

ART LETTER

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NY CULTURAL CENTER THREATENED: The NY Cultural Center is on endangered list, about to be abandoned by Fairleigh Dickinson family which has provided \$4.5 million in financial support (\$2.5 million to reduce mortgage; \$2 million for operating expenses) since it took over the building from Huntington Hartford in 1969. Concerned about keeping financial commitments to NJ university which bears their name, the family is seeking to sell the NYC building by June 30---preferably to a group interested in preserving the "kunsthalle" concept which has made it a unique cultural asset. In an AL interview, Mario Amaya, director of the center who has been widely credited with increasing its vitality & popularity during his 3-year reign, was reluctant to comment for publication about actions by Dickinson & trustees. He did allow himself 1 question, though: "Why does a philanthropist give money to an institution without insuring that other income will follow from other donors?" Members of the board of governors, who were not made aware of the seriousness of the center's financial plight until they read about it Oct. 31 in the NY Times, were less reticent: "I think they [the trustees] have been very evasive & very odd," said Gloria Kins after a meeting last month where trustees attempted to explain their position. "I had always felt that they wanted tight control over the NY Cultural Center. They never wanted to consult with the board of governors or other advisory groups."

"They never called on anybody to do anything," agreed Mrs. Walter Pharr, an active supporter of the center & wife of a board of governors member. "We were never asked to help raise money."

Responding to suggestions at last month's meeting that the trustees' pursuit of funds had been less than vigorous, Allen Russell, the center's president & lawyer for Fairleigh Dickinson, simply stated, "We hoped we were getting the word out."

The board of trustees---6 Fairleigh Dickinson associates & Huntington Hartford---has appointed an advisory committee to "examine alternative uses" for the building, should attempts to preserve the center fail. The trustees have also arranged for an independent assessment to be made of the building's value. (Original cost of land, building & equipment, including later capital costs, is \$7.16 million, according to center's financial statement; assessed valuation for tax purposes, which city often sets below market value, is \$3.6 million for land & building.) Meanwhile, Amaya scheduled a Nov. 26 meeting with directors of the Guggenheim, Whitney & Metropolitan museums & the Museum of Modern Art to discuss ways to save the center.

SOME GALLERIES SHARE RESALES WITH ARTISTS: While public debate continues over the artists' royalty issue, a handful of NYC galleries have quietly been passing on some resale profits to their artists. 2 dealers speaking at a conference at NY Univ. last month---Lawrence Fleischman, director of Kennedy Galleries, & Paula Cooper, who owns a gallery in SoHo---revealed that they give their artists a percentage of profits on "resold" works (i.e. works by gallery-represented artists which the gallery receives through purchase or exchange). Kennedy gives artists

10% of the resale profits; Paula Cooper, 15%.

An AL survey of a number of NYC galleries revealed the following other arrangements:

---O.K. Harris: Artist gets a sliding percentage, based on size of resale profit. "Prosperity goes back to prosperity," commented dealer Ivan Karp. "Those artists who are capable of resale are already rich."

---Sidney Janis: Artist who helps repair his work for resale receives variable share of profit, depending on how much needs to be done. Gallery once acceded to Claes Oldenburg's request for a share of resale profit on a work which needed no repair, according to co-director Carroll Janis.

Other gallery owners said they felt no need to share resale profits, since their artists were already well taken care of. "My artists get all the advantages," said Leo Castelli, whose stable includes Robert Rauschenberg, a strong royalties advocate. "They already profit amply from my transactions." Similarly, Donald McKinney, president of Marlborough Galleries, said that sharing resale profits is "something we don't believe in."

"Our artists are very contented with what we do," he maintained. "We give them a lot of advertising & expensive catalogues. They just want us to sell their work."

The resale market, most dealers agree, constitutes a very small part of a contemporary art gallery's business, so the goodwill gesture being made by some galleries is of limited benefit to artists. More extensive in scope would be a law requiring all sellers of art---dealers, collectors, museums---to turn over a share of resale profits to the artist. 1 of the dealers surveyed by AL, Klaus Kertess of Bykert Gallery, agreed 4 months ago to the use of a resale rights contract for the work of 1 artist, Chuck Close. Anyone purchasing Close's work from the gallery must now sign a contract guaranteeing Close a 10-20% share of profits from future resales. (So far, 1 work has been sold with the contract.) John Weber of John Weber Gallery has customers sign the Projansky-Siegel artists resale rights agreement (see AL, Oct. '74) for all work by artists Daniel Buren & Hans Haacke. He helps the artists keep track of resales so that they receive their proper share of profits. In the cases of both Weber & Bykert, it was the artists who initiated discussions about resale rights contracts.

