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A VIEW FROM THE TOWER

Justin Sweet



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Anthony Lewis's article in the *International Herald Tribune* (April 21, 1999) on the new Guggenheim Museum in Bilbao reminded me that great architecture can create powerful religious, historical, political, commercial, and even psychological symbols.

Bilbao, the capital of the Spanish Basque region, was once a thriving industrial center with heavy steel manufacturing and shipbuilding. More recently, like many rust belt cities, it was in a state of decline. But Lewis tells us that the new museum designed by Frank Gehry is transforming Bilbao and even the whole Basque region. It appears not only to have attracted investments and tourists but may help the region psychologically, according to Lewis, as the symbol of a rejuvenated region.

An example of architecture as a commercial symbol is the Transamerica Pyramid. When this structure was designed, some attacked its attempt to beat out the Bank of America Building as the tallest tower in San Francisco as egocentric. (It did by a few feet.) Some sneeringly referred to it as "the pointy-headed" building. Yet when Transamerica was acquired recently by Aegon, the large Dutch insurer chose to retain the Transamerica name and, most importantly, the Transamerica Pyramid as its symbol for business in the United States.

What has this to do with law? To make this connection, let me refer to the cost of creating these great symbols. Tony Lewis made no mention of cost overruns at Bilbao although he did mention that the museum cost \$100 million. I know nothing about costs of the Transamerica Pyramid. But this issue was raised in the case study I inserted in the recently published sixth edition of my *Legal Aspects of Architecture, Engineering and the Construction Process* (Brooks/Cole Publishing Co., Pacific Grove, California). The case study involved another architectural symbol, the Johnson Building in Racine, Wisconsin. This Frank Lloyd Wright creation rated ninth on a list of outstanding designs by the Fellows of the American Institute of Architects. It involved a commercial symbol, but it also involved cost predictions. My case study was an edited version of a fine article by Professor Stewart Macaulay of the

University of Wisconsin Law School (*Organic Transactions: Contract, Frank Lloyd Wright and the Johnson Building*, 1996 Wis. L. REV. 75). Macaulay tells us that in 1936 Wright's career was at a low ebb. He needed a commission desperately. Johnson had engaged a local architect to design the new company headquarters. Wright asked how much it was supposed to cost. When the Johnson people said \$300,000, Wright snorted and said he could do a greater building for \$250,000. Hibbard Johnson said he wanted the building to "symbolize the progressive company that his grandfather and father had built." Wright described a design that would be "unconventional, imaginative, trendsetting, a vital symbol of a great company."

An observer overheard a heated conversation with Wright at a Johnson office. Wright emerged, saying, according to the observer:

They're acting as if this were a normal office building. . . . But have they forgotten what they told me initially, which was that this was a memorial to Grandpa . . . and you don't build memorials with the same materials, or the same spirit, or the same budget, you know, as you do speculative office buildings . . . One of these days . . . you're going to see . . . tourists from all over the country . . . come and see this building.

Wright was correct. It was a splendid memorial to Grandpa, a Johnson symbol, and a tourist attraction. Despite all of Wright's palaver about symbols, the Johnson people kept worrying about mounting cost while they plowed ahead. (After cost disappointments, Johnson still hired Wright for the Research Tower, a companion structure.)

So what have we learned? Architects and their clients need to have a clear understanding of whether a project is intended to be merely functional or a symbol. It appears this was the case in the Johnson Building, although the Johnson people squawked all the way about costs. We also learn that a symbol-obsessed architect can fudge costs to get the commission and then "go to town" without regard for the ultimate price. But is this Wright? And, as I have noted, if a great symbol is supposed to be on the drawing boards, cost restraints may, like College of Cardinals' ballots for Pope, go up in smoke.

This is my last *Tower* column. Although the journal editor has kindly encouraged me to contribute again from time to time in the future, this space will mostly be reserved for other contributors from the Construction Forum. I thank *The Construction Lawyer* for letting me express my views and putting up with occasional space limit violations. I thank you all for putting up with my biases and idiosyncrasies. I hope you learned something and enjoyed doing so. ☐

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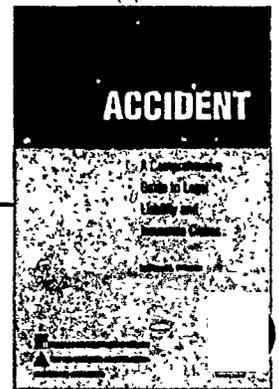
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