

Austria to Relinquish Klimt Paintings

In a dramatic conclusion to a nearly eight-year-long legal struggle that, along the way, has involved the Austrian government, the U.S. Supreme Court and murky doings in Nazi-occupied Vienna, an Austrian arbitration court ruled in January that five paintings by Gustav Klimt are the rightful property of Maria Altmann, a 90-year-old resident of Los Angeles. Altmann's claim to the paintings rests on the fact that she is the sole heir of the paintings' original owners, her aunt and uncle Adele and Ferdinand Bloch-Bauer. The most important of the five paintings is *Portrait of Adele Bloch-Bauer* (1907), a grand, alluring, gold-leaf-adorned depiction of the woman who made a significant contribution to early 20th-century Viennese culture through her artistic patronage and vibrant salon.

Since 1998, Altmann has sought via Austrian and U.S. courts to wrest the paintings away from the Austrian Gallery in Vienna's Belvedere Castle, where they have hung since the Nazis seized them in 1939; following the German annexation of Austria in 1938, the art collections of many Austrian Jews were stolen. *Portrait of Adele Bloch-Bauer*, a cornerstone of the Austrian Gallery's collection, is widely recognized as one of Klimt's most important paintings. Immediately after the war, the Austrian government pressured the Bloch-Bauer family to relinquish ownership of the Klimts in exchange for permission to take other works out of the country. The pas-



Gustav Klimt's *Portrait of Adele Bloch-Bauer I*, 1907.

Antiquities Settlement on the Horizon for the Met and Getty?

As Italy continues its dogged pursuit of antiquities looted from its soil, American museums are beginning to negotiate arrangements with Italian culture ministry officials to obviate legal actions like the one taken against the Getty Museum and its former curator Marion True [see "Artworld," Nov. '05], who is currently standing trial in Italy with art dealer Robert Hecht. At press time, New York's Metropolitan Museum of Art was working out a deal whereby the museum would return 20 disputed works in exchange for long-term loans of equal value and historical importance from Italy. The proposal is reportedly the result of talks in November between Met director Philippe de Montebello and Italian officials. According to documents obtained by the *New York Times*, the museum would disclaim any knowledge of wrongdoing and would not be the target of a lawsuit. Italian officials told the press that if the Met did not respond to the proposal by February, they might further investigate the museum's acquisitions.

Among the items in question are a 5th-century B.C. vase and a group of Hellenistic silver objects. According to the tentative agreement, those pieces would remain on loan at the museum through the end of 2007, and would be displayed with a label identifying them as property of the Italian state. After their return to Italy, the works would be available for loan again in 2012. Also specified in the pro-

posal are four terra-cotta pieces that are linked to convicted dealer Giacomo Medici; they will not be replaced with special loans.

Perhaps taking his cue from de Montebello, in mid-January the Getty's new director, Michael Brand, entered into negotiations with Italian officials in an attempt to hammer out a similar agreement regarding 42 objects at the Getty, 12 of which are from the collection of trustee and New York resident Barbara Fleischman and her late husband, Lawrence. According to the *Los Angeles Times*, True set up a 1996 arrangement with the Fleischmans in which the couple sold 30 objects to the Getty for \$20 million and donated some 300 more worth \$40 million. The works, prominently featured in the newly reopened Getty Villa, were largely obtained from Medici and Hecht.

Within weeks of the Fleischman deal, True borrowed \$400,000 from the couple to repay an undocumented loan, obtained via a Greek lawyer and a now-deceased London antiquities dealer who was a Getty supplier, for the purchase of a vacation home in Greece. Revelation of that loan, on the heels of the Italian lawsuit, led to True's resignation from the Getty last September. The more recent revelation of the subsequent loan prompted Fleischman to resign from the board in January.

—Stephanie Cash

sage of a new Austrian law in 1998 obliging the country's museums to reconstitute Nazi-looted art gave Altmann renewed hope that she might recover the paintings, but her initial efforts to sue in Austrian courts were stymied by the requirement that she pay \$2 million in filing fees.

Altmann then brought a lawsuit in U.S. courts. The Austrian government countered that American courts had no jurisdiction over the matter, an argument that was ultimately rejected by the U.S. Supreme Court, thus clearing the way for Altmann's suit. At this point, the Austrian government agreed with the proposal by Altmann and her lawyer Randol Schoenberg to have the case submitted to an Austrian arbitration court. The alternative would have been a lengthy series of trials and appeals that could easily have outlasted the elderly Altmann.

