RESTITUTION IS NOT ENOUGH

DEACCESSIONING FOR JUSTICE IN CONTEMPORARY ART

Julia Pelta Feldman

How "permanent" is a museum's permanent collection? This uncomfortable question is at the heart of current debates around art world ethics. Yet while the restitution of colonial loot is finally beginning to achieve widespread support in the countries responsible for their theft, the art world often fails to recognize other ways that colonial thinking still pervades museum collections and museums' choices in the present day. In opposition to the historical, sometimes ancient artworks and artifacts stolen by conquerors and museum professionals of the past, which now hold pride of place in many hallowed institutions of culture, modern and contemporary works of art by non-Western artists or members of marginalized groups have often simply been ignored by curators. I therefore propose another form of restitution: a restitution of significance – an effort that, like restitution in the classic sense, requires not only changing current practices but also redressing past mistakes, which inevitably means some real sacrifice.

In the United States and Canada, some museums have proven willing to sell the work of living or recently deceased artists in order to bring underrepresented artists into their collections. This practice, I argue, can serve as a kind of restitution, restoring these works' role in the history of art. But can the sale of museum objects ever be justified – and could this model work outside of North America? In order to answer these questions, we must think not only of what might be lost through restitution, but also of what could be gained.

The German museum landscape provides a useful case study: though Germany has for decades actively restituted works of art stolen by Nazis, it is only beginning to acknowledge its own colonial past. At the same time, the German art scene – which has since the 1950s striven to present itself as current and cosmopolitan, or welt-offen – has acknowledged the need to expand its concept of "international" art beyond Europe and North America. Recent exhibitions demonstrate a desire to change – but also a hesitation to make such

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changes permanent. To correct a colonial past that is still very much present, German museums must change their collections.

In November 2018, art historian Bénédicte Savoy and economist Felwine Sarr published a much-discussed report in which they urged France's national museums to return art objects outright looted or unethically acquired from sub-Saharan Africa.¹ That their research was commissioned by Emmanuel Macron demonstrates how mainstream this issue has become, though most countries that own such objects – including France – are slow to take action. Savoy, who is also professor of art history at Berlin's Technical University, is infamous in the German museum world: in 2017, she resigned from the advisory board of Berlin's controversial Humboldt Forum, citing museum authorities' unwillingness to examine the origins of its prized ethnological collection: "I want to know," she said in an interview, "how much blood drips from a work of art."²

Savoy is not alone in seeking more knowledge about German collections and their origins. In July 2019, the German Museums Association (Deutscher Museumsbund, or DMB), an advocacy group for Germany's museums, released the second draft of its official guidelines for the "Care of Collections from Colonial Contexts," calling for more funding and staff for provenance research.³ The first draft, released in May of the previous year, had freely acknowledged that "Objects from colonial contexts are historically sensitive objects, whose history and character have to be assessed by museums. Their acquisition often involved [...] the use of force and/or highly dependent relationships."⁴ When Wiebke Ahrndt, director of Bremen's Übersee-Museum and a leader of the project, was asked how the guidelines differ from Savoy's report, she answered, "We're going further": Sarr and Savoy discussed only sub-Saharan Africa, whereas the DMB addresses other colonial contexts as well.⁵ Yet

Felwine Sarr and Bénédicte Savoy, The Restitution of African Cultural Heritage. Toward a New Relational Ethics, Paris 2018 (http://restitutionreport2018.com/sarr_savoy_en.pdf; March 4, 2020).

Jörg Häntzschel, "Bénédicte Savoy über das Humboldt-Forum," Süddeutsche Zeitung, July 20, 2017 (https://www.sueddeutsche.de/kultur/benedicte-savoy-ueber-das-humboldt-forum-das-humboldt-forum-ist-wie-tschernobyl-1.3596423?reduced=true; March 4, 2020).

"Guidelines for German Museums. Care of Collections from Colonial Contexts," German Museums Association, 2019 (https://www.museumsbund.de/publikationen/guidelines-on-dealing-with-collections-from-colonial-contexts-2/; March 4, 2020).

"Guidelines on Dealing with Collections from Colonial Contexts," German Museums Association, 2018, p. 9 (https://www.museumsbund.de/wp-content/uploads/2019/10/dmb-guidelines-colonial-context.pdf; March 4, 2020). (Translations mine, unless otherwise noted.)

