

A PAINTING WITH A HISTORY

PROFIL BLEU DEVANT LA CHEMINÉE, 81 X 60 CM, 1937 BY HENRI MATISSE

The Rosenberg's heirs demands the return of the painting *Profil bleu devant la cheminée* by Henri Matisse.

In the summer of 2012 Henie Onstad Kunstsenter (HOK) was contacted by representatives of the Rosenberg family. HOK was informed that the painting "*Profil bleu devant la cheminée*" (1937) by Henri Matisse had been confiscated by the Nazis from the Jewish art dealer Paul Rosenberg in occupied France during WWII and that the work had been reported missing by Rosenberg and his family. On these grounds Rosenberg's heirs demand the return of the painting.

That the painting had been confiscated and sold during the war was new information for HOK, and while there was no reason to question the Rosenberg family's description of events, HOK wanted to take sufficient time to thoroughly investigate what happened to the painting from this point in time until its arrival at Galerie Bénézit.

"*Profil bleu devant la cheminée*" has been a part of the public domain – in layman's, not legal, terms – since it became part of Sonja Henie and Niels Onstad's art foundation in 1961. HOK has always been open concerning the history of the painting, including the place of purchase and collection of origin. The painting has toured the world since 1961, with HOK citing Galerie Bénézit and Paul Rosenberg as its provenance. Most recently it was on view in the major Matisse exhibition at the Centre Pompidou in Paris in the spring of 2012.

According to Norwegian law, HOK has the right to keep the painting on the basis of usucaption, i.e. relying on the time it has been in HOK's possession and its acquisition in good faith by Niels Onstad, long before he met Sonja Henie and long before HOK was planned. Conversely, Norway was one of the signatories of the 1998 Washington Conference Principles on Nazi-Confiscated Art along with 43 other countries. A key point of this agreement is the importance of keeping archives open and publicly accessible. It also states that if a picture is identified as Nazi loot a thorough investigation of its provenance must be carried out. While this convention is not legally binding it does provide guidelines for handling such situations.

Ever since HOK was aware of the claim, the Art Center has been in dialogue with the heirs of Paul Rosenberg the representative of the family Chris Marinello, and has retained the services of Kyrre Eggen from the Wiersholm law firm to assist in resolving the matter.

The following is a chronological overview of facts and events associated with "Robe bleue dans un fauteuil ocre" up to the present time:

- Henri-Émile-Benoît Matisse is born on December 31, 1868. He trains as a painter and is one of the initiators of the Fauvist ("wild beast") movement which revolutionizes early 20th century painting with its new and expressive style. Critics are distinctly unenthused, and their first group exhibition is met with comments such as: "A bucket of paint has been thrown in the face of the public."
- The Fauvist group subsequently dissolves, and Matisse goes on to achieve recognition in his own right. In 1906 he meets Pablo Picasso, and they become lifelong friends. Matisse continues to regularly display his work.
- Adolf Hitler comes to power as Reichskanzler (chancellor) of Germany in 1933.
- Paul Rosenberg (1881-1959) becomes Matisse's agent in 1936, and the two develop a close friendship that is to last for the rest of their lives. By this time Rosenberg is one of the world's leading gallerists. Matisse paints "*Profil bleu devant la cheminée*" in 1937, and it is purchased by Paul Rosenberg and displayed in his gallery the same year.
- The painting is featured in the 1939 book *Paintings and Drawings of Matisse*, which includes a foreword by Jean Cassou, an assistant curator at the Musée du Luxembourg. The image is reproduced in color with the provenance Paul Rosenberg. This is also the year Rosenberg flees Paris, arriving in New York via Lisbon. Before leaving, he places portions of his collection in storage at various locations throughout France, including Libourne. He also ships works to London and the US.
- As part of their plan for the Third Reich the Nazis wage a visible campaign against what they define as degenerate art, Matisse's work included. In March 1941 Rosenberg's storage facility in Libourne is raided, and the Nazis confiscate its holdings including the painting "Robe bleue dans un fauteuil ocre".
- In September 1941 the painting is registered by the Einsatzstab Reichsleiter Rosenberg (ERR) at the Jeu de Paume repository with the title "Frau am Kamin". The ERR, or Reichsleiter Rosenberg Taskforce, was a special division of the German office of foreign affairs headed by Reichsleiter Alfred Rosenberg (no relation to Paul Rosenberg). The ERR's primary function was the appropriation of so-called "ownerless" cultural property belonging to Jews. Approximately 21,903 objects from 203 collections are presumed to have been seized by the ERR in France.
- The painting then changes hands several times. It goes first to the collection of Herman Göring, then to art dealer Gustav Rochlitz who in turn exchanges it on March 10, 1942. Under an interrogation by Allied forces after the war, Rochlitz names art dealer Paul Pétridès as the purchaser. Pétridès denies any knowledge of the work. Pétridès is found guilty of criminal conduct, yet manages to restart and keep his gallery in business until his death.
- In the trial against Rochlitz on June 3, 1946, he names art dealer Isador Rosner as the purchaser of the painting. Rosner disappears during the war and has thus never been able to confirm or refute this allegation.
- From this point there is no trace of the painting. The next we know is that Niels Onstad buys the painting at the end of the 1940s from Galerie Henri Bénézit in Paris. None of the parties involved in this matter have succeeded in tracing how the painting ends up at Galerie Bénézit.
- After liberation in 1945 Rosenberg returns to Paris and begins searching for the artworks that were lost during the war. In 1946 the French government confirms to Paul Rosenberg that his collection was confiscated during the Nazi occupation.
- In 1947 the painting is featured in a new edition of the French book *Matisse, Couleurs des Maîtres*, again with a foreword by Jean Cassou, now conservator at Musée d'Art Moderne in Paris. The painting's provenance is still Collection Paul Rosenberg.
- Niels Onstad buys the painting from Galerie Bénézit, most likely in the late 1940s or early 1950. HOK has no receipt or other purchase record in its archives.
- The 1998 book *The Lost Museum: The Nazi Conspiracy to Steal the World's Greatest Works of Art* by Héctor Feliciano is an interesting publication with respect to this matter. Feliciano examines Paul Rosenberg's and other collectors' businesses before, during and after the war, documenting the fate of their collections. It is worth noting that in the book's foreword Feliciano credits Henri Bénézit as one of his sources, which would seem to indicate that the gallery did not cooperate with the Nazis. Henri Bénézit died in 1999 and his son Jean Pierre Bénézit, who took

over after his father, is now in poor health and has shuttered the gallery. Philippe Loudmer, who himself runs a gallery with his father Guy Loudmer, is now assisting Jean Pierre Bénézit in selling off the works from the defunct gallery. According to Philippe Loudmer all of Galerie Bénézit's archives have been destroyed.

- Insurance documents dating from 1951 establish that the painting was at that time part of Niels Onstad's collection and located in New York where Onstad had his office and residence. We therefore assume that Onstad purchased the painting shortly before it was insured, i.e. sometime between the late 1940s and 1951.
- Henri Matisse dies in Nice on November 3, 1951.
- Niels Onstad and Sonja Henie meet in the US in 1955.
- On April 11, 1960, Niels Onstad contacts Mme. Jean Pierre at Galerie Bénézit regarding the provenance of several paintings he has purchased from the gallery, as he and his wife have decided to set up an art foundation as a means toward establishing a museum. They are working on a catalogue to accompany an extensive tour of the art collection in Europe. The gallery's reply letter no longer exists. Around the same time Onstad also writes to Pierre Matisse, the painter's youngest son, inquiring about the history of some of the Matisse paintings in the couple's collection. In his reply Pierre Matisse says that he has no information about "*Profil bleu devant la cheminée*". Onstad continues to pursue information, and from 1961 Paul Roseberg's name is cited as part of the provenance of the painting.
- "*Profil bleu devant la cheminée*" is included in the deed signed by Niels Onstad in 1961, the year that the Sonja Henie and Niels Onstad Foundation is established.
- The respective collections of Niels Onstad and Sonja Henie are sent on an international tour from 1961-63 in anticipation of the establishment of their new art institution in the Oslo area.
- "*Profil bleu devant la cheminée*" is officially incorporated into the collection of the Sonja Henie and Niels Onstad Foundation in 1963. The collection, including "*Profil bleu devant la cheminée*", returns to Norway after the tour, where it remains to this day.
- "*Profil bleu devant la cheminée*" is a popular painting and has been loaned extensively.

