



PHILLIPS

20th Century &  
Contemporary Art  
Evening Sale  
*London, 5 October 2016*













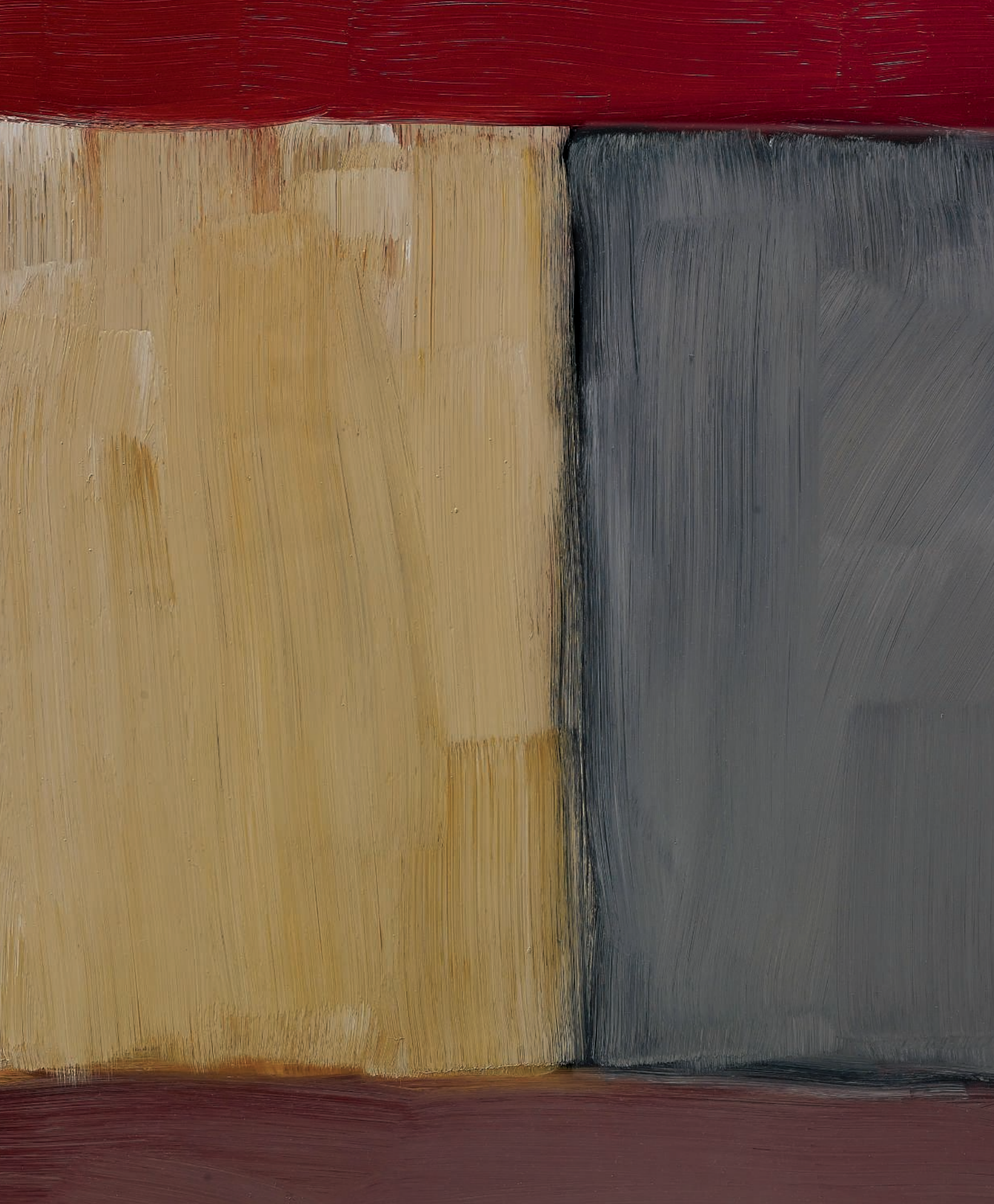














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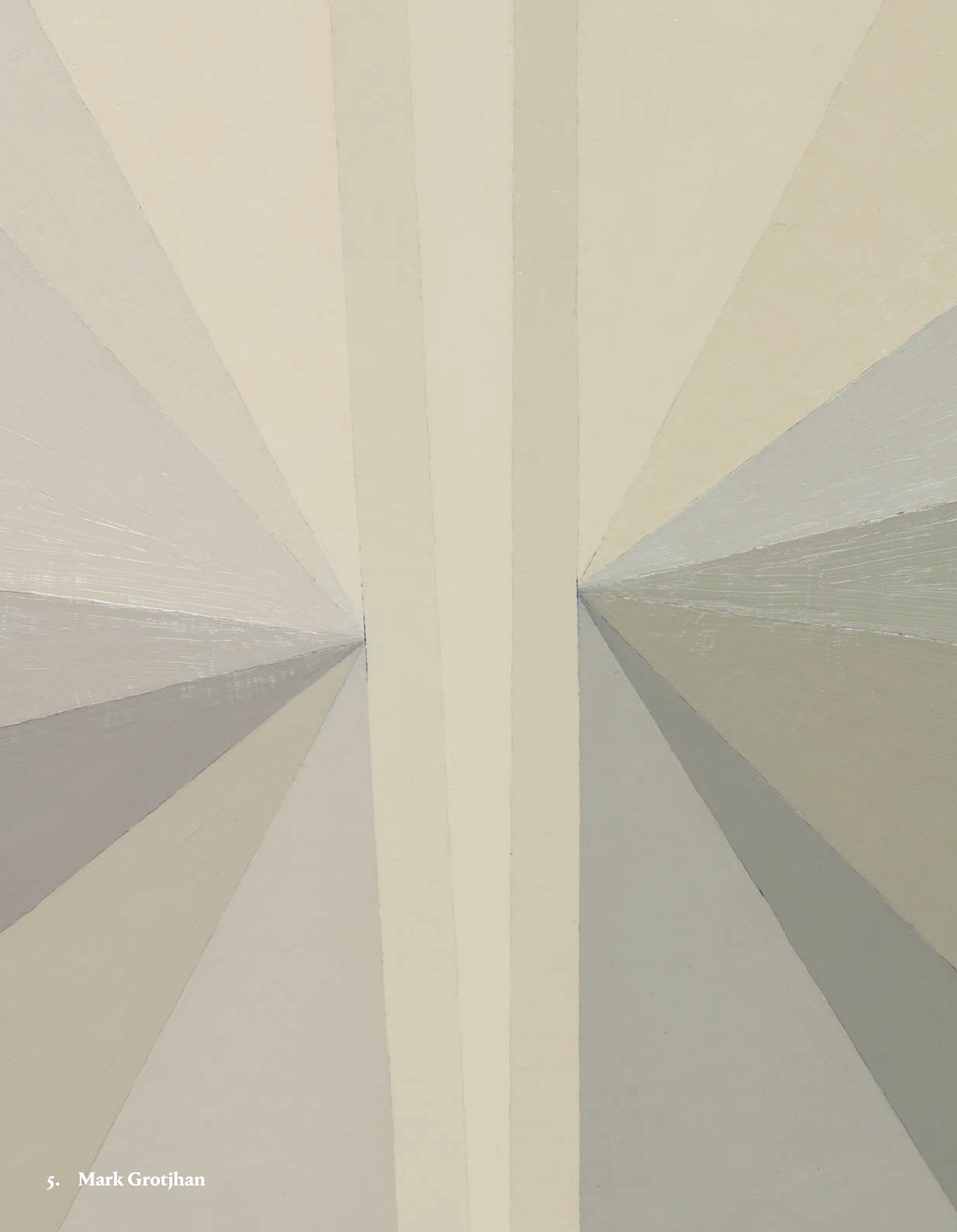


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**20th Century & Contemporary Art  
Evening Sale**  
*London, 5 October 2016, 7pm*

**Auction and Viewing Location**

30 Berkeley Square, London W1J 6EX

**Auction**

5 October 2016, 7pm

**Viewing**

28 September – 5 October 2016

Wednesday 28 September	10am – 6pm
Thursday 29 September	10am – 6pm
Friday 30 September	10am – 6pm
Saturday 1 October	10am – 6pm
Sunday 2 October	12pm – 6pm
Monday 3 October	10am – 6pm
Tuesday 4 October	10pm – 6pm
Wednesday 5 October	10am – 7pm

**Sale Designation**

When sending in written bids or making enquiries please refer to this sale as UK010616 or 20th Century & Contemporary Art Evening Sale

**Absentee and Telephone Bids**

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o **I. Thomas Schütte** b. 1954

*Kleiner Geist (Little Spirit) (Yellow)*

signed 'Th. Schütte' on the underside of the left foot  
and dated '1995' on the underside of the right foot

PVC

46.5 x 22.5 x 12 cm (18¼ x 8⅞ x 4¾ in.)

Executed in 1995.

**Estimate**

£120,000-180,000 \$158,000-237,000

€141,000-212,000 ♠

**Provenance**

Akinci Gallery, Amsterdam

Private Collection

London, Christie's, 17 October 2014, lot 241

Acquired at the above sale by the present owner

From his days as a student under Gerhard Richter, Thomas Schütte has learned to experiment with alternative methods of painting, and went on to produce a wide range of works in different media. In this *Kleine Geist*, executed in 1995, we see the creative materiality that characterises much of the artist's oeuvre and is paradigmatic of the sculptures that form his definitive series of *Geister* works.

Throughout his vastly varied oeuvre, Thomas Schütte has instilled an enormous amount of personality into each of his anthropomorphic sculptures – from his pairs of grotesque figures wrapped in fabric in his *United Enemies* series to his ceramic *Große Köpfe* (large heads), the artist creates immense expressiveness in the figures' facial expressions, at once comical and stern.