Claudia Christophersen, "Raubgut: 'Es geht nicht nur um Rückgabe," NDR Kultur, July 1, 2019 (https://www.ndr.de/ndrkultur/sendungen/journal/Wiebke-Ahrndt-ueber-Umgangmit-Raubgut,journal1842.html; March 4, 2020).

if its geographical purview is greater, so is its squeamishness at returning stolen objects: after the release of the first guidelines, the DMB was criticized precisely for distancing itself from Sarr and Savoy's emphasis on restitution, focusing instead on the sharing of knowledge. In his official response to the first draft, Kwame Opoku, a Ghanaian lawyer and expert in this field, noted that, in the guidelines, "museums are urged to consider alternatives to restitution of the physical object." He concludes by stating a simple truth: "decolonization necessarily implies restitution of some African artworks." But the new guidelines continue to emphasize research, knowledge sharing, and digital solutions over the actual return of objects: less important than actual restitution, Ahrndt explained, is the "participation" of countries whose artworks still remain in Europe.⁷

As Opoku points out, diligent provenance research is no guarantee of justice. In 2018, Hamburg's Museum für Kunst und Gewerbe concluded the results of a thorough investigation into the origins of its three "Benin Bronzes": "Today there is no question anymore," the museum announced, "that these bronzes constitute looted art." Yet this process ended not in the objects' repatriation to Nigeria, but in the decision to transfer them to Hamburg's Museum für Völkerkunde, which will be best able to provide a "fitting context for a respectful treatment of these works." German museums rush to embrace discussion, debate, research, and even their own culpability. But they often draw the line at giving up a piece of themselves: a permanent collection, after all, is supposed to be permanent.

Restitution is a type of "deaccessioning," the process by which a museum removes a work of art from its permanent collection. The term has been in regular use in the English-speaking world since 1972, when *New York Times* critic Joan Canaday used the word – "the polite term for 'sold'" – in her scathing reproach of the Museum of Modern Art and the Metropolitan Museum of Art's sale of Impressionist masterpieces. In comparison, one encounters the German *Deakzession* or *Entsammeln* only infrequently. Nonetheless,

Kwame Opoku, "Brief comments on German guidelines on handling objects acquired in colonial contexts," German Museums Association, October 10, 2018 (https://www.museumsbund.de/brief-comments-on-german-guidelines-on-handling objects-acquired-in-colonial-contexts/; March 4, 2020).

Claudia Christophersen, "Raubgut."

"Looted Art? The Benin Bronzes," Museum für Kunst und Gewerbe Hamburg (https://www.mkg-hamburg.de/en/exhibitions/current/looted-art-the-benin-bronzes.html; March 4, 2020).

Joan Canaday, "Very Quiet and Very Dangerous," *The New York Times*, February 27, 1972 (https://www.nytimes.com/1972/02/27/archives/very-quiet-and-very-dangerous .html; March 4, 2020).

deaccessioning is as old as museums themselves, and is done for a variety of reasons, from the mundane to the scandalous – though it is always apt to stir strong emotions. To members of the public who assume that a museum's duty is to care for the objects in its collection in perpetuity, the very concept of deaccessioning may seem contradictory, if not disturbing. Indeed, a museum's collection is far more than a group of precious objects. The collection of a state museum in particular represents the values and commitments of the culture; what it considers valuable and important – what it wishes, literally, to show off. In Germany, state collections – which may have originated as royal treasure cabinets – today belong to the public in a very real sense. Museums know that the public has a strong connection to their collections, and that deaccessioning a work can feel like losing a part of oneself.

The type of restitution recommended by Sarr and Savoy – and avoided by the DMB – would be an important start for German museums, but it is not enough to correct the historical injustices of the country's collections. The problem with many contemporary museums is not only that they have some things they should not. German critic Stefan Heidenreich described the problem succinctly:

Whenever we collect something, there are two kinds of things we lack. First, there is what we would like to have, but can't acquire. And then there's everything that doesn't interest us in the first place. The situation becomes difficult when we realize that the latter should have interested us after all. This means that we are not only missing a few things, but that perhaps there is something wrong with the whole collection.¹⁰

This problem demands a different kind of restitution – a restitution of significance, restoring forgotten or ignored artworks to their place in art history. Such an act can be just as emotionally and ethically fraught, as making space for new voices and visions means calling into question a beloved and trusted canon of art. And when museums' budgets and wall space are all too limited, difficult decisions must be made.

