general public welfare, museums have a special relationship to copyright law–the law of creativity.

What's mine? An art museum's collection of original works of art, sculpture, photographs, and manuscripts might be viewed as a portfolio of intellectual property assets. But the portfolio also includes exhibitions, catalogs, databases, audio-visual programs, and educational materials. Although many of these works are in the public domain, others are subject to copyright protection. An original oil painting, a photograph of a painting, and a poster based on the painting are all eligible for copyright protection, provided that the Constitution's requirements of authorship, fixation, and originality are met.

For almost a century, it has been well settled in U.S. law that a photograph of an object in a museum collection or a reproduction of an art object satisfied copyright's low threshold of originality. The Constitution did not have in mind the originality standard that doctoral candidates must meet to obtain their advanced degrees. In fact, copyright's test for originality is not very hard to meet.

To be eligible for protection, a work simply must be independently created by the author as opposed to copied from other works. It must possess some minimal degree of creativity. Under this standard, the making of a mezzotint engraving of old master paintings and the creation of a scale reduction of a sculptural work by Auguste Rodin have been held to be eligible for copyright.

In making judgments about the originality of works of visual art, the distinguished U.S. jurist Oliver Wendell Holmes warned early: "It would be a dangerous undertaking for persons trained only in the law to constitute themselves final judges of the worth of pictorial illustrations outside the narrowest and the most obvious limits." According to Justice Holmes, on questions of aesthetic merit, at least for copyright purposes, only the "taste of any public" counts.

But how should a judge evaluate the creativity of a transparency of work of art or a digital image of a work of art? In a case closely watched by the museum community, a U.S. federal district court judge recently ruled in *Bridgeman Art, Inc. versus Corel, Inc.* that certain photographic reproductions of two-dimensional, public domain works of art lack the requisite originality to be copyrightable. That is all that I will say about the opinion at this point because my distinguished colleague, Harriet Bridgeman, will be telling you more about the case in a few moments.

What's yours? Let's suppose that in 1980, the New Arts Gallery (NAG) acquired for $500 the original charcoal sketch of Donny Hendrick's whimsical *Subway Mickey*. NAG's attorney wanted the artist to transfer all copyright interest to the museum, including the right of NAG "to exploit the work by any means or methods, known or later developed," but Donny declined.

Tragically, Hendricks died in 1990 at the age of 32, survived only by his wife Molly. *Subway Mickey* became an icon around the world of American pop art and culture. In connection with a major Hendricks retrospective, NAG would like to produce an exhibition catalog with an on-line supplement of material, a poster, and a line of *Subway Mickey* merchandise, including men's neckties, tote bags, and coffee mugs.

What's yours? What's mine? What's ours? What belongs to the museum? What belongs to Molly? In broad outline, copyright law gives copyright owners the right to reproduce a work, the right to adapt a work (or make a derivative work out of it), the right to distribute the work, the right to publicly perform the work, and the right to publicly display the work.

NAG has the right to publicly display *Subway Mickey*. For copyright purposes, this means that NAG may "show a copy of it, either directly or by means of a film, slide, television image or any other device or process." But, you ask, NAG acquired *Subway Mickey* without obtaining the copyright. Doesn't that mean that NAG would have to nag Molly for permission every time the museum sought to exhibit the work?

Under normal copyright transfer rule, that would be the correct answer. The mere acquisition of a physical object embodying creative expression does not convey any copyright interests. Thus, absent an express transfer of copyright, NAG would not be permitted to make copies of *Subway Mickey* except under the fair use doctrine. However, there's a special privilege of public display. Once a museum acquires a lawfully made copy of the work, it may "display that copy publicly, either directly or by the projection of no more than one image at a time, to viewers present at the place where the copy is located."

As you can see, the public display privilege is subject to certain limitations. It applies only to works acquired by the museum or borrowed by the museum with the authorization of the copyright owner. The public display privilege also extends only to the immediate physical surroundings of the work. Thus, NAG would not be permitted to project images of *Subway Mickey* into other galleries, to the public through multiple computer workstations over a local area network or, much less, transmit the work over the Internet without Molly's permission.

The public display right is alive and well on the Internet. Not surprisingly, most of the case law is being made not in the art world but by Playboy Enterprises. These cases usually involve the uploading and downloading of images of graphic files. In a number of cases, judges have found violations of the public display right.

The right to reproduce the work, simply put, is the right to make copies of the work in almost any tangible medium. Printing and photocopying are typical examples. The publication of an exhibition catalog is the exercise of the reproduction right. What about the digital environment? Recently, a number of courts have found that scanning, storing an image in random access memory of a personal computer, and uploading and downloading of copyrighted works all involve the reproduction right.

The right to make derivative works (sometimes called the right to adapt a work) is the right to create a work "based on" a preexisting copyrighted works by "recasting, transforming, or adapting" that work. The neckties, the tote bags, the coffee mugs are all derivative works. The key point is that, absent Molly's permission, they may be infringing, derivative works. An interesting issue is whether the insertion of an "electronic frame" around the original content creates a derivative work. Recently, a federal district court judge struggled with this issue.

The right to distribute the work gives the copyright owner the right to control the initial public distribution of copy of the work whether by sale, rental, lease, or loan. Thus, the sale of the Hendricks exhibition catalogs, the poster, and the exhibition-related merchandise all involve the distribution right. NAG will need to clear these rights.

What if NAG decided to sell copies of a digital postcard of *Subway Mickey* through its new on-line museum store? Would such a transaction constitute a distribution? Unlike the identical transaction in the museum's actual store, no physical media is transferred when a work is transmitted electronically. Indeed, at the end of transaction, both the sender and recipient wind up with an exact copy of the transferred file. For that reason, there is some uncertainty about the application of the distribution right in the on-line environment. Nonetheless, some courts have found violations of the distribution right where subscribers are permitted to upload and download protected images originating from a bulletin board, Web page, or on-line service.

The distribution right is subject to an important limitation. Under the "first sale doctrine," once a particular lawful copy has been distributed, the copyright owner's right of distribution is said to be "exhausted." To continue the example, after a customer purchases a copy of the Hendricks catalog from your museum shop, the buyer is perfectly free to give that copy away, or lend it to a neighbor, or resell it at a second-hand bookstore. None of these actions would violate the museum's distribution right. What the new owner of the catalog may not do is make multiple copies of the catalog for further distribution.

Suppose that NAG distributed the Hendricks catalog through an electronic distribution. Would the lawful buyer of that particular copy be permitted under the first sale doctrine to retransmit that particular lawful copy? The answer appears to be no because no material copy of the work ever changed hands, as it did in the actual museum transaction. But the application of the first sale doctrine in the networked environment remains an unsettled, highly contentious area. In any event, such actions probably would violate the reproduction right.

What's ours–or whatever happened to the public domain? Depending on whom you talk to, the public domain looks like a very different place. To copyright pessimists, those people who generally favor low levels of copyright protection, the public domain is a metaphorical territory of abundance. I think of Edward Hicks' *Peaceable Kingdom*, a place where poets, playwrights, and painters leisurely stroll around plucking low-hanging intellectual fruit, which is instantly transformed into new creative works.

In *The Nature of Copyright*, Professors Ray Patterson and Stanley Lindberg give voice to this lyrical account of the public domain: "The public domain is not a territory, but a concept: there are certain materials–the air we breathe, sunlight, rain, ideas, words, numbers–that are simply not subject to private ownership. The materials that compose our cultural heritage must be free for all to use no less than matter necessary for biological survival."

To copyright optimists, who generally favor high levels of copyright protection to provide economic incentives to create new work, the public domain is a nasty place of scarcity. After years of overgrazing–because of the adamant opposition of copyright pessimists to erecting temporary copyright fences in the commons–there is little or no intellectual fruit to be plucked, low hanging or otherwise.

I think of a Hieronymus Bosch painting. Here is a barren landscape strewn with the bones of old creative works, films from Hollywood, music from Nashville, novels from New York City. All have fallen into the public domain because their copyright has expired. It is a quiet place because, without copyright protection, there is little or no economic incentives to take advantage of the distribution right.

What kind of vision of the public domain do art museum directors hold? One of the issues in the *Bridgeman versus Corel* case that appeared to be of concern to Judge Kaplan was whether art museums had taken a digital camera into paradise, creating "evergreen" copyrights for works otherwise dedicated to the public domain. That is an important question that we will be discussing at this conference.

Harriet Bridgeman
Director The Bridgeman Art Library

When I looked into the mission of the American Federation of the Arts, namely "to bring art to the people," I found it interesting that to some extent our missions are the same although once removed, since we disseminate access to reproductions of original works rather than the original works themselves. When I read that in 1909, Elihu Root, founder of the AFA, proposed to send exhibitions of original works to "the hinterlands of the United States," I couldn't help remembering the time I sat in a doctor's waiting room in Oman and caught the unlikely sight of a Beechams calendar with twelve of our Victorian very English fine art images from museums that we represent hanging on the wall opposite me. Or, when I was in the Ukraine earlier this year and the only image on the wall of the director's office in Odessa was again from our archive.

Looking through your magnificent exhibitions program 90 years from its foundation, I am interested to see that our common ground does not end there. Your forthcoming exhibitions include a number from collections which we represent such as masterpieces from the Dulwich Picture Gallery, Egyptian Art from the British Museum and Master Drawings from the National Gallery of Scotland not to mention individual exhibits from such collections as the Detroit Institute of Art, Southampton City Art Gallery, the Yale Center for British Art, the Fitzwilliam Museum, Cambridge, United Kingdom, and the Brooklyn Museum of Art. As I think of them, each of these collections marks a journey and a memory in my life. Over the last 27 years I have been fortunate enough to travel around the world meeting many fascinating art directors and curators and seeing many wonderful collections, including that of the National Academy of Design which we are very fortunate in having recently welcomed to our scheme.

For our "Museum without Walls" which is how the American Federation of Arts sometimes describes itself, we have instituted an arrangement whereby we act as an ancillary rights and reproduction arm for a museum collection. We generate income for them at a lower cost than if they were to do it in-house. At the same time we market their collections to many potential users who would not otherwise have known exactly what they held or would have shied away from the extra work of using a single source rather than a one-stop shop or a multiple source conglomerate.

In recent years new technology has of course played into our hands and the fact that our remit is the same as a not-for-profit organization means that we make no charge to any collection joining our scheme, nor do we charge for scanning, digitizing and cataloging their works, putting their images onto CD ROMs, placing them in our catalogue, chasing cases of piracy or any other of the endless expenses associated with the marketing of images. We also, with the copyright owner's permission, put their images on our Internet Web site catalogue which has a hyperlink with *the Grove Dictionary of Art* which sells licenses to schools and universities. They share the benefit of our European Union project funded under Info 2000 which is an experimental project linking our database with all the French museums represented by the Réunion des Musées Nationaux. We are also working with SCRAN, the Scottish Cultural Resources Access Network which has been funded by the Millennium Commission to the tune of $12 million. We are supplying a limited number of images to Getty One, a new Web site for a mixed image search site soon to be launched by Getty Images. I only mention all these commercial areas because it's something with which museums are obviously becoming increasingly involved. All the museums we represent join in these projects with us which not only helps to generate funds but as Arnold Lehman said, "They build an audience for a museum."