In this present lot we are drawn to connect with the emotions on the subject's face and to wonder whether it is surprise we see, or horror, and what has incited such strong emotion.

This sculpture is a great example of the contrast within the figures of both the *Kleine* and the *Grosse Geister* (Small and Large Spirits) series – it is as if the masterly fluidity of motion is arguing with the solid nature of the material with which this moment is captured. Despite its impactfully distorted facial expression, the figure's smooth, almost disintegrating appearance, with the greenish yellow PVC reminiscent of melting wax, creates an impression of harmlessness and perishability. By exploring these contrasts in his sculpture, the artist urges us to consider our own emotional and physical incongruities.







## 2. **Michaël Borremans** b. 1963

### *The Shirt*

signed, titled and dated 'MICHAËL M.C.G.  
BORREMANS "The Shirt" 2002' on the reverse  
oil on canvas  
42 x 50 cm (16½ x 19⅝ in.)  
Painted in 2002.

### **Estimate**

£150,000-250,000 \$198,000-330,000  
€176,000-294,000 ₣ ₣

### **Provenance**

Private Collection, Tokyo







Looming out of the darkness, the torso of an unidentified, unidentifiable figure is shown, the image cropped to show only a striped shirt. *The Shirt* was painted by Michaël Borremans in 2002 and perfectly typifies the combination of mysterious imagery and painterly virtuosity that would propel him to increasing international fame during this period. Borremans has lushly and lavishly painted the eponymous shirt, eking out its details, its meandering pinstripes, the deep shadow of the creases and collar, all within a restrained, almost sepia palette. From the point of view of pure painting, this is a sensual masterclass, a contemporary return to the chiaroscuro favoured by artists such as Diego Velázquez—one of Borremans' key points of reference.

Another point of reference is Jan van Eyck, and in particular the *Ghent Altarpiece*. Although currently undergoing restoration, the *Ghent Altarpiece* is usually housed in the cathedral in the city of the same name, where Borremans himself lives and works. Borremans has discussed his fascination with the world of Van Eyck, the glimpses of another universe, with myriad tiny elements that intrigue the modern viewer and sometimes baffle comprehension (see Maggie Gray, 'The Modern Mysteries of Michaël Borremans', *Apollo*, March 2016). Similarly, *Las Meninas* by Velázquez plunges the viewer into the midst of a mysterious narrative where answers are not easily found. This is echoed by *The Shirt*: the fact that the picture is framed in such a way as to give little information,

Diego Rodríguez de Silva Y Velázquez  
*Two Young Men Eating at a Humble Table*,  
c.1618-20  
Oil on canvas  
Apsley House, the Wellington Museum, London.  
Private Collection  
Image: Bridgeman Images





Edouard Manet  
*Boy Blowing Bubbles*, 1867-1869  
Oil on canvas  
Museu Calouste Gulbenkian, Lisbon  
Image: Bridgeman Images



showing the loosely-fitted garment, a short expanse of neck and the hint and shadow of a jaw, insists upon the anonymity of the subject. However, the composition contains enough recognisable content that the viewer is engaged and intrigued. 'With the paintings, at first you expect a narrative, because the figures are familiar,' he has explained. '[...] The works don't come to a conclusion in the way we expect them to. The images are unfinished: they remain open. That makes them durable' (Borremans, quoted in David Coggins, 'Interview: Michael Borremans', *Art in America*, March 2009).

The anonymity of many of the figures in Borremans' early paintings such as *The Shirt* was essentially guaranteed as he often used found images, including photographs from the decades before the Second World War, as his source material. More recently, he has created scenes of his own, photographing them and using those images as his sources. His works are filled

with a suspense and air of surreal mystery that has garnered the admiration of the film director David Lynch; Borremans himself now works in film, as well as other media. Indeed, Borremans was originally trained as a photographer, and only turned to painting in the mid-1990s—when he was in his mid-30s. Within a short time, Borremans had shown an alacrity that saw his work compared to Edouard Manet and the Old Masters for its virtuosity. In a sense, this is the key to his works: despite basing his pictures on photographs, and thereby retaining his connection to his original discipline, works such as *The Shirt* are emphatically paintings. The source material of *The Shirt* is an image devoid of context or identity: the viewer is forced to look continuously, in search of clues, in search of narrative, and in so doing, ends up looking at the painting in a different way. As Borremans has explained, 'I make paintings because my subject matter, to a large extent, is painting' (ibid.).



### 3. Ugo Rondinone b. 1964

*SUNRISE. east. march*

cast bronze with silver auto paint and  
concrete plinth

248 x 117 x 118 cm (97<sup>5</sup>/<sub>8</sub> x 46<sup>1</sup>/<sub>8</sub> x 46<sup>1</sup>/<sub>2</sub> in.)

Executed in 2007, this work is the artist's  
proof from an edition of 3 plus 1 artist's proof.

#### Estimate

£200,000-300,000 \$264,000-396,000

€235,000-353,000

#### Provenance

Private Collection, United Kingdom

#### Exhibited

Leon, Museo de Art Contemporáneo de Castilla  
y León, *Ugo Rondinone: The Night of Lead*, 11 July -  
10 January 2009 (another example exhibited)

Paris, Tuileries Garden, *Festival d'Automne*,  
17 September - 15 November 2009 (another  
example exhibited)

Deurle, Museum Dönt-Dhaenens, *Biennial of  
the Art of Painting: Beyond the Sublime*, 7 April -  
19 September 2010 (another example exhibited)

Ugo Rondinone's *SUNRISE. east. march* is more  
statue than sculpture: it is a two-metre high hulk  
of amorphous metal in the midst of which is a face  
with vast round eyes and a gaping grin. Created in  
2007, this huge sculpture of a head has big pointy  
teeth which should render it a terror; however, this  
is counterbalanced by its humorous charm and  
wide-eyed innocence. These latter factors give a  
sense of the optimism of the start of a new day.

This sculpture forms part of Rondinone's celebrated  
*Sunrise East* series, a group of twelve silver-painted  
bronzes named after the months of the year which  
have subsequently been displayed internationally,  
not least at the Jardin des Tuileries in 2009.

Despite its apparent simplicity, *SUNRISE. east.  
march* makes references to a number of different  
cultural realms. The rear of the head is near enough  
abstraction that it recalls the Chinese scholar's  
rocks that Rondinone collects, the contemplative  
microcosms of the universe that have inspired him.  
Meanwhile, the face itself is modelled on a ritual  
mask. Many of the *Sunrise East* sculptures took their  
form from the masks of the Yupik, an Inuit tribe in  
Alaska. In this way, they were following the path of  
his preceding *Moonrise* series, in which Rondinone  
used African sculptures and animal masks as their  
source material. However, in his artistic distortions  
through scale and material, Rondinone has left the  
tribal origins of *SUNRISE. east. march* far behind:  
the surface is mottled with the imprint of the  
fingermarks from the modelling process, adding  
a level of facture; the sculpture is cast in bronze, a  
material associated with fine art; and the entirety  
has been bedecked with silver car paint. This adds  
a luminosity to the work that may be appropriate  
given its subject matter, yet also introduces an  
industrial sheen that appears deliberately at odds  
with the ritualistic origins of the mask.

Rondinone has been producing series of masks  
since 2002, initially conceived as wall-objects  
and later moulded into large-scale figures. This  
recurring motif has become a trademark of his  
oeuvre. *Sunrise* came next after the *Moonrise* series,  
just as day follows night. All of these sculptures are  
linked to one of Rondinone's most central themes:  
the inexorable and cyclic passage of time.













Property From A Distinguished Private American Collection

**4. Rudolf Stingel** b. 1956

*Untitled*

signed and dated 'Stingel 2007' on the reverse

oil and enamel on linen

211 x 170.5 cm (83½ x 67½ in.)

Executed in 2007.

**Estimate**

£1,500,000-2,000,000 \$1,980,000-2,640,000

€1,760,000-2,350,000 ₣ ₣

**Provenance**

Paula Cooper Gallery, New York

Acquired from the above by the present owner in 2008





One cannot help but revel in the sheer brilliance of Rudolf Stingel's mesmeric work, *Untitled*. Only the greatest artists are capable of teasing out such aesthetic elegance from the complexity of their concepts, and Stingel achieves this with unbounded flair. Through seemingly alchemic artistic means the stencilled imagery and shimmering finish harbour acutely nuanced details, resulting in a painting as bold as it is subtle.

*Untitled* is a formidable example of Stingel's series of wallpaper paintings. Galvanised by opulent, gleaming surfaces these works appear as if lifted directly from Marie Antoinette's ornate bedroom walls at the Palace of Versailles. Indeed, the complex designs that adorn their surfaces are derived from damask patterns of the late Baroque/Rococo period, a time when painting and sculpture became enmeshed in the very architecture that was intended to contain it. The present work likewise looks for validation outside of traditional parameters, taking its ambient setting as well as the historic relationship between formal patterns and abstract art as points of creative departure.



View of the interior of the  
Queen's bedchamber at the  
Palace of Versailles, Versailles

© Dmitri Kessel / The LIFE Images Collection  
/ Getty Images

Andy Warhol

**Round Jackie, 1964**

Acrylic and silkscreen ink on canvas

Diameter 44.8 cm (17<sup>5</sup>/<sub>8</sub> in.)

Executed in 1964

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



Produced using a calculated application of stencils, the work nevertheless contains innumerable imperfections that disrupt the implied decorative repetition like tantalising chinks in its highly polished armour. Blemishes and irregularities indicate the artist's engagement with his medium on a tactual level; Stiegel knowingly leaving clues to his modes of intervention whilst concurrently subverting the implied grandeur of the work's gold-bullion finish. This quasi-mechanised production aligns *Untitled* with the creative devices employed by preeminent artists of the late 20th Century. Andy Warhol in particular demonstrated comparable methodologies; his purposefully imprecise screen-printing technique corrupted the pure ideals of mass production and the celebrity image, causing tension between the models of perfection and demise that pervaded popular culture. This, perhaps, manifested itself most significantly in his work *Round Jackie* from 1964 in which the late John F Kennedy's wife appears to dissolve under a perforated veil of silkscreen ink and gold paint, allegorically mirroring the frayed majestic gilding seen in *Untitled*.



