

More Plop Art Coming to Carnegie Mellon

Time for A Legal Defense Fund of Green Space at Carnegie Mellon?

Some Prepared Remarks for a Public Hearing, March 8, 2006
On the Proposed Installation of “Walking to the Sky” and “Mao Yisheng”

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1. Introduction

I write these remarks without advance information of the trustees, faculty, staff and students named to the Public Art Committee or rules governing the process by which the new Public Art Committee will function. Appendix 1 of these written remarks contains the University’s notice of this meeting, which is curious by being devoid of such details, and Appendix 2 of these remarks contains my concerns about the Policy, *per se*, which I hope the Public Art Committee(PAC) will read and consider in terms of how the policy might be improved and made more systematic.¹

My remarks here are a continuation of concerns I raised about process when the University presented to the Faculty Senate where it might locate “Walking to the Sky” and that I subsequently raised in a second Senate meeting, and in an article in the February, 2006 version of *Focus*.² Several questions remain unanswered, especially those regarding the details of stipulations and terms of Trustee Kraus’ gift to the University. I continue to hope that somebody will disclose what this contract requires if a site that satisfies both Trustee Kraus and Artist Borovsky can not be found.

My remarks involve a discussion of the risks associated with the outdoor installation of both in light of the University’s real financial problems, traditions, and reputations for quality and good taste. My essential fear is that while installing more Plop Art at Carnegie Mellon may be thrilling and generate campus, regional, national and

¹ I regret that the hearing is scheduled just before the beginning of the Spring Break, and find this sort of timing reminiscent of the time at which the University’s chief financial officer was relieved of his duties, e.g. at the same time of the NATRAT’s April 1 publication which provided a permanent distraction from a rather serious event.

² See http://www.cmu.edu/focus/current/FOCUS_2006_2.pdf

international controversy, there is more to getting the University's name in the media, spelled correctly, since publicity can be adverse and hurt the University's short, medium, and long run interests.³ Just as when researchers run afoul of NSF and their agents on campus, as seems to happen with considerable frequency, getting a reputation for fast and loose, open for business and going to the highest bidder, can easily separate the University on various lists to the serious disadvantage of all of us. If we were truly wealthy as an institution, we might be able to ignore these considerations, but the reverse is true as evidenced by our ongoing budgetary deficits. For the uninitiated, FY0607 will be another \$18 million planned deficit with attending implications for not only salary growth but also the financial soundness of our institution.

Let me go over the risks, and then conclude. Hopefully questions I've raised will give a majority of those present pause, and that in your subsequent deliberations you will reconsider the University's proposal to install in scarce public areas "Walking to the Sky" and "Mao Yisheng,"

2. The Risks of Installing These Plop Art Works at Carnegie Mellon

A. The Liability of a New Climbing Pole

By tradition and design, our students are hard-working, hard-playing, and ambitious. Anybody who thinks there are not insurance issues, especially liability issues and not just property issues, associated with placing a 100' climbing pole anywhere on campus is ignoring the habits of our students. When the first student falls off "Walking to the Sky" and gets badly hurt there is going to be a lot of second guessing.

Surrounding it with a high fence would seem to defeat the notion of it being "public art," and devoting scarce CMU police resources to preventing this when there are already serious issues of public safety on and around campus to border on the irresponsible. I doubt the gift includes funding for surveillance devices and/or full security to prevent this sort of thing. And if both are necessary, one may wonder how that will affect campus life.

What has happened to the Memorial for Jill Walton on the cut? It has been vandalized and remains covered, and likely in a state of deterioration. Similar concerns arise with something as provocative as "Walking to the Sky."

