

# Comments on the Art Market

B Y R E H S G A L L E R I E S

## Volume 276

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20 West 55<sup>th</sup> Street, New York, NY 10019  
(212) 355-5710

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### **Gallery Exhibitions - Extended**

*Chuckie's Grand Adventure*  
&  
*Small Works Show*

### **Both shows will continue to run through December**

Please note that all currently sold works will be shipped out during the week of December 11th.

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### **Stocks & Crypto**

I'm starting to think the Stock Market Gods just flip a coin each month to determine if things are going up or down. We've been on a volatile downward trend since late summer, yet somehow, all three major indexes clawed their way back to the brink of fresh 52-week highs! Sure, some people feel inflation is finally settling down, but that hardly seems like enough to spur a rally like this; it's worth noting that on the final day of the month, the Personal Consumption Expenditures Index fell to its lowest level since early 2021 – this metric is heavily used by the Fed to gauge inflation, so this certainly confirmed that positive sentiment.

The tech-heavy Nasdaq led the way as it notched a 10.7% gain for the month – its best month in more than a year. The Dow and S&P were not far behind... the Dow ended its 3-month losing streak, up more than 8.7%, while the S&P was up 8.9%. The Dow had enough momentum to set a new 52-week high, while the Nasdaq and S&P were within 1% of their highs, and the latter is a mere 5% from an all-time high! Aside from the positive PCE numbers, last month's metrics showed weaker job growth and an uptick in unemployment, further signaling that the economy is cooling – on the surface, you'd think that would result in falling stock prices, but that's part of the balancing act when managing inflation.

Turning to currencies and commodities... both the Euro and Pound strengthened, up 3.38% and 4.35%, respectively, relative to the dollar. As for commodities, on the final day of the month, OPEC announced they would continue output cuts on crude into next year in an effort to prop up lagging oil prices. That said, it seems other oil producers are expected to fill the void left by those cuts which should relieve pressure on oil prices; through November, oil prices dropped by about 5.5%. Gold prices have steadily climbed through November (and had a solid first day of December), to the point it currently sits at an all-time high, just shy of \$2,100.

In the crypto arena, the big boys are quietly crushing it... Bitcoin gained 6.5% in November, up into the \$38K range; we haven't been in this ballpark since all cryptocurrencies went wild in 2021. Ethereum is back over \$2,000 after an 11% gain; it briefly crossed that threshold earlier this year when it had a short-lived rally in April. Litecoin was the odd man out with a 0.7% decline, though it's worth noting that volatility led it to be up as much as 7.5% and down as much as 5% at times this past month.

Overall, it was a solid month across the board, and the short-term outlook seems to be pretty positive... that certainly bodes well for all the kiddos expecting presents in the next few weeks – wishing you and your families a very happy holiday season!

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## Really!?

### Greg Jein's Cinematic Treasures



X-wing Starfighter

[Greg Jein](#), a distinguished visual effects artist and collector in the film industry, left an enduring legacy. Born in 1946 and passing away in 2022, Jein gained acclaim for his expertise in special effects, earning two Academy Award nominations for his work on [Steven Spielberg's films](#) *Close Encounters of the Third Kind* (1977) and *1941* (1979).

Beyond his contributions to special effects, Jein was a dedicated collector of Hollywood memorabilia. His extensive collection included props, scripts, and various items from iconic films and television series. Notably, Jein was a passionate [Star Trek](#) enthusiast, and a significant portion of his collection was dedicated to the beloved sci-fi franchise.

Jein's impact on the entertainment industry extended to his involvement in creating detailed models for Star Trek in the late 1980s. His collection became the focus of attention when it was recently auctioned, revealing a treasure trove of cinematic history and providing fans with a glimpse into the behind-the-scenes world of filmmaking.

The highlight of the recent auction was a pint-sized prop from the original 1977 *Star Wars* film: one of the X-wing starfighters in the Death Star showdown. Friends discovered the model in Jein's garage while working to help Jein's family organize his collection. Bidding started at \$400K and quickly skyrocketed to an astronomical \$2.6M (\$3.135M w/p), setting a record for the most expensive Star Wars prop to grace the silver screen.

The auction wasn't just a Star Wars extravaganza—it had a Star Trek twist too. Jein was a Trekkie at heart, and nearly half the auction's lots had some connection to the iconic television series. The Galileo shuttlecraft from the '60s original series made a tidy \$180K (\$225K w/p). In addition, the SS Botany Bay Filming Miniature (from the episode "Space Seed"), and another lot that included a treasure trove of over 300 scripts from Gene Roddenberry's visionary mind each fetched a cool \$160K (\$200K w/p).

Live long and prosper, cinematic treasures! (and for those that are not Trekkies - that's the [Vulcan salute](#).)

### Macallan Adami 1926 Makes Headlines

In the world of top-shelf whiskies, a bottle of [Macallan](#) Adami 1926 recently made headlines for its jaw-dropping sale price, surpassing what most people spend on houses, luxury items, or even a lifetime supply of soda - if you like a little soda with your scotch - but why ruin a good thing?

Macallan Adami 1926 is considered a gem among whisky enthusiasts, with only 40 bottles ever made. Its label, designed by [Valerio Adami](#), gives it a unique and modern look. Before being auctioned, it got a makeover with a new cork and label, a practice not uncommon even for high-end whiskies.



Describing its taste, Macallan's Master Whisky Maker mentioned a mix of rich dark fruits, cherry, and dates, followed by an intense sweet oak flavor. Apparently, just a sip is a luxurious experience, almost like enjoying a fancy dessert.

Macallan Adami  
1926

The estimate on the rare bottle was £750 -1.2M (\$930 – 1.4M) and when the hammer fell, someone with deep pockets paid a staggering £1.75M (£2.18M/ \$2.7 w/p) for this bottle. It's a huge investment that shows a serious passion for appreciating fine spirits. Hopefully, whoever bought it will relish it privately or be VERY generous to share it among fellow whisky lovers. Cheers to those with a taste for the finer things in life!

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## The Dark Side

### Banksy Fractional Ownership Possibly Illegal



*Valentine's Day Mascara* by Banksy, partially covered (photo courtesy of Funk Dooby)

Over the summer, the London-based company Showpiece announced it would [offer fractional ownership of Banksy's mural \*Valentine's Day Mascara\*](#). However, according to some experts from both the legal field and the art world, they may not be able to do so for much longer. Daniel Tunkel, a partner at the Memery Crystal law firm in London, does not have a very optimistic view of the situation. According to Tunkel, Showpiece's fractional ownership idea could backfire on them. Under certain circumstances, a court could certainly find that the project is less selling a product and more of an investment fund.

Britain's Financial Conduct Authority has not authorized Showpiece to create or run an investment fund, meaning it is not currently regulated as such. Based on Showpiece's terms of service, buying fractional ownership of *Valentine's Day Mascara* sounds like you're buying stock in a company. Much in the same way that shareholders vote on certain decisions made by a publicly listed company, Showpiece stipulates that should someone want to buy the mural, everyone with fractional ownership would vote on whether or not to sell, with 60% required to do so. Showpiece also manages an online secondary marketplace where people can buy and sell their pieces of the mural. Another lawyer specializing in art law, Pierre Valentin, has said that the fractional ownership venture might not seem like

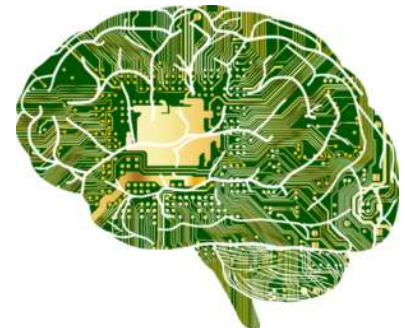
an investment because of the current lack of market for people to buy and sell their pieces of the Banksy. However, he nonetheless said that there will likely be such a market in the future, where the objective is to profit from buying and selling such fractional ownership the same way people buy and sell stock in Apple or Google or Berkshire Hathaway.

However, the main way Showpiece's fractional ownership scheme could be considered an illegal investment fund is if the business's operations are brought before a court through a lawsuit. While it's a little too early to say, there might be a chance that a lawsuit could arise from this situation. Namely, Showpiece sold each piece of the Banksy mural for £120 based on *Valentine's Day Mascara* being worth £6 million. However, those who have already bought shares in the work could accuse Showpiece of using an inflated total price not representative of the work's actual value. The mural has a £6 million valuation for insurance purposes, but Red8 Gallery originally appraised the Banksy at £1 million to £1.5 million. Furthermore, a multi-million-pound price tag would only be appropriate if *Valentine's Day Mascara* received official authentication from Banksy's studio, [Pest Control](#). The mural has no such authentication, even though Showpiece points to posts on Banksy's social media sites to indicate that they did indeed create the work in Margate. Street art is incredibly difficult to authenticate and, therefore, value. Banksy works have been sold at auction before, but these have almost always been works on paper or canvas that include documents from pest control attesting to their authenticity. Any specialist at an auction house will tell you that without any documentation confirming a work is by who is said to be by, an evaluation may as well be meaningless. This is where a possible lawsuit would stem from, most likely.