In November of 2019, the Baltimore Museum of Art announced that all of its new acquisitions in 2020 would be works by women artists. Its director, Christopher Bedford, sees this measure as a needed reform: "We're attempting to correct our own canon," Bedford said in an interview.¹¹ In 2019, only 4% of the museum's 95,000

Stefan Heidenreich, "Die falsche Spur," der Freitag, no. 19, 2018 (https://www.freitag.de/autoren/der-freitag/die-falsche-spur; March 4, 2020).

Mary Carole McCauley, "Baltimore Museum of Art will only acquire works from women next year," *Baltimore Sun*, November 15, 2019 (https://www.baltimoresun.com/entertainment/arts/bs-fe-bma-female-artists-2020-20191115-33s5hjjnqfglzhmwkt7dqbargq-story.html; March 4, 2020).

artworks were made by women. Other American institutions are not much better: a recent study of 18 of the country's most prominent museums found that of the artists in their collections, 87% are male and 85% are white. 12 Decades of activism have done shockingly little to change these numbers, which also contradict the common public perception that equality has more or less been achieved. To truly change a museum, Bedford said, "You don't just purchase one painting by a female artist of color and hang it on the wall next to a painting by Mark Rothko. To rectify centuries of imbalance, you have to do something radical."13

Bedford's words point to something crucial: efforts to diversify a museum collection are not only about doing something new. Much more, they are about disrupting enduring legacies of oppression and marginalization. For this reason, the Baltimore Museum and a few of its peers are thinking carefully about past as well as future acquisitions – and they are using deaccessioning as an instrument of restitution. This practice is not without controversy. Restoring an artwork to its rightful owners is one thing – but what about selling it, and using the money to buy a new one? Certainly, Canadian and U.S. museums also hold objects acquired under questionable ethics from people who were not in a position to object. The current debate, however, centers not on historical artifacts but on contemporary art.

In the last two years, the Baltimore Museum, San Francisco Museum of Modern Art, and Art Gallery of Ontario have deaccessioned works by white male artists in order to sell them and use the money for new acquisitions – specifically, of works by women, people of color, indigenous artists, and other underrepresented groups. 14 Though each case is different, the museums all seek to diversify their collections and fill art historical gaps. Bedford stated explicitly that "The decision to do this rests very strongly on my commitment to rewrite the postwar canon" by making room for

Chad M. Topaz, Bernhard Klingenberg, Daniel Turek, Brianna Heggeseth, Pamela E. Harris, Julie C. Blackwood, et al., "Diversity of artists in major U.S. museums," PLoS ONE no. 14, vol. 3 (2019): e0212852 (https://doi.org/10.1371/journal.pone.0212852; March 4, 2020).

McCauley, "Baltimore Museum of Art."

See: "Warhol, Kline & More Contemporary Works from The Baltimore Museum of Art," Press Release, Sotheby's (https://www.sothebys.com/en/articles/warholkline-more-contemporary-works-from-the-baltimore-museum-of-art; March 4, 2020); "SFMOMA Announces Deaccession to Benefit the Acquisitions Fund and Strategically Diversify the Collection," Press Release, SFMOMA, February 15, 2019 (https://www.sfmoma.org/press-release/rothko-deaccession-2019; March 4, 2020); "Heffel offers rare opportunity as several A.Y. Jackson works from the AGO vault head to auction," Press Release, Heffel Fine Art Auction House, March 28, 2019 (https://www.newswire.ca/news-releases/heffel-offers-rare-opportunity-as-severala-y-jackson-works-from-the-ago-vault-head-to-auction-891246888.html; March 4, 2020).

female and non-white artists.¹⁵ This is not about an abstract sense of art historical justice: the purchase of new works benefits not only the artists' reputations, but also the museum's public, by offering them a richer, more varied experience of art. Though very different from restitution as conventionally understood, this practice, too, seeks to remedy a museum's previous mistakes – and to do so by intervening in the culturally and emotionally charged space of the museum collection.