B. Who Comes First in an Outdoor Public Space, "Mao Yisheng," or Andrew Carnegie and Paul Mellon?

Installation of an outdoor statute of our first Phd student seems meritorious in the abstract, but in the context of the failure to date of the University to so honor the benefactors whose names constitute the name of the University would seem to border on the scandalous if not just plain misguided. The risk of getting our priorities of recognition

³ Much about the PAC process, *per se*, is problematical and "sly" but these concerns are secondary to the risks I will discuss.

confused could easily offend other serious, long-term contributors to the University. Until we have placed life size statues of Andrew Carnegie and Paul Mellon in welcoming positions at the Forbes entrance of the University, my suggestion is that other statues, such as Mao Yisheng, be placed in the indoor public area in the college where he earned his Phd.

C. Being Open for Business and Abandoning CMU's Historic Commitment to Competition

By most accounts, the enthusiasm by some trustees to donate and locate public art on our scarce green space is as much motivated by personal issues as compared with the long term health and welfare of the University. Unless one takes as a tautology that what a trustee wants is by definition what is good for the University, there is reason to wonder out loud how being open for business may risk the business itself. Satisfying such trustee needs for immediate gratification may well signal being open for business, with the hope that others will follow suit, but it could easily lead to just the reverse: a revulsion of other friends of the University who see the campus being cheapened by the short term. I take the fact that actual giving to the University being behind schedule to reflect the fact that historic friends of the University, including the great families of the region, may not agree with the directions the University has taken, e.g. globalization, and especially the Qatar gamble.

The Committee would be well advised in my judgment to reread the history of the University's planning and physical development. Historically, the University has embraced the notion of national competition with a nationally recognized, independent review panel to devise its first physical plan. Competition was also involved in the development of subsequent master plans. Frankly, saying that the public art policy, with the Plot Art before us, builds on the University master plan process is really disingenuous. The latter has depended on national competition, the Plop Art before you, is really the result of a few determined people.

Henry Hornbostel did not walk in off the street. He was chosen by a committee that was composed of experienced experts who had been involved in such decisions at other institutions earlier. I daresay I applaud each of your participating in the PAC; however, to the best of my knowledge, none of you has been involved in refereeing national competitions for use of a particular public site.

How are public art decisions usually made elsewhere?

Institutions which set aside monies for public art typically identify a particular place, theme, and budget, and then devise a process by which a national competition takes place. Colleagues in Fine Art have successfully competed in these competitions to display such outdoor works, and there is a course in Fine Arts, "Culture in the Public Realm," that deals with how one does this and the range of considerations of process and substance that lead to successful, community accepted results. Has anybody on the PAC

consulted with either these successful artists, talked with those who teach and/or have taken coursework on the matter?

Enabling the reverse process runs the risk of not only offending those interested in the long-term, but by substituting the opinion of the donor for the typical competitive result, the University runs the risk of not only embracing the immediate and the mediocre, but more importantly, creating a public reputation for that which is to its entire, long-term disadvantage. I wonder if “Snowman” or the “CAMPO” would have resulted from national competitions.

D. Where does “Walking to the Sky” Belong at Carnegie Mellon?

The risks of putting permanently “Walking to the Sky” in the wrong place could easily involve not only causing national criticism and isolation of the University from the list of great universities in the Nation, and reduce further interest and support for the University at a time when its financial problems are growing dynamically, it could easily offend the majority of students, faculty and staff. My concern here is for my faculty colleagues and their students in the College of Fine Arts and their programs and activities. As the PAC should know, the Purnell Center was built primarily with internal loans from the entire University, and while there was a lead gift, it remains substantially unpaid for. Should campus reaction continue to be adverse, and persist, it is easy to imagine that campus priorities to subsidize and support Fine Arts could plunge in an opposite direction. I rather doubt that any faculty, or administrators, would want to put the College on its own, self-sustaining basis.

How might the faculty, students, and administrators forestall this adverse swing in campus opinion? Arguably, installing alumni works, in the absence of competitive review, should entail putting those works in or near the college’s buildings. One area that would not entail the dissolution of green space would be the area immediately in front of Margaret Morrison. Centering “Walking to the Sky” in the middle of the circular portico might provide an immediate an ongoing conversation piece for the Fine Arts students and faculty who use the building Surrounding “Walking to the Sky” there with a circular bench would provide a permanent place to sit and reflect.

