

ARTnews

Authenticating Picasso

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Forty years after Picasso's death, while his paintings are among the most expensive ever sold, the problem of how to authenticate his work remains a challenge. To avoid mistakes, four of his five surviving heirs have clarified the process but have not included his elder daughter

Picasso could be capricious when it came to authenticating his own work. On one occasion, he refused to sign a canvas he knew he had painted, saying, "I can paint false Picassos just as well as anybody." On another, he refused to sign an authentic painting, explaining to the woman who had brought it to him, "If I sign it now, I'll be putting my 1943 signature on a canvas painted in 1922. No, I cannot sign it, madam, I'm sorry." And on yet another occasion, an irked Picasso angrily covered a work brought to him for authentication with so many signatures that he defaced and effectively ruined it.



The 33-volume catalogue of Picasso's work by Christian Zervos.

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Even today, 40 years after Picasso's death, the question of how his heirs exercise their right under French law to authenticate his work is a knotty one.

Picasso was, by some estimates, one of the wealthiest men in the world when he died, in 1973. In the early 1980s, after years of legal wrangling and well-publicized squabbling over the settlement of his estate, his heirs established a committee to officially authenticate his works. In 1993, however, that committee was disbanded after disputes among the heirs over the authenticity of a set of drawings. Afterward, two of the heirs—Picasso's daughter Maya Widmaier-Picasso and son Claude Ruiz-Picasso—began issuing certificates of authenticity independent of one another. This created a situation that dealers say has been time-consuming and awkward, particularly because auction houses, faced with dual (and dueling) authentication options, were increasingly requiring certificates from both heirs.

That state of affairs changed last September when four of Picasso's five surviving heirs—Claude, Paloma Picasso, Bernard Ruiz-Picasso, and Marina Ruiz-Picasso—circulated a letter announcing the establishment of a new procedure for authenticating works by the artist. The letter states that all requests for authentication should henceforth be addressed to Claude, specifying that "only his opinions shall be fully and officially acknowledged by the undersigned." Among the undersigned, however, one signature was conspicuously absent: that of Maya, the artist's elder daughter.

According to Bernard, the decision to designate Claude as the sole authenticator was made in order to simplify the authentication process and clarify it for the sake of the Picasso market. Certificates are increasingly required for works being brought to sale, even when they are otherwise documented, Bernard said. At the same time, substantial numbers of previously undocumented works by Picasso have been appearing on the market in recent years. In these circumstances, the existence of two different authenticators sharing the Picasso name has generated unnecessary and harmful confusion.



“Maya is Picasso’s daughter, but the art world has changed, and we all know how serious this issue has become,” Bernard told ARTnews in a telephone interview from Brussels, where he lives. “People have been asking why they have to go to two places just to have a work authenticated. That is why we took the decision of sending that letter to the art world. The family board is the only authority—it’s quite clear.”

“Authenticity is a huge issue and is more and more complex, especially with all the fakes and forgeries and all the undocumented works coming into the market in the last few years,” said Claudia Andrieu, legal counsel for the Picasso Administration (which manages the Picasso estate) and a close associate of Claude. “It is very important that there be one authority only for us to be able to protect the Picasso market.”

Maya told ARTnews that she had not been consulted or informed about the decision. “I only found out when a friend told me,” she said. “I nearly died.” Others close to the Picasso family, however, describe a long-standing state of low-grade tension between Maya and Claude over the issue of authentication, coupled with a long-term effort by Claude to enlist the support of his fellow heirs in consolidating the authentication process under his auspices. In addition, the 77-year-old Maya is said to have scaled back her activity, due to convalescence from a recent fall and other health issues. According to her son Olivier, she is “really not into authentications these days.”

Several dealers and auctioneers contacted by ARTnews welcomed the announcement of the new Picasso authentication procedure, although they did so cautiously.

“Does this clarify things? I don’t know,” said Michael Findlay, director of the Acquavella Gallery. “Only time will tell.”