Professional museum organizations, such as the International Council of Museums (ICOM) or Germany's DMB, provide guidelines on how a museum can best part with an object it doesn't want anymore: because the object is badly damaged, because it no longer fits the museum's mission, or because its quality or importance are beneath the collection's standards. In Germany, however, such guidelines presume that – unless a looted work is being restituted to its rightful owners – a deaccessioned object is not wanted by the museum giving it up. It is therefore understandable that the guidelines do not provide direction on how a museum might intentionally rid itself of a valuable, desirable object in its collection – in order to raise funds for something new. Yet if it were allowed in Germany, this practice, too, could serve as a form of restitution. In North American museums, it is already serving this purpose.

Deaccessioning for collection building is, to say the least, a controversial move. SFMOMA's choice to auction Mark Rothko's Untitled (1969), an excellent example of the artist's work from this period, elicited a great deal of consternation, evoking Canaday's objection: "The sale of works thought of as minor can be given specious defense," she wrote in 1972, "but the sale of works of high quality must be the result of rationalization, blindness, or utter desperation."16 Many argue that it is always indefensible to sell artworks from a museum collection, even for the purpose of buying new ones: such decisions can be short-sighted, and museums, charged with preserving our cultural heritage for the future, must be immune to fashion as well as political pressure. It should be clear – perhaps more so in Germany than anywhere else – that such questions are not only about art, but also integrity. A recent exhibition at Leipzig's Museum of Fine Arts, "Impressionismus in Leipzig 1900-1914" (November 24, 2019 – June 1, 2020), celebrates the museum's early connection to influential painter Max Liebermann. A wall text in the exhibition also notes that the museum chose, in 1936-37, to trade away two works by the Jewish painter - "without coercion" from the authorities - in order to "ideologically purify" its collection. Indeed, more than integrity is at stake here: Liebermann, who had

been forced to resign from his illustrious post as president of the Prussian Academy of Arts in 1933, died of natural causes two years later, unmourned by the country that had previously idolized him; in 1943, his widow Martha poisoned herself to avoid deportation to Theresienstadt.

It is certainly understandable if the history of deaccessioning inspires caution. Yet while a prohibition on deliberate deaccessioning may occasionally prevent a curatorial mistake, it also prevents the correction of existing ones. The problems in museums' collections are not only due to the misjudgments of individuals, but of entire cultural paradigms: because of colonialism, museums acquired works of art by stealing them; because of sexism, they ignored or undervalued art made by women.

German museums are beginning to acknowledge the unfair conditions under which their collections were built, and their responsibility to correct these. This, of course, means something different for an enterprise like the Humboldt Forum, with its focus on historical artifacts, than for museums that exhibit modern and contemporary art. In 2016, under the direction of the late Okwui Enwezor, Munich's Haus der Kunst opened the ambitious and wellresearched "Postwar," a landmark exhibition that substantially widened the typical narrative of artistic production in the years following the Second World War. Eschewing Cold War clichés of east and west, "Postwar" presented artistic positions and dialogues from around the world, including Africa, South America, the Middle East, and East Asia. The following year, the Kunsthalle Bremen turned its focus inward with "The Blind Spot: Bremen, Colonialism, and Art." The exhibition sought not only to examine the presence of colonialism in the work of high Modernists like Paula Modersohn-Becker and Emil Nolde, but also to "place these European perspectives in the collection of the Kunsthalle Bremen in dialogue with non-European positions in art, including contemporary ones."17

More such exhibitions are needed; they are important and provocative efforts. But they are also temporary. The Haus der Kunst has no collection of its own; "Postwar" was assembled entirely from loans. Meanwhile, the Kunsthalle Bremen, which hosts the extensive collection of the Kunstverein in Bremen, boasts that it offers "over 600 years of art history" – yet expresses this breadth as a single lineage of white male artists from Western Europe and the United States: "From Dürer to Monet to Picasso to Turrell." Temporary exhibitions may change minds, but they do not change collections, museums' bedrock.

[&]quot;Der blinde Fleck: Bremen und die Kunst der Kolonialzeit," Kunsthalle Bremen, 2017 (https://www.kunsthalle-bremen.de/de/view/exhibitions/exb-page/der-blinde -fleck; March 4, 2020).

[&]quot;Die Kunsthalle," Kunsthalle Bremen (https://www.kunsthalle-bremen.de/de/view/exhibitions/exb-page/der-blinde-fleck; March 4, 2020).

