

F R O N T P A G E

Turmoil at the Reina Sofía

Once again, a change in leadership at Madrid's Reina Sofía has been marked by bitter controversy. Recalling the abrupt firings of former directors Tomás Llorens (1991) and María Corral (1994), director Juan Manuel Bonet resigned in a huff on May 29. That day, Spanish newspapers announced that he would be replaced by Ana Martínez de Aguilar, 48, director of the Esteban Vicente Museum of Contemporary Art in Segovia. She was selected by Carmen Calvo, the new culture minister appointed by Socialist Prime Minister José Luis Zapatero following his party's triumph in the national elections in March.

Bonet, appointed in 2000 by the prior (conservative) government, complained in a letter to *El País* that he didn't understand Calvo's "absence of tact" or "the hostile and sectarian tone of the minister's comments" about his tenure. He claimed that in April, when he first read in the press that his job was on the line, he wrote a letter to Calvo offering to help make the transition as smooth as possible for the new director, whoever that might be, but that she didn't respond to him.

A locally recognized museum professional with a historicist approach to exhibition programming, Bonet has a dubious reputation for dulling two of Spain's liveliest art museums (prior to the Reina Sofía, he headed IVAM, Valencia's modern art museum). At the Reina Sofía during 2003-04, large-scale overviews were devoted to such artists as Rafael Alberti, André Masson, Juan Gris and Calder, while works by emerging artists were tucked away in a small gallery, and temporary shows by living artists were mounted offsite at the Velázquez and Crystal palaces in Retiro Park.

Even so, Calvo's choice of the little-known Martínez as director of Spain's premiere modern art institution sparked an uproar. Critics decried her skimpy credentials; she has curated one exhibition at the Vicente Museum, a modest institution inaugurated in 1998 that houses 153 Abstract-Expressionist works bequeathed by the only Spanish member of the New York School.

Martínez's detractors called for an international search for a qualified director (Vicente Todolí of the Tate Modern and Manolo Borja Villed of Barcelona's Contemporary Art Museum reportedly turned down

Artist Ensnared by Patriot Act

Since May, Buffalo artist Steve Kurtz has been the subject of a highly publicized federal investigation involving his possession of bacterial agents and lab equipment. The trouble began on May 11, when the artist awoke to find that his wife, Hope, was dead. After emergency workers arrived, they discovered what they considered to be suspicious items and called in the FBI. Invoking a 1989 bioterrorism law and the Patriot Act, which grants the federal government unprecedented search-and-seizure powers, federal agents detained Kurtz for 22 hours; they searched his home for two days, as well as his office at SUNY-Buffalo, where he is a faculty member. The bureau confiscated his wife's body, his house, car, equipment, computer hard drive, books, writings, correspondence, art projects and other items, even his cat. His house, cat and car were returned to him after one week, once it was determined that his wife's death of heart failure, at age 46, was unrelated to the bacterial matter.

A member of the collective Critical Art Ensemble (CAE), Kurtz had obtained the lab equipment and two strains of harmless bacterial material—one of which is used in high-school biology classes—for a project that was to have appeared in the current exhibition at MASS MoCA, "The Interventionists: Art in the Social Sphere." The group planned to set up a lab in the museum so that visitors could bring in food products to be tested for genetically modified ingredients. At this writing, Kurtz's remaining property has not been returned. The gallery at MASS MoCA where the work was to have been installed contains computers with which viewers can access information about the piece, a few packaged food items and copies of news stories covering Kurtz's ordeal.

In June, the charges against Kurtz were downgraded from bioterrorism to mail and wire fraud for obtaining biological agents under false pretenses. Also charged in the case is Robert Ferrell, former chairman of the University of Pittsburgh's human genetics

department, who ordered the bacterial material, worth \$256, on Kurtz's behalf. Ferrell has not yet been arraigned because he is undergoing treatment for recurring non-Hodgkin's lymphoma, which prompted him to resign from his position at the university. Subpoenas were issued to seven members of the collective and the group's publishing company Autonomedia, for which Kurtz's wife served as editor. Armed with the Patriot Act, investigators had also sought to obtain information on individuals and bookstores that had ordered books from Autonomedia, but backed off after the ACLU and other activists cried foul on First Amendment grounds.