# ‘Artists have always been accused of being decorators, so I just went to the extreme...’

Rudolf Stingel

The technique used to produce Stingel’s prized effect echoes a set of instructions he produced in 1989 which delineated the method of production for a series of monochromes that were to be exhibited beside it, giving the viewer access to the artist’s concept and means of fabrication. The present work deftly brings the viewer a step further into the fold. Here, their entire environment dissolves into the seductive hues of reflective gold paint, evoking a blurred, idealised reality woven together by strands of fact and fantasy. Confronted by their reflection, the viewer becomes both the work’s witness and subject, suspended in its patterns like a hazy trace of humanity lingering amongst history’s decadent shadows.

This illusive and paradoxical quality is crucial to the character of *Untitled*. Its graphic structure proposes a dual analysis; the work is both a representation and literal manifestation of the abstract floral pattern it evokes, ostensibly lampooning the aesthetic of the wall on which it hangs. *Untitled* therefore cunningly floats between typical categorisations; part abstraction, part figuration, part physical object, it reflects a moment in painting of incredible originality and boundless scope. Where the gap between reality and illusion becomes uncertain, the visual authority of *Untitled* leaves the viewer without doubt. Here is a painting of superlative virtue and a true masterpiece of contemporary painting.







Δ **5. Mark Grotjahn** b. 1968

*Untitled (White Butterfly Hawaiian Lapis)*  
titled, signed and dated "'Untitled (White  
Butterfly Hawaiian Lapis)" M. GRO TJAHN 01'  
on the overlap; further signed and dated twice  
'M. GRO TJAHN 01' and 'MARK GRO TJAHN  
2001' on the reverse  
oil on linen  
70.5 x 70.5 cm (27¾ x 27¾ in.)  
Painted in 2001.

**Estimate**

£1,000,000-1,500,000 \$1,320,000-1,990,000  
€1,180,000-1,770,000 ₺

**Provenance**

Blum & Poe, Los Angeles  
Private Collection, Los Angeles  
Acquired from the above by the present owner



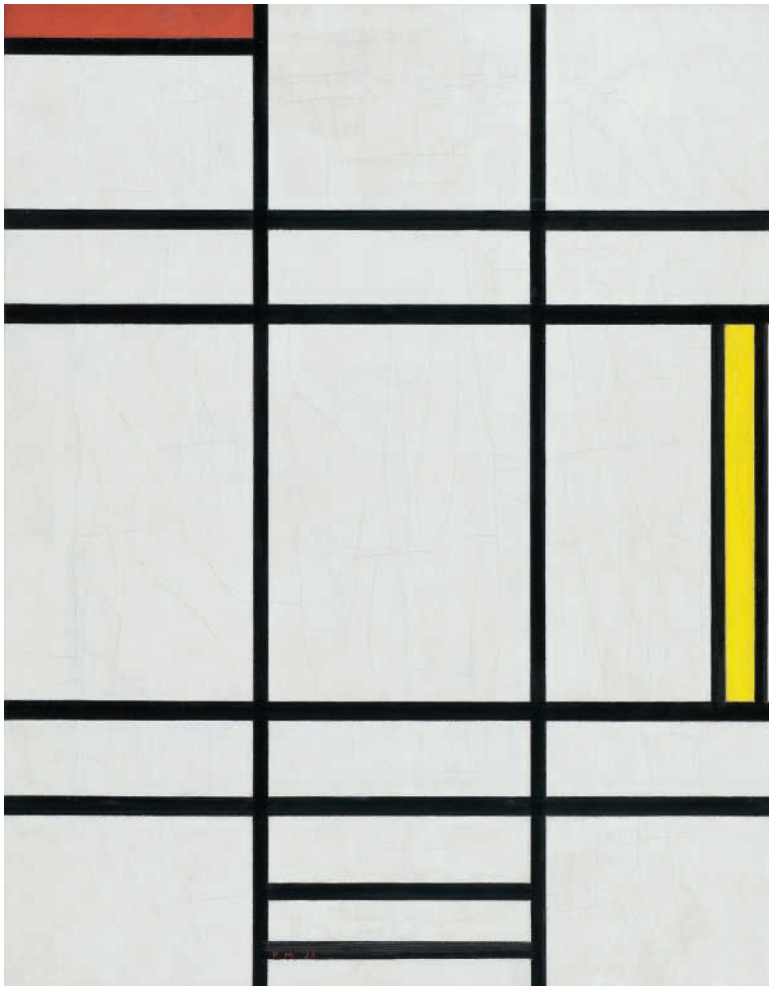


With its nearly monochromatic appearance and creamy hues, *Untitled (White Butterfly Hawaiian Lapis)* is uniquely expressive. The present lot hails from Mark Grotjahn's venerable *Butterfly Paintings* series, renowned for their visual antinomies which transcend a singular approach to painting. Recalling the Hard Edge Abstraction of the mid-twentieth century, Grotjahn retains both traditional purity and symmetry within his works, while championing the irregularities produced during his creation process. With unbounded flair, Grotjahn breaches the precision of his forms with abrasive spattering's of paint, discordant perspective and jarring pictorial depth.

*Untitled's* painterly lines appear to both protrude from and vanish within the picture plane, in a captivating play of optical effects, achieved through geometric interplay. The mesmerizing depth these illusions breathe into the work absorbs the viewer's gaze drawing us across the picture's smooth surface texture emphasising the subtle and delicate palette. The explosion of diagonal lines, radiating like starbursts, takes its

departure from a central spine-like axis, which divides the painting into two parts, resembling a butterfly's wings. The resulting sense of tension between each of these wings appears to dynamically push against each other creating motion and energy within the work. The effect of this is both unsettling and awesome. 'The eye is always searching for an implicit point of stability that cannot be found,' explains Barry Schwabsky, 'And that's what stops you in your tracks - what provokes the stroboscopic stasis of fascination. The paintings announce themselves with a powerful physical and optical presence, but still more powerful is this something else that can't quite be seen, can't quite be felt, though one can't help but sense it is there.' (Barry Schwabsky, "Vehicles of Fascination," in exh. cat., *Mark Grotjahn*, Aspen, Aspen Art Museum, 2012, p.62).

This inexplicable presence within Grotjahn's work is indicative of emotive painting at its best; expressing an elusive 'other,' some ineffable quality or being that conventional language lacks the vocabulary to adequately describe.



**Piet Mondrian**  
***Composition in White, Red, and Yellow, 1936***  
Oil on canvas  
Mr and Mrs William Preston Harrison Collection  
Image courtesy of LACMA

Wassily Kandinsky  
*Descent*, 1925  
Gouache and mixed media on paper  
Private Collection  
Image: © Lefevre Fine Art Ltd., London / Bridgeman Images



It is the result of Grotjahn's discerning post-modernist analysis, weaving together the most vibrant and engaging strands of art history within a singular prismatic vision. As Robert Storr explains, 'Grotjahn's abstractions are, in relation to traditional pictorial modes, a matter of having your cake and eating it too, of experiencing vertiginous spatial illusions only to be brought back to the level ground of modernist flatness-only then to have the picture plane once again yield to the probing eye like the panel of a screen thrown out of kilter by a groping hand' (R. Storr, 'La Push-Pull/Po-Mo-Stop-Go', *Mark Grotjahn*, exh. cat., Gagosian Gallery, London 2009, pp. 4-5). Indeed, *Untitled (White Butterfly Hawaiian Lapis)* encapsulates Grotjahn's devotion to perspective through his unique aesthetic, building a sensory experience full of raw energy, weightlessness and luminosity.



o♦ **6. Mark Bradford** b. 1961

*Rat Catcher of Hamelin III*

mixed media on canvas

304.8 x 320 cm (120 x 125<sup>7</sup>/<sub>8</sub> in.)

Executed in 2011.

**Estimate**

£1,500,000-2,000,000 \$1,990,000-2,650,000

€1,770,000-2,350,000 ₺

**Provenance**

Sikkema Jenkins & Co., New York

Acquired from the above by the present owner

**Exhibited**

Istanbul, *Untitled (12th Istanbul Biennial)*,

17 September - 13 November 2011

San Francisco, SFMOMA, *Mark Bradford*,

18 February - 27 May 2012

**Literature**

White Cube, *Mark Bradford: Through*

*Darkest America by Truck and Tank*, London,

p. 126 (illustrated)









Within just two decades Mark Bradford has established an extraordinary artistic legacy by persistently grappling with the strictures of Abstract Painting. His formidable corpus of works navigates the variegated and often disparate social and topological structures of his home city of Los Angeles, establishing a practice that is richly layered in both material and meaning. Bradford clothes his canvases with the tattered accoutrements of the streets that surround his studio, layering fragments of billboard paper, posters, household paint and urban detritus before assailing the surface with sandpaper and hardware tools. The intricate lines are gouged from the surface as if the artist has literally carved out the paths and patterns of the streets around him, mapping out the architectural structures from the same materials that once clung to their facades.

Amongst the unruly furrows one can find the palpable textures of Robert Ryman, the gestural expressivity of Karel Appel, the enigmatic layering of Asger Jorn and the rugged chromatic might of Clyfford Still - all holding court with the slogans and saturated colours that constitute the commercial images with see daily. In this respect, Bradford stands alone. No artist has ever constructed paintings in quite his manner, and rarely have they solved the problems of art as shrewdly or bravely.

