

Los Angeles

MOCA: FIRST THE GOOD NEWS . . .

ALTHOUGH THE Museum of Contemporary Art in Los Angeles garnered international kudos last fall for the design of its interim space, the Temporary Contemporary, and for its premiere exhibition, "The First Show: Painting and Sculpture from Eight Collections, 1940-1980," the skeptics cried, "What about a permanent collection?" They were hushed last February, when MoCA announced the purchase, for \$11 million, of 80 works of Abstract Expressionist and Pop art from the collection of Count and Countess Giuseppe Panza di Biumo. Count Panza, a museum trustee, agreed to sell the collection on the layaway plan, \$2 million down, the remaining \$9 million to be paid in installments, without interest, over the next four years.

Museum officials called the purchase "the largest single acquisition ever of contemporary art." Few would doubt that it is one of the most significant. Panza is widely considered to own one of the world's greatest collections of contemporary art. The works MoCA just acquired were purchased between 1956 and 1963. They consist of six paintings by Jean Fautrier from the 1940s; seven by Mark Rothko, 12 by Franz Kline, eleven by Robert Rauschenberg, and 14 by Antonio Tàpies, all from the 1950s; as well as four paintings by Roy Lichtenstein, eight by James Rosenquist and 16 sculptures by George Segal, all from the 1960s. Museum director Richard Koshalek called the works "masterpieces . . . a magnificent beginning to build a collection."

Panza could have sold this collection for more—both Sotheby's and Christie's estimated the value at \$11 million to \$15 million—but he wanted to keep it intact. The only restrictions accompanying the acquisition are that the museum seek Panza's advice with regard to installation and cite his name whenever one of his works is shown. MoCA board chairman Eli Broad said, "It is our intention to keep the collection together. That was his motivation in selling it and ours in acquiring it."

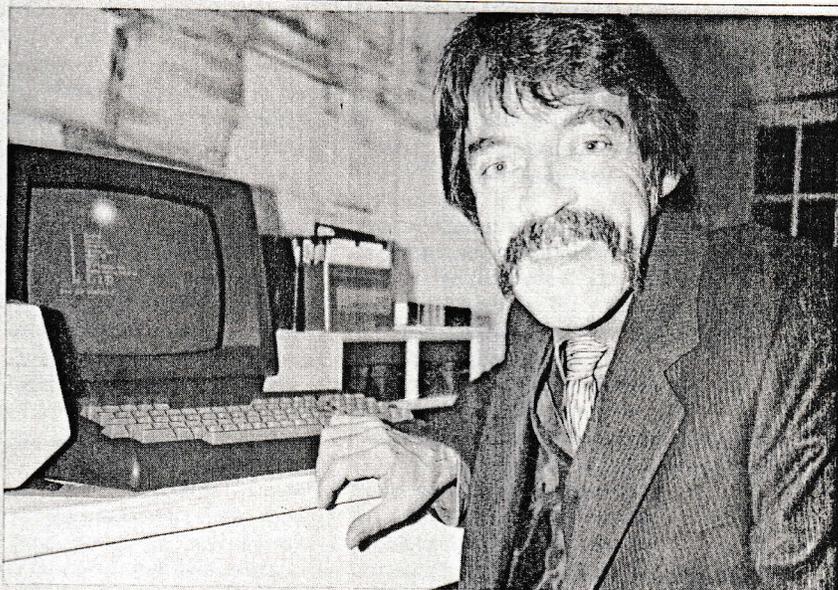
Panza's fealty to MoCA stems from his friendship with MoCA's founding director Pontus Hulten and from a genuine interest in Los Angeles art. He collects the work of Southern California artists Robert Irwin, James Turrell, Maria Nordman and Doug Wheeler. For this reason, he said, he feels "a very deep relation to the city. I know and trust completely the staff and the people on the board, and I have full confidence in the museum's future. My goal since begin-

ning my collection was to make something good enough to be shown permanently in museums. Now this goal is fulfilled." For MoCA, the acquisition establishes the high standard by which the museum intends to collect contemporary art, and Panza's show of confidence lends it a new prestige and respectability. (Until this purchase, the museum owned some 100 works of art, mostly American, from the 1960s and '70s.)

