

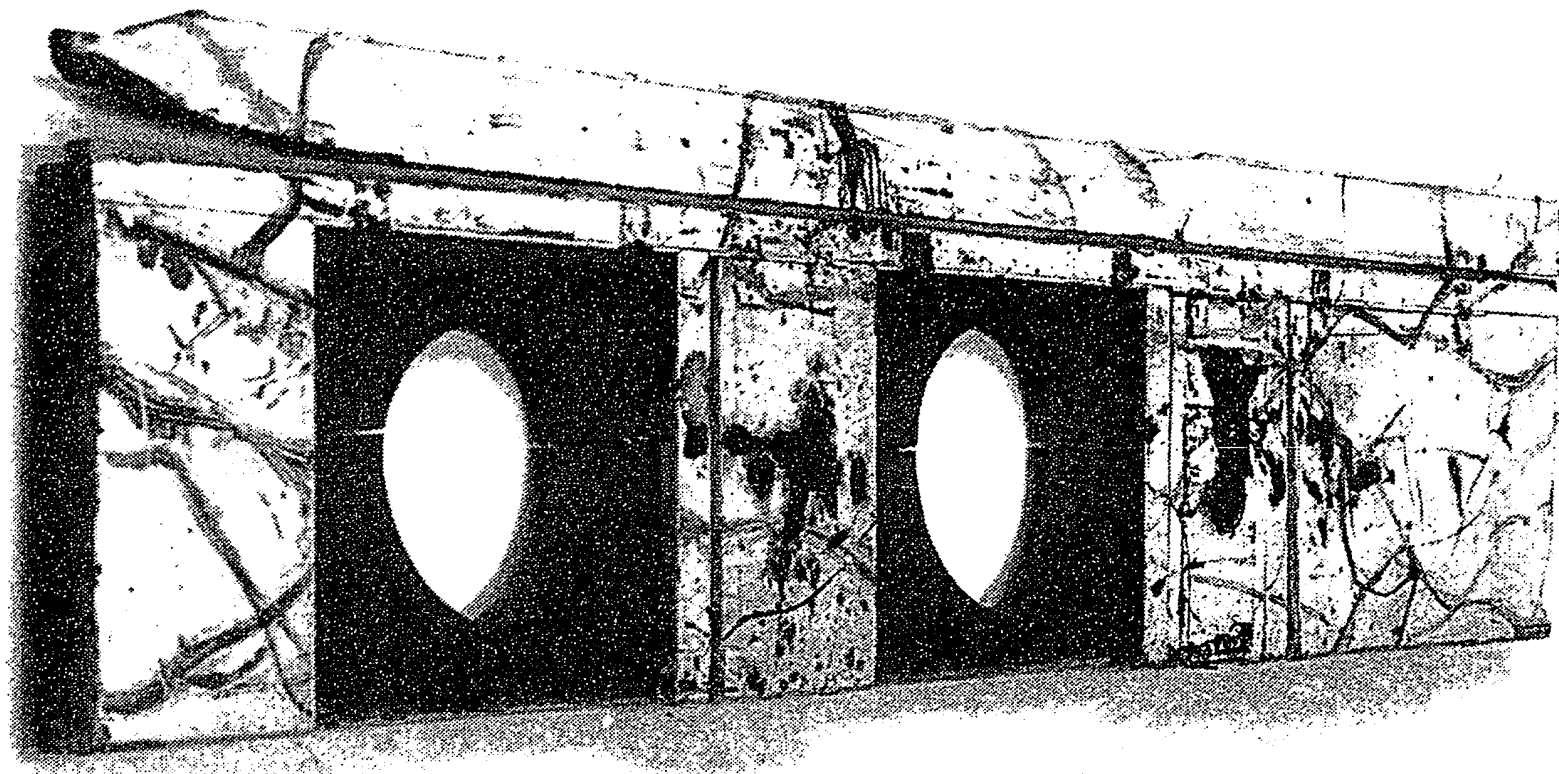
Is It Art or Just a Toilet Seat? Bidders to Decide on a de Kooning

By LINDSEY GRUSON

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pg. C13



A toilet seat painted upon by the artist Willem de Kooning at a Long Island croquet party has raised questions about its worth as art.