According to Ed Cardoni, executive director of the Buffalo alternative space Hallwalls and board president of the National Association of Artists' Organizations, which is serving as the fiscal agent for the CAE Defense Fund [www.caedefensefund.org], legal costs for Kurtz and Ferrell together are expected to be at least \$300,000. Included in that amount are fees that Kurtz will have to pay to obtain copies of all his records seized by the FBI. Even if Kurtz is acquitted, the federal government will not reimburse him for his legal expenses. However, since he is an employee of a state university, New York State will pay his costs if he is acquitted. The CAE's defense fund initially raised \$30,000, which was quickly depleted in the early phase of the investigation.

Kurtz, who is not speaking to the press on the advice of his lawyer, was released on his own recognition but is under close scrutiny. Travel restrictions have been placed on him, he must submit to drug tests, and he is subject to random visits and inspections by a probation officer. If convicted, he faces 20 years in prison. Kurtz has maintained his innocence and said that, on principle, he will not seek a plea agreement with federal authorities, though it is expected that a dismissal will be sought. Pretrial motions are to begin in mid-October, when a trial date will be set for sometime in the spring.

—Stephanie Cash

the post), but the Reina Sofía's board rubber-stamped the appointment, hours before Martínez was to preside over the June 15 opening of "Monochromes: From Malevich to the Present" (curated by American critic Barbara Rose).

The Reina Sofía controversy is a disappointing debut for Calvo, 47. As the former head of Andalucía's regional art commission, she received kudos for bringing to fruition the new Picasso museum in Málaga—inaugurated in October 2003—a project that required years of negotiations with Picasso's surviving relatives.

On June 24, Calvo and Martínez went ahead with preexisting plans to inaugurate the first new galleries of the museum's huge addition with a Lichtenstein survey, even though the addition is still under construction. The move was met with complaints from all quarters, including architect Jean Nouvel, who wanted the museum to wait until the building was finished. —Kim Bradley

New Jersey's 9/11 Memorial

Governor James McGreevey of New Jersey recently announced that a proposal by architect Frederic Schwartz has won the state's September 11th Memorial Competition. Titled *Empty Sky*, the project is a tribute to the nearly 700 New Jersey residents killed in the 9/11 terrorist attacks. The New York-based architect was a member of the "Think" team of architects and designers who were finalists in the competition for the new World Trade Center [see "Front Page," Feb. '03], which was ultimately won by Daniel Libeskind. Schwartz was also selected earlier this year to design a 9/11 memorial for Westchester County's victims.

Produced in collaboration with Massachusetts-based architect Jessica Jamroz, the design was



Rendering of Frederic Schwartz's 9/11 memorial for New Jersey, *Empty Sky*.

selected from 320 initial proposals, narrowed down to six finalists, and chosen by a panel of 12 family members of victims. The design features two parallel, stainless-steel walls, each 30 feet high and 200 feet long (the width of each WTC tower). Symbolizing the Twin Towers, the walls will be engraved with the names of each victim in 4-inch letters. The walls are to be situated 16 feet apart

▶ on a 1.6-acre grassy hill in Jersey City's Liberty State Park, directly across the Hudson River from Lower Manhattan.

Certain elements of the approximately \$7-million project recall both Maya Lin's Vietnam Memorial and recent sculptures by Richard Serra. Similarly, two powerful, vertical beams of light that will illuminate *Empty Sky* at night are reminiscent of Lower Manhattan's temporary 9/11 memorial *Tribute in Light*. Among the unique features of *Empty Sky* is a grove of dogwood trees outlined with violets, the state flower, which will surround two large steel beams that were pulled from the WTC wreckage. A specific construction schedule and completion date have yet to be announced. —David Ebony

Biennale Set for Shanghai

Following a year in which official taste was resurgent in Chinese institutions but ever more confidently flouted in independent venues [see "Focus: China," *A.i.A.*, June/July '04], critical anticipation is now building for the fifth Shanghai Biennale, scheduled to run Sept. 28-Nov. 28 at the Shanghai Art Museum. Only the third installment to be truly international in scope, this year's event, titled "Techniques of the Visible," will examine links between art, science and technology. Works will range from shadow plays and dance through painting, sculpture and installation to photography, film, video and computer art.