The Kunsthalle Bremen's effort nonetheless demonstrates a recognition of the importance of addressing one's own institutional history, the "blind spots" in one's own collection. This is precisely what Berlin's Hamburger Bahnhof set out to do in 2018 with "Hello World: Revision of a Collection," a sweeping exhibition – actually 13 exhibitions, organized by a diverse team of curators – that filled the museum's spacious galleries to the brim. According to its mission statement, the Hamburger Bahnhof's collection features "major figures and movements in art since 1960."19 The trends it identifies as its focus - painting, sculpture, and moving-image media - are worldwide phenomena. But its collection focuses overwhelmingly on art by white artists from Western Europe and North America, the vast majority of them men. This limited scope does disservice not only to the many artists who are thus written out of art history, but also to the museum's public, which is offered a narrow narrative that barely hints at global art's manifold flowering in the twentieth century. "Hello World" seemed designed to address these concerns. A booklet accompanying this ambitious project posed the provocative question: "What would the collection be like today had a more cosmopolitan understanding of art informed its beginnings?"20

The museum's answer was to supplement the typical canon of its collection - Beuys, Richter, Warhol, et al. - with works by artists from Africa, India, Indonesia, Eastern Europe, Mexico, and many other places that often fail to register on contemporary art's radar. Many reviews of the exhibition focused on the museum's daring choice to display objects from its own collection alongside around 150 artworks and artifacts from Berlin's other public collections, such as the Ethnologisches Museum, the Museum für Asiatische Kunst, and the Ibero-Amerikanisches Institut. Yet while a few critics expressed regret that this family reunion would be short lived, none commented on the fact that more than half of the objects exhibited came not from the Hamburger Bahnhof's sister collections, but from other collections around the world. In supplementing its own holdings, the museum hoped to "scrutinise the blind spots in traditional historiography" and "accelerat[e] the deconstruction of the Western canon.'

These are worthy goals, and much of the exhibition was well-curated and enlightening. Still, the problem is clear right from the title: "Hello World" implies that a single, temporary exhibition can rectify deeply ingrained institutional biases. It recalls the term "world music": both refer vaguely to anything outside the Western tradition. Indeed, the exhibition's subtitle – "revision of a collection" – elides the fact that, after the exhibition's close, the non-Western works went back to where they came from. One can't

[&]quot;About the collection," Hamburger Bahnhof (https://www.smb.museum/en/museums-institutions/hamburger-bahnhof/collection-research/; March 4, 2020).

[&]quot;Hello World: Revising a Collection," Hamburger Bahnhof, 2018, p. 11 (http://ww2.smb.museum/smb/media/exhibition/58028/Hello_World_Booklet_web.pdf; March 4, 2020).

help but wonder if the museum is checking a box on its list, so that it can return to Warhol and Beuys with a clear conscience.

Restitution is generally understood to mean giving something back. But in the case of ignored or underrepresented modern and contemporary artists, the concept of restitution might demand precisely the opposite: the acquisition – and not merely the temporary exhibition – of such "revisions." If the Hamburger Bahnhof is serious about change, it must change its permanent collection. Indeed, the museum recognizes this: in the past few years, it has begun to collect artworks from outside its traditional geographic purview, though its director, Gabriele Knapstein, acknowledged that this is "only a start." The museum's acquisitions budget is limited, she notes; in order to compensate for gaps in the collection, it is planning partnerships and exchanges with museums in other countries. As the North American cases mentioned above indicate, however, limited acquisition funds need not prevent the collection's evolution.

What is crucial here – and what the German art world needs – is the commitment demonstrated by these museums: they are willing to give up a piece of themselves in pursuit of a new wholeness. Deaccessioning for collection building is a powerful way of achieving this. The main points are these: one, any museum's claim to support a diverse and pluralistic art history rings hollow if this history is not reflected by its permanent collection; and two, a truly just, pluralistic collection will not be achieved without some sacrifice. Wherever they come from, a museum's funds are always limited – as is space in its galleries. This need not mean that museums like the Hamburger Bahnhof and the Kunsthalle Bremen must give up works they already own – though it could. At the very least, however, it means that some of those works must spend more time in storage.