Other places that would not use up sacred green space would include the steps of the main Fine Arts building that looks onto the Mall, or its interior hallway. While the latter is now entirely classical, installing “Walking to the Sky” indoors might well be interesting and challenging. Seeing some of the figures emerge from the room of the College of Fine Arts could easily create an interesting and challenging contrast between the indoor and outdoor, and compete with the internationally famous installation at MIT of a Cambridge police car on top of the MIT dome.

3.0 What Next?

My *Focus* article concluded with the observation that I take a dim view of the installation of “Walking to the Sky” on the Cut, the Mall or at the Forbes entrance to the University,

and above have argued that few places come to mind where it could conceivably fit in. I continue to worry about single mindedness and money determining what Public Art gets put on our campus as contrasted with engaging in a national competition to use a space for a purpose subject to a budget. No doubt some will disagree with these views as well as my conclusion that in the absence of agreement on what constitutes good public art there should be a deliberative process that fairly elicits community opinion. The PAC replaces a committee chaired by the University Architect, who no longer works for the University, and has yet to demonstrate that it will fairly reflect the entire campus community in recommending both installation and de-installation.

In a democracy, institutions are subject to various kinds of review, and it is the case that one can find redress outside the University to enjoin foolishness and short-sightedness. The Hornbostel traditions embodied in the 15 historic buildings that he designed and were constructed, and the rather clear commitment to green space in the University master plans are not just obstacles for the overly aggressive, they are the firm basis on which one can say no.

Appendix 1: Public Notice by the University

“The university's new Public Art Policy has been approved and the newly constituted Public Art Committee has met to consider siting two works of public art, which were accepted by the university early last year. The two works are "Walking to the Sky," a sculpture by alumnus Jonathan Borofsky, and "Mao Yisheng," a memorial statue honoring the first individual to earn a Ph.D. from the university. As specified in the Public Art Policy, an open meeting will be held for the committee to receive input from the campus community on the new proposed site for "Walking to the Sky" and the proposed site for "Mao Yisheng." To learn about and provide input on the proposed sites, please attend the open meeting from 4:30 to 5:30 p.m., Wednesday, March 8, in Rangos 2, University Center (UC)”

Appendix 2: Comments on CMU Policy on Public Art, 2/23/06

I find the purpose of the Policy to be a bit muddled. It co-mingles the notions of criteria for acquiring/buying art that may be publicly displayed with the criteria for displaying things that have been accepted. The 2nd paragraph on page 1 begins with "Acquired public art ..." This seems to bespeak to the use of University funds or use of funds given to the University to buy specific objects.

The subsequent phrase: "accompanied by an interpretive program to make the works accessible to the non-specialist" seems to be gratuitous, potentially obligates the University to spend resources not only for the art, but tour guides or something. "Interesting and challenging work of high quality" are subjective phrases and could easily suggest that the sort of thing being pursued should challenge the sensitivities of those in public spaces. Grotesque, perverted, and disgusting art might then fit into that rubric. Appeal to leadership status, an old Cyert and corporate phrase, seems to create a justification for taking undue risks and completes the appeal to what I disparagingly called "avante garde" or "chic".

A more balanced approach would not mention these sort of phrases of "interesting and challenging". Am I to conclude that if something is not challenging but in good taste, it is not acceptable?

At page 2, I find the phrase "indoor and outdoor public spaces" read in conjunction with the Definition that talks about office and departmental art being beyond the purview of the committee to be worrisome, for it leaves open the real possibility that open spaces in buildings are now the proper purview of the Committee. Buildings are not dealt with, yet buildings are college specific in many cases, and we then have the possibility that "avant garde and chic", to be perjorative, will invade parts of campus that will find this unwelcome. Perhaps the foyer of Wean Hall needs naked Greek scholars running after each other, or other challenging artistic innovations. I'd like to see photographs of outer space, of Mars, etc. but who knows.

