

ARTS BUSINESS EXCHANGE



D E C E M B E R 2 0 0 2

S P O N S O R S



Dick Blick Art Materials, a supporter of the *Arts Business Exchange*, has hundreds of outstanding gifts for artists of all ages. Art supplies are an educational gift that both parents and children really appreciate.







Visit Dick Blick at
www.dickblick.com

Request a catalog from Dick Blick Art at
dickblick.com/requests/bigbook/

For advertising information contact the Editor at editor@artsbusiness.com
or visit our web site www.artsbusiness.com

D E C E M B E R 2 0 0 2

C O N T E N T S

	Editorial Obsolescence in art 5 Blue Chip Quotes 5
	Art Business News Art Exchange - Toronto International Art Exchange in development at Lyons & Hannover 6 Cultural Activision - Montreal's creative class is determined to shape the city's future 7
	News briefs 9 US & Canadian Galleries Merge Hefffel November Canadian Auction sales - 65 percent international buyers Obituary - Alex Macleod, Poster King of Toronto in the 1960s, 70s Canadian Supreme Court rules against creator NGC receives gift of Joyce Wieland's copyright Museum Directors issue statement on object repatriation
	Regional Art Realities 16 by Ben Darrah
	Recommended Fees 20 by Anita Grace
	Information Exchange 22
	ENDNOTES 25 HAPPY HOLIDAYS

▶ [Advertisers Information](#)

▶ [Send this newsletter to a friend](#)

D E C E M B E R 2 0 0 2

GLOBAL ACCESS TO GALLERIES AND ARTISTS

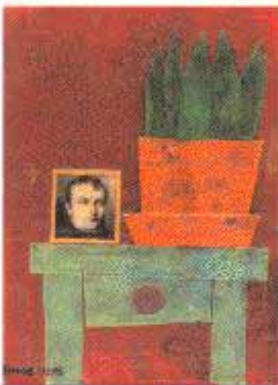


Larry Fredericks Collage 2000

GALLERIES

How do you find great artists from around the world without wasting your and your employees precious time sifting through mountains of correspondence and photographs? How do you avoid paying large mark-ups or fees to brokers?

- Join Sell Your Art.net and discover up and coming creative talent from a huge community of artists.
- Sell Your Art.net is always free to galleries.
- You deal directly with the artists you desire.
- Get additional exposure by linking your gallery's site to ours free of charge.



Larry Fredericks Collage 1999

ARTISTS

You may have your own web site, but unless you expend significant resources, it is just one of millions of sites in the vast expanse of the World Wide Web. Sell Your Art.net is spending hundreds of thousands of dollars marketing our site, therefore, your artwork to galleries around the world.

- Place your portfolio on Sell Your Art.net and attract the galleries who will identify your talent.
- Your first three months are free, and you can link your existing site to ours for no additional cost.
- If you don't have a scanner, mail us pictures of your artwork and we will provide high quality scans free of charge.
- Sell Your Art.net will set aside 5% of our profits to help artists with financial hardships.



Larry Fredericks Collage 1999

www.SellYourArt.net

is an art cataloging company for the trade only.
For more information visit our site.

www.SellYourArt.net is the artists' and gallery's friend on the web.

Sell your Art.net Inc. Is pleased to announce our site is now entirely in Spanish as well as English.

Watch for the additions of another 10 (ten) new languages over the next four to six months . These languages will include Russian, Chinese (2 dialects), Japanese, Italian, French, Dutch, German, Hungarian, and Arabic.

E D I T O R I A L

dr. william grampp in his book

Pricing the Priceless (1989) asks "Where are the 20,000 pictures that were done each year in France in the latter nineteenth century?" If 1 in 1,000 were worth preserving where are the other 999, he demands? Obsolence in art is a little discussed but normal part of the art industry.



Walking along Yonge St. -- possibly the busiest (and longest) shop lined street in downtown Toronto -- I came across a pile of junk at the curb. The pile contained a battered chair, boxes of refuse and a painting. Sadly, the painting was not to my taste nor apparently to that of its owner (or to the hundreds of people who walked past it that day). This picture had apparently lost its value.

Now, it is possible that the owner (and myself) was mistaken in rejecting this art object in spite of its florid bad "bad art" mystique. But if this was true and if it was a common mistake, states Dr. Grampp, "then there would be a futures market in undervalued art."

Obsolete art can be found on Large Item Pick Up Day at a curb near you. No paintings were actually harmed in the making of this editorial.

Obsolence in art is also one factor Dr. Grampp uses to explain the many changes in style in art since 1945. Obsolence and the general increase in income in America are to be credited for the plurality of styles before 1970. A voracious habit of consumption in the west demanded novelty in art. And like clothes that go out of fashion, a few items/artworks will be kept for posterity but the vast majority we will discard. So goes the 999 out of 1,000.

COVER: Pierre Théberge, the late Joyce Wieland and her artist husband Michael Snow discussing the *True Patriot Love* exhibit ,1971.

Copyright Arnold Matthews. Reprinted with permission. Visit Arnold Matthews work and services at NOVALynx <http://www.novalynx.ca>

Ms. Wieland's estate has gifted copyright of her artwork to the National Gallery of Canada. See *News briefs* section.

Blue Chip Quotes

Museologists surely agree that art is subject to obsolescence. If they did not they would want to conserve everything -- a stunning prospect that would have fascinated Malthus, had he been alarmed by pictures as well as by people. Will the number of museums, he would have asked, increase as much, more or less, than the number of pictures drawn into them?*

William Grampp, *Pricing the Priceless* (NY, Basic Books, 1989) p. 70.

*Thomas Robert Malthus (1766-1834) was an English political economist who held that the population of the world tends to increase faster than the food supply and that war, famine and disease serve as natural restrictions of the increase.

ART EXCHANGE

Toronto International Art Exchange in development

two years have passed since Lyons & Hannover announced the launch of its major Canadian initiative, the development of the Toronto International Art Exchange. Today, this extraordinary proposal is still on the table at L&H although it has gone little past the concept stage.



Lyons & Hannover have selected Toronto as the "best" location for their proposed International Art Exchange.

Toronto is the capital of Ontario. The three black towers at the heart of its city core depicted above are the Toronto Dominion Bank buildings designed by Mies van der Rohe and opened in 1967. The triangular tower at the far right is the 1975 Royal Bank Plaza which boasts gold plated windows for insulation and effect. Both banks border Bay Street, the city's financial district.

