



PHILLIPS

20th Century &  
Contemporary Art  
Evening Sale  
*London, 27 June 2016*

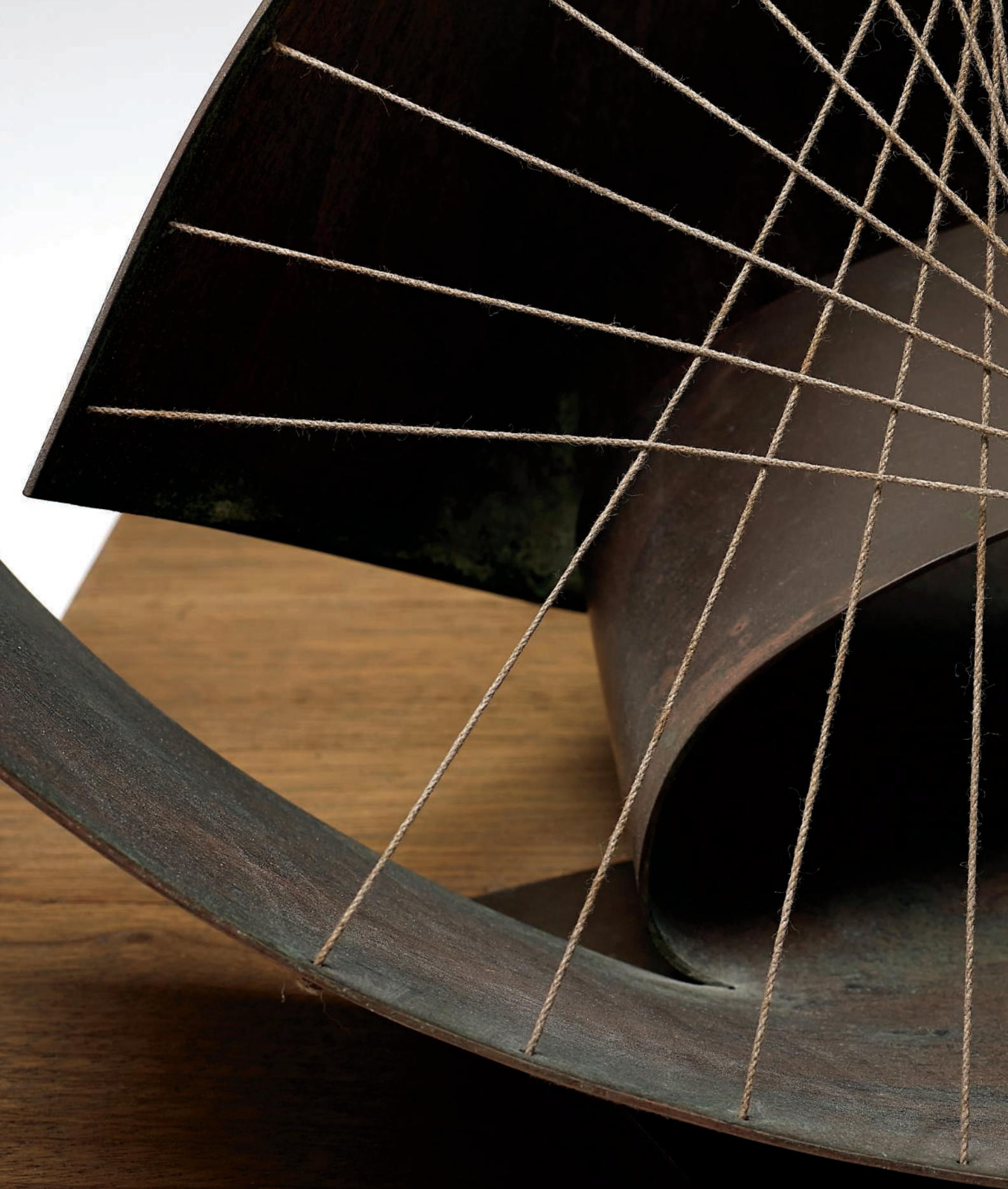






























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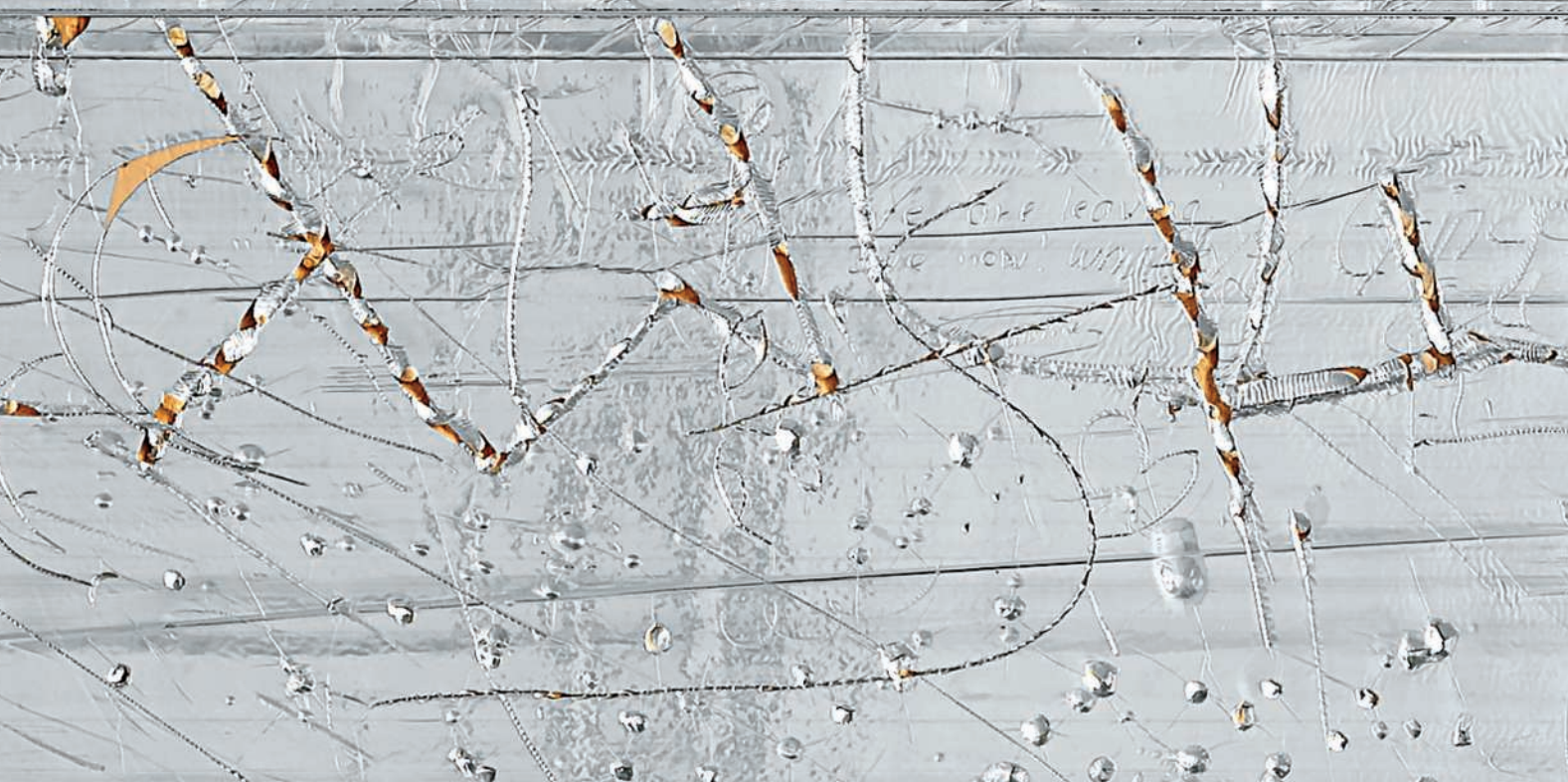
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OK  
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OFF LEAVING  
NOW



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### New York.







**20th Century & Contemporary Art  
Evening Sale**  
*London, 27 June 2016, 7pm*

**Auction and Viewing Location**

30 Berkeley Square, London W1J 6EX

**Auction**

27 June 2016, 7pm

**Viewing**

20 – 27 June 2016

Monday 20 June	10am – 6pm
Tuesday 21 June	10am – 6pm
Wednesday 22 June	10am – 6pm
Thursday 23 June	10am – 6pm
Friday 24 June	10am – 6pm
Saturday 25 June	10am – 6pm
Sunday 26 June	12pm – 6pm
Monday 27 June	10am – 7pm

**Sale Designation**

When sending in written bids or making enquiries please refer to this sale as UK010416 or 20th Century & Contemporary Art Evening Sale

**Absentee and Telephone Bids**

tel +44 20 7318 4045

fax +44 20 7318 4035

[bidslondon@phillips.com](mailto:bidslondon@phillips.com)

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## I. Ugo Rondinone b. 1964

*The Pleased and the Delighted*, 2013  
bluestone, granite, steel  
overall: 165.2 x 76 x 45 cm (65 x 29 $\frac{7}{8}$  x 17 $\frac{3}{4}$  in.)  
Incised 'Ugo Rondinone "the pleased +  
the delighted" 2013' on the base.

### Estimate

£100,000-150,000 \$145,000-218,000  
€128,000-192,000 †

### Provenance

Galerie Eva Presenhuber, Zurich  
Acquired from the above by the present owner

### Exhibited

Zurich, Galerie Eva Presenhuber, *Soul*, 9 June-  
20 July 2013

In 2013, Rondinone decided to work with stone. Hitherto, he had explored media ranging from wax, paint and stained glass, to bronze, lead and earth. His use of the bluestone from the quarry near his Pennsylvania house, however, engendered a set of works unique in their conjunction of the maximally abstract and the maximally particular.

Exploring Samuel Beckett's notion of existentialism and Caspar David Friedrich's romanticism, the sculptures of this series bear the influence of these predecessors. Just as the signifiers of a Beckett play are sufficiently abstract that the viewer may project onto them the relations they believe to characterise their own particular reality, the bluestone sculptures - evincing only weathering so ancient as to be almost atemporal - are similarly free of specific socio-historical reference-points. In accordance with Beckett's abstraction, the sculptures exist as wholly material, isolated entities.

However, the works also reveal an emphasis on the particular; an emphasis which is distinctly romantic. Rondinone's grandfather Frederico lived and worked in Sassi di Matera - a collection of cave-dwellings in Southern Italy dating back 9,000 years. For generations, and even after the emergence of poverty-alleviating Christianity in Italy, the workers of the region were de facto slaves to rich landowning families. A stone (or *sasso*) drilled with a hole was used to identify the workers and the landowners to which they were bound. Rondinone's father Benito gave him Frederico's *sasso*, which, following a period of rejecting his origins, became for Rondinone an important symbol of his past. It is clear that the stone people Ugo created in the series *Soul* - stone people like those of the present lot - are affectionate, loving, mythologizing celebrations of the particular people and land of his origin.







o♦ **2. Mark Bradford** b. 1961

*The Father's "NO", 2007*

acrylic, felt-tip pen, silver coated paper, printed  
paper collage on gypsum

each: 60.3 x 74.9 cm (23¾ x 29½ in.)

Each initialled and dated 'MB 07' on the reverse.

**Estimate**

£350,000-450,000 \$508,000-653,000

€448,000-576,000

**Provenance**

Sikkema Jenkins & Co., New York

Phillips, New York, *Contemporary Art Evening Sale*,

15 May 2014, lot 15

Acquired at the above sale by the present owner

**Exhibited**

New York, Sikkema Jenkins & Co., *Mark Bradford:*

*Nobody Jones*, January-February 2008





FATHER

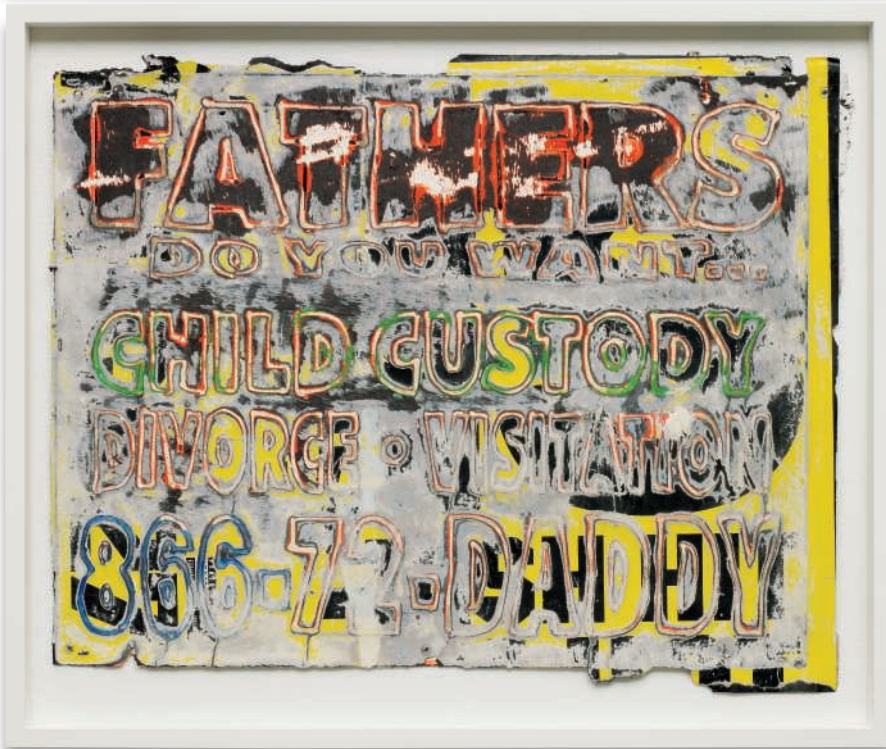
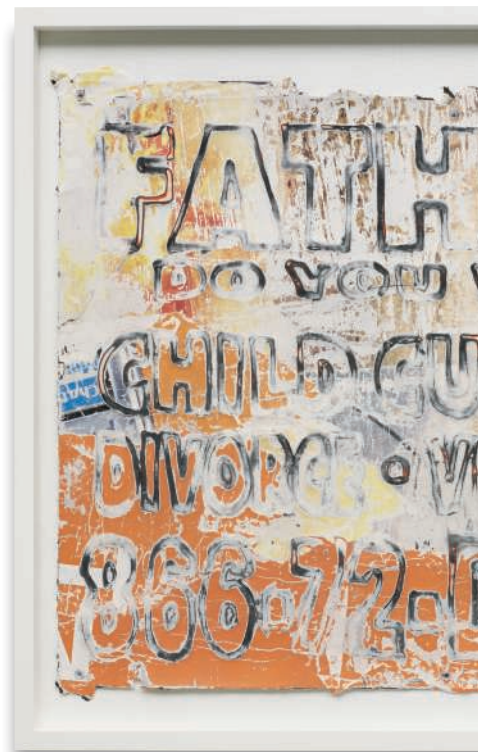
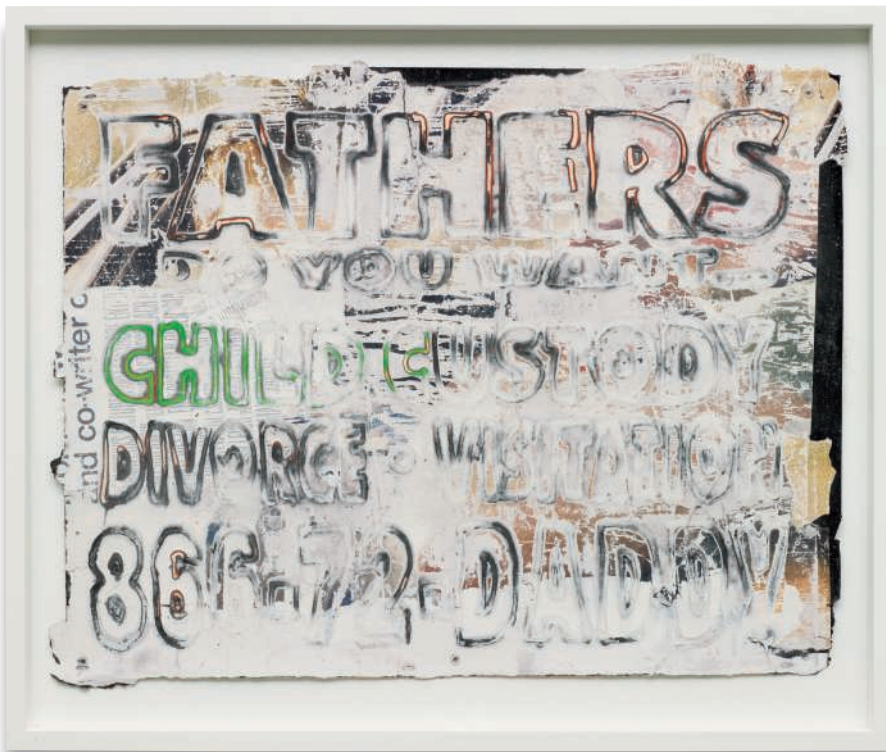
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**Asger Jorn**  
**Untitled, 1967**

Collage on paper  
Private Collection

© Donation Jorn, Silkeborg/ billedkunst.dk/ DACS 2016.  
Image: Bridgeman Images

'I don't collect all posters. I generally collect merchant posters because merchant posters talk about a service, and the service talks about a body, and that body talks about a community, and that community talks about many different conversations. So they're very different. I scan when I'm walking, I don't take every poster.'  
(Mark Bradford as quoted in C. Avendano, 'Merchant Portraits' 2005, [www.pbs.org](http://www.pbs.org))

Mark Bradford's *The Father's "No"* is a work from 2007 made of up of six parts. Each part is derived from posters stripped from the streets of Los Angeles. Here, uniformity is balanced with diversity: a hotline for fathers to gain custody or visitation rights for their children is displayed on all of them, but the hue and texture with which this hotline is represented varies from one piece to the next. The text itself - 'Fathers, do you want child custody • divorce • visitation. 866 -72, Daddy' - has been torn, abused, and scoured; suggesting high emotional states at tragicomic odds with the profit-focused motivation behind its indifferent target-marketing. Its use of the word 'Daddy' tinges the pieces with an implacable sadness; here is an America in which guilt and loneliness are unashamedly transmuted into variables for lucrative financial strategies; an America so hostile and so hard that the cynicism of this is hidden only by its ubiquity.



Bradford's process involves the collection of ads, employment notices, merchant posters, maps, and billboards from around Los Angeles and specifically Leimert Park. Bradford grew up in the area; his mother ran a hair salon there. Following the 1992 riots - which were partially brought about by the murder of Rodney King - Bradford described Leimert Park as a 'scorched earth'. His process, then, constitutes a kind of aesthetic recuperation of the city's history; he finds a 'poignant significance in the meandering derive of the local'. He describes his work as 'abstract', because, like the places from which his media are derived, it is too complicated for existing categories. Both his collages and his neighbourhood are characterised by unlikely proximities: a Korean nail salon, a black wig store, a Mexican taqueria.

These six parts represent a new form of landscape painting, one derived without oil and brushes, instead forming only from the Home Depot materials Bradford exclusively utilises. The text, which is the core of the work, is concealed amidst layers of deep acrylic and peeling papers, forcing the viewer to step closer and closer. Bradford attacked these canvases with power sanders, exposing flashes of color, earlier layers and unexpected juxtapositions. It is the latter that culminates in the striking, albeit ghostly portrayal of the social and political melée of Los Angeles, rough edges and all.



**Robert Rauschenberg**  
**Cardbird I, 1971**  
 Screenprint on cardboard,  
 tape and plastic  
 Museum of Fine Arts, Houston  
 © Robert Rauschenberg Foundation/  
 DACS, London/VAGA, New York 2016.  
 Image: Bridgeman Images



### 3. **Adrian Ghenie** b. 1977

*Untitled*, 2009

acrylic on canvas

50 x 59.9 cm (19<sup>5</sup>/<sub>8</sub> x 23<sup>5</sup>/<sub>8</sub> in.)

Signed and dated 'Ghenie 2009' on the reverse.

#### **Estimate**

£350,000-450,000 \$508,000-653,000

€448,000-576,000 ♠

#### **Provenance**

Haunch of Venison, London

Acquired from the above by the present owner















Executed in 2009, *Untitled* comes from a pivotal period of production for Adrian Ghenie. Whereas his earlier work chiefly constituted exercises in *grisaille*, at this point the artist began to embrace colour. Hues of mulberry, burgundy, lilac and mauve now modeled his figures and compositions, lending a fleshier plasticity to his work, which he often punctuated with splashes of primary tones, as if to unsettle the homogeneity and physicality of his painting. This shift can clearly be seen if one charts the trajectory in to colour from *A Farewell to the Western World* (2007, Hall Collection) through *Flight into Egypt I* (2008, Titze Collection) to Duchamp's *Funeral II* (2009, Private Collection). All large-scale, powerful canvases that revel in this interplay between light and shade; the positive and the negative; the assuredness of a bold line against the aching possibilities of hue and shade to colour the personality of his dramatic scenes.

Arguably, the single most celebrated painting by Ghenie from this period is *Nickelodeon*, from 2008 and now in the Pinault Foundation. This is a painting that powerfully exemplifies another associated shift in Ghenie's practice at this time, which was a move towards a much more energetic handling of paint, especially when tackling the human form, that freed him up to better manipulate and unravel the physiognomy and psychology of the figure and to employ it as a visual vehicle to project a series of heightened, often challenging and dichotomous emotions. Comedy, tragedy, excitement and fear all commingle together in the same figure, communicating a myriad of moods that provides for a complex and rich portrait of the human condition. As Anette Huesch has written, 'Ghenie is a virtuoso painter. His manner of handling paint and creating a visual atmosphere stem indirectly from studying the great masters of the Baroque era and the dramatic effect of chiaroscuro.' (In Juerg Judin, Ed., *Adrian Ghenie*, Osterildern, 2009, p. 11)

Filmstill from Laurel and Hardy's  
*The Battle of the Century*, 1927

Credit MGM





**‘My generation, we were all losers historically, economically. There was no culture of winning. Winning under a dictatorship is to make a deal with the power, which is a moral dead end. A black hole’**

Adrian Ghenie

*Untitled* reveals a barely-delineated man, mouth agape with hand and arm extended out of the picture plane, creating a horizontal thrust that quickly moves the viewer from right to left. This agitated movement echoes Ghenie’s own brushwork, which is quickly and spontaneously applied to the surface. The abbreviated manner of the figure’s execution further lends him an apparitional quality and questions the nature of his movement. Is he singing? Is he pleading for mercy? Little context is provided other than the motion of the figure, which is amplified by the distressed nature of the figure’s face. It looks like the figure here is literally melting or has had someone thrust a cream pie in his face. The ‘violence’ of the surface is translated not only in the animation of the figure, poised here to attack or, perhaps, to hit the final crescendo of a performance, but also in the manner of his execution. Ghenie seems to viscerally attack the surface with swathes of lilacs, yellows, purples and burgundy tones – a kaleidoscope of fleshy bruises that only adds to the psychological power of this painting. Ghenie here offers us a seemingly

Vaudevillian moment that, whilst at first appears light-hearted, also provides a wry but weighty comment on the transience of life itself.

Ghenie made his ‘Pie Fight’ works in 2008-9. The figure was often depicted with their face obfuscated and abstracted by the cream pie. The abstraction of the face would later inform his images of Hitler, Mengele, Darwin and van Gogh (often with the artist as the original point of departure). The source material for many of these works were film stills from early films such as *The Three Stooges*; comedic scenes that reveled in the arena of cliché but which simultaneously betrayed a sense of idle anarchy; of violent assault. The figure here does betray some similarities to Oliver Hardy, from the early comic duo Laurel and Hardy. Aligned to this vocabulary of imagery is another, darker set of source images – namely groups of figures from the Warsaw Ghetto uprising in 1943. It is this conflation of ideas and codes that marks the ‘Pie Fight’ series as one of Ghenie’s most important bodies of painting.



o ♦ **4. Rudolf Stingel** b. 1956

*Untitled (Topolino)*, 2002

Celotex insulation board, wood and aluminum

244 x 240.5 cm (96 $\frac{1}{8}$  x 94 $\frac{5}{8}$  in.)

Signed and dated 'Rudolf Stingel 2002'

on the reverse.

This work is accompanied by a gallery certificate of authenticity.

**Estimate**

£700,000-1,000,000 \$1,020,000-1,450,000

€896,000-1,280,000 ♠

**Provenance**

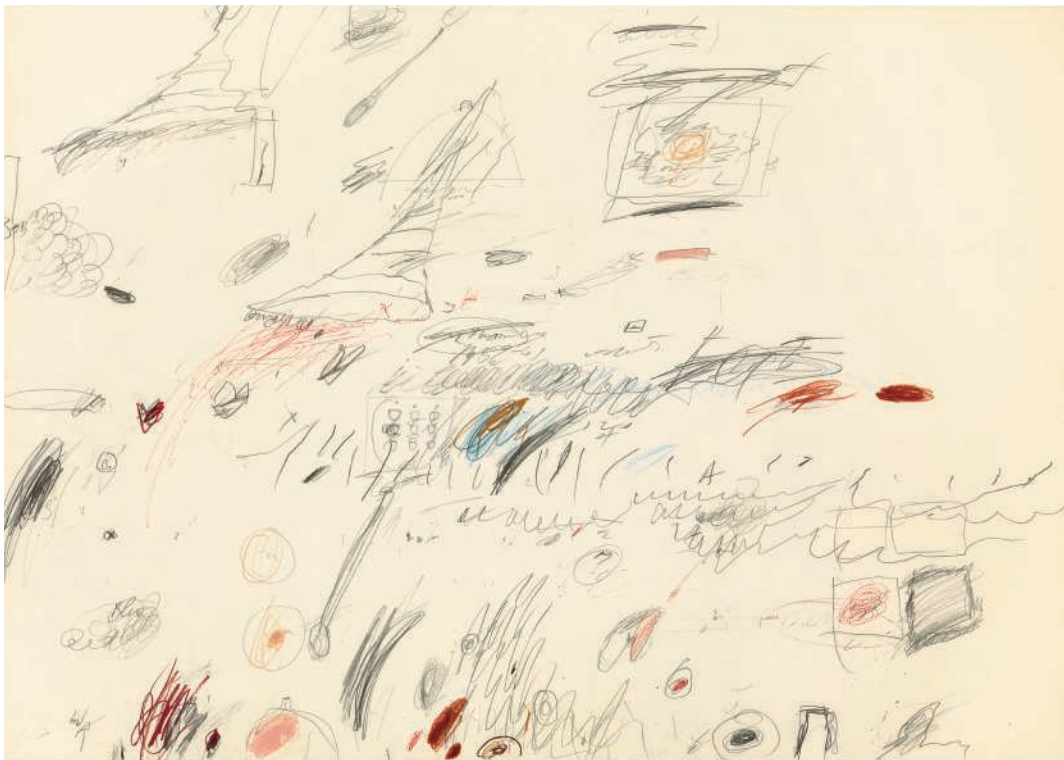
Massimo De Carlo, Milan

Acquired from the above by the present owner









Cy Twombly,  
*Untitled*, 1959-1961  
Graphite, coloured pencil,  
ball point pen and wax crayon  
on paper  
Private Collection  
Image: Bridgeman Images

The radicalness of Stiegel's Cellotex panels is often underestimated. While rejecting any suggestion of being a social, political or conceptual gesture, these works may be some of the most open and brave moments in recent contemporary art production. As with his provocative instruction book on how to make his paintings, Stiegel once again gives himself and his work, in their totality, to the public and the viewer. He invites the viewer inside the surface of his work, and allows anyone to make a 'contribution' to it. The critical voice of the viewer becomes part of the work. Like magnetic tape, the artist records the viewer's reaction to his work – not simply verbally, but physically.

If previously, Stiegel suggested that anybody can make his paintings by carefully following instructions, he accepts through the Cellotex works that his work can also be a bare blackboard that allows people to vent various individual and collective ideas, desires, expressions or frustrations. The work is transformed into a vessel with which the audience can say whatever it is they need to say. The Cellotex works are like pages of a notebook, or a guestbook where one can complain or express satisfaction, not simply about the artist's work, but about anything one wishes – from the museum curator's, to the quality of the food in the cafeteria. Stiegel's work is a self-conscious affirmation of the banality of painting. The more banal a painting, the more liberating it will be.