If the Financial Conduct Authority somehow finds Showpiece to be operating an illegal investment fund, all those who have paid for a piece of a Banksy would have their money returned to them.

### AI Art Lawsuit Proceeds

In a decision released on Monday, Judge William Orrick sided with a group of AI companies against a class action suit. The artists originally claimed that any work generated by the AI companies' image generators violates their copyright since they used the artists' work to train the AIs. The decision is not exactly surprising since Orrick seemed to have been leaning in favor of the companies [during hearings back in July](#). However, Orrick made his decision regarding only some of the claims made by the artists, leaving the plaintiffs free to amend the remaining complaints and re-file them.

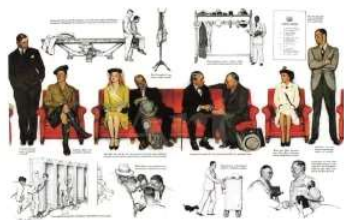


The companies involved in the lawsuit were Midjourney Inc. (creators of Midjourney), Stability AI Ltd. (creators of Stable Diffusion), and Deviant Art Inc. (creators of Dream Up). The main rationale behind Orrick's decision is based on copyright registration. Of the three artists who filed the suit, only Sarah Anderson has her copyrighted works registered with the US Copyright

Office. Despite the Copyright Office stating that a copyright exists for a work upon the moment of its creation, for an artist to file a lawsuit relating to that copyright, the artist must register that copyright with the Copyright Office, something which the other plaintiffs, Kelly McKernan and Karla Ortiz, did not do. This is why Orrick's decision to dismiss did not count for Anderson's claims of copyright infringement. Her lawsuit against Stability AI will move forward.

Anderson claims that the AI companies likely used her work in training their programs since she consulted the website [haveibeentrained.com](https://haveibeentrained.com), which provides information on AI training datasets. After seeing some of her registered works on the site, she concluded that they were likely used to train AI image generators. This, according to Orrick, "is a sufficient basis to allow her copyright claims to proceed at this juncture, particularly in light of the nature of this case". Orrick has also set a rather high bar for the artists in the future. He wrote that the plaintiffs must show "substantial similarity" between the artists' registered work and a derivative AI-generated work to claim copyright violation. Of course, Judge Orrick's decision is interesting to analyze alongside [a separate decision made by Judge Beryl Howell](#) in Washington in August, where she ruled that AI-generated art is not copyrightable since there is no human involvement in the images' creation. Both of these cases will no doubt change the way AI companies operate when it comes to image generation, the way artists might use AI programs as tools, and even how people view the creative, artistic process.

### Family Feud Over Rockwells Resolved?



*So You Want To See The President!*  
by Norman Rockwell (courtesy of  
the US District Court for the Eastern  
District of Virginia)

After almost eight months, a judge has decided in a family dispute over a group of Rockwell illustrations. Norman Rockwell created the *So You Want to See the President!* illustrations in 1943, showing various figures he observed in the White House waiting to meet President Franklin D. Roosevelt. These figures included military officers from both the US and Britain, journalists, members of Congress, and even the most recent Miss America. Rockwell originally gave the drawings to FDR's press secretary, Stephen Early. Eighty years later, his descendants are involved in [a family dispute over their ownership](#), which found its way into the courtroom.

The family feud started in 2017 when Stephen Early's son Thomas noticed the Rockwell illustrations hanging on the walls of the White House in the background of a televised interview with Donald Trump. Until then, he thought the drawings were in storage. His sister Helen Early Elam had loaned the Rockwells to the White House in 1978. Her son William Elam agreed to allow the White House to keep them once he gained ownership. However, according to several other members of the early family, the Rockwells were part of their collective inheritance, meaning Helen and William had no right to loan the works to any institution without their consent. The subsequent lawsuit alleged that Elam lent the Rockwell illustrations to the White House to keep them from the rest of the family and prevent them from contesting his ownership, essentially using the White House to launder a piece of art. In total, the illustrations are estimated to be worth around \$8 million. The other parties to the lawsuit, William's aunt and cousins, asked for \$350,000 in punitive damages and that ownership be officially transferred to them.

Pretrial proceedings commenced on April 5th in the Virginia court. And now Judge Michael Nachmanoff has upheld William Elam's claim to ownership. The outcome of the case, according to the judge, was actually rather clear. According to the documentation submitted, the illustrations were not part of Stephen Early's estate when he passed away in 1951. He did not own them at the time of his death, meaning "he had already gifted them during his lifetime". Therefore, they were not part of the family's collective inheritance, as Thomas Early had initially claimed. The documentation matches Helen and William Elam's claim that Helen received the illustrations as a gift from her father upon her graduation from the Pratt Institute in 1949. Furthermore, the accusations of using the White House to keep the Rockwells away from the rest of the family now seem ridiculous since the Elams did not do so anonymously as the plaintiffs claimed.

The White House took down the Rockwell illustrations in 2022 after the dispute became more publicly known. Whether or not William Elam will have the illustrations returned to the walls of the West Wing is uncertain at this time.

## The Orlando Basquiats: Former Director Sues



*Untitled (Self-Portrait or Crown Face II)*, one of the Basquiat forgeries seized from the Orlando Museum of Art

Aaron de Groft, the disgraced former director of the Orlando Museum of Art (OMA), is the subject of a lawsuit brought by the museum [accusing him of fraud, breach of fiduciary duty, and conspiracy](#). On Tuesday, he countersued the museum for wrongful termination, defamation, and breach of contract.

For anyone unfamiliar with this ongoing saga, OMA fired Aaron de Groft as director in the wake of a scandal where the FBI [raided the museum](#) during an exhibition featuring twenty-five newly discovered works by the American painter Jean-Michel Basquiat. The works were seized since they were likely all forgeries. De Groft was fired and is being sued by OMA because there is evidence that he probably knew that the Basquiats were forgeries. Furthermore, documents indicate he had made a deal with the paintings' owners in order to get a cut of the profits from any future sale in exchange for authenticating the paintings and having them exhibited in Orlando.

According to De Groft's countersuit, "There is not a kernel of truth to this absurd allegation." Though he denies it, there is certainly a pattern of behavior that indicates otherwise. As I had written previously, this is likely not the first time De Groft has tried this scheme. Previously, he served as director of the Muscarelle Museum of Art at the College of William & Mary in Williamsburg, Virginia. There, he made it a habit of buying works for cheap at auction and then claiming them as rediscovered works by great masters. Once, he attributed a portrait to the Venetian master Titian, later pressuring the work's owner to sell it and give him a cut of the proceeds, which sounds very similar to the allegations currently launched against him.

De Groft now claims he is being unfairly used as a scapegoat for the entire museum administration and that the museum's board of trustees had let the Basquiat show go as planned even after receiving a subpoena from the FBI in July 2021, about a year before the raid took place. According to the countersuit, the museum's board told De Groft and museum chairwoman Cynthia Brumback that they brought in outside counsel to deal with the FBI investigation. Furthermore, he asserts that should the case go to a jury trial, he could adequately prove that all of the seized Basquiat paintings are actually authentic. Doing so would prove that his firing was unjustified. However, with the evidence in favor of them being fakes already out and disseminated in the press, it would be an uphill battle for him.

Some news outlets reported that the museum and De Groft were in the middle of negotiating a settlement. However, that no longer seems to be the case. De Groft is seeking \$50,000 from the museum over his firing. Consequently, he would also receive what he called "professional exoneration". Of course, most people would see the writing on the wall. The jig is up, and there is nowhere else to go. But given De Groft's history of getting away with this sort of stuff, it's not surprising that his confidence seems high.

## Frankenthaler Foundation Hit With A Lawsuit

Many prominent twentieth-century artists wanted to ensure that the success they earned through lifetimes could go on to support other artists in the future. That is why many foundations and other groups named after such artists are set up with the artists' money to provide education and funding to ensure their legacy lives on. These foundations also tend to be the authorities on the work of their namesakes, editing and publishing the artist's catalogue raisonné and authenticating newly-discovered works. Of course, protecting an artist's legacy can be difficult work, which is why some foundations sometimes find themselves in legal trouble. Previously, I've written about the Andy Warhol Foundation and their efforts to defend their licensing of a Warhol print [that used a photographer's work as its basis](#). I've also covered the Joan Mitchell Foundation and [its spat with Louis Vuitton](#). Now, a lawsuit is being brought against a different foundation, the Helen Frankenthaler Foundation. Its former president is suing over his improper dismissal and launching some pretty interesting accusations at the current board members.



