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THE LOST MASTERPIECES OF NORMAN ROCKWELL COUNTRY

By Felix Salmon October 4, 2017

The Berkshires, in western Massachusetts, are one of those tourist destinations where you feel the need to set your watch back fifty years or so. The region is conservative, with a small "c," sprinkled with small farms, rolling hills, clapboard houses. It is, quite literally, Norman Rockwell country—for the last quarter century of his life, Rockwell lived in Berkshire County.

In recent weeks, however, the oldest museum in Pittsfield, the Berkshires' largest town, has divided the local community, prompted an investigation by the Massachusetts attorney general, and placed this bucolic county at the center of a firestorm.

The cause is the announcement, back in July, that the Berkshire Museum's trustees had voted to consign, or "deaccession," forty of its most valuable art works. Starting in November, Sotheby's will sell these masterpieces off to the highest bidder, with no real hope that any of them will return to the Berkshires. The proceeds will be used to pay for some twenty million dollars in capital expenditures, as well as the creation of a forty-million-dollar endowment. The architectural heart of the existing museum will be ripped out, in order to create a soaring, object-lined atrium, where "a radically new interdisciplinary approach" will prevail. "We envision almost being like in 'Harry Potter,' " Van Shields, the museum's director, recently told *Berkshire Magazine*.

Shields tried and failed to implement a similar sixty-million-dollar museum-renovation scheme at his previous job in South Carolina. His current project, however, seems much more likely to come to fruition. Once he banks fifty million dollars or more from the

Sotheby's auction, Shields won't need to worry as much about fund-raising for his Berkshire plan—he won't need financial support from the city, from the local population, or from his own trustees. Nor will he need more money from the state, which, in the form of the Massachusetts Cultural Council, has given the museum more than a million dollars over the past decade. The council is deeply opposed to the museum's plan, saying that it represents a "violation" of the public trust. The council has said that the museum must "take all necessary measures to curtail the sale of its artwork"—but has no legal ability to enforce such a move.

The story of the Berkshire Museum is more than one about a second-tier local institution selling off some art. It's a story about how fragile museum-industry norms are, how unaccountable a museum director can be, and how much destruction can be wrought during a single secret trustee meeting. (The museum's new P.R. representative, Carol Bosco Baumann, declined repeated requests to make anyone from the museum available for an interview.)

To make space for the new atrium, the new design apparently obliterates two of the museum's biggest rooms, both of which include architectural features that are central to the museum's historical identity. The theatre, downstairs, is flanked by two sculptures by Alexander Calder, his first-ever public commission; meanwhile, the Crane Room, upstairs, features a fountain and woodwork sculpted by Calder's father, Alexander Stirling Calder. If the museum's plan comes to pass, the best that can be hoped for these site-specific works—along with more recent commissions from the glass artist Tom Patti—is that they will be ripped out intact from the context for which they were originally designed.

Then there's the art to be sold. A quiet and quirky curiosity cabinet, the Berkshire Museum was founded by a local merchant, Zenas Crane, and devoted to "promoting for the people of Berkshire county and the general public the study of art, natural science, and kindred subjects." Crane filled it with his many collections, foremost among which was a particularly fine group of Hudson River School paintings by Albert Bierstadt, Frederic Edwin Church, and others. Sotheby's estimates one Church painting at five million to seven million dollars, and a Thomas Moran landscape at two million to three million dollars. Many others have six-figure estimates.

The museum is also selling two extremely important Alexander Calder sculptures, which were acquired by its legendary first director, Laura Bragg. In 1933, Bragg gave Calder both his first museum exhibition *and* his first museum purchases. The two works she bought, "Dancing Torpedo Shape" and "Double Arc and Sphere," both from 1932, marked a whole new direction in Calder's work. They move, but not in air currents, like Calder's later mobiles; instead, they have small electric motors that move black or red spots against a white background.

Bragg wrote that the works "succeed in giving freshly creative form of motion utterly divorced from representation. Whether or not they are the introduction of a new art form, I am sure they have real significance." She understood the importance of the works in the context of the museum: "I have watched with curiosity their effect upon the general public. People sit quietly before them, apparently stilled and quieted by something, perhaps merely by the rhythm of the movement. But we have found it easy to make a Sunday afternoon crowd understand 'abstract' motion where they would be blank before abstract painting."

These two small motorized works would have an important place not only in the development of Calder as an artist but also in the development of the Berkshire Museum as a place to bring science to art, and art to science. They're central to the museum's history and identity—a physical connection to its illustrious and interdisciplinary past. They have more value to the museum than they could to anybody else. But they, too, are now in the possession of Sotheby's.

