

## Art-World Wrongs and Rights

*Ethics and the Visual Arts*, edited by Elaine A. King and Gail Levin, New York, Allworth Press, 2006; 273 pages, \$27.50.

BY ROBERT ATKINS

One does not have to read *Ethics and the Visual Arts* to appreciate that the art world is an ethical morass. Stories of museums acquiring antiquities of dubious provenance or litigators making competing claims for artworks confiscated by Nazis appear frequently in the press. Other unsavory professional practices are doubtless more widespread and insidious, if less "newsworthy": A museum deaccessions works from an artist's estate in violation of trust provisions forbidding such acts. A critic accepts art from artists she favorably reviews, never disclosing these gifts to editors, readers or the IRS. An art magazine regularly features artworks on its cover by artists who show at a gallery that always advertises in the publication. A board member of a public institution collects in the same areas as the museum upon whose board he sits, and is customarily asked to both vet the exhibition schedule and financially support its actualization. The number and kind of art-related ethical breaches seem boundless, the variety as broad as the many professional precincts that make up the art world.

The 19 essays in this volume, edited by art historians Elaine A. King and Gail Levin, reflect on some of the ethically suspect practices listed above but perhaps not enough of them. More troublesome, the anthology circles its timely subject without providing a larger context for what is actually at stake at a moment when the public views most institutions with suspicion and continues to perceive artists as charlatans and elitists. Like the proverbial Chinese dinner, *Ethics and the Visual Arts* is tasty, but upon digestion leaves the reader wanting more.

The problem is not a lack of disciplinary breadth. Many types of job holders and relationships—and ethical matters are almost always bound up in relationships between individuals, or individuals and institutions—are represented. Contributors run the gamut from attorneys to artists. Lawyers Barbara Hoffman and the late Stephen E. Weil offer clear and incisive discussions about conflict of interest and fair use, respectively. Eric Fischl's and Richard Serra's overexposed meditations on the removal of the former's 9/11-derived sculptures from Rockefeller Center and the latter's *Tilted Arc* from New York's Federal Plaza are featured, as is Ellen K. Levy's too-neutral examination of ethical issues arising from artists' uses of biotech methods in their art-making.

The contents also include disturbing case studies by historians: Nada Shabout writes on the wartime carelessness of the U.S. in protecting Iraq's cultural heritage, and Gail Levin details the Whitney's unprincipled handling of the husband-and-wife Hopper bequests. Restorer James Janowski offers the classic arguments for and against restoration before opting for restoration lite. Art historian Allan Wal-

lach and Thomas Freudenheim, former museum director, NEA museum program head and Smithsonian Institution assistant secretary for museums, survey ethical lapses in acquisitions of Holocaust-era and non-Western art (Freudenheim) and conflicts of interest and corporate pandering in the cases of the Brooklyn Museum's "Sensation" and the Guggenheim's "Giorgio Armani" exhibitions (Wallach).

Both are appropriately scornful of hypocritical museum practices and pronouncements. The Metropolitan Museum's lavishly corporate-funded "Channel," Wallach notes, came just five years after a show about the designer was canceled by director Philippe de Montebello, who vowed he would not allow the curatorial independence of the museum to be "compromised." Their essays suffer, however, from an over-intense focus on recent cases involving New York museums, especially given the many ideological controversies in which the Smithsonian Institution has been embroiled over the past two decades. A quick glance through my files brought up a nearly 20-year-old press release from the San Francisco Museum of Modern Art announcing "a unique five-year partnership" between the museum and Mitsui Fudosan, a subsidiary of Japan's largest real-estate developer and then owner of the Exxon Building in Rockefeller Center. "Mitsui will introduce SFMMA curator of architecture and design Paolo Polledri to a network of contacts within Japan's architecture and design areas." Is the difference between this and more recent examples one of degree or kind? How long have collectors been having their way with museums? Or dealers with artists? As long as these parties have existed, I suspect.