*Rat Catcher of Hamelin III* is a masterful demarcation of this revered methodology, and offers us a rare insight to the artist's own lived history. On July 7 2010, the Los Angeles

Police Department arrested a man suspected of murdering at least 10 women since the mid-1980s, known colloquially as the 'Grim-Sleeper'. In an attempt to identify other potential victims, the police publicly released more than 180 photos of mostly African-American women, posting their images on 50 billboards throughout the city along with the caption 'anyone wanting to remain anonymous may call Crimestoppers.' Many of the people depicted were the family and friends of the suspect and the others become the subject of intense scrutiny that was caused without their consultation. Amid the ensuing controversy the billboards were taken down, and Bradford contacted authorities to appropriate them for his own image-making. Breathing new meaning into the already historically saturated materials Bradford established a percipient voice amongst the prevailing abstraction of his works. Though their legibility has faded, you can still make out the fragmented phrases: 'possession of the serial [killer],' 'these people,' 'these faces?' and 'dubbed in the media' which act as the haunting traces of a dark period in the history of South Central Los Angeles.

Bradford's concern with the socio-political relationship with power is clear here. He presents us with an abstract vision of life in South Central Los Angeles as he has experienced it; a disjointed urban chaos steeped in memories, conflicts and social injustice. His is an uncompromising vision, one that lays his feelings bare so that the viewer's reaction shares in the honesty of his ambition.

Asger Jorn  
*Untitled*, 1964  
Paper collage on board  
Private Collection  
© DACS 2016. Image: Bridgeman Images





## 7. **Mark Bradford** b. 1961

*Click*

acrylic, permanent weave end paper,  
silver coated paper collage, printed paper  
collage and felt-tip pen on canvas  
182.8 x 213.3 cm (71 $\frac{7}{8}$  x 83 $\frac{7}{8}$  in.)  
Executed in 2001.

### **Estimate**

£500,000-700,000 \$659,000-923,000

€588,000-824,000 ₺

### **Provenance**

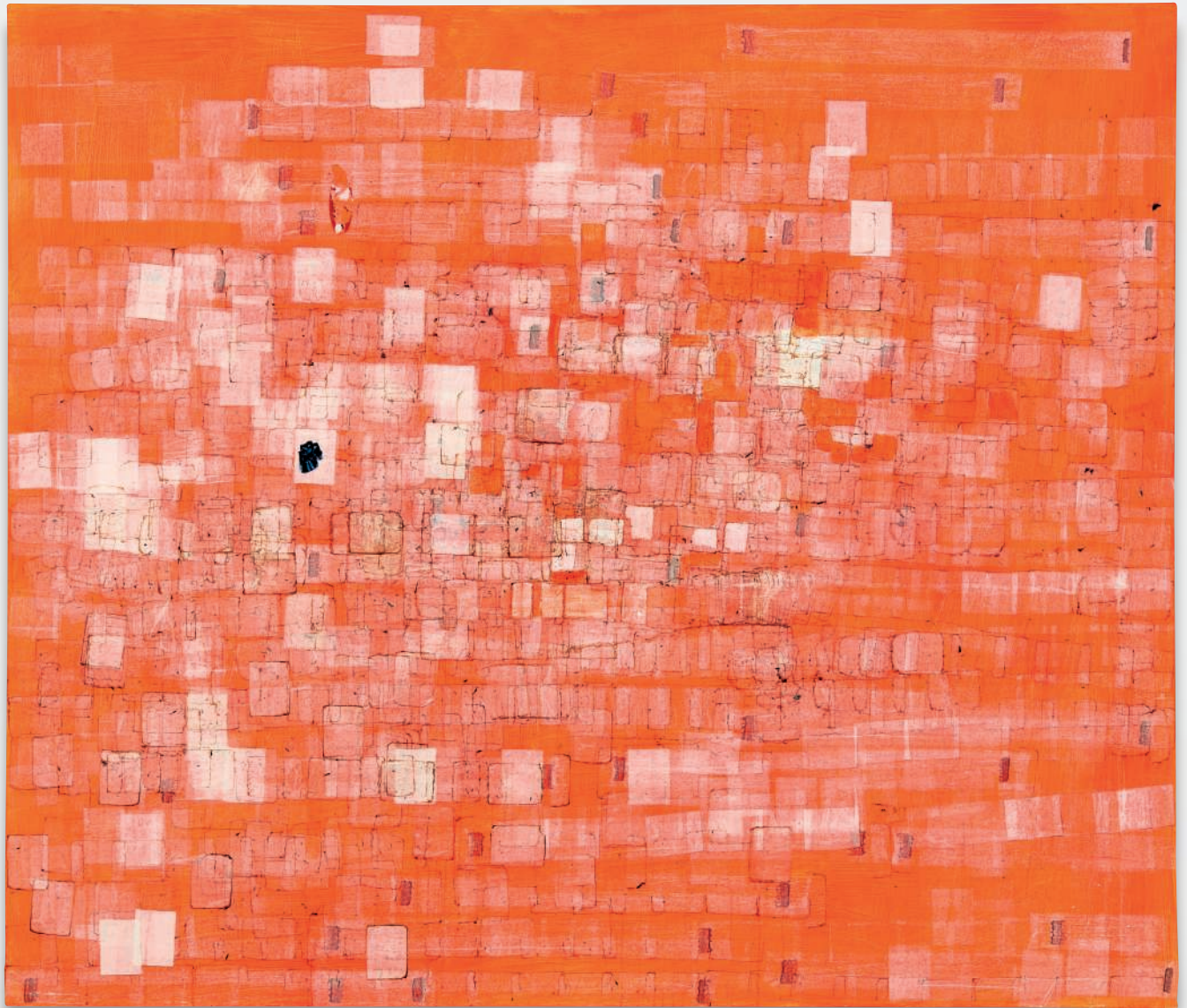
Lombard Freid Fine Arts, New York  
Acquired from the above by the present  
owner in 2001

### **Exhibited**

New York, Lombard Freid Fine Arts,  
*I Don't Think You Ready For This Jelly*,  
November 2001

### **Literature**

Holland Cotter, "ART IN REVIEW;  
Mark Bradford", *The New York Times*  
(November 2001)





On first glance, one might find traces of Richter, Rothko and Reinhardt in *Click*, yet it is unique in every way. The sumptuously nuanced canvas, both aesthetically pleasing and instinctively fascinating, is the perfect embodiment of Mark Bradford's practice. In stark contrast to the immensely flat surface, the metaphoric aspect is deeply entrenched in the society. The streets of South Los Angeles and the surrounding cultural landscape is brilliantly captured and immortalised in Bradford's painting overloaded with various found materials. The translucent permanent weave end papers overlaid on the canvas mimic rows of urban buildings, densely packed together. The form and colour of *Click* cleverly blends geometric abstraction with the uninhibited spontaneity of Bradford's vibrant South L.A. neighbourhood. The found fliers, posters, and the permanent weave end paper, for Mark Bradford, are all invaluable containers of information, synonymous with memory.

Through his works, Mark Bradford aims to reveal the truths and seek answers. Brimming with concerns for historic and contemporary gender identities, social class, ethnicity, sexuality, commerce, and art traditions, these works exemplify the inspiring direction abstract art is heading into in the new millennia. Bradford's work is deeply rooted in the South Los Angeles neighbourhood that he was born and raised in, directly engaging with the society than many other artists. Amongst the first works that incorporate found billboard posters within the neighbourhood, *Click* is a celebration of the postmodern, and a preservation of the contemporary. Bradford is committed to '[fight] against the static machine that wants to institutionalise everything' with his 'social abstraction'. Instead creating inward looking paintings, Bradford saw his paintings as a window 'looking out at the social and abstracting it.' (Mark Bradford, *In Conversation: Mark Bradford*,



Mimmo Rotella  
*Con un Sorriso (With a Smile)*, 1962  
 Printed papers on canvas  
 Tate, London

© DACS 2016. Image: © Tate, London 2015

**Robert Rauschenberg**  
***Untitled*, 1954**  
Oil, fabric and newspaper on canvas  
Eli and Edythe L. Broad Collection,  
Los Angeles  
© Estate of Robert Rauschenberg, DACS, London/  
VAGA, New York 2016



A.L. Steiner, and Wutsang, 2015) Alongside the remnants of posters and fliers, permanent weave end paper is also an important element for the artist. These are small pieces of tissues used during hair perming, an everyday essential in his mother's beauty salon. Bradford continued to work even after attaining his MFA. The inspiration to incorporate weave end paper came about in early 2000s while working in the salon. This surprisingly simple everyday essential from the salon became the foundation for his subsequent innovative collages, beginning with *Click*.

Bradford ingeniously presents his personal life experience as an abstract vision of society, critical of the organised chaos in the urban neighbourhoods, disputes, and social injustice. The viewers are invited to peak through the thinly veiled translucent weave end paper from the salon, and witness Bradford's uncompromising vision of a better society.



Δ **8. Sean Scully** b. 1945

*Grey Red*

signed, titled and dated 'Sean Scully

"Grey Red" 12' on the reverse

oil on aluminium

215.9 x 190.5 cm (85 x 75 in.)

Painted in 2012.