Helen Frankenthaler receiving the National Medal of Arts

Frederick Iseman is Helen Frankenthaler's nephew. On top of his role as chairman and CEO of CI Capital Partners, he served as the foundation president for twelve years, with his tenure ending this past May. In a lawsuit filed to the New York State Supreme Court on November 8th, Iseman accuses the Foundation's board members, some of whom are family members, of using Frankenthaler's legacy and the Foundation to benefit themselves personally and professionally. One of the most damning accusations regards Iseman's cousin, Frankenthaler's nephew Clifford Ross. Ross is an artist primarily known as a photographer but also uses other

media. Iseman claims that as a member of the Frankenthaler Foundation board, Ross operated a sort of pay-for-play system where he would issue grants from the Foundation in exchange for the recipients agreeing to exhibit his work. Iseman described it as “trading the Foundation’s grant-giving capacity in exchange for exhibitions of his own otherwise unremarkable artwork and to generate publicity for his own career.” Then there is Michael Hecht, who, according to Iseman’s lawsuit, brought in several accounting firms he runs for foundation business. He also uses foundation funds to donate to other organizations for which he sits on the board. In his litany of transgressions, Iseman also includes a lack of action against the Foundation’s executive director, Elizabeth Smith. He claims that Smith has not secured a major Frankenthaler exhibition in her entire tenure as director and is paid far above what people in similar positions earn. The fact that the named board members have not taken action about this predicament only adds to the relaxed attitude the defendants seem to have about running a foundation in the name of one of the greatest twentieth-century American artists.

If there’s one claim in Iseman’s lawsuit that might be a little frivolous, it’s his accusations against Frankenthaler’s stepdaughter, Lise Motherwell, specifically her lack of experience organizing museum exhibitions. Her position at the Foundation made her responsible for collaborating with major museums to exhibit Frankenthaler’s work alongside those of comparable artists. However, due to her inexperience, Iseman claims that she would often organize exhibitions at smaller regional or local museums that, in his view, lacked the prestige befitting an exhibition featuring paintings by Frankenthaler. Because god forbid, we let Frankenthaler paintings get shipped off to cultural backwaters like *\*gasp\** Provincetown, Massachusetts. Yes, people in charge of organizing exhibitions of works by major artists should have experience in doing so. Iseman’s suit seems to imply that Motherwell being Helen Frankenthaler’s stepdaughter (as well as Robert Motherwell’s daughter) got her a position on the Foundation’s board. Yet the way Iseman discusses Motherwell’s actions comes across as a little elitist, as if people outside major cities with great cultural institutions are not allowed access to important post-war art. However, that should not detract from the serious allegations Iseman details in his complaint. Iseman described the board members’ irresponsibility as “grabstruck expressionism”.

As for Iseman’s departure from the Foundation board, he claims he was ousted as president after opposing plans to close and liquidate the Foundation by 2030. Iseman alleges this is being done “presumably as part of a plan to cover their own tracks”. The Helen Frankenthaler Foundation’s assets are estimated at around \$1 billion. Through this legal action, Iseman seeks to have himself reinstated as the Foundation president and remove Ross, Motherwell, and Hecht from the board. According to the lawsuit, his dismissal violated not only the Foundation’s bylaws but the laws of New York. These laws stipulate that the officers of a nonprofit organization cannot force out its director without cause because of a disagreement. Furthermore, he is calling for the release of the Foundation’s financial records to see if there was any embezzlement or mismanagement by the other board members. He also seeks a complete check of the Foundation’s inventory to ensure that no works are sold while the lawsuit progresses. The Helen Frankenthaler Foundation has called the lawsuit “baseless accusations and litigation tactics”.

Disagreements between an artist’s family members and their estate or foundation happen more often than expected. For example, Mark Rothko’s children Kate and Christopher were engaged in a legal battle with the executors of their father’s estate, accusing them of planning to sell off many of Mark Rothko’s paintings at below market value, with the buyer in mind being the Marlborough Gallery, who used to represent Rothko. The three executors of the estate initially succeeded in selling about a hundred Rothko paintings for \$1.8 million, which the Marlborough Gallery agreed to pay over twelve years with no interest. The case spent four years before the courts, eventually ruling in favor of Kate and Christopher Rothko. According to the court, the estate’s executors had acted inappropriately, with two of them having conflicts of interest regarding the sale to the Marlborough Gallery. Therefore, all contracts between the Marlborough Gallery and the Rothko estate were declared null and void. The executors and Marlborough’s owner, Frank Lloyd, had to pay \$9 million to the children.

When it comes to legal disputes involving an artist’s estate or foundation, much of it comes down to the artist’s intent. Often, in a foundation’s founding documents, a particular artist might specify the organization’s purpose and what its future leadership can and cannot do with the art they possess. For example, as mentioned earlier, the Joan Mitchell Foundation sent cease-and-desist letters to Louis Vuitton after they had featured Mitchell’s work in the background of an advertisement campaign. This expressly went against the Joan Mitchell Foundation’s rules, which have always explicitly stated that Mitchell’s paintings can only be used for exhibitions and educational purposes, never for commercial purposes. So, suppose Frederick Iseman can prove that the other board members were indeed considering closing the Helen Frankenthaler Foundation and liquidating its assets. In that case, the state of New York will likely rule in his favor. This is because doing so, according to the suit, “would not only destroy the market value of Frankenthaler’s work in direct violation of the Directors Defendants’ fiduciary duties to the Foundation, but would be overtly contrary to the Foundation’s mission, not to mention Frankenthaler’s own wishes before she died.” Whether or not the court will have the authority to dismiss the other board members and reinstate Iseman as president is not entirely clear at this time. However, with this

being among family and with someone's legacy on the line, I doubt a financial settlement will cover it all up. I'm sure we'll all be very interested to see how this ends.

### Stolen Edouard Cortès Recovered



*Flower Market Madeleine* by Edouard Cortès

In 1966, Louis Edelman, gallery manager and salesman for the Arnot Gallery at 250 West 57th Street, decided to leave his job there to open his own gallery nearby. It was later discovered that during his tenure, Edelman was selling the Arnot Gallery's paintings and invoicing buyers in his own name. By the time he was done, Edelman had absconded with over 3000 artworks worth over \$1M from his employer.

The thief was eventually arrested in Chicago by the FBI and convicted of transporting stolen artworks across state lines, a federal crime. While Edelman was sentenced to two years in prison and given a \$10,000 fine, most of the 3000 paintings were never recovered. Edelman sold most of the paintings in Chicago, Kansas City, and St. Louis. During the

criminal trial, one gallery owner was questioned on whether he knew the paintings he was buying from Edelman were stolen. "Well, not all of them", he answered.

Over the years, the stolen artworks have been reappearing for sale at auction houses and galleries around the world.

This Cortès, entitled *Flower Market Madeleine* was being offered for sale in 2023 by Carnes Fine Art, a dealer in Mawdesley, England. Carnes purchased the artwork in November 2022 at Capes Dunn auctions, which have been operating outside of Manchester, England since 1826. The painting had been consigned to Capes Dunn in 2022 by a Cheshire estate who confirmed that it was acquired from the MacConnal-Mason Gallery in London.

On August 29th, while researching a work by Cortès, Howard Rehs, of Rehs Galleries, Inc., New York, came across an image from the UK gallery. Intrigued, he clicked on it and discovered several photos of the painting they had for sale, including a verso shot displaying a five-digit inventory number. The number caught his attention, triggering a sense of familiarity. Upon cross-referencing their records related to the Arnot theft, he confirmed that the same number was listed.

Howard promptly reached out to Vicki Arnot via email, informing her that he had uncovered some important information for her. She wrote back stating *I will give you a call tomorrow*. His reply was that *My info for you might be time sensitive*. She promptly called, and he shared all the relevant details, setting the investigative process in motion.

To provide some context, Rehs Galleries, Inc. has a substantial history with works by Cortès, handling approximately 600 pieces over the years. Additionally, they are recognized as the expert of another French artist, [Antoine Blanchard](#), whose works were also part of the theft. Prior to the gallery's awareness of the crime, they acquired a couple of paintings and during the provenance research discovered they were among the works Louis Edelman took. Subsequently, the gallery engaged legal assistance to recover their funds from the seller. Considering the experience, the FBI requested the Arnot family share the complete list of stolen Blanchard and Cortès paintings with them. This was a smart move since, over the years, the gallery has found several of them. Christopher A. Marinello, lawyer and founder of Art Recovery International spent several months unwinding this sale. "We are very grateful to Bradley Carnes, Capes Dunn, and their vendor for releasing this stolen painting unconditionally to the Arnot Gallery. While in this instance, we were able to convince many of the parties to reimburse the other, eventually there will be those who are out of luck. I cannot stress enough the importance of performing due diligence and authentication checks which would have uncovered this stolen painting decades earlier."

### Valparaiso Deaccession Lawsuit Dismissed

At the beginning of the year, news started coming out of Indiana's Valparaiso University about a local scandal surrounding the deaccession of several paintings from the university's museum. And now, the university might be able to proceed after a judge dismissed a lawsuit meant to stop the deaccession.