A similar story can be told about the museum's most valuable art works: two paintings that Norman Rockwell personally donated. One of them, "Shuffleton's Barbershop," is arguably his greatest painting. The artist's three sons, as well as three grandsons, have made very clear that Rockwell donated the paintings so that they would "be appreciated by his neighbors in the Berkshires." Their wishes are being ignored. "Shuffleton's Barbershop" is expected to fetch between twenty million and thirty million dollars, while "Shaftsbury Blacksmith Shop" carries an estimate of between seven million and ten million dollars.

If the Berkshire Museum's plan succeeds, then, it will remove from the local community the very heritage that the museum was founded to preserve. And there's simply no precedent for a museum selling its greatest and most important treasures—not so that it can make new acquisitions, but just so that it can bolster its endowment and embark on a multimillion-dollar discretionary-capital project.

The American Alliance of Museums and the Association of Art Museum Directors have vociferously condemned the museum's plan, saying that "one of the most fundamental and long-standing principles of the museum field is that a collection is held in the public trust and must not be treated as a disposable financial asset." What's more, they note, potential future donors to *any* museum might now have second thoughts if they feel that their gifts and intentions might be treated as Rockwell's have been. Meanwhile, financial donors can be forgiven for asking museums why they need monetary support when they can just sell their art instead. The news from Pittsfield, the associations conclude, "cuts to the heart not only of the Berkshire Museum, but every museum in the United States."

Still, while the debate is very lopsided, there is one. The museum's lawyer, Mark Gold, who is handling the museum's deaccession-related legal work, contends that institutions such as the Berkshire Museum may have good reason to sell off their treasures. In 2015, for a book titled "The Legal Guide for Museum Professionals," he argued that the trustees of the Berkshire Museum in particular might "be violating their fiduciary duties to the institution" if they *didn't* use deaccessioning proceeds to fund the museum's operating expenses.

Shields, similarly, is much more enthusiastic about deaccessioning than are most museum professionals. According to the Berkshire *Eagle*, Shields started talking about "monetizing" the collection as soon as he arrived, in September, 2011. (The museum declined to comment.)

Shields was hired to replace Stuart Chase, who was the director for about six years. Chase, who now runs the Monterey Museum of Art, is well remembered in the Berkshires: during his tenure as director, he raised ten million dollars in a successful capital campaign. Thanks to accounting rules, however, Chase's ten million dollars in capital improvements, for all that they were paid for in full by donations, created an annual non-cash "depreciation" expense, most recently five hundred thousand dollars, on the museum's income statement. In turn, that non-cash expense is being used to justify the need for the increased endowment.

Chase's dream was to put on curated museum shows featuring loans from other institutions. That was the driving force behind his capital campaign: with upgraded air-conditioning and a fixed roof, the Berkshire Museum would finally be able to get the insurance necessary to borrow works. To do that, the museum would also have to be in good standing with the American Alliance of Museums; for that reason, Chase was adamant that all income from deaccessions be spent only in accordance with A.A.M. rules.

Chase's stance set up a clash with the board, which saw deaccession proceeds as an easy way to help cover the museum's annual operating costs. When the board replaced Chase with Shields, that tension disappeared, and, by mid-2016, the museum's board was seriously considering a massive deaccession.

Such an act would undo a lot of the hard work that Chase and his predecessors had put into the museum; thanks to Chase, it was able to borrow art from fellow-institutions. But no museum would ever lend to another that so brazenly violates deep-seated ethical norms. In 2008, for instance, when the National Academy Museum, in New York, deaccessioned just two Hudson River School paintings, the A.A.M.D. instructed its members to stop lending to the institution or collaborating with it in any way. The Berkshire Museum has already been forced to withdraw from its partnership with the Smithsonian.

And, yet, despite having no money to make major changes, the museum's board, in 2015, started a two-year process that included in-depth discussions with the Berkshires community about plans such as expanded educational programs for kids. It also found money to spend on consultants, hiring the Boston firm TDC to "facilitate the master planning process" and Experience Design, from Rhode Island, to start drawing up an "interpretive plan" for the museum.

To date, the museum has not given a clear explanation of exactly when and how its board decided that the deaccession was necessary, what financial problems may have required it, or what kind of deaccessioning alternatives it may have considered. (Baumann would only say that not all facets of the museum's financial decision-making are public information.) Early talks of merging with the Hancock Shaker Village didn't go very far, but other mergers might also have been possible. The art expert Lee Rosenbaum, for instance, has suggested that the Berkshire Museum might have been able to merge with the nearby Williams College Museum of Art. Williams College, with its $2.3-billion endowment, could certainly afford it. Such a merger could have a clear educational justification, giving the college's art-history students a general-interest museum to work with.

Failing that, the Norman Rockwell Museum, given a bit of time, might have been able to find a collector willing to buy one or both of the Rockwells with the promise either to donate them to the Rockwell Museum immediately or, at the very least, to allow them to be kept there as an indefinite loan. That would have reunited the Rockwells with most of the rest of the artist's greatest paintings. It would also honor Rockwell's own desire, when he donated the paintings, that they remain on public view in the Berkshires.