**Estimate**

£600,000-800,000 \$791,000-1,060,000

€706,000-941,000 ₣ ₣

**Provenance**

The Taylor Gallery, London

Private Collection

Acquired from the above by the present owner

**Exhibited**

London, Royal Academy of Arts, *The 244th*

*Royal Academy of Arts Summer Exhibition*,

4 June - 12 August 2012, no. 847

Windsor, The Verey Gallery, *Sean Scully*,

3 October 2012 - 28 February 2013

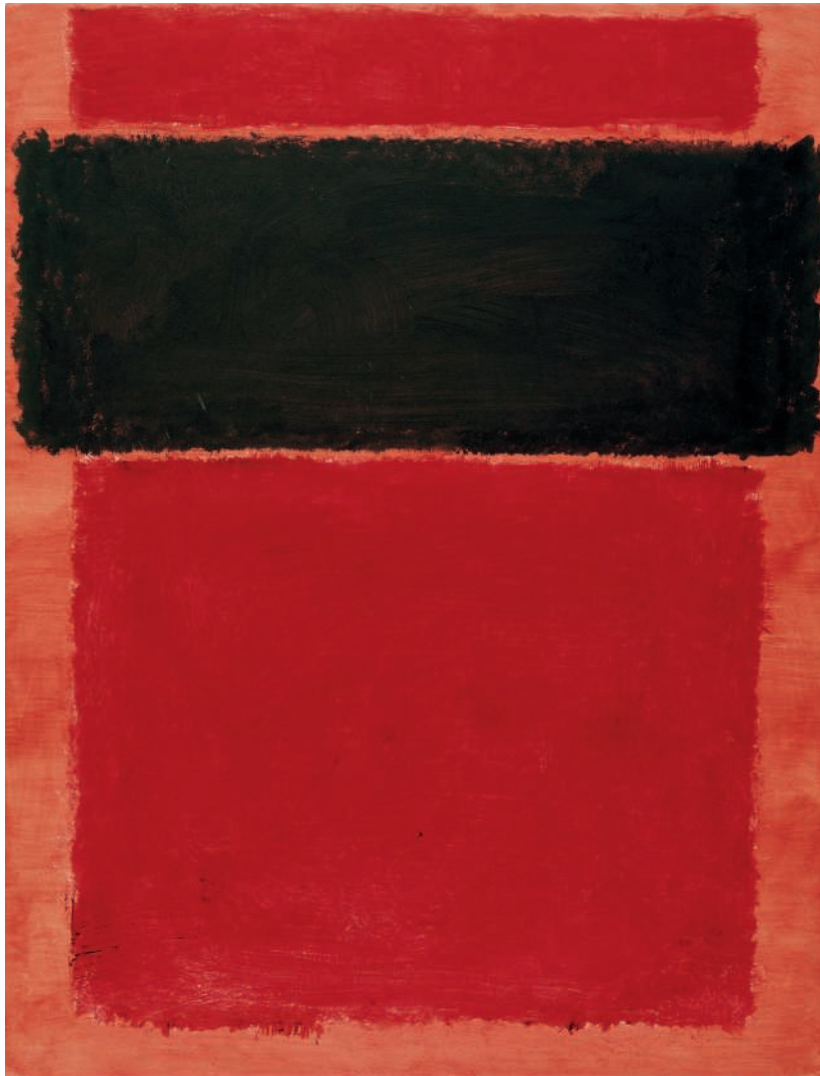




Sean Scully is a giant in the field of contemporary abstract painting, and this mature work, *Grey Red*, is exemplary of his extraordinary artistic vision. Weaving together the painterly ideals of art history with his own lived experiences, Scully fuses fiction and reality in a manner that affects the viewer with precipitate force.

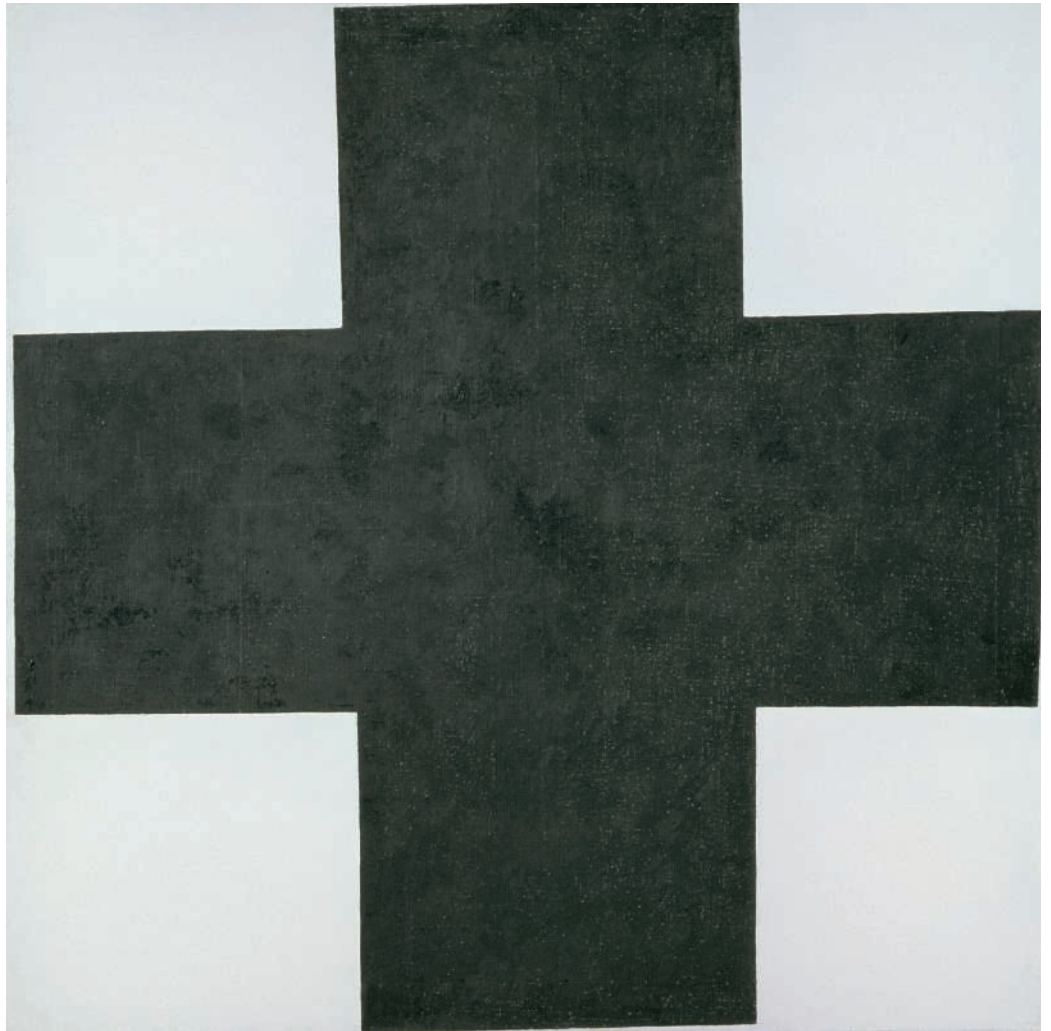
The entire surface of *Grey Red* is animated by its brushy texture which testifies to the incongruous foibles of human expression and endows the work with the assertive materiality of art history's most prominent abstractionists. In *Grey Red* one finds the formal constraint of Barnett Newman, the chromatic roughness of Clyfford Still and the expressive painterly candour of Mark Rothko, but where these masters of the New York School sought deliverance through the supremacy of pure expression, Scully's nuanced works find further salvation in their ontological similitude.

One cannot ignore the 'bricks-and-mortar' familiarity *Grey Red* evokes; conjuring real world similarities that border on actual representation. "I use the discarded incidental details that lie around virtually unnoticed all over the city, reflecting its decay and arbitrariness' explains Scully. 'These relationships that I see in the street doorways, in windows between buildings, and the traces of structures that were once full of life, I take for my work. I use these colours and forms and put them together in a way that perhaps reminds you of something, though you're not sure what.' (Sean Scully quoted in, David Carrier, *Sean Scully*, London, 2004, p. 98). Indeed it is here that we uncover the foundations of Scully's praxis; a marrying of real world objects with the subjective experience of looking that in some ways forms an allegory for painting itself. Transcending the purely formal qualities of order and imperfection that underpin his work,



**Mark Rothko**  
***Untitled, circa 1968***  
Acrylic on paper mounted on panel  
Private Collection  
© 1998 Kate Rothko Prizel & Christopher Rothko ARS,  
NY and DACS, London. Image: Bridgeman Images

Kazimir Malevich  
**Black Cross**, circa 1923  
Oil on canvas  
State Russian Museum,  
St. Petersburg, Russia  
© State Russian Museum, St. Petersburg,  
Russia / Bridgeman Images



Scully manipulates his paint into pseudo-architectural compositions that contain all the noble imperfections of time-forgotten building. But these are not paintings of buildings, nor are they merely sensorial formal expressions either. As Scully explains “it’s a question of making something true. Something that can reflect the dimensionality of the human spirit within the grid of our world.” (Sean Scully quoted in, David Carrier, *Sean Scully*, London, 2004, p. 146). This illusive quality occupies a unique space between quotidian resemblance and a boundless primitive wonder that is yet to be surpassed in the field of contemporary abstract painting.

*Grey Red* represents a masterful realisation of this ambition. Bricks of scorched terracotta

and carbon black are stacked upon each other like a physical accumulation of our passions that have been burned onto the surface of the canvas. Side by side each fiery element interferes with the boundaries of its neighbour, producing a conspicuously organic sensibility that is ultimately countervailed by the rigidity of the works composition. We are left transfixed, hovering between certainties and unsure of where our comprehension really stands. As Bernd Klüser rightly notes, “[these] pictures are archaic and modern in equal measure: dispensing with symbolism, they evoke a sensual quality – the ANIMA SCULLYEN-SIS – which lies beyond normal experience. (Bernd Klüser, “Preface,” *Sean Scully*, 1993, exh. cat., Bernd Klüser, Munich, 1993, p.7)



◉ 9. **Andy Warhol** 1928-1987

*20 Pink Mao's*

signed, dated and titled 'Andy Warhol 79 "20 pink Mao's reversal series"' on the overlap  
synthetic polymer and silkscreen ink on canvas  
99.7 x 96.8 cm (39¼ x 38½ in.)  
Executed in 1979.