## **‘Silver makes everything look contemporary’**

Rudolf Stingel

Stingel pushes Fontana’s gesture further and beyond. His work cannot be rejected by the viewer because the viewer is participating in it, is the co-author of the work. That’s why this Cellotex from 2002 is a turning point in the history of contemporary painting. Nobody before Stingel has been able to maintaining the value of authorship and at the same time question it so radically. Cy Twombly’s practice was a major step into a kind of indulgence into the mechanic gesture but Stingel stretched this idea, absorbing the individuality of each viewer.

Offering the pristine silver surface to the emotional instinct of any viewer is both an act of total defiance and of absolute courage. The embracing power of Jeff Koons shiny colored stainless steel finds in Stingel’s Cellotex room to work its final closure. The viewer does not simply enter the work through the reflecting surface, but they do physically and almost sexually. The Cellotex are not about the power of images but about the power of creating both images and signifiers.

Francesco Bonami

**Lucio Fontana,**  
*Concetto spaziale, Notte  
d'Amore a Venezia, 1961*  
Oil on canvas  
Private Collection  
© Lucio Fontana/SIAE/DACS, London 2016





Property from an Important European Collection

**5. Rudolf Stingel** b. 1956

*Untitled*, 2014

oil and enamel on canvas

241.5 x 193.5 cm (95½ x 76½ in.)

Signed and dated 'Stingel 2014' on the reverse.

**Estimate**

£1,000,000-1,500,000 \$1,450,000-2,180,000

€1,280,000-1,920,000 ₪ ₪

**Provenance**

Massimo De Carlo, Milan

Acquired from the above by the present owner

**Exhibited**

Milan, Massimo De Carlo, *Rudolf Stingel*,

16 September-8 November 2014







Chrissie Iles: 'the parameters of painting and architecture are turned inside out. The traditional qualities of painting... pictorialism, flatness, illusion, composition, and autonomy... become corrupted by a new symbolic framework, in which painting metamorphoses.' (Chrissie Iles, 'Surface Tension', in Exh. Cat., Chicago, Museum of Contemporary Art Chicago, *Rudolf Stingel*, 2007, p. 23)

Rudolf Stingel's fascinating *Untitled* asserts itself as one of the latest examples of the artist's eagerly sought-after series of carpet works and a shimmering exploration of space, pattern and texture. Almost immediately, one is immersed into the unpredictable and uncertain surface of the canvas, as delicate ornamentation melts into geometrically-guided repetition. Swirling imprints and lively vines dominate the ornate textile relief,



El Greco (Doménikos Theotokópoulos)  
*The Burial of the Count of Orgaz*,  
1586 (detail)  
Oil on canvas  
Church of Santo Tomé, Toledo  
Image: Bridgeman Images



**Turkish Brocaded Velvet Panel,**  
**late 16th-early 17th century**  
Silk, cotton, and metal-wrapped thread  
Museum of Fine Arts, Houston, Texas, USA  
Image: Bridgeman Images



pierced by small and unique deviations, leaving room for a sense of painterly accident. These deviations provide an indelible trace of their human craftsmanship. Amidst the brilliance of the magenta hue and iridescent silver, imprints of medallions and floral motifs emerge, evoking the Baroque tapestries that inspired Stingel. The intricate craftsmanship associated with both the Baroque and Rococo is something Stingel personally experienced and even undertook growing up in the Italian Tyrol and Vienna, where he attended a high school that provided training in Baroque decorative church wood carving. The materiality of such work left a deep impression on the young artist, conferring upon him a deep appreciation for the richness of decoration and the synthesis of both pictorial and architectural space.







**‘I wanted to be against a certain way of painting.  
Artists have always been accused of being decorative.  
I just went to the extreme’**

Rudolf Stingel

There is a certain form of decadence in this work, with its decorative opulence, that serves as a reminder of a bygone world. At first, it seems we are no longer restrained by contemporary functionalism and minimalism, as the artist allows superfluous ornamentation to triumph once again. The re-purposing of these works, a carpet inverted from floor to ceiling, reinforces this idea of decorative excess. Yet as always with Stingel's work, a contradicting duality exists. Opposing the sheer visual luxury of the canvas is the very method within which it was produced: the stencil. By applying paint through a stencil, Stingel is participating in the serialisation and mechanized modes of creation that superseded the work of the multiple skilled artisans who used to produce such lavish Baroque and Rococo designs. The semi-automatic methods used to create this work engender a readymade-esque sense of repeatability in it, which is juxtaposed against the craftsmanship of the original damask pattern Stingel appropriated for the piece. These varying factors conflate to produce a work that is at once both democratic and decadent, an ode to the artistic and the industrial.

As Roberta Smith writes, ‘For nearly twenty years Rudolf Stingel has made work that seduces the eye whilst also upending most notions of what, exactly, constitutes a painting, how it should be made and by whom.’ Stingel has experimented with the medium of carpets for much of his career, covering surfaces in the Palazzo Grassi, Grand Central Terminal and Whitney Museum of American art with uniquely textured fabrics. His carpets are a testament to their uses in both architecture and design, often being the only part of a space where visitors can tangibly interact. From silver celotex walls where viewers are invited to make their own mark on the surface to expanses of shag carpets that merge the surface and materiality of paint into one fused object, these installations are part of an ongoing examination into the pictorialisation of architectural features and their newly emerging plurality. By recontextualising the physical domain that a carpet usually inhabits, Stingel is forcing the viewer to question its significance in both literal and metaphorical space. *Untitled* is a continuation of these ideas, another means of dissolving the relationship between the painting, the architectural space of its exhibition and the expected parameters of painting as a whole.



## 6. Richard Prince b. 1949

*Do I Seem Insecure*, 1989

acrylic and silkscreen on canvas

173 x 122.2 cm (68 $\frac{1}{8}$  x 48 $\frac{1}{8}$  in.)

Signed, titled and dated 'Richard Prince 1989

"Do I Seem Insecure" along the overlap.

### Estimate

£400,000-600,000 \$581,000-871,000

€512,000-768,000 ₺

### Provenance

Galerie Ghislaine Hussenot, Paris

Private Collection, Europe

Gagosian Gallery, Los Angeles

Acquired from the above by the present owner

### Exhibited

New York, Haunch of Venison, *Your History is*

*Not Our History: New York in the 1980s*, 5 March-

1 May 2010

### Literature

*Your History is Not Our History*, exh. cat., Haunch of Venison, New York, 2010, p. 56 (illustrated)





The mother took her incorrigible son  
"Does he seem to feel insecure?" as  
The mother took her incorrigible son to the psychiatrist.  
"Does he seem to feel insecure?" asked the doctor. "No,"  
the mother replied, "but everyone else in the neighborhood  
does."



Painted in 1989, this subversive anti-masterpiece is among the first works of art Richard Prince produced after moving away from his iconic appropriation of advertising images and photographs, a creative process he employed throughout the 1970s and well into the 1980s. A more complex variant of his initial *Joke* paintings, Prince created this work within a series known as the *White Paintings*. Continuing to produce laughter at the expense of someone or something else, Prince now added faceless imagery and a flurry of abstracted cartoons to the acerbic jokes. These transformative works are definitive multi-media pieces, a visual culmination of the collective work of the appropriation artists of the 1980s – and now, quintessential Prince creations.





**‘I remember thinking that if I had seen someone make the hand-written joke and call it their work, I would have said: I wish I had done that’**

Richard Price

*Do I Seem Insecure* is an amalgamation of various elements; from mass media imagery to drawings by the artist himself. Visually cohesive, with a continuity of black lines and text, the blend of discrete fragments imbues the work with an intrinsic sense of chaos and detachment. Prince masterfully weaves non-referential imagery with caustic humour in order to construct a new and obscure relationship between image and text. The canvas is defined by its white pigmented backdrop, in the middle of which floats Prince’s own illustrations of domestic environments, taken from cartoons in the *New Yorker*, and silkscreened images taken from mass-media publications. A dash of insipid green is the only disruption to an otherwise entirely dichromatic piece. A printed joke lies beneath, the crudeness of its printing evident in the repetition of the first two lines. Lacking easily identifiable focal pictorial elements, one’s eye is drawn to the joke again and again. This emphasis is unsurprising; through this work Prince is daring the viewer to take this one-liner joke as a legitimate piece of high art. Indeed, his radical use of these jokes as the only tangible pictorial theme is what Prince is most proud of, calling the *Joke* paintings ‘what I wanted to become known for.’

The jest itself is a satirical stab at the American family unit, a common theme amongst the *Joke* paintings, with Prince drawing on his own experience of growing up as a self-designated ‘loner kid’ and briefly living in the suburbs of Boston. Characterised by deadpan humour, often through rapid-fire one-liners, Prince’s jokes are taken from Borsch-belt humour, the work of Jewish comedians in the summer resorts of the Catskill Mountains throughout the 20th century – where the artist now has a home. By appropriating these comedians preferred themes of employment, family and bad luck, Prince is at once both giving permanence to this sardonic humour and mocking the expectations and absurdity inherent in demotic American culture it implies.







**Pistoletto. Marini. Rotella. Gnoli.**



o♦ **7. Michelangelo Pistoletto** b. 1933

*Violet Dog*, 1968

painted tissue paper on stainless steel

225 x 115 cm (88⅞ x 45¼ in.)

Signed, titled, dated and inscribed 'Pistoletto

>Violet Dog< 1968 Ciao!' on the reverse.

**Estimate**

£400,000-600,000 \$581,000-871,000

€512,000-768,000 ♠

**Provenance**

Private Collection, Detroit

Christie's, London, *The Italian Sale*,

16 October 2009, lot 36

Acquired at the above sale by the  
present owner









**Maurizio Cattelan**

***Untitled, 2007***

Two taxidermied dogs and two chicks

Installation view Kunsthhaus Bregenz

© Maurizio Cattelan. Image: ALAMY

After Lucio Fontana's slash on the canvas Michelangelo Pistoletto is probably the artist that, more than anybody else, has reinvented the space of the painting. With the genial intuition to substitute the canvas with a mirror he has been able to create a third dimension, less symbolic than Fontana's but definitely more concrete. The viewer becomes the subject of the painting.

Today Pistoletto's mirrors are common knowledge and part of art history books, but when he conceived them in the early 60's dissatisfied with the glossy surface of his early painting, his idea was truly daring. The exhibition *Michelangelo Pistoletto: A reflected world* at the Walker Art Center of Minneapolis in 1966 demonstrated how much ahead of his peers Pistoletto was. One year before the Arte Povera movement was established Pistoletto had, with his mirrors, an autonomous career. The use of the Vileine, a very delicate draft architectural paper, on which Pistoletto was drawing his photo based subjects, applied on the mirror was a brilliant device to combine a very traditional medium, the drawing, with a more industrial material. All while reflecting the mood of the early 1960's in Italy where the traditional skills had started to create a dialogue with a culture of design and industrial production.

**‘I find myself inside the picture,  
[yet] I cannot enter it physically’**

Michelangelo Pistoletto



The coldness of the mirror and the warm feeling of the drawing on paper was combining the Italian tradition with the future, bridging two different visions of art and life. The use of a dog as a subject rather than a human figure represent a rare example of timeless work, since the dog cannot express the fashion of the time like the figures could, locking the work in a very specific historical and cultural moment. The dog has a strong dynamic, activating the empty reflecting surface more than any static figure.

The use of the Vileine, that was abandoned by Pistoletto later on to switch to the more practical silkscreen technique, gives to the work a patina and the warm feeling of a disappearing craft. That's why the early mirrors are in the artist's body of work are considered the best example of a transition from a more classical generation of artists into the vanguard of the new languages and material. Michelangelo Pistoletto's early mirrors, this being one of them, represent both a historical shift in the language of painting and the very beginning of an age that will turn art history upside down.

Francesco Bonami



**Francisco Goya**  
***The Drowning Dog*, 1820-1823**  
Mixed method on mural  
transferred to canvas  
Museo del Prado, Madrid

Property from a Distinguished American Collector

## 8. Mimmo Rotella 1918-2006

8 *Sopra*, 1960

décollage on canvas

140.1 x 106 cm (55½ x 41¾ in.)

Signed 'Rotella' lower right. Further signed, titled and dated 'Rotella "8 sopra" 1960' on the reverse.

### Estimate

£300,000-500,000 \$435,000-726,000

€384,000-640,000 ₪ ₪

### Provenance

Galleria La Tartaruga, Rome

Studio Santandrea, Milan

Tettamanti Collection, Milan (1971)

Sold, Christie's, Milan, *Arte Moderna e*

*Contemporanea*, 21 May 2007, lot 402

Acquired at the above sale by the present owner

### Exhibited

Warsaw, Zachete Gallery of Contemporary Art,  
*Cento opere d'arte italiana dal Futurismo ad oggi*,

March 1968, no. 72, then travelled to Rome,

Galleria Nazionale d'Arte Moderna (December

1968-January 1969)

London, Luxembourg and Dayan Gallery,

*Nouveau Realisme*, 19 June-11 August 2012

### Literature

A. Predilezioni, *Tre decenni di avanguardia dalla*  
*raccolta di Riccardo Tettamanti*, Milan, 1988,

n.p. (illustrated)

*Nouveau Réalisme*, exh. cat., Luxembourg and

Dayan Gallery, London, 2012, p. 12 (illustrated)

This work is accompanied by a certificate of  
authenticity signed by the artist.











The French word *décollage* can mean both the undoing of a collage, and the take-off of something from the ground. Hence, the word signifies at once something de- and constructive. As Alberto Fiz comments in *The Torn Space*, Mimmo Rotella's work contributed to the creation of a 'new language' through *décollage*, and the present lot is a passage written in it.

As with many valuable creations, Rotella's aesthetic of 'Nouveau Réalisme' was motivated by an urgent disillusionment with former circumstances. Rotella believed that art had become 'detached' from 'reality'; that artists could now only survive by reproducing - in a hypocritically controlled, rational, and financially-conscious way - Abstract Expressionist works that presented as the products of chaos and irrationality. In response, Rotella's work constituted a 'return to reality' for him and those around him; which reality was, in 1950s and 1960s Rome, suffused with the political and ideological images of post-war Western mass-culture.

The poster was invented at the end of the nineteenth-century with the expansion of the market for manufactured goods, whose conditions of manufacture were facilitated by the Industrial Revolution. From the outset, the poster both directed and created desires. If we agree with Lacan that the object of desire is the object we are anxious to lose or never to get, and hence that anxiety and desire are mutually-entailing, it follows

that the poster both directs and creates anxieties. Immediately after its introduction into mainstream society, the relationship of the consumer to the poster was both tense and passionate.

Whereas Warhol fetishizes the image in a celebration of mass-culture, Rotella violently lacerates and reconstructs it. Rotella's laceration of posters metonymises the huge range of strong, visceral relations in which the spectator stands to the spectated. Rotella's is a kind of red-blooded, frantic pop art; the de- and reconstruction of images is carried out by heart and head at once. Indeed, Rotella characterises his work in charged terms as 'the only revenge, the only protest against a society that has lost its taste for change and mind-blowing transformation.' (*Rotella* - Germano Celant, Skira, 2007). The revenge is personal, the protest is public; these domains are deliberately united in the work.

There is even an extent to which Rotella's gesture is the artistic gesture par excellence: the artist always tears from the public space a set of signifiers historically rooted in some totally different context, before re-arranging these signifiers in a certain way to reach certain ends. Kristeva's notion of intertextuality is recalled; all signifiers - words, images, expressions - are borrowed from some other socio-historical context. One of the many things we learn from Rotella's work is that originality is just the dis- and reassembling of these signifiers.



Riccardo Tettamanti with the present lot displayed in his home

## 9. Marino Marini 1901-1980

*Babilonia*, 1958

oil and mixed media on canvas

99.1 x 80.1 cm (39 x 31½ in.)

Signed 'Marino' on the reverse.

This painting is recorded with the Marino Marini Foundation under archive number 346.

### Estimate

£140,000-180,000 \$203,000-261,000

€179,000-230,000 ♠

### Provenance

Mercedes Pedrazzini Marini, Milan

Sold, Christie's, London, *Impressionist/*

*Modern Day Sale*, 5 February 2009, lot 459

Acquired at the above sale by the present owner

### Literature

M. Bazzini and M. Tosi, *Marino Marini: La forma del colore*, Italy: M&M, 2001 (illustrated)

L. Papi, *Marino Marini Paintings*, Italy: Leslie J. Sacks, 1989, no. 382, p. 200 (illustrated)

*Babilonia* is a mid-career work by Tuscan painter and sculptor Marino Marini. This painting is amongst the most emotional and powerful ever realized by the artist. Charged with a vibrant colour palette, this painting depicts a horse and rider alongside a standing figure. The rider stretches his arms outwards in agony as the female figure reaches upwards towards the heavens. The torment and chaos depicted by the figures and the red and crimson overall tonality of the image is representative of the artist's world view. Moreover, the layered brushstrokes and uneven texture of the work displays feelings of dismay and anxiety. After WWII, many modern artists had a pessimistic outlook of the world, and this generally morbid perspective is accented by the title of the piece. Babylon, throughout art history, has symbolised confusion caused by godlessness. Before, his depictions of riders and horses were free and joyful, but after the war the artist explained that now his equestrian depictions 'expressed the torment caused by the events of this century.

The restlessness of my horse grows with each new work, the rider appears increasingly worn out, he has lost his dominance over the beast and the catastrophes to which he succumbs are similar to those which destroyed Sodom and Pompeii' (R. Littlejohns, *Myths of Europe*, p. 243) The struggle between the rider and the horse is symbolic of the human condition after the events of WWII. The two figures can be seen as messengers or interpreters of history and the cold state of the human psyche at the time. This same symbol appears in other cases such as Fredich Dürremantt's *An Angel Comes to Babylon* of 1953. Marini's eschatological view on the destruction of language and the cataclysmic end of the world was shared by other artists such as Alberto Giacometti and Jean Fautrier, who similarly express pessimism, fear, and anxiety caused by the effects of WWII and the paralyzing feeling of nuclear annihilation as the Cold War began to build up. Tied up in a visual language of chaos and torment this work encompasses the psyche of an entire generation of artists who struggled to return to painting after the greatest war the world had ever seen, making it a critical, powerful, and seminal work within the oeuvre of Marini.





## 10. Domenico Gnoli 1933-1970

*Inside of Lady's Shoe*, 1969

acrylic and sand on canvas

180 x 120 cm (70 $\frac{7}{8}$  x 47 $\frac{1}{4}$  in.)

Signed, titled and dated 'D. Gnoli "Inside of Lady Shoe" 1969' (sic) on the reverse. Further signed and dated 'D. Gnoli 69' on the reverse.

### Estimate

£1,000,000-1,500,000 \$1,450,000-2,180,000

€1,280,000-1,920,000 ♣

### Provenance

Private Collection, Rome

Christie's, London, *Contemporary Art Part I*,

2 December 1993, lot 44

Private Collection, Germany

Acquired from the above by the present owner

### Exhibited

New York, Sidney Janis Gallery, *Domenico Gnoli in his*

*First American Exhibition of Paintings & Sculptures*,

3-27 December 1969, no 23

Darmstadt, Kunsthalle der Stadt Darmstadt, *Domenico*

*Gnoli*, 14 July-19 August 1973, no. 54

Rotterdam, Museum Boymans Van Beuningen,

*Domenico Gnoli*, 14 September-4 November 1973, no. 51

Paris, Centre National d'Art Contemporain, *Domenico*

*Gnoli*, 16 November 1973-7 January 1974

Brussels, Palais des Beaux-Arts, *Domenico Gnoli*,

17 January-17 February 1974

Nuremberg, Kunsthalle Nürnberg am Marienort,

*Schuhwerke - Aspekt zum Menschenbild*, 28 May-

26 September 1976

Rome, Galleria Giulia, *Domenico Gnoli*, April 1981, no. 8

Verona, Galleria Civica d'Arte Moderna e

Contemporanea Achille Forti, *Domenico Gnoli.*

*Antologica*, 1982-1983

Lausanne, Musée Cantonal des Beaux-Arts,

*Rétrospective Domenico Gnoli*, 1983

Rome, Galleria Nazionale d'Arte Moderna, *Domenico*

*Gnoli (1933-1970)*, 21 February-12 April 1987, no. 66

Madrid, Fundación Caja de Pensiones, *Domenico Gnoli*,

1990, no. 8

Tokyo, Wante Museum, *Italia Anni '60*, 1992-1993

### Literature

*Domenico Gnoli in his First American Exhibition of Paintings & Sculptures*, exh. cat., Sidney Janis Gallery, New York, no. 23, p. 21

*Domenico Gnoli*, exh. cat., Kunsthalle der Stadt

Darmstadt, Darmstadt, 1973, no. 54, p. 76

*Domenico Gnoli*, exh. cat., Centre National d'Art Contemporain, Paris, 1973-1974, p. 57 (illustrated)

L. Carluccio, *Domenico Gnoli*, Lausanne, 1974,

p. 158 (illustrated)

*Schuhwerke - Aspekt zum Menschenbild*, exh. cat.,

Kunsthalle Nürnberg am Marienort, Nuremberg,

1976, p. 110

*Dalla natura all'arte, dall'arte alla natura*, exh. cat.,

XXXVIII Biennale di Venezia, Venice, 1978, p. 258

*Domenico Gnoli*, exh. cat., Galleria Giulia, Rome, 1981,

no. 8, pp. 16 and 68 (illustrated)

*Domenico Gnoli. Antologica*, exh. cat., Galleria Civica

d'Arte Moderna e Contemporanea Achille Forti,

Verona, 1982, p. 103

F. Maria Ricci, *Gnoli*, Milan, 1983, no. 195, pp. 162-63

and 223, (illustrated)

*Domenico Gnoli (1933-1970)*, exh. cat., Galleria

Nazionale d'Arte Moderna, Rome, 1987, no. 66,

p. 29, n.p. (illustrated)

*Domenico Gnoli*, exh. cat., Fundación Caja de

Pensiones, Madrid, 1990, no. 8 and 40, pp. 34-35,

113 and 150 (illustrated)

Y. Vu, *Domenico Gnoli a Mallorca / in Majorca*

*1963-1970*, Palma, 2006, no. 49, pp. 224-25 and

248 (illustrated)







Domenico Gnoli was never tempted by the reality of the objects. Instead he believed in the representation of them, in their theatrical aspect. All of his works are like characters on stage; he was after all a brilliant stage designer. At theatre's details escape the viewer, that's when Gnoli's art turns the lens and what we were used to seeing from afar becomes closer and closer. The proscenium is turned into a magnifying lens. The viewer is turned into a tailor, a hairstylist, a barber, a seamstress, a maid, also a flee. Everything in Gnoli's art is perfectly in order, groomed, combed, pressed, clean. Gnoli's paintings are not frozen, they are suspended, waiting for something to go wrong. The hand ruffling the hair, the sweat wrinkling the shirt, the spot staining the pants, the thread fraying, the button falling, the sex messing the bed.



**Pino Pascali**  
***Torso di Negra al Bagno***  
***(Nascita di Venere), 1964-1965***  
Enamel on canvas, wool,  
inflatable balloons, wood structure  
and shaped painted base  
Fondazione Prada, Milan



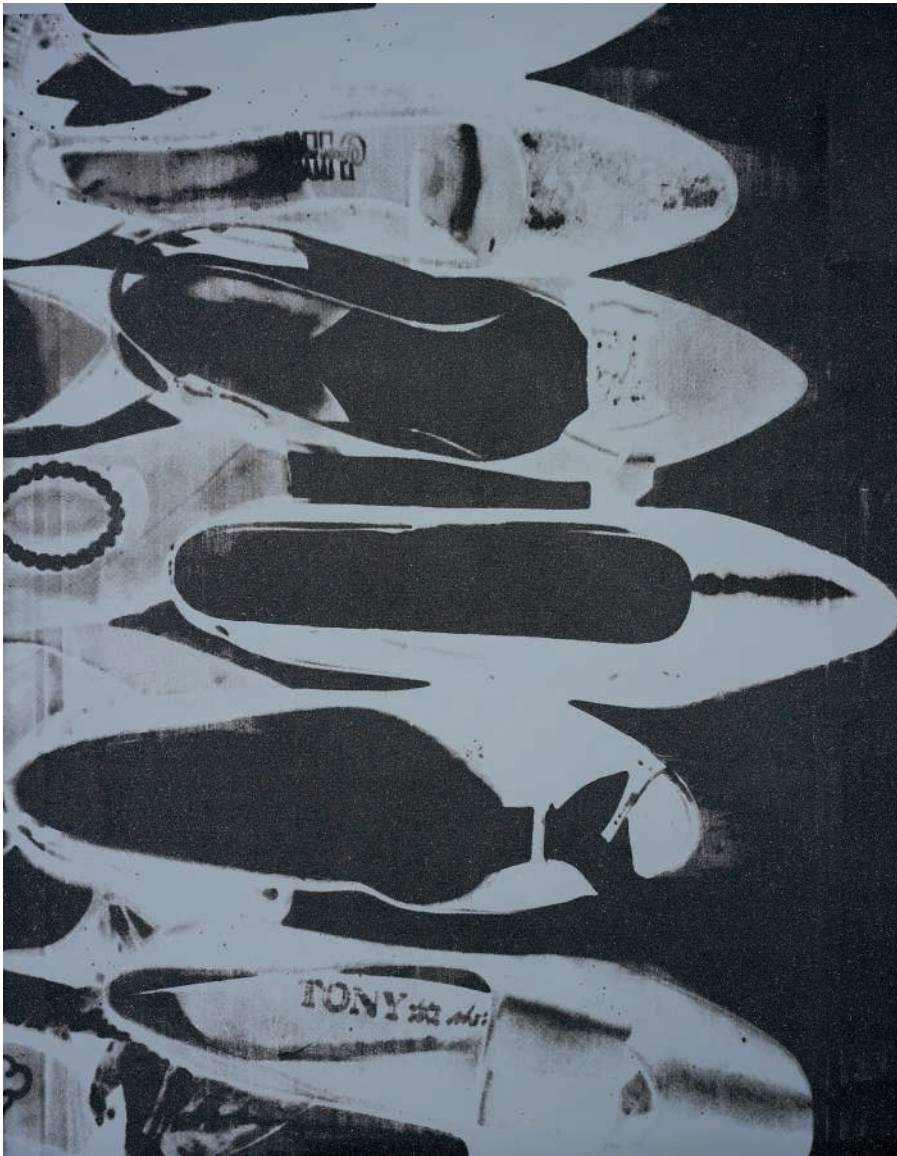
**‘My life provides me with these  
images that become expressions  
of my daily experience’**

Domenico Gnoli

In the mid-seventies Philip Guston will address some of Gnoli's subjects, two people in bed, the back of a canvas, the shoe, in a much more seedy and sloppy way. While in the mid-eighties, in a much more eerie way, Robert Gober will address with his beds, sheets, legs and hair the hidden violence under a seemingly proper appearance. Gnoli does not load his work with such meanings. He is an esthetic. A pressed shirt is an act of love and a demonstration of care not the premise for any kind of violence. A well prepared bed an act of duty and devotion. The inside of a woman's shoe a whole universe, an abstract space, a form.



**Domenico Gnoli**  
**Button, 1967**  
Oil and sand on canvas  
Hamburger Kunsthalle,  
Hamburg, Germany  
© Domenico Gnoli, SIAE / DACS,  
London 2016 Image: Bridgeman Images



Andy Warhol

*Diamond Dust Shoes*, 1980-1981

Synthetic polymer paint, silkscreen ink  
and diamond dust on canvas

© 2016 The Andy Warhol Foundation for the Visual Arts, Inc. /  
Artists Rights Society (ARS), New York and DACS, London

In this painting we can find the same abstraction that we see in Pino Pascali's fragments of animals. In fact Pascali and Gnoli were close friends sharing both the experimental attitude towards the world of images. Extracting details and giving them a life of their own. *Inside of Lady's Shoe*, 1969 is maybe one of the more daring of Gnoli's works. The viewer has to struggle to find his or her position and point view in relation to the painting. Once you find it then the space is magically revealed. It is like looking inside a Donald Judd sculpture where the space becomes form. In this case it is the form that Gnoli is masterfully able to transform into space, into void. This is one of the rare cases where Gnoli escapes his often limiting, almost cartoonish style to achieve the revealing talent of a conceptual painter.

Francesco Bonami







## II. Anselm Kiefer b. 1945

*Für Velimir Khlebnikov: Die Lehre vom Krieg:  
Seeschlachten*, 2004-2010

paint, emulsion, shellac, straw on canvas,  
lead boat

190 x 330 cm (74¾ x 129⅞ in.)