The portion of the collection to be acquired by MoCA had been in storage in

Zurich since 1974, waiting to be placed on long-term loan with the Kunstsammlung Nordrhein, a museum in Düsseldorf, West Germany. In 1976, however, the Italian government passed a law requiring that any property held outside the country by an Italian citizen or resident either be sold (and the money brought back into Italy in lire, tax free) or be returned to Italy after payment of a 20 percent tax on its value. When the opening of the German museum was postponed until 1989, Panza's only reason-

TOM ALBRIGHT: FAREWELL TO A FEISTY CRITIC



BEVERLY LOHMEYER

Thomas Albright, art critic for the San Francisco Chronicle and a correspondent for ARTnews since 1975, died on May 14 at the age of 48. This appreciation was written by his friend and colleague Allan Temko, architecture critic for the Chronicle, and is reprinted with the Chronicle's permission.

THOMAS ALBRIGHT made criticism an art and art a way of life. What he sought, in everything he wrote and did, was creative truth. There was not the slightest pretentiousness in that. Tom Albright could spot falsity at any distance. Although he made mistakes, like anyone else, and rectified them with unflinching honesty, he was uncommonly right.

His criticism therefore constitutes a history of Bay Area art as it actually occurred in the last generation. The wonder of his topical journalism, usually written under deadline pressure, was the vigor of his prose. Elegant, deeply informed, witty or scornful, he dispensed praise or blame with a love of integrity and hatred of sham. He believed that part of being a critic—and perhaps all of being an artist—was "being outside the system."

The irony of that position was that writ-

ing for a metropolitan daily gave him the most powerful regional platform for anti-Establishment opinions. Yet, by its very nature, newspaper criticism is sporadic, diverse, even repetitive. And Tom's monument might have been a collage of seemingly disconnected judgments—united only by a consistent point of view—if he had not summoned up the strength, with great gallantry during his illness, to complete the manuscript of *Art in the Bay Area, 1945-1980*, which the University of California Press will publish next year.

It is an astonishing book, the crowning achievement of a career that only the author could have summed up with such a wealth of firsthand observation of a milieu that was regional when he set out, and became a world center of modern art.

Tom was closer to the growing edge of art here than anyone else, including his

able option was to sell. He first offered the collection to the state museum of modern art of Piedmont, but the regional government had difficulty raising the funds. In June 1983 he wrote to Koshalek, offering the works to MoCA.

The bulk of Panza's total collection—some 600 works of primarily American art from the Minimal, environmental and Conceptual movements—will be housed in two castles in Turin and Rivoli that he is renovating as private museums.

fellow *Chronicle* critic, friend and former teacher, the late Alfred Frankenstein. For a writer of strong likes and dislikes, Tom had a remarkably broad view of contemporary art.

He brought the same high criteria to works as different as the cosmic visions of the Abstract Expressionist master Clyfford Still and the surreal assemblage soliloquies of Bruce Conner.

Not at all incidentally, Tom was the chief authority on both these pivotal figures, at opposite poles of the modern movement. And each regarded Tom as the best interpreter of his work.

Much as he admired the pioneering period of Bay Area modernism, starting with Still's revolutionary impact in the 1940s on the old California School of Fine Arts (now the San Francisco Art Institute), Tom never remained static in his views. He welcomed significant innovation of all kinds, even when it appeared outlandish to conventional minds.

This rarely endeared him to the Establishment, such as the National Endowment for the Arts and big private foundations, which, he acidly remarked, were turning public art into "a cottage industry."

Although he had a healthy distrust of sensationalism for its own sake, in the sillier forms of performance or conceptual art, he valued righteous indignation as savage as Swift's.

Characteristically, he was the first to defend Robert Arneson's controversial bust of Mayor George Moscone as a masterpiece of political and social insight.

He had been one of the first to welcome Arneson and other "funk" Californians as powerful satirists who were both ribald and profoundly serious, and could elevate the hitherto crafts medium of ceramics to sculptural strength. He identified the ceramist Peter Voulkos, before he turned to steel and bronze, as a major nonfigurative sculptor, at the same time that he singled out Manuel Neri, who never abandoned the human figure, as an overpowering portrayer of all-too-human emotion.