US based Lyons & Hannover specialises in financial services to the international art market. In 1998, company principal 64 year old Dennis Doherty gained media attention when he arranged for a US\$20 Million loan for the publisher of *Penthouse* magazine. The cash strapped publisher put his US\$44 Million art collection up as collateral. A pension fund supplied the loan money and in case of default, Sotheby's agreed to buy the art at half price and auction it off.

The Art Exchange concept, explains a L&H release (Nov./02), modelled on the Chicago Board of Trade, "has evolved in response to the problems which are developing in the traditional auction house system of trading and in response to the need for a more

transparent and accessible art market. The Exchange will act as an open marketplace for art, and will accept art from all of its dealer members who will pay membership fees according to their trading limits."

Pat James, a consultant for L&H in Toronto, confirms that the initiative is still simmering. "The company is developing a facility to provide loans to dealers to build inventory," says James. "Dealers who qualify for this program would automatically be offered a seat on the Exchange. We are developing a time line for the Exchange and putting together a prospectus to raise funds."

"We have looked at other locations for the Exchange but Toronto is the best. It is close to New York, major collectors from the US will have easy access," observes James. Doherty and his London based colleague Jeremy Eckstein have praised Toronto's winterised airport and the presence of five major banks. Also, Hollywood North attracts a wealthy clientele and celebrities thanks in part to Canada's 65 cent dollar.

The Art Exchange will require the support of all levels of government on such matters as tariffs, free port, possible loan guarantees. According to James, quiet talks have begun with private sector and business leaders.

"We have been receiving positive feedback since we first floated the idea, but it would involve a great deal of time and substantial real development costs, and until we have generated sufficient revenues from our other operating programs we have had to hold back on committing time and resources to this project. That said, it is still something in which we believe strongly, and ongoing developments in the art market continue to validate our thesis..."

CULTURAL ACTIVISM

The recent protest at Montreal's City Hall was supported by a creative class determined to shape the city and its future

last month, 30 placard carrying cultural workers led by Montreal artist Emmanuel Galland demanded that the short-changed budget of the Conseil des arts de Montreal be increased by \$1.3 million as promised by the new mayoral administration. And they won -- the money will be phased in over 4 years. This unusually prompt bureaucratic response reflects the momentum which a growing wave of cultural activism has gained over the last few years. Behind the protest is a quiet and well organised creative class determined to shape the city of Montreal.



Emmanuel Galland, *La Tuque*, black and white photo, 2002. Copyright E. Galland reprinted with permission.

While only 30 people took part in the protest at Montreal's City Hall, the event had the support of such arts organisations as Culture Montreal, RCAAQ (Regroupement des centres d'artistes autogérés du Québec and RAAV (Rassemblement des artistes en arts visuels). The protest organised by M. Galland resulted in a restitution of funding promised by the city's Mayor.


In October 2001, 375 individuals from Montreal's most active arts organisations including Cirque du Soleil, Musée des beaux arts de Montréal, Conseil des arts de Montréal, Ecole Nationale de Theatre du Canada, Festival Juste Pour Rire, Ecole des Beaux Arts du Centre des Arts Saidye Bronfman, gathered at what was called the Montreal Summit. This meeting just prior to the election of the new Mayor Gerald Tremblay in Jan. 2002, created momentum for the development of the city as a "cultural metropolis".

The Summit which showed a terrific level of unanimity among arts workers, produced a complex manifesto and a handful of committees to keep tabs on Montreal culture in relation to identity, democracy, education, urban development, new projects, economic life. The culmination of the event and committee researches was the founding in Feb. 2002 of Culture Montreal.

Culture Montreal was actually 10 years in the making. In the early 1990s Montreal was in economic decline and committees were devised at that time to help restructure the city. Cultural activist Simon Brault saw it as an opportunity to strengthen the place of the arts in the city and its policies. Brault is now executive director of Culture Montreal.

Over the years, Culture Montreal workers have developed a sophisticated case for "Culture and Economic Life". A report at their web site details benefits such as economic spin-off and direct benefit to cultural workers. Beyond that, however, the case for cultural development lies in convincing others that the arts are playing a larger role than ever in Montreal's economy.

Eva Quintas a Culture Montreal spokesperson commented. "New city and megacity planning incorporates culture as tool in economic development. Richard Florida has had a great impact on this kind of strategic thinking."



Richard Florida is an urban planning guru and economist whose 2002 book *The Rise of the Creative Class And How Its Transforming Work, Leisure Community and Everyday Life* describes a society in which the creative ethos is increasingly dominant. Currently, 38 million Americans in many diverse fields create for a living; 30 percent of the entire workforce is made up of creative types who are living much as artists do states Florida's web site.

"Access to talented and creative people is to modern business what access to coal and iron ore was to steelmaking," Florida writes in *The Rise of the Creative Class*. "Creativity has come to be valued because new technologies, new industries, new wealth and all other good economic things flow from it."

In this context, the heady idealism of Culture Montreal's rhetoric meets reality. At its website, the Culture Montreal committees describe a "shared utopia" in which a network of "local cells" of "participatory cultural practice" and "professional cultural practice" are in a constant "dynamic". "Every citizen rich or poor, cultivated or not" may participate on a daily basis in culture.

Putting words into action, Culture Montreal has been working with the Montreal School Commission to draft a cultural policy for their schools.

"We are working towards cultural democracy. You can feel the ethic of Culture Montreal. It is definitely a new social movement. We are like a political party in which individual members support an ideology," states Quintas.

But the group needs subsidy as much as they need their vision to be taken seriously by City Hall.

And it is to a degree, as evidenced by the Mayor's decision to deliver on his promise to the Conseil . Another battle for Culture Montreal is fostering their visual arts outside Canada.

Germain Lefebvre, Visual Arts Head at Conseil des Arts, states that the performing arts are more successful financially than the visual arts but they must tour outside the country to do so. Montreal visual artists are not able to secure exhibitions outside the country much less make, even in Paris.

"They don't need us," says Lefebvre.

How the "movement" Quintas describes will translate into sales for artists remains to be seen.

A R T B U S I N E S S

news briefs

US & CANADIAN GALLERIES MERGE - Foster/White Gallery, Seattle and Kirkland, joins Bau-Xi Gallery, Vancouver and Toronto

VANCOUVER - The Foster/White Gallery with three locations based in Seattle and Kirkland, and the Bau-Xi Gallery based in Vancouver and Toronto have joined together to form an alliance effective Dec. 1st, 2002.