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Is a used toilet seat worth \$1 million? Or even a couple hundred thousand dollars?

The owners of one seat think so. That's because it's a three-holer. And not just any three-holer, but an Abstract Expressionist three-holer.

And it was painted for a croquet party by Willem de Kooning, whose canvases have sold for more than \$3 million, possibly with the help of one of his East Hampton, L.I., roommates at the time, Jackson Pollock, whose work is even more valuable.

The seat is executed in a style typical of the two masters. But is it art? That question has spurred furious debate and fistfuls of treatises in the 7 years since the privy was bought on Long Island for \$50 by Charles Vanderveer 3d, a Bridgehampton auctioneer and South Fork archeologist, and authenticated by the artist's wife, Elaine de Kooning.

Art or artifact? Or simply, as the late Mrs. de Kooning had claimed, a

joke. The argument is certain to begin again with renewed vigor as the untitled three-holer, the largest known original de Kooning in private hands and possibly the only work done with Pollock, the auction house responsible for its sale said, is being offered along with the more than 400 other pieces by artists in the Hamptons on Feb. 27 at the Lexington Avenue Armory at 26th Street.

"No single region has become as synonymous with artistic innovation as has eastern Long Island," says Arlan Ettinger, the president of Guernsey's, the auction house that has organized the sale.

Since many of the pieces in the sale come from the private collections of the artists' friends and are largely unknown, the auction is likely to provide a new glimpse into the Hamptons of the 1940's and 50's, when such artists as Franz Kline, Robert Motherwell and Larry Rivers, along with Pollock and Mr. de Kooning, who has been in declining health for years, lived there.

While the auction includes several de Kooning canvases, a group of for-

mative Kline pieces known as the "Jazz Murals" and Pollock artifacts, the latrine seat is by far the most controversial. Unlike most items put up for auction, the latrine seat has been given no estimate from the house on what it expects it to bring. While the owners are hoping to receive well over \$100,000, appraisers have put its value at anywhere from \$10,000 to over \$1 million. The seat is 99 by 22 inches and painted with exterior house paint. The three holes are rimmed in red and the area in between is white, streaked by undulating black strokes of varying thickness and texture. The stripes culminate in thick, angry globs of black paint characteristic of Pollock, which has led some experts to conclude that he helped to create it.

A Party and a Bit of Painting

The latrine was painted for a croquet party in August 1954 at the ox-blood-colored Civil War-era house on Main Street in Bridgehampton that Mr. de Kooning, Pollock and Kline

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microfilm.

Hans Namuth

Willem de Kooning in 1953, the year before he painted the seat.

Continued on Page C18

Is It Art or Just a Toilet Seat? Bidders Will Be Deciding

Continued From Page C13

rented for several summers. Twenty years later, the outhouse was transformed into an equipment shed, the seat dismantled and put into a basement. It was rediscovered seven years ago, when James Garcia and Joseph Lada, who owned the house, decided to sell it and asked Mr. Vanderveer to auction the contents.

A Bridgehampton eccentric whose auctions are renowned as theater, Mr. Vanderveer says he announced that the seat might be a de Kooning. But bidding was slow, apparently because the idea seemed absurd, another of Mr. Vanderveer's legendary antics. So he bought it for himself for \$50. A month later he ran into John MacWhinnie, a friend and Mr. de Kooning's portraitist, and asked him to have it authenticated.

"As soon as I saw it, I knew it was of his hand," Mr. WacWhinnie said in an interview seven years ago. He took it to Mr. de Kooning's East Hampton studio where it was immediately recognized by Mrs. de Kooning, a noted painter in her own right. But in an interview shortly thereafter, she said she was upset that her authentication had been made public and that the seat might be sold as art.

