

## **Fighting for Their Rights**

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The Royal Academy's winter blockbuster of masterpieces from four Russian museums was scalded by scandal even before it opened on January 26. The show coincided with a cooling of British-Russian relations following the murder in London of the former KGB agent Alexander Litvinenko in 2006 and the Kremlin's refusal to extradite his suspected assassin. Four Russian diplomats were expelled from Britain, and Moscow retaliated against the Russian offices of the British Council. A few weeks before the opening of "From Russia: French and Russian Master Paintings 1870–1925 from Moscow and St Petersburg," it wasn't clear whether the master paintings—by Gauguin, Cézanne, van Gogh, Matisse, Picasso, Kandinsky, and Malevich—would ever reach London.

Adding to the uncertainty was the threat that 25 of the greatest works in the show might be claimed by the heirs of the two collectors who were compelled to surrender them to the Russian state after the 1917 revolution. The Russian culture ministry demanded assurances that there would be no seizures, forcing British culture secretary James Purnell to sign a special order guaranteeing the works' immunity.

"The revolution of 1917—it's history. The paintings must belong to everybody," said Norman Rosenthal, the Royal Academy's exhibitions secretary (who resigned in January).

Not revealed until after the show had opened was the deal that the Academy had offered the two heirs, André-Marc Delocque-Fourcaud, grandson of Sergei Shchukin, and Pierre Konowaloff, great-grandson of Ivan Morozov: £5,000 (\$9,825) each in exchange for their promise not to make claims on the paintings in London. Both turned down the offer.

Delocque-Fourcaud, the director of the Museum of Air and Space, at Le Bourget Airport, north of Paris, told *ARTnews* that the approach

had been made through lawyers and was therefore confidential under French law, but he verified the amount. He called the offer not only insulting but unnecessary. "The exhibition was in preparation for at least two years, but the Royal Academy remembered us at the last minute," he said, speaking in Russian. "If I had been addressed when the show was in preparation and asked politely and properly not to create legal problems for the exhibition because of its cultural importance, if I had been invited to the opening, I would have guaranteed my support without a moment's hesitation. Instead, I was offered a bribe at the last minute. It was humiliating!"

Delocque-Fourcaud doesn't want to strip Russian museums of their masterpieces. His quarrel is with the Russian state. In 2004, when the Pushkin Museum of Fine Arts commemorated Shchukin's 150th birthday with an exhibition, Delocque-Fourcaud donated to the museum four paintings by Henri Le Fauconnier and two drawings by Raoul Dufy, which his grandfather bought after emigrating.

Both Delocque-Fourcaud and Konowaloff, a businessman who also lives in France, have stated repeatedly that they are not asking for the restitution of the paintings. They want "an agreement made that reasonably compensates and pays a percentage of the material benefits that accrue from exploitation of the works," they said in a statement. Exhibitions like "From Russia," they say, are not just cultural events but "huge economic machines" that are supported by sponsors like the giant Düsseldorf-based power company E.ON.

In 1918 Russia's new Bolshevik government nationalized the Moscow mansions of the textile merchants Sergei Shchukin and Ivan Morozov, along with their contents: the world's two most important collections of modern French paintings. In 1923 the collections became departments of a new institution called the Museum of New Western Art, affiliated with the Moscow Museum of Fine Arts (now the Pushkin Museum). Five years later, in 1928, the city took over the Shchukin mansion, and the Shchukin paintings were moved to the Morozov house. The Museum of New Western Art became independent. Director Boris Ternovets installed its

treasures, which included 26 Cézannes, 25 Gauguins, 53 Picassos, and 50 Matisses.

Clouds soon gathered over the new institution. Anatoly Lunacharsky, commissar for enlightenment, wanted to create a fine-arts museum in Moscow. Because the city's collections were weak in Old Masters, he ordered paintings transferred from the Hermitage. The Hermitage demanded compensation, which only the Museum of New Western Art could supply.

So in 1930 the Shchukin and Morozov collections were divided, with 43 paintings, including 8 Picassos and 6 Matisses, going to Leningrad (now Saint Petersburg). Hermitage officials weren't satisfied, however. Additional works—by Monet, Gauguin, Degas, and Maillol—were dispatched. In exchange, the Moscow Museum of Fine Arts received 73 Old Masters. But four of the most important paintings promised never reached Moscow. Instead, they surfaced in Washington, D.C., and Lisbon. Titian's *Venus with a Mirror*, two Rembrandts, and Rubens's *Portrait of Helena Fourment* had been sold abroad, to Andrew Mellon and to Calouste Gulbenkian.