After 29 successful years owning and directing the Foster/White Gallery, Donald Foster at the age of 77, sought a suitable gallery to continue his legacy. Paul and Xisa Huang from the Bau-Xi Gallery were looking for new growth opportunities. Fortuitously, both objectives are fulfilled. The alliance is a natural one for both galleries. They share the same philosophy: high standards in the artwork represented, and in nurturing long term supportive relationships with artists and clients.



Dale Chihuly glass baskets at the Foster/White Gallery in Seattle.

Donald Foster purchased the present Foster/White Gallery in 1973 from Richard White who founded the Richard White Gallery in 1968. Since its inception, the Gallery has grown to be one of the premier galleries on the West Coast and has attracted worldwide attention with its varied and excellent exhibitions and publications. The Gallery operates in three locations, two in Seattle in Pioneer Square and in Rainier Square, and one in Kirkland.

Under the new ownership, the Foster/White Gallery will retain its name. It will maintain the same excellence of operation and continue exhibiting works by outstanding artists for which it has become known.

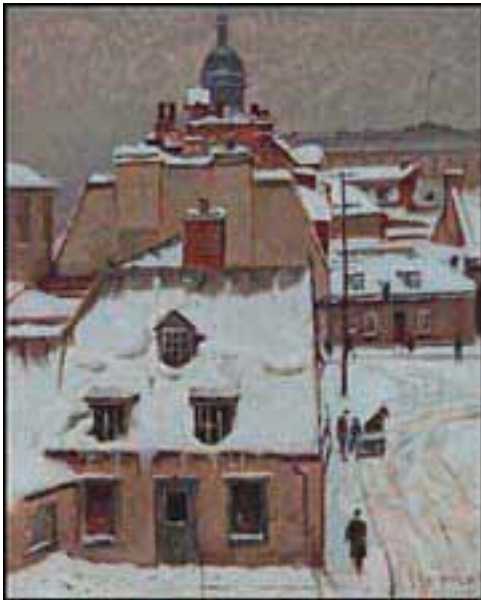
The Bau-Xi Gallery was established in Vancouver in 1965, and is now the oldest contemporary gallery in Vancouver. The gallery was opened to create a showcase for the many emerging and established Canadian artists in need of a gallery on the West Coast. In April 1972, the Bau-Xi Gallery moved to Granville Street, and subsequently South Granville became 'Gallery Row'. 1976 marked the opening of Bau-Xi's Toronto location. Currently, the gallery represents about fifty artists, from established senior artists to emerging talent. The Bau-Xi Gallery has been a member of the Art Dealers Association of Canada since the early 1970s, and in Vancouver a founding member of the South Granville Gallery Association.

The Bau-Xi Gallery is open 7 days a week. www.bau-xi.com
3045 GRANVILLE ST., VANCOUVER, BC V6H 3J9

HEFFEL NOVEMBER CANADIAN AUCTION SALES EXCEED \$5 MILLION - this record month for total online and live sales includes 65 percent international buyers

TORONTO- Heffel Fine Art Auction House completed their November auction month with total live and online auction sales of fine Canadian art with total sales of \$5,047,333.11. "This is a new record month of sales for our firm," states David Heffel, president. "We have definitely benefited by the opening up of our new office and gallery facility in Toronto and by the strong Canadian art market."

By utilizing the latest in Internet technology, Heffel's have contributed to the changing landscape of the Canadian and International auction industry. Sale highlights from heffel.com's November online sale of Fine Canadian Art that achieved total sales of \$396,203.75. Online, Marc-Aurele Fortin's *Landscape, Longueil* oil on canvas 45.7 x 63.5 cm (c.1922-23) blew past its estimate of \$30,000 to sell for \$80,500.00 CDN (Premium Included).



Robert Pilot (Canadian, 1898-1967) *Winter, Quebec*, 55.9 x 45.7 cm, oil on canvas) sold for \$57,500 at Heffel's November on-line auction.

David Heffel, President Heffel Fine Art Auction House. "Our American and European art brought in CDN\$100,000 in sales October 2001; more than CDN\$200,000 in April 2002; and now CDN\$320,000 with this sale. We are obviously very pleased by the belief that fine art can be safely purchased over the Internet!"

"Our November online sale replaces the necessity for us to add an addendum to our live November sale of Fine Canadian Art and shares the preview in both Vancouver and Toronto with our live sale," remarks Robert Heffel. "The November online auction has now reached a very high level of quality works and has proved to be just as exciting as our live sales. We have now posted two consecutive \$400,000 plus online auctions with the success of our November online Canadian sale following our record \$425,000 October online European and American Art sale."

>> LIVE SALE SUMMARY

Lead by the \$667,500 sale of Lawren Harris oil on canvas *In The Ward - Grocery Store*, Heffel Fine Art Auction House sold a record CDN \$4.65-million worth of fine Canadian art at its semi-annual auction held at Vancouver's Sheraton Wall Centre Hotel on November 14. This was the Heffel's sixth consecutive auction at which more than \$2-million worth of fine art was sold; their first auction to exceed sales of \$4-million.

The large Harris oil on canvas, *In The Ward - Grocery Store* sold to a phone bidder who resides in B.C. The \$667,500 sale price (bid plus commissions) was the third highest price for a canvas by Lawren Harris. The highest was for the oil *Baffin Island* (100 x 125 cm) estimated at \$600,000.00 - \$700,000.00 but finally going for \$2,427,500.00 CDN (Premium Included) in May, 2001.

There were an estimated 500 bidders on hand at the Sheraton Wall Centre Hotel, plus another 100 different bidders participating on the telephone. Collectors residing outside of British Columbia purchased 65 per cent (by sale volume) of the fine art reflecting the continuing

international prominence of the Heffel's semi-annual auctions. Bidders and successful buyers participated from across Canada, the United States, Europe and Asia.

"This demonstrates the continued growth of international interest in Canadian art," says Robert Heffel, vice-president. "There were serious bidders from across Canada as well as phone bidders from abroad, all attempting to land some of our auction's feature works."

>> BILL REID RECORD

A bronze sculpture with dark green patina on a bronze base - *Killer Whale*, - signed and dated 1984, edition 3/9 sold for \$425,500 (bid plus commissions). This is a new auction record for the artist.