One may justifiably respond that the situation in the United States – where even so-called "public" museums must gather a portion or even a majority of their funding from private sources – is not comparable to that in Germany, where a public museum can and should see itself as steward of objects that rightfully belong to the public. How, then, can a museum justify selling something that belongs to the German population? The American model – which views museums first and foremost as educational institutions, rather than repositories of accumulated possessions – provides another possibility here. German museums should ask themselves how they can best serve their publics. Is the collection in its current state truly benefiting the people to whom it belongs? Or is today's art audience missing out on works that yesterday's curators failed to collect?

Just as in colonial restitution, there is no blanket solution. The individual circumstances are significant. The Baltimore Museum,

for example, deaccessioned and sold paintings by Franz Kline, Kenneth Noland, Jules Olitski, Robert Rauschenberg, and Andy Warhol. Importantly, the museum still has other works by these artists, who are generally well represented in American museums. And it is worth noting that the sale of one Rothko or Warhol can provide funds for dozens of new acquisitions by young artists. Noland and Olitski provide a good example of a different kind of smart deaccession: in the 1960s, these painters were hailed by influential critics as the true heirs of America's vanguard. Decades later, with art historical hindsight, it is clear that this was something of an exaggeration. The Baltimore is probably not the only museum that has more works by these artists than it knows what to do with. In December 2018, the museum announced new acquisitions by important black artists like Carrie Mae Weems, Senga Nengudi, and Melvin Edwards, as well as younger figures like Amy Sherald and Meleko Mokgosi. And in June 2019, SFMOMA announced that it had used the proceeds from the sale of its magnificent Rothko to finance a spate of new acquisitions – among them Alma Thomas, Kay Sage, and Frank Bowling - along with a new endowment fund that is earmarked for future purchases.²² These new acquisitions, many of which are the first by these artists to enter the museum, do more for its collection and its public than one more Rothko ever could. "This is a curator's dream," said curator Gary Garrels. "Our accession funds in a normal year are very limited, but this has allowed us to do the thing that we want to do the most. Diversifying the collection is the most pressing and essential task for us."23

Like all arguments that require subtle differentiation, this one is easy to misrepresent. That is precisely what happened in Sarr and Savoy's case: inflamed critics railed against a plunderous desire to empty European museums, even though neither they nor African arts professionals propose anything of the sort: the colonial restitution debate centers around hundreds, not thousands, of objects.²⁴ Our museums are part of who we are, and it makes sense that we feel protective of them. Deaccessioning for collection building can be short-sighted and unethical. But it can also be done in a thoughtful way that enriches the collection and broadens the museum's art

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"SFMOMA Announces 11 New Acquisitions by 10 Modern and Contemporary Artists to Strategically Diversify the Collection," Press Release, June 26, 2019 (https://www.sfmoma.org/press-release/sfmoma-announces-11-new-acquisitions-by-10-modern-and-contemporary-artists-to-strategically-diversify-the-collection/; March 4, 2020).

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Taylor DaFoe, "SFMOMA Sold a Rothko for \$50 Million to Diversify Its Collection. Here's What They Bought With the Proceeds," artnet, June 26, 2019 (https://news.artnet.com/exhibitions/using-funds-deaccessioned-rothko-sfmoma-acquired-11-new-works-address-representational-gaps-permanent-collection-1585570; March 4, 2020).

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Kate Brown, "The Idea Is Not to Empty Museums': Authors of France's Blockbuster Restitution Report Say Their Work Has Been Misrepresented," artnet, January 24, 2019 (https://news.artnet.com/art-world/restitution-report-critics-1446934; March 4, 2020).

historical narrative, without damaging the reputations of the deaccessioned artists or the public's chances to see their works.

By linking this sort of deaccessioning to the kind proposed by Sarr, Savoy, and Opoku, I am advocating for another kind of restitution: a restitution not of artifacts, but of significance. It is about respect, a place in the story of art. In calling for a new policy, Sarr and Savoy speak of a "new beginning." Museums cannot go back in time and rebuild their collections in a genuinely pluralistic (instead of colonialistic) manner, but they can begin to do so now – with modern and contemporary art. They can acquire works by artists from other cultures and by the minorities within their own culture. This requires not only seeing the collection anew, but *making* it into something new. Without the willingness to truly change a museum's collection, the effort to redress its gaps and blind spots will last no longer than a temporary exhibition.

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