Panza, who is 61, has been collecting art since 1956. (He is a lawyer who began collecting when he came into an inheritance from his family, which had made its money in real estate and industrial alcohol.) He has never sold a work of art before.

Widely respected as a collector who studies an artist's work carefully, Panza buys in depth as well as breadth. He is known for frequenting artists' studios and buying from them before their work becomes well known and costly. He claims

What distinguished Tom from ordinary critics was his willingness to see artists in terms of their own vision, providing the vision was sincere and came from the heart as well as the mind. He was catholic in the sense that George Santayana was a freethinking Catholic, a stranger in the halls of authority, who saw many kinds of powers and portents under the sun.

This commitment to many kinds of excellence involved constant struggle, constant searching and finding. Tom seemed almost to prefer artists who were thwarted and then broke through the barriers they had set up in their own art, like the doubting paintings of Frank Lobdell, or the heroic sculptural ordeal, endured in pain, of Alvin Light.

A refusal to settle for stock solutions, a willingness to keep an open, yet devastatingly critical attitude toward performance art or conceptual art at the same time that he retained an impressive command of great historic art, was the salt with which his opinions were seasoned.

During Tom's own "dropout" phase at the end of the 1950s, he learned what wonderful things could grow in the dark underside of affluent, complacent America, and what evil could flourish in sunshine at the top.

Carried into criticism, this unerring perception earned him the hatred of those who buy cheap and sell dear, but it brought him the love of all who would have art flowing freely in civilization, like a boundless, tumultuous fountain in which critic and artist are carried along in a free mingling of spirits, like the jam sessions he described joyously in some of the best writing on jazz anyone has done. There was no single answer. Kierkegaard gave Tom his title for life: "Either/Or." Coercion, in that existential scheme, could never succeed. Somehow, creativity would go on.

And as Emerson said in bidding farewell to Thoreau, who was indomitable in the same ways as Tom, wherever there is truth, wherever there is goodness, he will be at home.

—Allan Temko

never to have paid more than \$10,000 each for works of art that are now valued in the hundreds of thousands of dollars. Art dealers Leo Castelli and Sidney Janis, from whom he bought works in the '50s and '60s, have stressed that Panza is a very astute collector and not a "man of great means." Janis pointed out that he was one of the very few Europeans collecting American art in the 1950s. Castelli recalled that Panza would buy four Rauschenbergs at a time, "so he was spending a lot of money, . . . but they were selling for only \$2,000 apiece." Castelli said those Rauschenbergs could bring \$1 million each today.

MEANWHILE, NOT ALL is quiet on the western front. MoCA was still celebrating the acquisition of Panza's collection when a former trustee, Max Palevsky, slapped the museum with a lawsuit for breach of contract. The trustees had been negotiating many months to avoid such an embarrassing incident.

Palevsky claims the museum reneged on its promise to give him architectural control in exchange for a gift of \$1 million, and he sued last March for the return of the half million dollars paid and to avoid paying the other half million dollars.

Palevsky says, in court papers, that soon after MoCA was formed by Judge William Norris, Eli Broad and Marcia Weisman in 1979, he was approached for a donation. Broad (who became board chairman) and the Atlantic Richfield Company had each contributed \$1 million, but the founders wanted three large pledges to announce their fund-raising drive. They had to raise \$10 million by July 1981 to prove community interest and to qualify for a building to be paid for by the developers of California Plaza, on Bunker Hill, where the museum is being constructed.

Palevsky, 58, became a multimillionaire when he sold Scientific Data Systems, a company he founded, to Xerox in the late 1960s. He is a well-known art collector and philanthropist, as well as a good friend of Norris'. (He funded Norris' bid for the position of attorney general.) In court papers, Palevsky says that Broad and Norris appealed to his interest in architecture and promised him control of the architectural decision-making process.

In March 1980 Palevsky made his million-dollar pledge and was named a trustee, a member of the executive committee and chairman of an architectural committee made up of artist-trustees Robert Irwin and Sam Francis; architecture professor and designer Coy Howard; and then-director Pontus Hulten as ex-officio member. The architecture committee's decisions, however, would always be subject to the ap-



COURTESY MUSEUM OF CONTEMPORARY ART, LOS ANGELES

Eli Broad (center), chairman of MoCA's board of trustees, and the Count and Countess Panza di Biumo.

proval of the board of trustees.