“As an operator in the Picasso market, we will follow this directive,” said Paul Gray, director of the Richard Gray Gallery in Chicago. “So I would say that Maya will probably not be sought out as an authority at this point. But whether her certificates from before this will be honored . . . the jury is still out.”

When Picasso died on April 8, 1973, at age 91, he was survived by his widow, Jacqueline Roque, as well as children and grandchildren from various relationships. Roque died in 1986, and Picasso’s son Paulo (his only legitimate child, born to his first wife, Olga Khokhlova, in 1921) died in 1975. The surviving heirs are Picasso’s three other children—Maya (born 1935), the daughter of Marie-Thérèse Walter, with whom the artist had a long relationship; Claude (born 1947) and Paloma (born 1949), the children of another long-time mistress, the painter and writer Françoise Gilot; and two grandchildren, Marina (born 1950) and her half-brother, Bernard (born 1959), the children of Paulo.

These five blood relatives span several generations, were raised in different households, and have frequently been estranged from one another and from Picasso himself. Today, they constitute the Succession Picasso (the estate). In an attempt to put an end to their persistent legal conflicts, a French court appointed Claude legal administrator of the estate in 1989. Claude later established the Picasso Administration, the organization that manages, on behalf of the estate, the heirs’ jointly owned interests and intellectual property rights deriving from Picasso’s work, name, and person.

These include the droit de suite, or resale rights, as well as reproduction rights—in brief, the right to authorize reproductions of Picasso’s works and to issue merchandizing licenses, while simultaneously monitoring the use of Picasso images and legally prosecuting cases of unauthorized use. According to Andrieu, in recent years the droit de suite rights have generated approximately €150,000 (\$192,000) annually, while annual merchandizing revenues have approached €5 million (\$6.4 million). These revenues, she pointed out, are offset by high legal costs, particularly those incurred in pursuing frequent cases of unauthorized reproduction.



The right to authenticate Picasso's work, however, is considered an inherited moral right, or *droit moral*. Only individual heirs have this right. When Claude exercises his *droit moral* to authenticate works by his father, he does so as an individual heir (as does Maya), not in his capacity as the estate administrator. Under French law, an artist's descendants are presumed to have an innate understanding of—or at least a privileged firsthand familiarity with—the art created by their progenitor, and are thus entitled to issue certificates of authenticity.

Marina, Paloma, and Bernard do not venture into matters of authentication (although Bernard has published studies of Picasso ceramics, and Marina has written memoirs about her grandfather). Maya and Claude, however, have been alternately authenticating—and occasionally challenging each other's authentications—for years.

Of all the heirs, Maya spent the most time with Picasso. She has specialized in his drawings, although she also authenticates works in other media. She has described her authentication procedures as intuitive, saying, "I'm like Hercule Poirot." Some Picasso specialists refer to her unacademic methods and complain about her slow responses to authentication requests; however, many also emphasize her scrupulousness and honesty, and say that her years of experience and her deep feeling for her father's work—she told ARTnews about her girlhood memories of her father teaching her to draw—have developed into genuine connoisseurship.

Claude's methods are said to be very different. (Claude declined to be interviewed directly for this article, referring questions to Andrieu.) As head of the Picasso Administration, he is the most visible of the heirs; he also has access to the Administration's archives, library, and contacts. According to Christine Pinault, Claude's assistant at the Administration, he receives approximately 500 requests for authentication per year. Only a fraction of the works submitted are authentic. Most are reproductions that owners mistake for originals; some are by other artists; only a few are outright forgeries. Pinault and Andrieu said that Claude frequently consults with outside experts they declined to name. "His research is huge," Pinault said.

"We have been suffering through this," said the European director of an international auction house, who asked not to be identified. "To have something certified, you have had to get two different people to agree—and two people who don't get along with each other personally. In simple, practical terms, it's been impossible. It can take months and months just to get an answer. That's just not the way it works when there's an auction scheduled or someone wants to buy or sell a painting."

