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Getty chief will follow the rules

*** James Cuno accepts the trust's guidelines on the acquisition of ancient art.**

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By Jason Felch,

In naming James Cuno president and chief executive of the J. Paul Getty Trust, its board members surprised many in the art world by choosing a staunch defender of the unfettered acquisition of ancient art to lead an institution that, after a decade of scandals, has all but abandoned the practice.

Since 2001, when the Getty's former antiquities curator Marion True was charged in Italy with trafficking in looted art, the Getty has returned dozens of ancient masterpieces it concluded were found through illegal excavations. The Getty has since emerged as a leader in efforts to curb the looting that has fueled the ancient art market.

Over that same decade, Cuno, 60, forged a reputation as an outspoken critic of efforts to curb the antiquities trade. In two books and many public appearances, he has called the efforts of foreign governments to regulate the trade in ancient art "nationalistic," and has lamented the limits put on museums' ability to collect art that has a murky ownership history.

The issue of ancient art is just one of many Cuno will deal with at the Getty Trust, which administers a \$5.3-billion endowment and the Getty's four program areas, one of which is the Getty Museum. But board members acknowledged it was a key concern as they considered Cuno for the post.

"We had a very full and frank discussion about that issue," said board president Mark Siegel, who led the nearly year-long search process. "Unprompted, Jim said he thought the Getty's policies were appropriate and right for the Getty. We also told him the board didn't intend to change those policies."

In an interview Tuesday, Cuno said he still holds his views, but is a "realist." He accepts the Getty's strict acquisition policy, thinks the returns it made were "necessary" and has no plans to change directions.

"We're bound to bring works of art into this country legally," Cuno said. "I have argued against the laws, but I haven't broken the laws."

Cuno's awkward embrace of a point of view he has long criticized creates a potential stumbling block for the Getty, which today relies heavily on cooperative relationships with Italy and other nations Cuno has openly criticized.

As director of the Chicago Art Institute since 2004, Cuno has rarely had to wrestle with claims by other countries that certain antiquities belong to them and not the museum that acquired them. The position Cuno staked out is largely a philosophical one, embracing the concept of "cosmopolitanism" -- that antiquities are the common heritage of mankind and not the property of one nation.

He has denounced what he considers politicized claims by modern nations like Italy that, in his view, have only weak ties to the ancient civilizations that once occupied the same land.

Cuno's arguments are perhaps the clearest articulation of a view that American museum officials used for decades to justify the acquisition of antiquities with no clear ownership record. That practice has largely ended as evidence of looting forced museums, collectors and dealers to return hundreds of objects to Italy and Greece in recent years.

Yet while many museums moderated their stances during that controversy, Cuno became more outspoken.

"Cultural property is a modern political construct," he said in a 2006 debate at the New School hosted by the New York Times. In March of this year, he described laws that give foreign governments ownership over ancient art found within their borders as "not only wrong, it is dangerous."

Cuno said in the interview that his interest in the subject stems from his own brush with controversy in the mid-1990s, when he was director of the Harvard University museums.

As he describes in his 2008 book "Who Owns Antiquity?," Cuno approved a number of acquisitions and loans of antiquities with murky ownership histories, leading some to claim he had violated Harvard's strict acquisition policy.

Claire Lyons, then vice-president for professional responsibility of the Archaeological Institute of America, told the Boston Globe that it was "heartbreaking" that "such a prestigious academic museum, whose curators and director are also faculty members, is not up to speed on current ethical norms."

Lyons is now the antiquities curator at the Getty. In an interview, she said Cuno's views on the importance of loans are "very much in concert" with the Getty's.

In one case, Cuno approved the purchase of more than 180 Greek vase fragments with unclear ownership histories. Cuno has said he inquired into their origins; with no evidence they came from illicit excavations, Cuno said Tuesday, "we were satisfied these were appropriately acquired."

David Mitten, the retired Harvard curator and professor who recommended the purchase, has a slightly different account. He said he and Cuno knew that two dealers known to traffic in looted antiquities -- Robert Hecht and Frieda Tchacos -- were the source of some of the fragments.

"They had some things that were probably 'fresh,'" said Mitten, using museum jargon for recently looted objects. He and Cuno took the dealers' word that the vase fragments weren't "hot out of the ground."

Cuno "was concerned and tried very hard to follow up anything that might have been questionable," Mitten recalled. "He did call Hecht and Tchacos, as far as I know. It seemed it met our requirements."

Tchacos was convicted in 2002 of trafficking in stolen goods. Hecht, who had been a key figure in a 1972 scandal involving the Met's purchase of a looted vase, is now on trial in Rome for trafficking in looted antiquities. He supplied several objects to Harvard museums during Cuno's time there, Mitten said.

"At the time I didn't know the extent of his reputation," Cuno said Tuesday.

In 1996, Cuno oversaw an exhibit of bronze statues that included objects with murky ownership histories on loan from private collectors Leon Levy and Shelby White and Lawrence and Barbara Fleischman.

Irene Winter, the chair of Harvard's fine arts department, filed a complaint with the university's then-president, Neil Rudenstine, requesting that the loans be barred under the school's loans and acquisitions policy. Dozens of objects from the two private collections have since been returned to Italy or Greece.

Rudenstine today is a Getty Trustee and a member of the committee that selected Cuno. In an interview, he said he was satisfied that Cuno had conducted the proper due diligence.

In 2007, after the Getty adopted a policy that it would not collect ancient art without a clear ownership history dating to 1970, Cuno opposed efforts at the museum directors association to adopt similar reforms.

"I was pushing very hard to question whether that was what we wanted to do," he said.

The reform -- championed by then-Getty museum director Michael Brand, among others -- was adopted, and represented for many a turning point for American museums.

Cuno seems aware that his controversial position is more difficult to sustain today, especially at the institution he will soon run. He said he embraces the collaborative agreements and loans with other countries that are replacing the acquisition of antiques on the art market.

"The future of the ... museum is going to be the result of exchanges and collaborations and loans rather than acquisitions," he said. "That's what we have to embrace."

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Descriptors: CUNO, JAMES; J PAUL GETTY TRUST; LEADERSHIP; ANTIQUES; ACQUISITIONS; STOLEN PROPERTY

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PHOTO: NEW PRESIDENT: "We're bound to bring works of art into this country legally," James Cuno says.

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