I should note parenthetically that I find the assertion that the PAC leaves faculty offices alone also to be gratuitous; the Faculty Handbook promises the privacy of a faculty office and presumably trumps this Policy Statement. The statement that the policy does not address student or faculty art installations with a defined term limit seems to contradict the decommission section later on, and/or precludes the acceptance of (current) faculty and student art to become public art.

The Process seems more ad hoc that it needs to be, and is not well linked to the donations, loan etc process.

My sense of what is being hoped for is a mechanism that allows the consideration of art, either proposed or already owned, to become public art only if it goes through the PAC with a recommendation to the President. It's hard for me to imagine anything being proposed in a public space that should not also go through a master plan review via the

Design Review Committee, but the relationship between the PAC and the Design Review Committee is not spelled out. As we usually have had a University architect, there is merit in that position being somehow linked.

There is no requirement of adequate notice of the public meeting, nor is there commentary that the deliberations of the PAC be themselves public, result in a written report, and that the action of the President and Board of Trustees also be written and made public. The notion that the PAC meets on an ad hoc basis suggests that it could be disorderly and highly political. My experience with the way Fine Arts works is entirely consistent with that sort of expectation. There are no quorum requirements which is an obvious oversight. There is no requirement that any proposal for art, and make it Public Art be conveyed in writing with statements of preferred sites and renderings that allow a realistic evaluation of the proposal. Fixing these oversights seems deminimus to me.

One might enquire why Exhibits of the Miller Gallery are exempt from review by the PAC. Scrutiny seems then to be outside of the College of Fine Arts, but inside other colleges.(see top of page 3). That is highly asymmetric.

Criteria for Acceptance/Rejection

This section deals only with gifts or purchases of public art, but that hardly exhausts the possible avenues by which things can show up. What about a long-term loan? That would not be covered under the criteria section and thereby would not seem to be before the PAC.

A way to deal with this (again) is simply obligate the PAC to deal with proposals to make art public art. "Art" then itself is defined as things the University owns or may own, one way or another, or have access to for a significant period of time. When the gift or loan of art is contingent upon it becoming public art, then there's a threshold question about whether the PAC should be the gatekeeper in effect of both decisions. I'd say yes, with a well defined relationship to the Design and Review process.

The bullet dealing with "an appropriate site in campus public space shall be available" is probably too broad, and should be limited itself by the safety and inconvenience issues that ought to be an explicit part of the review process. "Appropriate" is of course subjective unless it is given some meaning. Which gets back to the standards issue I raised at the last Faculty Senate meeting.

The bullet dealing with matters of external funding etc., does not deal explicitly with liability insurance. As noted, it's easy to imagine "Walking to the Sky" to invite mischief that will cost the University money.

I'm uncomfortable with the PAC having any approval authority over the University regarding the right to sell or donate. If the PAC is advisory to art coming in and becoming public art, it should be advisory on the way out. Frankly I'm surprised at this

approval authority. This asymmetry seems to have been missed by those in the audience Tuesday who said the PAC was merely advisory.

Item 1 of the De-accessioning process seems to suggest that if something is put up, it can now come down because the site is not suitable. This suggests that suitability of a site at the outset is not a criteria that the PAC has to pay attention. Similar remarks are in order for Item 2, 4. Item 6 about the artwork being incompatible raises a similar concern about what gets considered coming in vrs. what can be used to get something out of the public eye.

At the first presentation, I asked Mr. Horgran if a trustee-donor had to recuse him/herself, and he said he "didn't understand the question." I notice that matter is not addressed. In my *Focus* article I asked if a trustee could both donate and be involved in the acceptance or otherwise benefit from the gift, or at least notify the Chair of the Board under the 1999 Conflict of Interest Policy. The policy doesn't deal with this at all.