

## THE ART NEWSPAPER

# Challenge to De Chirico authentication board

*The artist's own backdated paintings add to his market's complexities*

By Cristina Ruiz  
03 September 2013

An independent organisation in Milan has launched a comprehensive challenge to the work of the Giorgio and Isa de Chirico Foundation, which was set up to administer the estate, promote the legacy of and authenticate works by the Italian painter Giorgio de Chirico, who died in 1978.

The Archive for Metaphysical Art, which takes its name from the style of painting for which De Chirico became famous, is publishing a series of studies that it describes as

“necessary because of the confusion that has reigned in the field [of De Chirico scholarship] for too long and because of the arbitrary... nature of many of the judgements made by... the organisation that holds the artist's copyright.”



Made in 1913 or 1933? De Chirico's Piazza d'Italia

This research will enable “interested parties”, such as collectors and dealers who “believe they have incurred damage because of an incorrect opinion expressed by the [De Chirico Authentication Board], to ask us to examine a specific case,” says Paolo Baldacci, the president of the archive.

The president of the De Chirico Foundation, Paolo Picozza, a practicing lawyer who worked for the artist in his final years and who helped his widow set up the foundation in 1986, rejects this accusation and said that the authentication board takes its decisions “with absolute honesty and good faith and free from any external pressures”. The foundation inherited more than 300 paintings by the artist and has never sold any nor does it intend to, said Picozza.

### “Let them eat fake”

At the heart of the archive's investigation are paintings made by the artist from the 1930s onwards, which he deliberately dated to decades earlier, because earlier works were more in demand.

As the late art critic Robert Hughes put it: “if Modernist critics and the collectors they influenced were going to make capital from [De Chirico's] youth while insulting his maturity, then let them eat fake.”

At the beginning of his career De Chirico was celebrated by Picasso and hailed as a hero by the Surrealists for his dream-like metaphysical paintings, with their empty squares and imposing statues. But when he moved on from this style, around ten years later, he was rejected by the French avant-garde.

“From 1933 onwards [the artist] flooded the market with an avalanche of backdated work,” write Baldacci and Gerd Roos, the vice-president of the archive, who are co-authors of its latest study on the history of one painting that De Chirico signed and dated 1913, but which the authors argue was made in 1933 (see box above).



Baldacci believes the artist made “around 140” of these backdated paintings, but Picozza estimates that there are only “around 40”. Baldacci says that he and Roos are now working on the second edition of a monograph on De Chirico’s metaphysical period, to include all works from 1909 to 1942 with “ascertained dates”.

So how does the trade navigate the complexities of the De Chirico market (a situation made even more tricky because the artist sometimes declared his own authentic early work to be fake)? Backdated paintings are treated as later works; redated following advice from the foundation and priced accordingly, says Olivier Camu, the deputy chairman of Christie’s Impressionist and Modern art department. Paintings made before 1920 are rare, “they come up once every five years or so”, Camu says, adding that the artist, who was a major precursor of Surrealism, is still undervalued in relation to the movement.

And when it comes to authentication, “the market absolutely trusts the foundation”, Camu says.

### **Enduring battle**

The new publication is the latest gambit in a long and increasingly bitter battle between Baldacci and Picozza. It wasn’t always so: the two were previously colleagues. Baldacci served as a member of the foundation’s board and as an expert on the authentication panel from 1993 to 1997, but was then asked to step down as a board member because of a conflict of interest, says Picozza, adding that Baldacci, who ran a gallery in New York from 1990 to 1997, was also selling works by De Chirico at the time.

Baldacci says he never sold any work that he had authenticated himself and that Picozza knew he ran a gallery when he invited him to join the foundation. He says he resigned from the authentication board because Picozza and those close to him had made his position untenable and because he objected to many of the organisation’s policies such as the production, after the artist’s death, of limited edition “De Chirico-themed” objects such as jewellery.

A few years later the foundation sued Baldacci for knowingly attempting to sell fake paintings by De Chirico; the case eventually went to trial in Milan in 2009. The court found Baldacci guilty and sentenced him to 20 months in prison. Baldacci denied the charge and said that he believed the paintings in question were authentic. He also asked for the testimony of expert witnesses who were independent of the foundation. However, an appeal court in Milan this July ruled that Baldacci had no cause for appeal but determined that the statute of limitations now applies to the crime. He is now considering a further appeal to the Supreme Court in a bid to clear his name.

### **Made after the date, or outright fake?**

Using extensive documentary evidence, Paolo Baldacci and Gerd Roos argue convincingly in their book, *Piazza d’Italia 1913 (1933)*—out in English this month—that the eponymous painting, signed and dated 1913 by De Chirico, was in fact made in 1933 for a retrospective at the Kunsthaus Zürich.

After the show, the work was sold to the collector Alberto della Ragione who kept it for five years. By 1946 it had been purchased by the dealer Dario Sabatello who asked De Chirico to authenticate it. When the artist declared it fake, Sabatello sued him.

In court, Della Ragione testified for the prosecution that the disputed work was the same that he had bought from the artist. De Chirico lost. However the verdict was reversed on appeal and the painting was declared a fake, a judgement confirmed by the Supreme Court in 1956. When another dealer tried to sell the work at auction in 2000 he was successfully sued by the foundation and the painting was confiscated by the Italian State.