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Outcry Over a Plan to Sell Museum's Holdings

By RANDY KENNEDY and CAROL VOGEL Published: January 27, 2009

The Massachusetts attorney general's office said on Tuesday that it planned to conduct a detailed review of Brandeis University's surprise decision to sell off the entire holdings of its Rose Art Museum, one of the most important collections of postwar art in New England.

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"I was shocked. I'm still shocked," Michael Rush, director of the Rose Art Museum at Brandeis University, said about the decision to close the museum.

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The decision to close the 48-year-old museum in Waltham, Mass., and disperse the collection as a way to shore up the university's struggling finances was denounced by the museum's board, its director and a wide range of art experts, who warned that the university was cannibalizing its cultural heritage to pay its bills.

"This is one of the artistic and cultural legacies of American Jewry," said Jonathan Lee, the chairman of the museum's board of overseers, who said that "nobody at the museum — neither the director nor myself nor anyone else — was informed of this or had any idea what was going on."

Jehuda Reinharz, the university's president, said in a statement that the decision, made on Monday by the university's trustees, was agonizing but necessary as Brandeis faces a deepening financial crisis, with its

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endowment, once \$700 million, significantly diminished. “Choosing between and among important and valued university assets is terrible, but our priority in the face of hard choices will always be the university’s core teaching and research mission,” he wrote.

The museum’s collection includes some 6,000 works — among them seminal paintings by artists like [Robert Rauschenberg](#), [Jasper Johns](#), [Andy Warhol](#) and [Roy Lichtenstein](#) — that are believed to be worth \$350 million to \$400 million, although they could bring less in the

current ailing art market.

“It couldn’t be a worse time to sell expensive art,” said Robert Storr, the prominent curator and art historian. “It is not only unprincipled, but bad economics.”

He added: “This sets a terrible precedent. The Rose Art Museum has been known for four decades as a hospitable place to show serious and challenging art in an academic context. They are throwing away one of their prime assets.”

Mr. Johns, represented in the collection by the 1957 painting “Drawer,” which was on view in a large exhibition of his work last year at the [Metropolitan Museum of Art](#), said when notified on Tuesday of the closing: “I find it astonishing. I’ve never heard anything like it.”

Emily LaGrassa, director of communications for the state attorney general, Martha Coakley, said that Brandeis had informed the office on Monday of its decision, but had not consulted with the attorney general in advance. The attorney general has approval powers over certain actions of nonprofit institutions in the state.

Ms. LaGrassa said that in the case of Brandeis, the attorney general would review wills and agreements made between the museum and the estates of donors to determine if selling artworks violated the terms of donations. “We have not yet offered any opinion on any aspect of the proposed sales,” she said, adding, “We do expect this to be a lengthy process.”

Dennis Nealon, a spokesman for the university, said it would have no comment on any legal questions related to the proposed closing and the sale of the art. The university said in a statement that the Rose would shut down by late summer and be turned into a teaching center with a gallery and studio space.

Like other universities around the country, Brandeis depends on income from its endowment to cover much of its operating expenses. And like most such college



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endowments, Brandeis's fund has been seriously eroded by the economic downturn, although officials on Tuesday declined to give a figure on the extent of the drop. Several of the university's large donors have been hit particularly hard by losses connected to [Bernard L. Madoff](#), the disgraced financier accused of operating a \$50 billion [Ponzi scheme](#).

David Alan Robertson, president of the Association of College and University Museums and Galleries, said it was by far the largest closing of an academic museum in his memory, and he said he could not think of a mass dispersal of important works from a college or university that would compare. "One fears that this opens a floodgate," said Mr. Robertson, director of the Mary and Leigh Block Museum of Art at [Northwestern University](#). "And it's a detriment to all of our institutions."

Far more limited proposed sales of art by some smaller colleges and universities have already drawn controversy. In 2005 Fisk University in Nashville moved to sell paintings by [Georgia O'Keeffe](#) and [Marsden Hartley](#) to bolster its finances, but was blocked from doing so by a court that determined that the sale would violate the terms of O'Keeffe's gift of the two works to the institution. Fisk has appealed. In 2007, Randolph College in Lynchburg, Va., sold a [Rufino Tamayo](#) painting and proposed selling three other works to raise money for its endowment. The museum's director, Karol Lawson, compared the experience to a mugging and resigned.

Michael Rush, who has been the director of the Rose Art Museum since 2006, said he heard the news only on Monday afternoon when Marty Krauss, Brandeis's provost, called him into her office. "She said, 'This is going to be a very difficult meeting — the university is facing dire financial restrictions and has to close the museum,'" Mr. Rush recalled. "I was shocked. I'm still shocked. I feel horrible. It's a sad time for art and for the art world."

He emphasized that even though the museum might have lacked a large audience — its annual attendance is 13,000 to 15,000 — its art is everywhere. "We have loans in Spain, France, a piece being loaned to the Guggenheim, a Jasper Johns going to the 'Cezanne and Beyond' exhibition at the Philadelphia Museum. Our art is seen by hundreds of thousands of people a month as clearly being identified that they are from us."

When the museum opened in 1961, it had no acquisitions budget. So its collection grew mainly through gifts. Among the most significant was a \$50,000 donation from the collectors Leon Mnuchin and his wife, Harriet Gevirtz-Mnuchin, to be used to buy contemporary art. The only restriction was that no individual work should cost more than \$5,000. With that money, Sam Hunter, the museum's founding director, was able to buy 21 paintings by then-young artists like Rauschenberg, Warhol, Lichtenstein and Mr. Johns that are among the most valuable works in the collection today.

Robert Mnuchin, the Mnuchins' son, who runs the Manhattan gallery L & M Arts, said he had no idea of Brandeis's plans until he read about them. "It's such a shame, particularly at this time in the world," he said, adding, "Obviously as a dealer I'd like to be involved either in buying them or selling them. It's emotional for me."

Over the years, highlights from the museum's collection have been included in major museum exhibitions around the country. Among its masterpieces is Warhol's "Saturday Disaster," from the artist's car-crash series, this one from 1963-64, a work that experts believe is worth around \$30 million. It was included in the Museum of Modern Art's Warhol retrospective in 1989 in New York.

"Second Time Painting," a work by Rauschenberg that was included in a show of his combines at the Metropolitan Museum of Art in 2005, could fetch \$12 million to \$15 million, experts said. Dealers in postwar art said that Mr. Johns's 1957 painting could potentially bring \$15 million to \$20 million.

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