Or the museum could have tried to get state money to revitalize the city of Pittsfield. That's a strategy that worked spectacularly well for the Massachusetts Museum of Contemporary Art, in nearby North Adams, which successfully lobbied for tens of millions of dollars in state funds, on the promise that it would help to revitalize an economically sagging region. Pittsfield needs just as much help as North Adams did, and Massachusetts loves funding bold visions.

Whether or not the Berkshire Museum board talked about any of these ideas in private, it's certainly not engaging with them now in public. One of the key lessons from prior deaccession controversies is that once a museum admits in public that it's facing difficulties and might be forced to sell some works, the community often rallies around to find an alternative that the board might not have found on its own. Indeed, that's how these things *usually* work: faced with the imminent loss of local treasures, money and ideas can suddenly appear, seemingly from nowhere.

A prime example is the million dollars recently pledged to the Berkshire Museum by a group of anonymous donors who asked only that the museum delay the deaccessioning for enough time to allow outside experts to provide a second opinion. Elizabeth (Buzz) McGraw, the president of the museum's board of trustees, summarily rejected the offer, explaining to the Berkshire *Eagle* that she would accept only a "concrete, substantive offer from a specific individual, group of individuals, or entity, provided it directly addresses completely and immediately the urgency and magnitude of our present and future needs."

In other words, after making a highly controversial and almost certainly exaggerated determination about the scope of the museum's future needs, the board president is now saying that she won't even get a second opinion on that determination unless and until someone gives her the entire disputed sum up front. (The Berkshire *Eagle* gave an idea of how exaggerated the museum's needs are: its current endowment stands at about $8.6 million. Stephen Sheppard, a Williams College economist who runs the Center for Creative Community Development, told the paper that the endowment needs to grow to about eleven million or twelve million dollars, while a team from the Massachusetts Cultural Council said that an extra five million to ten million dollars would suffice. The museum, by contrast, says that the endowment needs to grow by some forty million dollars.)

McGraw's statement effectively lays bare the museum's strategy. Far from looking for ways to avoid selling off the masterpieces, Shields and the board seem to have tried from the very beginning to insure that those pieces would get sold no matter what. That's the only viable explanation for why the board operated under strictest secrecy for so long, and why it signed a contract with Sotheby's *before* it announced what it intended to do.

There is such a thing as relatively responsible deaccessioning; even Trump Administration Cabinet ministers have done it. Specifically, Commerce Secretary Wilbur Ross, back in 1993, was the guiding force behind the New-York Historical Society's decision to sell twenty million dollars' worth of art and place the proceeds into its endowment. He knew full well that selling art for any reason other than raising money for new acquisitions is a no-no in the industry, so he bent over backward to get buy-in from all conceivable stakeholders first.

For starters, Ross cleared his plan in advance not only with the New York attorney general but also with the A.A.M.D., thereby having them both on his side when the plans became public. He didn't go straight for the institution's most valuable works, such as its Audubon watercolors; instead, he chose only works that had no connection to his region.

No masterpieces were on his list, and at the end of the process the collection was more focussed and coherent than when it started.

The contrast with the Berkshire Museum is startling: the Pittsfield institution is selling *all* of its most valuable works, including pieces that are inextricably linked to the history of the museum. It's *not* selling large quantities of material that has little historical importance but which uses up a lot of storage space, as happened in New York. Most important, Ross made every effort to place all of the pieces he was getting rid of with New York institutions or, failing that, museums elsewhere. Sending any works to Sotheby's was only a last resort—and, even then, the high bidder had no guarantee that he or she would end up owning the piece. One fifteenth-century painting, for instance, sold for $2.2 million at Sotheby's, opening a seven-day window during which any New York museum could match the price and buy it itself (which is exactly what the Met did). Other pieces were similarly preëmpted, and ended up at the Brooklyn Museum and Vassar College. If the high bid was more than the high estimate, the local institutions were even offered a discount.

The Berkshire Museum has put in place no such process. No works were offered to local museums; no rights of preëmption were built into the auction contract. In short, no attempt whatsoever was made to keep the museum's treasures in the Berkshires. Indeed, none of the local museums even knew about the impending auction until after the deal with Sotheby's had already been signed. Instead, the Berkshire Museum staged a surprise declaration and then ran down the clock as quickly as possible. The auction dates have already been announced: most of the paintings, including both Rockwells, will be sold in November. (By contrast, the New-York Historical Society announced its deaccession plans in March, 1993, and didn't actually sell the works at auction until January, 1995.)

There's no good reason for the museum's rush: its endowment can easily last a couple more years, during which time the trustees could, were they so inclined, make every effort to keep the museum's best paintings in the Berkshires, where they belong. The risk, however, was that a slower, more considered plan might not have withstood the full force of public opprobrium. Sadly for the Berkshires, the hasty and secretive alternative looks very much as though it's going to succeed.

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