*The Silver Veil and the Golden Gate*  
by Childe Hassam

In February, Valparaiso University announced its decision [to sell works by several great American artists](#) from its Brauer Museum of Art. The proceeds are meant to fund dorm renovations, part of university president José Padilla's five-year plan to attract and retain more students. These paintings include *The Silver Veil and the Golden Gate* by Childe Hassam (est. \$3.5 million), [Mountain Landscape](#) by Frederic Edwin Church (est. \$2 million), and one of the museum's crown jewels, [Rust Red Hills](#) by Georgia O'Keeffe (est. \$15 million). This story got even more coverage after Richard Brauer, the museum's founding director and namesake, threatened to revoke his permission for the museum to use his name. He referred to the deaccession as "utterly disgraceful, irreparably existentially diminishing, unethical and seemingly unnecessary". The American Alliance of Museum Directors, the American Alliance of Museums, the Association of Academic Museums &

Galleries, and the Association of Art Museum Curators all opposed the deaccession plan, issuing [a joint statement](#).

Padilla's plan received some pushback, though. In March, Valparaiso's Faculty Senate, representing faculty members from all the school's colleges, [voted 13 to 6 for the administration to drop the deaccession plan](#) and look for alternative funding sources. Valparaiso's administration was stalled yet again with a lawsuit in April. Brauer and former Valparaiso law professor Philipp Brockington sued Padilla and the school to prevent the deaccession since any sale would go against the intentions of the original donor. The paintings are part of a trust the donor Percy Sloan established in 1953. The plaintiffs allege that the student body and the public "will suffer irreparable injury if Valparaiso University violates the donor's intent and liquidates assets of the trust".

Porter County judge Jeffrey Thode ruled that Brauer and Brockington lacked standing. Neither officially represents the original trust and, therefore, cannot file a lawsuit related to the deaccession. The university's lawyers argued the same in court. So, it's not that the school isn't allowed to sell the paintings, but rather on a legal technicality that the suit was dismissed. The plaintiffs have not filed an amended complaint, but that doesn't mean this is the end of the story. Brauer and Brockington also named Indiana Attorney General Todd Rokita as a defendant in the lawsuit. Judge Thode did not dismiss the suit against the attorney general, whose office has confirmed that he does have standing to decide whether the university can sell any part of the original Sloan Trust. [An online petition](#) against the university's deaccession of the three paintings has already gathered over 2,500 signatures. That, plus the media coverage of the situation, I'm not entirely sure who would even want to buy paintings that are covered in this sort of mud.

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## The Art Market

### Sotheby's New York Landau Evening Sale



*Femme à la montre* by Pablo Picasso

On Wednesday, November 8th, Sotheby's York Avenue location in New York hosted one of the most monumental sales this year. Emily Fisher Landau amassed her incredible modern and contemporary art collection because of an insurance payout from Lloyd's of London. Her jewelry collection, which her husband Martin had gifted to her piece by piece over the years, was stolen from her Manhattan apartment in 1969 while she was out to lunch. Until her death this past March, she had collected dozens of modern masterpieces by artists like Georgia O'Keeffe, Robert Rauschenberg, and Mark Rothko, even getting Andy Warhol [to paint her portrait in 1982](#).

Sotheby's divided the consigned works into two parts, with the evening sale on Wednesday comprising a small number of the most valuable works. High up on everyone's list of lots to pay attention to was the 1932 Picasso painting *Femme à la montre*, a portrait of the artist's mistress Marie-Thérèse Walter. 1932 was a miracle year for Picasso, who discovered new creative energy and critical acclaim after fearing he would slip into obscurity, particularly in the shadow of Henri Matisse. The work's title also points out something some might gloss over nowadays. Meaning

*Woman with Watch*, *Femme à la montre* shows Walter in an armchair wearing a wristwatch. At the time of its creation, accessories like wristwatches were seen as something that mostly men would wear. However, the portrait acts as a document not only of Picasso's life and where he existed personally and artistically but also as a testament to the increasingly fluid gender norms of the early twentieth century. Sotheby's specialists did not



doubt that the Picasso would be the sale's dominant star. Estimated to sell for \$120 million, bidding on *Femme à la montre* started at \$100 million, working its way up slightly past the estimate, with the hammer coming down at \$121 million (or \$139.36 million w/p). This puts the work sold at Sotheby's in second place among the most expensive Picasso paintings sold at auction, with the only work ahead of it being [Les femmes d'Alger](#), which sold at Christie's New York in 2015 for \$160 million (or \$179.4 million w/p). The Picasso would not be the only second-place record at Sotheby's that evening.

The sale's top lots all came within the first half of the sale. Slightly before the Picasso crossed the block was *Flags* by Jasper Johns, made from oil paint and wax on canvas in 1986. Jasper Johns first thought of painting the American flag in 1954. *Flags*, created over thirty years later, shows the artist's ability to rework a single motif over decades and decades. Predicted to sell for between \$35 million and \$45 million, the Johns sold for slightly above the minimum at \$37 million (or \$41 million w/p). A few lots after the Picasso was a large oil painting by Ed Ruscha, measuring 59 by 55 inches. Created in 1964, *Securing the Last Letter (Boss)* consists of the word 'boss' in large red-orange letters against a dark blue background. A c-clamp is secured against the word's last letter, scrunching up the top of the letter like a piece of cloth. Ruscha created a series of these paintings in the 1960s, including [Ripe](#), [Pool](#), and [Honk](#). Also expected to sell between \$35 million and \$45 million, the hammer came down slightly below the minimum at \$34 million (or \$39.4 million w/p). This makes *Securing the Last Letter* the second-most-expensive work by Ed Ruscha ever sold at auction.

These incredibly valuable single-collector sales often don't have many great surprises. It can actually be rather difficult when achieving double or triple the maximum estimate entails spending millions or sometimes tens of millions of dollars more than what Sotheby's had initially expected. However, one surprise in the Landau collection was an Agnes Martin painting from 1961. [Grey Stone II](#) consists of oil paint, pencil, and gold leaf on a perfectly square 72-by-72-inch canvas and is part of the artist's minimalist grid paintings. Expected to sell for no more than \$8 million, bidding on the Marin opened at \$4 million but quickly jumped to \$7 million within ten seconds, surpassing the high estimate within fifteen. The price climbed by increasingly smaller increments for seven minutes, finally reaching \$16 million (or \$18.7 million w/p). This set a new auction record for Martin, with that title previously belonging to *Untitled #44*, a painting of equal size that sold at Sotheby's New York in 2021 for \$15.2 million (or \$17.7 million w/p).

By the end of the night, the Emily Fisher Landau evening sale was the most expensive sale of the year, bringing in a total of \$351.6 million against a pre-sale total estimate of \$344.5 million to \$430.1 million. The sale's top three lots earned the number one, eight, and nine spots of the year's top ten most valuable lots sold at auction. Furthermore, the Landau evening sale now ranks second in the sales with the best specialist accuracy rates. Twenty of the thirty-one lots sold within their estimates, giving Sotheby's specialists a 65% accuracy rate. The only sale this year that did better was the Banksy sale at Sotheby's London on September 26th, which had a 71% accuracy rate. Eight lots (26%) sold below estimate, while three (10%) sold above. No lots went unsold, which is not surprising since most of them were guaranteed anyway. But while the sale was a brilliant moment for Sotheby's, of course, Christie's had to step in and put on a bigger, even more impressive sale the day after.

### Christie's NY 20th Century Evening Sale

The Emily Fisher Landau collection sold at Sotheby's on Wednesday, November 8th, was a tough act to follow. Upon its conclusion, it became the most expensive sale of the year, featuring some of the most valuable lots sold at auction in 2023. However, Christie's did not disappoint anyone during its 20th Century evening sale the following day. Held at its Rockefeller Center location in New York, the auction consisted of sixty-three lots by Impressionist and post-Impressionist masters like Cézanne and Pissarro, as well as more modern Masters like Marc Chagall, Andy Warhol, Frida Kahlo, Joan Mitchell, and Pablo Picasso. Expected by Christie's experts to take the top spot was the Monet water lilies painting *Le bassin aux nymphéas*. As I noted in a previous article about how disabilities and illnesses have shaped the work of great artists, Monet was losing his vision due to cataracts when he started to create the Water Lilies. Painted between 1917 and 1919, *Le bassin aux nymphéas* still has vibrant hints of blue and green, which the artist had difficulty distinguishing the worse his eyesight got. Though the signature is stamped, the subject and the size of the work, about 39.5 by 79 inches, might have been enough to justify a \$65 million pre-sale estimate. The bidding started at \$52 million and jumped to \$60 million within five seconds. Once it reached \$64 million, it became clear that the other bidders were no longer interested. Jussi Pylkkänen brought the hammer down after only one minute and nineteen seconds of bidding at \$64 million (or \$74 million w/p), making it the third most valuable work sold at auction this year.