The American Federation of the Arts brings art to the people through your wonderful cooperative exhibition ventures. We bring art to the people through reproductions, simultaneously generating an income for the owners of the artworks who are able to plough back the funds into their collections, exhibitions, or into conservation. As much as we bring art to the people, we bring museums to the people. The thousands of reproductions we generate each year all bear the official credit line of the institutions we represent, and we know from our own research that this is valuable positive publicity. We have also learnt that you cannot talk about commercialization and education as if there was no synergy between the two. The commercial sales of reproduction rights not only help to fund and publicize museums; they also generate the images which are necessary for our educational remit whether in schools, libraries, or universities. I am not simply referring here to the fine art images used by art book publishers but to a whole gamut of imagery whether it is a black-figure vase depicting the eating implements used and the clothes worn by the Greeks in the third century BC, or a history of time keeping which requires illustrations from the earliest sand clock to the latest digital time piece. Children learn about almost any subject much more effectively if it is illustrated while for their elders, the sobering statistic is that the concentration span for the average adult reading unbroken text has reduced considerably in recent years.

This brings me to one of the subjects which I was also asked to cover, namely our case against the Corel Corporation to which Michael Shapiro has already referred. I must confess, I would feel rather more confident about discussing this case if I were not in the presence of Michael Shapiro who as I am sure you all know, is a distinguished authority in the field of copyright. For those of you who do not know about the Corel case, it was a test case against a software company who had put a large number of our images on to a series of CD ROMs and also on the Internet. Although we knew that it would be a test case because no similar case had been fought since a case in 1869 which concerned Hogarth's engravings, we felt it would be cowardly not to confront such blatant piracy and with the increasing power and use of the Internet and more piracy worldwide, the financial return to the collections which we represented would suffer dramatically unless we took a stand. In this we were strongly supported by all the UK collections whose images were involved, from the National Gallery of Scotland in Edinburgh to the Wallace Collection in London, who briefed a barrister as an extra back-up on our behalf. We were also supported by a number of provincial art galleries.

Once we set the case in motion, we encountered a major problem. The first was that Corel, having denied that they had used our transparencies, gave their source as a company called Off the Wall, in California. On investigation, this company had fallen not only off the wall but clean off the face of the earth. The fact that there was no information from Corel as to the source from which Off the Wall obtained their pictures made it impossible for us to question their ownership of some of the images which we knew had never been in the public domain and could only have been made available either from ourselves or the collection which owned the original.

Our second problem was that we were an English company bringing a case against a Canadian company in the United States court which was being tried under English jurisdiction. Distance shopping is always difficult and although we took what local advice we could get on our choice of lawyer, it is questionable that we had the right man for the right case since fine art photography is such a specialist area. The long and the short of it is that we lost our case because Judge Kaplan in the New York district court to which the case was brought stated in his summing up that the source from which Corel had obtained the transparencies was immaterial since there was in fact no copyright in a photograph of a two-dimensional work of art. His thesis was that a color transparency of a painting was equivalent to a facsimile or a photocopy and required no creative input. What he had not taken on board and the point on which we failed to convince him was that the more skillful a fine art photographer is the closer to the original he will get since proximity to the original depends on multiple factors including lighting and timing of exposure, all of which require specialist expertise. The fact that there are only three fine art photographers in London whom art dealers and the museum world consistently use, testifies to this.

Although by the time the judge had reached his opinion we had changed our lawyer and had been advised we would win the issue if we took it to appeal, we decided that discretion was the better part of valor, and we should transfer the issue to an English or European court where we had also been advised that we would stand every chance of winning. Not only was it thought that Judge Kaplan had misinterpreted English law in the light of a recent case brought by Coppinger and Skones and Justice Laddie in the UK courts but also that the US emphasis on fair use and works in the public domain was at variance with English and Continental European law.

It was this difference not only in interpretation but also in attitude which first alerted me to differences between our museum cultures of which I had not been previously aware. Whereas we had been given every support and encouragement to pursue the case in England, it was obvious from the discussions regarding our case at the American Association of Museum's Conference this year in Cleveland that the museum world in America would rather that we had behaved like ostriches and dug our heads deep into the sand. As one American museum professional said, "We know that the copyright in a transparency of a work of art has never been contested in court but we thought that if we let sleeping dogs lie, it might go away or at least lie dormant for a few more years." However, not to contest the issue was equivalent to losing the case. No museum can deaccession and sell their paintings. They can only sell the reproduction rights to their paintings. With the copyright in images even more under threat from the increase in the digital dissemination of images, we felt it would be wrong to ignore this breach of copyright as did Dr. Feder, whom I am very happy to see here today. [To Feder] You gave us enormous support and helpful advice once we were committed to the case.

A few months ago, we held a meeting in London which was attended by a representative sent by Chris Smith, Secretary of State for Culture, a representative from the Museums and Galleries Commission and representatives from most of our major museums. Since it was thought that the US decision could place in jeopardy this vital source of a museum's income which naturally extends to their merchandise and shops, it was felt that the issue should not rest there. We have decided not to use Corel again as our test case but to wait and act immediately if another suitable case arises.

It might also be of interest to mention that Nancy Wolff, the lawyer who acts for PACA, namely the Picture Agency Council of America had a conversation recently with a legal colleague who said that without question we would have won the case if it had been fought in France. Amalyah Keshet, the head of Visual Resources at the Israel Museum also chaired a meeting on copyright last week in Philadelphia where a Los Angeles lawyer said that museum professionals had over-reacted to the verdict which in theory only related to The Bridgeman Art Library and the Corel Corporation within the area of the New York district court. This places it in context and should be some comfort to those who feel threatened.

On a lighter note, I have touched on the slightly differing legal viewpoints in the United States and Great Britain. Since opening an office over here, we have become aware of other cultural differences. In our ignorance, we did not realize that nudity was not permissible in American textbooks, and so the picture researcher who was asked for a painting of Adam and Eve, but with their clothes on, we thought the level of religious ignorance must be on a par with a British client who asked us for nativity scenes which left out "that woman with the baby" and also for a Roman Christmas! We have also been asked by our American clients if cows' udders can be masked out, and a medical magazine requested the bosom concealed in a painting depicting a mother breastfeeding her child.

As intellectual property is increasingly regarded as king and the Internet opens up the need for images, not only is it essential to take every possible step to safeguard our images, whether by encryption, watermarking or whatever up to the minute solution new technology provides, but it is also important that we educate the public on copyright law and the possible consequences of ignoring it. Apart from the artists whom we ourselves represent, we have invested in building a database to provide contact details for as many artists as we can who are not represented by ARS [Artists Rights Society] and VAGA [Visual Arts and Galleries Association], or their sister collecting society in England, DACS [Designers and Artists Copyright Society].

I am confident of the future for long-standing commercial picture libraries such as Art Resource and The Bridgeman Art Library and hope that rather than reinventing the wheel, we can work together with the more recently founded companies in a spirit of cooperation to maximize the income that can be generated from art collections for art collections. This is of course an issue which is affecting museums around the world and it is perhaps no coincidence that I have been asked to talk on Wednesday at the Museum of London by the Museums and Galleries Commission at a Conference to launch their new and major report on income generation for museums in the United Kingdom. The picture presented by the report is a complex one. While it recognizes the many opportunities that exist for museums to supplement income streams and the growing need for them to do so, it does not conceal the difficulties that museums face. These include political and structural problems, the difficulties for many museums of reconciling an efficient approach to income generation with their traditional core objectives and, of course, the increasing competition they face in a fast changing global economy.

The next few years should be a truly fascinating and, hopefully, an encouraging time for all of us involved in this area, and I particularly look forward to copyright law catching up with new technology and the interest of museums and art galleries being more effectively protected.

Dr. Theodore H. Feder
President, Artists Rights Society and Art Resource Inc.

First, I have to point out that, although I head both Art Resource and Artists Rights Society, they have entirely separate and distinct functions, structures, staffs, and constituents. They do, admittedly, have one thing in common; namely, that I head both groups.

Art Resource, about which I will only speak briefly, is a photographic archive, dedicated entirely to works of painting, sculpture, the decorative arts, and architecture. It was founded in 1968, when I was a graduate student in art history at Columbia University. I subsequently went on to teach in the Art History Department at Columbia and at Queens College, and the New School here in New York.

Today, Art Resource functions as the official and exclusive rights and permissions agency for a number of American museums, including: the National Portrait Gallery, the National Museum of American Art, the Cooper-Hewitt National Museum of Design, The Pierpont Morgan Library, The Jewish Museum of New York and others. Art Resource regularly seeks to expand its affiliations with museums, both in the U.S. and abroad.

Additionally, Art Resource represents major European archives, some of which you may know, including Fratelli Alinari and Scala Fine Arts of Florence, Photographie Giraudon of France, the Bildarchiv Foto Marburg of Germany, the Erich Lessing Fine Arts Archive of Austria, and others. These cover most of the major museums and monuments of Europe, North Africa, and the Middle East. For those who would like to know more about it, Art Resource maintains a Web site at www.artres.com.

I will address you here primarily in my capacity as head of Artists Rights Society, or ARS, as it is known for short. ARS was created in 1987, at the invitation of the two French artist rights societies then in existence; ADAGP [Société des Auteurs Dans les Arts Graphiques et Plastiques] and SPADEM [Société de Protection des Auteurs de Dessins et Modeles]. SPADEM subsequently ceased its operations, and most of its members have joined the repertory of ADAGP. ARS exclusively represents all the artist members of ADAGP in the U.S. as well as the repertories of the rights societies of Germany, Spain, United Kingdom, Italy, and approximately 20 other nations. In turn, these foreign sister societies, as they are called, represent our American repertory and their respective territories.

Our European members are quite numerous and include: Picasso, Matisse, Magritte, Brancusi, Braque, Chagall, Duchamp, Max Ernst, Kandinsky, Leger, Edvard Munch, and about 20,000 other, somewhat lesser known names. ARS's U.S. artist members include Milton Avery, Alexander Calder, Willem de Kooning, Sam Francis, Arshile Gorky, Red Grooms, Robert Indiana, Man Ray, Lee Krasner, Sol LeWitt, Georgia O'Keeffe, Bruce Nauman, Barnett Newman, Jackson Pollock, Dorothea Rockburne, Mark Rothko, Richard Serra, Frank Stella, Andy Warhol, and others.

Historically, U.S. copyright law has been unduly complex, technical and perhaps I need not tell this audience, all too frequently, infernally nettlesome. This is in absolute contrast to the laws of most European states and Canada that have never required the formalities of notice, registration, and renewal, which once bedeviled the American system and which have been modified or largely abolished in the last ten years.