**Estimate**

£4,000,000-6,000,000 \$5,290,000-7,940,000  
€4,710,000-7,060,000 ₣

**Provenance**

Galerie Bruno Bischofberger, Zurich  
Acquired from the above by the present  
owner in 2006

**Exhibited**

Seoul, Ho-Am Museum, *Andy Warhol: Pop Art's Superstar*, 20 August - 9 October 1994,  
p. 62 (illustrated)

Milan, Palazzo delle Stelline, *L'anormalità dell'Arte*, 5 December 1993 - 5 February 1994  
Vienna, Galeria Würlthle, *Andy Warhol*,  
23 February - 27 March 1993

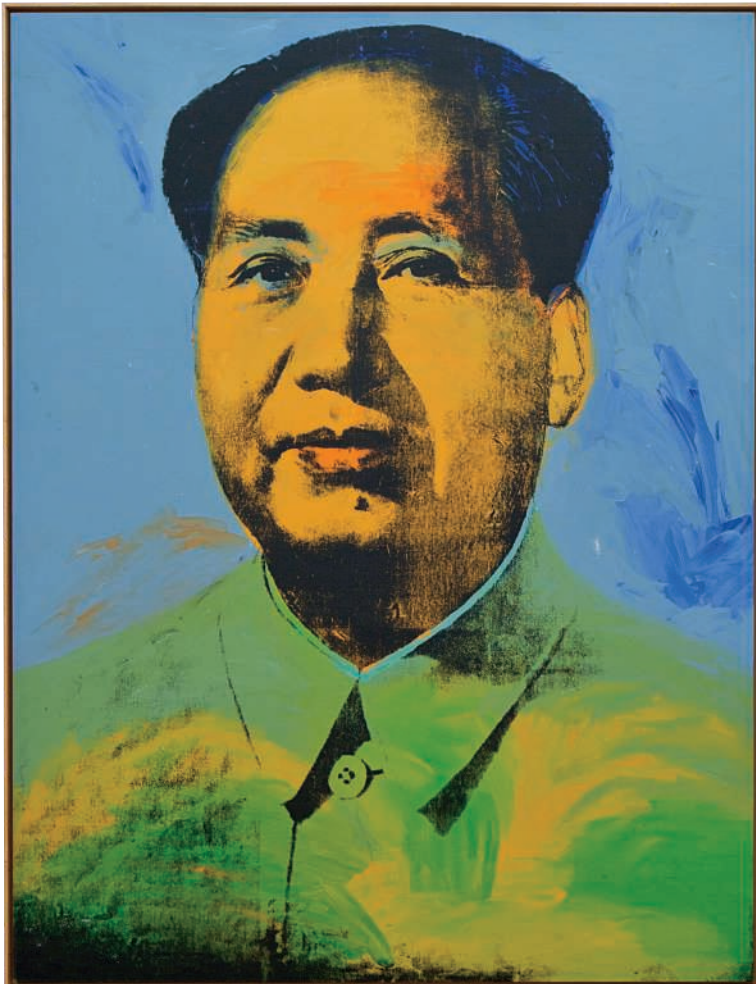




The late 1970s and early 80s was a pivotal time for Warhol, forming a period of self-reflection that pushed him in critically rigorous and aesthetically potent new directions. It was then that the pioneering appropriator of pop culture turned to his own oeuvre as a resource for new creative output; amalgamating earlier series' into single *Retrospective* canvases, revisiting the themes of his formative *Dollar Bill* works with an entirely fresh iconography, and creating his ominous series of *Shadows* that engaged with the subtle traces that all things leave behind. But it was the *Reversal* series where Warhol made his most direct and profound interventions. Taking the most significant icons from his corpus such as Marilyn Monroe, the Mona Lisa, the Electric Chair and Chairman Mao, Warhol used self-appropriation to cast a new perspective on the images that seemed most familiar of all. 'These were the images that had made him famous – the icons, symbols and brands through which he had made his own name and which had therefore to some extent become associated with his own life, history, career and myth.' (Robert Marrone quoted in, "Retrospectives and Reversals," *Andy Warhol: Big Retrospective Painting*, Zurich, Galerie Bruno Bischofberger, 2009, pp. 23-24)

People parade with Chairman Mao's portrait during the Cultural Revolution in Beijing circa 1970

Photo by VCG via Getty Images



Painting of Chairman Mao by Andy Warhol at Hamburger Bahnhof Museum of Contemporary Art in Berlin, Germany

© 2016 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Right Society (ARS), New York and DACS, London.  
Image: Alamy Stock Photo



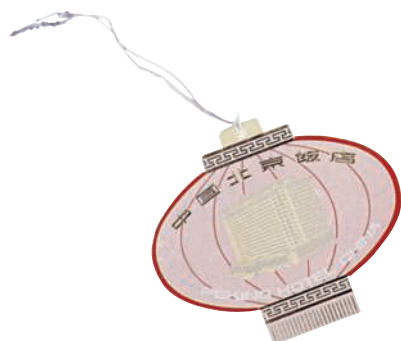
**‘I have been reading so much about China...  
The only picture they ever have is of Mao Zedong.  
It’s great. It looks like a silkscreen’**

Andy Warhol

Thought to be the rarest of these interpolations, and arguably the most significant, Warhol’s *Reversals of Chairman Mao* demonstrate a shrewd recalculation of one of the world’s most ubiquitous portraits. Warhol began creating paintings of Mao in 1972 using a widely circulated photograph from the *Little Red Book*, a pocket-sized index of quotations, thoughts and citations from Chairman Mao. Following President Nixon’s trip to China in 1972, Mao’s image had reached an unprecedented level of international exposure. It was then that Warhol chose to direct his vision beyond America to a global audience. Compared to Mao Tse-Tung, the icons of Warhol’s 1960s portraiture were minor: ‘The image of Mao taken from the portrait photograph reproduced in the Chairman’s so-called *Little Red Book*, is probably the one most recognised by more of the earth’s population than any other readymade icon, representing absolute political and cultural power. In Warhol’s hands, this image could be considered ominously and universally threatening, or a parody or both.’ (K. McShine, *Andy Warhol Retrospective*, exh. cat., Museum of Modern Art, New York, 1989, p. 19).



However, if in 1972 the image of Mao represented political ideology and a seemingly indomitable power, by the time Warhol revisited this motif in his *Reversal* series it had entirely different connotations: Mao Tse-Tung passed away in 1976, marking the end of a regime that had lasted over thirty years. Warhol's initial depictions of this Communist icon were full of painterly vitality and were depicted on a monumental scale similar to that of Mao's portrait in Tiananmen Square. This grid of twenty, however, sees the once imposing image realised with far more delicate proportions like a quiet homage to the original source: the pocket sized *Little Red Book*. Much like the images of Marilyn, the Reversals of Mao represent an iconographical eulogy for a once significant public figure where the images live on like traces or shadows destined to repeat endlessly throughout the world's cultures.



Documents and ephemera from Warhol's trip to China, April 1982

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



Christopher Makos  
*Andy Warhol in Tiananmen Square, 1982*  
 Black and white photograph  
 © Christopher Makos 1982, makostudio.com

By inverting the colours of his preceding originals Warhol drastically altered their mood – turning the light areas dark and highlighting the once shadowy negative spaces. However this spectral presentation also brings the works closer to the photo-negatives that would have once been the basis of their formation, aligning the literal artificiality of production with the implied superficiality of Warhol’s subjects. This evocation of the photographic negatives also references Warhol himself as a photographer and image maker, further harmonising with the evident self-referentiality of this series.

The resultant melancholic and self-analytic tone of the Reversal series reflects the brooding sensibility that had begun to pervade much of Warhol’s oeuvre during this period. ‘Here, in these works, and increasingly conscious of the passing of time and his own encroaching mortality, Warhol had seemingly cast his famously cool and objective eye over subject matter that was indicative of both art and death.’ (Robert Morrone, op. cit. p. 24). This existential self-awareness followed Warhol through a succession of series of *Guns*, *Knives* and *Crosses* until the artist’s untimely death in 1988. But by feeding off the sustenance of his own art’s history, Warhol breathed new life into it, allowing his works, much like his own personal myth, to live-on endlessly in the parables of pop culture.



**10. Keith Haring** 1958-1990

*Untitled*

signed, titled and dedicated '© K Haring  
88 May 1988, "FOR NICOLA WITH LOVE +  
ADMIRATION - Keith" on the overlap  
acrylic on canvas  
126 x 97 cm (49<sup>5</sup>/<sub>8</sub> x 38<sup>1</sup>/<sub>4</sub> in.)  
Painted in 1988.

**Estimate**

£300,000-400,000 \$397,000-529,000  
€353,000-471,000

**Provenance**

Acquired directly from the artist by the  
present owner in 1988





# ***Keith Haring in Milan***

## **An Introduction**

### **by Francesco Bonami**

Keith Haring's arrival in Milan in 1984, at the invitation of fashion designer Elio Fiorucci and art dealer Salvatore Ala, was an extraordinary event. In the mid-eighties Haring represented the peak of a new wave of artists. His art was addressing underground culture and focusing on an issue that would transform the nightlife of New York and around the world: the AIDS epidemic. Vibrant, fresh and committed to his own generation, Haring was able to reach many different audiences at the same time. Haring is arguably more iconic than anybody else within his generation - his visual language is immediately unmistakable, like the golden arches of McDonalds or the curvaceous script of Coca-Cola. Haring's capacity to communicate transformed his art into a marketing tool for the culture of those years.

In Milan, the core of the night life was a club called Plastic - run by the charismatic figure of Nicola Guiducci. Guiducci was a DJ and entrepreneur who made Plastic the place to be for writers, photographers, fashion designers and artists. The affinity between Haring and Guiducci was natural as they both shared the same energy. Every night when Keith Haring had finished working on his exhibition at Salvatore Ala Gallery he went to Plastic to hang out until dawn with his partner and friend Guiducci. While DJing, Guiducci's body language resembled one of Haring's figures- hectic, happy and full of open desires. The exchanges between Haring and Guiducci became deeper and deeper both at a cultural and creative level. Nicola Guiducci became a regular at Haring's studio in lower Manhattan and in 1988 during one of Guiducci's visits Haring gifted him with the present lot. The image, in its essential form, reflects symbolically the fecundity (both sexual and artistic) that the two friends were sharing. Guiducci remembers that once he accepted the gift he had to carry it through Soho and the Lower East Side like a sandwich man advertising the art of his friend. An image that very much matches the spirit of Haring moving around among people, sharing his power and message to heal and change the illnesses of the society.