Titled "Für Velimir Khlebnikov: Die Lehre vom  
Krieg: Seeschlachten" along the upper edge.

### Estimate

£400,000-600,000 \$585,000-878,000

€525,000-788,000 ₪ ₪

### Provenance

Galerie Thaddeus Ropac, Paris

The Maleki Collection, London

Acquired from the above by the present owner















Anselm Kiefer's visually complex and multivalent work, *Für Velimir Khlebnikov: Die Lehre vom Krieg: Seeschlachten* translates into *For Velimir Khlebnikov: The doctrine of War: Battles*. The canvas is from a series of 30, all revolving around the quixotic work of famed Russian poet and Futurist Velimir Khlebnikov (1895-1922). Khlebnikov was a member of the Russian Avant-garden movement Hylaea. Captivated by both Slavic mythology and Pythagorean numerology, he produced a canon of experimental poems, and through arcane mathematics, a series of elaborate theories known as the *Tables of Destiny*. In these, Khlebnikov explored the idea of the cyclical recurrence of sea battles, eventually producing an estimate of a 317 year cycle. While the legitimacy of these estimates has been questioned, by academics and even Kiefer himself, Khlebnikov's driving desire to program history and give it a fixed form has captivated many.

It is this desire that is explored by Kiefer, in addition to a greater question on the march of history. This canvas, heaving with matter, possesses the characteristic turbid and highly worked surface of the artist's work. Heavy impasto layers of burnt umber, smoky charcoal and black, alive with unseen forces, surround a handmade lead submarine, perched precariously amidst the turbulent seas. The oceanic depths are neither cerulean nor serene, but opaque, thickly layered and encrusted, demonstrating the sea's capacity for sudden and violent transformation. This sheer power echoes the scenes of Caspar David Friedrich's 1824 *The Polar Sea*. A uniform sense of futility and isolation permeates the scene, as the submarine floats without any other object in sight, wandering almost aimlessly. There is a suggestion in this work, through its hidden depths, of the unknowable and our fundamental inability to predict the future.



Caspar David Friedrich  
*The Polar Sea*, 1824  
Oil on canvas  
Hamburger Kunsthalle, Hamburg  
Image: Bridgeman Images



Albrecht Dürer  
*Scene from the Apocalypse: The Opening  
of the Seventh Seal, The Seven Angels  
with the Trumpets, 1511*  
Woodcut  
Bibliothèque Nationale, Paris  
Image: France / Bridgeman Images



The dark tonality of the work is both brooding and chaotic, akin to Albrecht Dürer's *Apocalypse with Pictures* woodcuts from the Book of Revelation. Much of Kiefer's art is influenced by an exploration of his own German national psyche, the country's artistic heritage and the enduring influence of both World Wars. This work represents an extension of these ideas, evoking the relations and trauma of the past, present and future in a three dimensional piece. Through this canvas, Kiefer is presenting a moment of coagulation within the theatre of the historic sea battle. The cycle of birth, death and rebirth is tangible, as a pale glimmer on the horizon provides a break against the overall desolation and a potential path for a more hopeful vision of the future. For as the artist exclaimed, 'I make a hole [in history] and pass through.' (A. Kiefer, quoted in *Anselm Kiefer*, exh. cat., Royal Academy of Art, London, 2014, p. 46).

## **'What does the artist do? He draws connections'**

Anselm Kiefer



o♦ **12. Dame Barbara Hepworth** 1903-1975

*Stringed Figure (Curlew) (Version I)*, 1956  
brass and string with original wooden base  
46.4 x 55.9 x 34.5 cm (18¼ x 22 x 13⅝ in.)  
This work is number 5 from an edition of 9.

**Estimate**

£450,000-550,000 \$655,000-800,000  
€576,000-704,000 ₹ ♠

**Provenance**

Grosvenor Gallery, London  
Private Collection, Cambridge, Massachusetts (1969)  
Marlborough Fine Art, London  
The Hokin Gallery, Palm Beach  
Christie's, New York, *Impressionist & Modern Paintings, Drawings & Sculpture, Part II*, 11 May 1995, lot 407  
Achim Moeller Fine Art, New York  
Christie's, New York, *Impressionist and Modern Art Evening Sale*, 7 November 2012, lot 58  
Acquired at the above sale by the present owner

**Literature**

J.P. Hodin, *Barbara Hepworth*, Neuchâtel, 1961, no. 225, p. 169 (another example illustrated)  
A.M. Hammacher, *Barbara Hepworth*, New York, 2004, no. 100, pp. 210 and 210 (another example illustrated)

Dr. Sophie Bowness will include this sculpture in her forthcoming revised Catalogue Raisonné of the Artist's work as BH 225 A.







Barbara Hepworth created *Stringed Figure (Curlew) (Version I)* in her studio in St. Ives in 1956. This magnificent sculpture marks a short but meaningful period in the artist's oeuvre. In the 1950s, Hepworth began to explore the sculptural medium of sheet metal. This medium brought greater freedom than bronze or wood; it allowed for more exaggerated and parabolic curves to be created with ease. The use of new materials is partly explained due to the demand for her work. Working in a more malleable and new material not only allowed the artist to create the work in time to meet the demand but also allowed her to expand her expertise in a new direction. Moreover, there are three works in total that have this same title, as well as this same technique which was used to develop other commissions such as the *Orpheus (Maquette 2) (Version II)*, further demonstrating not only her continuous artistic evolution but also her commercial success. Aside from the brass, Hepworth also used cotton fisherman's string, which she acquired locally. Hepworth always had a deep appreciation for St. Ives and it seems natural that the love she felt for the town was extended into her artworks.

The overall rounded and curved appearance of the sculpture owes its shape to Hepworth's fascination with flight. In an interview she explained that she had always been interested in "forms of the human head or of a bird. Gradually my interest grew in more abstract values—the weight, poise, and curvature of the ovoid as a basic form. The carving and piercing of such a form seems to open up an infinite variety of continuous curves in the third dimension, changing in accordance with the contours of the original ovoid and with the degree of

penetration of the material. Here is sufficient field for exploration to last a lifetime." (Extract from 'Approach to Sculpture', *The Studio*, London, vol. 132, no. 643, October 1946) Indeed, flight and birds were a life-long preoccupation for Hepworth. This was accentuated by the sudden and tragic death of her son Paul, who died in a plane crash while he was serving with the Royal Armed Force in Thailand just two years prior to the production of this work. In the late 1960s, Hepworth stated that "man's discovery of flight has radically altered the shape of our sculpture, just as it has altered our thinking" (Mullins, 1970).

This delicate, airy, and light sculpture, despite its different medium, finds parallels with other works within Hepworth's oeuvre of magnanimous importance, for instance, *Winged Figure (1963)* retains some of the same exaggerated curves and string elements. Moreover, parallels can be drawn with the work of other artists from the time such as Lynn Chadwick's *Stabile with Mobile Element (1951)*. At the time Chadwick was also exploring the varying possibilities of balance, contour, and form that could be developed using sheet metal. *Stringed Figure (Curlew) (Version I)* conveys a rhythmic quality of movement—similar to that of a bird mid-flight—and explores shape and space in a formal yet innovative way.



**Naum Gabo**  
***Construction in Space: Suspended, 1957***  
 Perspex, beryllium spring wire,  
 phosphor-bronze cradle, aluminium  
 © Naum Gabo / Tate London 2016. Image: Bridgeman Images

**Hepworth in Trewyn Studio, 1958**  
 Photograph by Michel Ramon © Courtesy Bowness







Property from a Distinguished Private British Collection

**13. Leon Kossoff** b. 1926

*Portrait of Chaim II*, 1987

oil on board

101 x 76 cm (39¾ x 29⅞ in.)

**Estimate**

£200,000-300,000 \$290,000-435,000

€256,000-384,000 ♠

**Provenance**

Acquired directly from the artist in 1989

**Exhibited**

London, Anthony d'Offay Gallery, *Leon Kossoff*,  
9 September-8 October 1988

**Literature**

*Leon Kossoff*, exh cat., Anthony d'Offay Gallery,  
London, 1988 (illustrated)

This work will be included in the forthcoming  
Leon Kossoff Catalogue Raisonné, published  
under the supervision of the artist by Modern  
Art Press.





Family is particularly important to Leon Kossoff and prominent throughout his artistic oeuvre. Some of his most revered works focus around the subject of family, especially his parents and brother Chaim, who features throughout Kossoff's six decades, and counting, of works. However, he started to become more prominent after the death of Kossoff's father in 1983. This was when he became the main subject of Kossoff's portraiture.

Kossoff's ability to capture emotion in a single moment, and then being able to portray it through the long and labour-some task that his style demands, is heightened in these family portraits. The subject of family, the people the artist knows best, enhances this ability and allows the viewer to engage with the intimate emotion of the painting.

The heavy impasto and the uneven flowing paint we have come to recognise as distinctly 'Kossoff', began with the artist's preoccupation

with permanence. Kossoff noticed that the paint on his board had a permanence that both the subject and his gesture of painting could not convey. Wanting to emphasise this property through his process, Kossoff would scrape the paint off the board with a knife before layering it back on several times daily with blotted newspaper. The paint's constant reworking, its constant decay and regeneration, mirrors the changes undergone by the subjects that he has portrayed so many times, so regularly throughout their lives.

This large scale portrait of Chaim is a superb example of this process. With layer upon layer of heavy impasto applied to the board, Kossoff is able to capture his brother in a sombre, solitary moment. The relaxed pose, head tilted and shoulders slumped, is accentuated by the directional application of these layers, especially as the muted tones create a consistent flow between the background and the subject in the foreground.



**Leon Kossoff**  
***Portrait of Father No.3, 1972***  
Oil on board  
Private Collection  
© The Artist Image: Bridgeman Images



*Portrait of Chaim II*, 1987 represents Leon Kossoff's work, not only stylistically but also in regards to one of the most important themes that has been evident throughout his oeuvre, family. Not only does this work portray his brother, but it can also be regarded as a timeline, one of his family and how the years have affected them. A slightly wearier figure than the earlier portraits of Chaim, and one that reminds the viewer of the artist's father, dressed similarly in a shirt and tie, sitting with his hands across his lap, you cannot help but see the family resemblance through the relatable eye of the artist.

**'Everytime the model sits, everything has changed.  
You have changed, she has changed.  
The light has changed, the balance has changed'**

Leon Kossoff



Leon Kossoff  
*Two seated Figures No. 1*  
(*My Parents*), 1980  
Oil on board  
Private Collection  
Sold for \$737,000 in May  
2016 at Phillips New York  
© The Artist

## 14. Sir Peter Blake, R.A. b. 1932

*Blanche neige and bet noir*, 1976-1981  
oil on panel, in artist's frame  
52.3 x 33.6 cm (20 $\frac{5}{8}$  x 13 $\frac{1}{4}$  in.)  
Signed and dated 'Peter Blake 1981'  
on the reverse.

### Estimate

£60,000-80,000 \$87,100-116,000

€76,800-102,000 ♠

### Provenance

Galerie Meyer-Ellinger, Frankfurt  
Phillips, London, *20th Century British and Irish Art*,  
21 November 2000, lot 134  
Waddington Custot Galleries, London  
Acquired from the above by the present owner in 2002

### Exhibited

London, Waddington Galleries Ltd. and Tooth  
Gallery, *Peter Blake: Souvenirs and Samples*,  
26 April-21 May 1977, no. 58  
London, Tate Gallery, *Peter Blake*, 9 February-  
30 March 1983, no. 65

### Literature

*Peter Blake: Souvenirs and Samples*, exh. cat.,  
Waddington and Tooth Galleries, London, 1977,  
no. 58, n.p. (illustrated, in an incomplete state)  
M. Compton, *Peter Blake*, London, 1983, p. 23  
and p. 94 (illustrated, in both states)  
C. Gruenberg, L. Sillars, eds., *Peter Blake:  
A Retrospective*, London, 2007, p. 175 (illustrated)  
M. Livingstone, *Peter Blake: One Man Show*,  
Farnham, 2009, p. 102 (illustrated)

*Blanche Neige and Bet Noir*, combines the appearance of vintage posters and painted advertisements with a sophisticated formalism to address themes of stigma and intolerance. By employing photographs as sources and using a free hand technique along with collage, Peter Blake creates portraits of imaginary sitters that are extremely lifelike. He serendipitously taps into a popular nostalgic universe of fantasy while simultaneously addressing taboo subjects within society and reality. This work was painted while the artist was working on a series featuring wrestlers. The two figures in this work represent a fictional female wrestling tag-team.

Blake explains that 'the fact that I am part graphic designer enables me to do things that a pure painter would be ashamed to do. In a way, that is my branch of Pop art.' (Peter Blake and Natalie Rudd, *Peter Blake: About Collage*, 2001, p. 11). Blake's passion for Pop art and collage transforms into a way of thinking, an attitude towards visual culture - and in more general terms - towards reality. The textural and figural elements of the work at first appear to address the whimsical theme of Snow White, a motif that has remained a permanent fixture in Blake's oeuvre, even appearing on what is undoubtedly his most

famous work: *Sgt Pepper's Lonely Hearts Club Band* (1967) album cover. Yet, rising from the background a more sinister and sober theme becomes evident. Snow White is a fictional character that is just as easily associated with fairy tales as it is with a racially stereotypical discourse, for example the 1943 film adaptation by Warner Brothers titled *Coal Black and the Sebben Dwarfs*. Moreover, the title of the work could be interpreted as a play on words for the French term *bête noire* meaning an anathema or something someone really dislikes. These elements, combined with the fact that the figures are wrestlers, suggests a kind of struggle against a greater social concept. In this manner, this reflects the socio-political climate of the late 1970s in England, where institutionalised racism was still a fixture in society. In fact, the Race Relations Act of 1976 made racial discrimination unlawful in employment, training, housing, education and the provision of goods, facilities and services for the first time. Painting about such subjects in the 1970s and 1980s would certainly have gone against the grain of social conventions demonstrating that Blake has a major fixation for the dramatic nature of popular culture and the power its visual imagery can harness in order to address race issues and cry out for equality.





BLANCHE NEIGE  
AND BET NOIR





**Miró. Dubuffet. Schiele. Fautrier.**

## 15. Joan Miró 1893-1983

*Figure*, 1981

painted bronze

102 x 47.5 x 31.5 cm (40 $\frac{1}{8}$  x 18 $\frac{3}{4}$  x 12 $\frac{3}{8}$  in.)

Incised 'Miró'. Stamped with the Parellada foundry mark and numbered '3/6'. This work is number 3 from and edition of 6.

### Estimate

£400,000-600,000 \$581,000-871,000

€512,000-768,000 ♠

### Provenance

Pierre Matisse Gallery, New York

Private Collection, New York

James Goodman Gallery, New York

Private Collection, Palm Beach

Sotheby's, New York, *Impressionist & Modern Art Day Sale*, 9 May 2007, lot 380

Private Collection

Sotheby's, New York, *Impressionist & Modern Art Evening Sale*, May 5, 2009, lot 36

Acquired at the above sale by the present owner

### Exhibited

Ludwigshafen, Wilhelm-Hack-Museum, *Miró: Mein Atelier ist mein Garten*, October 2000-January 2001

(another example exhibited)

Genoa, Museo dell'Accademia Ligustica di Belle

Arti, *Joan Miró: L'armonia del fantastico*, 7 July-

15 September 2001 (another example exhibited)

Tours, Château de Tours, *De la figuration au geste:*

*Miró à Tours*, 27 October 2001-27 February 2002

Salerno, Complesso di Santa Sofia, *Mediterraneo*

*Miró*, 16 November 2002-16 January 2003

Como, Villa Olmo, *Joan Miró: Alchimista del segno*,

13 March-6 June 2004

Barcelona, Generalitat de Catalunya, *Joan Miró:*

*La metàfora de l'objecte*, February 2007-March 2008

Carcassonne, Musée des beaux-arts, *Miró: La*

*métaphore de l'objet*, 20 June-21 September 2008

### Literature

*Miró en las colecciones del Estado*, exh. cat., Madrid, Centro de Arte Reina Sofia, 1987, no. 89, p. 104

(another cast illustrated)

*Miró: Gemälde, Plastiken, Zeichnungen und Graphik*,

exh. cat., Frankfurt, Schirn Kunsthalle, 1988, no. 89,

p. 120 (another cast illustrated)

*Le rêve interrompu de Miró* exh. cat., Paris, Centre

Culturel Espagnol, 1988, no. 41, p. 133 (another cast illustrated)

*Escultores de Miró*, exh. cat., Llonja, Palma de

Mallorca, 1990, no. 23, p. 141 (another cast illustrated)

*Palma: territori Miró*, exh. cat., Fundació Pilar i Joan

Miró a Mallorca, Palma de Mallorca, 1996, no. 68,

p. 183 (another cast illustrated)

*Joan Miró The Last Bronze Sculptures 1981-1983*, exh.

cat., Gerald Peters Gallery, Santa Fe, 2006, pp. 42-43

(another cast illustrated)

E. F. Miró & P. O. Chapel, *Joan Miró, Sculptures*.

*Catalogue raisonné 1928-1982*, Paris, 2006, no. 374,

p. 347 (another cast illustrated)









Cast just two years before Miró's death, *Figure* is among the last of the sculptures the artist produced. This impressive sculptural creation is a testament to Miro's enthusiasm and passion for creating art, even at the age of 88. Characteristically, this asymmetrical figure has departed from any representation of reality. Various discrete elements and unidentifiable forms coalesce into a wholeheartedly free and spontaneous work, just one of many attempts by the artist 'to surprise meaning from matter.' 'Despite any ambiguity or abstraction within the work, there is a tangible primal sentiment to it. With subtle odes to the figures of totemic and Palaeolithic art, *Figure* is a means for Miro 'to rediscover the sources of human feeling.' (Lee 1947; in Rowell 1986, p.204)

There is a head, anthropomorphized by deep, hollowed eyes and a few delicately incised lines that suggest cheeks, even a smile per chance. Miscellaneous objects protrude from this head, an oblong item as a nose, jagged tools as ears and an empty pill bottle perched delicately – perhaps as a hat. Beneath this playfulness is an arguably more monolithic form, bending slightly to produce an amorphous body for the head above. The entire figure stands on a humble, uneven wooden base. The rusty, oxidized hue of the bronze is akin to terracotta, with a slash of deep blue being the only break in color. Cast in bronze at the Parellada workshop in Barcelona, this sculpture is the third from an edition of six. However, beneath this bronze lie ambiguous materials of unknown origins. Miró spent the last two decades of his life enjoying walks on the beaches near his home of Mallorca, where he would find a range of objects that he would later incorporate into his work. *Figure* is an assemblage of these found objects, disparate elements united and transformed by the artist's hand.

## **'I never make sculptures from sketches, I just put them together'**

Joan Miró

**Joan Miró in his studio**

Photo © Tallandier. Image: Bridgeman Images



**16. Joan Miró** 1893-1983

*Femme, Oiseau, Etoile*, 1943

gouache, wax crayon, pastel and pencil on paper  
66 x 46 cm (25<sup>7</sup>/<sub>8</sub> x 18<sup>1</sup>/<sub>8</sub> in.)

Signed Miró lower left. Further signed, titled  
and dated 'Joan Miró "Femme, Oiseau, Etoile"  
18-1-1943' on the reverse.

**Estimate**

£400,000-600,000 \$581,000-871,000

€512,000-768,000 ♠

**Provenance**

Galerie Maeght, Paris

Galerie Beyeler, Basel

AB Svensk-Franska Konstgalleriet, Stockholm

Dr. Georg Guggenheim, Zurich

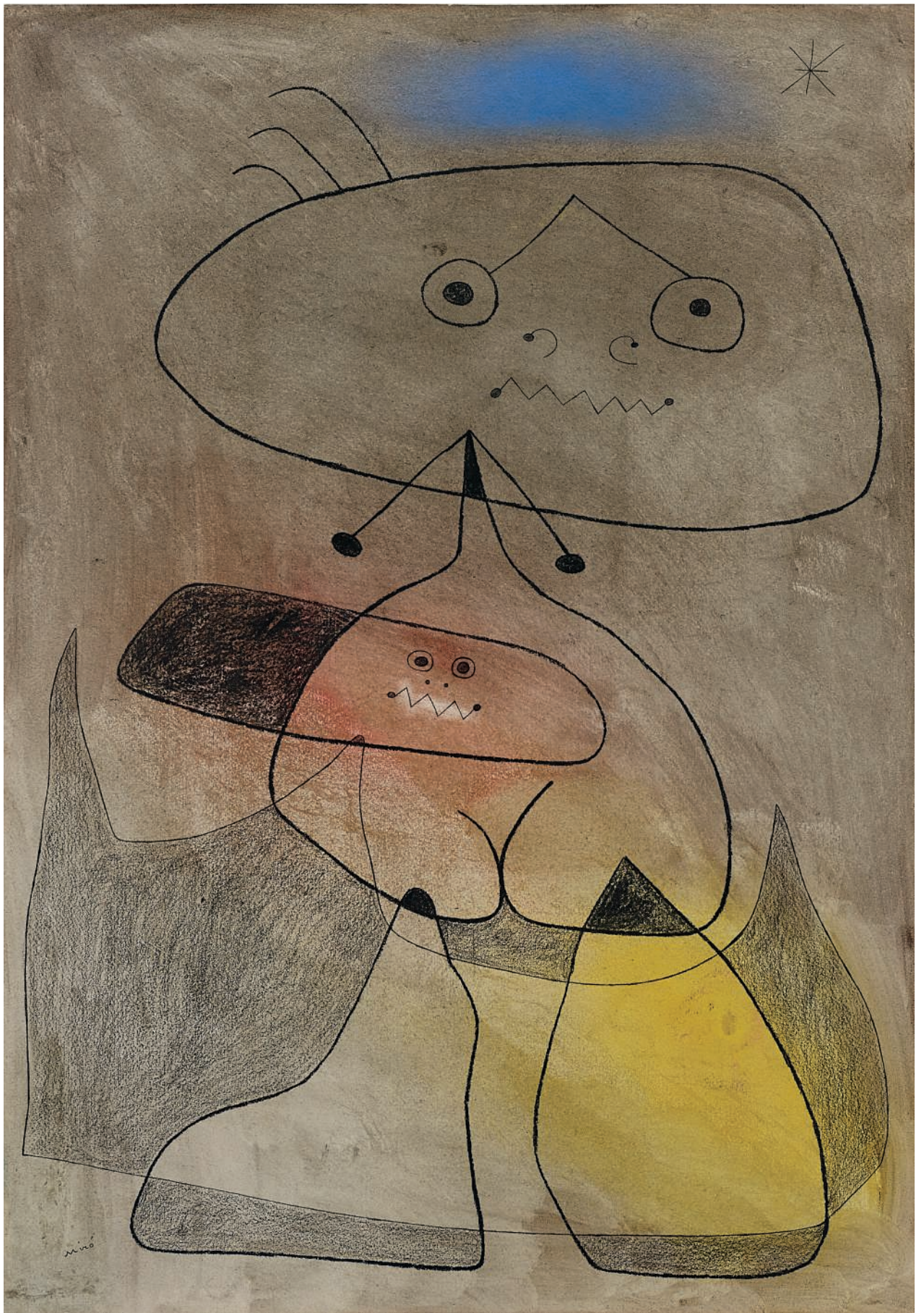
Galerie Thomas, Munich

Acquired from the above by the present owner

**Literature**

J. Dupin and A. Lelong-Mainaud, *Joan Miró*,  
*Catalogue Raisonné, Drawings, vol. II, 1938-1959*,  
Paris, 2010, no. 1054, p.134 (illustrated)











**‘I felt a deep desire to flee. I shut myself deliberately. The night, music and the stars began to play a role in my painting’**

Joan Miró

*Femme, Oiseau, Etoile* was produced in one of the most unstable periods of Joan Miró's life. In 1938, the increasing violence of the Spanish Civil War forced him to leave Barcelona and withdraw to Paris with his wife and daughter. By 1940, Nazi air raids made the Mirós itinerants yet again. They settled on Mallorca, an island enclave slightly removed from the turmoil of the world around it. It was there, after completing his Constellation series, that the artist began a four year-long odyssey where he explored a variety of forms, signs and symbols with gouache, pastel, watercolor and pencil. The repeated use of these materials was due in part to the rising costs and scarcity of canvas and the lack of a permanent studio. Indeed, it seemed working on paper suited Miró's quasi-nomadic and furtive existence. Despite the apparent obstacles, the early 1940s represented a highly productive creative period for the artist: hundreds of drawings were made, with many evolutions of the same title as this one.

**Left: Joan Miró at Crommelynck  
Brothers in Paris, 1957**

© Succession Miro/ADAGP, Paris and DACS, London 2016. Photo © Michel Sima / Bridgeman Images

**Below: Joan Miró  
*Femme et oiseau*, 1967**

Painted bronze  
Fundació Joan Miró, Barcelona

© Succession Miro/ADAGP, Paris and DACS, London 2016



These drawings were exorcisms against the perennial horrors of war that haunted Miró in the two countries he called home. Taking fantastical elements from the *Constellation* works, *Femme, Oiseau, Etoile* defied its two-dimensional plane to become a sublime break from reality. Amidst fine lines and freely formed organic shapes, there is an almost violent freedom from any literal representation. In between dusty hazes of blue and yellow pastel, craggy intangible forms recede into the distance. The central amorphous figure defies any categorization; one cannot distinguish woman from bird nor man from nature. The bloated and twisted head with its mask-like face and flattened features bears a small expression of anguish, related in but a few doodles. This expression, in tandem with the cruel distortions that affect the forms of this work, seem to be a mirror for the atrocities occurring in mainland Europe at the time. A lone abstract star twinkles in the corner of this drawing, the only glimmer of hope in this desolate slate-grey landscape. Despite 70 years having passed, the distress of this drawing remains palpable to the viewer today. When discussing Miró's faces, stars and lines, André Breton described them existing 'outside the world and outside time, too.'

Property from a Private European Collection

## 17. Egon Schiele 1890–1918

*Manliche Figur nach rechts (Selbstporträt)*

*Male Figure Facing Right (Self Portrait)*, 1909

watercolour, coloured crayon and pencil on paper

45 x 31.1 cm (17¾ x 12¼ in.)

Signed and dated 'SCH 1909' lower left.

Please note that there is a pencil study of a reclining girl on the reverse.

### Estimate

£280,000-350,000 \$406,000-508,000

€358,000-448,000

### Provenance

E. W. Kornfield, Bern

Galerie Kornfeld, Bern

Kornfeld & Klipstein, Zurich, *Sale 161*, 8 June 1977, lot 63

Galerie G. de May, Lausanne

The Leopold Collection, Vienna

London, Christie's, *German and Austrian Art incl.*

*the Gerstel Collection*, 20 June 2006, lot 14

Acquired at the above sale by the present owner

### Exhibited

Vienna, Graphische Sammlung Albertina, *Gustav*

*Klimt - Egon Schiele: Zum Gedächtnis ihres Todes*

*vor 50 Jahren*, April-June 1968, no 130

Lucerne, Kunstmuseum, *Kunst in Österreich*

*1900-1930*, July-September 1974, no. 207

### Literature

*Gustav Klimt - Egon Schiele: Zum Gedächtnis ihres Todes vor 50 Jahren*, exh. cat., Graphische Sammlung Albertina, Vienna, 1968, no 130 (illustrated)

E. Mitsch, *Egon Schiele 1890 - 1918*, Salzburg, 1974, fig. 10, p. 67 (illustrated)

J. Kallir, *Egon Schiele: The Complete Works*, New York, 1990, no. 338, p. 386 (illustrated)

*Egon Schiele, The Leopold Collection, Vienna*, exh. cat., Museum of Modern Art, New York, 1997, p. 12 (illustrated)





This self-portrait by Egon Schiele is in many respects the archetype of the Austrian artists during the fin-de- siècle Viennese renaissance. *Männliche Figur nach Rechts* is one of the self-portraits that the artist realised during his short and controversial lifetime. In such works, he would adopt an alter-ego which he referred to as the 'self-observer'. Schiele approached self-portraits as a meditative act where he analysed himself and his work prophetically. In a monastic smock of hermetic appearance he is seen in profile stepping forward holding up his elongated and rigid hands, signalling to the viewer the tools of his craft. The simple colour palette allows the lines of the drawing to become a unifying force by which a dramatic stylisation with naturalistic rendering is achieved. Essential to his style are the blurred relationships between the figures and the environment, the active manipulation of positive and negative space, and the overall flattened stylisation. By drawing hatched lines that appear like scraped paint, a literal exposure of the psychological state of the artist is in part revealed. These unique techniques would become his trademark as he strove to constantly challenge the modern condition of European figure painting.