Palevsky's agreement with Broad and Norris was verbal, but in April he sent Broad a letter confirming his pledge, "predicated on the selection of an architect who is of international quality." He added that he would feel "no obligation to the museum if, at some future time, the architectural decision is made on other grounds by other people."

The architecture committee interviewed six architects. Then they visited Arata Isozaki's buildings in Japan and, more impressed by his elegant factories than by his museums, hired him to make a functional building free from "unnecessary architectural flourishes." The vote was 4 to 1, with Palevsky against Isozaki from the start.

In January 1981 the board approved the choice. Isozaki's contract provided, among other things, that he present six alternative preliminary designs, devote half his professional time to the project in its early months and spend at least ten working days each month in L.A. The architecture committee wanted to insure their involvement in the process. According to court documents, Isozaki did not comply with these obligations: the program he presented was insufficiently detailed, and he did not negotiate effectively with the Bunker Hill Associates for the museum's optimum site and footage. Relations between Isozaki and the architectural committee deteriorated. He would present interior design plans, the committee would reject them and he would bring them back, mostly unchanged.

In January 1982 Isozaki was informed of the dissatisfaction felt by every member of the architecture committee and told that if he didn't follow their recommended floor plan he would be fired. He acceded.

By March Isozaki's preliminary drawings and models were presented to the press, but a few days later Isozaki said that he didn't like the designs and that he preferred his previous suggestions. He met again with the architectural committee and suggested the exterior be changed. They declared this unacceptable, and Isozaki threatened to resign. Numerous articles in the press followed, charging the museum with stifling the architect's creativity. Museum trustees didn't counter the charge publicly, but Broad, Norris, Betye Burton and Palevsky met in May to discuss the "architectural problem." Over Palevsky's objections, according to the court documents, they suggested that Isozaki continue, with trustee Fred Nicholas as "coordinator/facilitator."

In May the full board voted to dissolve the architecture committee and form a new building committee co-chaired by Nicholas and Palevsky, with Hulten as ex-officio member. On July 20 the full board went on to approve Isozaki's design 15 to 3, with Palevsky, Norris and Leopold Wyler, Jr., dissenting. According to Palevsky's complaint, these resolutions effectively took him out of the architectural decision-making process.

Over the next year, Broad and Norris assured Palevsky they would reinstall him

in the architectural process, but Palevsky could not be placated, and as time went on the building plans were further solidified. In July 1983 Palevsky resigned from the board.

Palevsky claims that his verbal as well as his written agreement was breached, but MoCA's attorney, Malcolm Wheeler, of the law firm Hughes Hubbard and Reed—which also represents Atlantic Richfield—is focusing on the April letter. He said that Palevsky "was promised the right to participate in the selection of an architect of international quality. Then both in the letter and the complaint, he admits he was the one who designed the process by which Isozaki was chosen and [he] approved the choice . . . so there was no breach." Wheeler filed a demurrer to that effect. At the July hearing, Superior Court Judge Irving A. Shimer declined to consider a judgment one way or another and sent the complaint back to Palevsky, asking for amendments within 30 days.

William Kieschnick, MoCA trustee, board chairman of ARCO and primary negotiator in the MoCA-Palevsky conflict, said of Shimer's decision: "It's difficult to comment right now because the case is in the hands of the court. . . . Naturally we're pleased that the court has been favorable to our position. If I said any more than that I would be getting ahead of the facts."

Palevsky himself said he would "change the amendment to clarify what the judge asked for. It's a legal kind of problem, but I don't think it in any way substantially alters the case." One of his three attorneys, Nancy Scheurwater, of Latham and Watkins (the firm that successfully defended Norton Simon when he was sued by the Pasadena Art Museum for selling parts of the collection), claimed that "disbanding the architectural committee changed the process by which decisions were made, and that breached the agreement. From 1982 on Palevsky had little or no involvement at a time when there were still important design and architectural decisions to be made." Scheurwater added, "Now we are going to expand our complaint, addressing exactly what it means to be in charge of the architectural process, which is the agreement he reached early on."

—Hunter Drohojowska

San Francisco

'SOMETHING ELSE' FROM CHINA

"AND LET ME TELL you something else," Marco Polo would say as he introduced his readers to yet another episode