A Modigliani? Who Says So?

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Three daunting facts confront anyone interested in buying one of Amedeo Modigliani's distinctive elongated portraits. They tend to have multimillion price tags; they are a favorite of forgers; and despite an abundance of experts, no inventory of his works is considered both trustworthy and complete.

Christian Parisot, for instance, the author of one catalog and the president of the Modigliani Institute in Rome, is due in court this week in Rome on charges that he knowingly authenticated fake works.

Marc Restellini, a French scholar compiling another survey of Modigliani’s work, jettisoned part of his project years ago after receiving death threats.

And even those who swear by a listing of 337 works created by the appraiser and critic Ambrogio Ceroni acknowledge it has significant gaps. The effort to establish an authoritative record of Modigliani’s work “resembles nothing so much as a soap opera,” Peter Kraus, an antiquarian book dealer, wrote in an essay published a decade ago.

Authenticating art of all types has become more challenging in recent years as a widening circle of scholars and artists' foundations refuse to offer opinions or publish a catalogue raisonné — the definitive compendium of an artist’s work — for fear of being sued by buyers or sellers unhappy with their conclusions.

But works by Modigliani, perhaps more than any other artist, illustrate the confusion such authentication difficulties have brought to a market awash in money, eager buyers and counterfeits. One result, art dealers say, is a market sown with uncertainty.

Sellers hope they possess a genuine, though lesser-known Modigliani. But without anyone’s opinion embraced as definitive, it is hard to predict what potential buyers might pay.

“It’s very different from the market of his peers Picasso and Braque,” the New York dealer David Nash said, “where the work is extremely well recorded.”

And it doesn’t help that Modigliani sometimes gave away paintings and drawings, without documenting their creation or owners, to pay his bills.

Some gallerists, like Michael Findlay, director of Acquavella, have labeled the Ceroni catalog — last updated in 1972 — the only one that “is generally accepted as reliable.” Leading auction houses, such as Christie’s and Sotheby’s, rarely agree to sell works not listed in it, although well-documented works

www.authenticationinart.org
also make it to auction. In 2012, for example, Bonhams sold “Jeune Fille aux Cheveux Noirs” for $1.3 million. It was not in the Ceroni catalog, but Bonhams indicated that Mr. Restellini planned to include it in his inventory and that it once belonged to the Rockefeller collection.

A painting cited by Mr. Ceroni will typically “sell for three or four times” the amount commanded by one of similar quality that is not included in his catalog, the financier and New York dealer Asher Edelman said. He is offering for sale “Jeune Femme au Petit Col Blanc” by Modigliani, from 1918. This work has been authenticated by Mr. Restellini and has a documented provenance and exhibition history, said Mr. Edelman, who declined to quote a price.

An intense and immensely talented Italian, Modigliani, described by a friend as “a young god,” struggled with poverty, addiction and rejection in turn-of-the-century Paris before dying at 35 from tubercular meningitis. He drank with abandon, flung himself into nightlong bacchanalias and maintained tempestuous love affairs with scores of women, including the Russian poet Anna Akhmatova. His pregnant 21-year-old mistress, Jeanne Hébuterne, undone by his death in 1920, jumped out a window two days later.

As his biographer Meryle Secrest concedes, Modigliani remains an elusive figure within the myth.

The tragic romanticism has only enhanced the market value of his work, which is prized by buyers, though it often gets a ho-hum reception from critics. In February, one of his portraits of Hébuterne, for example, fetched $42 million at a London auction.

Kenneth Wayne, founder of the Modigliani Project, said he finds laments about the capriciousness of the Modigliani market to be exaggerated, particularly since Modigliani has recently been among the best-selling artists in the world. He estimates that about three dozen paintings are missing from the Ceroni catalog, half of them in museums. Others are less sanguine. Referring to the ubiquity of fakes, the Italian collector Carlo Pepi has said, “Modigliani was producing more dead than when he was alive.”

Many experts were taken in, for example, by pranksters who in 1984 planted three sculpted heads — carved in stone in Modigliani’s style — in a canal in Livorno, Italy, where the artist supposedly dumped them in 1909 after receiving negative reviews.

*) In recent years, the authenticity of two oil paintings, initially valued at more than $10 million each, has been questioned. One was exhibited at the State Pushkin Museum of Fine Arts in Moscow.

Mr. Restellini has said he expects to add between 70 and 80 works — twice Mr. Wayne’s estimation — to his catalogue raisonné. Five other catalogues raisonnés already exist. Mr. Parisot, author of a four-volume catalog, has had unusual access to the artist’s records. Before she died in 1984, Modigliani’s daughter, Jeanne, gave Mr. Parisot her father’s archives and the right to authorize reproductions.

In the years that followed, Mr. Parisot built on his advantage, founding the Modigliani Institute Legal Archives, consulting for the Italian government on cultural matters, and organizing exhibitions in state museums — despite mounting controversies.

But as early as 2002, Hébuterne’s great-nephew had accused Mr. Parisot of forging Hébuterne’s drawings. In 2008 a Paris court fined Mr. Parisot and sentenced him to two years in jail for that, although after an appeal he was acquitted.

