

Examen écrit – Session 2 – Semestre 1 2020-2021

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Selling Art to Pay the Bills Divides the Nation's Museum Directors
Bitter debate has ensued as museum leaders around the country discuss whether to permanently embrace a pandemic-spurred policy that allows the sale of art to cover some operating costs.

By Robin Pogrebin and Zachary Small, March 2021

It started as a stopgap measure to respond to the pandemic, a temporary two-year loosening of an Association of Art Museum Directors' policy that has long prohibited American institutions from selling art from their collections to help pay the bills.

But more and more museums are taking advantage of the policy and the association began discussing making it permanent, an idea that, depending on which institution you talk to, either makes perfect sense or undermines the very rationale for their existence.

The debate has grown heated in recent weeks, pitting museum against museum, and forcing the association — which serves as the industry's referee and moral watchdog — to postpone talks about extending the change indefinitely.

"We need to take time to reconsider," Thomas P. Campbell, the former director of the Metropolitan Museum of Art, said in an email. "The decisions we make now will impact the museum industry for decades."

The longstanding policy — enforced by the museum director's association and widely embraced by its members — has been that the art owned by institutions was held for the public benefit and, as such, should be mostly retained.

Some items could be sold — known as deaccessioning — but they were supposed to be artworks that were duplicative or no longer in line with the museum's mission, and the proceeds were to be dedicated to the acquisition of other art, not to underwriting staff salaries or other operating costs.

But facing the financial upheaval brought on by the pandemic, the association temporarily loosened the restrictions last year, allowing museums to sell artwork to help pay for the care of their collections.

The issue came to a head last month when the Met acknowledged that it might take advantage of this policy shift, including a direction of the proceeds toward the salaries of those involved in collection care.

Museums typically look to the Met — the country's largest — for guidance and many are troubled by the idea that it would use art sale proceeds to underwrite operating expenses.

But other museums had already announced similar intentions. The Brooklyn Museum has so far raised close to \$35 million at auction sales in the United States and Europe for the care of its artworks.

The Newark Museum of Art last week said that it would follow suit, selling 20 objects from its collection with help from Sotheby's auction house.

Erik Neil of the Chrysler Museum of Art in Norfolk, Virginia, who favors keeping the more stringent policy in place, says the issue is possibly the most important museum governance issue he has confronted as a director.

"We are educational institutions," he said in an interview. "If you want to flip paintings, there are many other types of institutions where you can do that, and they are called commercial galleries."

The stark differences of opinion among museum leaders were evident last week when the association convened two unusual, mandatory sessions to gather feedback from members about the rules for such sales.

(...) Anagnos said that, given "tremendous uncertainty at the start of the pandemic," the board felt compelled to quickly respond to members' "financial needs, providing a focused set of opportunities for additional financial flexibility for those institutions that wanted and needed it."

(...) Many have already lined up on either side of the debate. Campbell, who is now the director and chief executive of the Fine Arts Museums of San Francisco, in an Instagram post warned that “Deaccessioning will be like crack cocaine to the addict — a rapid hit, that becomes a dependency.”

In a subsequent interview, he said he is “fully in favor of deaccessioning when it is being used to prune and shape a collection, especially today when we are looking to increase space for women and BIPOC artists.”

“Allowing deaccession for ‘collection care’ is different as it opens up a range of issues,” he added, “from donor trust, to board and civic responsibility, to questions of whether collections will be re-classed as assets and lose their tax-exempt status.”

Forced to defend the Met’s decision in the press, the current director, Max Hollein on Feb. 17 issued a lengthy explanation of the museum’s reasoning. “I take very seriously the impact that our actions have on other institutions,” the statement said. “I also realize that others may have different philosophies. It is my professional opinion that a deliberate deaccession program is appropriate, useful, and necessary for an art museum like ours.”

Hollein added that “we must face this once-in-a-generation challenge brought by the pandemic” by supporting the Met and its staff “while also taking the long view with regard to what is best for the museum.”

Nonetheless, more than 25,000 people have signed a petition urging the Met to reconsider. “We call on the Met’s board to do the job they signed up for: to give, to support the institution,” says the petition, started by the art critic Tyler Green. “We call upon the Met’s senior staff leadership to resist any attempts to sell off the art the Met holds in the public trust.”

Some museum leaders worry that donors will be less likely to contribute art if they fear it would be sold, or that formerly generous trustees, seeing the cash available from art sales, may become less likely to donate money.

“A donor has to look carefully at whether it’s in their best interest for a work to go to a museum versus selling it themselves or putting it in a private museum,” said Max Anderson, who has been the director of museums in New York, Indianapolis and Dallas. “To say we have billions of dollars of art and yet you’re holding out your tin cup to the community saying, ‘Please support our museum and by the way we are now able to sell art to pay our bills,’ the community will say, ‘So why are you coming to me?’”

Michael Govan, the director of the Los Angeles County Museum of Art, said valuing art as art — for its educational value — “has been one of the backbone policies of the field.

“Collections won’t be put on the balance sheet because they are not valued as assets,” he said, “not sold as assets.”

In fact, most museum collections are so full of donated works for which tax deductions have been taken that it’s fair to say they have been underwritten in part by the American taxpayer. Will the routine resale of such gifts call into question the favorable tax treatment enjoyed by museums as charitable organizations?

Some worry that it will.

“What happens when a museum steps outside of a charitable purpose and becomes more of a commercial entity?” said Anderson. “It opens up an entire world of hurt around the model which has for over a century governed nonprofit organizations.”

- 1) What is deaccessioning? How did it evolve with the pandemic?
- 2) What are the ethical drawbacks?
- 3) What are the financial benefits?
- 4) What do you think about the deaccessioning of artwork?