Recent healthy changes in the U.S. copyright law followed our joining the Berne Convention for the Protection of Literary and Artistic Works in 1989, 103 years after the act was originally promulgated and approved by most western European nations. This positive development was furthered by the copyright restoration provisions of the Uruguay Round Agreements Act of 1994 and the extension of the U.S. copyright term that was enacted into law in October of 1998, which I will discuss later.

It is, of course, the position of ARS that the interests of artists and of museums are, or should be, virtually synonymous. Artists or their heirs do not wish to impede museums from achieving their reasonable objectives, and museums, in the final analysis, do not gain from ignoring the reasonable and often minimal requirements of creators. Both can only benefit and prosper from equitable, helpful, and harmonious relations with each other.

Ownership of a Work of Art and Ownership of the Copyright

The question has often been asked: Does an owner of a physical work of art automatically possess the underlying copyright to the work? Michael [Shapiro] has touched on this, and I will expand on it just briefly.

The correct and concise answer is no. Ownership of the physical object does not carry with it ownership of the underlying copyright. There have been two federal copyright acts in the 20th century: one passed in 1909; the other, enacted in 1976 but which took effect on January 1, 1978. I will have more to say about the significance of the date January 1, 1978 later.

In the words of the 1909 act, "The copyright is distinct from the property in the material object copyrighted and the sale or conveyance, by gift or otherwise, of the material object shall not in itself constitute a transfer of the copyright." The 1976–78 act reaffirmed this principle: the physical object and its underlying copyright are, thus, two separate and distinct entities. An owner, including a museum, may retain ownership of the copyright, but must do so by a written document signed by the artist or authorized copyright holder. It is rare for established artists in the U.S. to agree to transfer the rights to their works in this fashion, although, museums do sometimes ask for such documents. The practice of requesting such a conveyance is virtually unknown in continental Europe.

Museum Copyright to Its Own Photographs

On the other hand, can a museum claim a copyright to its own photographs or transparencies of works in its collections? ARS position, emphatically, is that the museum may do so and does own the copyrighted photographs created by or for it, and that it may, of course, charge a fee for the rental of its photos. It is important not to confuse this museum copyright in the photograph with the artist's copyright which subsists in the underlying work. These are, therefore, two separate and distinct copyrights. Incidentally, ARS has always supported the long recognized view that the museum has every right to limit outside photography to its works if it chooses to do so, which, of course, ensures that reproductions emanate only from its own high quality images.

The unfortunate finding in the case of *Bridgeman versus Corel* which appeared to hold that a high quality photo of a public domain work is not copyrightable, we and others strongly believe to be in error. Although, I counseled against undertaking the action and was one of the "let sleeping dogs lie" crowd, I certainly was galvanized after the judgment came down to try to limit its negative fallout to the best that we all could. I really do believe the finding is in error. It is important to note among other things, that the decision simply ignores the creativity which goes into museum photography. Most important, the decision of one judge in one federal court is not binding precedent on other federal judges.

Copyright Restoration

Two other major and relatively recent developments in the realm of copyright need to be mentioned. One is copyright restoration. This is a rather complex issue. On December 8, 1994, the president signed into law the Uruguay Round Agreements Act. The Act contains specific provisions which require the United States to restore full copyright recognition to all foreign works of art which fell into the public domain in the U.S., by virtue of their non-compliance with the formalities imposed by the U.S. copyright law. These formalities are characteristic and specific to the United States, and are not to be found in most other western nations. They have, in my opinion, haunted U.S. copyright law for many years. What restoration meant was that all foreign works which have in the past been exploited in the United States without the authorization of the artist or the copyright holder, owing to the failure to comply with the formalities of copyright notice and renewal, were retroactively, by virtue of this act, restored to full U.S. copyright protection effective January 1, 1996, provided the works were still in copyright in their foreign source country.

Copyright Term Extension

Lastly, copyright term extension: In October 1998, the U.S. copyright term was extended by 20 years, thus bringing the term into closer alignment with the period prevailing in the European Union, namely that an artist's work is protected during his or her lifetime plus a minimum period of 70 years after his or her death. Spain, and in certain cases, Belgium, actually prolong the term to life plus 80 years post mortem. France has extended the term for those artists whose careers were interrupted by World War I, World War II, or both.

The 1998 Copyright Extension Act, being a piece of U.S. legislation, it is not entirely bereft of complexities, and here is the main one. All works of art created or first published *after* January 1, 1978 have their terms prolonged by 20 years from the former period of protection of life of the artist plus 50 years to life of the artist plus 70 years. However, works which were created and published in the U.S. prior to January 1, 1978, have their former aggregate term of 75 years commencing from the date of their first U.S. publication, extended by 20 years to a total of 95 years, again counting from the date of first U.S. publication. Thus, a copyrighted work, which was first published in the U.S. in 1930, has a prolonged term which does not expire until 2025.

There are some other clear anomalies which result from this pre- and post- '78 rule. I'll cite but one: An artist who publishes a work in the United States in 1979, for the sake of example, and dies in 1980, has that work protected for a period of 70 years after his or her death, in this case, to the year 2050. That same artist may have had another work published in 1975, three years before that crucial January 1, '78 date. The second work is protected not by the life-plus-70 rule, but by the aggregate 95-year rule, namely, to the year 2070. Thus, the first work by the same artist is protected to 2050, the second even longer, to 2070.

One may puzzle over the incongruities of such rules, but they are the ones under which we have to function. Amazingly, they represent something of an advance over the still more complicated set of rules which they replace.

Jennifer Trant
Executive Director Art Museum Image Consortium

I am hoping that in my remarks this afternoon some of the themes we explored this morning about access and use of museum collections will intersect with some of the issues that have been raised by my fellow panelists concerning frameworks for intellectual property administration and the use of digital documentation of museum collections.

I'm going to talk about digital documentation, not only about digital reproductions or images. I think it's very important for museums to recognize that their intellectual property assets are not simply in the reproductions of the works of art in their collections. These assets reside in the knowledge and the writing of the members of their staff. They're in the history and corporate memory that are built up around exhibitions, research, study, and interpretations. Indeed that mixed media interpretation of works of art is one of our unique assets. It's something that we've been not historically good at leveraging, at using, and reusing. We invest a great deal in its creation, but we don't invest very much in its management. That puts us in a very bad position when it comes to being able to draw on our investment again and to reuse those digital assets in new contexts.

Having listened to my fellow panelists and trying to put myself in your position, on the receiving end of great complex analyses of intellectual property law, both in the United States and internationally. I found myself wondering what's a museum to do? The "ostrich syndrome" seems very attractive. "It's just all too complicated. Maybe we can wait. If we step back and don't rush in, it will sort itself out." I recognize that there is a great temptation to inaction, but being ten years younger than the last person who revealed their age on the stage, I can say that the people who are ten years younger than me aren't waiting for museums to decide what to do. They're out there working in a digital environment, and they have definite expectations about digital access to the documentation in our collections. If your museum doesn't do something, this young group of users is going to do something for you, and it may not be something that you're entirely comfortable with. There is a demand for access to your collections. Think of it as people who are rushing to get into your galleries, but the galleries that they want to explore are virtual rather than physical.

How museums should respond to that demand is a question that forces us to examine the intellectual property frameworks that govern our policies for rights and reproductions. It challenges us to rethink our programs and our priorities, reviewing how and where we invest in outreach from our institutions and education about our collections. And it forces us to re-think some of the organizational structures that we've put in place. The important point is that doing things digitally isn't just digitizing what we've always been doing. It requires new activities and approaches as well as new methods.

AMICO as a Collective Response

The Art Museum Image Consortium (AMICO) exists as the response of one group of museums to the challenges that have been posed by changing frameworks of intellectual property. It is the answer one group of museums found to the question: How can museums respond strategically to the ever-shifting sands of both technology and intellectual property? In 1997, the Association of Art Museum Directors sponsored a series of planning meetings at which members, staff, and their member museums got together to try to puzzle through some of these questions. Was it useful to act in concert? Where was collaboration appropriate? How could they take advantage of the opportunities offered by the Internet, by digitization? And, how they could respond to the advances that most of them had received from commercial organizations–such as Interactive Home Systems which became continuum, which became Corbis–offering what looked like great financial incentives but turned out to be a very high price for ongoing access to content? The central concern among this group was that museums needed to figure out where and how they could act strategically to further their missions while still retaining control of those things that they felt should be managed in-house.

The Art Museum Image Consortium is an independent, museum-governed not-for-profit organization (501-C-3) that enables the educational use of museum multimedia by licensing a shared digital library of art documentation. Educational use takes place in colleges and universities, in primary and secondary schools, in public libraries and in museums. AMICO operates as a not for profit in the educational sector where museums feel very strongly that their missions and their educational goals coincide with the users of their intellectual property. These shared objectives have enabled us to take a sympathetic approach to intellectual property rights that meshed with that of our users. It's often presented that intellectual property negotiations put someone on one side of the table as the creator and "owner" and someone else on the other side as the user. But anyone who works in a museum knows that museums are both creators and users, and that the control we might want to exert over the content that we create is exactly the control that we want our colleagues to relinquish when we want to use something that they've created.

Managing Intellectual Property

It's very important that we can think with a level-head about where and how we can create frameworks that both let us use content and protect it when it's appropriate. The intellectual property framework is challenging, and it is changing. Copyright laws are being defined in the networked environment as we speak. Every day there's a new case. Those cases still don't add up to something which we can count on to guide us in the digital arena. Laws, by nature, are conservative. Technology is far from it, and it's going to be a while before the legal frameworks catch up to the realities of what we might want to do. But there is a way that we can protect our intellectual property without simply relying on evolving copyright law, and that is through licensing. Licenses are contracts. Anyone who's installed a piece of software should realize that you don't actually own your software. If you've read the thing that you tore off when you opened the CD-ROM, you actually have a license to use that software in particular circumstances. That license is a contract between an intellectual property creator–the software company–and a user –you. Museums can use similar contracts in managing relationships between themselves and people who use their information. AMICO has.

Building on the foundation of a collaborative project called the Museum Educational Site Licensing Project [MESL], AMICO developed a series of educational licenses which define users and uses of museum intellectual property within parameters that are comfortable to museums. The consortium administers these licenses for its members and arranges for institutional subscribers, representing groups of users, to have access to the compiled AMICO Library. What these licenses do is give us some firm ground on which to stand, which is far more comfortable than shifting–or sinking–sands.

Licensing also makes it possible for AMICO to take advantage of some of the economics of scale that come from the ease of digital reproduction. The economics of e-commerce are still very uncertain. We all know that anything with "e" is hot. All you have to do is look at a bus here in New York City, and you know that you should be on the web and you should be making money. But the reality is that there are a relatively small number of works in each of our museum collections that have a significant potential commercial value. Yet most of the works in our collections have substantial scholarly and educational value. Museums are challenged to find economically viable ways to enable their educational users—the scholars, the teachers, the students—to have access to the depth of our holdings. Educational access requires a different economic framework than is provided by commercial picture libraries which are interested in your "top ten" (or for very large important collections, maybe your top 100, or 1000) works in any category, but are not willing to provide access under economical terms to the thousands of drawings you may have which are the preparatory for a particular piece. There's depth in your collection which is of educational value, but may not necessarily be of commercial value.