*Le bassin aux nymphéas* by Claude Monet

A few works had their pre-sale estimate ranges withheld, indicating that Christie's only gives out their estimates on request. Four of these five lots, including the Monet, took the top spots on Thursday. Of course, they likely earned those spots because of third-party guarantees, but regardless. Beside the Monet, there was an incredibly large 1976 painting by Francis Bacon. *Figure in Movement*, measuring 78 by 54 inches, is one of the large-scale works executed between 1971 and 1976 created in the wake of the death of Bacon's partner, George Dyer. The art critic David Sylvester referred to *Figure in Movement* as Bacon's greatest single-canvas work created during this time. The painting has been exhibited at the Tate Gallery in London, the Centre Georges Pompidou in Paris, and the Fondation Beyeler in Basel. Bidding opened at \$35 million, quickly jumping up to \$40 million. After a full minute of ensuring everyone was all done, the hammer came down at \$45 million (or \$52.2 million w/p). Finally, the two lots sharing third place were two large mid-century American paintings. The California artist Richard Diebenkorn created *Recollections of a Visit to Leningrad* after being invited to visit the Soviet city. Though already familiar with the work of Henri Matisse, Diebenkorn viewed collections of Matisse paintings while staying in Leningrad (now St. Petersburg), which seemed to have rubbed off on him since *Recollections* seems incredibly familiar to the brightly-colored interior scenes Matisse painted like [Window at Tangier](#) and [Large Red Interior](#). *Recollections* is often seen as a direct predecessor of Diebenkorn's later *Ocean Park* series. Speaking of Matisse, the French master's colorful interiors inspired not only Diebenkorn but also the genre of color field painting, of which Mark Rothko was the most notable artist. One Rothko work also featured at Christie's, *Untitled (Yellow, Orange, Yellow, Light Orange)*, had sold only once at auction before the sale on Thursday. The last time was at Sotheby's New York in November 2014, when it sold for \$32.5 million hammer. Both the Diebenkorn and the Rothko each sold for \$40 million (or \$46.4 million w/p). With an initial pre-sale estimate of around \$45 million, the Rothko did slightly less than expected but still rather well. The Diebenkorn, however, far exceeded its original \$25 million estimate. The Bacon, the Diebenkorn, and the Rothko are now in the fifth, sixth, and seventh spots in the most valuable works of art sold at auction in 2023.

Like the Sotheby's Emily Fisher Landau sale, auctions with totals that climb into the hundreds of millions of dollars seldom have any major surprises. However, a couple of lots offered at Christie's that evening were over the top. The most surprising of these lots was the work immediately following the Diebenkorn; Egon Schiele's [Ich Liebe Gegensätze](#) (a gouache, watercolor, and pencil on paper). It is one of several works previously owned by Fritz Grünbaum, an Austrian Jewish actor and singer who had his art collection confiscated by the Nazis before dying at Dachau. Christie's auctioned two other Schiele works Grünbaum previously owned in this sale and three others in the Impressionist & Modern Works on Paper sale the following Saturday. All were returned to Grünbaum's descendants earlier this year. The Manhattan district attorney's office [confiscated several other pieces from Grünbaum's collection from several major museums](#), including the Art Institute of Chicago, Pittsburgh's Carnegie Museums, and the Alan Memorial Art Museum at Oberlin College, Ohio. Meaning 'I Love Antithesis', *Ich Liebe Gegensätze* was created on a 19 by 12 1/2 piece of paper in April 1912. It is part of a series of self-portraits Schiele created when he was arrested and thrown in jail for 24 days on suspicion of corrupting a minor. In actuality, Schiele had invited some neighbors and their children to sit for him so he could create portraits and other drawings. His neighbors were not enthused by the other works around his studio, which they deemed pornographic. *Ich Liebe Gegensätze* was the most highly-valued of the three Schiele works from the Grünbaum collection, offered with an estimated range of \$1.5 million to \$2.5 million. Christie's gave the others \$1 million to \$2 million estimates. Those works slightly exceeded their estimates, while *Ich Liebe Gegensätze* went above and beyond, achieving \$9.2 million (or \$10.99 million w/p), about 3.7 times its original high estimate.

The Landau Collection sold at Sotheby's on Wednesday was tough to follow, yet Christie's managed it. All sixty-three lots sold, with fifteen selling within their estimates, giving Christie's specialist a 24% accuracy rate. Eighteen (29%) sold above estimate, while the remaining thirty (48%) sold below. Against a pre-sale total estimate range of \$515.2 million and \$660.4 million, the 20th Century evening sale brought in \$554.6 million, making it the highest-grossing sale yet this year. Five lots from this single sale now comprise half of the top ten most valuable lots sold at auction in 2023. Other than the top lots mentioned above, the Picasso painting [Femme endormie](#) sold for \$37 million (or \$42.9 million w/p), placing it in the number nine spot right above Magritte's [L'Empire des lumières](#) sold in May, but just below Kandinsky's [Murnau mit Kirche II](#) sold in March.

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## Deeper Thoughts

### Italy's Unusual Pick For Biennale President



La Biennale di Venezia

Arte  
Architettura  
Cinema  
Danza  
Musica  
Teatro  
Archivio Storico

The Venice Biennale is one of the world's most prolific cultural events. But thanks to a potential leadership change, it may change drastically for the foreseeable future. The president of the Biennale Foundation, Roberto Cicutto, is nearing the end of his four-year term. Though he is eligible to serve another two terms, Italy's minister for cultural affairs can nominate someone new if the government chooses. And indeed, the government has put forth a name to replace Cicutto. However, that certain someone is an example of larger, possibly problematic, changes to come.

The culture minister, Gennaro Sangiuliano, has put forth his longtime friend, journalist Pietrangelo Buttafuoco, as the new president of the Venice Biennale. Buttafuoco is a writer closely linked with the far-right Italian political party Fratelli

d'Italia, the party of Buttafuoco's friend, the current Prime Minister Georgia Meloni. Buttafuoco has been involved with Italy's right wing for decades, holding a leadership position in the youth wing of the Italian Social Movement political party, often considered the successor to Benito Mussolini's Fascist Party. Of course, Buttafuoco is far from the first controversial nomination Meloni's government has made in Italy's art world. Since taking power last year, the government has appointed its "close friends" to leadership positions [in the country's major museums](#), [in the national broadcasting service](#), and [at the national film school](#) despite no previous experience. Many have acknowledged this since Meloni and her party are granting political favors to those who had supported them in the elections.

Based on responses to his nomination from within Meloni's government, it seems that knowledge of the art world or even knowing the basics of running a large, international event is irrelevant. What matters is that some see the arts as unconquered territory, the next target. Government members like Senator Raffael Speranzon have called the art world and its main events, like the Venice Biennale, "a fiefdom" for the left. So obviously, the solution to this perceived problem is... doing the exact same thing but for yourselves. What great problem-solving skills. Many, within Italy and beyond, have voiced their opposition to Buttafuoco's nomination, saying that this is demonstrative of an attack rather than a liberation of Italy's cultural institutions. Others have commented that Meloni is politicizing the Biennale and its leadership, which not only demonstrates a lack of understanding of what cultural events are meant to achieve but may indicate what more may come in the future.

With Buttafuoco nominated, he must be vetted and approved by the cultural committees of both houses of the Italian parliament. They will announce their decision on November 14th.

### Scottish Town Considers Selling Priceless Bust

In 1930, the council of a small town in the Scottish Highlands bought a marble bust for £5. Now, someone's offering £2.5 million for it.

The town of Invergordon, located over a hundred miles north of Edinburgh in the Scottish Highlands, is home to less than four thousand people. It first became aware that it owned a valuable French sculpture in 1998 when council members stumbled upon it in a storage shed. One council member described it as "a wee white marble sculpture thing holding open the door." The sculpture is thought to be by the eighteenth-century French artist Edmé Bouchardon, one of the most prolific sculptors during the reign of King Louis XV. Bouchardon was responsible for many of the sculptures and fountains at the Palace of Versailles. His last work was [a large equestrian statue of Louis XV](#) that stood in the Place de la Concorde in Paris until its destruction during the French Revolution. Today, Bouchardon is recognized as a transitional figure in French sculpture, helping move artists out of the Baroque and Rococo and into the neoclassical. The Invergordon bust is an example of Bouchardon's early work, made during the ten years he lived, studied, and worked in Rome thanks to a scholarship from France's Royal Academy. The sculpture's subject is likely Sir John Gordon, a Scottish aristocrat whose family gave the town its name. Gordon represented [a constituency that included Invergordon](#) in Parliament between 1742 and 1747, then again from 1754 to 1761. Between his nonconsecutive parliamentary terms, he served as Secretary for Scotland for [the Prince of Wales](#). The Bouchardon sculpture shows Gordon as a young man during his travels through Continental Europe, as he would've been twenty years old when Bouchardon created the bust in 1728.