In Haring's mind, like an artist from a Paleolithic cave, a man blooming out of a phallus was the most effective symbol for regeneration and creativity. Through his work Keith Haring was professing his belief that through the intercourse between art and people a happier world could be created and healed from the evils of repression and hypocrisy.



Keith Haring and Nicola Guiducci

**‘Red is one of the strongest colours:  
it’s blood, it has a power with the eye’**

Keith Haring



## II. **Andy Warhol** 1928-1987

### *Dollar Sign*

signed 'Andy Warhol' on the overlap and  
stamped twice by the Andy Warhol Foundation  
for the Visual Arts, Inc. on the reverse  
50.8 x 40.6 cm (20 x 15<sup>7</sup>/<sub>8</sub> in.)  
Executed in 1981.

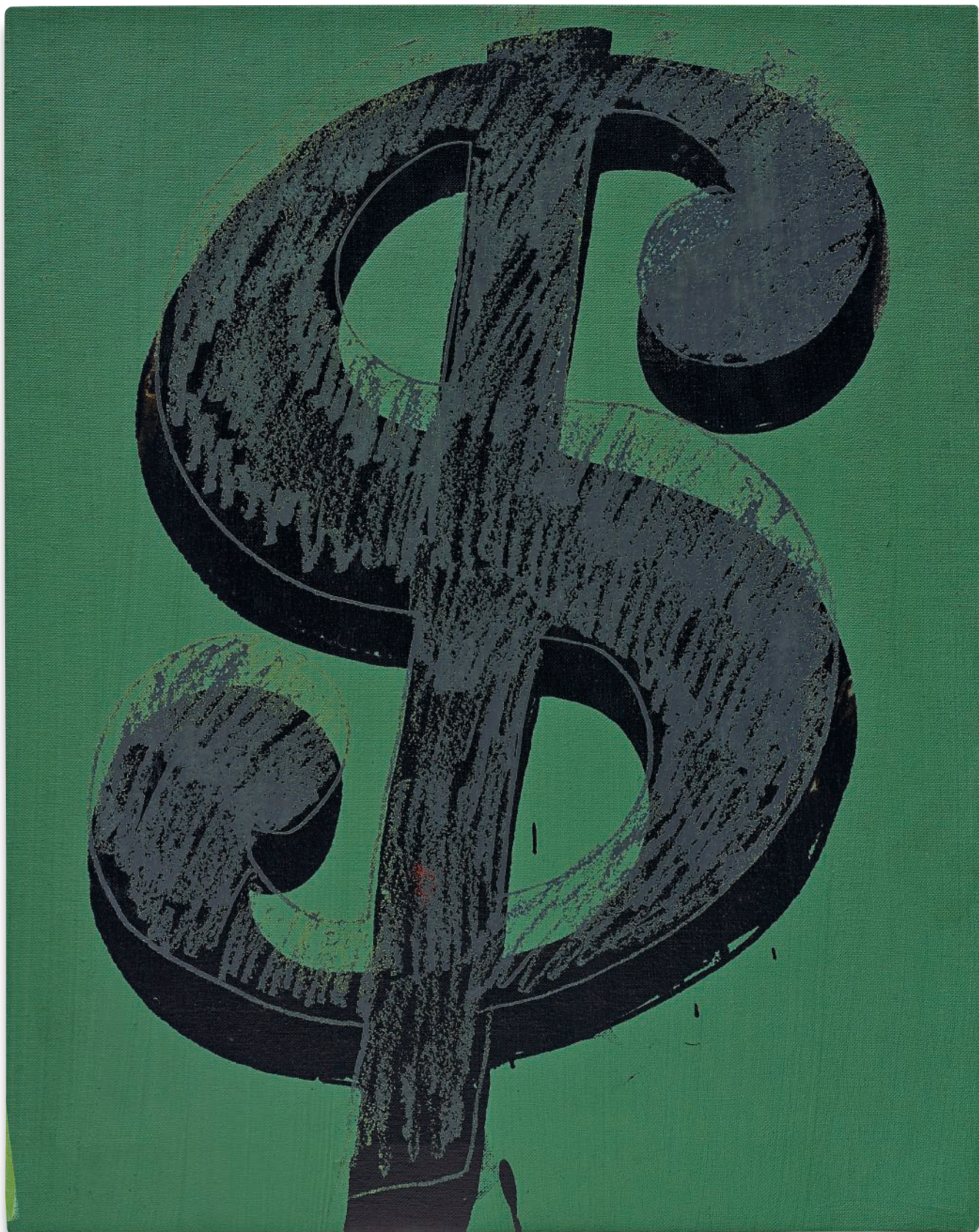
### **Estimate**

£350,000-450,000 \$462,000-593,000  
€412,000-529,000 ₺

### **Provenance**

Alexander Iolas, Athens (acquired directly  
from the Artist)  
Private Collection, Europe (acquired from the  
above in the 1980s)  
Sotheby's London, 15 February 2011, lot 47  
Mugrabi Family Collection  
Acquired from the above by the present owner







**‘...one lady friend of mine  
asked me the right question:  
‘Well, what do you love  
most?’ That’s how I started  
painting money’**

Andy Warhol, 1962

Coming from a poor family in industrial Pittsburgh, Andy Warhol publicly acknowledged his love of money, leading to his love for incorporating the motif of money in his art. Beginning in the 1960s, he started depicting one-dollar bills, which fuelled his revolutionary exploration of the silkscreen process and revealed the immense significance of money for Warhol as both a decorative element and a social signifier of success. Two decades later, when his career was experiencing a renaissance in the early 1980s, Warhol returned to the imagery of money, culminating in the production of a whole series of drawings, paintings and prints of the dollar sign, of which the present lot is an exceptional example. The painting depicts an impactful dollar sign, based on a marker pen and ink drawing of the symbol done by the artist (even the ink splatters are retained); the greens of both the background and the sign itself directly recall the greens of the dollar bill, making the connection with the ubiquitous image more expressive still.

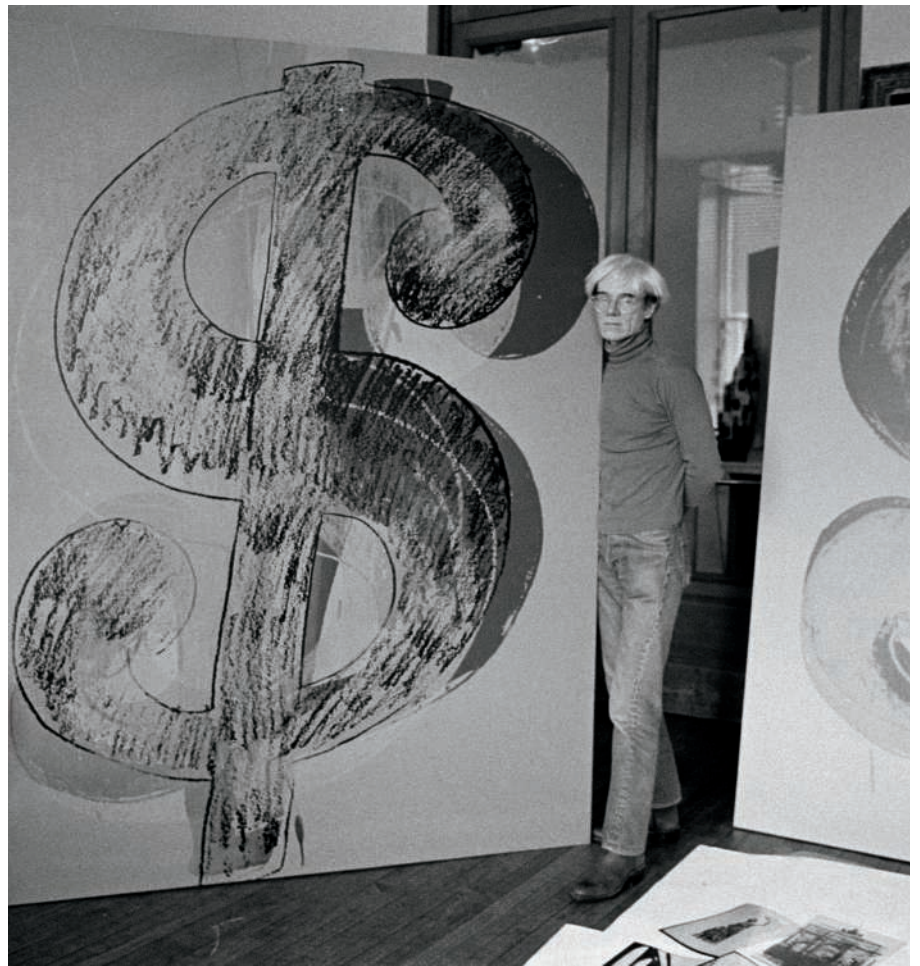


**Jasper Johns**  
***Three Flags*, 1958**  
Encaustic on canvas  
Whitney Museum of American Art,  
New York

© Jasper Johns/VAGA, New York/DACS, London, 2016.  
Image: Bridgeman Images

### Andy Warhol in his studio in 1983

© 2016 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Right Society (ARS), New York and DACS, London.  
Image: Photo by The LIFE Picture Collection/Getty Images



The *Dollar Sign* series exemplifies the zeitgeist of the 1980s, a period of dynamic and fluid cultural exchanges between high art and commodity culture – there is hardly a more influential, international, everyday symbol than the dollar sign, which undeniably symbolises the free market and commercial capitalism. As one of the founding fathers of Pop art, Andy Warhol built his reputation on breaking down the traditional boundaries between high art and popular culture, and this lot is an example of the artist at once reinventing the dollar symbol and amplifying it as pop art, as he often did with other most recognisable images, from Coca-Cola to Hollywood celebrities.