>> MORE LAWREN HARRIS

Several Lawren Harris oil on panel sketches received a lot of attention during the auction. A 10 5/8 x 12 3/4 inch oil on panel, *Building the Ice House, Hamilton*, set a record for the highest price oil on panel sketch in Canadian history, when it sold for \$194,500 (bid plus commissions). About thirty minutes later that record was broken when Lawren Harris's 12 x 15 inch oil on panel, *Tumbling Glacier, Berg Lake*, sold for \$222,000 (bid plus commissions).

The 12 x 15 inch oil on panel, *North Shore Sketch*, sold for \$138,000 (bid plus commissions) and a 10 1/2 x 13 1/2 inch oil on panel by Harris - *Mongoose Lake, Algoma II, Algoma Sketches XI* sold for \$97,750 (bid plus commissions).

>> EMILY CARR

Both lots of Emily Carr works sold above their estimates. A large oil on board, signed, titled and dated *Hugglegate* 1912, sold for \$115,000 (bid plus commissions). A large vertical oil on paper on board of characteristic sweeping brushstrokes depicting a dark forest titled *Somewhere*, circa 1939, sold for \$138,000 (bid plus commissions).

>> LOOKING AHEAD

The Heffel's next live auction is set for May 2003 at the Wall Centre Hotel in Vancouver. The Heffel's have already secured over \$1 million dollars in consignments for the Spring sale. Consignments for this auction will be accepted until the end of February 2003.

OBITUARY - Alex Macleod (Canadian 1936-2002) by Marion Lewis

COLLINGWOOD - The noted Canadian artist, Alex Macleod died on November 25 in his Collingwood home. He was born in Lossiemouth, Scotland in 1936.

Alex rose to fame in the 60's and early 70's as Toronto's "Poster King". His over 6 foot frame, Scottish brogue and royal style certainly made him stand out in the crowd. His cool graphic modernist style and amusing wit made a beguiling combination that Torontonians could not resist and his posters were constantly stolen right out of the TTC poster frames and taken home for décor. His Blue SA poster was one of several designs created to promote a dance/theatre work at the Global Village run by

composer Robert and dancer Elizabeth Swerdlow on St. Nicholas St., Toronto in 1960's. Toronto artist Matt Harley was indelibly influenced by the Blue SA poster.

"It stayed up in my room wherever I lived continuously from spring 1969 until autumn 1976 by which time it had become an absolute shred.... I admit it was a huge influence on my early work from ages 16 to 23 and my first awareness of the hard edge, minimal, abstract sixties/seventies artworld."

Alex's greatest commercial design success was the *Smarties* logo which has since been replaced with a slightly different version.

Alex retired to live in Collingwood in the early nineties and became interested in the town sponsored Vision 20/20 - a civic exercise to redefine the Town by protecting its heritage and shaping rather than resisting the urban pressures of the advancing 21 century demographic.



Urban consultant Andrew Pask observed, "He was one of those folks who really got the big picture... quite a visionary fellow... What caught my eye initially was his original submission to Vision 2020. Instead of using the survey that we sent out, Alex had sat down and prepared a letter -- complete with pencil sketches and plans for how he thought the Town could look in the future. He was particularly passionate about the Collingwood's waterfront, devising a bold and ambitious vision that made our Harbourlands truly a *people place*. Across the top of his letter, he had written the words "Imagination is the Passport to the Future." To my mind he summarized the whole visioning process -- indeed, all of the needs of the community -- with those seven words".

Alex also contributed a whimsical painting depicting the Collingwood of the future, which was used to illustrate the 20/20 document.

Alex Macleod (Canadian, 1936-2002), *Blues SA*, poster for the Globe Village Theatre, Toronto, 1969. Macleod was the "poster King" of Toronto during the 1960s and 70s.

A modernist in every way, Alex was vocal in his dislike of most of the current landscape painting which he often dismissed as "illustration". Alex was also a founding member of the newly formed Professional Artists of Nottawasaga, (PAN) and has designed the logo and letterhead for the group and participated in the naming process by suggesting that the southern Georgian Bay area -- cut up with many artificial county, provincial and federal boundaries - is one area defined by the watershed of the Nottawasaga.

Alex will always be a founding member although now he is our spiritual guide as we move PAN forward to represent the issues and needs of professional artists. PAN will be launched this spring with a performance piece that was to be collaboration between Alex and fellow founding PAN member artist, Gary Stark. The work, which includes a mock "shoot out at high noon" will be mounted with another artist stepping into Alex's big shoes.

A gathering to celebrate his life will be held at the Arts & Letters Club, 14 Elm Street, Toronto, on Dec 18 from 6-9 PM with a sharing of memories beginning at seven. Remembered with much love and respect by his children Neva, Jason and Dylan and his wide circle of friends.

A similar gathering remembering Alex will take place in Collingwood.
TBA.

Marion Lewis was founding director of the landmark artist-run gallery A Space in 1970 in Toronto. She now lives in Collingwood, Ontario and is an active participant in the arts scene there.

CANADIAN SUPREME COURT RULES AGAINST CREATOR

QUEBEC - In the case, *Theberge v. Galerie D'Art du Petit Champlain inc.*, an art gallery purchased posters by Quebec painter Claude Theberge, then transferred the images on the posters from the paper to canvas. The transferring process lifted the ink off the posters and transferred it to the canvasses. Therefore, no reproductions were actually made since the poster paper was left blank in the end. The Quebec Court of Appeal ruled in favor of Mr. Theberge and for a seizure of the canvasses. However, the Supreme Court of Canada overturned this decision, finding that the images were not reproduced under the Canadian Copyright Act, but were merely transferred from one medium to another. The decision is at: www.lexum.umontreal.ca/csc-scc/en/rec/html/laroche.en.html

Reprinted with permission from Lesley Ellen Harris, *Copyright, New Media Law & E-Commerce News*, Vol. 6, No. 3, August 27, 2002
www.copyrightlaws.com

www.claudetheberge.com

NATIONAL GALLERY OF CANADA RECEIVES THE GIFT OF JOYCE WIELAND'S COPYRIGHT

OTTAWA - For the first time in its history, the National Gallery of Canada has received the gift of an artist's copyright - that of Joyce Wieland.

"The National Gallery of Canada is extremely honoured to have been chosen as the official holder of the copyright to the visual works of art of a Canadian artist of Joyce Wieland's stature," said Pierre Théberge, Director of the National Gallery of Canada.

In 1971 Mr. Théberge was the curator of *True Patriot Love*, the Gallery's first major exhibition of the work of a living Canadian woman. "Joyce Wieland was a fabulous artist," Mr. Théberge recalled. "During her decades-long career, she paved the way for all contemporary artists." In 1960, she was the first female artist

to be given a solo exhibition at the Isaacs Gallery, Toronto. This commercial gallery of contemporary art was one of the most important of its day.