It would be difficult for individual museums to protect their rights and administer educational access to this large body of works on a wide scale. There are significant economic costs in administering intellectual property. I'm sure those of us who have rights and reproductions departments have encountered that not-for-profit economic mirage: The income stream looks great until you realize that you're spending more to collect these fees (in terms of staff and infrastructure support) than you're actually bringing in. In administering educational rights, there's a very high price to simply saying "yes." If every teacher who wanted to use a digital reproduction of a work in your collection wrote to you and asked, what would you do? If you could afford to answer them, could you afford to answer all their students, too? Even now it is hard to keep up with non-digital requests for scholarly reproductions. So, if we're going to take advantage of the tremendous potential for access on a really broad level to the content of our collections, we can't do it simply by transferring our, "Fill in a form, and I'll send you a contract to sign," method of administering intellectual property. We need efficient management which enables economies of scale; that's where consortial administration comes in.

AMICO administers standard licenses which are agreed on by its members and licenses entire bodies of material (The AMICO Library) to educational institutions who acquire rights to use the Library on behalf of the people that are engaged in their programs. So, rather than every teacher in a school writing to every AMICO member museum for permission to use every work in the AMICO Library, there's one agreement between the consortium and the educational institution. This simplifies the administration and actually makes it possible for us to consider distributing this large amount of content. Although it is only in its first year, there are already over 50,000 works in the AMICO library and well over half a million students at subscribing institutions who are potential users. Within five years we conservatively project over 250,000 works and ten million users.

Enabling Use and Sustaining Access

AMICO is also helping members museums realize economies that can offset some costs of traditional publication. All of us are under pressure from scholars to publish a permanent collections catalog. But the economics of print publications, especially ones with high quality reproductions, are prohibitive. Few us can afford print publication of much of the knowledge we have on our collections. We need to find other frameworks in which we can provide access to that knowledge but still protect it. In the future, it is far more likely that your papyri collection will be published digitally than that you'll ever be able to print a full color illustrated multi-volume catalog. Digital reproductions are very valuable to those studying that material. They provide us a new possibility of reaching the user community that we would like to reach. Doing this changes our workflow and work methods a bit, but with practice institutions can take advantages of the new economics of digital distribution with little cost above that of current day-to-day operations. AMICO is helping institutions to model environments which are self-sustaining and enable recovery of added digital distribution costs. I think everyone who has done a grant-funded digital project has wondered: "What do we do about the next one? Where are we going do get the next grant? How can we continue to a meet the demand that we have created?"

Obviously grant funding is an important source of support to the museum community. But we also need to keep other frameworks in mind too. We need to explore where and how to use not-for-profit environments, where cost recovery is the goal. We also need to acknowledge that commercial licensing and making a profit are viable as the goal sometimes. In the case of new infrastructure and investment in ongoing use, it is important that we identify self-sustaining mechanisms. While one-time opportunities can fund special research needed to create information in the first place or the temporary exhibition, creating systems and structures that let the investment that we've made have a life beyond the life of the show, require long term commitment. We're beginning to realize how important it is that the interpretive content created around these exhibition galleries remain available when the works themselves may no longer be in on display. They may be in another museum. The show may have been disbanded completely. But the investment made in interpretation can persist–if we plan for it.

What the members of AMICO found as they explored possibilities for collaboration in this environment was that there were many ways in which new technology enabled them to reach new audiences, enabled them to serve their traditional audiences better and enabled them to make their collections available for research, for education, and for sheer enjoyment. The digital environment had actually created a demand for use and strong expectations for access to their collections, access for educational technology uses by creative teachers in new classrooms. And I was delighted to run into Terry Gips, from the University of Maryland, one of the participants in the Museum Educational Site Licensing Project [MESL], today at lunch. Terry inspired many of us by the way she used digital reproductions of art in her classes, in creative ways that engaged and involved her in the art making process and the process of looking at art.

Museum participants in MESL learned a great deal from the experiences of those using their documentation in teaching. To build on that experience, AMICO worked with a select group of universities for a testbed year before the AMICO Library was released for general subscription in July of 1999. During this year, we explored such innovative uses and attempted to measure their impact. It was very heartening see that the wide range of uses made of the AMICO Library in this beta test went far beyond art history departments, stretching as far as computer science and the school of printing. Images of works of art engaged students in a required undergraduate humanities course, as much as they engaged the students within a traditional art history course. When the university educators came to the annual AMICO members meeting in June 1998 to report on their experience, they helped museum staff in thinking more broadly about their audiences and rethink how to make more satisfying digital content for educational uses in the future.

Benefits of Collaboration

The AMICO collaboration is just beginning, but already it has provided a framework for museums to engage in some collaborative decision making and to solve complex problems of intellectual property management and access in a digital economy. Within a very short time–less than two years–the member museums have discovered many benefits of membership. Already there is very wide access to the digital documentation of their collections, with most of the costs being born by subscribers. Equally importantly, member museums have found that they can make collective decisions about technology and about digital strategies that are sounder–and safer–because they're being made collectively.

AMICO is providing a framework within which member museums can confront the challenges and opportunities of digital networks on their own, non-commercial terms. And it is providing a way for museums to further their educational missions and engage new groups of users. Not the least, it is providing long-term access to the documentation they have been creating of the collections in their care.

Membership in AMICO is open to all institutions with collections of art willing to contribute digital documentation to the AMICO Library. I'd be delighted to discuss membership with any interested institution, and you can also find full background on our Web site at www.amico.org. AMICO Members benefit from the activities of the consortium, and the consortium is strengthened through the diversity of its members.

Give and Take: New Trends in Corporate Sponsorship

Introduction

Richard Waller
Executive Director, University of Richmond Museums

Give and Take: New Trends in Corporate Sponsorship. What are the trends? What are the ethics? What makes a successful partnership between a museum and a corporation? As one panelist remarked yesterday concerning Entertainment versus Education, our discussions always comes back to our favorite nemesis: funding.

Our panelists this morning are well-equipped to address our nemesis and, hopefully, to generate discussion on funding, especially corporate sponsorship and on the necessary give and take of that partnership. Funding, whether it's public, private, individual, or corporate, is central to all of us. It's our life's-blood.

At my university we recently held a summit on philanthropic issues for the 21st Century for college fundraisers and donors. The keynote address was given by consumer advocate Ralph Nader. Although his remarks were directed at foundations and philanthropic giving in general rather than corporations, per se, his call was for a loosening of restrictive guidelines for distribution of grant money to provide for innovative, workable ideas. He stated that philanthropic organizations rely on the three S's when giving grants: safe, stable, and stagnant. As a true activist, he pushed for a fourth S, the sting of innovation and competition, and that is where more of the money should go.

Where does that leave museums in their efforts for sponsorship? In *The New York Times* front-page article on the Sensation exhibit on Sunday, October 31st, the headline read, "Brooklyn Museum Recruited Donors Who Stood to Gain." For us in this room, this almost sounds like an oxymoron. Of course, the museum did. We all do to some degree or another. In Sunday's New York Times Magazine, Max Frankel discusses the unsolvable problem of support for the arts, generated by the Sensation controversy. What are the ethics? What are the boundaries? What is our bottom line? The article quotes Arnold Lehman as saying, "It is naive to think banks, insurance companies or utilities sponsor art exhibitions without any thought to the business benefits. Corporations are giving money for marketing purposes, for promotional purposes, for whatever reason is ultimately going to support their business, and that's nothing to be ashamed of."

In a recent issue of Museum News there was an article on museum funding. An arts program manager of a foundation stated: "Each non-profit who receives a grant from a foundation sees their grant as a totality. From a foundation's point of view, their grant is part of a bigger entity." As a museum director, I would take exception to this statement. We also see each grant as part of a bigger entity: our own mission. But the person was right in asking us to also consider the foundation's point of view, the corporation's point of view. This is crucial. Today we want to raise some questions about that meeting point between two points of view, that point where we successfully partner between corporation and museum to the benefit of each.

Stephanie French
Vice President, Corporate Contributions and Cultural Programs, Philip Morris Companies Inc.

I want to come back to the title of this talk, *Give and Take*, which, of course, is very appropriate. But interestingly, the first title of this panel discussion was *When Less is More.* I thought this is really a twist on a phrase that I am hearing all the time at Philip Morris, and I am certainly sure my corporate colleagues are hearing the same thing. The phrase that we are hearing all the time is: "Do more with less." We hear it every day.

So, what does that mean? First of all, I think it means we are all under pressure to deliver results. How does it affect corporate sponsorship? Since we are compelled to get more bang for the buck, I think that it's important when you're dealing with a corporation you understand that going in. You have to understand that there is something expected in return for these dollars. From a corporation's point of view, in our case these are shareholder dollars. We don't have a separate foundation. They are shareholder dollars and there needs to be some kind of return, some kind of payback for the corporation.

Before I start to sound too crass, I just want to step back and put a framework on this. Our sponsorship program at Philip Morris is rooted in giving back to the community. We are committed to making a difference. We have over a 40-year history supporting the arts and other philanthropic activities in our communities. We do think our giving makes our communities more vital and vibrant, and that is in itself is an important result, an important gain. So it's not always a measurable result that we are after in these programs. I think of what a past CEO of ours, George Wise, said many years ago–maybe 25, 30 years ago–really in the vanguard of corporate support, the phrase he used was "enlightened self-interest." I think that phrase still stands today.

Sponsorship should be good not only for the corporation, but for the institution involved. Let's look at some of the practical aspects of what this means. I am often asked how should we be approached? How should Philip Morris or other corporations be approached? How do we decide sponsorship? These issues are integral in what a corporation expects from this kind of activity.

We and other corporations, of course, first look for projects of the highest quality. Those projects may take on different profiles for different kinds of corporations. Everyone is a little different. They are often projects that are newsworthy. Sometimes it's the newness of an idea or, in our case, we are very interested in innovative, new ideas. That what we want to see. I think we are looking toward projects that are geared for a certain audience, certain constituency, maybe an undeserved community, Hispanic, Asian. From community to community it will vary.

Corporations are, of course, always looking for opportunities for visibility. This may translate into either entertainment opportunities, crediting opportunities. So when you put together a proposal, it's very important to remember that not only should it be short and concise, with a budget and boards and that kind of background information, often you should define what the measurement is for success, what the goals are for the project. Also, you should outline the benefits to the corporation. You should always remember that is a two-way street. Coming out with a good list of corporate benefits, again, it varies because of the type of project or type of partner, but it maybe a chance just to invite guests or even speak at an opening. It may certainly include crediting on signage, the invitation or brochures. A catalog may include a sponsor's statement. Credit should be on press materials, marketing materials, advertising guide, and often corporations can bring additional resources to bear on a project in this area. I think we have formed over the years many good partnerships with institutions that maybe didn't have the resources or even the expertise in some of these outreach-marketing areas. That is something corporations can often bring to bear and are willing to invest additional funds in.