In 1906, Schiele was accepted into the Vienna Academy of Fine Arts as the youngest in his class. It was there that he developed his own style of Jugendstil which later would mature and transform into his own fully fleshed brand of Expressionism. However, after three frustrated years the artist quit the academy and sought out Gustav Klimt, whom at the time was involved with alternative art scenes. One of these was the Wiener Werkstätte - a production community of artists' an informal network of privpported by aate patronage - where Schiele was initiated by

Klimt in 1909. Here, Schiele made postcard designs intended for publication, such as *Two Men with Halos* (1909). This drawing later resulted in what would be the production of Schiele's largest work to date: *The Hermits* (1912). It is widely understood that in both works Schiele not only portrayed himself but also Klimt, demonstrating the close relationship between a young artist and his mentor. The symbolism of the painting lies in the fact that it is not just 'a grey sky, but a world in mourning in which the two figures move... They [are] an organic extension of the earth. This whole world is supposed to represent the transitoriness of everything essential.' (Egon Schiele in conversation with Carl Reininghaus about *The Hermits*, spring of 1912. Kallir, Jane. *Egon Schiele: The Complete Works*. London: Thames and Hudson, 1998. p. 310).

This self-portrait represents a crucial moment in the career and life of Schiele. His departure from the academy and acceptance of Klimt as his mentor, allowed him to break away from an academic mould in order to forge his own artistic path. The ties of this self-portrait to other works produced during period demonstrate the growth of the 'self-observer' persona and the abundant influence of his mentor. Also, the success of the drawings made during this period helped to establish his position within the circle of private patronage. Most importantly, Schiele began to uncover the sensual and ominous realm that lay hidden beneath his generation's ornate style. It marks the rise in confidence of a young artist on the cusp of self-realization. In many ways, this menacing self-portrait foreshadowed his eventual total dismissal of academic painting in exchange for his erotic and unrestrained style that harkened his crowning as one of the most celebrated artists of his time.

Johannes Fischer  
Egon Schiele in front of the  
mirror in his studio in Hietzing,  
in the background the painting  
"*Death and Maiden*", 1915

Photograph courtesy of the Leopold Museum





Property from an Important European Collector

**18. Jean Dubuffet** 1901-1985

*Nuancements au sol (Texturologie XLIII)*, 1958

oil on canvas

81.4 x 100.5 cm (32 x 39½ in.)

Signed and dated 'J. Dubuffet 58' upper right.

Further signed, titled and dated 'J. Dubuffet

"Nuancements au sol, texturologie XLIII" Mai 58'  
on the reverse.

**Estimate**

£180,000-250,000 \$261,000-363,000

€230,000-320,000 ₣ ♠

**Provenance**

Jean Planque, Lausanne

Herbert Mayer, New York (c. 1962)

Palais Galliera, Paris, *Maitres Rheims et Laurin*,

6 December 1966, lot 102

Private Collection

Palais Galliera, Paris, *Maitres Rheims et Laurin*,

25 June 1974

Patrice Trigano, Paris

Christie's, Paris, *Collection Patrice Trigano*,

*Itinéraire d'une passion*, 5 July 2005, lot 273

Duhamel Fine Arts, Paris

Acquired from the above by the present owner

**Literature**

M. Loreau, *Catalogue des travaux de Jean  
Dubuffet, fascicule XIV: Célébration du sol II,  
texturologies, topographies*, Geneva, 1969,  
no. 32, p. 34 (illustrated)















Complex and intricate, Jean Dubuffet's *Nuancements au sol (Texturologie XLIII)*, is a net of bright and speckled elements boasting a marvellous and unique texture. In this piece, Dubuffet chose to break away from Western art's hierarchy of subject matter and project his artistic vision toward making works that represented meaningful ideas rather than something which is simply aesthetically pleasing. Jean Planque, the famous collector and confidant of Ernst Beyeler, previously owned this specific work. He describes how he came to own this work and the conversation he had with Dubuffet during his realisation of the series: 'Once he called me, "Planque come quickly!" So one morning we went up to the studio where he shows me the multiple paintings that were there, numerous works stacked up that actually looked like dotted waxed canvases, mechanical, achieved by consecutive impressions. Dubuffet said "Here it is this is some material I have made to create *assemblages*. This morning I saw it as alive and

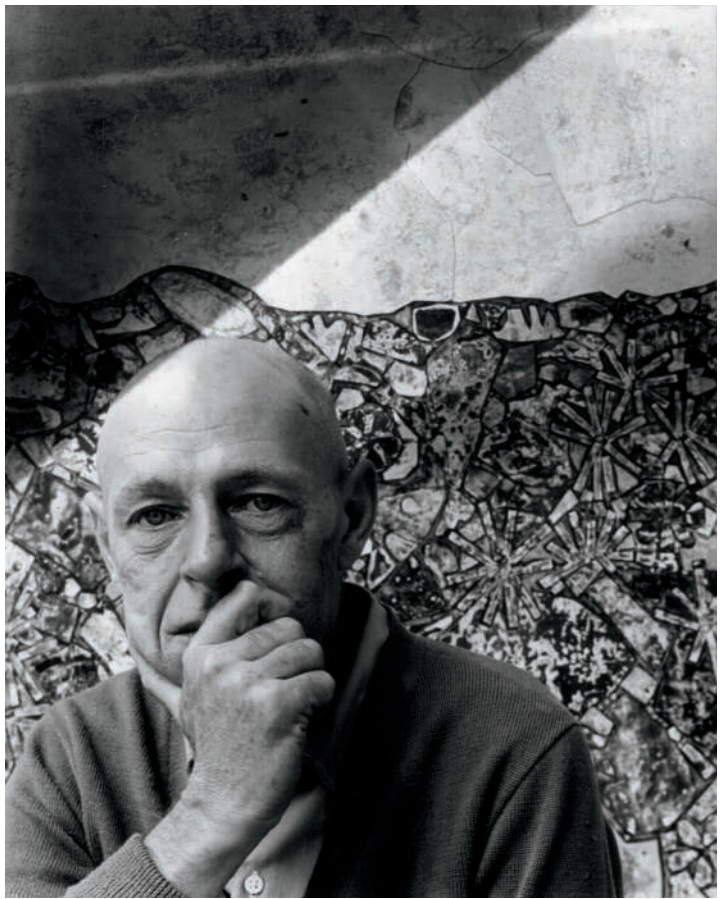


Jean Dubuffet,  
*Partie Liée au Sol*, 1958  
Oil on canvas and collage  
Private Collection

© ADAGP, Paris and DACS, London 2016



Jean Dubuffet poses  
for portrait in his studio  
10 September 1956,  
in Vence, France  
Photo by Arnold Newman/Getty Images



have anything to do with my first idea. Its material to be used as it is. I'm puzzled by what I've done, what do you think?" I too was puzzled. I was astounded. I said "yes these things are alive! Don't destroy them, you have to keep them, you can choose what is alive and what is not." It was at this moment that he gave me one'. (Jean Planque quoted in Béatrice Delapraz, *L'œil de Planque, confidences d'un collectionneur*). The present lot being Dubuffet's generous gift.

This work - and the entirety of the *Texturologies* series - celebrate one of the most essential aspects of life: soil. In realizing this work, Dubuffet was inspired by two main aspects. Firstly, he regarded the New York School's sparing aesthetic and absolute abstraction highly; in fact he developed this series of works by placing the canvas on the floor and painting over it similarly to Jackson Pollock. Secondly, he was inspired by a technique known as 'Tyrolean,' in which master masons would apply plaster to wall and then using branches would texturise it. As the artist illustrated in a catalogue, 'I combined this technique with others - successive layers, applications of sheets of paper, scattering sand over the painting, scratching it with the prongs of a fork. In this way I produced finely worked sheets that gave the impression of teeming matter, alive and sparkling, which I could use to represent soil.' Dubuffet captured this technique and adapted it to painting in a masterful and original manner that

drew from contemporary inspirations yet retained the innovative and curious qualities that make Dubuffet's art so spectacular. Dubuffet explained that he meant to give the 'impression of teeming matter, alive and sparkling, which I could use to represent soil, but which could also evoke all kinds of indeterminate textures, and even galaxies and nebulae.' (Ronald Alley, *Catalogue of the Tate Gallery's Collection of Modern Art other than Works by British Artists*, Tate Gallery and Sotheby Parke-Bernet, London 1981, pp.182-3, reproduced p. 182).

Dubuffet produced these works in intervals and in different locations. The first interval for making these works occurred in September of 1957 in Venice. The second interval of the series was undertaken in Paris during October of 1958. To create this series he made a number of basic sections that could be re-arranged in various combinations. His purpose for doing so was to depict soil that did not have a specific composition. This approach activated the canvas and brought to an otherwise inanimate object life and a new perspective. In this manner, Dubuffet was able to create soil that could be regarded as changing endlessly. Dubuffet believed that the purpose for making art was to depict, express, and transmit the condition of humanity; perhaps his pursuit to depict ever changing soil was his interpretation of the cyclicity of the world and the entropy of life.

Property from a Private European Collector

## 19. **Jean Fautrier** 1898-1964

*Ba Be Bi Bo Bu*, 1958

oil and pigment on paper laid on canvas

81 x 100 cm (31 $\frac{7}{8}$  x 39 $\frac{3}{8}$  in.)

Signed and dated 'Fautrier 58' lower right.

### **Estimate**

£200,000-300,000 \$290,000-435,000

€256,000-384,000 ♠

### **Provenance**

Coll. Ermanno Grube, Milan

Galerie Bonnier, Geneva

Acquired from the above by the present owner  
in the early 1980s

### **Literature**

P. Bucarelli, *Jean Fautrier*, Milan, 1960, no. 415

p. 362-363 (illustrated)

*Jean Fautrier: Retrospective*, exh. cat., Musée  
d'Art Moderne de la Ville de Paris, Paris, 1964,

n.p. (illustrated)

This work will be included in the forthcoming  
Jean Fautrier Catalogue Raisonné being  
prepared by Marie-José Lefort, Geneva.











Completed shortly after some paintings in homage to the victims of the Hungarian Revolution, *Ba Be Bi Bo Bu* executed in 1958 marks the artist's lively return to the realm of abstraction after the sombre Head of Partisan series. In direct contrast to the hauntingly beautiful yet tormented and tragic portraits of victims, Jean Fautrier's return to the light coloured abstraction of this work demonstrates the joyful free-style technique of mixing media, such as paper paste blended with pigment that he invented and developed during this period. *Ba Be Bi Bo Bu*, is a testament of the mythical fringe of reality in which the artist and his materials lived. Profoundly original, this artwork - and the techniques employed to paint it - testify to the violence and passion that surround the scandalous modernity of his oeuvre. Assuming a radical and unprecedented approach to painting, layers of paper paste are laid atop the canvas upon which hues of grey, blue, and forest green are highlighted with strokes of violet and yellow. With a hallucinatory expressiveness, the colours and lines radiate with an interior luminosity only attained by the masterful technique of the artist. 'This is what you want to know,' the artist explained, 'the canvas is now merely a support for the painter. The thick paper is covered with sometimes thick layers of plaster - the picture is painted on this moist plaster - this plaster makes the paint adhere to the paper perfectly - it has the virtue of fixing the colours in powder, crushed pastels, gouache, ink, and also oil paint - it is above all thanks to these coats of plaster that the mixture can be produced so well and the quality of the matter is achieved.' (Letters to Jean Paulhan, cited in *Jean Fautrier 1898-1964*, exh. cat., Harvard University Art Museums 2002, pp. 43-44)

The pigments suspended in oil animate the work extensively as the brushwork pulsates beneath the compelling composition. In this piece, Fautrier created an orchestra of colours and forms that harmonize in a blissful exchange with the materials just as a jazz musician might improvise on a classical version of a melody. It is possible that this is perhaps where the title of this work derives for ba be bi bo bu are often used non-lexical vocables in music, specifically in jazz records of the time. In fact, Fautrier made other abstract paintings during this period whose titles are directly taken from jazz songs such as *I'm falling in Love* from 1957. This interpretation of the title adds to the joyous and lively appearance of the work.

Theodore Lefèvre  
*Ba-be-bi-bo-bu*, 1892  
 Printed monograph  
 Bibliothèque nationale  
 de France

Fautrier was one of the most important practitioners of Tachisme, the French style of abstract painting equivalent to Abstract Expressionism. Other major figures of the movement include Wols, Jean Dubuffet, and Georges Mathieu. The culmination of this movement happened between the 1940s and 1950s. It is part of a larger post-war movement known as Art Informel. The term Art Informel refers to a lack or absence of form itself. In specific, Art Informel celebrates a lack of a predetermined structure rather than a relaxed or loose approach to making art. The manner with which Fautrier broke with traditional forms and methodologies was unmatched by his contemporaries in France in part due to his existentialist approach to life and his total dedication to art. Similarly to American painters, such as Jackson Pollock, Robert Motherwell, and Mark Tobey, Fautrier used paint to create a relief-like built up surface where the expressiveness of the brushwork and paint are paramount. In *Ba Be Bi Bo Bu*, liberation from rules, from the traps of formalism, from conformity, and from the burden of historical motifs is achieved through the improvisational methodology of the artist. The artist's originality and influence won him the Grand Prize at the Venice Biennale in 1960 crowning the outstanding achievements of his career shortly before his death in 1964.



♦ 20. **Gerhard Richter** b. 1932

*Abstraktes Bild*, 1978

oil on canvas

60 x 65 cm (23½ x 25½ in.)

Signed, numbered and dated 'Richter 432/4 1978'  
on the reverse.

**Estimate**

£400,000-600,000 \$581,000-871,000

€512,000-768,000 ‡ ♣

**Provenance**

Galerie Fred Jahn, Munich

Galerie Bernd Lutze, Friedrichshafen

Galerie Löhrl, Mönchengladbach

Hauser & Wirth, Zürich

Private Collection, Switzerland

Hauser & Wirth, Zürich

Acquired from the above by the present owner

Private Collection

**Exhibited**

Halifax, Anna Leonowens Gallery, *Gerhard Richter:*

*17 Pictures*, 4-18 July 1978

Eindhoven, Stedelijk van Abbemuseum, *Gerhard Richter:*

*Abstract Paintings*, 8 October-5 November 1978 and then  
travelled to London, Whitechapel Gallery (14 March-  
22 April 1979)

New York, Sperone Westwater Fischer Gallery, *Gerhard*

*Richter*, March-April 1980

Mannheim, Mannheimer Kunstverein, *Abstrakte Bilder*

*1976 bis 1981*, 18 April-16 May 1982

Munich, Galerie Fred Jahn, *Abstrakte Bilder 1976 bis 1981*,

3 June-26 July 1982

Naples, Galleria Lucio Amelio, *Gerhard Richter*, March 1983

Friedrichshafen, Galerie Bernd Lutze, *Abstrakte Bilder*

*1978-1984*, 7 December 1984-4 January 1985

Zürich, Hauser & Wirth, *Gerhard Richter: Paintings*

*1964-1994*, 28 October-23 December 1995

**Literature**

H. Heere, *Gerhard Richter – The Abstract Paintings*,  
*Bielefeld*, 1982, pp. 14 and 20 (illustrated)

*Gerhard Richter. Pictures/Paintings 1962-1985*,  
Kunsthalle Dusseldorf, Dusseldorf, 1986, pp. 211  
and 389 (illustrated)

*Gerhard Richter: Paintings 1964-1994*, exh. cat.,  
Hauser & Wirth, Zürich, 1995 (illustrated, unpagged)

H. Friedel, *Reading Pictures – Possible Access to*  
*Gerhard Richter's Atlas*, Sakura City, 2001, p. 30  
(illustrated)

D. Elger, *Gerhard Richter, Catalogue Raisonné*,  
*vol. 3: 1976-1987*, Ostfildern, 2013, no. 432-4,  
p.124 (illustrated)









Painted in 1978, *Abstraktes Bild* is a vivid, spontaneous, and dynamic work of art that exudes movement and marks a pivotal transitional moment in Gerhard Richter's career. *Abstraktes Bild*, signals the artist's departure from figurative work as he transferred into the realm of abstraction. Richter's method for creating this work adopted a technique of building up layers of paint using a method similar to a *la prima* meaning 'wet on wet'. By painting sections and then blending the top layers with the undercoat, Richter began not only

to explore the levels that could be created through impasto-like application but also to discover the effects that could be developed by adding carnation oil to the painting in order to keep the layers moist throughout the process. As each stage of the painting was completed, a new degree of abstraction was adopted, and this began one of the most important transformations for the artist's technical approach to painting. Just as in previous works, *Abstraktes Bild* was developed by using ready-made images, yet Richter now chose to detach this work





**Gerhard Richter**  
**Abstrakte Bilder, 1977-1978**  
 Atlas, vol II, Tafeln/Plates 219-444  
 (1966-1988) no. 411, 1977-1978  
 Images capturing the stages of  
 the creation of the present lot.  
 Please note the present lot image  
 is an accurate representation of  
 Abstraktes Bild  
 © Gerhard Richter 2016

from the painterly modernistic mythology by which his previous works had been surrounded; he explained that now, 'the picture is the depiction, and painting is the technique for shattering it.' (G. Richter quoted in: *Forty Years of Painting*, exh. cat., Museum of Modern Art, New York, 2002, p. 69).

In the late 1970s and early 1980s, Richter's departure from figurative work was also in part precipitated by his associations with Benjamin Buchloh and Konrad Fisher. Together they brought him into a circle of conceptual artist and thinkers. It was then that Richter began to remove traces of figuration from his work and exchanged them for existential or transcendental ideas, articulated by a brilliant display of painterly techniques as aforementioned. These two elements transformed Richter's work into an entity that conveys the idea that abstraction should not be judged by how its immediate appearance relates to recognizable social constructs, objects, or emotions but rather what the psychological

impact of the composition, line, and form are; this work is about construction not expression. As Robert Storr explained, 'for eyes accustomed to emotionally heated Action Painting or exultant Color Field abstraction, Richter's masterful but abrupt cooling down of the rhetoric of Post-War art can be even more disconcerting than Pop or Minimalism because it seemed at first glance to have employed that rhetoric' (R. Storr, quoted in *Gerhard Richter: Forty Years of Painting*, exh. cat., Museum of Modern Art, New York, 2002, p. 69). For the artist, this liberated approach to abstract work is the result of experimentation and exploration of the possibilities of painting. Richter stated during an interview with Buchloh, 'I'm often astonished to find how much better chance is than I am' (G. Richter, interview with B. Buchloh, H. Obrist (ed.), *Gerhard Richter: The Daily Practice of Painting Writings 1962-1993*, London, 1995, p. 159). By dismantling the relationship between figure and ground, Richter discovered the contingency of his medium, relishing in the effects that spontaneous application of paint can have.

o **21. Sam Francis** 1923-1994

*Facing Within*, 1975

acrylic on canvas

167.3 x 213.6 cm (65 $\frac{7}{8}$  x 84 $\frac{1}{8}$  in.)

Signed, titled and dated 'Sam Francis "Facing Within" 1975' on the stretcher. Further signed 'Sam Francis' on the reverse.

This work is registered with the Sam Francis Foundation under archive number SFP75-7.

**Estimate**

£300,000-500,000 \$435,000-726,000

€384,000-640,000

**Provenance**

Byron R. Meyer Collection, San Francisco (1979)

Christie's New York, *Post-War and Contemporary Art*,

9 May 2012, lot 203

Acquired at the above sale by the present owner

**Exhibited**

Zurich, Galerie Andre Emmerich, *American Painting*,

July-August 1978

Stockholm, Liljevalchs Konsthall, *Sam Francis:*

*Malningar 1976-1978*, 1978

**Literature**

*Sam Francis: Peintures récentes 1976-1978*, exh. cat.,

Centre Georges Pompidou, Paris, 1978 (illustrated)

*Sam Francis: Malningar 1976-1978*, exh. cat., Liljevalchs

Konsthall, Stockholm, 1978 (illustrated)

D. A. Lauer, *Design Basics*, New York, 1979, p. 24

(illustrated)

P. Selz, *Sam Francis*, New York, 1982, pl. 152, p. 230

(illustrated)

Sam Francis Foundation, *Sam Francis Catalogue Raisonné*

*of Canvas and Panel Paintings, 1946 - 1994*, California,

2011, no. SFF 662 (illustrated)















*Facing Within*, is a masterful counter play of not just wide-ranging influences, but also light, texture, and colour. It is also at this time that a grid pattern appeared in his works. The matrix of *Facing Within* was created using industrial paint rollers and sponges, regular brushes, and other diverse painting materials through unorthodox techniques, such as placing the work flat on the floor and walking over it. Painted in 1975, Francis, who kept several studios in California, had also been spending much more time at his studio in Japan - where artistic influences were varied.

His unusual methods explore the unique visual properties of acrylic paint, through large tracks of washed down colour, layered with splatters, drips, and colour saturation over a primed white background. This gave rise to The Matrix Paintings series, to which this work belongs. The series has been referred to as the 'Fresh Air' paintings due to their watery appearance and vibrant colouration.

*Facing Within* is intuitive, technical, and cerebral. Francis studied botany, medicine, and psychology at the University of California, Berkeley. Thus, images in his work often resemble cells or microscopic organisms. Moreover, one of Francis' main preoccupations throughout his career was the materialization through art of the

concepts behind Jungian psychology, which emphasizes the importance of a balanced individual state of mind and the personal quest for wholeness.

*Facing Within* is a cell-like matrix created through translucent beams of colour and decorated with accents of bright pigments that masterfully draws the eye of the viewer towards the empty square in the middle. This central section is meant to represent a common ground for the artist and the audience to interact and exchange emotions.

Simultaneously, it serves as a place for the exploration and meditation of the inner self. 'The process of painting is one of devotion to that image.' Explained the artist, 'the illusion is what you make of it...each painting is like my body print, taken at different moments of my life.' (D. Burchett-Lere, *Sam Francis: Five Decades of Abstract Expressionism from California Collections*, Sacramento: Crocker Art Museum, 2014). In this manner, *Facing Within* is a contemplative work that employs line and colour to wittingly create a communication link between the artist and the audience. Thus, this articulation of psychological constructs through expression and abstraction create a window in the mind and being of a master of Post-War painting and a conceptual mirror upon which the audience can reflect.





**‘Painting is about the beauty of space  
and the power of containment’**

Sam Francis



Property from an Important European Collection

## 22. Alexander Calder 1898-1976

*Critter Bleue Assise*, 1974  
painted sheet metal  
139.7 x 135.1 x 100.3 cm (54 $\frac{7}{8}$  x 53 $\frac{1}{4}$  x 39 $\frac{1}{2}$  in.)  
Signed with a monogram and dated 'CA 74'  
on the torso.

### Estimate

£500,000-700,000 \$726,000-1,020,000  
€640,000-896,000 ₪

### Provenance

Galerie Maeght, Paris  
The private collection of Ernst Beyeler, Basel  
acquired in 1975 from the above  
Sold, Christie's, London, *Impressionist & Modern  
Evening Sale*, 21 June 2011, lot 35  
Acquired at the above sale by the present owner

### Exhibited

Paris, Galerie Maeght, *Calder: Craggs and Critters*,  
January-February 1975

### Literature

J. Baal-Teshuva, *Alexander Calder 1898-1976*,  
Cologne: Taschen, 2002, p. 73 (illustrated)  
*Calder in Brazil*, exh. cat., Pinacoteca do Estado de  
São Paulo, São Paulo, 2006, p. 235 (illustrated)

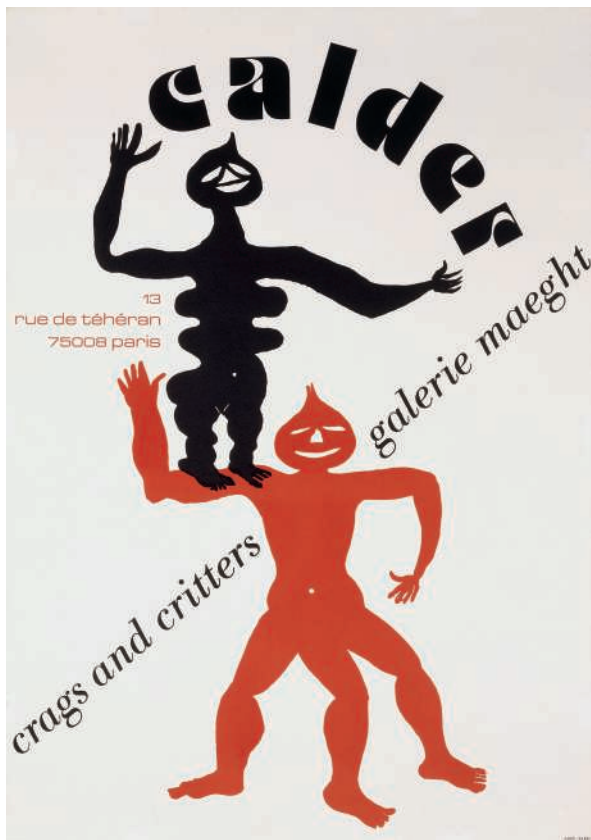




Two years before his death, Alexander Calder created one of his most fascinating series: *Crags and Critters*, first exhibited at Galerie Maeght, Paris in 1975. Within the gallery space, the audience was transported to a magical, whimsical, and fantastical place of Calder's own creation. Here, an escapist universe of colour, shape, and balance was created by his *Critters* (stables) and his *Crags* (mobiles) so they could transport the audience. *Critter Bleue Assie*, is a dark blue anthropomorphic figure, lounging lazily, propping its body up with one hand. Relaxed and with a tranquil facial expression, the *Critter* looks out directly engaging with the viewer. This sculpture is unique amongst the others featured in the series due to its human-like appearance and lack of an extra limb, as is seen in the other *Critters*. To make this work, Calder cut strips of sheet metal with shears and then shaped the form using a vise and wooden blocks. Calder's great skill as a sculptor partly draws on his background as a mechanical engineer where he learned about the malleability of sheet metal. His obsession with this medium continued throughout his career as he worked to master it, culminating in this series and other monumental sculptures finished before his death. By reducing the colour palette to a single primary colour, the work achieves the perfect balance between form and medium. Calder radically changed the landscape and possibilities of sculpture in

the twentieth century and this work is a great example of this evolution due to its medium, its compositional balance, its theme, and its lack of base or plinth.

The *Critters* demonstrate a return for Calder to the realm of caricaturist figurative representation that had been so popular in his early career, for example in his miniature circus, *Cirque Calder* during the late 1920s and early 1930s. However, the inspiration for this series can also be understood through Calder's relationship with the Surrealists, especially in his early career. Close parallels can be drawn between the work of Yves Tanguy and *Critter Bleue Assie*. In specific, Tanguy's *Untitled (Repondre)* from 1938 features semi-abstract biomorphic figures inhabiting a mystical realm. These figures, just like *Critter Bleue Assie*, inhabit a mental landscape meant to test our emotions and seduce us with a mystery that does not reveal its secrets. Thus, Calder believed that art should 'not be just a fleeting moment but a physical bond between the varying events in life.' (Alexander Calder, 'Comment réaliser l'art?' from *Abstraction-Création, Art Non Figuratif*, no. 1, 1932) In this manner, *Critter Bleue Assie* symbolises Calder's decade's long exploration of the stabile and is a unique and exceptional materialisation of sculptural and painterly idioms demonstrating Calder's poetic approach to making art.