Venues of the first tour of the collection, from 1961-63, are as follows:

- November 12, 1960 – January 1, 1961: Kunstneres Hus, Oslo
- January 14, 1961 – February 12, 1961: Louisiana, Copenhagen
- February 18, 1961 – March 19, 1961: Göteborg Konstmuseum, Gothenburg
- April 7, 1961 – April 30, 1961: Moderna Museet, Stockholm
- May 12, 1961 – July 2, 1961: Kunsthalle, Hamburg
- August 13, 1961 – September 17, 1961: Museum Folkwang, Essen
- October 7, 1961 – November 12, 1961: Württembergischer Kunstverein, Stuttgart
- November 24, 1961 – January 1, 1962: Frankfurter Kunstverein, Frankfurt a.M.
- January 20, 1962 – February 18, 1962: Kunsthalle, Basel
- March 1, 1962 – April 8, 1962: Tate Gallery, London
- April 27, 1962 – May 27, 1962: Musée de la Ville de Paris, Paris
- June 14, 1962 – July 29, 1962: Künstlerhaus, Vienna
- August 20, 1962 – September 16, 1962: Festival of Edinburgh, Edinburgh
- September 28, 1962 – October 28, 1962: Walker Art Gallery, Liverpool
- November 22, 1962 – January 6, 1963: Gemeentemuseum, The Hague
- January 25, 1963 – February 24, 1963: Musée d'Art et d'Histoire, Geneva
- May 10, 1963 – June 23, 1963: Bergens Kunstforening, Bergen

After the official opening of the Henie Onstad Kunstsenter in 1968, HOK itself is prioritized as exhibition location, and there are seldom loans from the collection. By the end of the 1970s the number of loans begins to increase. "*Profil bleu devant la cheminée*" has been loaned to and exhibited at the following institutions:

- March 31 – May 9, 1971: Los Angeles Municipal Art Gallery, Barnsdall Park, Los Angeles
- Summer 1979: Kunstneres Hus, Oslo
- April – September 1980: Nordens Hus, Reykjavik
- November 1984 – January 1985: Moderna Museet, Stockholm
- October – December 1986: Sara Hildén-museet, Tampere
- June – October 1994: Musée Matisse, Nice
- October 2005 – February 2006: Kunstsammlung Nordrhein Westfalen, Düsseldorf
- October 2006 – February 2007: Chiara Genovese, Complesso de Vittoriana, Rome
- September 2008 – January 2009: Staatshaerue, Stuttgart
- January – April 2009: Bucerus Kunstforum, Hamburg
- March – June 2012: Centre Pompidou, Paris

In July 2012 The Art Loss Register contacts HOK regarding "*Profil bleu devant la cheminée*" with documentation indicating that the painting was stolen from the collection of Paul Rosenberg during the war and informing HOK of the heirs' claim to the work. This is the first time HOK is made aware of this information regarding the work and the family's claim.

HOK immediately undertakes an investigation of all available documentation to be found in relevant archives internationally in order to clarify the facts in the case and works continuously to reveal the exact provenance of the painting.

The Norwegian public is made aware of the painting's history in November 2012 via an article appearing in the Norwegian newspaper *Aftenposten*.

In April 2013 press coverage of the case continues with articles in Norway's *Dagens Næringsliv*, and internationally via *The New York Times* and Associated Press.

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