While the recent ruling isn't binding, Austria, despite its earlier strenuous rejection of Altmann's claims, will apparently honor it. "It goes without saying that the Republic of Austria will abide by the arbitration award," reads a statement on the Austrian Gallery's

Web site. Altmann has said that while she intends to sell the paintings, she prefers that they go to museums, so that they will be on public view. As this issue went to press, the Austrian Gallery broke off negotiations to buy some or all of the works, which are estimated to be worth as much as \$300 million. —Raphael Rubinstein

Lost & Found

Winter brought mixed news on the European art-heist front, as one major work was recovered and a raft of others disappeared.

Benvenuto Cellini

On Jan. 22, an exquisite gold-and-ebony saltcellar by Benvenuto Cellini, stolen in 2003 from Vienna's Kunsthistorisches Museum [see "Front Page," July '03], was found buried in a wooded area north of the city, after the man who filched it, a security systems salesman, Robert Mang, 50, was apprehended by police. Cellini's *Saliera* (1540-43), depicting the nude Neptune and Ceres cavorting in the waves, with a small basin floating nearby to hold salt, is the only authenticated work in gold by the 16th-century sculptor and memoirist, famed for his skill in precious metals. Valued at an

estimated \$60 million, it is among the most important works in the Kunsthistorisches collection.

Mang was brazen. In the wee morning hours, having climbed up a scaffolding erected around the museum for sandblasting, he broke through a second-story window, shattered the glass case in which the sculpture was displayed, and fled with the work. The museum came under sharp criticism for lax security. Although a motion detector had registered the break-in, a security guard turned off the alarm, never investigating why it had been triggered. Mang kept the piece under his bed for two years (it measures approximately 10 by 13 inches) before burying it, fearing apprehension. During that time, he made two very complex attempts to collect a ransom of \$12 million from the insurance company (once sending Neptune's tiny trident as proof he had the object in his possession). He was finally arrested after a surveillance tape caught him buying the cell phone used to make a last, incriminatory contact.

Henry Moore & Lynn Chadwick

Mang had seen the *Saliera* during a guided tour of the museum and evidently developed something of an affection for it (the work was found to be only slightly scratched after its years in his custody). More chill-

NYC Armory Transformation

In January, the Seventh Regiment Armory Conservancy announced that a plan long in the works to convert the Seventh Regiment Armory at Park Avenue and 67th Street on the Upper East Side of Manhattan into a center for the visual and performing arts would move forward. The Armory is a landmarked 180,000-square-foot space that hosts numerous special events, including such cultural fairs as the Art Show, Modernism, Works on Paper, Art 20, the Antiquarian Book Fair, the Winter Antiques Show and the New York Book Fair. The conservancy has yet to determine the institution's new mission but has appointed Rebecca Robertson, an Armory board member and former executive director of the redevelopment project at Lincoln Center, as its chief executive. A sneak preview: shortly after Robertson's appointment, it was announced that Lincoln Center's production of Richard Wagner's *Tristan und Isolde* will be held at the Armory in spring 2007. The production, first performed in 2004 at Disney Hall in Los Angeles, is a collaboration of Bill Viola, Peter Sellars and Esa-Pekka Salonen [see "Front Page," Apr. '05].

The building is owned by the Empire State Development Corporation, which recently negotiated a 99-year lease with the Conservancy. Planning and design is expected to take about four years, with construction work estimated to begin in June 2009 and be completed in 2010. Robertson told the *New York Times* that the project should cost \$100-200 million. About a third of the programming will be devoted to art fairs after the revamping, with major events jockeying for position and the smaller ones likely left searching for other suitable spaces. Many exhibitors say the convenience of the Armory's location for the many wealthy collectors in the area is crucial to their business success. They claim that relocation to other venues, such as the Javits Convention Center or piers on the far west side of Midtown, would seriously harm their sales.

Completed in 1879, the Armory contains interiors by Louis Comfort Tiffany, Stanford White, the Herter Brothers and others. The New York City Landmarks Preservation Commission has described the building's rooms as "the single most important collection of 19th-century interiors to survive intact in one building." But the structure has been deteriorating for some time. An effort to refurbish the building and better utilize the space was begun by the state in 1999.