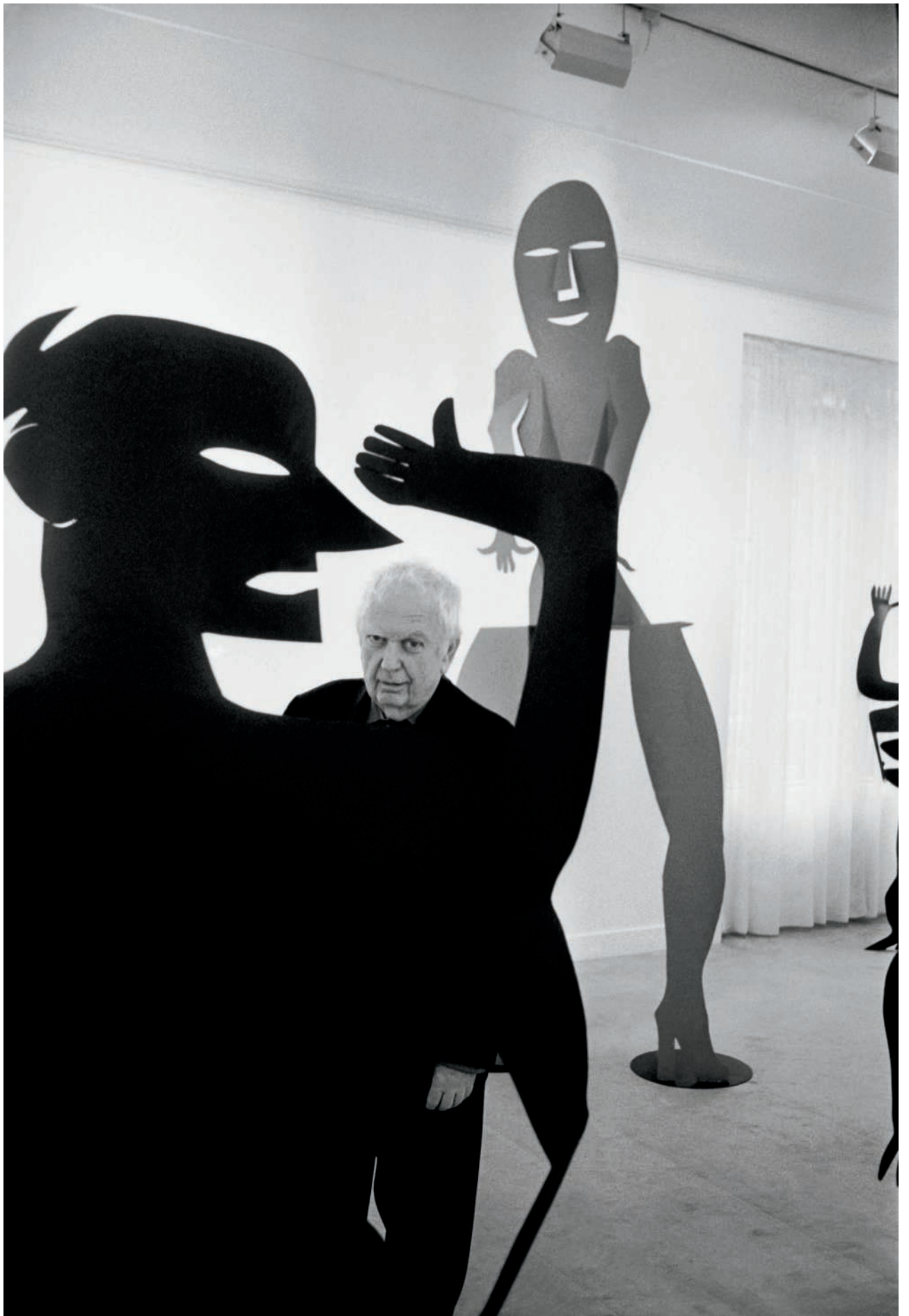
**Left: The poster for the 'Crags and Critters' exhibition at Galerie Maeght, Paris**  
Designed by Alexander Calder  
Offset colour lithograph

© 2015 Calder Foundation, New York / DACS London

**Right: Alexander Calder, Among his Sculptures at Galerie Maeght, Paris, 1975**

Photo by Keystone-France/Gamma-Keystone via Getty Images.  
© 2016 Calder Foundation, New York / DACS London









**Ufan. Sang-Hwa.**

**23. Lee Ufan** b. 1936

*From Point no. 760128, 1976*

oil on canvas

60.6 x 72.7 cm (23<sup>7</sup>/<sub>8</sub> x 28<sup>5</sup>/<sub>8</sub> in.)

Signed and dated 'L. Ufan 76' lower right.

Further signed and titled 'Lee Ufan

"From Point 760128" on the reverse.

**Estimate**

£200,000-300,000 \$290,000-435,000

€256,000-384,000 ₪

**Provenance**

Private Collection, Asia

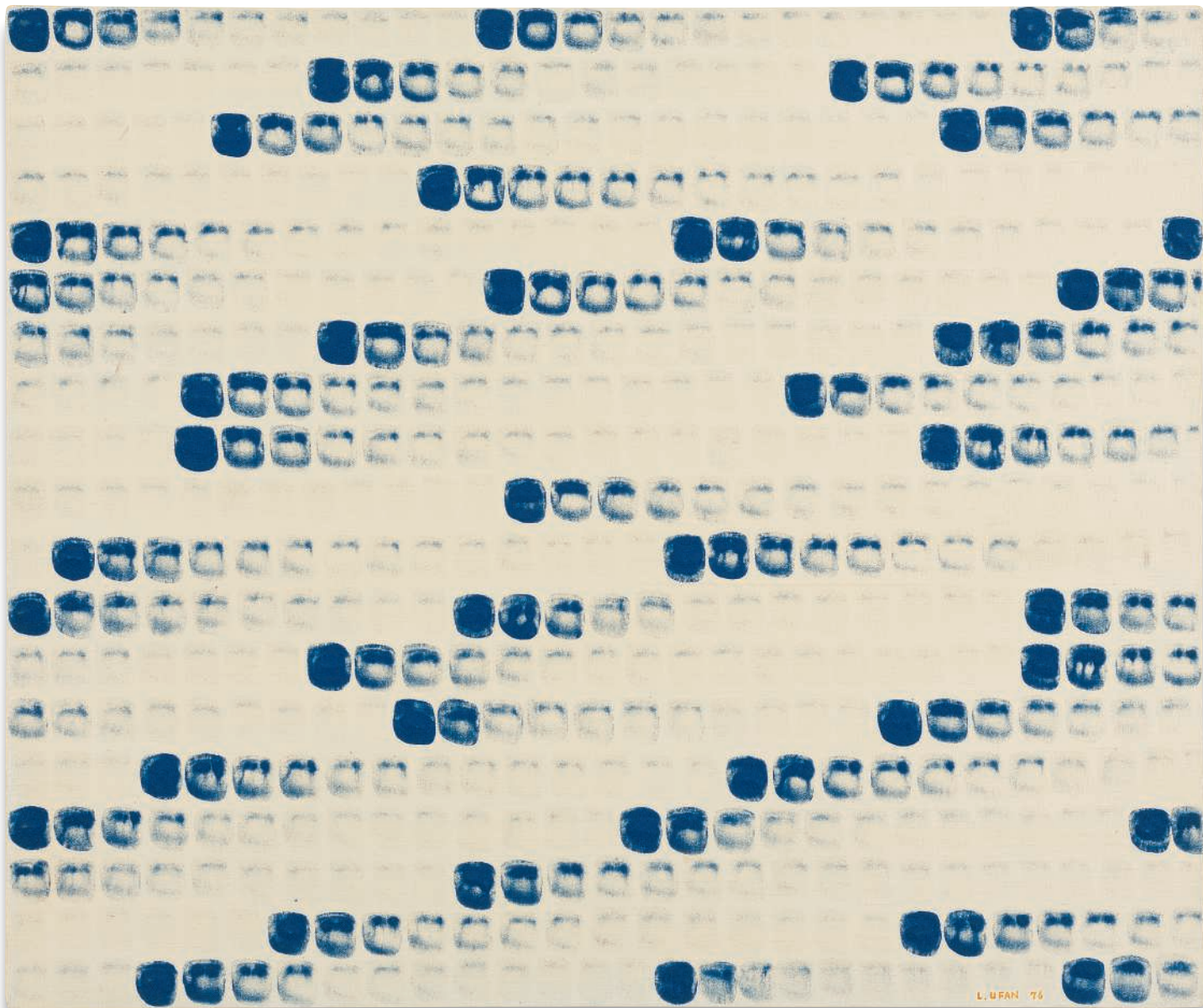
Seoul Auction, Seoul, *Contemporary and Modern Art Sale*, 12 December 1998

Private Collection

Seoul Auction, Seoul, *Contemporary and Modern Art Sale*, 1 May 2002

Acquired at the above sale by the present owner





L. UFAN '76







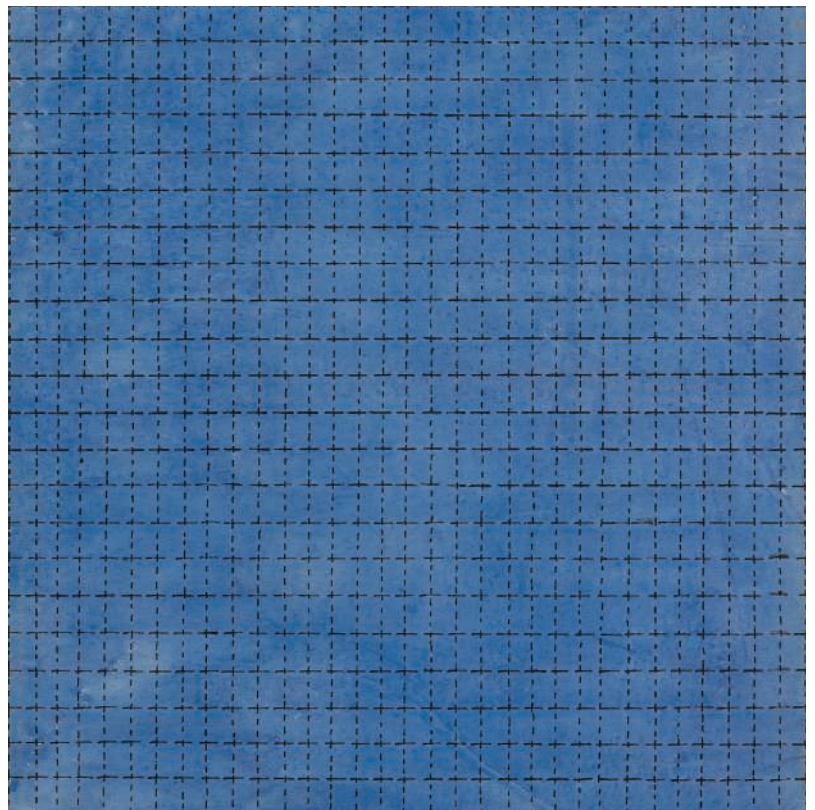
Born in Korea in 1936, Lee Ufan originally trained as a philosopher and this schooling has informed his art ever since. It led to Lee becoming one of the founders, and the chief theorist, of the *Mono-ha* ("School of Things") group in the late 1960s, along with artists such as Jiro Takamatsu and Kishio Suga. Much like the artists associated with *Arte Povera* in Italy, *Mono-ha* artists explored the encounter between the natural and the industrial: stone against steel; cotton versus sponge; oil and water. These dialogues were arranged in mostly unaltered, ephemeral states, focusing the viewer's attention as much on the interdependency of these various elements and the surrounding space as on the materials themselves. Lee Ufan made works employing only steel and stone; a sculptural practice he still employs today.

The *Mono-ha* school of thought rejected Western notions of representation, choosing to focus on the relationships of materials and perceptions rather than on expression or intervention. A complete departure from the tenets of the *Gutai* movement, which dominated the previous decade in Japan. The movement's goal was to embrace the world at large and encourage the fluid coexistence of numerous beings, concepts and experiences. It is this intellectual trajectory that best informs Lee Ufan's paintings. Lee began to paint in earnest in the early 1970s and his first major series of paintings are his *From Point* works, executed between 1973 and 1984. *From Point no. 760128* (1976) is a hauntingly beautiful example of this series.

The rhythmic litany of painted daubs of crystalline cobalt blue paint, all executed with the same loaded brush, belies an equally regimented process and intellectual approach to the mechanics of painting and the philosophy of mark-making. Lee, always starting from left to right, makes almost identical marks with a paintbrush, always executed in the same manner with the same pressure, until the brush has no more pigment left to share with the canvas. Once the brush is empty the artist repeats the process over and over again until the canvas is full. This simple gesture graphs the passage of time, much like our unconscious breathing does. One can employ the language of Minimalism as a lens through which to explore Lee Ufan's works: seriality; the grid; the monochrome and even the dynamics of phenomenology come in to play here. But the Performative element of their production thrusts Lee Ufan's paintings in to a different aesthetic and intellectual space.

As much as anything Lee Ufan's paintings emerge out of a dialogue between Performance, philosophy and painting. The 'points' he marks on to the canvas are both of departure and arrival; of a phenomenon both physical and metaphysical; a concrete note demarcating the present yet also evanescent whispers of the past. As the artist writes, 'Each spot is a momentary encounter between me, the canvas, the paint and the brush, the continuation of discontinuity. Their singularity and repetition create a lively pictorial through the relationship between identity and difference. They are traces of life, endlessly similar but endlessly changing, a system of time.' (Lee Ufan in exh. cat., Bonn, Kunstmuseum, *Lee Ufan: Gemälde 1973 bis 2001*, June-September 2001, p. 92).

Agnes Martin  
*Starlight*, 1963  
Watercolour and ink on paper  
Private Collection  
© 2016, Agnes Martin / DACS.  
Photo © Bridgeman Images



**24. Chung Sang-Hwa** b. 1932

*Untitled 85-7-14, 1985*

acrylic on canvas

130.5 x 130.5 cm (51 $\frac{3}{8}$  x 51 $\frac{3}{8}$  in.)

Signed, titled and dated in English and Korean

'Chung Sang-Hwa "85-7-14" 1985' on the reverse.

**Estimate**

£300,000-400,000 \$435,000-581,000

€384,000-512,000 ₪

**Provenance**

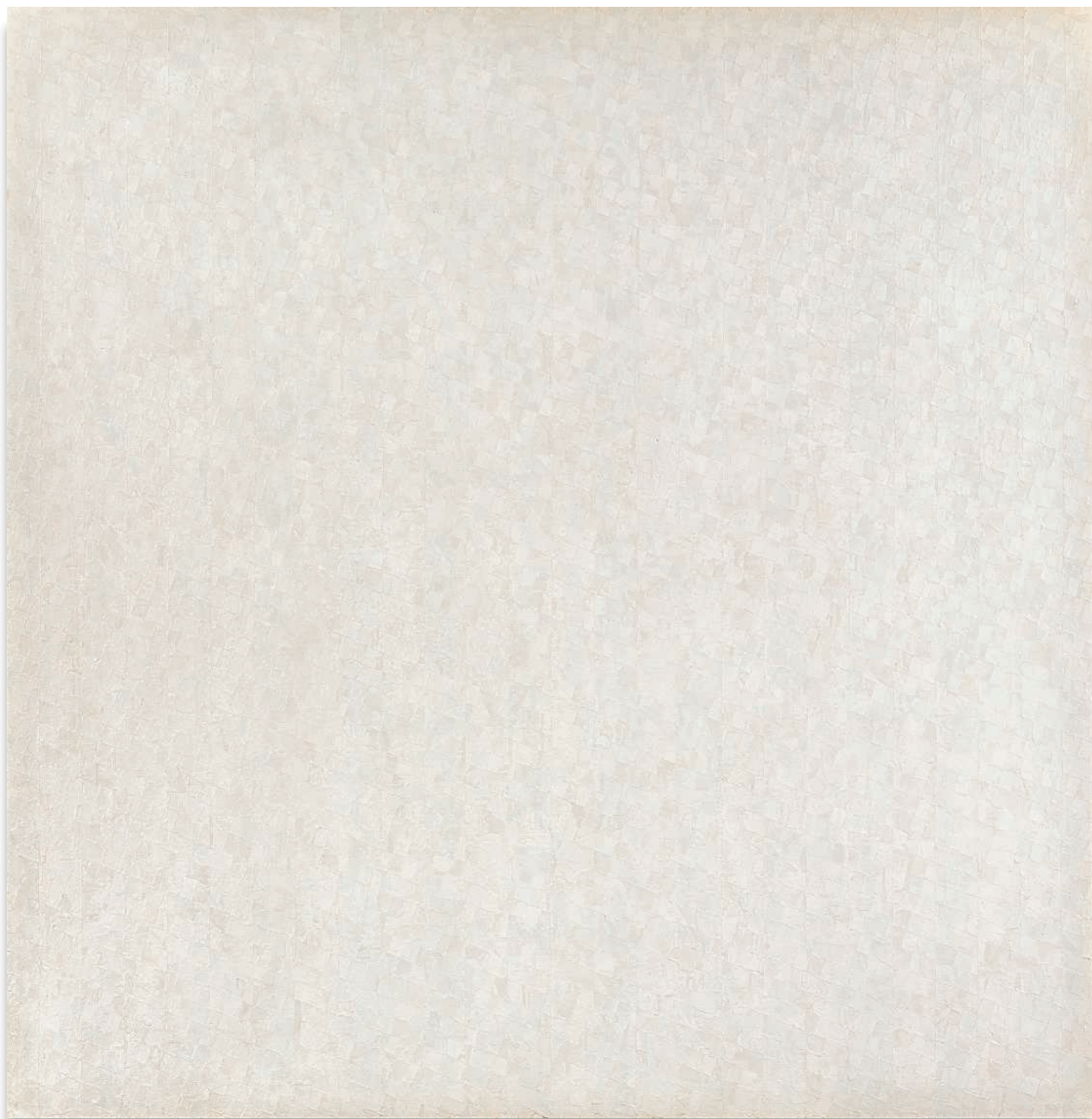
Private Collection

K Auction, Seoul, *100+ auction*, 29 April 2014, lot 2

Private Collection, Asia

Acquired at the above sale by the present owner





Born in Korea in 1932, Chung Sang-Hwa is a leading protagonist of the now celebrated 'Dansaekhwa' movement of (chiefly) monochromatic painting that emerged in Korea in the mid 1970's. Executed in 1985, *Untitled 85-7-14*, is a wonderful example of Chung's aesthetic and practice. A pure white monochrome surface reveals, only upon close inspection, an intricate reductive process of painting: a combination of the repetitive application, then removal of white acrylic paint on canvas, forming a network of tiny squares that seem to have been almost cut in to the painted layer. These squares are, of course, the fruits of a most laborious process; a dynamic predicated upon the rituals of Performance and executed as one repeats their mantra to achieve transcendental meditation.

Like his fellow Dansaekhwa artists, Park Seo-Bo, Ha Chong-Hyun and Lee Ufan, process is privileged over painting or any such suggestion of form. The content of the work resides entirely in the manner of its making. As such, strong connections can be made with the conceptual trajectories of movements as various as Arte Povera, Minimalism and even Land Art, as well as the work of early post-war artists such as Piero Manzoni and Yves Klein. Their determined efforts to make the hand of the artist as invisible as possible, so as to let the object achieve a status outside of the confines of its own production, chimes neatly with the coda of Dansaekhwa. Process for Chung becomes a movement that is repeated so much that the artist loses himself in it; his eye-hand-support coordination becomes almost innate. Thus the artist is able to treat his surface as objectively and impassionately as possible; eschewing 'emotion' as much as possible to create a silent, modest surface built out of intense layers of focus, commitment and time.

As Professor Joan Kee neatly summarises, 'I think Chung approached painting not just as an object, but as a question of time: the labor he invested was a way of making that very clear. It takes a long time to produce a single work. Not only is there repetition, but there are long periods of waiting — waiting for paint to dry, to peel, to chip away, and so forth. His work may be described in some way as an aesthetic of accumulation. There is density of material, but also density of duration.' (Joan Kee in *The Korea Times*, 'Chung Sang-hwa seeks aesthetics of accumulation', Seoul, 27 March 2016)

**Chung Sang-hwa's hands**  
Photo taken by Park Myung Rae,  
courtesy of Wooson Gallery









**Albers. Sandback. Flavin.**

## 25. Josef Albers 1888-1976

*Study for Homage to the Square: Osmosis*, 1959  
oil on masonite  
60.9 x 60.9 cm (23 $\frac{7}{8}$  x 23 $\frac{7}{8}$  in.)  
Initialled and dated 'A59' lower right. Further signed,  
titled and dated 'Josef Albers "Study for Homage to  
the Square: Osmosis" 1959' on the reverse.

### Estimate

£200,000-300,000 \$290,000-435,000  
€256,000-384,000 ₣

### Provenance

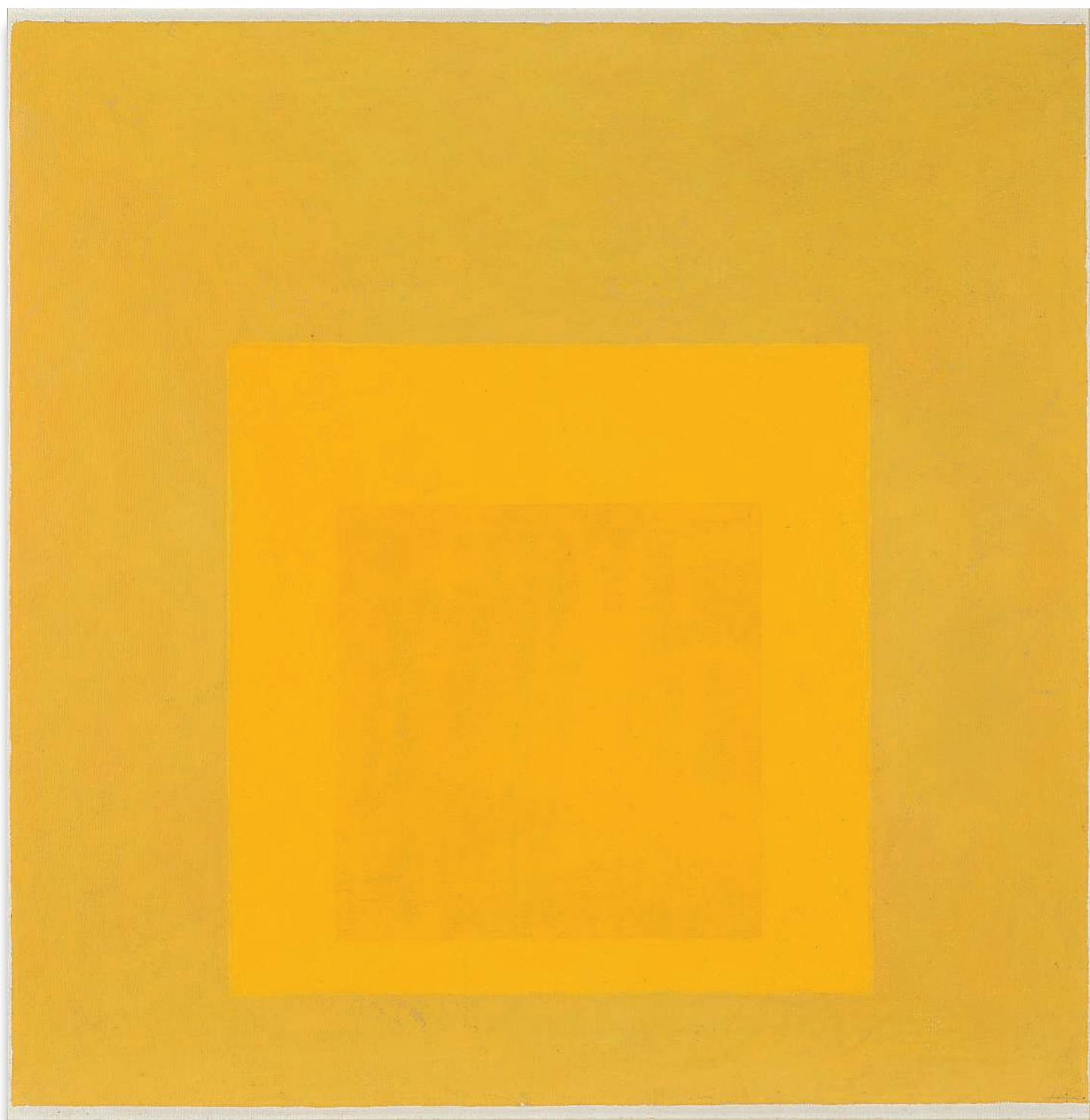
Galleria de Foscherari, Bologna  
Private Collection, Italy  
Acquired from the above by the present owner

This work will be included in the forthcoming  
Catalogue Raisonné being prepared by the Josef  
and Anni Albers Foundation.

*Homage to the Square*, titles Josef Albers most significant body of work produced over the final 26 years of his life. Having enrolled at the Bauhaus School of Art in the early 1920's, Albers found himself exposed to a curriculum which sort to explore the technical components of artist production. Inside this construct, teaching emphasis was placed on form, texture and the colour within the creative process. Staying on to lecture at the art school, Albers' formal training was to be the foundations for his extensive lifetime studies in colour theory.

In 1933, under Nazi pressure the Bauhaus school closed and Albers emigrated to the United States where he settled in north Carolina and taught at Black mountain college. His pupils of this time included amongst others, Cy Twombly and Robert Rauschenberg and his teaching was to be considered some of the most influential and progressive of its day. In 1950, at the age of 62, Albers embarked on his most celebrated series, titling each work the same: *Homage to the Square*. Each of the abstractions, combining either three or four uniquely coloured squares geometric placed within another, uses a basic composition to emphasise the complexity of colour perception. The regimented square framework, stripped of artistic licence, focuses the eye solely on the fundamental interplay between colours. This scientific practice is reiterated by the factual notes left on the reverse of each work, stating the exact colours used. For the viewer, the exploration of colour, combined with regulated forms, creates an intriguing illusion of space and depth to the painting surface. The present lot, which depicts three golden yellow squares, each darker than the outmost, offers the effect of three-dimensionality in such a way that the viewer could be looking down on a truncated pyramid.





## 26. Fred Sandback 1943-2003

*Untitled (Triangle)*, 1996  
light brown acrylic yarn  
297.2 x 292.1 x 297.2 cm (117 x 115 x 117 in.)

This work is accompanied by a letter of authenticity issued by the Estate of Fred Sandback and is registered in the artist's archive under number 2415.