The Museum of New Western Art survived World War II but not the government campaign against "cosmopolitanism"—Western influence and Jewish culture—that followed. Kliment Voroshilov, who was in charge of culture at the time, and the painter Alexander Gerasimov, president of the Russian Academy of Arts, were responsible for the museum's destruction. In 1948 they convinced Stalin that it was a hotbed of formalism and bourgeois decadence, and had to be closed. The despoiled Morozov mansion became the home of the Academy of Arts. A decision had to be made about the fate of the collection, which included 635 paintings as well as graphics and sculptures.

One proposal was to destroy the art because of "the absence of artistic value." Another was to disperse it among provincial museums, leaving the most important pieces in Moscow. Finally, officials decided to divide the collection between the storerooms of the Pushkin Museum and the Hermitage.

Andrei Chegodaev, the famous Russian art historian, told one of the authors of this article in 1991 how he had succeeded in influencing this division. Visiting the Museum of New Western Art, Chegodaev learned that the paintings were being sorted under the supervision of a certain Neiman, a museum official who knew nothing about French art. Chegodaev said he “flew up the steps like a rocket” and found Neiman standing in front of two piles of paintings he had divided casually. “It’s impossible to exhibit them anyway,” Neiman said.

“Get out of here, or I’ll kick you downstairs,” Chegodaev shouted. Neiman fled, and Chegodaev took over the job. He was proud ever after of his work, boasting that the Pushkin Museum became famous because of the French modern masterpieces he had reserved for it. Until the mid-1950s, however, the works remained in storage—out of sight, but not forgotten by the rest of the world.

On November 26, 1954, Alfred H. Barr Jr., director of the Museum of Modern Art in New York, received a phone call from a politically connected lawyer named Marshall MacDuffie. In 1946 MacDuffie had been the head of the United Nations Relief and Rehabilitation Administration mission to Ukraine. There he had encountered and befriended Nikita Khrushchev, the Ukrainian party boss. MacDuffie had even spent an evening at Khrushchev’s dacha, drinking vodka and answering endless questions about life in the United States.

On September 7, 1953, Khrushchev became the leader of the Soviet Union. A few months later, when MacDuffie was refused a visa to travel in the USSR by Soviet officials in Washington, he sent a telegram to his old acquaintance, who remembered him and intervened on his behalf.

MacDuffie believed that MoMA might be allowed to buy pictures from the Shchukin and Morozov collections. He offered to use his access to Khrushchev to negotiate a deal and asked Barr to supply him with the museum’s wish list of paintings and the prices it would be willing to pay for them.

On December 23, 1954, the two discussed the "Russian deal" over lunch. Afterward Barr sent a letter to Nelson Rockefeller, the richest of MoMA's trustees, asking him to urge the other board members to allocate money for the purchase.

Rockefeller found the proposal irresistible and approved the offer despite his brother David's suspicion of MacDuffie. Not all of his fellow trustees shared his enthusiasm. To Rockefeller's surprise, Stephen Clark held back. During the 1930s Clark had purchased four works, through Knoedler's, from the collection of the Museum of New Western Art (including van Gogh's *Night Café*, now in the Yale University Art Gallery). Despite Soviet assurances that the sales were legal, he had had problems with the heirs of Mikhail Ryabushinsky, the previous owner of one of the paintings. Clark wasn't sure that the sale of artworks nationalized after the revolution met all legal requirements. William A. M. Burden, the head of the board of trustees, also counseled caution.

At the beginning of January 1955, MacDuffie met with Konstantin Fedoseev, the counselor of the Soviet embassy in Washington. Fedoseev saw no reason why the Soviets shouldn't sell modern French paintings, although he didn't think the government would part with all of them. It was obvious that he couldn't discuss the details of the deal without consulting his superiors in Moscow.

Meanwhile, Barr talked to officials in the State Department. Finally, the necessary legal framework was established, and MacDuffie was authorized to negotiate a deal in Moscow. Officially, he was representing not MoMA but a mysterious group of "American collectors." If the offer was successful, money would be transferred to the Soviets through French and Belgian banks. MacDuffie was promised a 10 percent commission.

MoMA's wish list included works by Cézanne, Henri Rousseau, and Matisse. Barr especially wanted van Gogh's *Prison Courtyard*. But with MoMA's board members' resources, he wrote Burden, offers could be made "on an almost unlimited number" of works, though "we must face the fact" that the Russians might know that first-rate Matisses and Picassos were fetching \$30,000 to \$75,000. (Matisse's

*Portrait of André Derain* had been purchased by the Tate Gallery in London for \$19,700 in 1954.)