It is probably less true now, but in the very early years, institutions didn't have marketing and development departments as sophisticated as they are now. But that is really an area for partnership and mutual beneficial partnership. So again, remember the two-way street.

Remember to think of a sponsorship from the corporation's point of view, as well as from your own. That does not ever mean that you should sacrifice your point of view for the corporation. Your vision, your mission, your goals should be clear and uncompromising. You should not approach corporations that are not consistent with your vision. You should remember that it is the view of the institution whose job it is to stick to your mission. It's not the corporation's job. It is your job, and it's very important, that that mission be first and foremost. In most cases when an institution does have clear goals and visions they are a more exited, vibrant institution and able to attract partners in their work. Let them know what you can do and also what you cannot do, and then work hard to deliver the benefits and to develop the relationship with the institution. This sounds like a very simple statement. I cannot over-emphasize how important it is to develop that relationship. It may mean that you have another relationship in the future.

Another trend I have seen in exhibition development and sponsorship is in the area of outreach and education. I think that institutions are certainly more and more anxious to pursue this goal of audience building and outreach. Also, it's important to corporations. They want a broader audience; they want to reach underserved communities, and, as I said, want to see often a societal impact. So this impact may come from reaching out to schools. Sometimes education materials you develop will be for use in the museum; they maybe kid and family packages. Sometimes the work is done actually in the schools, partnering with schools and getting some work to happen there to draw the people and kids into the institutions. A new area might be to develop acoustic guides where that is appropriate in different languages. Philip Morris actually looks at developing an RFP [Request for proposal] that would ask institutions to develop new ways to reach out to new audiences.

Another thing we are doing at Philip Morris in the area of societal impact is something we call Art Against Hunger. We have visitors bring cans of food or boxes of foodstuffs to an institution in exchange for a reduced ticket price.

What we want to happen in these Art Against Hunger programs is that the audience feels good about doing something for the community and at the same time gets a benefit of a reduced admission. Often the press talk about it. It's a newsworthy angle for programs, not only will the museum get more visibility, some of these hunger groups that work with us get noticed for the work that they do. So it's one of those things where everyone wins.

Another trend I have seen over the years is for multiple funding sources for exhibitions. I think exhibition budgets have gotten bigger and grants have not necessarily gotten bigger, corporate resources have certainly not gotten bigger. The museums have had to put together funding packages and multiple partnerships. Often, I think generally corporations, foundations, and individuals can work well together to be a good part of a funding package. It's often more difficult to combine two corporations because if you take corporations, foundations, and individuals, usually all those parties have slightly different goals and agendas and visibility requirements, which make it easier to pair them. But when you do put these partnerships together, often a good approach is looking for discrete components of an exhibition project for different groups. It might be exhibit organization, the tour, the catalog, or educational outreach. Make sure that everyone has their own positioning and that people aren't tripping over each other.

Let's get back to the more bang for the buck idea. I think it's easy to make projects work for a corporation if there is some connection with a corporation's business. There has to be a fit, whether through simply location in the community where a corporation operates, subject matter, audience that it's reaching, your unique entertainment or marketing opportunity. This is where the Brooklyn Museum's *Sensations* show springs to mind.

I think the conversation around that controversy seems to have moved toward the whole funding issue and appropriateness of various funding sources for the show, whether there might be of some benefit to the funder of the exhibition. Several articles seem to imply there is a problem with this kind of funding where there is a benefit. There is a fine line here. Certainly there are some kinds of inappropriate funding relationships, but as I said, I find myself surprised that often the media seems to be surprised by the idea of sponsors receiving some kind of benefit from the sponsorship. I was, in fact, at a meeting last night at the business committee of The Metropolitan Museum of Art and somebody brought up this issue and said we had a Cartier exhibition here, it was sponsored by Cartier. I don't think Tiffany would have funded it. So there we are.

When people go after funding, you're always looking for that connection and someone is always looking to reap some kind of benefit. I want to add, what is important is preserving the integrity of the institution, making sure that the content of an exhibition is never affected by the sponsorship, this line should never be crossed.

Alice Sachs Zimet
President, Arts and Business Partnerships

Perhaps the Brooklyn Museum is an extreme example, but I believe there should be a strategic link to a corporation if you want to get sponsorship money. There are marketing dollars that would otherwise go to promote goods and services. Perhaps there should not be a commercial link as in Brooklyn, but there must be a strategic link.

To underscore my point, look back at how corporate sponsorships evolved. While the IRS allowed companies to deduct charitable contributions beginning in the 1930s, it wasn't until the 1940s and 1950s that the early pioneers surfaced in the form of the oil companies like Texaco, Mobil, and Exxon. In the 1960s, the NEA was formed. David Rockefeller launched the Business Committee for the Arts and a few more companies, like Philip Morris, AT&T, and Chase, began to give. It was the 1970s when formal philanthropy programs popped up all across the United States. But things began to change in the 1980s.

With the rise of AIDS, homelessness, and other social crisises, the arts began to get smaller portion of the philanthropic pie. But it was the recession that really forced corporations to tighten their belts and justify expenses. So arts sponsorships began with marketing, not philanthropy; they were linked to business objectives. In the 1990s, arts sponsorships really began to flourish globally, and are now more strategic with even more evaluation and justification required.

The difference between philanthropy and sponsorship is obvious but bears repeating. Philanthropy is doing good. Sponsorship is doing good and doing business. Philanthropy is pure with little asked in return. Sponsorship is not pure. There are few strings in philanthropy; yet, sponsorships have nothing but strings. And with philanthropy, you do not need to evaluate. With sponsorships, it is mandatory to justify the link back to the business.

Data on philanthropy and sponsorships is not too hard to find. The best sources are the Business Committee for the Arts for philanthropy and IEG in Chicago for sponsorships. Most American companies give what I call checkbook philanthropy, with over 350,000 who give a total of nearly $2 billion to the arts. What is really interesting is that 65 percent of this comes from small companies, not the Philip Morrises, the Chases, and AT&Ts. In terms of sponsorships, nearly $7 billion is spent. What's shocking here is only 6 percent or $110 million is spent on culture. What this says to me is that there is huge room for growth.

Corporations have two basic objectives for sponsorships. The obvious one is to build their image with the typical credit in advertisements, on the press kit, on the entrance wall and anything else that is printed. The second motivation is to find a strategic link tied back to the business. This, I believe, not image building, is the wave of the future.

So you have to begin to think like a business. Why should they spend their money on you? Because you can be a valuable tool to help them meet their marketing objectives. This is not as difficult as it sounds, and it is actually quite logical, although you have to do a lot of research and really get to know the funders' needs. Unfortunately, there is no formula, and it's hard to find anything in writing. So I thought I would give you a handful of examples in the visual and performing arts. The principles are exactly the same, which, I hope, will trigger a few ideas. The first example is how to tie into commercial sales. Wal-Mart sponsored a concert by Garth Brooks and simultaneously televised it in stores. The demographics of those who love Garth were the same as those who shop at Wal-Mart. And they were right, more than two million shoppers stayed longer in the store to shop.

Here are a few examples of where I tied the sponsor back to Chase business. The first is to retain customers and make them loyal. Every company wants to make customers feel special and appreciated. There are lots of ways to do this, with discounts, freebies, VIP previews, etc.

Here are two more examples. At the Guggenheim Museum, if you showed your Chase Visa or MasterCard or Chase 24-hour bankcard, you got in for free. While the Guggenheim thought it would lose income, it turned out they earned $250,000 more at the gate and had an attendance of 40,000 more visitors than the same three months the previous year. Of the 40,000 visitors, one quarter or 10,000 were Chase customers. By the way, David [Resnicow] helped me launch this promotion which we did in a marathon of six weeks, including an ad campaign and millions of statement stuffers. Chase was the first corporation to ever do this type of show your card and get in for free. We knew it was a huge success, and I guess it was because it seems like every other bank is doing the same thing.

Chase did another promotion with Arnold Lehman's first show at the Brooklyn Museum linked to Monet. Since it was a ticketed show, Chase offered a percent discount, and customers could buy tickets before they went on sales to the general public. I should mention that up until now, Monet was the most well attended show at Brooklyn, but it has just been superseded by you know what.

Another example is linked to the opening of a new office. When Chase wanted to launch a new branch in Brussels, we invited 200 prospects to an evening with the Paul Taylor Dance Company. Twenty guests deposited $16 million within three weeks. The next is gaining closer access to someone you already do business with or want to do business with. Banks are great to go after as sponsors. Their universe is so simple. They divide the entire world into those that bank with them and those that don't. Here are a few access examples. Access to another corporation happens through co-sponsorships, business to business. To celebrate a new office in Mexico City, Chase sponsored a José Careras concert. But José was very expensive. So, Chase invited an important local client as a partner. The project was so successful that the local Mexican client increased its business by 30 percent.

Here's another co-sponsorship example, this time with a prospect. When the International Center of Photography approached Chase about a Man Ray exhibit, ICP already had half the money. So instead of selling the project based on the merits of Man Ray, I sold it based on telling the Chase bankers they could have closer access to a major prospect, the Hearst Corporation, a company they had tried to do business with for nearly twenty years. As it turned out, Hearst banked with Manufacturers Hanover, which merged with Chemical which eventually merged with Chase, but we did get the business.

Next there is access to those that are hard to reach. For a bank, it includes regulators. So every year Chase would invite the secretaries and the aides to the Senators and Congressmen who sit on the House and Senate Banking Committees. Why? Because it is their secretaries and aides who get you on the calendar for an appointment. There is also access to a particular segment of the population. For example, to get closer to the Asian community, Chase sponsored exhibits at the Asian Art Museum in San Francisco, Asia Society in New York, and Asia Society Hong Kong. Sometimes it is access to a single individual. In the case of the Treasurer of the United Nations a few years ago, she was French. In order to get closer to her, Chase sponsored an exhibit of contemporary French art. She came, the bankers schmoozed her, she loved the exhibit, and Chase got the business.

Here are just a few more quick ideas. Platform a senior executive and make them a star. Put the new head of a business on a receiving line at the Museum, or let them say a few words at a press preview. Next, make a splash in the city where a company wants to expand. Find out the geographic priorities because companies are always expanding somewhere. Don't forget the American Embassies if you are traveling an exhibit abroad. Corporations live to hold parties at embassies with their executives on the receiving line. This costs almost nothing, yet it is something that every corporation wants to do. Remember, no matter whether the company expands abroad or here in the United States, it always wants to be seen as a good guy in the new market it's moving into.