### Estimate

£100,000-150,000 \$145,000-218,000  
€128,000-192,000 ₣

### Provenance

Estate of Fred Sandback, New York  
Private Collection, Switzerland

### Exhibited

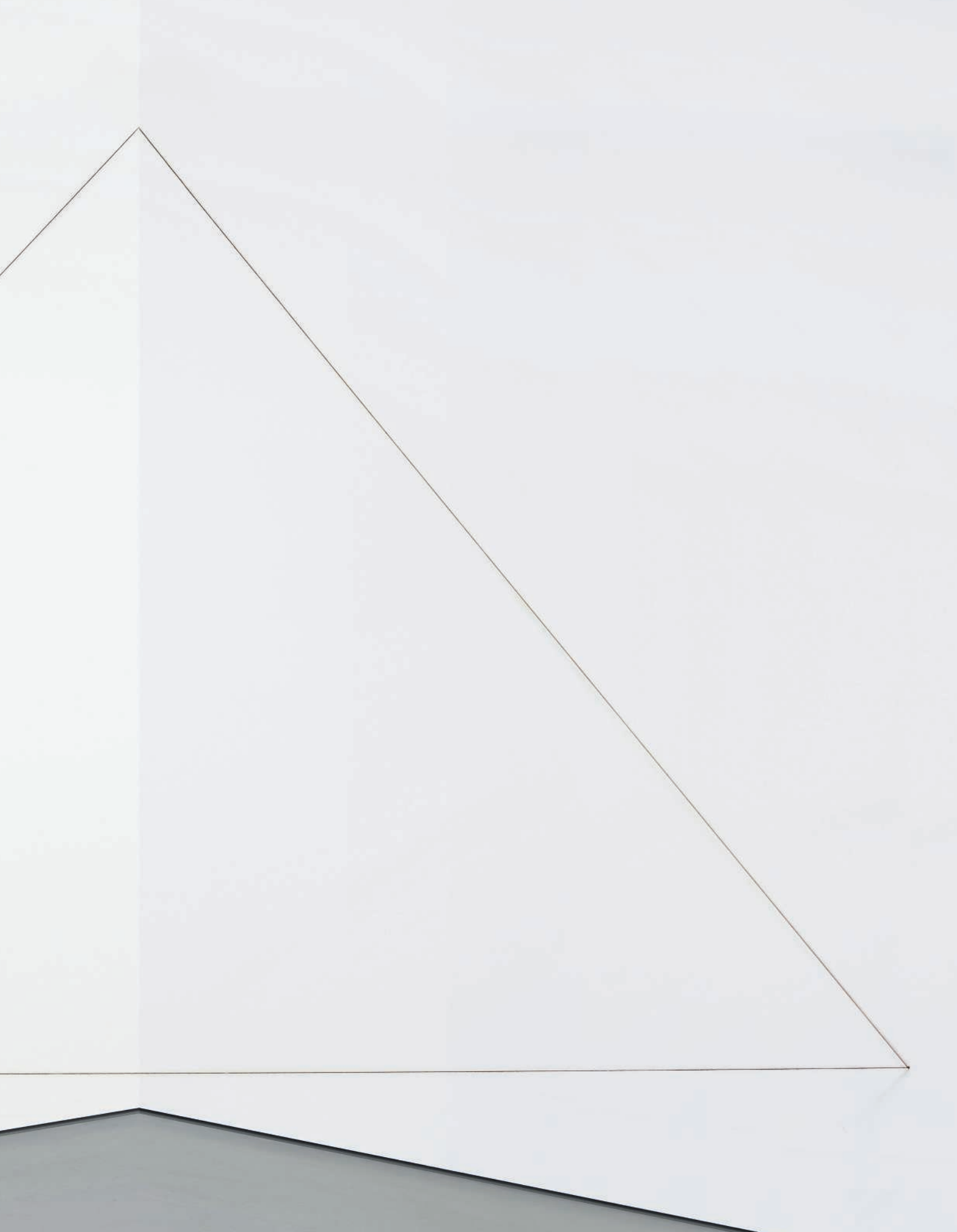
Zurich, Annemarie Verna Galerie, *Fred Sandback*,  
12 September-6 October 1996  
Cambridge, Kettle's Yard, *Fred Sandback*,  
7 May-26 June 2005

### Literature

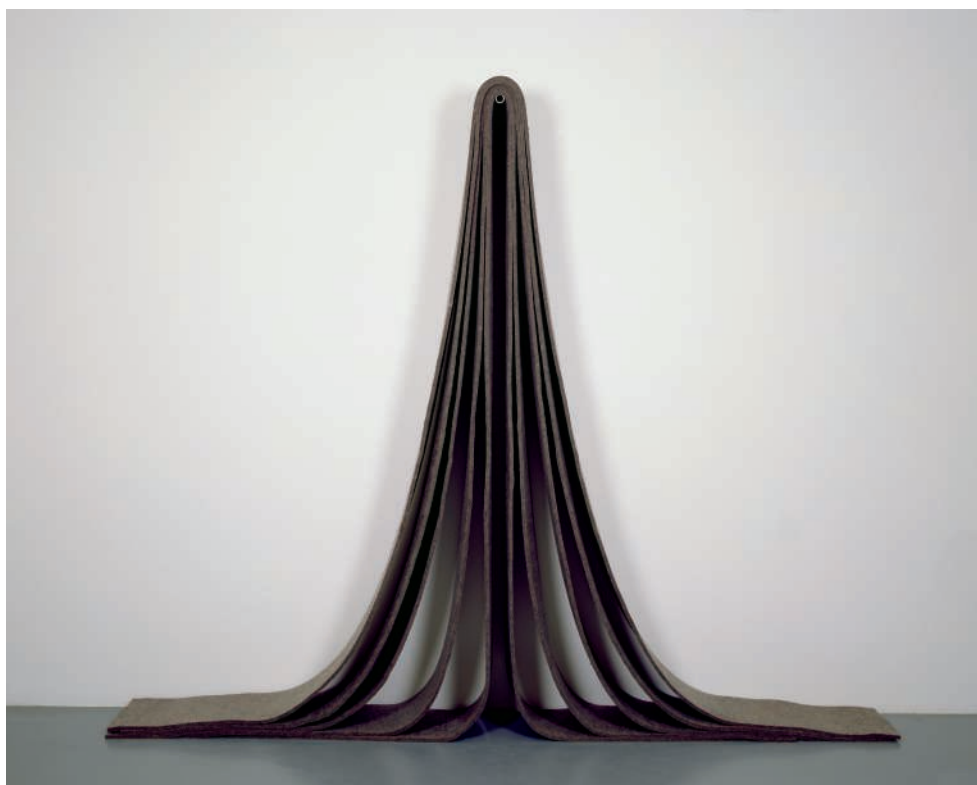
*Fred Sandback*, exh. cat., Kettle's Yard,  
Cambridge, 2005, p. 29 (illustrated)







Often producing a piece from the very yarn he kept in his pocket, it was as if Fred Sandback produced art out of thin air. Beguilingly simple while simultaneously alien, his string structures continue to command optical, physical and perceptual interaction with their audiences. After majoring in philosophy at Yale in 1966, Sandback pursued an MFA at the Yale School of Art. Drawing on memories of his antique dealer uncle weaving cane chairs, Sandback strung banjos and dulcimers in his free time – at one point even considering creating a career out of the pastime. His fascination with string and cord amused his teachers, enthralling one in particular, Donald Judd. Sandback produced his first definitive string structure in 1966, transforming his hobby into the seminal theme of his mature work. From 1966 to 2003, the year he died, the artist would use thread to describe a potentially limitless volume, usually hidden inside traditional sculptures, now only subjected to the angles from which one could view his creations.



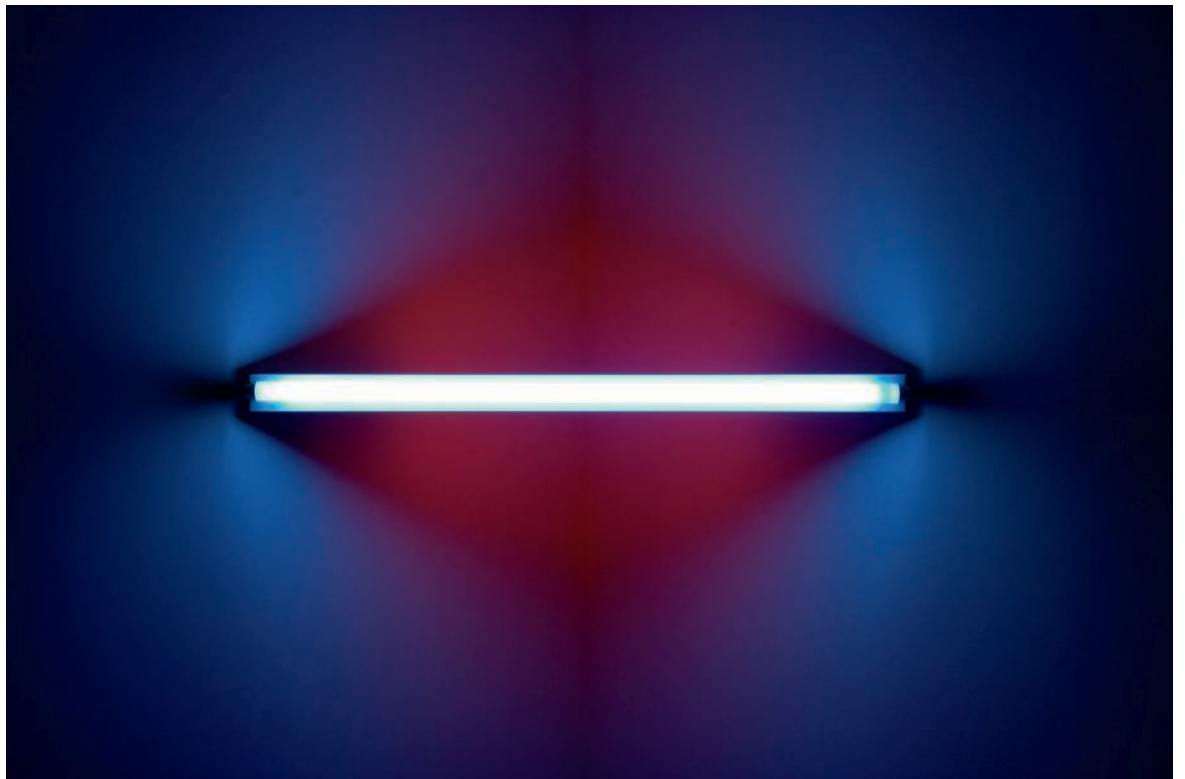
**Dan Flavin**  
***Untitled, 1970***  
Blue and red fluorescent lights  
with fixtures  
Davis Museum and Cultural  
Center, Wellesley College  
© Stephen Flavin / Artists Rights Society (ARS),  
New York 2016

**Robert Morris**  
***Untitled, 1970***  
Felt. Deichtorhallen,  
Hamburg, Germany  
© ARS, NY and DACS, London 2016.  
Image: Bridgeman Images



Through *Untitled (Triangle)* the artist is producing a space, rather than simply existing in what is already there. Three threads intersect to create a visual experience, confounding both one's preconceptions of sculpture as a medium and one's own perceptions of space. Mass and weight have been dispersed through the use of ultra-light-weight acrylic yarn pulled taut, reaching diagonally from wall-to-wall. Sandback preferred it over other similar materials, such as wire, because its softness defied a strict rigidity of shape, and its matte surface absorbed rather than reflected light. All that exists are these threads, dematerialised lines of colour, defining the perimeters of a new space. Sometimes, ephemeral shadows assist the work, either

adding or further delineating the created space. Sandback highlighted the ambulatory experience of his work; namely, his desire for viewers to coexist within this newly created space – whether that be by walking around, beside or through it. To participate is to step into a new spatial plane and an illusion of another reality. This involvement within the work engenders something akin to a phenomenological experience, forcing the audience to question themselves on how they inhabit and define the space around them. *Untitled (Triangle)* exists between the borders of Minimal and Conceptual art. Its physical presence may not be monumental, but the constant interpretations of the work lend it an impressive largeness in life.



**27. Dan Flavin** 1933-1996

*Untitled*, 1996

pink and green fluorescent light

152.5 x 31.2 x 10 cm (60 x 12¼ x 3⅞ in.)

This work is number 3 from an edition of 5.

This work is accompanied by a certificate of authenticity signed by the artist.

**Estimate**

£100,000-150,000 \$145,000-218,000

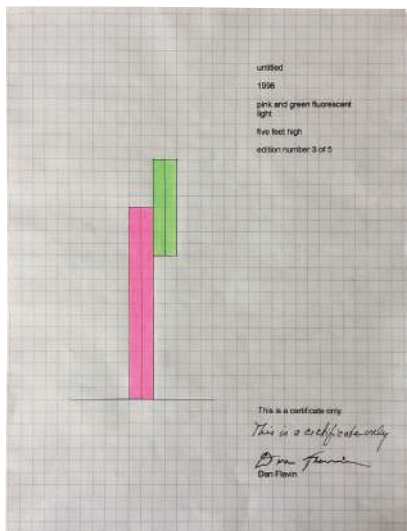
€128,000-192,000

**Provenance**

The Artist

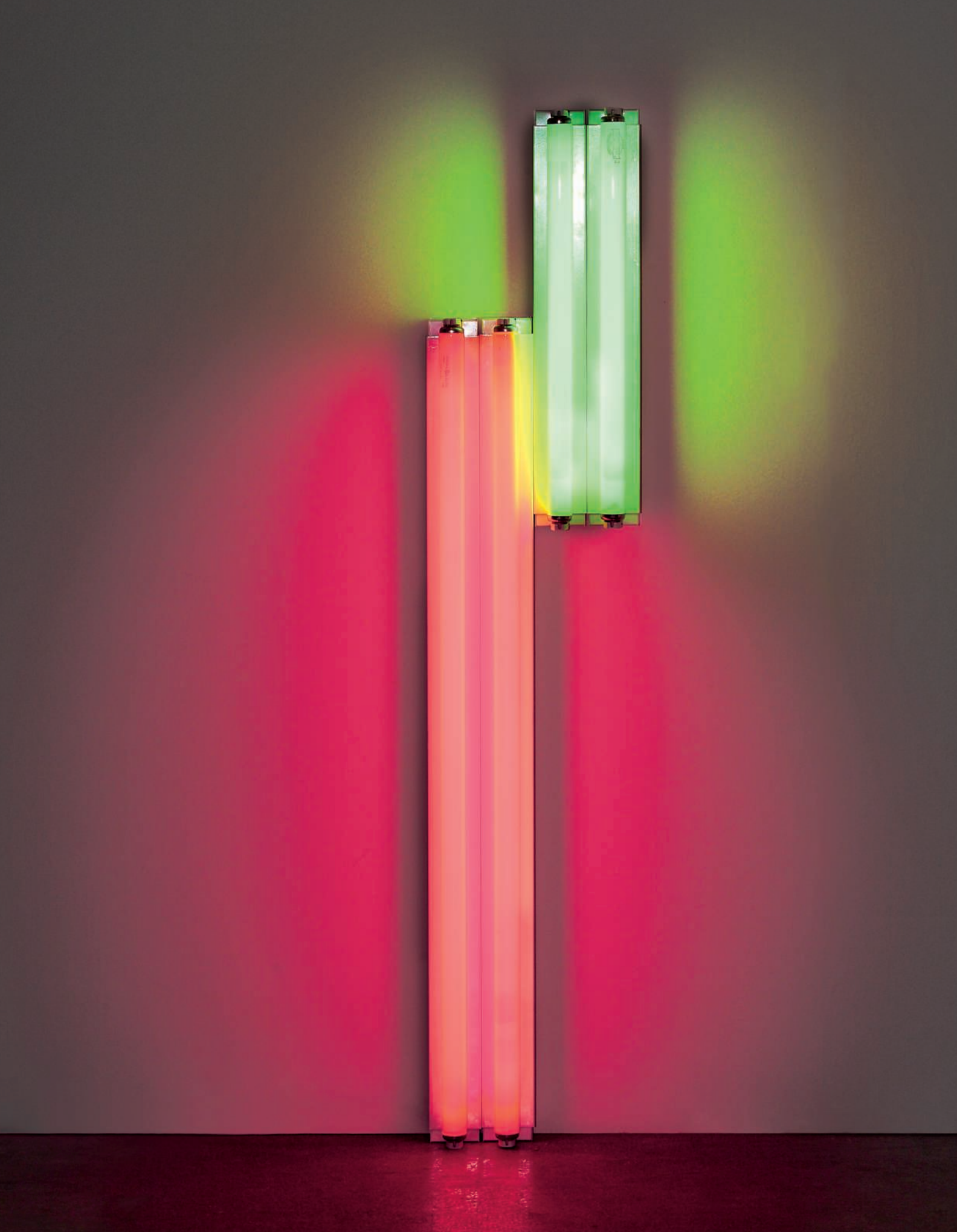
Galerie Sabine Knust, Munich

Private Collection, Berlin



The hand drawn certificate  
for the present lot

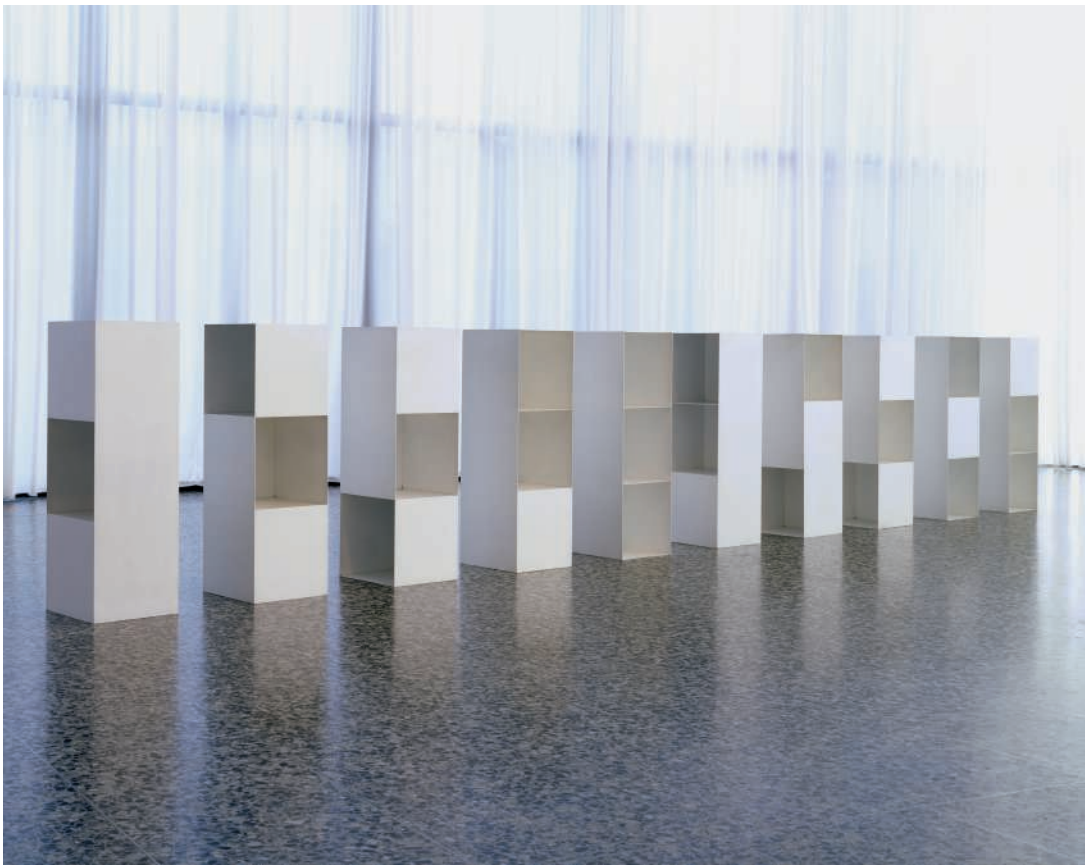




**‘It’s such a restrictive medium  
that I’ve developed an  
appreciation that way for it’**

Dan Flavin

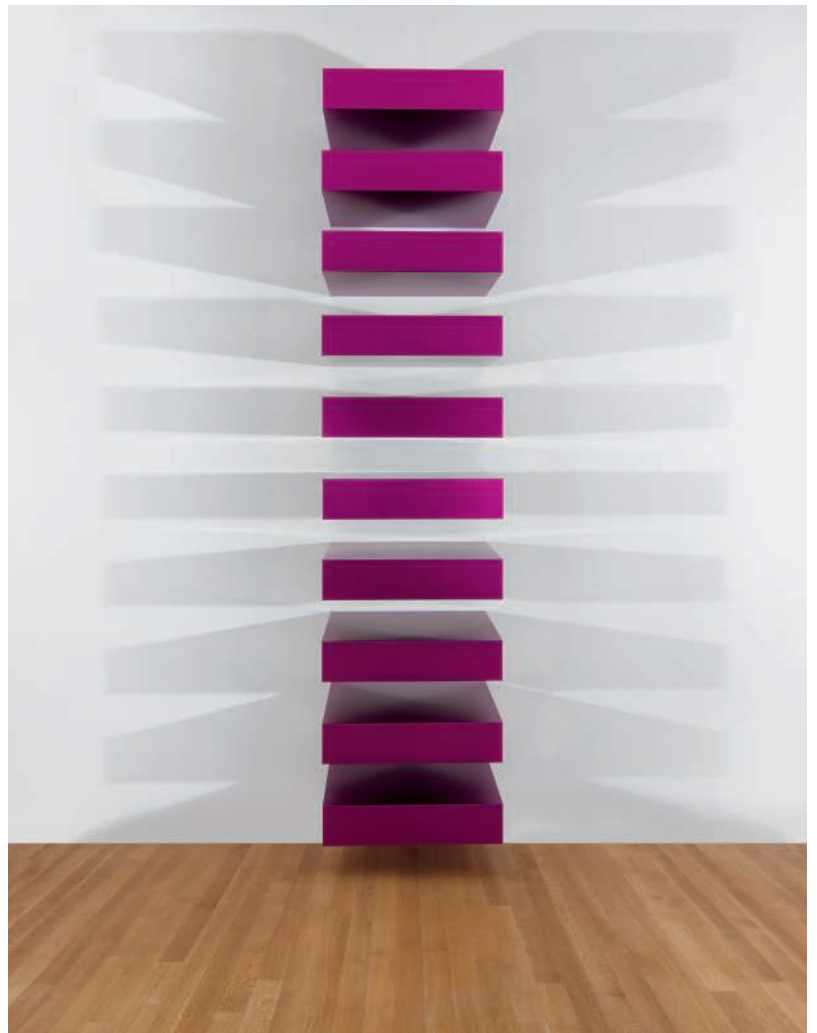
American artist Dan Flavin was one of the most influential figures of the minimalist art movement. Completed in the last year of his life, *Untitled* is a marvel of art theory and contemporary sculptural philosophy. Standing almost two meters in height, this sculpture is comprised of four delicate pink and green fluorescent tubes that stretch upwards in unison. As the solid beams rise they emit light that casts everything within reach with a warm seductive glow. The colours of the beams remain solid near the tubes, but as they dissipate further away from the source the two colours begin to appear blended, as if they had been intervened with a paintbrush. By embracing, and in turn affecting the architecture that surrounds it, this piece demonstrates the power behind Flavin’s avant-garde practice. Through the illumination of an environment, intense and layered relationships begin to form between the viewer, the light, and the space creating a spellbinding and mesmerizing experience.



**Sol LeWitt**  
**333, 1967**  
Baked white enamel on steel,  
10 units  
Museum of Fine Arts, Houston,  
Texas, USA / gift of Donald Judd  
© ARS, NY and DACS, London 2016  
Image: Bridgeman Images



Donald Judd,  
*Untitled (Bernstein 88-25)*, 1988  
Violet anodized aluminium  
Private Collection  
© Donald Judd Foundation/VAGA, New York and DACS,  
London 2016. Image: Bridgeman Images



In this manner, Flavin used an ordinary object that can be found in supermarkets, shopping centres, and offices and drained it of meaning. He transformed this material and used it to create forms that could manipulate an intangible material: light. When asked why he first started using fluorescent tubes, Flavin explained, 'I liked fluorescent light as a kind of typical modern light source that was so customary and taken for granted, that it would be ironic for me to abuse it.' (R. Gaugert, Flavin Audio Interview, *The Pulitzer Foundation for the Arts*, 1973). Flavin remained very ambiguous about the influences that inspired his work throughout his career choosing not to affect the viewer's experience by allowing the audience to draw their own conclusions. Acting as a beacon, Flavin's *Untitled*, transforms the space around it and illuminates the viewer's eyes with a captivating and entrancing glow.

Property from an Important European Collection

**28. Raqib Shaw** b. 1974

*The Mild-Eyed Melancholy of The Lotus Eaters II*, 2009  
acrylic, enamel, rhinestone and glitter on paper laid  
on board

121.2 x 206.2 cm (47¾ x 81⅞ in.)

Signed, titled and dated 'Raqib Shaw "The Mild-Eyed  
Melancholy of The Lotus-Eaters II' 2009 on the reverse.  
Further Signed and dated 'Raqib Shaw 2009'  
on the reverse.

**Estimate**

£300,000-500,000 \$435,000-726,000

€384,000-640,000 ₣ ♠

**Provenance**

White Cube, London

Acquired from the above by the present owner









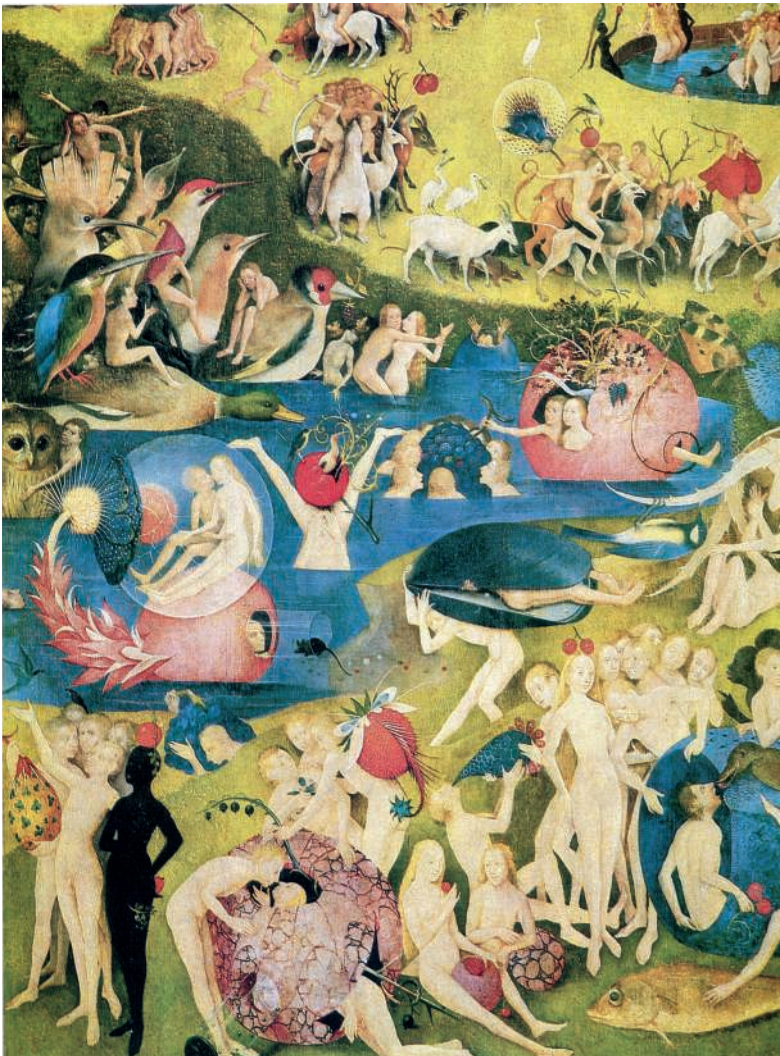






Through inspiration drawn from Western and Eastern mythology, artist Raqib Shaw created the radiant and opulent work: *The Mild eyed Melancholy of the Lotus Eaters II*. To create this piece, the artist used a variety of sources such as John Milton's epic poem *The Fall of Man* and Homer's *Odyssey*. However, it was the poem *The Lotos-Eaters* of 1832 by Lord Tennyson where Shaw draws the titular connection. Shaw adopts this type of narrative, literal imagery, and symbolism in order to weave his adult experiences with his childhood memories, giving it all life in an imaginary paradise. The lotus eaters in this piece are depicted as hybrid mythological figures being consumed, intoxicated, and subdued by the hallucinatory effects of the lotus flowers. When the group of mariners came across the pond filled with lotus flowers that they began to consume

them uncontrollably. Soon they could no longer leave for they had been completely enchanted by the perfume of the flowers and the paradise in which they rested. Shaw explained that 'through my work I am writing a diary, documenting the world I see and experience. In this way ideas are constantly being explored. The animal-human figures are representations of myself and the main protagonists in society that surround me.' (Raqib Shaw quoted in: Ben East, 'Raqib Shaw's Hopeless Quest for Beauty,' *The National*, Abu Dhabi, 3 Februari 2013, online resource). This artwork was developed through the application of acrylic paint, enamel, glitter, and rhinestones onto paper. This mixed media technique is indicative of the artist's rich background, as well as the diversified historical and literal sources from which he chooses to draw inspiration.



Hieronymus Bosch  
*The Garden of Earthly Delights*  
(detail of central panel),  
1503-1515, c.1800  
Oil on panel  
Prado, Madrid



Icon of Chinnamasta,  
the Mahavidya arising  
from the joined bodies  
of the Originating Couple,  
Kangra, c.1800  
Gouache on paper  
Image: Bridgeman Images.



**A land where all things always seem'd the same!  
And round about the keel with faces pale,  
Dark faces pale against that rosy flame,  
The mild-eyed melancholy Lotos-eaters came.**

**Branches they bore of that enchanted stem,  
Laden with flower and fruit, whereof they gave  
To each, but whoso did receive of them  
And taste, to him the gushing of the wave  
Far far away did seem to mourn and rave**

A selection from Lord Tennyson, *The Lotos-Eaters*, 1832

This artwork belongs to a series titled *Paradise Lost*. Composed of several paintings and sculptural works this series was first exhibited at the White Cube in 2011. The paintings in the series were all realised according to a specific season, time, and climate. *The Mild eyed Melancholy of the Lotus Eaters II* is a spring composition due to its vivid, shimmering, and incandescent colouration as well over all themes. The meticulous depictions of the hybrid figures and flowers are reminiscent of Western art such as Northern Renaissance painting, particularly the work of Hieronymus Bosch. For instance in *The Garden of Earthly Delights*, completed by Bosch in 1503-1515, the central panel shows a similar saturated composition, bright colouration, and paradisiacal atmosphere. Shaw also draws on his Indian background to extract inspiration for his work. For example, in the Icon of Chinnamasta, the Mahavidya arising from the joined bodies of the Originating Couple, Kangra, completed circa 1800, a similar intense, luxurious, sensuous interaction between the mythical figures takes place. Together all the elements of the piece form a paradise of Shaw's own making. In a romantic outcry for times gone by, the artist yearns for the innocence and simplicity of childhood. Through this intricate and emotional piece a personal mythology of hope, sadness, and courage is unfurled before the viewer.

