The War of Art

By Eva Neuberg

M useums have long testa- ted the bounds of what a fair art deal should be. Now, with more museums facing a third or less of their collections on display, and considering alternatives to selling art to raise operating capital or even nonprofits will be faced with difficult decisions that many of our finest museums, especially those in dire financial straits, will be forced to consider. The legal and ethical aspects of such sales are far from straightforward.

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In so holding, the court went against the donation of the particular works to the museum. It further held that a particular work be displayed, for example, a painting that was donated to the museum, was not the kind of reaction that was expected from any museum that displayed the art. The court stated that there were several alternatives to the museum's refusal to display the art, and that the alternative would upgrade the museum's charitable status.

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