*Bust of Sir John Gordon by Edmé Bouchardon*

The town originally bought the Bouchardon bust in 1930 at an estate sale for £5; today, that would be roughly £270 (or \$330). Since its rediscovery in 1998, the sculpture has been kept mainly at the Inverness Museum, just a half an hour away by car. It was briefly loaned to the Louvre and the Getty Museum for exhibitions. Working with Sotheby's, the council agreed on October 30 to consult the local residents on whether or not to sell. According to Sotheby's, one potential buyer has already offered £2.5 million. This buyer also offered to pay to create a museum-quality replica for Invergordon to keep. Should the sculpture sell for anywhere near that amount, that would make it one of the most valuable Bouchardon works ever sold. The most expensive thus far is [a 1736 bust sold to the Louvre](#) in 2012 for €3 million (or about €4 million / \$4.3 million in 2023) at the Paris auction house Aguttes. The Invergordon council has already said that any proceeds from the bust's sale would go towards local community projects. There have been some, however, who have criticized the local council's decision to sell when they could have loaned the bust to any of the respected museums in Scotland, including the Inverness Museum. But while selling the work may be a loss for culture, a small town like Invergordon may greatly improve its services and the quality of life for its residents with several million in the bank.

### Lempicka: Artist's Life Coming To Broadway



Tamara de Lempicka, shown in her studio as part of a museum display (photo courtesy of Karel Frydryšek)

Musical theater can take many forms, but a biographical story can often prove successful, depending on the subject. Shows like *Evita*, *Gypsy*, and *Six* have all gained incredible success and recognition for telling the stories of real people. However, an incredibly successful musical biography about an artist is not something that we've gotten. Perhaps the closest we've seen is *Sunday in the Park with George*, which looks at Georges Seurat and his creation of *Sunday Afternoon on the Island of La Grande Jatte*. Because it's by Stephen Sondheim, *Sunday in the Park with George* is known among theater nerds but might not be an instantly recognizable household name. But next year, we might get a new, successful musical all about an artist.

*Lempicka* is a new show [opening on Broadway in 2024](#) that tells the story of Tamara de Lempicka, the Polish artist who spent the twentieth century bouncing around the world, painting as she went. Tamara de

Lempicka was born in Poland, then part of the Russian Empire. She was nineteen years old when the Russian Revolution broke out in 1917. When the secret revolutionary police briefly arrested her husband Tadeusz, the couple escaped Russia for Paris. There, she decided to become a painter, finishing her artistic studies at the Académie de la Grande Chaumière in Montparnasse. Soon, she became one of the most influential painters of the 1920s, particularly within the Art Deco style. One of her most famous works during this time is one of her self-portraits, with her [in the front seat of a green Bugatti sports car](#). Her work was sleek and colorful, often showing women in a way never before seen in the arts. Her paintings reflected the changing gender roles of interwar society, as well as shifts in beauty standards. After the outbreak of the Second World War, she fled to the United States, later moving to Mexico in her last years.

Lempicka's life has made its way to the stage before, most recently in 1987 as a dramatic play. However, the musical *Lempicka* has its origins at Yale University in 2011. The members of the Yale Repertory Theater commissioned the work, undergoing several versions before its debut at the Williamstown Theater Festival in 2018. Finding success there, it was later put on at the La Jolla Playhouse in San Diego. In both productions, the title role was played by the esteemed Broadway actress Eden Espinosa, best known for her work on *Wicked* but also has experience performing in *Evita*, *In the Heights*, *Joseph and the Amazing Technicolor Dreamcoat*, and *Rent*. Espinosa will be reprising her role on Broadway. The musical is set to be directed by Rachel Chavkin, best known for *Hadestown*.

Upon seeing the show, Lempicka's great-granddaughter Marisa, who is also the president of the artist's estate, said, "I got goosebumps and tears in my eyes". *Lempicka*'s first performance will take place at the Longacre Theater on March 19, 2024.

### How Disabilities And Illnesses Created Great Art

Not being like everyone else is often seen as something negative, something that withholds you from the experiences that everyone else gets to have. This is especially true for people with illnesses and disabilities. But studying the lives of great artists can tell us something: sometimes, living with a chronic illness or a lifelong disability can enable you to see the world differently. These are the great artists who changed art forever, not despite their conditions but often because of them.

## Francisco de Goya



Francisco de Goya by  
Vicente López Portaño

Francisco de Goya is considered one of the greatest, most influential Spanish painters ever. Known primarily for his work in the service of [the Spanish royal family](#), he is also known for his work showing [scenes from the Peninsular War](#), when Napoleon's armies invaded Spain. However, he is also known for his darker, more fantastical scenes from his later life. In the 1790s, Goya began experiencing chronic headaches, dizziness, loss of mobility in his right arm, and issues with his hearing. He began to lose weight, he grew depressed, and sometimes he would experience hallucinations. Some believe that these symptoms were the result of several contributing factors, including syphilis, which Goya treated using mercury. Furthermore, the paints he used often contained lead, which I'm sure didn't exactly help. This culminated in his best-known work from his later life: the Black Paintings. These were a series of murals painted on the walls inside his house just outside of Madrid. They are dark, mysterious works, often dealing with subjects like fear, evil, darkness, violence, and monsters.

The most famous of the Black Paintings is [Saturn Devouring his Son](#). This is the Spaniard's take on the classic Greco-Roman myth of the titan Saturn (or Kronos in Greek) consuming his children to prevent them from overthrowing him, just as he had done to his own father. Normally, retellings of the story show Saturn swallowing his children since he later vomits them back up to join with their brother Jupiter and fight their father. But here, we see a haggard-looking, crazy-eyed being gorging himself on the body of his child. After Goya died in 1828, the Black Paintings were removed from the house's walls and attached to canvases, which have since been displayed at the Prado Museum in Madrid. Other paintings in the series include [The Witches' Sabbath](#), [Judith Beheading Holofernes](#), and a scene with [two men dueling each other with clubs](#). Many scholars believe that the horrors of the Peninsular War, combined with the effects of his illness, led to Goya's fixation on humanity's darkness, leading to some of his most iconic, harrowing paintings. As a look into the mind of an old, tired man, these dark, haunting works no doubt helped to shape aspects of Romanticism in the century to come.

## Claude Monet



Claude Monet and his  
floppy hat

When I often try to explain what Impressionism was, I tend to break it down and simplify it as "They made stuff blurry." Of course, it's more complicated, but this form of abstraction came about because these painters wanted to create their works *en plein air* as quickly as possible to capture a specific moment. Being a founding member of the Impressionist group, Claude Monet's works are often held up as quintessential examples of the style. His early Impressionist works from the 1870s, like [Impression, soleil levant](#) and [Woman with a Parasol](#), made a great impact on generations of painters. Yet when you say the name Monet to a random person, chances are they'll only think of one thing: the water lilies of his later career.

Monet began painting the water lilies from the pond on his property in Giverny in 1897. Throughout his career, he was fond of creating large series of works dedicated to a single subject, like a theme, and variations. Each painting was often slightly different depending on the light, the time of day, or the season. Before focusing on the water lilies, he had made series of paintings featuring [haystacks](#) and [the façade of Rouen Cathedral](#). By the time he came to the water lilies, however, he was in his mid-fifties, and Monet's vision started to fail. He had experienced vision problems before, but they had mainly been temporary. In 1905, he finally admitted that his sight wasn't what it once was. Many of the water lilies paintings seem perhaps a little less vibrant than before. Monet began wearing a large-brimmed straw hat when painting outdoors, which he only did at dawn or dusk since his eyes could no longer handle intense sunlight. It's estimated that by 1922, he was legally blind due to cataracts. The aging master was afraid to undergo surgery, especially since his friend Mary Cassatt underwent eye surgery that failed and led to the end of her artistic career. Monet continued to paint the water lilies, but he was losing the ability to see cool tones like blue and green. Hence, many of the paintings from this time seem more muted, with yellows and browns gaining a more prominent place on the canvas. He was also using more broad, thick brushstrokes, only increasing the level of abstraction.

Monet eventually underwent surgery on his right eye in 1923, which seemed to improve his vision, along with the help of specialized glasses. He continued painting the water lilies until he died in 1926. However, his eyesight's deterioration, something any artist would dread, led to something quite different. The Water Lilies series, even those with muddier colors and imprecise brushstrokes, influenced generations of modern artists for decades to come. You can see how Monet's disability became a great boon and an inspiration for painters like [Jackson Pollock](#) and [Frank Auerbach](#).