At last month's NYU conference, some speakers expressed fear that an artists' royalty law would discourage sales (especially for unknown artists), while others maintained that such a law would increase public respect for artists & their work. NY Sen. Jacob Javits is among the Congressmen who have indicated support for artists' royalties, but a lot more talk can be expected before Congress finally takes up the issue: It has taken 10 years for Congress to get around to revising the copyright law! (Final action on that issue expected next year.)

Next stop on the Artists' Royalties Talk Circuit: Meeting of National Association of Attorneys General, Dec. 12 in Hot Springs, Ark. Rubin Gorewitz (organizer of the NYU conference) will address the state attorneys general on legal issues affecting artists.

ARTISTS' MATERIALS: A CONSUMER REPORT

THE HAZARDS: 2 new groups have formed to rescue artists who may be literally sacrificing their lives to art---those painters, sculptors & craftsmen who use potentially dangerous materials (i.e. solvents, casting plastics, polyester resins, polyurethane paints & varnishes) without taking necessary precautions---or, in many cases, without even knowing the dangers.

Hazards in the Arts, a Chicago-based group, & the Health Hazards Committee of the NYC-based National Art Workers Community, have recently begun to study these problems in order to help artists avoid unnecessary risks. In preliminary research, science writer Michael McCann, chairman of the NY group, found that labels on some potentially dangerous art products do not clearly list the contents & necessary precautions for use. Even when asked directly, some manufacturers refuse to reveal their products' contents, McCann said. He will discuss some of his findings at a free workshop on health hazards to artists, 5:30-7:30 p.m., Dec. 5, Room 202, Local 6 of Hotel, Restaurant Employees & Bartenders Union, 305 W. 44th St., NYC. Other speakers: Dr. Anne Davis, NY Univ. School of Medicine, to discuss lung reactions to foreign material; Dr. Leo Orris, skin specialist, to discuss skin problems caused by art materials. Workshop sponsored by Volunteer Lawyers for the Arts & Cornell Univ. School of Industrial & Labor Relations.

In a recent article in Craft/Midwest magazine, Gail Barazani, co-administrator of the new Chicago group, advised artists to "find out all you can about the materials you use. Don't trust the manufacturer or distributor to tell you everything." She noted that "intelligent management of studios & work areas must include good ventilation, with exhaust fans to eliminate dusts, vapors & fumes, careful housekeeping methods, damp-mopping of clay dusts, cleaning up of glaze splashes & spills so they cannot dry to dusts; vacuuming of sawdusts, grinding particles & fibers; organizing storage of toxic chemicals & solvents; careful installing & maintenance of mechanical & electrical equipment."

With help from the Chicago Lung Association, her group is preparing pamphlets & posters with specific precautionary info about toxic materials & processes. In addition, the Chicago group is now offering a handbook on toxic materials & safeguards: Health Hazards in the Arts & Crafts by Dr. Bertram Carnow, consultant to Hazards in the Arts & head of occupational & environmental medicine at Univ. of Ill. School of Public Health. (Carnow is also completing a book which he hopes will help raise the consciousness of art teachers, who may expose 1,000s of their students to hazardous conditions every day.) To receive handbook, send \$1 & stamped (20¢) self-addressed manuscript-sized envelope to Gail Barazani, Hazards in the Arts, 5340 N. Magnolia, Chicago, Ill. 60640.

McCann's group is now seeking funds & volunteers for research & publicity. Interested persons should contact National Art Workers Community, 32 Union Sq. E., NY, NY 10003.

AND THE COSTS: The Great Cotton Canvas Shortage of '73 has gone the way of the Great Gasoline Shortage, but, like its counterpart, it has left a legacy of sharply higher prices: up 40-50% since early '73, according to 1 NYC retailer; up 25% since Jan. '74, according to another. Some retailers have speculated that producers were holding back

cotton in '73 to force prices higher. (A trick learned from the oil companies?)