"The market will always recognize a certificate from the Picasso family and will give it weight," said David Nash of Mitchell-Innes & Nash Gallery. "It's not the only way, but it's the way the market works."

Part of the backdrop for the current state of Picasso authentication is the remarkable trove of previously undocumented artworks by the artist that surfaced in 2010 in the hands of a retired French electrician named Pierre Le Guennec and his wife. The existence of the works came to light when the Le Guennecs approached Claude, requesting authentications. The works—271 in total, with an estimated worth of more than \$80 million—date from 1900 to 1932 and include Cubist paintings, lithographs, notebooks, a Blue Period watercolor, and a rare set of nine Cubist collages. Le Guennec said that he had been given the works by Picasso and his wife Jacqueline Roque in the early 1970s after installing a burglar alarm system and making a variety of electrical repairs to Picasso's properties. He claimed he had kept them in the garage at his home outside Cannes for nearly 40 years.

Claude examined the works and accepted their authenticity but not their provenance and alerted French police, who indicted the Le Guennecs for possession of stolen property. The artworks were seized and are being held in a vault in the Banque de France in Paris by the French police's art-trafficking division. Meanwhile, the case continues under investigation, according to Jean-Jacques Neuer, a lawyer for the Picasso family and Charles- Etienne Gudin, lawyer for the Le Guennecs.



The situation quickly grew more complex when links were discovered connecting Le Guennec to an earlier case involving Picasso's late chauffeur, bodyguard, and frequent model, Maurice Bresnu, who became known to the art world when he began selling Picasso artworks in the late 1980s, works which he said Picasso had given him by the boxful as a token of friendship. Hundreds of those works have been sold in galleries and at auction; many more are suspected of having been sold privately. The Picasso heirs did not challenge Bresnu's acquisition of the works legally at the time (he died in 1991). Christie's even auctioned off works from what was called "The Bresnu Collection" in 1998 (with Picasso biographer John Richardson writing the introduction to the auction catalogue). However, according to Neuer and numerous published reports in the French press, the current Le Guennec investigation has uncovered information linking the case suspiciously to Bresnu.

Le Guennec was a first cousin of Bresnu's late wife, Jacqueline, and it was Bresnu who introduced Le Guennec into the Picasso household—details that Le Guennec did not include in his initial accounts of his relationship to Picasso. Moreover, when Jacqueline Bresnu died without heirs, in 2009, what remained of the Bresnu collection was inherited by Le Guennec and his siblings. These works—some 20 pieces dating from 1967 to 1973—were scheduled to be auctioned in late 2010 at Drouot, in Paris, with Pierre Blanchet as auctioneer (and with Maya's certificates of authenticity), but the auction was called off at the last minute as the details of the Le Guennec-Bresnu connection began to emerge. Blanchet announced at the time that there was no problem with the provenance or the authenticity of the works, and that the auction would be rescheduled within months. However, as of press time, the auction has not yet been rescheduled, pending the conclusion of the investigation of Le Guennec.

Bresnu's lawyer, Gudin, told ARTnews that the Picasso heirs' attempts to link Bresnu to the Le Guennec's works are tenuous and farfetched. He said that the Picasso heirs never officially claimed that the works in the Bresnu Collection were stolen and in fact publicly endorsed the works' provenance.

"It seems improbable to be in the hands of a simple electrician," Gudin said in a telephone interview from Bordeaux. "But it is equally improbable to allege stolen property. If Bresnu had had them, he would have sold them immediately. They are much more valuable than anything he had."

It was an earlier chapter of "L'affaire Bresnu" and the role in it of Picasso's signature that triggered the disbanding of the Picasso authentication committee in the first place. Bresnu placed a series of 44 signed Picasso drawings up for sale. Marina Picasso's representative, Jan Krugier, had vouched for the drawings; Claude deemed them to be fakes; Maya considered the drawings authentic but thought the signatures were forgeries. Maya's opinion prevailed, and, in an ironic twist, the signatures were erased so that the works themselves could be considered authentic. They were duly sold, and in the fallout that followed the dispute among the heirs, the Picasso committee ceased to exist, setting the stage for the scattered authentication procedures that ensued.