—Stephanie Cash

tion for their inaction will become clear, the fear is that the paintings may have since been destroyed.

Caravaggio

On a potentially happier note, the French press announced in late January that two paintings hanging for two centuries in an organ loft in the church of St. Anthony in Loches, in the Loire Valley, are believed to be the work of Caravaggio. They are thought to belong to a group of four paintings purchased from the artist by a French minister for Henry IV, Philippe de Bethune, who was an avid collector. Confiscated during the French Revolution, they were given to the parish in 1813. In 1999, curators noticed a coat of arms in the paintings that led to further studies. The works, depicting the Supper at Emmaus and the Incredulity of Thomas, have been scientifically analyzed by Caravaggio specialist José Frêches, who pronounces them authentic based on their provenance and on technical clues. However, Pierre Rosenberg, former director of the Louvre, is not convinced; he believes them to be good, early copies of paintings hanging elsewhere, at the National Gallery in London and Sanssouci Palace near Potsdam.

—Faye Hirsch

Journalist Sues MOMA and NPR

Last year, veteran arts journalist David d'Arcy's 21-year-long association with National Public Radio came to an end following his controversial broadcast about an Egon Schiele painting that is the object of a Holocaust-ownership-related claim [see "Front Page," May '05]. Now d'Arcy, who also reports regularly for the BBC, the *Art Newspaper* and *Art & Auction*, has sued NPR and New York's Museum of Modern Art for \$5 million, claiming that he has been slandered by MOMA and that the museum pressured the radio network into dropping his freelance contributions.

The painting that occasioned d'Arcy's report, originally broadcast in December 2004, is *Portrait of Wally* (1912). In 1997 it was on loan to MOMA from the Leopold Museum in Vienna, when the heirs of Austrian art dealer Lea Bondi, its original owner, sued to recover it. The work remains impounded by the U.S. government while the ownership case slowly works its way through the courts.

In his report d'Arcy contrasted

MOMA's insistence that it is contractually bound to return the painting to Vienna with the fact that the museum's chairman, Ronald Lauder, is the founder of the Commission for Art Recovery, an organization devoted to the restitution of art stolen during World War II. (Bondi's heirs claim that *Portrait of Wally* was looted by the Nazis.) This drew objections from MOMA that d'Arcy had quoted Lauder out of context, mistakenly suggested that the painting was in the museum's possession (rather than the federal government's) and not given the institution a chance to reply. Although d'Arcy refuted these charges, NPR felt compelled to issue a correction and dispense with d'Arcy's services.

In his lawsuit, d'Arcy contends that MOMA, retaliating against him for his report, misled NPR in an attempt to portray his report as factually inaccurate. In addition, d'Arcy contends that MOMA threatened to curtail NPR's ability to do future stories about the museum. He cites this as a dangerous attack on journalistic independence. As of this writing MOMA had not received official notification of the lawsuit and therefore had no comment; NPR denies the charges made by d'Arcy.

—Raphael Rubinstein

Duchamp's Dada Pissoir Attacked

On Jan. 4, Marcel Duchamp's *Fountain* was vandalized while on view in the "Dada" exhibition at the Pompidou Center in Paris. Pierre Pinoncelli, a 77-year-old French performance artist, was arrested at the scene after hitting the work with a small hammer. The porcelain readymade, a signed 1964 replica of the lost original 1917 work, was chipped and is being restored. Another signed replica, from among a total of eight, had already been selected for display in the U.S. version of the exhibition, which opened Feb. 9 at the National Gallery of Art in Washington, D.C. [through May 14], and travels to the Museum of Modern Art in New York [June 18-Sept. 11].

Pinoncelli, who maintains that his attack on the work was a form of Dada action, was fined approximately \$262,000 by a French court and given a three-month suspended sentence. When the same urinal was on view in a 1993 show at the Carré d'Art in Nîmes, Pinoncelli urinated into it, saying that he wanted to return the piece to its original function; he then took a hammer to it as well. For that incident, he was jailed for a month and fined about \$37,500. The Duchamp piece seems an irresistible target for attention-seekers. In 2000, two Chinese artists also urinated on the Tate Modern's version of the work.