Two more thoughts. Entertainment. This is one of the most obvious marketing tools. They key is to deliver what the individual cannot buy off the street. The experience needs to be exclusive. Your trustees might be used to a private dinner with a well-known artist or celebrity or a signed catalog or a VIP preview, but the corporation executive is not. And speaking of trustees, I am sure there are a lot of corporate executives, especially your local banker, that would love to get closer to some of your trustees.

The last idea deals with employees. Every single company wants to have happy employees with good morale, or they want to reward their top performers. Tying into a company's workforce is a terrific and underused marketing too: have a special preview for the sponsor's employees and their families.

I want to end with evaluation. This is critical but usually overlooked. It is extremely important for you and for the corporation to evaluate, measure, and analyze after the sponsorship is over. It helps the company show that the project added value and also justifies the budget and often justifies any increase. For the arts group, it helps you demonstrate success when you approach and sell to another, or even the same, sponsor the next time. I know it is not easy to find out a company's business objectives. It is only by getting to know the funder's needs, by asking lots of questions, and by developing a relationship.

Just remember, think of sponsorship cultivation like a personal trainer. You have to keep working at it. And even though you might get frustrated and might not see results overnight, perseverance and persistence usually pay off. You will eventually get there.

David Resnicow
President, Resnicow Schroeder Associates

From my perspective, there are not that many new ideas driving sponsorship. Rather, the environment in which we are operating has changed; therefore, the ways corporations and museums are working together has also changed. First of all, museums and corporations have gotten to know each other better and are therefore working in a more collaborative fashion. Also, the public's "threshold," in terms of what it views as acceptable ways for museums and corporations to work together, has changed as well.

One of the trends is that corporations are asking for "deliverables." You'll be hearing that word more and more. What are deliverables? They are specific privileges and benefits that they receive for sponsoring programs. I will give some examples. Corporations want access to your membership mailing list because they want to reach a certain constituency–your members. Your members tend to skew upscale, are active in the investment community, and are civic and opinion-leaders, all of which are important to their business.

Another deliverable has to do with "added-value." For example, banks want to provide special benefits and privileges for their customers. Alice [Zimet] talked about a promotion from ten years ago at the Guggenheim mounted by Chase. By showing your Chase banking card you were able to gain free entry to the Museum and discounts at its store–thus adding value to the card. What is interesting is that Citibank did the same promotion just last year at the same museum.

A lot of sponsors are also talking about bang for the buck. A major change is that the people running the corporate sponsorship programs are not people familiar with the ways of the art world. Rather, they are marketing people who also oversee sports and event sponsorships. These individuals want deliverables that help them to directly–and measurably–achieve business goals.

The second trend concerns the changing structure of some sponsorship programs. The trend here is not dissimilar to the one taking form at many large foundations–transforming themselves from grant-giving foundations to operating foundations. Corporations, too, are creating specific programs to which you, the museum, most apply, as opposed to simply giving you funding for the programs that you have developed. This is not new either, and AT&T has done a lot of work in this area.

The third trend is in the area of "bartering." Now, I assume that many people here are involved in media partnerships, in which you trade advertising for such benefits as sponsorship credit, use of your facility, access to you mailing list, and the like. While bartering with media companies is not uncommon, I think you're going to find other kinds of corporations are going to come to you to barter. They are going to barter goods and services, even such things as telecommunications equipment, Internet services, landscaping, and printing. Strangely enough, I have been involved in barter discussions concerning a company that wanted to take over the maintenance of a museum's restrooms as a way to showcase their cleaning products.

In closing, I would like to say in the emerging sponsorship environment both the corporation and the museum are looking for ways they can benefit more fully and directly from their relationship. To effectively partner with a corporation, museums must not lose sight of what they have that is of the greatest value to the corporation and to themselves–a strong bond with their community and the public's trust. These assets must be preserved and protected for museums to remain viable and valuable enterprises for the public and, in turn, for corporate sponsors.

Karen Christensen
Deputy Chairman for Grants and Awards, National Endowment for the Arts

I was at National Public Radio for about nine years before joining the NEA. While I was there, I was responsible for a number of communications and First Amendment issues. One of those had to do with the on-air underwriting credits. As general counsel, I worked very carefully to make sure that our on-air underwriting credits didn't sound like advertisements, otherwise we would have been in very big trouble with the FCC. In fact, we used the public radio standard for underwriting credits as an example for the Internal Revenue Service because they were then looking at their corporate sponsorship regulations and trying to come up with new regulations that also balanced this need for revenue with the concerns about unrelated business income. How is it and where is it, that you draw the line to decide what is impermissible advertising and what is not?

As I speak this morning you probably hear a little bit of a cautionary note. My background in law as well as my experience at National Public Radio brings forth conservatism on the issues of corporate sponsorship. When I came to the National Endowment for the Arts in 1993, I came upon the book *The Corporate Patron*, published by *Fortune Magazine* in 1991 on the occasion of the 50th anniversary of the National Gallery of Art. The authors, Diane Gingold and Elizabeth Weil, commented: "Corporate philanthropy is a phenomenon largely confined to the United States. Although a few isolated examples of art support by broad-minded companies can be identified as early as the 19th Century, the impetus for corporate patronage came in 1935, when the United States Internal Revenue Service permitted corporations to deduct up to 5 percent of pretax income for gifts to qualified charities. Museums and music institutions were primary arts beneficiaries. It was not until the mid-

60s, however, with the establishment of the National Endowment for the Arts and the Business Committee for the Arts, that business and the arts begin in-depth exploration of mutual interests and benefits."

I was actually not surprised to learn that the establishment of the NEA stimulated the phenomenal growth of corporate support to the arts witnessed in the last third of this century. In the museum context, NEA funding indicates that an exhibition has met rigorous standards of review and has achieved a certain level of artistic excellence, as well as that the grantee's personnel have earned the respect of their professional peers.

We have found that a NEA matching grant can be helpful in leveraging corporate support. I have often heard it said that our grants serve as an artistic version of the Good Housekeeping Seal of Approval. It is difficult for us at the Endowment to pinpoint exactly what combination of factors, including timing and other funding, tips the scales for a corporate sponsor in favor of a particular exhibit. We do hear repeatedly from our grantees that our funding plays an important role in this chemistry. For example, the Wadsworth Atheneum reported that, "The support of the NEA lends credibility and widespread recognition to any project, thus increasing others' willingness to participate in its production." In final reports we hear time after time about examples of corporate matches of NEA funds: Saks Fifth Avenue supporting the Miami Art Museum; Merrill Lynch supporting the Heard Museum; J.P. Morgan & Company supporting the Pierpont Morgan Library; Seagram's supporting the Studio Museum in Harlem; and First Chicago NBD Corporation, and American Airlines supporting the Art Institute of Chicago. Other grantees, such as the Seattle Art Museum, report more generally that an NEA grant helped them raise an additional $300,000, mostly from new sources. The Phoenix Art Museum told us that our grant helped raise more than $850,000 and gave confidence to new lenders of art objects to the museum. The Guggenheim Museum's report on its retrospective of Robert Rauschenberg stated that, "The support of the NEA was critical in underscoring the importance of this project to the national arts community. In the end, Philip Morris Companies Inc. became the exhibition's worldwide sponsor." In fact, Philip Morris is a corporate name that appears frequently in our museum grantees' final reports.

In reviewing final reports in preparation for this panel, I was reminded that not all corporate sponsorships come in the form of cash. The Queens Museum of Art reported to us that for their exhibition called the *Cultural Melting Bath*, they received a three-month loan of a five-person hot tub, complete with hydrotherapy jets!

The Arts Endowment itself is allowed to receive corporate gifts, but we maintain a strict policy of not competing with our grantees for corporate support. Although we do not actively solicit any corporate contributions, P.R. firms seeking visibility for their corporate clients come to our door. In recent years we were approached by Borders Books, with their particular interest in literature projects, and the Heinz Company, which earmarked its funds for arts education projects. I'm sure you are all aware that corporate contributions are frequently derived from a company's marketing budget, and not its charitable arm. This poses a dilemma which might be framed as "delivering art to the people," a good thing, versus "market-driven programming," a bad thing. Where is the line between philanthropy and marketing in the cultural arena? And who decides where that line gets drawn? You are all aware of the current controversy surrounding the Brooklyn Museum's unorthodox sources of sponsorship for its Sensations exhibition.

In *The New York Times* of October 31st, reporter David Barstow quoted from court documents and interviews with museum professionals. I was intrigued by the observation of Marie Malaro, recently retired from George Washington University's graduate program in Museum Studies, who pointed out that the Brooklyn Museum's financial arrangements demonstrate an extreme shift away from the old notion of corporate philanthropy, that is, a gift to the public, and towards corporate sponsorship, apparently meaning corporate self-interest. Arnold Lehman, the museum's director, responded to the effect that any contemporary expectation of corporate altruism would be naive, and that all corporate giving is motivated to some degree by business interests. If corporate motives are clear, the question remains, where does any non-profit institution draw the line between accepting charity versus becoming an advertising outlet for commercial interests?

I would like to share with you two very different perspectives on the relationship between corporate sponsorship and the public mission of art museums. In an article published in the *Los Angeles Times* this past Labor Day, art critic Christopher Knight decried the "market-driven mentality" of too many big city art museums, specifically bemoaning the fact that "the museum public is now conceived as the museum consumer." He contends that the emergence of admission fees in art museums represents a loss to American society in the free commerce of ideas and compares this trend to charging admission to a public library. Even museums that do not normally charge admission frequently sell tickets to their blockbuster exhibitions.

What does Mr. Knight's concern have to do with corporate sponsorship? One of his points is that the market-driven tilt taken by many museums, especially large ones, can lead to what he called a numbing level of sameness and repetition. In the past three years, for example, more than 20 Impressionist and Post-Impressionist exhibitions have toured the country. This sort of populist art, what used to be referred to somewhat pejoratively as accessible art, is frequently what appeals to the comfort level of corporate sponsors. Mr. Knight contends that museums have a duty to promote the public discourse of intelligent ideas, and makes the point that no one should be denied access to ideas in the public realm based on their ability to pay. Thus, it could be argued that museums that receive substantial corporate support should waive fees for those exhibitions. Is that financially feasible for the museums? That would have to be answered case by case.

A larger issue is to what degree corporations and the museums themselves, want to encourage attendance by the economically-challenged segments of society? The young, the old, the disabled, and the disadvantaged. This, by the way, is a profound argument for continued public sector support. Another recent commentary on corporate sponsorship appeared in the *Boston Business Journal* of September 17th. This editorial applauds the economic impact of the arts in Boston and urges far more corporate sponsorship. In fact, the Journal's seemingly conservative view, that the government should tread lightly in arts funding, is based on the observation that large government support tends to create a lethargy among individuals and corporations. The editorial goes on to assert that private sector support is simply a must, noting that, not only should corporations consider donations to be community investments, but that they also have a responsibility to assist cultural organizations with their business and marketing savvy. The point here is that corporate donations can come in many forms, including training and technical assistance.