Given the stakes, both commercial and art historical, with regard to the question of Picasso authentication, many of those in the art world question why the heirs (none of whom are trained art historians) have not established a centralized committee beyond themselves to handle authentications, to draw on the expertise offered by the vast and highly developed field of Picasso studies.

"There was a committee of heirs, and it was a mess," said Emmanuel Benador, a private dealer in New York and formerly of the Krugier Gallery, which handled Marina's collection. "It would be better to have a few people, even just a few, who really know the work and could work together as a stable group."

A complicating factor in Picasso authentication is the absence of a comprehensive and reliable catalogue raisonné of Picasso's output. Although Picasso's life was documented "down to each and every sneeze," according to art dealer Michael Findlay, no single catalogue raisonné exists of his enormous body of work— estimates run as high as 50,000 works created over more than 75 years—with different periods and media documented and catalogued to greater or lesser degrees.



The 33-volume catalogue compiled by Christian Zervos, commonly referred to simply as “Zervos,” is the closest to an overall catalogue raisonné. Zervos was a Greek-born art-book publisher in France who, beginning in 1929, working closely with the artist, photographically catalogued Picasso’s works when they left the studio. The first volume appeared in 1932, coinciding with Picasso’s first retrospective exhibition; the final supplements appeared in 1978, after both men were deceased.

While “Zervos” is the most commonly cited reference to Picasso’s works, assessments of its usefulness vary widely: specialists consulted by ARTnews described it as anything from “pretty complete” to “incomplete” to “very incomplete” to “woefully incomplete.” In general, it is accepted as systematic and thorough with regard to the material it includes, and it offers the advantage of presenting the work as Picasso himself intended. But it is also described as an index more than a proper catalogue, lacking such information as dimensions and provenance. Its 13,000 entries do not include a large portion of Picasso’s production, most notably the thousands of works he kept for himself (many of which his heirs inherited). John Richardson, in his *A Life of Picasso: The Triumphant Years*, characterizes Zervos’s entries as “scanty and often unreliable,” but also calls the catalogue “a godsend to scholars, collectors, curators, dealers, students, not to mention fakers.”

“We really need something to update ‘Zervos,’” said Valentina Castellani, a director at Gagosian Gallery who has worked on Picasso exhibitions such as “Picasso and Françoise Gilot” last year. “A catalogue raisonné is a fundamental tool, not only for dealers but also for scholars. But ‘Zervos’ is not a catalogue raisonné. Too many works are not in it, such as what came through the family.”

Other Picasso sources that specialists say are reliable —although only within the specific areas and periods they document— include Pierre Daix’s studies of the early work, which are said to be “impeccable”; Brigitte Baer’s six-volume catalogue of the graphic work, described by more than one dealer as a “bible”; David Douglas Duncan’s photographic records of the work in Picasso’s last studios, which provide an important and intimate counter-version to “Zervos”; and Werner Spies’s catalogues of the sculptures (although Spies, a former director of the Pompidou Center, has seen his reputation tarnished in a scandal involving his erroneous certifications of forgeries of works by Max Ernst.)

In addition, some dealers and auction houses say they are increasingly using the San Francisco–based Picasso Project, a small in-progress photographic catalogue of Picasso’s complete body of work. Begun under the auspices of the renowned Picasso specialist Herschel B. Chipp (who died in 1992) and released by Alan Wofsy Fine Arts, the Picasso Project has thus far published 25 of a projected 28 volumes. The books are small and printed in editions of 750, priced at \$150 each. The most recent were the Rose Period and the Complete Linoleum Cuts, both published in 2012; the African Period is scheduled for publication later this year.