## Henri de Toulouse-Lautrec



Henri de Toulouse-Lautrec standing with poster designer Jules Chéret

Henri de Toulouse-Lautrec is often considered one of the most prolific post-impressionist artists alongside Van Gogh and Gauguin. He is best known for chronicling daily life in Paris, specifically its nightlife. He frequently visited the [cafés](#), [cabarets](#), and [dance halls](#) in the city, creating paintings and prints of their patrons and the performers, sometimes as [advertisements on behalf of the venues](#). Toulouse-Lautrec was noticeably short, the result of several things converging at once. He came from an aristocratic family in southern France, with his father being a Count. Being aristocrats, his parents were first cousins, so right off the bat, not looking good. His parents' close relation may have led to him having an unknown disorder that many say was likely pycnodysostosis. This condition often results in either abnormally dense bones or incredibly brittle bones. His condition affected him greatly after he broke both of his femurs in separate incidents about a year apart. The bones could not heal properly and

later resulted in his legs failing to grow with the rest of his body as he aged. This meant he ended up with a full-grown torso but with very short legs, reaching only 4'8" by adulthood. Because of his injuries, he spent a good deal of his childhood in hospitals, with his parents even taking him to Lourdes to visit the Catholic shrine there. Even before his accidents, he displayed a fondness for drawing and painting, activities that he delved into further while immobilized.

## Henri Matisse



Henri Matisse

Like Claude Monet, Henri Matisse began to suffer the consequences of old age. However, unlike Monet, who suffered from his own denialism and despair, Matisse found newfound energy through his disability. In 1941, Matisse underwent surgery to remove a cancerous tumor. He would remain in a wheelchair for the rest of his life. However, rather than mourn his loss of mobility, Matisse embarked on what he would later call his *seconde vie*, or a second life. It was his lack of mobility that enabled him to appreciate the world immediately around him more greatly. He began experimenting with new media, most famously his paper cut-outs. Matisse also created an implement to which he could attach pens, pencils, chalk, and other drawing utensils to reach the surface upon which he was working. This was how he was able to create countless works, including [the interior of the Rosary Chapel in Saint-Paul-de-Vence](#).

## Frida Kahlo



Frida Kahlo

Frida Kahlo and Toulouse-Lautrec were remarkably similar in how they became artists. Before becoming an artist full-time, Kahlo pursued a career in medicine. On September 17, 1925, at the age of eighteen, she and a friend boarded a bus in Mexico City to return home from class. The bus made a turn and accidentally collided with an electric trolley car. Several people were killed. Though Kahlo survived, she suffered from extensive injuries. She broke her right leg, collarbone, and pelvis; and dislocated a foot and shoulder. Her spine was broken in three places, and the bus's handrail had impaled her through the abdomen. She remained bedridden for two years while recovering, and suffered from chronic pain for the rest of her life due to the accident.

Frida thought of medicine as her future career, while painting had always been a hobby. During her two years in bed, she started painting more and more to pass the time. When fully healed, she started painting full-time and began getting involved in politics, which is how she met some of Mexico's great muralist painters, including her future husband Diego Rivera. From then on, her body as well as her physical and psychological pain were frequent subjects in her paintings. She even references her injuries in several paintings, the most famous of which is [The Broken Column](#) from 1944.

## A Fresh Take On European Paintings At The Met

In March 2023, the Metropolitan Museum of Art in New York closed all the forty-five galleries dedicated to European painting. This was the culmination of a five-year, \$150 million project to fix the roof, skylights, and HVAC systems for that part of the museum. The renovations have made the oldest part of the building far more

energy-efficient. And now, on Monday, November 20th, the galleries finally opened again, accompanied by an incredibly bold and modern rehang.



Portrait of Joanna de Silva by William Wood

On previous visits to the Met, you might have noticed a general pattern: curators grouped the department's paintings department by geography and nationality. However, when the Met unveiled its new rehang after the skylights' installation, visitors saw that the placement of each painting carried far greater nuance than shared nationality could ever convey. The new rehang, called [Look Again](#), is less grouped by nationality and more by chronology, among other factors. However, the Met curators are now trying to contextualize the paintings in terms of their relationship to each other and the world in which they were created. Rather than treat Europe as a series of small national boxes grouped together for centuries the same way we understand them now, the paintings' placement and the information displayed alongside them show that for centuries, European peoples have not only been in contact with each other but with the wider world, including Africa, Asia, and the Americas. The curators also tried to show the importance and impact of both women and people of color on European painting, as well as their representation in such paintings. Works such as William Wood's *Portrait of Joanna de Silva* and Velázquez's [Portrait of Juan de Pareja](#) show Western Europe's connection to and perception of other parts of the world at a time

when their colonial projects were already underway. For example, the new rehang highlights the work of the seventeenth-century Flemish painter Clara Peeters, showing how female painters significantly influenced the art of European still-life painting and scientific illustration during the scientific and industrial revolutions. The paintings of Elisabeth Louise Vigée Le Brun and Margareta Haverman also feature prominently in the rehang.

The new rehang also highlights something that Met curators seem experienced in doing. Like their new exhibition exploring the relationship and the dialogue between Édouard Manet and Edgar Degas, the European painting curators look at Old Master European paintings and how they later influenced modern art. In one of the galleries, works by El Greco hang alongside Cézanne and early Picasso paintings to show how direct an influence the Spanish Renaissance master had over later artists. Similarly, [a self-portrait by Marie Victoire Lemoine](#), who lived and worked mainly in Revolutionary and Napoleonic France, is presented side-by-side with [a 1946 self-portrait by Elaine de Kooning](#).

When the European galleries closed, the Met technical staff and conservators took advantage of that time to clean and restore some of the department highlights that had been neglected over the previous decades. One of my favorites in the Met's European paintings collection is Rembrandt's 1653 *Portrait of Aristotle with a Bust of Homer*. The modern, synthetic varnish applied to the painting during its last restoration around forty years ago had become rather opaque, leading to its most recent touchup.

Though the Met's new rehang keeps pace with new trends in contemporary museum curation, it's not unusual to remark that a fresh take on viewing the collection is long overdue. Museum director Max Hollein described the gallery closures brought about by the renovations as a "once-in-a-lifetime opportunity to completely rethink the presentation of this much-beloved collection". It's funny how one of the largest, most famous art collections in the world, filled with works that are instantly recognizable to both specialists and the general public, can be used to do something like this; to make new connections and tell untold stories that may surprise visitors and make many people feel seen for the first time in a setting like a major museum.

### **Banksy's Real Name? Who Cares?**

Mystery is something humans are transfixed by. Information omitted or questions left unanswered often draw the attention of those who might not have been interested in the thing the mystery surrounds in the first place. It's interesting to look at old mysteries, questions that people might never solve because centuries have passed since the relevant people were alive. For example, some scholars believe that Michelangelo da Caravaggio created [The Beheading of St. John the Baptist](#) almost as an apology for previous crimes and transgressions. The Baroque master even signed his name in the martyr's blood. Then there are the reasons behind Vincent van Gogh's suicide, or if it was even suicide in the first place. Some believe that Van Gogh actually may have died as a result of a dispute with an acquaintance named René Secretan. But in the contemporary arts, true mysteries are rather rare. But the big one that has been on many people's minds for decades is the identity of the



anonymous British street artist Banksy. Some podcasters claim that they have found the answer to this question. But I think it's not as meaningful an occasion as some people would like.

Recently, the hosts of *The Banksy Story* podcast claimed to have uncovered audio recordings from a 2003 interview that Banksy gave to BBC arts correspondent Nigel Wrench. In the recordings, Wrench asked if his name was Robert Banks, with the artist responding, "It's Robbie." Many have tried to uncover Banksy's identity, from Internet sleuths to major newspapers. There are about three or four major candidates people put forth as Banksy's real name. In 2008, British newspapers like *The Mail on Sunday* [claimed that they unmasked Banksy](#), pointing to a Bristol artist named Robin Gunningham, who some claim went by the pseudonym Robin Banks for a time, making him *The Banksy Story*'s candidate, I suppose. Then there's Robert Del Naja, a member of the Bristol trip-hop group Massive Attack. Friends and acquaintances of both Gunningham and Del Naja confirm their respective identities as Banksy. Briefly, some people believed Banksy was Neil Buchanan, the creator of the British children's television program *Art Attack*.

Personality has always been a part of the arts. The creator of a painting, a sculpture, a drawing, a film, or a piece of music is often just as important as the work's content and message. Knowing who created a painting can greatly influence how an audience understands and interprets it. And in a time when personal data is so easily accessible online, the inability to identify a public figure will stand out to people. For example, why is the Mona Lisa so famous? Of course, you could say it's the technique Leonardo da Vinci applied or the mystery of the subject's identity that eluded art historians for centuries. Or perhaps it's because it's by Leonardo, and that's all the information some people need to judge the painting as a masterpiece. Even though the name is just a pseudonym, the name Banksy carries a good deal of weight today. His work is graffiti and, therefore, illegal in most jurisdictions. Yet, his murals are often left untouched, protected even, while the works of other artists are painted over and declared vandalism. Two graffiti artists in Glasgow highlighted this double standard recently when they revealed that they had created a piece of street art [originally believed by some to be an original Banksy](#). This was uncovered, and the local council voted to paint over the mural, somewhat proving their original point.