If our new Director of Museums and Visual Arts, Saralyn Reece Hardy, were able to be here today, she would remind us not to overlook small corporate donations as an important piece of the overall financial picture. A small business that hopes to extend its reputation and join with a larger cultural community can supply the match for NEA or state grants. Saralyn would also make the point that people are behind every corporate donation. While a corporation's interests may or may not relate to the specific goals of the museum, developing relationships with individuals is the first order of business in attracting corporate dollars. The process of educating corporate funders is in a way very similar to the kind of process you engage in when you describe your project in an NEA grant application.

Saralyn also asked me to inform you that at the Arts Endowment, the Museums and Visual Arts disciplines share office space, staffing and leadership. There is great interest in projects large, and small that demonstrate sensitivity to audience, rigor of purpose, and attention to quality. She and I would encourage all of you to come by the NEA and meet our staff. Maybe not all at once, but certainly whenever you might be in DC.

Focusing for a moment on the Arts Endowment, one of the biggest fundamental differences between public sector and foundation support, on the one hand, and corporate support on the other, is that the NEA, its advisory panels, and some of the major foundations have a vested interest in supporting the whole ecology of an arts field such as museums. While a large corporation may naturally be more inclined to support blockbuster exhibitions, we believe that it is important to support the entire spectrum of activity, from small to mid-sized to the so-called flagship institutions, in order to ensure a healthy and vital field. We actively encourage cultural planning and consortia projects, including partnerships and collaborations to share in the design and delivery of programs and services. An example of an exciting music and museum collaboration is taking place between the Chicago Opera Theater, The Art Institute of Chicago, the Boston Lyric Opera and the Museum of Fine Arts, Boston. The opera companies are remounting Philip Glass' opera *Akhenaten*, while the museums are presenting the *exhibition Pharaohs of the Sun: Akhenaten, Nefertiti and Tutankhamen*. This project would seem to have incredible potential to attract a national corporate sponsor, for obvious reasons, because it's a touring project with the capacity to attract audiences of diverse backgrounds and interests. I can imagine banks, car companies, and airlines lining up to sponsor this. It is useful to think creatively about the potential opportunities that exhibitions and collaborations can inspire.

Finally, I would like to leave you with a couple of thoughts. First, stay true to your mission. You can rest assured that the corporations will stay true to theirs. In the quest for funding, remember why museums are tax-exempt, that they exist to educate and serve the people of all economic strata in their communities. Second, keep applying to the NEA. Even though our grants are modest in size, they still carry a lot of weight in the funding community.

Collaboration and Conflict: The Relationship between Artists and Museums

Introduction

Marla C. Berns,
Director University Art Museum University of California, Santa Barbara

The goal of this session is to explore the relationship between artists and museums. Any of us whose institutions present 20th-century art, work closely with living artists. This is especially true of museums that focus on contemporary art.

I think we can all agree that relationships between artists and institutions can be complex and challenging at the same time they can be intensely rewarding. In the late 20th century, the trends in contemporary art practice have made our interactions with artists especially complicated on both a physical and conceptual level.

The history of art has long been about challenging the status quo with, on the one hand, artists pushing the boundaries of established norms and thresholds of acceptability, and on the other, their patrons working to fuel or foil them. What we have witnessed, however, especially since mid-century, is the radical broadening of the definition of what constitutes art, from the modes and materials–or non-materials–an artist uses, to the sites where art is made and shown, to the subjects and objects of the art itself. It is fair to say that the venue in which artists have been welcomed to push the boundaries and premiere experimental or vanguard work has not often been the museum. Museums in Europe and America have been conservative, not readily defined as trendsetters. Because of the need to be responsive to a cross section of audiences and to account for the interests of a range of stakeholders, it has not been easy for museums to take chances.

More recently, however, contemporary art museums in particular, and even more traditional institutions, as we have seen, are taking risks in the art and artists they show, in part in an effort to keep pace with other arts organizations who more easily can, like Exit Art (which we will hear about shortly), or because of institutional priorities to target new audiences or expand programming in this way.

When we make a commitment to sharing an artist's work, however radical, we have an explicit obligation to them. We have agreed to enter into a collaboration whose objective is to show their work to advantage. We further their careers as they help us meet our missions. Artists want the association with museums and their imprimaturs. Museums need artists to create the exhibitions that are at the heart of their missions to promote knowledge and the experience of art. Artists and museums continue to find ways to creatively help each other even if their individual goals sometimes can be at crossed purposes.

Since I represent museums at this panel, I'd like to raise a few points about the complex negotiations that take place when a museum commissions an artist to do new work or do a "project" as well as when a museum proposes to organize an exhibition on an artist's career. The potential for conflict in this relationship is considerable and can occur around issues that are physical or conceptual.

Artists often do work that can test the limits of physical possibility for a museum. How far are we willing to go or how far are we able to go to accommodate an artist within the constraints of our carefully designed and built spaces with their sophisticated environmental and security systems? What kinds of commitments are we willing to make of staff and resources to make a project work, especially when an artist's needs far exceed expectations? Sometimes the institutional costs can be too high; and sometimes the investment, in spite of the risks, produces something magical.

More complex are the conceptual issues. Curatorial decisions are usually made on the basis of considerable knowledge about an artist and her or his work. The very interest and respect for an artist propels the curatorial process. But in commissioning new work there is often unpredictability. What happens if what we get is not entirely what we anticipate? Part of the museum's challenge in presenting contemporary art is that it can be difficult, even bewildering, as someone said the other evening. We make decisions about which artists to show based in part on how we can meet the challenge of educating our audiences about the work itself.

Museums do have certain expectations of how artists can help in making this process easier through their participation and collaboration in producing educational materials, in speaking in programs, and in promotional efforts. But there also can be conflict in how the institution mediates that space between an artist's work and the audiences who experience it. As was so eloquently suggested earlier, there is more to art than simple explanation, and it is up to us to work together with artists to find ways to help our institutions give their work the deeper meanings and insights they deserve.

Donald Sultan
Artist

When I was asked to be on the panel, I was told to bring some prepared text. Maybe fifteen minutes of talking, but I don't have fifteen minutes worth of talking.

My relationship with museums has always been pretty good. I don't have any real negative experiences. All have been very positive. The only negative is I don't see enough of you.

I have found that curators, by and large, are very attentive and well informed. They know pretty much what they want to do and don't deviate from that too much. One of the things that is interesting that I have followed over the last few years is how the situation has changed with museums in communities.

In most great cities in America since the 19th century, museums and libraries have undergone enormous change. Both were built with very high-minded purposes. For a long time I was afraid that museums would fall to the same problem that the great libraries have, with closing branches, collections being removed, and becoming somewhat irrelevant. The religious forces and people who don't agree with freethinking would denude the libraries, making them very careful about what they put on their shelves.

Museums, on the other hand, have, more than any institution in the United States–aside from maybe the CIA–some of the most intelligent people running them. people who devoted their lives to contemporary art and European art. People who support museums have changed. Younger people have come in. I wish that the curators they hire were really allowed to curate the shows instead of spending most of their time raising money.

Another problem that I have is with art auctions. Museums put up for sale artworks donated by artists that are sold to collectors who then consign them to place like this [Christie's] instead of supporting the galleries that you have in your own town. It's become explicit that if an artist doesn't donate works to a museum they won't support you, which should not be necessary; but it's there. If you don't give something, they will not necessarily support you. Aside from that, I don't see how else you can raise money, so I am not against it.

Jeannette Ingberman
Co-Founder/Director
Exit Art/The First World

I thought the title of this session interests me: *Collaboration and Conflict*. I've thought about why I would be asked to speak here since Exit Art is not a museum. I believe because we are not a museum, we can take a lot more chances. It's unfair for people to expect museums to take more risks, but I think Exit Art takes a lot of risks: It's our reason for being. Our reason for being is to serve contemporary artists.

I will talk about three shows that really illustrate the idea of where one can have *Collaboration and Conflict* with an artist. I think one thing that we do and why these shows are very successful, is that we absolutely give up control, which, I think, is probably not possible in a museum situation. In order to do those shows we will talk about, we left it up to the artists what they would do.

The first show that I want to talk about is a show called *Let the Artist Live* where we actually invited 15 artists, five from New York, five from across the United States, and five international, to come and live and work at Exit Art for seven weeks. It was one of the most exciting shows that we've done. I remember taking people around the exhibition, and they would always say to me, why are these beds here? Because the artists are living here.

Of course my alarm security company was horrified, everybody had keys to all of the doors in Exit Art. We allowed them access. So it was a very exciting show. In order for us to do this, we had to obviously collaborate entirely with the artist. What we were able to offer the artist is a flexibility, which is not to say no conflict. Obviously, you have 15 people living together who don't know each other. Conflicts did arise, but in some situations the conflict actually became part of the show.

When I say that we take risks, the artists know that Exit Art takes this risk with them. We are putting ourselves out there, we respect them very much and have confidence in them. So I will now show you some slides where we invited artists to come and live at Exit Art. [Slide] This is kind of just a general look at the front and back of the gallery. I will go over these quickly. [Slide] This artist, Mike, is actually lived inside a Buddha head, which he built. Inside looked raw, rough. [Slide] This is his stereo and equipment. He built everything. Mike remembers when he was about five years old and was very ill, he dreamt about the Buddha. All these years later when I invited him to be in the show, he built this Buddha head and lived inside of it.

I will tell you that it was absolutely impossible to get funding for the show. One of my staff said that maybe we can have the artists sign a contract. One artist ripped it up and said he is not signing a contract. I talked to my lawyer, and one of the staff advised me maybe we should put in the contract that you can't take drugs, don't bring guns. My lawyer told me that actually it's illegal, you wouldn't have to put that in the contract. You can take that for granted.

[Slide] This is an artist was a young, really interesting artist, and my first thought was, "Oh, I think she would be good for the show." My second thought was she was in a wheelchair, how can she possibly be in the show? Then, my next thought was that it was her decision. I wanted to invite her. If she felt it would be complicated or difficult for her, it was her decision. But to her credit, she did say yes and was a stabilizing force in the exhibition. [Slide] She lived inside this tent that she built.

I called a local gym and gave all the artists memberships during this time so that there was some place to take a shower or workout. Most did not take advantage of this.

[Slide] What happened was that with these three shows, the public became an integral part of the show. People would come every week to visit their favorite artist. One of the tenants on the fifth floor would come down in the morning with oatmeal and share it with the artists.

My landlord called me because his lawyer had read about the show, and it got a lot of press. The landlord called me and said, "You're subletting space for artists to live in." I said "No, it's an art exhibition. We're not subletting space. They'll be out in seven weeks."

[Slide] This is an artist who lived inside a newsstand that he built. He slept inside there, and all magazine covers were of himself as a model because he said black males are not usually featured on covers of magazines. We did give the artists their space. We assigned everybody space. [Slide] This is an artist, who worked in a bar, and she came in every morning at 6 a.m. She slept the whole day. That is her, little Sleeping Beauty.