Retailer Steve Steinberg of NY Central Supply told AL that suppliers are scrambling to find new sources of handmade, 100% rag fine art paper, because J. Barcham Green, Ltd., large British manufacturer, is closing down next year. The following brand names will disappear from the market: Crisbrook, FJ Head, Hayle Mill Hand Made. Steinberg has advised customers to stock up. While other manufacturers of fine art paper still appear in good shape, Steinberg feels the Green closing signals beginning of end for handmade paper.

Low-grade, low-priced paper is harder to get now than last year, according to retailers surveyed. 2 pigments are also in hard-to-get category, according to Edwin Shade, editor of Art Material Trade News: chemical green (a coal tar derivative) & ultramarine blue. The latter, which used to be low-priced "common blue," is now extraordinarily expensive, according to Shade. Reason: it is now all imported since US manufacturers were forced out of business by law against water pollution requiring expensive filter installation.

Natural gas shortages could spell disaster for bronze casting foundries if rationing goes into effect according to Robert Spring of Modern Art Foundry in NYC. Both bronze & natural gas prices have doubled since early '73, he said. He observed that because of price increases, fewer sculptors are casting in bronze. Some artists, he said, are saving 2/3s of casting costs by making their own wax models, & by "finishing" the works themselves. Others are searching for substitute mediums: wood, stone, plastic. Plastics prices have gone up too: 30-100% (depending on type) since 1972, according to Fred Geldern of Industrial Plastics. Plexiglass, he said, has gone up 40-50%.

Some retailers are feeling consumer resistance to soaring prices. Robert Perlmutter of Pearl Paint Co. in NYC, for example, says that demand has diminished greatly. His customers seem to be buying fewer materials, creating smaller works & taking longer to complete them.

MET SCORED ON HIRING PRACTICES

The Metropolitan Museum bills itself as an "equal opportunity employer," but an as yet unreleased study of the museum's hiring practices, conducted by NYC's Human Rights Commission, has cast that claim in some doubt. The report reveals that of the Met's 165 professional staff members (curators, conservators, educators, librarians), only 14 are black, oriental or Spanish surnamed. Met personnel manager John Conger, who released this figure after AL got wind of the report, said it would be "premature" for him to discuss the commission's findings in greater detail. The museum, he said, is now concluding negotiations with the commission to set up "goals" or "guidelines" (he dislikes "quotas") for hiring. The 3-year agreement, which will probably be signed this month, will be based on anticipated turnover in various job categories. An effort will be made to fill vacancies with qualified minority group members & women.

"In the past, we have been unable to attract minority applicants," said Conger in an AL interview. "They haven't replied to our ads in the same proportion as non-minorities. Many of our specialized fields have not been gone into by blacks historically, such as the museum education & curatorial fields."

Women, he said, are better represented on museum staff: 105 of

165 professional staffers are women. But a spokeswoman for the Human Rights Commission said that few or no women are employed by Met in certain job categories (i.e. guards, certain levels of management).

Conger declined to discuss how the museum will recruit minority group members, but he has hired an assistant, Linda Bulmer, to help run the "affirmative action program." Ms. Bulmer, who is black, was previously a secretary with the Office of Equal Opportunity at Columbia Univ.

The Human Rights Commission began investigating the Met more than 1 year ago, on its own initiative (no outside complaints had been received). The commission assures confidentiality to cooperative institutions, so all future publicity will have to come from the Met. A similar commission investigation of NYC's other Met---the opera---was recently concluded & voluntarily publicized.

IN THE MATTER OF SCULPTURAL REPRODUCTION, various arts organizations have been eager to display the appropriate moral fervor in rallying behind College Art Association's statement condemning unauthorized casting & calling for clearer labeling of works. But an AL survey of some persons who could actually help implement the CAA proposals---museum curators & bronze foundry managers---revealed that while they support the CAA statement in theory, they feel that, in practice, strict adherence to the proposed standards might be impossible, because of the exhaustive research & investigation involved.

William Rubin, director of painting & sculpture at Museum of Modern Art, said MOMA will review labels & catalogue listings for its bronzes & will add missing info on name of foundry, date of execution, date of casting, etc., where such facts are already known. But, he said, it would be impractical for staff to try to investigate unknown info. 1 well-publicized mislabeling at MOMA: Boccioni's Unique Forms of Continuity in Space, dated 1913 by museum, but actually cast posthumously in 1931.