In the end, it just doesn't matter. Not only does knowing Banksy's real name not matter in the end, but I think it would distract from what makes Banksy special. Of course, there are lots of things that make Banksy special. Anyone familiar with graffiti knows Banksy's creations require genuinely impressive skill sets. Not only is he artistically gifted, but he uses his talent and the platform he's created to call attention to causes and issues that need to be highlighted, ranging from [the mistreatment of refugees](#) to [domestic violence](#) to [the war in Ukraine](#) to [the Israel-Palestine conflict](#). But one of the great things that makes Banksy truly unique is his anonymity. When an artist creates a work that contains a meaning or a message, it's not unusual to interpret it as their own message. But with Banksy, his anonymity allows us to depersonalize his messages, allowing people to think about the issues he addresses in his work not as something that comes from one person or another but as something that anyone anywhere can express. Banksy often physically manifests deep-seated feelings about certain issues that whole swaths of the population feel they cannot or will not say.

Plus, on a more practical level, Banksy's anonymity is so integral to his image and message that taking it away would not do anyone any good. The mystery behind his true identity is often what draws people to him. Who are we to reject his wish to remain anonymous? It becomes an almost ethical question of when and how should people start poking around at those who want to stay unknown? Media and online detectives almost feel like Banksy owes it to us to reveal his identity when his real name is something that only he has the power to reveal when he chooses, on his own terms. If Banksy retires, hanging up his stencils and putting his spray cans on the table, then it may be acceptable to poke and prod at his true identity. If he passes away, then it becomes acceptable. But until that happens, it's just none of our business.

### **Napoleon & David: Historical Painting vs. Historical Accuracy**

Ridley Scott's latest historical epic film *Napoleon*, released in the US and UK on November 22nd, tries to tell the story of the Corsican-born French artillery general who ascended to rule most of Continental Europe for over a decade. Though Ridley Scott has drawn controversy with [his comments on historical accuracy in filmmaking](#), the legendary British director did use several very well-known historical texts to craft some of the scenes for the film. We don't often think of paintings as historical texts, but they very much are. And Jacques-Louis David's depictions of Napoleon are very valuable documents indeed.





*The Emperor Napoleon in His Study at the Tuileries* by Jacques-Louis David (detail, left);  
*Self-Portrait* by Jacques-Louis David (right)

The relationship between Jacques-Louis David and Napoleon Bonaparte is an incredibly interesting one. Napoleon was already known for his military campaigns in Italy when he met the neoclassicist painter. Meanwhile, David's reputation needed some rehabilitation at the time since, on top of being a well-known artist, he was a political revolutionary who served as a member of the Committee of General Security. This body, along with the Committee of Public Safety, were the two groups that organized and carried out the Reign of Terror, resulting in thousands of people being executed by the guillotine.

Napoleon understood that painters, particularly neoclassical artists like David, could be very useful. Napoleon sought to legitimize himself by crafting an image tying himself to old power structures, particularly the ethos and the imagery of the Roman Empire. To strengthen ties with France in 1801, King Charles IV of Spain commissioned David to commemorate Napoleon's recent victory over the Austrians by creating a Roman-inspired equestrian portrait of him crossing the Alps at the St. Bernard Pass. Other artists like Paul Delaroche would later create [more realistic depictions of the crossing](#), where Napoleon braved the high Alpine pass atop a mule led by a local peasant guide. However, David showed Bonaparte atop a stallion rearing up on its hind legs. Napoleon, resplendent in his military regalia, remains calm despite the gray storm clouds in the background and the wild look in his horse's eye. Below the hoofs of his steed are names carved into the rock, documenting those great leaders who had made such journeys before, including Hannibal and Charlemagne. The name of Bonaparte is freshly carved right alongside them. While he did not commission the portrait, Napoleon understood the value of such an image. He ordered David to create several versions of the work, which would later hang at palaces in Paris, Madrid, and Milan to project Napoleon's power. When Bonaparte became Emperor of the French in 1804, Jacques-Louis David became the official court painter.

In his official capacity as court painter, David created one of his most monumental works: *The Coronation of Napoleon*. The canvas is absolutely enormous, measuring just over 20 feet by 32 feet, making the figures almost life-size. It is currently one of the largest paintings on display at the Louvre in Paris. Ridley Scott made a concerted effort to recreate Napoleon's coronation by drawing directly from David's canvas. Despite the name, the painting does not actually show the moment of Napoleon's coronation. Rather, it shows another point in the ceremony when Napoleon crowned his wife Joséphine as his Empress. Over a hundred people populate the background, most of whose likenesses David made sure to recreate, including Napoleon's siblings, members of his inner circle like Talleyrand and Murat, and Pope Pius VII, who extends his hand in benediction to bless the new emperor's reign.

Despite the work's accuracy in showing the many dignitaries in their robes and jewels, there are still features of the work that differ from the event's reality. For instance, Joséphine is shown as far younger than she really was at the time. She was 41 years old, six years older than her husband. This has, in fact, been one of the major points of criticism directed at Scott's film. While Vanessa Kirby is a phenomenal actress, casting Joséphine as a younger woman contradicts one of the defining aspects of Napoleon and Joséphine's marriage. Given her age, Joséphine could not have any more children, leading to the couple's later divorce. Furthermore, in the slightly elevated gallery in the painting's background, Napoleon's mother, Maria Letizia, is placed in the direct center of the painting. However, Napoleon's mother was not in attendance. A rift had grown between her and her ambitious sons, leading to her missing the coronation. Similarly, Napoleon's brother Joseph also refused to attend, yet he also appears in David's painting. Of course, having a united family and a young wife ready to produce an heir were both images Napoleon sought to project through the coronation painting. This projection extends itself into Scott's film, which seems to have remained more faithful to David's work than the historical record. The film's coronation scene is portrayed as depicted in the famous painting, with Napoleon's mother and a much younger Joséphine to match. Even David himself briefly appears, sketching away at an easel to capture the moment.

Until Ridley Scott's movie, for me, the defining depiction of Napoleon in film or television was in the 2002 miniseries *Napoléon*. The French actor Christian Clavier plays the emperor, while Joséphine is played by the great Italian actress Isabella Rossellini. Like Scott's movie, the miniseries also tries to show Napoleon's coronation, seemingly trying to recreate David's work. However, while the 2023 movie leans into Jacques-Louis David's propaganda to capture a sense of grandeur and majesty, the 2002 miniseries has an incredibly interesting moment after the coronation scene. Napoleon appears in David's workshop, with *The Coronation of Napoleon* taking up the entire wall. Napoleon marvels at David's accuracy in the likenesses of the individual figures present in the work. He notices that his mother is not depicted, prompting David to remind him that his mother refused to attend. The emperor points to the middle of the canvas and says, "Here. Paint her right here."

Make her easy to see. Give her a beautiful dress and see that she looks radiant.” The 2023 film also had a moment in David's studio after the coronation, but by that point, the characters' minds were elsewhere.

While the Ridley Scott film certainly had the bigger budget to provide audiences with better effects, better costumes, better cinematography, and so on, it was a made-for-TV miniseries from over twenty years ago that captured the essence of Napoleon. Ridley Scott gives us the spectacle of Jacques-Louis David's work but fails to show us how aware Napoleon was of his image and how egotistical he was. That is not to say that Ridley Scott's Napoleon is humble. Lines like “I am not built like other men” and “My destiny is more powerful than my will” aren't exactly uttered by people known for humility. But Joaquin Phoenix played the emperor as the great stoic man of history rather than the passionate, energetic man Napoleon was. In the 2002 miniseries, we see both the grandeur of the coronation and details of the behind-the-scenes work, showing an incredibly charismatic person ensuring that everything is exactly how he wants people to see it.

Of course, David was far from the only painter to produce propaganda on Napoleon's behalf. Both [François Gérard](#) and [Jean-Auguste-Dominique Ingres](#) created portraits of Napoleon in his lavish coronation robes. The former shows him in a way [similar to past European kings](#), while the latter shows him enthroned, [like how Jupiter might be depicted](#). Antoine-Jean Gros, one of David's students, created [Bonaparte Visiting the Plague Victims of Jaffa](#) in 1804, showing an episode from the Egyptian campaign five years earlier. Napoleon personally commissioned this work to counter rumors that he had ordered the execution of sick soldiers. Here, Gros shows the general reaching out to touch one of the plague victims, much to his terrified entourage's chagrin. This painting was meant to show Napoleon as a compassionate figure, similar to the biblical story of Jesus healing the leper. Even decades after Napoleon's death, great painters like Jean-Léon Gérôme were immortalizing the emperor in paintings like *Bonaparte Before the Sphinx*, which Scott also recreated in his film.

If there's one lesson to be learned from Ridley Scott's film, it's that even before the age of mass media, powerful people cared very much about their image and took measures to enhance it. The big-budget biopic may certainly bring to life Napoleon's larger-than-life personality and the scale of the events he facilitated for modern audiences. However, by only looking at the carefully crafted image he created for himself, we only have a partial portrait of one of the most influential people who has ever lived.

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