[Slide] This is a Japanese artist who not did speak English as well as we thought. She had a movie playing on the TV that was in Japanese. Nobody understood anything. [Slide] This is a set out of a scene from that movie. I never understood why she chose that, but that is irrelevant. [Slide] This artist on the left would take words off the Internet and sew them onto this huge red dress.

[Slide] The artist to your right is Skip Arnold, and he created his office space and that is what he lived in. It was really a mess. Rena, who was right next to him, was fastidious. There was a big conflict. She was a person who went to sleep early as opposed to staying up late. So, Skip around 1, 2, 3 in the morning would put on the radio. But they managed to co-exist. In reality, the show was about co-existence. We put together an international group of artists. Could they co-exist? They did. At some point, Rena put up a screen between her and Skip so she wouldn't have to see him. [Slide] The artist next to her, Kate Howard, was constantly taking her space and changing it into different kinds of rooms the kitchen one week and the living room the next week. [Slide] She was living near a horticulturist. [Slide] You had to get in through this little door.

[Slide] As you can see, people were constantly hanging around. It became a total scene. It was exciting to have the public there, engaged in talking to you. They don't usually get to see the artist. So, it was an opportunity for the public to come and meet the artists. It was also an opportunity for the artist to meet the public.

[Slide] We created a situation for the show Terra Bomba where we invited artists to create a visual installation in which they could also perform. Each week they slightly changed their performance. I remember reading in the paper on a Friday morning that it was the worst show of the year. I was very concerned about the artists. They were young. This was in *The New York Times*. They blew it up, and put it on the wall.

[Slide] This artist created this trampoline, and she was jumping on it. Each week she kind of changed her persona. [Slide] This artist was literally lying still the entire exhibition. [Slide] This artist was entirely wrapped in kind of a Saran Wrap. [Slide] This artist, Adam, was all the way up on high up on stilts in the corner. To see his performance, you had to go up there and peek. It was interesting. People would get very interested in an artist, and each week they would slightly change their performance. You want to create an environment in which they can take risks. If it doesn't work, it's not a failure to me.

[Slide] This artist stuck her head in a vat of wine and did that for about five minutes. [Slide] This is a Japanese artist who rolled around in mud on a canvas. [Slide] This is an artist who amused me. She went through different kinds of persona. She had a gown on and would just twirl around.

Jeanne Silverthorne
Artist

With your permission, I'd like to take the title of this panel*, Collaboration and Conflict: The Relationship between Artists and Museums*, entirely literally and speak to you about my relationship, not with museum policies and practices, but with the museum building itself.

Let me begin by simply taking you through a recent installation. As a preface, my work has been concerned with what you might call the architectural repressed. That is, with what is not usually seen or addressed in various spaces. In the spaces of the studio and the gallery, it is the nostalgia of such areas that interests me, their possible outmodedness and their certain connection with the concerns and assumptions of specific historical periods, for instance, with the 19th-century romantic ideal of the genius in the garret for the studio, and with the early 20th-century ideal of modernist purity for the white cube of the exhibition space.

Last spring, on behalf of the Whitney Museum, curator Debra Singer asked me to conceive a project which would utilize two very different spaces at the Philip Morris building. One was the gallery space, a straightforward, somewhat small, more or less white cube. The other, the sculpture court, was a public space offering food service and retail stores, filled with plants and tables, a space through which a steady stream of visitors flowed on a daily basis. [Slide] As you can see from this first slide, the space is something short of a city block long and two stories, perhaps 50 feet, high. So one of the first problems I faced was that of scale. In my installations I often construct rather elaborate electrical wiring systems out of dysfunctional rubber. And that's what I did here, in a metaphorical sense turning the corporate room inside out to show what's behind the walls, exposing the innards.

As I said, there's a lot of visual noise here. It seemed to me that there was no way to compete with that noise. So I felt I would want something almost subliminal. In fact, I preferred the scenario in which an unsuspecting visitor doesn't see the work at first but then comes across a wire or a rubber outlet and subsequently follows it around the space until it leads her or him into the gallery. Or maybe the viewer sees the wires but assumes that construction work is being done and that's the end of the story.

[Slide] This is the view from one of the two entrances. This one on 42nd Street. The other, on Park Avenue, comes in where those stairs are. This is what you see as you enter from 42nd Street, and this [Slide] is what you see entering from Park. The direction of the wires was dictated by these two vantages, being widest at these points and meeting at a balcony over the gallery entrance before segueing into one wire, which fell to the floor and entered the gallery. There were other ways in which the space dictated to the piece. There was the safety factor both for the people and for the work that made it clear the installation had to be up high.

[Slide] In the gallery, a more controllable space, signs were posted and guards gave warnings about the danger of tripping, and so, I was able to work on the floor, setting up a high outside/low inside dialectic that might not have occurred to me otherwise. Similarly, the problem of how to close the doors to the gallery at night when the public space was still open led to the solution of simply unplugging that lone connecting wire that led from one space to the other and plugging it back in the morning, another serendipitous development.

[Slide] Because the walls outside were made of stone and corporate policy, of course, forbade drilling into them, it was impossible to attach elements anywhere except in the grout between slabs. This forced me out of a habitual kind of drawing I did with the wires and into at times a geometric pattern, and I appreciated this kick in the pants.

[Slide] Once inside the gallery, the wire into which the massive system outside had been reduced traveled to a rubber light bulb seen here, and from there to a shelf off to the side in a corner. [Slide] On the shelf were, on one side, a real lamp, rubber coated, with an attached magnifying lens, and, on the other, a rubber, superannuated, electrical switch. [Slide] Between them, on a rubberized sponge, sat three little pieces of styrofoam debris left over from the casting process and picked up off my studio floor. These were the models for the three biomorphic shapes sitting on their vaguely sponge-like bases in the middle of the gallery. That is, I had copied and enlarged those styrofoam shapes in clay and then cast them in rubber. So this entire enormous network of power and energy, the electrical system in the sculpture court, had ended up illuminating a couple of pieces of trash, of debris, leftovers.

In general, I was after some sort of objective correlative for the Sisyphean nature of endeavor, for how any undertaking can disappoint with the gap between intention and result, effort and product. More specifically, this disproportion was an allusion to the art product, to the enormous apparatus, institutional and personal, the enormous labor–physical, mental and emotional–which can so often result in products necessarily puny by comparison, a sort of Beckett-like take on the exhaustion produced by human aspiration straining against human limits. Consequently, the walls were painted gray half way up, like hallways or utilitarian spaces, spaces not for being in but for getting to somewhere or producing something. With their echo of older places of labor–sweatshops, garages, engine rooms, factories–I was hoping these gray walls would haunt a modern workplace, the Philip Morris building, with the ghost of labor past. And the wires, so methodical and goal-oriented outside, lost all direction, turned entropic, moving senselessly from real to fake outlet. [Slide] And the rubber pictures on the walls depict sweat. This [Slide] is a photoelectron microscope view of sweat beads on skin cells. This [Slide] is a similarly enlarged image of a sweat pore. [Slide] This picture is the exception. It shows an enlarged portion of my thumb and palm cradling some more of those scraps of debris. These organic references, the hand, the sweat, the biomorphic shapes, all began to inflect the wires also with a body reference, in particular those in the gallery, a space dimly lit, as an interior would be, and it's possible to see these wires then as the disemboweled guts of an autopsied room.

Looking back at this installation, I'd say that there were at least three audiences. One was the audience that routinely views art. For them I wanted to continue a familiar conversation, about sculptural and linear form, about the history of modernism and the area left in contemporary art for objects and so on and so on. Another audience was the less informed passerby, either urged by curiosity to follow those wires from non-threatening public space to a phobic interior or happy to have a museum on their daily route, hoping to get a quick booster shot of culture without making a special trip. For this group expectations about what a museum should exhibit are very easily upset, and so reactions vary wildly from revelation to amused surprise to mild perplexity to, very often, outrage. And finally there were those who, walking through the space on their way to someplace else, or grabbing a quick sandwich, noticing or not noticing what seems to be some construction work being done, need not be assaulted by some massive and intrusive piece of art they never asked for. I wanted them to be able to finish their lunch in peace.

Wynn Kramarsky
Trustee
The Drawing Center and The Museum of Modern Art

I am afraid I wouldn't leave you in peace. It's not my custom to leave people in peace. I am not a professional, so I don't have a reputation to protect. I am just a friend of a bunch of artists who very rarely, if ever, get into a museum show. I originally had some things planned to say to you, and then sitting at lunch I was told that the audience is interested in practical suggestions as to what they should or could do.

I was in Atlanta on a museum visit. I tried to visit an artist whose work I have collected for a number of years, who is now shown by a reputable New York dealer. She lives a little bit outside of Atlanta, about an hour and a half. When I visited her, we went through a studio visit with extensive discussion of the work she had been doing over the last five years or so. We talked about what her future looked like, all the things that go into that. As we were leaving, she started to cry. She thought it was a wonderful visit. She turned to me, and she said, you know, this is the first studio visit I ever had. Now, Atlanta is not that far away and to think that here is an artist who shows with some regularity in commercial galleries in New York and whose work is, in fact, in museums and that nobody in that museum takes the trouble go and make a studio visit.

That is why I won't leave you in peace. I have now over the last 15 years or so worked with young artists. I show them in my office space. I invite them sometimes to do a one-person show, but always up in group shows. We invite the public in. It's not a public space, but lots of groups come through. It's fair to say–maybe I shouldn't should say this–that in the last months of October and November there had been seven museum groups, either collectors committee, trustees, or international council or something like that that have gone through my space. My intention always has been that people should see the work together.

People should stop looking at art with their ears, they should look with their eyes. They ask me how did you do that. How do you do that? How do you know something is good? You have the obligation to show them how to look at things and to know that they are good. That is really what you should be doing. It should include people whose names no one has ever heard of, but whose work you will see and say: "Hey, that is great. That is beautiful. That says something." It's not easy to show that work.

In my space, I have had people deface the walls, I had people drill holes in the walls. I had occasional conflicts with my landlord, I have conflicts with my wife because she comes home, and it's filthy. It's wonderful because not only do young artists get exposure, but generally what we try to do is find places where they do at least a pamphlet and possibly a catalog. We are fortunate enough to occasionally help the publication of the catalog.

For me and for people that I work with, it's a great pleasure to see a group like this in this kind of conflict, this creative conflict. I have a great advantage. I don't have a curator. I don't have a director. I don't have a board of trustees. I don't have to please anyone and rarely do. It is just one person saying isn't that great, and that should be shown.

One further comment. Showing things is wonderful. It's really a great thing to do because the public needs to see this. When showing a work of a young artist who probably has had no commercial show at that point or very few, to go to the next step in a commitment, putting it into your collections is so important to those artists. When you get a call from somebody who said such and such an institution has bought my drawing, my sculpture or my painting, the joy that there is in that, the feeling of validation, the feeling of comfort with going forth into the world to make more beautiful art is something that is an undeniable peaceful experience.