Judith Applegate, assistant curator of European decorative arts & sculpture, Boston Museum of Fine Arts, also said it would be impossible for museums to research the history of many bronze castings---particularly in the case of 19th century works. She said that MFA does provide all possible documentation & suggested that exhibitions be organized to assemble all available castings of 1 artist's work for comparative evaluation. An exhibition dealing with methods of examination of bronze casts & techniques of identification is already planned for Nov. '75 by Fogg Museum, Harvard Univ.

Operators of 2 NYC art foundries---Roman Bronze & Bedi-Makky---said flatly that they never permit unauthorized castings. But Robert Spring, who runs the Modern Art Foundry in Queens, noted that without extensive investigation by the foundry, it is relatively easy for unauthorized pieces to slip through. Once, he said, someone falsely claimed to be the creator of the piece he wanted Spring to cast. The real artist, also a customer of Spring's, later walked in & spotted his piece. He stopped the casting, & after negotiations allowed the work to continue.

"Our ethics are limited by our knowledge," Spring said, noting that foundries are not required by law to check whether a customer is authorized to cast. "We do watch as much as we can," he added. "We don't want to ruin our reputation."

ARTTRIALS: The celebrated Stephen Radich flag desecration case, which has been bouncing from court to court for 7 years, finally came to rest in US District Court for So. District of NY last month, when Federal Judge John Cannella found the gallery owner not guilty. Radich had been convicted in connection with Dec. '66 exhibition in his gallery of political-protest "constructions" by sculptor Marc Morrel. In finding for Radich on appeal, Judge Cannella cited his right to free expression & noted that the show had not created public disturbance...Testimony ended Oct. 25 in the long running, much publicized Rothko trial, which began last Feb. in Surrogate's Court, NYC. At issue: disposition of 800 paintings from Mark Rothko's estate. The late artist's children, Kate & Christopher, have sought to cancel contract selling 100 paintings & consigning 700 others to Marlborough Galleries. NYS attorney general also entered case against Marlborough. Deadline for all memorandums in case set for Apr. 25 by Surrogate Millard Midonick.

ON THE MOVE: New headquarters for National Endowment for the Arts--- Columbia Plaza, 2401 E St., N.W., Washington, DC. Mailing address stays the same: NEA, Washington, DC 20506. Visual Arts phone remains: 202-382-7068...Other new addresses: Michigan Council for the Arts, 1200 Sixth Ave., Detroit, Mich. 48226; Indiana Arts Commission, Suite 614, 155 E. Market St., Indianapolis, Ind. 46204; Texas Commission on the Arts & Humanities, 202 W. 13th St., Austin, Tex. 78701; Kansas Arts Commission (new director, Jonathan Katz), Suite 100, 166 W. 10th St., Topeka, Kan. 66612.

PEOPLE: In effort to establish Meyer Schapiro Chair in Columbia Univ.'s Department of Art History & Archeology, 12 artists will offer original prints for sale at \$6,000 for portfolio of 12. Included are Hayter, Johns, Kelly, Liberman, Lichtenstein, Masson, Motherwell, Oldenburg, Rauschenberg, Steinberg, Stella, Warhol. It is hoped that sales will raise \$750,000 to endow chair. Schapiro, art historian, is prof. emeritus at Columbia...Adolph Cavallo, former chairman of Costume Institute, Metropolitan Museum, named assistant director for collections, Boston Museum of Fine Arts...James Byrnes resigns directorship of Newport Harbor Museum, Newport Beach, Calif., effective Dec. 31... Barbara Haskell, former director of exhibitions & collections, Pasadena Museum of Modern Art, to become curator at Whitney Museum, effective Jan. 6.

DIED: William Seitz, 60, eminent art scholar, professor, former associate curator of painting & sculpture exhibitions at Museum of Modern Art; Hermann Williams Jr., 66, director emeritus, Corcoran Gallery, former assistant curator, Metropolitan Museum; George Wittenborn, 69, NYC art book dealer who headed important art book publishing company; Yekaterina Furtseva, 63, Soviet Minister of Culture, only female member of ruling inner circle of Communist Party. (New minister: Pyotr Demichev, national party secretary & orthodox ideologist); Leon Kroll, 89, painter & muralist, former board member & art committee chairman of Academy of Arts & Letters.