Though a recent upswing of Western interest in Chinese contemporary art is expected to deliver a greater-than-ever number of foreign visitors, and though local hopes are high for a crop of feisty nonaffiliated shows, the Biennale's organizational structure itself remains solidly mainstream. Of the four members of the curatorial team, only one is from abroad: Argentinean-born Sebastian Lopez, currently director of the Gate Foundation, Amsterdam, which gathers and disseminates information on non-Western visual arts. Xu Jiang, a widely exhibited painter who is president of the China Academy of Art and vice chairman of the Chinese Artists Association, serves as head curator. Rounding out the group are Zheng Shengtian, an independent curator and managing editor of the English-language contemporary Chinese art journal *Yishu*, and Zhang Qing, a Shanghai Art Museum curator who also sits on the editorial board of the bimonthly *Art China*.

As we go to press in early August, no list of participating artists has yet been announced. (Last-minute

release of information to press and public is a standard practice in official Chinese art circles.) Updates can be found on-line at www.shanghaibiennale.com. —Richard Vine

Supreme Court Rules For Klimt Claimant

On June 7, the U.S. Supreme Court ruled in a 6 to 3 decision that Maria Altmann, an 88-year-old Los Angeles resident, has the right to sue the Austrian government for the recovery of six important paintings by Gustav Klimt. The decision upheld earlier rulings by lower courts granting Altmann the right to sue Austria in the U.S. Justice John Paul Stevens, who led the majority, denied requests by Austria and the Bush administration to dismiss Altmann's claim. The three dissenters were Chief Justice William Rehnquist and Justices Anthony Kennedy and Clarence Thomas.

At the heart of the complex case is the 1976 Foreign Sovereign Immunities Act, a law which generally renders foreign governments immune from suits in U.S. courts, except when property has been taken in violation of international law. It was the position of Altmann's lawyer, E. Randol Schoenberg, that Austria's seizure of the paintings qualifies retroactively for such an exception.

The paintings, which today hang in the Austrian Gallery in Vienna and are estimated to be worth \$150 million, belonged to Ferdinand Bloch-Bauer, Altmann's uncle. In 1939, the works, including the famous *Portrait of Adele Bloch-Bauer* (1907), were seized by the Nazis. Following the war, Altmann contends, the Austrian government pressured the Bloch-Bauer family to relinquish ownership of the paintings in exchange for permission to take other works out of the country. Her earlier efforts to sue in Austrian courts were stymied by the requirement that she pay \$2 million in filing fees [see "Artworld," Nov. '03].

When the case returns to trial in a lower court in California (no date has been set at press time), the State Department can still request that it be dismissed on the grounds that it interferes with national interest. In a telephone interview with Bloomberg News after the Supreme Court ruling, Altmann declared: "I'm very, very happy. I have a feeling they will now have to come to the table and talk." —Raphael Rubinstein



Edouard Manet, *Races at the Bois de Boulogne*, 1872, \$26.3 million, at Sotheby's.

Auction Houses in Full Boom

This past spring and summer, art auction totals went through the roof at sales in the U.S. and abroad. New York's important evening auctions of Impressionist, modern and contemporary art at the city's two biggest houses, Christie's and Sotheby's, were the most successful in years. Sotheby's came out on top, realizing \$403.6 million, including the \$104.3 million for a single painting, Picasso's 1905 *Boy with a Pipe* [See "Artworld," June/July '04]. The total was greater than the house's \$244.1-million fall earnings, and far outshone its \$123.6-million take a year ago. Christie's also had a strong season, pulling in \$204.6 million. The figure was somewhat below the \$223.5-million total the company garnered in the fall, but far surpassed its \$161.5-million earnings last year. Christie's was also responsible this season for realizing the first-ever \$100-million auction of postwar and contemporary art, on the evening of May 11. Participating only in the contemporary-art arena, Phillips, de Pury & Co. (the new company name resulting from the departure of Daniella Luxembourg early in the spring) pulled in \$25.9 million.

Final prices quoted here include the auction house commissions: Sotheby's and Phillips, de Pury & Co. charge 20 percent of the first \$100,000 and 12 percent of the rest; Christie's commission is 19.5 percent of the first \$100,000 and 12 percent of any amount beyond that. Estimates do not reflect commissions.