Then in 2010, the Italian police raided a Modigliani show that Mr. Parisot had organized at the Archaeological Museum in Palestrina. Twenty-two of the works confiscated, the police said, were fakes. After a two-year investigation, police charged Mr. Parisot with receiving counterfeit goods and falsely authenticating them. A hearing on the case is scheduled for Thursday in Rome.
Mr. Parisot denies the charges. “It was always clear that the works were reproductions,” he said in a telephone interview.

Despite these criminal charges, in January an Italian court rejected an attempt by Modigliani’s granddaughter, Laure Nechtschein Modigliani, to regain control of the archives, saying that her mother had legally entrusted them to Mr. Parisot, who, it said, through his catalogue raisonné, had worked to enhance the artist's legacy.

The accusations of fraud have helped quiet what for years had been described in art circles as a battle of the experts, with Mr. Restellini pitted against Mr. Parisot. Nonetheless, some in the market say the case has meant the loss of an expert voice. “His opinions on oil paintings were in my view pretty reliable,” Mr. Nash said of Mr. Parisot, “and I’m sorry that this fraud case has thrown a shadow on that.”

Mr. Restellini’s scholarship has had its own share of drama, though of a different sort. In 1997, for example, he said he would not include in his catalog a portrait of Beatrice Hastings that was listed by Ceroni because it had been so extensively overpainted. Christie’s sold it anyway, for $2.6 million.

A few years later, Mr. Restellini abandoned plans to create a catalogue raisonné of Modigliani’s drawings, saying he had received death threats from owners unhappy with his conclusions. His publisher, the Wildenstein Institute, a research center on art in Paris, says it still plans to release a catalogue raisonné of the paintings, but no date has been set, and several experts doubt it will ever appear.

Other projects have certainly been competing for Mr. Restellini’s attention. In 2007, he founded a private museum, Pinacothèque de Paris, that has astounded skeptics by drawing hundreds of thousands of people with major exhibitions. Most recently, he was in Singapore, organizing a preview of the $24 million branch of his Pinacothèque that he said will open there next January.

Planned for the inaugural exhibition is a blockbuster show on Modigliani.
*) Ransom for a Modigliani - New York, 14 February 2013, Art Media Agency (AMA).

Modigliani is really sparking controversy these days. The last to date is quite unexpected. A French art dealer is demanding financial compensation – a more elegant word for “ransom” – to disclose information concerning the origin of a Modigliani painting. Let us recall the extravagant episodes of this new affair dealing with the work titled Portrait of a Woman.

On 12 February 2012, Asher Edelman, chairman of ArtAssure Ltd, serving as consultant in this new Modigliani case, released the elements of the complaint registered at the Supreme Court of the New York State by Edinburgh Investments Limited (EIL), current possessor of the portrait, against Sidney Tenoudji, son of a former owner.

Michael D. Dingman, representative of EIL, purchased the painting in 1988 from a New York-based gallery for $1.44m. In 2010, he asked Sotheby’s to value the works of his collection for insurance. Now Sotheby’s experts expressed serious reservation as for the portrait’s authenticity, asking further research to be led concerning its origin. Indeed, not only did the market overflow with fake Modigliani paintings worldwide, but the Ambrogio Ceroni catalogue raisonné – a true reference – did not mention this portrait (in spite of its being mentioned in Joseph Lanthemann’s, published in 1970).

For Michael Dingman, it was the beginning of a paper chase. He first solicited Marc Restellini, director of the Pinacothèque, Paris, and Christopher Gaillard from Gurr Johns in Manhattan, who first valued the work $12m. In his quest, Dingman discovered the identity of the previous owner, thanks to the Smithsonian Institute. Edmond Cohen Tenoudji, famous French cinema producer and art collector, specialised in 19th and 20th-century art, acquired the portrait in 1958 to Parisian gallery David & Garnier. Sotheby’s New York thus sent the painting in Paris, at the Wildenstein Institute. The portrait finally arrived at Sotheby’s Paris, still un-authenticated.

It was then things – that already looked pretty bad – embittered. Indeed, Thom Ingram, representative of the current owner began to search for the heirs of Edmond Cohen Tenoudji, in order to find evidence of the painting's origin. He then contacted the son of the collector, Sidney Tenoudji. In the beginning of July 2012, the latter’s lawyer informed him of Ingram's leading inquiry into the company's historical archives. He soon assured he had found a series of documents establishing the origin of the work, including the authentication certificate from the Galerie David & Garnier, signed on the back of a photograph, as well as a letter establishing the identity of the former owner who inherited the painting in the 1930s. Now on 19 July the lawyer finally stated that he would not disclose their content and that Sidney Tenoudji, after further reflection, considered that these documents’ value should be calculated based on the portrait’s worth, and asserted he would give them away only if compensated by a certain percentage of the painting’s selling price. The heir, smelling a good deal, thus valued the painting $30m, and demanded $5m to disclose the documents, falling to $500,000 after numerous negotiations. Some months later, Marc Restellini was allowed to inquire into the documents in order to authenticate them, in presence of Sidney Tenoudji.

But there was a sudden development on 13 December 2012. The day before the expert's assessment, Sidey Tenoudji changed position and claimed he would not go, thus questioning the reliability of Marc Retsellini’s judgment, certain that he would not authenticate the documents. Dingman/EIL thus referred to the New York Court, still awaiting the pieces promised by Sidney Tenoudji. For if doubt is allowed when it comes to the painting’s authenticity, what is certain is that the documents without the painting are worthless.