In 1987, the Art Gallery of Ontario mounted a major travelling retrospective exhibition of Wieland's works, its first of a living Canadian female artist. In addition to this event, Wieland was awarded the Toronto Arts Foundation's Visual Arts Award for 1987.



Joyce Wieland (1931-1998)
Reason over Passion, mixed media, 1969. This sewn artwork was inspired by a speech given by former PM Pierre Trudeau.

NGC: www.gallery.ca

Doug MacPherson, a close friend of Joyce Wieland and the executor of her estate, said that he was delighted that the Gallery had accepted the gift.

“Joyce always identified herself as a Canadian and a nationalist, and she was very passionate about it. The choice of the National Gallery is both appropriate and symbolic.” The National Gallery’s collection contains some 41 works by Wieland. Revenues earned from the licensed reproduction of Wieland’s art will be used to support the purchase of new books on Canadian art for the Gallery library’s collection.

MUSEUM DIRECTORS ISSUE STATEMENT ON OBJECT REPATRIATION - criticised as “Eurocentric”

NYC - In a rare show of public solidarity, the directors of 18 European and American art museums have issued a statement in support of the British Museum’s right to retain objects acquired in “earlier times”. The statement was presented to the British Museum then released to the London Times and subsequently published in the Wall Street Journal.


In their carefully worded “Declaration on the Importance and Value of Universal Museums” directors of the Art Institute of Chicago, the State Museums, Berlin, the Guggenheim Museum in NY, MoMA, NY, the Louvre and other prominent museums, do not mention the marble sculptures taken from Greece by Lord Elgin in 1801 and sold to the British Museum in 1811 where they are on permanent display. Nor is there mention of the hellenistic Pergamon Altar of Zeus held in the State Museums, Berlin, that has been claimed by Turkey.

However, the Declaration states that objects acquired in “earlier times” must be viewed in the light of the time in which they were collected. The directors condemn “illegal traffic in archaeological, artistic and ethnic objects”. Yet, the “objects and monumental works that were installed decades and even centuries ago in museums throughout Europe and America were acquired under conditions that are not comparable with current ones.”

“The universal admiration for ancient civilizations would not be so deeply established today were it not for the influence exercised by the artifacts of these cultures, widely available to an international public in major museums. Indeed, the sculpture of classical Greece, to take the one example, is an excellent illustration of this point and of the importance of public collecting.”

“Calls to repatriate objects that have belonged to museum collections for many years have become an important issue for museums. Although each case has to be judged individually, we should acknowledge that museums serve not just the citizens of one nation but the people of every nation. Museums are agents in the reinterpretation. Each object contributes to that process. To narrow the focus of museums whose collections are diverse and multifaceted would therefore be a disservice to all visitors.”

Echoing these sentiments ICOM issued a press release from Paris on Dec. 13/02:



“ICOM, as it is widely known, strongly supports the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) and the UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects (1995).”

“ICOM realises, however, that objects acquired in earlier times must sometimes be viewed in the light of different sensitivities and values.”

However, AFROMET, the Association for the Return of Ethiopia's Maqdala Treasures, declared in a press release posted on the Museum Security Network that “the Museum Directors' statement was no more than Eurocentric special pleading. Referring to the extensive looting of religious and secular artefacts from Maqdala in 1868, AFROMET declared that the Museum Directors' statement ignored the fact that such acquisition had no basis in international law, and was indeed no more than a theft, involving sacrilege.”

REGIONAL ART REALITIES

by Ben Darrah

With the recent news about the artists in Montreal rallying their municipal government to remove the decade long freeze on municipal funding for the arts I realize the local issue I am writing about is being played out across the country as arts groups pressure governments for attention after much neglect. At the same time progressive municipalities are looking at new forms of economic diversification and are starting to recognize the role culture plays in determining the quality of life in their communities.

Having recently moved to Kingston, or more accurately returned after being away for nearly a decade, I embarked on becoming acquainted with the cultural programming and resources available. For this reason I



The newly expanded Agnes Etherington Art Centre, Queen's University, Kingston, Ontario is the only visual arts museum in the city.

attended an information session at Kingston's City Hall, which outlined the City's cultural funding program, The Healthy Community Fund¹. The information session highlighted the change in the City's approach to funding culture. In this meeting the grant procedures were outlined as well as the total amount of money that was earmarked for this fund - nearly \$450,000. Interested

organizations are required to apply to the city for funding for specific projects.

I left this meeting troubled by a number of things - namely: 1. The pot of money over which there was so much discussion during the meeting was alarmingly small and obviously insufficient. 2. There did not appear to be any coordination between any of the various interested organizations so that needless competition and redundancy seem inevitable. 3. The disturbing optics of allocating such a small amount of money and an implied suggestion that the city councillors would jump at any excuse to remove the "frivolous" funding. This is on top of concerns about the assessment process, which has been left up to City staff rather than peer assessment and the shift from operational budget funding to project funding with no long-term commitments from the City. This shift has resulted in significantly reduced funding for cornerstone organizations such as the Agnes Etherington Art Centre and the Kingston Symphony, both of which previously received some operational funding from the City. Adding to the problem by increasing the competition for funding is the inclusion of sports organizations and parks and recreation (despite the fact that the latter is also eligible for operational funding) under the banner of culture.

¹ www.city.kingston.on.ca/residents/culture/healthyfund.asp

Here is a snapshot of the town in which all of this is taking place. Like most cities in Ontario, Kingston has seen major changes as a result of the province's program of forced amalgamation in 1998. The synchronizing of the governments of the former townships and city has not been without a fair share of problems and confusion. The new City of Kingston has a population of approximately 112,785² and prides itself on its cultural attractions, including historic sites, museums and art galleries. It also boasts a very diverse restaurant and bar scene. There are 3 postsecondary education institutions: the Royal Military College; St. Lawrence College and Queen's University which has a well respected BFA program. Of the galleries, these include one public gallery, the Agnes Etherington Art Centre; a university student-oriented gallery, the Union Gallery; an artist-run alternative gallery, the Modern Fuel Artist-Run Centre (formerly Kingston Artists' Assoc. Inc.); a retail craft gallery, Cornerstone; and two private commercially-oriented galleries, Verb Gallery and Gallery Raymond. A smattering of exhibition venues are

available in the public reception areas of libraries, theatres and cafés. There are also several art fairs, art in the parks events and studio tours - most of which are oriented towards the considerable number of summer tourists. As a result Kingston calls itself the "Culture Capital of Canada."³



Visual art degrees are offered at Ontario Hall, Queen's University. Queen's is one of only three Canadian universities to offer the PhD in Art History.

by development theorists such as Richard Florida (author of *The Creative Class*) and are taking steps to address the issue of promoting a healthy cultural sector. For example, the City's own document entitled Strategic Plan: Working Document⁴, released this year, does a brilliant job of outlining the current situation. To paraphrase, the key points in this assessment are:

The City does not have a comprehensive policy regarding culture and its current spending is inadequate and does not meet current community demands.