**29. Sterling Ruby** b. 1972

SP138, 2010  
spray paint on canvas  
243.8 x 213.4 cm (96 x 84 in.)  
Initialed, titled and dated 'SR "SP138" 10'  
on the reverse.

**Estimate**

£300,000-500,000 \$435,000-726,000  
€384,000-640,000 ₺

**Provenance**

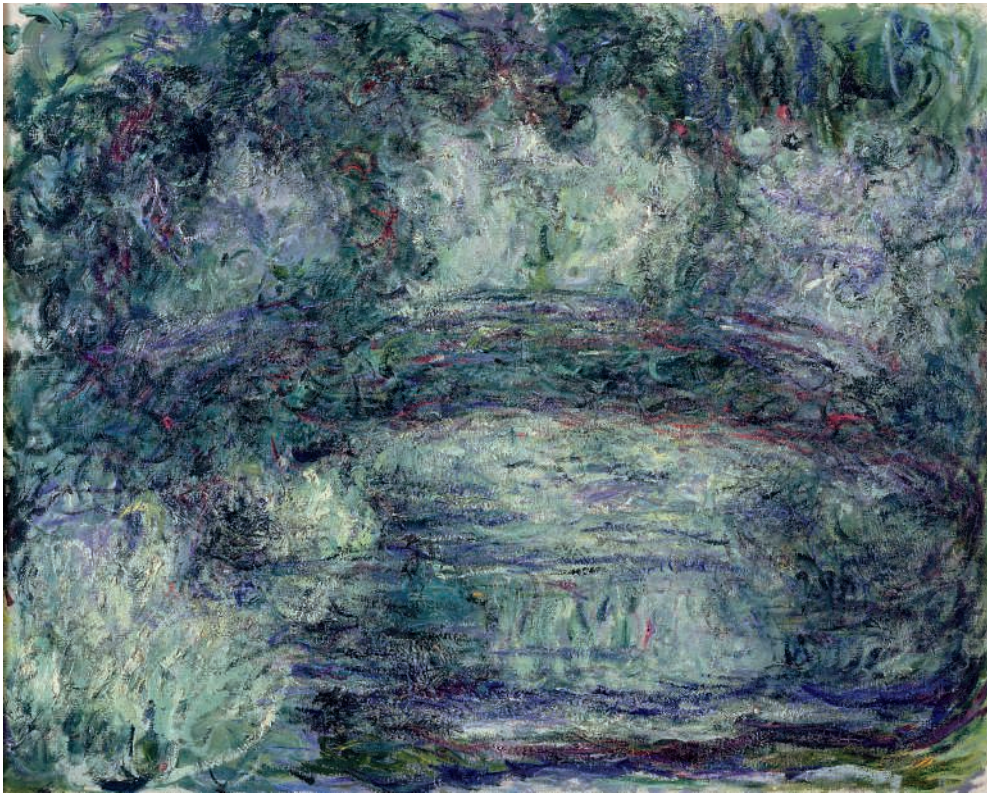
Xavier Hufkens, Brussels  
Acquired from the above by the present owner

**Exhibited**

Brussels, Xavier Hufkens, *Sterling Ruby: Paintings*, 24 February-9 April 2011  
Paris, La Réserve, *Voir est une Fable*, 22 October-27 October 2013  
London, Inigo Philbrick, *Spray, Memory: Sterling Ruby & Mike Kelley*, 25 May-31 July 2015







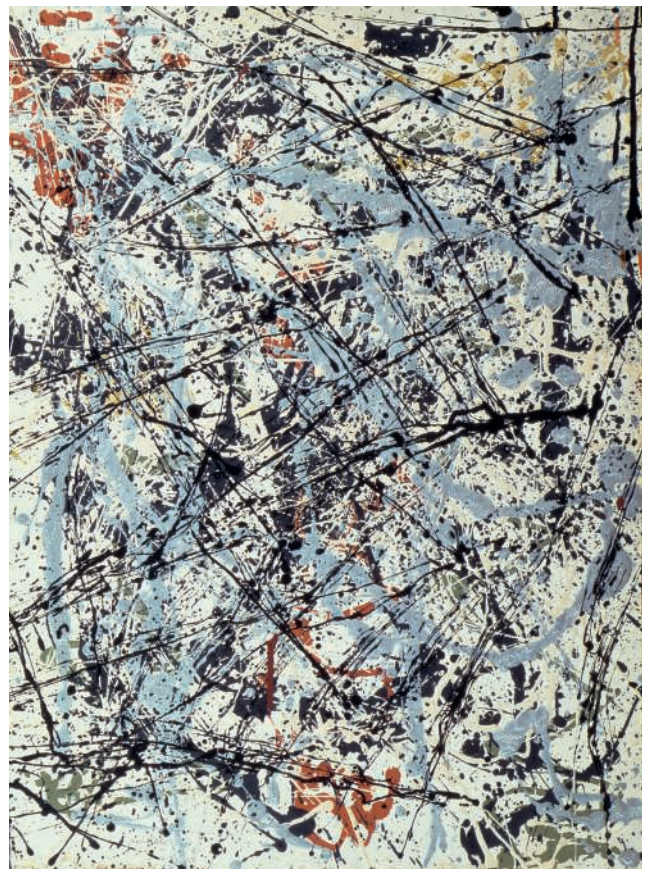
Claude Monet  
***The Japanese Bridge*, 1918-1919**  
 Oil on canvas  
 Musée Marmottan Monet,  
 Paris, France  
 Image: Bridgeman Images

SP 138, is a hallucinogenic, elusive, and enigmatic example of aerosol art that reads similarly to a colour field painting. Yet, it reveals the historical layers, nomadic existence, and transversal disposition of street art. Sterling Ruby employs a hybrid visual language of social structures combined with that of marginalized groups, prison systems, modernist architecture, artefacts, memorabilia, weapons of war, cults, and urban gangs to articulate issues around violence and autobiographical experiences. In this manner, the work adopts a jagged visual range that is at once fragmented and cohesive. Ruby's style freely oscillates between minimalism and expressionism, immobility and movement, purity and saturation. Ruby challenges notions surrounding graffiti art and vandalism in order to delineate the struggle between authorities and minorities. Through his work, the defiant act of tagging is transformed into something painterly and sublime. 'The desire to make paintings,' explained the artist 'was an absolute reaction to seeing graffiti and territorial disputes. I found it almost impossible to ignore my generations continued struggle to make a meaningful painting. I like to think that I have found a way to make spray paint abstract.' (Y. Cheung, *Q+A with Sterling Ruby*, Gagosian Gallery, 4 September 2014). Thus, Ruby's technique involves philosophical inquiry as much as material investigation. In fact, Ruby's work is often associated with post-humanism, which refers to a society which – through technology – has evolved



beyond the boundaries and predetermined notions about human nature; it no longer subscribes to the world view that man is the measure of all things. 'I think of the post-human as the end result of being overwhelmed by our own history, theories, and politics' stated the artist, 'my work reflects the paranoia or schizophrenia of that contemporary conditioning.' (Brienne Walsh, *The Survivalist: Q+A with Sterling Ruby*, *Art in America*, 18 March 2011)

Originally exhibited during *Paintings* at Xavier Hufkens Gallery in Brussels in 2011, this work stands out amongst the other eleven exhibited because of the delicate complexity of the colour scheme juxtaposed with the voracious all-consuming void of black. The mysterious and compelling elements of these works served as the inspiration for Raf Simons when creating fabrics to be used for the Christian Dior Couture collection in 2012. The appropriation of Ruby's visual language into haute-couture further signifies the cultural ramifications and influence that his work has, as well as, signifies the journey that street art has undertaken over the past few decades. *SP138* is a prime example of the aspects, techniques, methodologies, and theoretical approach of Ruby's practice that have captivated a wide audience pronouncing him 'one of the most interesting artists to emerge in this century.' (Roberta Smith, *Art in Review*, *New York Times*, 21 March 2008).



**Jackson Pollock**  
***Untitled*, 1949**  
Oil, duco and aluminium  
on Masonite  
Private Collection  
© The Pollock-Krasner Foundation  
ARS, NY and DACS, London 2016.  
Image: Bridgeman Images

**30. Danh Vo** b. 1975

*Mezcal Union*, 2010  
gold leaf on cardboard  
65.5 x 113 cm (25¾ x 44½ in.)

**Estimate**

£100,000-150,000 \$144,000-216,000  
€129,000-194,000 ₣ ₣

**Provenance**

Kurimanzutto Gallery, Mexico City  
Acquired from the above by the present owner

Danh Vo is a self-proclaimed collector of ruins and fragments. Born in Vietnam in 1975, the subsequent Communist victory forced his family to flee on a handmade boat, eventually seeking political asylum in Denmark. Without any recollection of his early childhood in Vietnam, Vo quickly assimilated into Danish culture. His art, whether performance based or hand-produced, represents an emotionally-charged exploration of his own identity, the ephemeral definitions of ethnicity and belonging in an increasingly interconnected world and the dichotomy between private and shared histories. In *Mezcal Union* Vo has deconstructed cultural material, from the boxes that store personal objects and memories to the corporate logo of high-end Mezcal Union, creating an entirely new, albeit fragmented object. Amidst the cardboard and gilded lettering are untold stories, connections and interpretations. Vo's talent is in amalgamating the hidden histories and meanings of these objects into one. As he describes it, 'To me, things come out of the continuous dialog you have with your surroundings, I need that in order to work, and in this dialog things often come to me by chance and you just have to catch them at the right moment...'.



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### 31. Kelley Walker b. 1969

*Untitled*, 2007  
four colour process silkscreen on canvas  
with newspaper  
198.5 x 138 cm (78½ x 54¾ in.)  
Signed and dated 'Kelley Walker 2007'  
on the reverse.

#### Estimate

£100,000-150,000 \$145,000-218,000  
€128,000-192,000 ₺

#### Provenance

Paula Cooper Gallery, New York  
Acquired from the above by the present owner

Kelley Walker's artistic practice has served as a continuum for the cultural analysis and abstraction of iconic images that began with Andy Warhol's pop art. Indeed 'Kelly Walker's bricks read as both an abstract pattern and an impenetrable wall' Jeffrey Deitch explains. 'Walker's "brick paintings" propose another way to reconcile the opposing aesthetic directions of Pollock, Johns, and Warhol. They reference Pollock's nonhierarchical composition, Johns' engagement with the found abstraction of his flagstone pattern, and Warhol's abstraction of iconic images rendered with a mechanical printing technique.' (J. Deitch, *The Painting Factory: Abstraction after Warhol*, exh. cat., Museum of Contemporary Art, Los Angeles, 2012, p. 6)

Walker's post-pop wizardry entails traditional image production juxtaposed with techniques from the digital age. In *Untitled*, everyday magazines and newspapers are collaged against silkscreen images of bricks, each one scanned and printed by hand. The artist uses the traditional CMYK printing process to invert the traditional colours of the brick into saturated shades. As they are stacked over each the magazines recede into the canvas, only emerging as something akin to mortar between these digital bricks. While the magazine's headlines and text have become obscured, they remain tangible in the architectural structure as a whole, serving as a means for Walker to highlight the invasive and infiltrative abilities of popular culture against the very foundations of our consumer society. Even more ominously, it appears as a suggestion of the fundamental instability within society at large.

The artist describes his celebrated brick paintings as possessing a 'depth of actual architectural space', while expressing a 'confused, digitally displaced logic.' Amidst the gridded surfaces of the work exists an ode to the brick and mortar urban landscape of New York, where Walker resides, and his own brick studio windows. The flatness of the canvas and overall 'wall' image is defied by the lurid tones of the white bricks, in addition to the flecks of colour, completed by an almost looming shroud of smaller black bricks. In essence, Walker highlights the power of recycling and re-appropriation as legitimate aesthetic techniques in their own right, but also, in their power, through the staging and re-staging of objects, to inform past, present and future histories.

Detail of the reverse  
of the present lot









# Guide for Prospective Buyers

## Buying at Auction

The following pages are designed to offer you information on how to buy at auction at Phillips. Our staff will be happy to assist you.

## Conditions of Sale

The Conditions of Sale and Authorship Warranty which appear later in this catalogue govern the auction. Bidders are strongly encouraged to read them as they outline the legal relationship among Phillips, the seller and the buyer and describe the terms upon which property is bought at auction. Please be advised that Phillips generally acts as agent for the seller. Bidders should also read the Important Notices and VAT information immediately following this Guide for Prospective Buyers.

## Buyer's Premium

Phillips charges the successful bidder a commission, or buyer's premium, on the hammer price of each lot sold. The buyer's premium is payable by the buyer as part of the total purchase price at the following rates: 25% of the hammer price up to and including £100,000, 20% of the portion of the hammer price above £100,000 up to and including £1,800,000 and 12% of the portion of the hammer price above £1,800,000.

## VAT

Value added tax (VAT) may be payable on the hammer price and/or the buyer's premium. The buyer's premium may attract a charge in lieu of VAT. Please read carefully the VAT and Other Tax Information for Buyers section in this catalogue.

## 1 Prior to Auction

### Catalogue Subscriptions

If you would like to purchase a catalogue for this auction or any other Phillips sale, please contact us at +44 20 7318 4010 or +1 212 940 1240.

### Pre-Sale Estimates

Pre-sale estimates are intended as a guide for prospective buyers. Any bid within the high and low estimate range should, in our opinion, offer a chance of success. However, many lots achieve prices below or above the pre-sale estimates. Where 'Estimate on Request' appears, please contact the specialist department for further information. It is advisable to contact us closer to the time of the auction as estimates can be subject to revision. Pre-sale estimates do not include the buyer's premium or VAT.

### Pre-Sale Estimates in US Dollars and Euros

Although the sale is conducted in pounds sterling, the pre-sale estimates in the auction catalogues may also be printed in US dollars and/or euros. Since the exchange rate is that at the time of catalogue production and not at the date of auction, you should treat estimates in US dollars or euros as a guide only.

### Catalogue Entries

Phillips may print in the catalogue entry the history of ownership of a work of art, as well as the exhibition history of the property and references to the work in art publications. While we are careful in the cataloguing process, provenance, exhibition and literature references may not be exhaustive and in some cases we may intentionally refrain from disclosing the identity of previous owners. Please note that all dimensions of the property set forth in the catalogue entry are approximate.

### Condition of Lots

Our catalogues include references to condition only in the descriptions of multiple works (e.g., prints). Such references, though, do not amount to a full description of condition. The absence of reference to the condition of a lot in the catalogue entry does not imply that the lot is free from faults or imperfections. Solely as a convenience to clients, Phillips may provide condition reports. In preparing such reports, our specialists assess the condition in a manner appropriate to the estimated value of the property and the nature of the auction in which it is included. While condition reports are prepared honestly and carefully, our staff are not professional restorers or trained conservators. We therefore encourage all prospective buyers to inspect the property at the pre-sale exhibitions and recommend, particularly in the case of any lot of significant value, that you retain your own restorer or professional advisor to report to you on the property's condition prior to bidding. Any prospective buyer of photographs or prints should always request a condition report because all such property is sold unframed, unless otherwise indicated in the condition report. If a lot is sold framed, Phillips accepts no liability for the condition of the frame. If we sell any lot unframed, we will be pleased to refer the purchaser to a professional framer.

## Pre-Auction Viewing

Pre-auction viewings are open to the public and free of charge. Our specialists are available to give advice and condition reports at viewings or by appointment.

## Electrical and Mechanical Lots

All lots with electrical and/or mechanical features are sold on the basis of their decorative value only and should not be assumed to be operative. It is essential that, prior to any intended use, the electrical system is verified and approved by a qualified electrician.

## Symbol Key

The following key explains the symbols you may see inside this catalogue.

### O ♦ Guaranteed Property

The seller of lots designated with the symbol O has been guaranteed a minimum price financed solely by Phillips. Where the guarantee is provided by a third party or jointly by us and a third party, the property will be denoted with the symbols O ♦. When a third party has financed all or part of our financial interest in a lot, it assumes all or part of the risk that the lot will not be sold and will be remunerated accordingly. The compensation will be a fixed fee, a percentage of the hammer price or the buyer's premium or some combination of the foregoing. The third party may bid on the guaranteed lot during the auction. If the third party is the successful bidder, the remuneration may be netted against the final purchase price. If the lot is not sold, the third party may incur a loss.

### Δ Property in which Phillips has an Ownership Interest

Lots with this symbol indicate that Phillips owns the lot in whole or in part or has an economic interest in the lot equivalent to an ownership interest.

### ● No Reserve

Unless indicated by a ●, all lots in this catalogue are offered subject to a reserve. A reserve is the confidential value established between Phillips and the seller and below which a lot may not be sold. The reserve for each lot is generally set at a percentage of the low estimate and will not exceed the low pre-sale estimate.

### ♠ Property Subject to the Artist's Resale Right

Lots marked with ♠ are subject to the Artist's Resale Right calculated as a percentage of the hammer price and payable as part of the purchase price as follows:

Portion of the Hammer Price (in EUR)	Royalty Rate
From 0 to 50,000	4%
From 50,000.01 to 200,000	3%
From 200,000.01 to 350,000	1%
From 350,000.01 to 500,000	0.5%
Exceeding 500,000	0.25%

The Artist's Resale Right applies where the hammer price is EUR 1,000 or more, subject to a maximum royalty per lot of EUR 12,500. Calculation of the Artist's Resale Right will be based on the pounds sterling/euro reference exchange rate quoted on the date of the sale by the European Central Bank.

### Σ Endangered Species

Lots with this symbol have been identified at the time of cataloguing as containing endangered or other protected species of wildlife which may be subject to restrictions regarding export or import and which may require permits for export as well as import. Please refer to Paragraph 4 of the Guide for Prospective Buyers and Paragraph 11 of the Conditions of Sale.

### †, §, ‡, or Ω Property Subject to VAT


Please refer to the section entitled 'VAT and Other Tax Information for Buyers' in this catalogue for additional information.

## 2 Bidding in the Sale

### Bidding at Auction

Bids may be executed during the auction in person by paddle, by telephone, online or prior to the sale in writing by absentee bid. Proof of identity in the form of government-issued identification will be required, as will an original signature. We may also require that you furnish us with a bank reference. Please note that buyers bidding in person, by telephone, online or by absentee bid will not have the right to cancel the sale of any lot purchased under the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013.





Barbara Hepworth  
*Sun Setting* from  
*The Aegean Suite*, 1971 (detail)  
Lithograph on paper  
75.6 x 54.5 cm (29¾ x 21½ in.)  
© Bowness

## Late Hepworth.

*London, 6 July–27 August 2016*

An exhibition in celebration  
of The Hepworth Wakefield,  
examining Barbara Hepworth's  
work from 1965–1975.

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**Bidding in Person**

To bid in person, you will need to register for and collect a paddle before the auction begins. New clients are encouraged to register at least 48 hours in advance of a sale to allow sufficient time for us to process your information. All lots sold will be invoiced to the name and address to which the paddle has been registered and invoices cannot be transferred to other names and addresses. Please do not misplace your paddle. In the event you lose it, inform a Phillips staff member immediately. At the end of the auction, please return your paddle to the registration desk.

**Bidding by Telephone**

If you cannot attend the auction, you may bid live on the telephone with one of our multilingual staff members. This service must be arranged at least 24 hours in advance of the sale and is available for lots whose low pre-sale estimate is at least £500. Telephone bids may be recorded. By bidding on the telephone, you consent to the recording of your conversation. We suggest that you leave a maximum bid, excluding the buyer’s premium and VAT, which we can execute on your behalf in the event we are unable to reach you by telephone.

**Online Bidding**

If you cannot attend the auction in person, you may bid online on our online live bidding platform available on our website at [www.phillips.com](http://www.phillips.com). The digital saleroom is optimised to run on Google Chrome, Firefox, Opera and Internet Explorer browsers. Clients who wish to run the platform on Safari will need to install Adobe Flash Player. Follow the links to ‘Auctions’ and ‘Digital Saleroom’ and then pre-register by clicking on ‘Register to Bid Live.’ The first time you register you will be required to create an account; thereafter you will only need to register for each sale. You must pre-register at least 24 hours before the start of the auction in order to be approved by our bid department. Please note that corporate firewalls may cause difficulties for online bidders.

**Absentee Bids**

If you are unable to attend the auction and cannot participate by telephone, Phillips will be happy to execute written bids on your behalf. A bidding form can be found at the back of this catalogue. This service is free and confidential. Bids must be placed in the currency of the sale. Our staff will attempt to execute an absentee bid at the lowest possible price taking into account the reserve and other bidders. Always indicate a maximum bid, excluding the buyer’s premium and VAT. Unlimited bids will not be accepted. Any absentee bid must be received at least 24 hours in advance of the sale. In the event of identical bids, the earliest bid received will take precedence.

**Employee Bidding**

Employees of Phillips and our affiliated companies, including the auctioneer, may bid at the auction by placing absentee bids so long as they do not know the reserve when submitting their absentee bids and otherwise comply with our employee bidding procedures.

**Bidding Increments**

Bidding generally opens below the low estimate and advances in increments of up to 10%, subject to the auctioneer’s discretion. Absentee bids that do not conform to the increments set below may be lowered to the next bidding increment.

UK£50 to UK£1,000	by UK£50s
UK£1,000 to UK£2,000	by UK£100s
UK£2,000 to UK£3,000	by UK£200s
UK£3,000 to UK£5,000	by UK£200s, 500, 800 (e.g. UK£4,200, 4,500, 4,800)
UK£5,000 to UK£10,000	by UK£500s
UK£10,000 to UK£20,000	by UK£1,000s
UK£20,000 to UK£30,000	by UK£2,000s
UK£30,000 to UK£50,000	by UK£2,000s, 5,000, 8,000
UK£50,000 to UK£100,000	by UK£5,000s
UK£100,000 to UK£200,000	by UK£10,000s
above UK£200,000	at the auctioneer’s discretion

The auctioneer may vary the increments during the course of the auction at his or her own discretion.

**3 The Auction**

**Conditions of Sale**

As noted above, the auction is governed by the Conditions of Sale and Authorship Warranty. All prospective bidders should read them carefully. They may be amended by saleroom addendum or auctioneer’s announcement.

**Interested Parties Announcement**

In situations where a person allowed to bid on a lot has a direct or indirect interest in such lot, such as the beneficiary or executor of an estate selling the lot, a joint owner of the lot or a party providing or participating in a guarantee on the lot, Phillips will make an announcement in the saleroom that interested parties may bid on the lot.

**Consecutive and Responsive Bidding; No Reserve Lots**

The auctioneer may open the bidding on any lot by placing a bid on behalf of the seller. The auctioneer may further bid on behalf of the seller up to the amount of the reserve by placing consecutive bids or bids in response to other bidders. If a lot is offered without reserve, unless there are already competing absentee bids, the auctioneer will generally open the bidding at 50% of the lot’s low pre-sale estimate. In the absence of a bid at that level, the auctioneer will proceed backwards at his or her discretion until a bid is recognized and will then advance the bidding from that amount. Absentee bids on no reserve lots will, in the absence of a higher bid, be executed at approximately 50% of the low pre-sale estimate or at the amount of the bid if it is less than 50% of the low pre-sale estimate. If there is no bid whatsoever on a no reserve lot, the auctioneer may deem such lot unsold.

**4 After the Auction**

**Payment**

Buyers are required to pay for purchases immediately following the auction unless other arrangements have been agreed with Phillips in writing in advance of the sale. Payment must be made in pounds sterling either by cash, cheque drawn on a UK bank or wire transfer, as noted in Paragraph 6 of the Conditions of Sale. It is our corporate policy not to make or accept single or multiple payments in cash or cash equivalents in excess of the local currency equivalent of US\$10,000.

**Credit Cards**

As a courtesy to clients, Phillips will accept American Express, Visa, MasterCard, UnionPay (for in-person transactions only) and UK-issued debit cards to pay for invoices of £50,000 or less. A processing fee will apply.

**Collection**

It is our policy to request proof of identity on collection of a lot. A lot will be released to the buyer or the buyer’s authorized representative when Phillips has received full and cleared payment and we are not owed any other amount by the buyer. After the auction, we will transfer all lots to our fine art storage facility located near Wimbledon and will so advise all buyers. If you are in doubt about the location of your purchase, please contact the Shipping Department prior to arranging collection. We will levy removal, interest, storage and handling charges on uncollected lots.

**Loss or Damage**

Buyers are reminded that Phillips accepts liability for loss or damage to lots for a maximum of seven days following the auction.

**Transport and Shipping**

As a free service for buyers, Phillips will wrap purchased lots for hand carry only. We do not provide packing, handling or shipping services directly. However, we will coordinate with shipping agents instructed by you in order to facilitate the packing, handling and shipping of property purchased at Phillips. Please refer to Paragraph 7 of the Conditions of Sale for more information.

**Export and Import Licences**

Before bidding for any property, prospective bidders are advised to make independent enquiries as to whether a licence is required to export the property from the United Kingdom or to import it into another country. It is the buyer’s sole responsibility to comply with all import and export laws and to obtain any necessary licences or permits. The denial of any required licence or permit or any delay in obtaining such documentation will not justify the cancellation of the sale or any delay in making full payment for the lot.

**Endangered Species**

Items made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, Brazilian rosewood, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value, may require a licence or certificate prior to exportation and additional licences or certificates upon importation to the US or to any country within or outside the European Union (EU). Please note that the ability to obtain an export licence or certificate does not ensure the ability to obtain an import licence



or certificate in another country, and vice versa. We suggest that prospective bidders check with their own government regarding wildlife import requirements prior to placing a bid. It is the buyer's sole responsibility to obtain any necessary export or import licences or certificates as well as any other required documentation. Please note that the US prohibits the importation of any item containing African elephant ivory. Asian elephant ivory may be imported in to the US only if accompanied by independent scientific analysis regarding continent of origin and confirmation the object is more than 100 years old. We have not obtained a scientific analysis on any lot prior to sale and cannot indicate whether elephant ivory in a particular lot is African or Asian elephant. Buyers purchase these lots at their own risk and will be responsible for the costs of obtaining any scientific analysis or other report required in connection with their proposed import of such property into the US.

With regard to any item containing endangered species other than elephant ivory, an importer into the US must provide documented evidence of the species identification and age of an object in order to demonstrate that the object qualifies as an antique. This will require the buyer to obtain an independent appraisal certifying the species of endangered material on the object and certifying that the object is not less than 100 years of age. A prospective buyer planning to import an object into the US may not rely on Phillips cataloguing to establish the species of endangered material on the object or to establish the age of the object and must consult with a qualified independent appraiser prior to placing a bid on the lot.

Please note that lots containing potentially regulated plant or animal material are marked as a convenience to our clients, but Phillips does not accept liability for errors or for failing to mark lots containing protected or regulated species.

## Important Notices

### Items Sold under Temporary Admission

We wish to draw your attention to changes recently made to items sold under temporary admission (originally called temporary importation). The cancelling or refunding of applicable VAT is now subject to items being exported from the EU within 30 days of payment, rather than 90 days from the date of sale as previously required. For up-to-date information on this matter, please refer to the section entitled VAT and Other Tax Information for Buyers below.

### Identification of Business or Trade Buyers

As of January 2010, Her Majesty's Revenue & Customs ('HMRC') has made it an official requirement for auction houses to hold evidence of a buyer's business status, due to the revised VAT rules regarding buyer's premium for lots with symbols for businesses outside the UK.

- Where the buyer is a non-EU business, Phillips requires evidence of the business status by means of the company identification, Certificate of Incorporation, Articles of Association or government-issued documents showing that the company exists.
- Where the buyer is an EU VAT registered business, Phillips requires the business's VAT registration number.

These details can be scanned and emailed to us, or alternatively they can be faxed or mailed. **If these requirements are not met, we will be unable to cancel/refund any applicable VAT.**

## VAT and Other Tax Information for Buyers

The following paragraphs provide general information to buyers on the VAT and certain other potential tax implications of purchasing property at Phillips. This information is not intended to be complete. In all cases, the relevant tax legislation takes precedence, and the VAT rates in effect on the day of the auction will be the rates charged. It should be noted that, for VAT purposes only, Phillips is not usually treated as agent and most property is sold as if it is the property of Phillips. In the following paragraphs, reference to VAT symbols shall mean those symbols located beside the lot number or the pre-sale estimates in the catalogue (or amending saleroom addendum).