According to editor Alan Hyman, the Picasso Project was granted a license by the Picasso heirs to publish a comprehensive catalogue of Picasso’s work. The heirs later sought to rescind that agreement, Hyman said, and a French court ruled in their favor, but a New York court upheld the Picasso Project’s countersuit for breach of contract. An uneasy truce and settlement were finally reached in 2000, giving the Picasso Project unique and unprecedented blanket permission to continue publishing reproductions of Picasso’s work, but also obligating it to include disclaimers that the books are not officially endorsed by the Succession Picasso.

Another inprogress Picasso catalogue that some dealers and specialists cite is the On-line Picasso Project, which began in 1997 and is based at Sam Houston State University in Huntsville, Texas. Directed by Enrique Mallen, the On-line Picasso Project compiles material from published sources and makes them available on the Internet. According to Mallen, the Picasso Administration initially attempted to have the On-line Picasso Project shut down, but since it is an academic, nonprofit venture that draws exclusively from previously published material—a concordance of books and catalogues—the heirs’ attempt failed, and the project continues. Aided by a combination of university funding and grants, the On-line Picasso Project has thus far catalogued nearly 25,000 works by Picasso, at a steady rate of about 1,000 per year.



Andrieu said that the Picasso Administration does not support or authorize the work of the Picasso Project or the On-line Picasso Project.

In recent years, Maya's daughter Diana Widmaier-Picasso, who has established herself as a Picasso authority in her own right, has been preparing a catalogue raisonné of Picasso's sculptures. Diana is a trained art historian who received a master's degree from the Sorbonne, where she specialized in Old Master drawings, and later worked at the Metropolitan Museum and Sotheby's. She told ARTnews that she is currently completing the first volume of a projected four-volume sculpture catalogue (which may also extend to an online version). Gagosian initially funded the project, but it is now funded entirely by her. Working with three researchers from a Paris office, Diana said that over the last ten years she has also been compiling a database of Picasso works: at this point it includes information on 27,000 works in various media. She has also published studies of Picasso and cocurated (with John Richardson) the exhibition "Picasso and Marie-Thérèse: L'Amour Fou" at Gagosian two years ago.

According to a number of auction houses and dealers, Diana is regularly consulted with regard to Picasso sculptures, and her opinions are generally seen as reliable. However, according to some Picasso specialists familiar with the family, Diana's growing authority has disconcerted Claude and other members of the Succession Picasso, and added further impetus for last September's decision to centralize the authentication process under Claude's supervision.

Andrieu said the Picasso Administration has no involvement with Diana's research; Diana, however, told ARTnews that she and the Picasso Administration are "always in contact" and that they "share knowledge and work together in order to preserve Pablo Picasso's oeuvre."

Despite the unresolved issues of Picasso authentication, one thing all players agree on is that the Picasso market is robust, to say the least. Paintings by Picasso are among the most expensive ever sold at auction: *Garçon à la Pipe*, a 1905 canvas sold at Sotheby's for \$104.2 million in 2004, and *Nude, Green Leaves and Bust*, from 1932, sold for \$106.5 million at Christie's in 2010. Picasso dealers say that the market for his work is global, rooted in Europe and the United States, but with growing sales to Brazilian and Chinese collectors. Certain periods are slightly more popular than others: the figurative works from the '30s, for example, are eagerly sought after, and works from the late period, which was once considered the artist's weakest, now find an avid market. But, in general, there is no aspect of Picasso that is not in demand. As Findlay says, "There's a buyer for every single thing Picasso ever made."

That his art, his person, and even his name would exercise such a centrifugal force around the world might have surprised, but not necessarily displeased, Picasso himself, who, according to Richardson, maintained a curious fascination with his own signature.

"I used to watch him sign his name," said Richardson, who is completing the fourth and final volume of his monumental biography of Picasso. "Unlike most of us, who have a little scribble, each time Picasso signed it was as if for the first time. Most people sign their names in a very summary way. Picasso didn't. Every time was the first time."