'In a Spirit of Merriment'

"It was done as a joke to marbleize the wood," Mrs. de Kooning said in an interview seven years ago. "It was done very fast in a spirit of merriment that prevailed at the time. To term this 'painting' is ridiculous."

That drew the lines for a battle so vituperative that Mr. MacWhinnie now declines to discuss the seat. Any claims that the latrine is art are absurd because the piece does not fit into Mr. de Kooning's corpus, says the art critic Arthur C. Danto. Debunking the latrine as art in an article published in *The Nation* in March 1985, Mr. Danto compared the seat to the hypothetical drawing of two rolls, some fish, etc., sketched by Michelangelo to show a deaf and illiterate waiter what he would like to order. Both would be worth collecting as memorabilia, he argued, but not as art.

But Mr. MacWhinnie, who was given a one-quarter share in the seat for arranging its authentication, said it was a paradigm of the artist's work. "It's a youthful, exuberant example of the painter at the height of his Abstract Expressionism," he said in the interview seven years ago. "In spite of itself, it became art, simply out of a choice that de Kooning made."

Robert Keene, the president of the Southampton Historical Society since it was founded 40 years ago, argues that the seat is a quintessential piece:

Was de Kooning serious? That may depend on how much is paid.

stylistically correct and historically remarkable.

"It's just the kind of thing Pollock and de Kooning would do," said Mr. Keene, who used to live next door to the outhouse. "It's a work of art. How many outhouse seats do you have by the world's great living painter?"

Mr. de Kooning once insisted that "painting, to be painting at all, in fact, is a way of living," and implied that he saw something special in the latrine seat. As the croquet party wound down, he tore off two of the latrine covers and gave them to a guest, who saved them as art. After a rash of newspaper articles about the artistic debate, the two separated covers, which are a creamier white than the rest of work but painted in the same characteristic style, were found and remounted on the seat.

Both sides of the latrine debate

bolster their argument by pointing to Marcel Duchamp's 1917 "Fountain," a porcelain urinal Duchamp inverted, signed with the pseudonym R. Mutt and anonymously sent to the Society of Independent Artists' hanging committee. The committee rejected the piece, although it is unknown whether it was passed over as bad art or as not art at all. While the urinal was lost and is captured only in a photograph, it is now widely thought to be art, a paradigm of Duchamp's lifelong attempt to subvert traditions.

Or Just for Money?

"Most relevant to this issue was his use of 'Fountain' to emphasize the importance of the artistic intention — the artist's choice — in the creation of a work of art and to undermine the power of the marketplace to transform art into a commodity," Carolyn Marx, an art expert for the Society for the Preservation of Long Island Antiquities, noted in an unpublished essay on the latrine seat. "De Kooning's three-holer seems to exemplify the opposite. It totally sidesteps the question of the artist's intention. It was rescued from oblivion for the purpose of resale because the very name de Kooning has been 'monetarized' into six or even seven digits."

"Possibly," she concluded, "the

real value of the piece is that its presence in the public arena has so blatantly raised issues already much discussed in contemporary art circles, and that it did so almost on its own, perhaps guided primarily by Duchamp's 'Laws of Chance.'"

Doesn't that make it art? At least as much as the work of the Swedish artist Carl Fredrik Reuterswärd, who has made something of a career of turning his colleagues' signatures into artworks. Or Picasso, the model of a modern Midas, who was said to write checks and decorate them with little doodles so that they were seldom cashed.

But art depends on intention, argues Edward Nygren, an authority on trompe-l'oeil painting and the director of the art division of the Huntington Library, Art Gallery and Botanical Gardens in San Marino, Calif. "You have to know if these two guys were sitting around, drinking beer and smoking cigarettes and saying, 'There's a chore to be done,'" he said, adding that he had not seen the piece. "It's certainly amusing. But the price you place on a joke is determined on whether the joke was intended."

Given the current market, he says, the latrine may be even more valuable as memorabilia than as art.