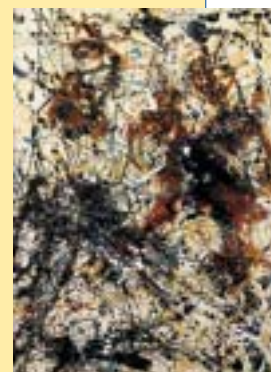
Impressionist and Modern

The season opener, Christie's evening sale of Impressionist and modern art on May 4, was not a resounding success, although it achieved some record-breaking prices. The night's total, \$56.6 million, was below the \$64.9-million low estimate, and seven of the 39 works offered failed to sell. Considerable excitement, however, was generated by six works being deaccessioned by the Museum of Modern Art to support its acquisitions fund. One of these, *The Great Metaphysician*, a landmark 1917 painting by Giorgio de Chirico, was the evening's star lot. A tall canvas showing an abstracted figure towering above a starkly lit Renaissance piazza, the work sold for \$7.2 million, within its \$7-10-million presale estimate. A large, stunning Redon pastel still life from the collection of the late Doris Duke, *Vase with Japanese Warrior* (ca. 1905), brought \$3.8 million, well above its \$3-million high estimate, and a record auction price for the artist. Tamara de Lempicka's auction record was broken when her 1929 *Portrait of Mrs. Bush* brought a whopping \$4.6 million (est. \$1.2-1.6 million).

The following evening's auction at Sotheby's was an historic event. A single-owner sale of works from the collection of the late Mr. and Mrs. John Hay Whitney, undertaken to benefit the Whitney family's philanthropic Greentree Foundation, the auction garnered a staggering \$189.9 million. The total was significantly greater than the evening's \$157-million high estimate, and only two of the 34 lots offered were bought in.



Giorgio de Chirico, *The Great Metaphysician*, 1917, \$7.2 million, at Christie's.



Jackson Pollock, *No. 12, 1949*, \$11.7 million, at Christie's.

Although Picasso's *Boy with a Pipe* attracted the most press attention, having brought the largest sum ever paid for a work at auction, the sale featured numerous huge prices and several other record-breaking lots.

The evening's second-highest seller was Manet's 1872 equestrian painting, *Races at the Bois de Boulogne*, which sold for a hefty \$26.3 million (est. \$20-30 million). Another large painting of horses, Alfred J. Munnings's *The Red Prince Mare* (1921), trounced its \$6-million high estimate to sell for \$7.8 million, the artist's highest auction price to date.



Marlene Dumas, *Young Boys*, 1993, \$993,600, at Phillips, de Pury & Co.

Among the sale's other highlights were two still lifes: Bazille's lush *Pot of Flowers* (1866), which garnered \$5.3 million (est. \$4-6 million), a record auction price for the artist, and Picasso's vibrant 1944 *Tomato Plant*, which shot past its \$4-million

high estimate to sell for \$6.8 million. One of the evening's rarest gems was William Blake's visionary work on paper *The Good and Evil Angels Struggling for the Possession of a Child* (1795-1805). Soaring high above its \$1.5-million high estimate, the work sold for \$3.9 million, another artist auction record.

Riding the wave of success of the Whitney sale, Sotheby's auction of Impressionist and modern art, on May 6, was also strong. The night's \$96.1-million total was near the \$99-million high estimate, and 42 of 52 lots offered sold. The top lot, Monet's large *Water Lilies* (1917-19), from the collection of Fran and Ray Stark, realized \$16.8 million, well above its \$12-million high estimate. Picasso's 1932 painting *The Rescue* was knocked down for \$14.8 million (est. \$10-15 million), and another Picasso, a large *Seated Nude* (1959), blasted its \$3-4-million high estimate, selling for \$11.8 million. A large canvas by Balthus, *Golden Afternoon* (1957), showing a young girl reclining by a window, brought \$3.8 million (est. \$4-6 million), a record auction price for the artist.

Contemporary

The extraordinary strength of Impressionist and modern works this past spring helped turn up the heat in the contemporary-art field, which was already sizzling in the past few seasons. The result was a record-breaking evening for postwar and contemporary art at Christie's on May 11, which brought in \$102.1 million, approaching the night's

\$105-million high estimate. Only 7 of 67 works offered failed to find buyers, and 6 new artist records were established, including one for Jackson Pollock, whose *No. 12* (1949), a medium-size drip painting on paper, was the evening's top lot. The work, being deaccessioned by MOMA to benefit its acquisitions fund, demolished its \$7-million high estimate and sold for \$11.7 million.