On February 1, 1955, MacDuffie interviewed Khrushchev in his Kremlin office. In his pocket he had a list of questions. First, was the Soviet government ready to donate one of the paintings from the collection of the Museum of New Western Art to an American museum as a gesture of goodwill? Second, was the government ready to sell the collection? Third, if the answer to the second question was no, was the government willing to send the paintings to America for an exhibition?

Khrushchev read the list. He refused to donate a painting, stating that such a gift "might be misunderstood." He also rejected the possibility of sales, but he supported the idea of exchange exhibitions.

It wasn't the answer MacDuffie and Barr had hoped for, but it was better than nothing. Later that year the *New York Times* reported that the United States and the USSR had reached an agreement to exchange 200 pictures from museums in both countries. A year later Barr visited Moscow as a member of the official American delegation and saw the masterpieces he had hoped to buy.

Plans for the exhibition, which included Shchukin and Morozov canvases, were put on hold after the bloody Soviet repression of the Hungarian uprising of 1956. The show finally took place in New York in 1959, and since then the Picassos and Matisses that were once the pride of Moscow merchants have traveled the world many times.

At the same time that Barr and MacDuffie were plotting to buy the coveted paintings, the Soviet government sent a group of Picasso canvases to the Maison de la Pensée Française in Paris, a government-run institution with ties to the French Communist Party. It had exhibited the works of Picasso, a Communist and a celebrity supporter of the Soviet-orchestrated peace movement. But the Kremlin's gesture of friendship ran into trouble when Irina Shchukina, the collector's daughter, who lived in France, demanded

the seizure of 37 of the paintings. They were immediately shipped back to Moscow.

In the early 1990s, after perestroika, Shchukina renewed her campaign. In 1993 she sent a letter to then President Boris Yeltsin demanding that he admit the illegality of the nationalization of the collection. She wanted the Shchukin paintings returned to her father's house, whereupon the family would voluntarily transfer it to the city of Moscow. If the Russian government refused to negotiate with her, she warned, she would demand the return of her property. She didn't receive an answer to her letter (see "Irina Shchukina versus Vladimir Lenin," Summer 1993).

Shchukina carried out her threat in 1993, when the Pompidou Center borrowed Shchukin pictures for a Matisse exhibition. She asked a French court to impound the catalogues, claiming that her family's paintings had been reproduced in them without her permission. She lost the case.

Since Shchukina's death in 1994, her son, Delocque-Fourcaud, has continued her struggle. In 2000 he asked a Roman court to order the seizure of *The Dance*, which was featured in the exhibition "100 Masterpieces from the Hermitage" at the Quirinale Palace. Not waiting for a decision, the Hermitage promptly flew the paintings back to Russia.

In 2003 it was the turn of the Los Angeles County Museum of Art, which was hosting a traveling show of works from the Pushkin Museum. Delocque-Fourcaud demanded a share of the revenues from the exhibition. His suit was dismissed by the U.S. district court.

Mikhail Shvydkoi, head of the Russian Federal Agency for Culture and Cinematography, recently told the press that the demands of the Shchukin and Morozov heirs for compensation had no legal validity. Legal experts back him up.

But Delocque-Fourcaud has not given up hope. "The Shchukin collection was nationalized during the first postrevolutionary years," he said. "It was a utopian time. If I had been 20 years old then, I, too, would have been waving a red flag. But utopia is bankrupt.

Today Russia is a capitalist country where quite a few citizens enjoy private property. If you want to have it, you must respect it. I'm sure that one day the Russian state will compensate the heirs of the owners of art treasures nationalized after the revolution, but I'm not sure it will happen during my lifetime."

Delocque-Fourcaud has not asked for the reconstitution of the Shchukin collection in the family mansion, as his mother did. He knows that the building is too small to be a museum, even if it weren't occupied by the Russian defense ministry, but he would like to see the great works that were commissioned specifically for the house, such as Matisse's *The Dance* and *Music*, returned to their original settings, and he would like the house to be incorporated into the Pushkin Museum complex.

"I don't believe that Shchukin and Morozov canvases can be returned from Saint Petersburg to Moscow," he said, because neither the Hermitage nor the Pushkin would give up paintings to the other. Delocque-Fourcaud has suggested that one of the collections be brought together in Moscow and the other in Saint Petersburg, but he doesn't believe this will happen.

"The efforts of my mother and me to attract attention to the problem of the Shchukin legacy had very important results," he continued. "Today my grandfather's name, which was forgotten, is known to every art lover. He didn't leave me millions or his art collection, but he left me a mission that makes my life very interesting."

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