The City does not seem to understand the importance of culture on the well being of the city and has not budgeted for this well-being.

There is not a coordinated approach between the City and community partners so that there is redundancy, missed opportunities and no clear way of evaluating programs.

It appears to me that the lack of coordination even within the programs of the City is highlighted by the disparity in direction and appreciation of the arts between the woefully inadequate Healthy Community Fund and the principal elements of the Strategic Plan, including some of the proposals that have already been initiated. These proposals have resulted in the creation this past summer of a Supervisor of Cultural Services position. Robin Etherington is the new Supervisor of Cultural Services and it is her responsibility for overseeing all aspects of culture in Kingston, including coordinating organizations, to initiate granting programs and to articulate a cultural policy.

² www.city.kingston.on.ca/business/statistics/index.asp

³ www.kingstonculture.com


⁴ www.city.kingston.on.ca/cityhall/strategic/two.asp

It remains to be seen what sort of funding support and initiatives Etherington is able to develop for individual artists and whether she is able to coordinate local organizations and direct the city's policies so that they are compatible with the community's. Much will depend on the support she receives from her employer. Etherington will be working closely with the newly formed Kingston Cultural Initiative (an organization that was set up through a partnership of the Kingston Arts Council and the Kingston Economic Development Corporation) which is attempting to generate cultural growth by developing a community action plan. Project Manager of Kingston Cultural Initiative, Megan Winkler, has the goal of creating a partnership between cultural groups and local businesses, developing effective programming and source out new funding opportunities for cultural organizations. KCI is operating on the premise that if one brings key players together and provides them with a means to market their programs they will be successful. To this end KCI is working on ways of creating an art hub in downtown Kingston and by helping to promote Kingston's cultural strengths such as: St. Lawrence College's plan for an international music festival; Kingston's Canada Film Festival; and, establishing the Kingston Artists and Entertainers Network. The latter is an internal KCI initiative and can be found on KCI's very informative and resource packed website⁵.

While these programs should help the City live up to its claim to be the "culture capital of Canada" it still begs the question: How do these programs benefit the individual visual artist? Such programs will surely help to raise the profile of the arts on the general public's radar and will undoubtedly provide income and creative opportunities to a few artists, but there is a gap between the proposed programming and the immediate needs of the individual artist who needs more exhibition and financial opportunities. Both of which can come in the form of grants, commissions, business training, exhibition fees - or even through sales. Currently, there is not a single exclusively commercial fine art gallery in Kingston. In a valiant attempt to fill the void with exhibition alternatives Verb Gallery and Gallery Raymond do show and attempt to sell work, but the Verb Gallery is a rental gallery without a full-time attendant and Gallery Raymond is housed within a framing business. I am not suggesting the City get into the business of running commercial galleries, but that they are in the position to create an attractive environment for individual business people and artist collectives to set up galleries (a little contemporary art space at City Hall would be wonderful, though). This attractive environment could come in the form of business start-up loans and tax incentives. In fact, there is no reason they cannot adopt policies similar to the Artist Relocation Program⁶ implemented by the city of Paducah, Kentucky, which offers amongst other incentives, below prime loans and reduced property taxes to artists who move into Paducah's downtown core. Paducah has found that there is a quantifiable return on their investment, both in terms of the increase in the quality of life quotient, maintenance cost on downtown infrastructure and in money being reinvested in the local economy by the artists. Unlike large corporations who are often wooed to an area through tax incentives, only to send the money to shareholders abroad, artists reinvest a much larger percentage of the money into the local economy.

⁵ www.kingstonculture.com

⁶ www.artcalendar.com/Paducaharticle.htm,
www.kyarts.org/State/economy/economy.htm,
www.craftsreport.com/february01/southernriver.html



In terms of more direct financial support, the individual artist and arts sector would greatly benefit from the City and the Kingston Arts Council cooperatively establishing a granting program for individual artists. A granting program supports the local artists and is also an incredible marketing opportunity indicating the City takes support for the Arts seriously. Nothing spreads as fast amongst artists as news about possible funding.

There is also a gap between the level at which local organizations are operating and their potential to deliver world-class opportunities to local citizens. Granting programs for individuals must be done in tandem with significant, guaranteed support for the existing venues such as the Agnes Etherington Art Centre and the Modern Fuel Artist-Run Centre. Both of which provide a meeting point for artists and the public, act as information resources and add to the discourse on contemporary art and the cultural context that defines this City.

Kingston is taking some nascent steps in the right direction, but it remains to be seen how effective the new programs will be and whether there is the political will to do more than offer lip service in support of local arts and cultural organizations.

About the Author

Ben Darrah received his MFA in 1995 from the University of Windsor. Since that time he has spent three years managing Gallery One in Toronto, working as an arts administrator and has taught several art courses, including Business for Artists and studio courses at White Mountain Academy of the Arts in Elliot Lake. In January he will teach Business for Artists and Drawing/Painting courses at St. Lawrence College in Kingston. In the meantime, when Darrah is not researching the contemporary art scene and developing his courses he is working full-time as a visual artist.

RECOMMENDED FEES

Part 1: pressured to waive CARFAC fees to get an exhibition, artists are taking one step forward and two steps back

Two part series looking at how emerging artists get space in public and private galleries. The first part focuses on public galleries, the second, which will appear in February, looks at the challenges artists face in finding commercial gallery space.

By Anita Grace, special to ABX in Ottawa

In the spring of 2003, more than 300 students will graduate with degrees in Fine Arts from universities across Canada. Fresh from school and bursting with ideas and art, these young artists will be eager to show their work. But in their intensely competitive and subjective field, it's not only difficult to get their art on gallery walls, but their feet in gallery doors.



Left image: Adrian Göllner, *Pancho Villa, Mexican Revolutionary, as Rendered in \$254.95 worth of Canadian Tire Money*, 8' x 8', Canadian Tire money, canvas, velcro, 2000.

