PANORAMA
Journal of the Association of Historians of American Art
ISSN: 2471-6839

Cite this article: Nizan Shaked, “Against the Private Museum,” in “Reflecting on ‘Toward a More Inclusive Digital Art History,’” special section, ed. Diana S. Greenwald, *Panorama: Journal of the Association of Historians of American Art* 9, no. 2 (Fall 2023), https://doi.org/10.24926/24716839.18320.

Against the Private Museum

Nizan Shaked

How is data transparency not a right? The dataset generated by Barabási and Shekhtman Fis important not only for the information it aggregates, which facilitates the concomitant conclusions, but also for serving as a model for more research. Significantly, it also shows us what data we are missing, so art historians and other scholars can collaborate with scientists to determine what additional types and scope of data we need to gather. It is proof for the argument that we should legislate for full institutional transparency in the nonprofit sector.

Most importantly, full transparency will allow us not just to calculate the amounts of donations and to see who gives what to whom, but—inversely—to grasp the true public cost of private museums. Each of the donations that Barabási and Shekhtman trace is not just a gift to a museum but a form of tax break for the donor, both individual and institutional. We can also use these data to glimpse how much tax revenue the government forgoes in the name of support for museums.

Fig. 1. Shevaun Wright, *Tax Box* (2021), wood and paint, dimensions variable, courtesy of the artist

As I argue in my book *Museums and Wealth: The Politics of Contemporary Art Collecting*, art and its markets are socially created. Yet, because ownership is private, and display is conveniently governed in the nonprofit gray zone between the private and public, this means that, through tax breaks, private hands who have donated art or funds to the quasipublic domain of art museums can reap everyone's profits. It is no accident that, despite all the work that Barabási and Shekhtman do, it is still almost impossible to understand who is really paying for what. Funds flow in bits and pieces, fragmented by private agendas and burdened by bureaucracy. Nevertheless, these new data present an opportunity.

What if we could account for all the money forgone for tax purposes and aggregate it—in simple words, tally up all the art-based tax breaks?[1] If we could see the annual sum removed from the public sector by donations to nonprofits, perhaps our decision-making processes about the balance of public and private funding would change. We could open entire conversations about how to allocate resources and how to streamline the system with the intent of actually remedying historical injustices. Excellent research and people who know how to do this exist and are ready to go.

At the moment, we still do not have a clear picture of the actual sums of money shouldered by the public through tax forgiveness. But Barabási and Shekhtman have given us a very good start. Using publicly available tax filings by museums and foundations that fund museums (institutional donors), as well as museum annual reports (when available), they have created a database that can now serve as a model for further study.

Although, for practical reasons, these data are corralled to the relatively narrow field of American art, they confirm that the economy of museums is also formed by a winner-take-all dynamic, echoing the art market.[2] Barabási and Shekhtman show the correlation between private and institutional donors, and that both distribute with a steep bias. As they state after a long accounting of their data: "It seems that foundation giving is generally not redistributive but rather gravitates toward large, already comparatively well-resourced institutions with national profiles." We now have concrete evidence to help us see where and how the system is designed to benefit a small percentage of stakeholders.[3]

Value created because of the public status of art is transferred to private hands. In return it funds the museum field, which is neither democratic nor peer reviewed, and it is time to legislate and change this.[4] Historically, the argument made on behalf of the US charity-turned-nonprofit system was that its individualized (privatized) structure ensures liberty of choice and a pluralism of perspectives, such that many individuals and private foundations with various missions, scales, and geography are a bulwark against an authoritative (or totalitarian, after World War II) takeover of public patrimony. But today pluralism takes—or should take—a very different shape and needs a different structure.

Barabási and Shekhtman propose future research questions: "What is the balance between individual and institutional support? How does the fact that people tend to give locally reinforce disparities between institutions, referring to the fact that rich museums in rich cities get more money? What is the role of government support, if any, for most museums?" These are worthy questions that should be expanded to multiple locales and art market hotspots and should also be aggregated and analyzed on a global scale—something that is now perhaps possible with the massive datasets used by network scientists.

One can add another, critical question to Barabási and Shekhtman's list: How are moneys forgone from taxes, moneys that should have been public, now part of a cycle of funding that benefits private wealth, which relies on exploiting the public by taking its tax revenue? It is, for example, not a big secret that to support Crystal Bridges is to uplift the Walton family and Walmart. This system allows an exploitative private enterprise and its largest shareholders to both artwash its reputation and get a tax break.

Access to data makes visible where the money is, who is giving it, and how much there is, and it assigns numbers to relationships like the one between Crystal Bridges, the Waltons, and Walmart. It makes clear how much money is being shielded from taxation. Demystifying it in this way makes it harder to claim that this money is exclusively private and therefore donors have the autonomy to decide its use. The fact that we think of it as private is a philosophical choice, and it has legal implications whose outcome has allocated resources in ways that appear logical but are in fact, as we see here, random. The current system makes it appear as if museums are funded through private donations. In fact, the money that should have been going to public taxes has instead been funding pet projects of donors. Donors are allowed to make decisions on behalf of the public and public funds. This is a civic error that stands to be corrected through legislation—legislation that includes full data transparency so that more research like this can continue to be conducted.

Nizan Shaked is a Professor of Contemporary Art History, Museum and Curatorial Studies at California State University Long Beach.

Notes

[1] This idea came up in conversation with Antonio Cuyler at the conference "Philanthropy, Development and the Arts: Histories and Theories," organized by Nic Leonhardt and Christopher Balme at Ludwig Maximilian University and Carl Friedrich von Siemens Stiftung, Munich, 2018.

[2] See Andrea Fraser, "L'1% C'est Moi," *Texte zur Kunst* 83 (September 2011): 114–27; and Alessia Zorloni and Antonella Ardizzone, "The Winner-Take-All Contemporary Art Market," *Creative Industries Journal* 9, no. 1 (2016): 1–14, https://doi.org/10.1080/17510694.2016.1154651.

[3] Julia Halperin, "Almost One Third of Solo Shows in US Museums Go to Artists Represented by Five Galleries," *Art Newspaper*, April 2, 2015, http://www.theartnewspaper.com/news/almost-one-third-of-solo-shows-in-us-museums-go-to-artists-represented-by-five-galleries.

[4] William Powhida, "An Equity for Visual Arts Act," *Brooklyn Rail*, February 5, 2013, https://brooklynrail.org/2013/02/artseen/an-equity-for-visual-arts-act.