### 1 Property with No VAT Symbol

Where there is no VAT symbol, Phillips is able to use the Auctioneer's Margin Scheme, and VAT will not normally be charged on the hammer price. Phillips must bear VAT on the buyer's premium. Therefore, we will charge an amount in lieu of VAT at 20% on the buyer's premium. This amount will form part of the buyer's premium on our invoice and will not be separately identified.

### 2 Property with a † Symbol

These lots will be sold under the normal UK VAT rules, and VAT will be charged at 20% on both the hammer price and buyer's premium. Where the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips being provided with evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided then VAT will be charged on the buyer's premium.

### 3 Property with a \$ Symbol

Lots sold to buyers whose registered address is in the EU will be assumed to be remaining in the EU. The property will be invoiced as if it had no VAT symbol. However, if an EU buyer advises us that the property is to be exported from the EU, Phillips will re-invoice the property under the normal VAT rules. Lots sold to buyers whose address is outside the EU will be assumed to be exported from the EU. The property will be invoiced under the normal VAT rules. Although the hammer price will be subject to VAT, the VAT will be cancelled or refunded upon export. The buyer's premium will always bear VAT unless the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country, subject to Phillips receiving evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided VAT will be charged on the buyer's premium.

### 4 Property Sold with a ₣ or Ω Symbol

These lots have been imported from outside the EU to be sold at auction under temporary admission. Property subject to temporary admission will be offered under the Auctioneer's Margin Scheme and will be subject to import VAT of either 5% or 20%, marked by ₣ and Ω respectively, on the hammer price and an amount in lieu of VAT at 20% on the buyer's premium. Anyone who wishes to buy outside the Auctioneer's Margin Scheme should notify the Client Accounting Department before the sale.

Where lots are sold outside the Auctioneer's Margin Scheme and the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips receiving evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided VAT will be charged on the buyer's premium.

## 5 Exports from the European Union

The following types of VAT may be cancelled or refunded by Phillips on exports made within three months of the sale date if strict conditions are met:

- The amount in lieu of VAT charged on the buyer's premium for property sold under the Auctioneer's Margin Scheme (i.e., without a VAT symbol).
- The VAT on the hammer price for property sold under the normal VAT rules (i.e., with a † or a § symbol).

### The following type of VAT may be cancelled or refunded by Phillips on exports made within 30 days of payment date if strict conditions are met:

- The import VAT charged on the hammer price and an amount in lieu of VAT on the buyer's premium for property sold under temporary admission (i.e., with a ‡ or a Ω symbol) under the Auctioneer's Margin Scheme.

In each of the above examples, where the appropriate conditions are satisfied, no VAT will be charged if, at or before the time of invoicing, the buyer instructs Phillips to export the property from the EU. This will require acceptance of an export quotation provided by Phillips. If such instruction is received after payment, a refund of the VAT amount will be made.

Where the buyer carries purchases from the EU personally or uses the services of a third party, Phillips will charge the VAT amount due as a deposit and refund it **if the lot has been exported within the timelines specified below** and either of the following conditions are met:

- For lots sold under the Auctioneer's Margin Scheme or the normal VAT rules, Phillips is provided with appropriate original documentary proof of export from the EU within three months of the date of sale. Buyers carrying their own property should obtain hand-carry papers from the Shipping Department to facilitate this process.
- For lots sold under temporary admission, Phillips is provided with the original correct paperwork duly completed and stamped by HMRC which shows the property has been exported from the EU via the UK within 30 days of payment date. It is essential for shippers acting on behalf of buyers to collect copies of original import papers from our Shipping Department. HMRC insist that the correct customs procedures are followed and Phillips will not be able to issue any refunds where the export documents do not exactly comply with governmental regulations. Property subject to temporary admission must be transferred to another customs procedure immediately if any restoration or repair work is to be carried out.

Buyers carrying their own property must obtain hand-carry papers from the Shipping Department, for which a charge of £20 will be made. The VAT refund will be processed once the appropriate paperwork has been returned to Phillips. Phillips is not able to cancel or refund any VAT charged on sales made to UK or EU private residents unless the lot is subject to temporary admission and the property is exported from the EU **within 30 days of payment date**. Any refund of VAT is subject to a minimum of £50 per shipment and a processing charge of £20.

Buyers intending to export, repair, restore or alter lots under temporary admission should notify the Shipping Department before collection. Failure to do so may result in the import VAT becoming payable immediately and Phillips being unable to refund the VAT charged on deposit.

## 6 VAT Refunds from HM Revenue & Customs

Where VAT charged cannot be cancelled or refunded by Phillips, it may be possible to seek repayment from HMRC. Repayments in this manner are limited to businesses located outside the UK and may be considered for example for Import VAT charged on the hammer price for lots sold under temporary admission.

All claims made by customers located in another member state to the UK will need to be made under a new mechanism from 1 January 2010. The process prior to 1 January 2010 is no longer in operation.

If you are located in an EU member state other than the UK you will now need to apply for a refund of UK VAT directly to your local tax authority. This is done via submission of an electronically based claim form which should be accessed through the website of your local tax authority. As a result, your form may include VAT incurred in a number of member states. Furthermore, from 1 January 2010 you should only submit one form per year, rather than submitting forms throughout the year.

Please note that the time limits by which you must make a claim have been extended. When making a claim for VAT incurred in another EU member state any claim will still be made on a **calendar year basis** but must now be made no later than **30 September** following that calendar year. This effectively extends the time by which claims should be made by three months (e.g., for VAT incurred in the year 1 January to 31 December 2010 you should make a claim to your local tax authority no later than 30 September 2011). Once you have submitted the electronic form to your local tax authority it is their responsibility to ensure that payment is obtained from the relevant member states. This should be completed within four months. If this time limit is not adhered to you may receive interest on the unpaid amounts.

If you are located outside the EU you should apply for a refund of UK VAT directly to HMRC (the rules for those located outside of the EU have not changed). Claim forms are only available from the HMRC website. Go to [hmrc.gov.uk](http://hmrc.gov.uk), select Forms under Quick Links and then Find a Form. The relevant form is VAT65A. Completed forms should be returned to: HM Revenue & Customs, VAT Overseas Repayments, 8th/13th Directive, PO Box 34, Foyle House, Duncreggan Road, Londonderry BT48 7AE, Northern Ireland, (tel) +44 (0)2871 305100 (fax) +44 (0)2871 305101, email [enq.oru.ni@hmrc.gsi.gov.uk](mailto:enq.oru.ni@hmrc.gsi.gov.uk).

You should submit claims for VAT to HMRC no later than **six months** from the end of the 12 month period ending **30 June** (e.g., claims for the period 1 July 2011 to 30 June 2012 should be made no later than 31 December 2012).

Please note that refunds of VAT will only be made where VAT has been incurred for a business purpose. Any VAT incurred on articles bought for personal use will not be refunded.

## 7 Sales and Use Taxes

Buyers from outside the UK should note that local sales taxes or use taxes may become payable upon import of lots following purchase. Buyers should consult their own tax advisors.



## Conditions of Sale

The Conditions of Sale and Authorship Warranty set forth below govern the relationship between bidders and buyers, on the one hand, and Phillips and sellers, on the other hand. All prospective buyers should read these Conditions of Sale, the Important Notices and VAT information following the Guide for Prospective Buyers and the Authorship Warranty carefully before bidding.

### 1 Introduction

Each lot in this catalogue is offered for sale and sold subject to: (a) the Conditions of Sale and Authorship Warranty; (b) additional notices and terms printed in other places in this catalogue, including the Guide for Prospective Buyers and (c) supplements to this catalogue or other written material posted by Phillips in the saleroom, in each case as amended by any addendum or announcement by the auctioneer prior to the auction.

By bidding at the auction, whether in person, through an agent, by written bid, by telephone bid or other means, bidders and buyers agree to be bound by these Conditions of Sale, as so changed or supplemented, and Authorship Warranty. These Conditions of Sale, as so changed or supplemented, and Authorship Warranty contain all the terms on which Phillips and the seller contract with the buyer.

### 2 Phillips as Agent

Phillips acts as an agent for the seller, unless otherwise indicated in this catalogue or at the time of auction. On occasion, Phillips may own a lot directly, in which case we will act in a principal capacity as a consignor, or a company affiliated with Phillips may own a lot, in which case we will act as agent for that company, or Phillips or an affiliated company may have a legal, beneficial or financial interest in a lot as a secured creditor or otherwise.

### 3 Catalogue Descriptions and Condition of Property

Lots are sold subject to the Authorship Warranty, as described in the catalogue (unless such description is changed or supplemented, as provided in Paragraph 1 above) and in the condition that they are in at the time of the sale on the following basis.

(a) The knowledge of Phillips in relation to each lot is partially dependent on information provided to us by the seller and Phillips is not able to and does not carry out exhaustive due diligence on each lot. Prospective buyers acknowledge this fact and accept responsibility for carrying out inspections and investigations to satisfy themselves as to the lots in which they may be interested. Notwithstanding the foregoing, we shall exercise such reasonable care when making express statements in catalogue descriptions or condition reports as is consistent with our role as auctioneer of lots in this sale and in light of (i) the information provided to us by the seller; (ii) scholarship and technical knowledge and (iii) the generally accepted opinions of relevant experts, in each case at the time any such express statement is made.

(b) Each lot offered for sale at Phillips is available for inspection by prospective buyers prior to the auction. Phillips accepts bids on lots on the basis that bidders (and independent experts on their behalf, to the extent appropriate given the nature and value of the lot and the bidder's own expertise) have fully inspected the lot prior to bidding and have satisfied themselves as to both the condition of the lot and the accuracy of its description.

(c) Prospective buyers acknowledge that many lots are of an age and type which means that they are not in perfect condition. As a courtesy to clients, Phillips may prepare and provide condition reports to assist prospective buyers when they are inspecting lots. Catalogue descriptions and condition reports may make reference to particular imperfections of a lot, but bidders should note that lots may have other faults not expressly referred to in the catalogue or condition report. All dimensions are approximate. Illustrations are for identification purposes only and cannot be used as precise indications of size or to convey full information as to the actual condition of lots.

(d) Information provided to prospective buyers in respect of any lot, including any pre-sale estimate, whether written or oral, and information in any catalogue, condition or other report, commentary or valuation, is not a representation of fact but rather a statement of opinion held by Phillips. Any pre-sale estimate may not be relied on as a prediction of the selling price or value of the lot and may be revised from time to time by Phillips at our absolute discretion. Neither Phillips nor any of our affiliated companies shall be liable for any difference between the pre-sale estimates for any lot and the actual price achieved at auction or upon resale.

### 4 Bidding at Auction

(a) Phillips has absolute discretion to refuse admission to the auction or participation in the sale. All bidders must register for a paddle prior to bidding, supplying such information and references as required by Phillips.

(b) As a convenience to bidders who cannot attend the auction in person, Phillips may, if so instructed by the bidder, execute written absentee bids on a bidder's behalf. Absentee bidders are required to submit bids on the Absentee Bid Form, a copy of which is printed in this catalogue or otherwise available from Phillips. Bids must be placed in the currency of the sale. The bidder must clearly indicate the maximum amount he or she intends to bid, excluding the buyer's premium and value added tax (VAT). The auctioneer will not accept an instruction to execute an absentee bid which does not indicate such maximum bid. Our staff will attempt to execute an absentee bid at the lowest possible price taking into account the reserve and other bidders. Any absentee bid must be received at least 24 hours in advance of the sale. In the event of identical bids, the earliest bid received will take precedence.

(c) Telephone bidders are required to submit bids on the Telephone Bid Form, a copy of which is printed in this catalogue or otherwise available from Phillips. Telephone bidding is available for lots whose low pre-sale estimate is at least £500. Phillips reserves the right to require written confirmation of a successful bid from a telephone bidder by fax or otherwise immediately after such bid is accepted by the auctioneer. Telephone bids may be recorded and, by bidding on the telephone, a bidder consents to the recording of the conversation.

(d) Bidders may participate in an auction by bidding online through Phillips's online live bidding platform available on our website at [www.phillips.com](http://www.phillips.com). To bid online, bidders must register online at least 24 hours before the start of the auction. Online bidding is subject to approval by Phillips's bid department in our sole discretion. As noted in Paragraph 3 above, Phillips encourages online bidders to inspect prior to the auction any lot(s) on which they may bid, and condition reports are available upon request. Bidding in a live auction can progress quickly. To ensure that online bidders are not placed at a disadvantage when bidding against bidders in the room or on the telephone, the procedure for placing bids through Phillips's online bidding platform is a one-step process. By clicking the bid button on the computer screen, a bidder submits a bid. Online bidders acknowledge and agree that bids so submitted are final and may not under any circumstances be amended or retracted. During a live auction, when bids other than online bids are placed, they will be displayed on the online bidder's computer screen as 'floor' bids. 'Floor' bids include bids made by the auctioneer to protect the reserve. In the event that an online bid and a 'floor' or 'phone' bid are identical, the 'floor' bid may take precedence at the auctioneer's discretion. The next bidding increment is shown for the convenience of online bidders in the bid button. The bidding increment available to online bidders may vary from the next bid actually taken by the auctioneer, as the auctioneer may deviate from Phillips's standard increments at any time at his or her discretion, but an online bidder may only place a bid in a whole bidding increment. Phillips's bidding increments are published in the Guide for Prospective Buyers.

(e) When making a bid, whether in person, by absentee bid, on the telephone or online, a bidder accepts personal liability to pay the purchase price, as described more fully in Paragraph 6 (a) below, plus all other applicable charges unless it has been explicitly agreed in writing with Phillips before the commencement of the auction that the bidder is acting as agent on behalf of an identified third party acceptable to Phillips and that we will only look to the principal for such payment.

(f) By participating in the auction, whether in person, by absentee bid, on the telephone or online, each prospective buyer represents and warrants that any bids placed by such person, or on such person's behalf, are not the product of any collusive or other anti-competitive agreement and are otherwise consistent with federal and state antitrust law.

(g) Arranging absentee, telephone and online bids is a free service provided by Phillips to prospective buyers. While we undertake to exercise reasonable care in undertaking such activity, we cannot accept liability for failure to execute such bids except where such failure is caused by our willful misconduct.

(h) Employees of Phillips and our affiliated companies, including the auctioneer, may bid at the auction by placing absentee bids so long as they do not know the reserve when submitting their absentee bids and otherwise comply with our employee bidding procedures.

## 5 Conduct of the Auction

(a) Unless otherwise indicated by the symbol ♠, each lot is offered subject to a reserve, which is the confidential minimum selling price agreed by Phillips with the seller. The reserve will not exceed the low pre-sale estimate at the time of the auction.

(b) The auctioneer has discretion at any time to refuse any bid, withdraw any lot, re-offer a lot for sale (including after the fall of the hammer) if he or she believes there may be error or dispute and take such other action as he or she deems reasonably appropriate. Phillips shall have no liability whatsoever for any such action taken by the auctioneer. If any dispute arises after the sale, our sale record is conclusive. The auctioneer may accept bids made by a company affiliated with Phillips provided that the bidder does not know the reserve placed on the lot.

(c) The auctioneer will commence and advance the bidding at levels and in increments he or she considers appropriate. In order to protect the reserve on any lot, the auctioneer may place one or more bids on behalf of the seller up to the reserve without indicating he or she is doing so, either by placing consecutive bids or bids in response to other bidders. If a lot is offered without reserve, unless there are already competing absentee bids, the auctioneer will generally open the bidding at 50% of the lot's low pre-sale estimate. In the absence of a bid at that level, the auctioneer will proceed backwards at his or her discretion until a bid is recognized and will then advance the bidding from that amount. Absentee bids on no reserve lots will, in the absence of a higher bid, be executed at approximately 50% of the low pre-sale estimate or at the amount of the bid if it is less than 50% of the low pre-sale estimate. If there is no bid whatsoever on a no reserve lot, the auctioneer may deem such lot unsold.

(d) The sale will be conducted in pounds sterling and payment is due in pounds sterling. For the benefit of international clients, pre-sale estimates in the auction catalogue may be shown in US dollars and/or euros and, if so, will reflect approximate exchange rates. Accordingly, estimates in US dollars or euros should be treated only as a guide. If a currency converter is operated during the sale, it is done so as a courtesy to bidders, but Phillips accepts no responsibility for any errors in currency conversion calculation.

(e) Subject to the auctioneer's reasonable discretion, the highest bidder accepted by the auctioneer will be the buyer and the striking of the hammer marks the acceptance of the highest bid and the conclusion of a contract for sale between the seller and the buyer. Risk and responsibility for the lot passes to the buyer as set forth in Paragraph 7 below.

(f) If a lot is not sold, the auctioneer will announce that it has been 'passed', 'withdrawn', 'returned to owner' or 'bought-in'.

(g) Any post-auction sale of lots offered at auction shall incorporate these Conditions of Sale and Authorship Warranty as if sold in the auction.

## 6 Purchase Price and Payment

(a) The buyer agrees to pay us, in addition to the hammer price of the lot, the buyer's premium, plus any applicable value added tax (VAT) and any applicable resale royalty (the 'Purchase Price'). The buyer's premium is 25% of the hammer price up to and including £100,000, 20% of the portion of the hammer price above £100,000 up to and including £1,800,000 and 12% of the portion of the hammer price above £1,800,000. Phillips reserves the right to pay from our compensation an introductory commission to one or more third parties for assisting in the sale of property offered and sold at auction.

(b) VAT is payable in accordance with applicable law. All prices, fees, charges and expenses set out in these Conditions of Sale are quoted exclusive of VAT.

(c) If the Artist's Resale Right Regulations 2006 apply to the lot, the buyer agrees to pay to us an amount equal to the resale royalty provided for in those regulations and we undertake to the buyer to pay such amount to the artist's collection agent. In circumstances where (i) we are on notice that the resale royalty is payable or (ii) we have not been able to ascertain the nationality of the artist, we will identify the lot with the symbol ♠ next to the lot number and will invoice the resale royalty to the buyer. If we subsequently determine that the nationality of the artist does not entitle him/her to the resale royalty on the lot, we will arrange a refund to the buyer of the amount of the royalty paid to us. If, after a sale in which we did not collect the resale royalty on a particular lot, we become aware that information provided to us prior to the auction concerning an artist's nationality was incorrect and the artist is entitled to the resale royalty on the lot, the buyer shall pay the resale royalty to us upon receipt of an invoice.

(d) Unless otherwise agreed, a buyer is required to pay for a purchased lot immediately following the auction regardless of any intention to obtain an export or import license or other permit for such lot. Payments must be made by the invoiced party in pounds sterling either by cash, cheque drawn on a UK bank or wire transfer, as follows:

(i) Phillips will accept payment in cash provided that the total amount paid in cash or cash equivalents does not exceed the local currency equivalent of US\$10,000.

(ii) Personal cheques and banker's drafts are accepted if drawn on a UK bank and the buyer provides to us acceptable government-issued identification. Cheques and banker's drafts should be made payable to Phillips Auctioneers Ltd. If payment is sent by post, please send the cheque or banker's draft to the attention of the Client Accounting Department at 30 Berkeley Square, London, W1J6EX and ensure that the sale number is written on the cheque. Cheques or banker's drafts drawn by third parties will not be accepted.

(iii) Payment by wire transfer may be sent directly to Phillips. Bank transfer details:

Bank of Scotland  
Gordon Street, Glasgow G1 3RS, Scotland  
Account of Phillips Auctioneers Ltd.  
Account No: 00440780  
Sort code: 80-54-01  
SWIFT/BIC: BOFSGB21138  
IBAN: GB36BOFS80540100440780

(e) As a courtesy to clients, Phillips will accept American Express, Visa, MasterCard, UnionPay (for in-person transactions only) and UK-issued debit cards to pay for invoices of £50,000 or less. A processing fee will apply.

(f) Title in a purchased lot will not pass until Phillips has received the Purchase Price for that lot in cleared funds. Phillips is not obliged to release a lot to the buyer until title in the lot has passed and appropriate identification has been provided, and any earlier release does not affect the passing of title or the buyer's unconditional obligation to pay the Purchase Price.

## 7 Collection of Property

(a) Phillips will not release a lot to the buyer until we have received payment of its Purchase Price in full in cleared funds, the buyer has paid all outstanding amounts due to Phillips or any of our affiliated companies, including any charges payable pursuant to Paragraph 8 (a) below, and the buyer has satisfied such other terms as we in our sole discretion shall require, including completing any anti-money laundering or anti-terrorism financing checks. As soon as a buyer has satisfied all of the foregoing conditions, he or she should contact us at +44 (0) 207 318 4081 or +44 (0) 207 318 4082 to arrange for collection of purchased property.

(b) The buyer must arrange for collection of a purchased lot within seven days of the date of the auction. After the auction, we will transfer all lots to our fine art storage facility located near Wimbledon and will so advise all buyers. Purchased lots are at the buyer's risk, including the responsibility for insurance, from (i) the date of collection or (ii) seven days after the auction, whichever is the earlier. Until risk passes, Phillips will compensate the buyer for any loss or damage to a purchased lot up to a maximum of the Purchase Price paid, subject to our usual exclusions for loss or damage to property.

(c) As a courtesy to clients, Phillips will, without charge, wrap purchased lots for hand carry only. We do not provide packing, handling, insurance or shipping services. We will coordinate with shipping agents instructed by the buyer, whether or not recommended by Phillips, in order to facilitate the packing, handling, insurance and shipping of property bought at Phillips. Any such instruction is entirely at the buyer's risk and responsibility, and we will not be liable for acts or omissions of third party packers or shippers.

(d) Phillips will require presentation of government-issued identification prior to release of a lot to the buyer or the buyer's authorized representative.

## 8 Failure to Collect Purchases

(a) If the buyer pays the Purchase Price but fails to collect a purchased lot within 30 days of the auction, the buyer will incur a storage fee of £10 per day for each uncollected lot. Additional charges may apply to oversized lots. We will not release purchased lots to the buyer until all such charges have been paid in full.



(b) If a purchased lot is paid for but not collected within six months of the auction, the buyer authorizes Phillips, upon notice, to arrange a resale of the item by auction or private sale, with estimates and a reserve set at Phillips's reasonable discretion. The proceeds of such sale will be applied to pay for storage charges and any other outstanding costs and expenses owed by the buyer to Phillips or our affiliated companies and the remainder will be forfeited unless collected by the buyer within two years of the original auction.

#### **9 Remedies for Non-Payment**

(a) Without prejudice to any rights the seller may have, if the buyer without prior agreement fails to make payment of the Purchase Price for a lot in cleared funds within seven days of the auction, Phillips may in our sole discretion exercise one or more of the following remedies: (i) store the lot at Phillips's premises or elsewhere at the buyer's sole risk and expense; (ii) cancel the sale of the lot, retaining any partial payment of the Purchase Price as liquidated damages; (iii) reject future bids from the buyer or render such bids subject to payment of a deposit; (iv) charge interest at 12% per annum from the date payment became due until the date the Purchase Price is received in cleared funds; (v) subject to notification of the buyer, exercise a lien over any of the buyer's property which is in the possession of Phillips and instruct our affiliated companies to exercise a lien over any of the buyer's property which is in their possession and, in each case, no earlier than 30 days from the date of such notice arrange the sale of such property and apply the proceeds to the amount owed to Phillips or any of our affiliated companies after the deduction from sale proceeds of our standard vendor's commission, all sale-related expenses and any applicable taxes thereon; (vi) resell the lot by auction or private sale, with estimates and a reserve set at Phillips's reasonable discretion, it being understood that in the event such resale is for less than the original hammer price and buyer's premium for that lot, the buyer will remain liable for the shortfall together with all costs incurred in such resale; (vii) commence legal proceedings to recover the hammer price and buyer's premium for that lot, together with interest and the costs of such proceedings; (viii) set off the outstanding amount remaining unpaid by the buyer against any amounts which we or any of our affiliated companies may owe the buyer in any other transactions; (ix) release the name and address of the buyer to the seller to enable the seller to commence legal proceedings to recover the amounts due and legal costs; or (x) take such other action as we deem necessary or appropriate.

(b) The buyer irrevocably authorizes Phillips to exercise a lien over the buyer's property which is in our possession upon notification by any of our affiliated companies that the buyer is in default of payment. Phillips will notify the buyer of any such lien. The buyer also irrevocably authorizes Phillips, upon notification by any of our affiliated companies that the buyer is in default of payment, to pledge the buyer's property in our possession by actual or constructive delivery to our affiliated company as security for the payment of any outstanding amount due. Phillips will notify the buyer if the buyer's property has been delivered to an affiliated company by way of pledge.

(c) If the buyer is in default of payment, the buyer irrevocably authorizes Phillips to instruct any of our affiliated companies in possession of the buyer's property to deliver the property by way of pledge as the buyer's agent to a third party instructed by Phillips to hold the property on our behalf as security for the payment of the Purchase Price and any other amount due and, no earlier than 30 days from the date of written notice to the buyer, to sell the property in such manner and for such consideration as can reasonably be obtained on a forced sale basis and to apply the proceeds to any amount owed to Phillips or any of our affiliated companies after the deduction from sale proceeds of our standard vendor's commission, all sale-related expenses and any applicable taxes thereon.

#### **10 Rescission by Phillips**

Phillips shall have the right, but not the obligation, to rescind a sale without notice to the buyer if we reasonably believe that there is a material breach of the seller's representations and warranties or the Authorship Warranty or an adverse claim is made by a third party. Upon notice of Phillips election to rescind the sale, the buyer will promptly return the lot to Phillips, and we will then refund the Purchase Price paid to us. As described more fully in Paragraph 13 below, the refund shall constitute the sole remedy and recourse of the buyer against Phillips and the seller with respect to such rescinded sale.

#### **11 Export, Import and Endangered Species Licences and Permits**

Before bidding for any property, prospective buyers are advised to make their own enquiries as to whether a licence is required to export a lot from the United Kingdom or to import it into another country. Prospective buyers are advised that

some countries prohibit the import of property made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, Brazilian rosewood, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value. Accordingly, prior to bidding, prospective buyers considering export of purchased lots should familiarize themselves with relevant export and import regulations of the countries concerned. Please note that the US prohibits the importation of any item containing African elephant ivory. Asian elephant ivory may be imported in to the US only if accompanied by independent scientific analysis of continent of origin and confirmation the object is more than 100 years old.

With regard to any item containing endangered species other than elephant ivory, an importer into the US must provide documented evidence of the species identification and age of an object in order to demonstrate that the item qualifies as an antique. This will require the buyer to obtain an independent appraisal certify the species of endangered material on the object and certifying that the object is not less than 100 years of age. A prospective buyer planning to import an object containing endangered species into the US may not rely on Phillips cataloguing to establish the species of endangered material on the object or to establish the age of the object and must consult with a qualified independent appraiser prior to placing a bid on the lot.

It is solely the buyer's responsibility to comply with these laws and to obtain any necessary export, import and endangered species licences or permits. Failure to obtain a licence or permit or delay in so doing will not justify the cancellation of the sale or any delay in making full payment for the lot. As a courtesy to clients, Phillips has marked in the catalogue lots containing potentially regulated plant or animal material, but we do not accept liability for errors or for failing to mark lots containing protected or regulated species.

#### **12 Data Protection**

(a) In connection with the supply of auction and related services, or as required by law, Phillips may ask clients to provide personal data. Phillips may take and retain a copy of government-issued identification such as a passport or driving licence. We will use your personal data (i) to provide auction and related services; (ii) to enforce these Conditions of Sale; (iii) to carry out identity and credit checks; (iv) to implement and improve the management and operations of our business and (v) for other purposes set out in our Privacy Policy published on the Phillips website at [www.phillips.com](http://www.phillips.com) (the 'Privacy Policy') and available on request by emailing [dataprotection@phillips.com](mailto:dataprotection@phillips.com). By agreeing to these Conditions of Sale, you consent to our use of your personal data, including sensitive personal data, in accordance with the Privacy Policy. The personal data we may collect and process is listed, and sensitive personal data is defined, in our Privacy Policy. Phillips may also, from time to time, send you promotional and marketing materials about us and our services. If you would prefer not to receive such information, please email us at [dataprotection@phillips.com](mailto:dataprotection@phillips.com). Please also email us at this address to receive information about your personal data or to advise us if the personal data we hold about you is inaccurate or out of date.

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#### Auction

27 June 2016, 7pm

#### Public Viewing

20 – 27 June 2016

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Sunday 12pm – 6pm

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Lot 3, Adrian Ghenie, *Untitled*, 2009 (detail)

© Adrian Ghenie, courtesy Pace Gallery

#### Back Cover

Lot 5, Rudolf Stingel, *Untitled*, 2014 (detail)

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