Right image: detail from *Pancho Villa*.

Installed at La Torr  de los Vientos, Arte-in-Situ, Mexico City.

And to do so, find they are asked to bend the rules, waive their fees, pay their dues.

Barbara Terfloth, Executive Director of the Canadian Artists Representative Copyright Coalition (CARCC), said many exhibitors and galleries will ask artists to waive their fees, usually arguing that if they pay the artists they cannot afford to put on the show. For the fiscal year ending March 2002, the 600 members of CARCC received \$198,000, but they waived

\$180,000. In the previous year, artists had also waived almost as much as they earned, effectively slicing their already low income in half.

"This happens with young people who don't have enough confidence to say no. They don't know their rights," explained Audrey Churgin, the Canadian Artists Representative (CARFAC) National Director. She said artists, especially emerging ones eager for a first show, will agree to surrender their fees, sometimes "in lieu of invitations, a launch party or publicity."

Since 1968, CARFAC has maintained a minimum fee schedule which any gallery receiving money from the public purse is obligated to pay their artists. The minimum fee for a solo exhibit is roughly \$1,200 and a group never totals less. Under governing legislation, any gallery which receives money from the public purse - through provincial or federal grants - is obligated to pay at least the minimum fee.

Churgin said that while most galleries, especially those which are well established, want to support artists and willingly pay the CARFAC fee, there are still galleries and small exhibitors that will pressure artists to waive.

Adrian Göllner, an Ottawa based visual artist, vouched that he has been asked to waive his fees. While he has always stood his ground, even pulling his art from an exhibit which would not pay, he is willing to make concessions in

other areas, such as waiving copyright fees for images used in invitations and promotion.

Terfloth believes it is important that artists stand their ground. "If more artists said they won't waive, it would help," she said. "But that takes a bit of strength, especially when they are poor." She is incensed that so many artists are pressured to give up what they are due. "It's wrong. It's flagrantly wrong. The most vulnerable ones are the ones most likely to waive."

But artists are not the only ones who find themselves between a rock and a hard place. Small galleries can also be in a bit of a squeeze when it comes to paying artists and staying afloat. The Propeller Centre for the Visual Arts is a Toronto gallery that does not receive any public funding, operating instead as one of four artist co-ops in the city. Approximately 40 artists pay a \$200 annual membership plus a rental fee to exhibit their work.

"We're committed to the idea of paying artists," said Ian Revell, administrator and curatorial assistant at the 7-year-old gallery. "We just don't have the money."

He insisted that artists receive a good return for their money, pointing out that the gallery covers the promotion and staffing and that most artists are able to sell their work during a show. "In the long run, it's clients that artists need, not grants."

"It's great that there are artist run centres that can pay their artists," he said. "But those places don't sell work." Public grants stipulate that artists must be paid and that the gallery cannot make profits off sales; although Revell believes that even if Propeller did receive grants, they would still be unable to pay all their artists.

Revell, who works for less than minimum wage, said that Propeller serves as a stepping stone for artists, pointing out that most members stay for about three years before moving on to a dealer or paying gallery. "Hardly anyone will go straight out of art school into a public gallery that pays," he argued. "Most have to pay one way or the other."

"Just because we're not paying artists doesn't mean we're exploiting them," he insisted. "We're artists ourselves and we're just trying to run a gallery that can sustain itself and give artists a boost... It's not a black and white situation."

Many artists are willing to pay. "I have no problem with artists co-ops or how they operate," said Göllner. "There are not enough venues and this is one way that artist of like mind can pool their efforts and money to mount an exhibition."

But Audrey Churgin said CARFAC does not support the concept behind a venue like Propeller. "It is designed to take advantage of artists in the early stages of their career, when they are least likely to know their rights and have the confidence to demand them," she said. "I do not recommend to any artist to follow this system. The shows such a gallery provides do very little, if anything at all, towards a long term career."

"Considering that artists are the poorest segment of the cultural workforce, with an average income far below the poverty line at \$13,000 per year, taking money from them with a vague and meaningless promise of promotion, plus fees for membership, is an appalling lack of morality."

I N F O R M A T I O N

Exchange with the Arts Business Community

Send your announcements to editor@artsbusiness.com

HELP - Information needed

Where can one get bolts of heavy, quality, unprimed canvas at wholesale?
Artist, Saanichton, B.C. Please send information via
editor@artsbusiness.com

READY TO MAKE YOUR FIRST LOW-BUDGET FEATURE?

**NEXT DEADLINE FOR SUBMISSIONS TO THE FEATURE FILM PROJECT:
JANUARY 15TH, 2003**

Guidelines & Application packages are available for download from:
www.cdnfilmcentre.com by emailing ffp@cdnfilmcentre.com or by calling
(416) 445-2890

About The Feature Film Project (FFP):

An initiative of the Canadian Film Centre, the FFP offers the unique opportunity for emerging writers, directors & producers to develop and produce their low-budget feature with the benefit of mentorship in all areas and the opportunity for **100%** production financing.

The FFP is designed for dramatic feature films at both the **\$250,000** (Ultra-low budget) and **\$500,000** (Low budget) range.

In its 10-year existence, the FFP has produced 12 feature films and launched the careers of numerous writers, directors and producers. FFP films include: BLOOD & DONUTS, RUDE, CUBE, THE UNCLES, KHALED and 19 MONTHS.

Films developed and produced through the FFP have so far earned a total of 24 Genie Award nominations and have screened at 46 festivals in 22 different countries worldwide.

The Feature Film Project thanks the following for their financial support and generous participation: Telefilm Canada, The Movie Network, OMDC, Astral Media The Harold Greenberg Fund and Famous Players Inc.

CALL FOR SUBMISSIONS - Florida's public art program

Deadlines: early 2003

Florida's Art in State Buildings Program has issued their November 2002 Call to Artists booklet containing descriptions of 10 new public art projects with submission deadlines in early 2003 (January, February & March). The art budgets range from \$1,285 to \$100,000 and the various art selection committees are searching for a wide variety of art, from interior artwork to large-scale outdoor pieces:

Fine Arts Building, Yonge School, University of Florida (\$26,800),
deadline: 1/24; Harn Sculpture Garden & McGuire Center, University of

Florida (\$52,900), deadline: 2/7; Constans Theater Addition, University of Florida (\$30,800), deadline: 1/10; Accounting Classroom Building, University of Florida (\$28,800), deadline: 2/21; Rinker Hall, University of Florida (\$30,000), deadline: 3/7; Tower II, Florida Atlantic University (\$43,300), deadline: 1/10; Health Service Facility, Florida Atlantic University (\$1,285), deadline: 1/17; Science & Engineering Building, University of North Florida (\$26,000), deadline: 2/7; Alico Arena, Florida Gulf Coast University (\$100,000); deadline: 1/17; Volunteer Monument, Lake Mirror Park, in Lakeland (\$100,000), deadline: 2/10.