Among the many other notable lots, Rothko's large canvas *No. 15* (1958) brought \$9 million (est. \$8-12 million) and Andy Warhol's *Self-Portrait* (1967), with a bright blue face and green background, sold for \$6.9 million (est. \$6-8 million). The Jeff Koons bourbon-filled, stainless-steel sculpture *Jim Beam J.B. Turner Train* (1986) zoomed past its \$3-million high estimate to bring \$5.5 million. A recent painting by Koons, *Saint Benedict* (2000), brought a whopping \$1.7 million,

far above its \$650,000 high estimate.

New artist auction records were established for Ed Ruscha, whose painting *Damage* (1964) was knocked down for \$3.6 million (est. \$1.8-2.5 million), and Chuck Close, whose large 1982 canvas *Gwynne* sold for \$2.8 million (est. \$2.5-3.5 million). Joan Mitchell's large painting *Dégel* (1961-62) brought \$1.5 million, roughly double its \$700,000 high estimate, and Dan Flavin's *Alternate Diagonals of March 2, 1964 (to Don Judd)*, 1964, realized \$679,500 (est. \$350,000-450,000), new auction highs for both artists.

Building on the momentum of the Christie's sale, Sotheby's contemporary-art auction the following evening was even more feverish. The sale garnered \$65.7 million, beyond the evening's \$65.4-million high estimate. All 58 works offered sold—22 for more than \$1 million—and 13 new artist auction records were established. Top lot was a classic Roy

Lichtenstein Pop painting, *Step on Can with Leg* (1961), which brought \$5.1 million (est. \$4-5 million).

Other big prices included \$2.9 million paid for Ellsworth Kelly's 1971 painting *Chatham XIII: Yellow Red* (est. \$1.2-1.8 million) and \$1.6 million for Claes Oldenburg's 1961 plaster relief *Sewing Machine* (est. \$500,000-700,000), record auction prices for both artists.

Maurizio Cattelan's auction record was smashed when his *The Ballad of Trotsky*, a 1996 sculpture consisting of a taxidermied horse suspended from the ceiling, sold for \$2.1 million, more than double its \$800,000 high estimate. James Rosenquist's painting *Air Hammer* (1962) brought \$512,000 (est. \$500,000-600,000), and Rachel

Whiteread's colorful untitled 1995 resin sculpture garnered \$478,400 (est. \$400,000-600,000), two more auction bests.

The season ended the following evening with Phillips, de Pury & Co.'s lively sale of contemporary art, which realized \$17.8 million, near the night's \$17.5-million high estimate. Of the 63 works offered, 59 sold, and 10 new artist auction records were established in the process. The top lot, Jean-Michel Basquiat's large 1983 canvas *Blue Heads*, sold for \$2 million (est. \$1.8-2.5 million). Marlene Dumas's painting *Young Boys* (1993) clobbered its \$350,000 high estimate to sell for \$993,600, and Bridget Riley's diamond-shaped 1964 Op art painting *Serif* went for \$792,000 (est. 500,000-700,000), setting new auction highs for those artists. Christopher Wool's untitled 1990 five-panel painting, featuring the words "run dog run," brought \$848,000 (est. \$500,000-700,000), an auction record for the artist. Another word painting set a new auction high for Richard Prince, when his "joke" diptych *My Name* (1987), a large gray monochrome work, inscribed with orange block letters reading "I never had a penny to my name so I changed my name," fetched \$747,200, far above its \$200,000 high estimate.

—David Ebony



Maurizio Cattelan, *The Ballad of Trotsky*, 1996, \$2.1 million, at Sotheby's.



Ellsworth Kelly, *Chatham XIII: Yellow Red*, 1971, \$2.9 million, at Sotheby's.



Tamara de Lempicka, *Portrait of Mrs. Bush*, 1929, \$4.6 million, at Christie's.

Christopher Wool, *Untitled*, 1990, \$848,000, at Phillips, de Pury & Co.