Writer Deborah J. Haynes addresses new-media art practice, although her interview with artists Joyce Cutler-Shaw and Margot Lovejoy notably overlooks the digital appropriation of corporate and political identities by activist-art groups like RTMARK. Historian Joan Marter offers a practical guide for protecting scholarly work when negotiating research and guest-curator contracts with museums. Philanthropist Elizabeth A. Sackler vehemently rejects the classification of American Indian ritual objects as art or commodity. Suzaan Boettger, an historian taking on rarely considered issues related to earthworks, questions the authorship of posthumous works by Robert Smithson "produced" by other, now well-known artists.

The most resonant essay in the book is by Ori Z. Soltes, a professor of theology and cofounder of the Holocaust Art Restitution Project, who movingly demonstrates the ethical singularity of Nazi art confiscation. The victims' cooperation in filling out meticulous inventories of their own valuables led not just to the plundering of the public representations of a culture, Soltes suggests, but to the sundering of private, family memory embodied in art and artifacts, gifts and personal objects. Activist involvement like Soltes's is only occasionally evident in this book, however. One wonders about its omission of the art world's extreme ethicist—Hans Haacke. Texts from *MetroMobiltan* (1985) or *Shapolsky et al.* (1971), projects exposing ethically dubious business dealings by corporate sponsors and trustees, might have both enlarged the scope and sharpened the focus of the book, as would

illustrations of the work of any number of individual artists or groups such as Gran Fury or the Guerrilla Girls.

The book only occasionally supplies this larger frame—to tip my hat again to Haacke. Critic and curator Saul Ostrow persuasively argues that the traditional liberal values of cultural redemption have given way to a narcissistic appreciation of an estheticized realm of consumption, jettisoning the ethical in the process. Critic Robert C. Morgan sees the salvation of global art in the rejection of current commercialized "systems" of marketing in favor of more personal, historically informed analyses and human-centered moral concerns. But it is Alex Rosenberg, an appraiser vividly aware that visual art materializes esthetic values in objects of immense financial value, who bluntly tells it like it is: in a single paragraph, he damns ethics-free politicians and bellows that "the bottom line has become the only truth." His blunt "appraisal" precisely locates the problem in the hegemony of the economic, the infiltration of our speech and thought by economically determined values and judgments about worth.

It is a cliché to call the art business the last unregulated industry, but it is no less true for being so. Remember the loud and whiny outcry that arose from dealers little more than a decade ago after the state attorney general directed New York galleries to make their prices readily available to visitors? Consider that modest demand, now widely ignored, a prologue to the nervous titillation generated by art dealer Christian Hays (of The Project) when, in 2005, he revealed to the New York state supreme court the various prices he offered different collectors and galleries for paintings by Julie Mehretu. Is it any wonder that the book portrays the art world as a corrupt and unscrupulous bazaar, an old-fashioned and elitist enterprise resisting contemporary demands for transparency, diversity and a more acute sense of the public interest?

But this indictment, written in and between the lines of the collected essays, is not synonymous with a thesis, which *Ethics and the Visual Arts* sorely lacks. What exactly is this anthology? Is it a how-to guide? A compendium of gossipy facts and anæcdotes about breached trust and betrayed friendship? Or a manifesto for a more rigorous application of ethical standards? At various times it is each of these things, although co-editors King and Levin never really present an agenda of their own. Nor have they devised an organizational scheme to guide readers; the articles gathered here are not subdivided by theme, and their arrangement seems arbitrary (the only two pieces focused on legal matters, for instance, are separated by six other essays). Coupled with an introduction comprising only brief essay-summaries and an assertion of the need for such a book, this work can do little more than revisit issues that are already on many minds. That's a shame, because the need for such a volume is genuine, and some of the anthologized essays are highly noteworthy. Unfortunately, lacking a coherent vision, *Ethics and the Visual Arts* remains no more than the sum of its parts.

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