To receive a copy of the descriptive booklet, November 2002 Call to Artists, which contains two pages of text and graphics about each of the projects, please contact the Program Administrator: Lee Modica, Art in State Buildings Program, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, FL 32301, (850) 487-2980 ext 116, fax (850) 922-5259, lmodica@mail.dos.state.fl.us This publication is also posted on the Division's web site: www.dos.state.fl.us/dca

CALL FOR SUBMISSIONS - Print medium

DEADLINE: March 3, 2003

Open Studio, Canada's leading print media centre, is accepting submissions to exhibit in the Open Studio Gallery for the period between September 2003 and May 2004.

Open Studio Gallery promotes and exhibits contemporary works by artists working in any print media and/or incorporating printmaking techniques into their work. Proposals by individual artists, groups and curators will be considered. CAR/FAC Artist Fees are paid.

Submissions should include up to 12 slides of proposed work, detailed slide list, exhibition proposal/statement, a current curriculum vitae and a self-addressed, stamped envelope for the safe return of your slides. **Submissions should be sent to the attention of: Gallery Committee, c/o OPEN STUDIO, 468 King St. W., 3rd Floor, Toronto, ON M5V 1L8.**

Work proposed must be print media based. Please see full programming eligibility guidelines below or contact Heather Webb, Associate Director, at: heather@openstudio.on.ca or 416.504.8238.

Scholarship and Visiting Artists must wait five years to exhibit in another solo exhibition, and must wait at least three years to exhibit in a group exhibition. www.openstudio.on.ca

CALL FOR SUBMISSIONS- Canadian artists, site specific work all media ASAP! First week of January

The Institute of Contemporary Culture (ICC) under the auspices of the Royal Ontario Museum in Toronto requests submissions from mid-career to senior artists from diverse communities, for proposals for site-specific work using any media. For more info: 416-586-5549

CALL FOR SUBMISSIONS - film & video

Deadline: ASAP - Planet in Focus: Toronto International Environmental Film & Video Festival "Water Works" Kyoto, Japan, March 20-24/03. Planet Focus invites submissions of films & videos that explore issues

around water. Check out their website www.planetinfocus.org or email piffest@hotmail.com

CALL FOR SUBMISSIONS - catalogue section of magazine

Deadline: Fri. Dec. 27, 2002

CONTACT welcomes proposals for publication in the catalogue section of the Festival Magazine.

The CONTACT '03 Festival Magazine will include a catalogue section featuring a juried selection of exhibitions in CONTACT '03. A committee comprised of distinguished professionals in the arts will determine the selection of proposals and works for reproduction in the Festival Magazine. A limited number of exhibitions will be featured with accompanying essays commissioned by CONTACT.

FOR SUBMISSION REQUIREMENTS, PLEASE SEE THE CONTACT WEBSITE:

www.contactphoto.com

For further information call 416 539 9595 or email

info@contactphoto.com

CALL FOR SUBMISSIONS - realism

Deadline: December 31, 2002

REALISM 2003 Feb 2-Apr 13, 2003. Solo show award. Open to all. 2-D media. Entry fee. No sales commission, no insurance. Juror: E Lynne Moss, Senior Editor, American Artist. For more information, please contact: Realism 2003, Stage Gallery, 11 Prospect St, Massapequa NY 11758 OR 516-797-9115 OR www.stagegallery.org

TENURE TRACK POSITION - needs MFA

Jan 10, 2003 ART PROFESSOR Assistant professor, tenure track. MFA in painting or sculpting and strong exhibition record. Ability to teach a broad range of areas. Send letter of application, cv, artist's statement, teaching philosophy, 20 slides of recent work, list of courses taught, contact info of 3 references, and an SASE to: Peggy Gray, University of New England, 11 Hills Beach Rd, Biddeford ME 04005 OR www.une.edu

TENURE TRACK POSITION - art history needs PhD

Jan 20, 2003 ART HISTORY PROFESSOR Starts Aug 2003. Assistant professor, tenure track. 18th and 19th century art. PhD required, teaching experience. Send cover letter, cv, contact info of 3 references, syllabus, and research sample to: Art History Search Committee, 207 Fine Arts Bldg, University of Kentucky, Lexington KY 40506

CALL FOR SUBMISSIONS - publication in magazine

Deadline: December 31, 2002 DIRECT ART MAGAZINE, VOLUME 8 First Biannual Competition for publication in Volume 8 of Direct Art, Spring/Summer 2003 issue. Twenty six awards over \$22,000.00 in value including covers of magazine and feature articles. For prospectus e-mail Direct Art at DirectArtMag@aol.com or print from Internet at, www.slowart.com/dab-entry.htm

E N D N O T E S

HAPPY HOLIDAYS

Hello readers! Thank you for your continued support of this publication as it arrives in your email each month! We would like to take this opportunity to wish you all a wonderful holiday season and a healthful and prosperous New Year.

Regards,

Heather & David

The Magazine

The ABX newsletter is a digital publication (PDF) covering Canadian and international: art business news; art economics; art history; art law/art policies; art trends in Canada and abroad; art dealer and auction news. It is published 11 times a year by the *Arts Business Exchange*.

Postings are **free** to non-profit institutions.

For advertising information, visit our web site at www.artsbusiness.com or contact the Editor at editor@artsbusiness.com

Register for your free monthly e-mail copies at www.artsbusiness.com

Copyright Arts Business Exchange 2002. ISSN 1203 - 3820.

The team

Heather Fraser is creator and Managing Editor of ABX. She holds an MA in Art History from Queen's and a BA in Art History and Criticism and a B.Ed from the University of Western Ontario.

David Whittaker is Chief Editor at ABX. He holds a BSc in Electronic Imaging & Media Communications from Bradford University, London and is completing his thesis in Art History at Birbeck College, University of London, UK.

<http://www.artsbusiness.com> editor@artsbusiness.com

Disclaimer

ABX is not responsible for errors or omissions in the information presented.