The artist famously employed the mechanical process of painting: 'I'm for Mechanical art. When I took up silk screening it was to more fully exploit the preconceived image through the commercial techniques of multiple reproduction.' (Andy Warhol quoted in *I'll be Your Mirror: The Selected Andy Warhol Interviews*, New York,

2004, pp. 8-9). The dollar sign is a symbol that fundamentally channels the idea of mechanisation and repetition – through the employment of this symbol in his art Warhol highlighted further his investment in industrial production.

All of Warhol's art that incorporates the image of money can be seen as a comment on the art market and the worth of the art that is sold in auction. The artist himself has commented on the subjective value of art: 'I like money on the wall. Say you were going to buy a \$200,000 painting. I think you should take that money, tie it up, and hang it on the wall. Then when someone visited you the first thing they would see is the money on the wall.' (Andy Warhol, *The Philosophy of Andy Warhol*, 1975, pp. 133-134). For Warhol, the dollar bill symbolises the American dream, with all its highs and lows; by involving it in his works the artist was able to pass satirical comment on the contemporary social issues and commercial values, and these comments can, and should, encourage reflection on the social realities of today.



**12. Robert Longo** b. 1953

*Untitled (Tiger in a Cage, Lao Hu)*

signed 'Robert Longo 2010' on a gallery label  
affixed to the reverse

charcoal on paper mounted on aluminium in  
an artist's frame

image 143.5 x 212.1 cm (56½ x 83½ in.)

overall 146.4 x 214.9 cm (57⅞ x 84⅞ in.)

Executed in 2010.

**Estimate**

£400,000-600,000 \$528,000-791,000

€471,000-706,000

**Provenance**

Metro Pictures, New York

Acquired from the above by the present owner











Steeped in dramatic tension, realised in astonishing detail and formed using the velvety charcoal tones that have become synonymous with Robert Longo's praxis, *Untitled (Tiger in a Cage, Lao Hu)* is a spectacular example of contemporary figurativism and represents an extremely rare, early example of the artist's fiercely sought after portrayals of tigers. All three of his most successful auction results share this subject and scale, yet the present work represents an antecedent, more compositionally complete, and visually complex iteration. When considered in relation to additional works from this and his other suites, this formative picture offers a precious insight to the evolution of Longo's thinking and a corpus that is suffused with subtle political subtext.

A giant cage sweeps across the work's surface in a flat geometric arrangement, trapping the magnificent tiger who knowingly looks back at us. The inclusion of this intrusive visual device

engages with competing values of abstraction and figuration that have been prevalent throughout modern and contemporary art history; however Longo also employs this aesthetic strategy to progress an overtly political dialogue. In the mid-2000s Longo began creating drawings of the Earth and exhibiting them alongside portraits of infants, echoing the themes of life, death and the fragility of existence that pervade his oeuvre. But it also ademonstrated a definitive shift of focus towards environmental concerns and the legacy we leave for future generations that are affirmed by the present work's illustration of nature. 'As you get older you obviously think about what you're going to leave behind,' describes Longo, 'I'm not talking about how my work will be viewed in the future, but rather what kind of world, and what possibility for the future, we will leave behind' (R. Longo, quoted in 'Working Towards Affection: An Interview with Robert Longo', *Border Crossings*, no. 115, September 2010, p. 48).



**Gerhard Richter**  
***Tiger*, 1965**  
Oil on canvas  
Museum Morsbroich, Leverkusen  
© Gerhard Richter, 2016

Peter Paul Rubens  
*Caccia alla tigre*, 1615-1616  
Oil on canvas  
Musée des Beaux-Arts, Rennes  
© Photo Josse / Scala, Florence



Displaying the tiger caged forces us to confront the effect humans have on nature. Between 2011 and 2013 Longo continued to portray tigers in his *Kings* series. Liberated from their shackles they encounter the viewer head on, and like so many of his other works, force them to stare imminent danger in the face. Transfixed by the wild power of the beast, we fight the urge to flee.

What Longo makes clear in the present work is he hopes to challenge our fears in order to overcome the potentially damaging or cruel impulses they produce. He imprisons the tiger to form a narrative that puts it, not us, in danger and thereby subverts the implied natural physical order of his later works. Longo's visual and conceptual contradictions

emphasise this oppressive tension. Here he perfectly marries the contrasting principles of power and submission, objectivity and emotion, abstraction and realism, equilibrium and asymmetry. The cage itself emulates the socio-environmental issues it is intended to evoke by making the very act of viewing the tiger difficult. These conflicts are visual and therefore also exist within our subjective response to the work, where we are positioned to make a choice: do we want to perpetuate or change these conditions. Longo fearlessly provides us with an image that reminds us of the contemporary proclivity for self-satiation, and in doing so he questions the validity of our choices and history, forcing us to consider the possibility of a different way.



♦ Δ **13. Gerhard Richter** b. 1932

*Abstraktes Bild (767-2)*

signed, dated and numbered 'Richter 1992 767-2'  
on the reverse  
oil on canvas  
62.2 x 62.2 cm (24½ x 24½ in.)  
Painted in 1992.

**Estimate**

£800,000-1,200,000 \$1,060,000-1,580,000  
€941,000-1,410,000 ₣ ♠

**Provenance**

Marian Goodman Gallery, New York  
The Manilow Collection, Chicago  
Sotheby's, New York, 10 November 2010, lot 364  
Richard Green Gallery, London  
Private Collection, U.S.A (acquired from the  
above in 2011)  
Acquired from the above by the present owner

**Literature**

Kunst-und Ausstellungshalle der Bundesrepublik  
Deutschland ed., *Gerhard Richter Catalogue Raisonné:*  
*1962 - 1993, Vol. III*, Ostfildern-Ruit, 1993, no.  
767-2, n.p. (illustrated)  
Dietmar Elger, *Gerhard Richter, Catalogue Raisonné,*  
*vol. 4: 1988 - 1994*, Ostfildern, 2015, no. 767-2,  
p. 459 (illustrated)





Painted in 1992, Gerhard Richter's *Abstraktes Bild* is filled with colour and movement. While greens and greys appear to dominate the composition, smouldering flickers of warm yellow and red peek through, adding a dynamism that is accentuated by the vertical and horizontal striations through which Richter has dragged paint across the canvas. These elements demonstrate the alacrity with which Richter had perfected the use of the 'squeegee' as a tool for painting: adapted from the wipers used by window cleaners, it was only in the mid-1980s that the artist began to apply paint with them. They have since become an almost iconic aspect of his work, even featuring in films showing Richter at work.

From a purely visual point of view, the squeegee creates complex, kaleidoscopic surfaces that are filled with seductive texture and detail. Often applying wet paint to a dried surface, Richter is able to drag the paint in a manner that creates a marbled effect; at the same time, the glimmer of colours from previous layers adds a sense of density and complexity to the composition.

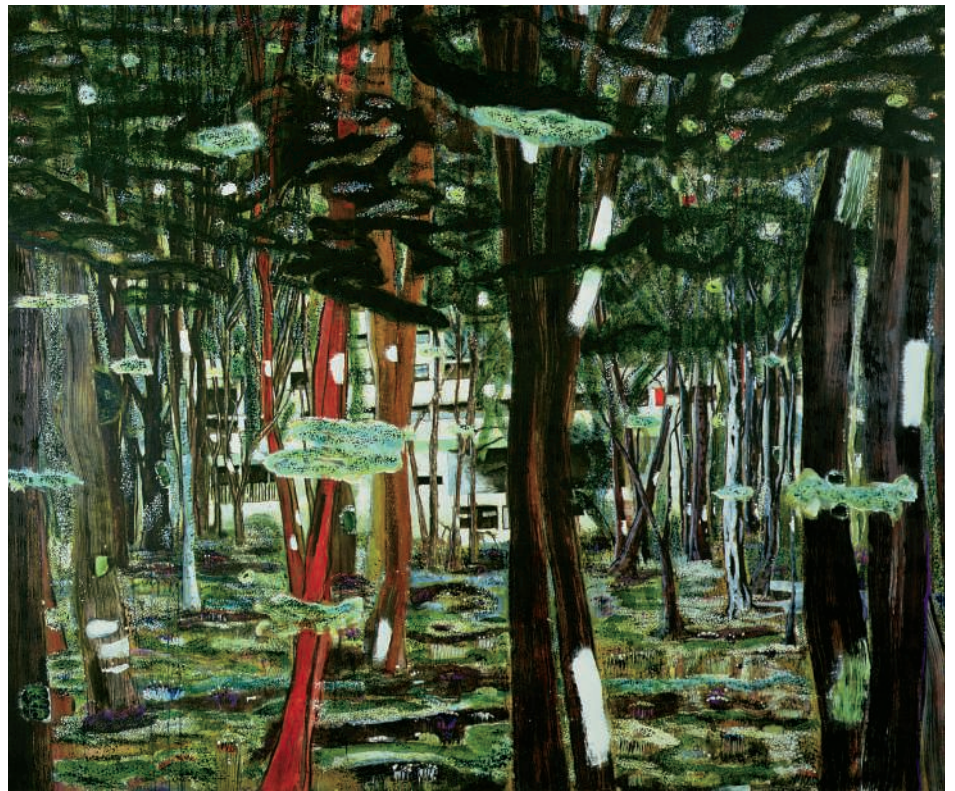
Richter's practice of allowing the paint to dry in between his interventions with the surface serves a more practical, or conceptual purpose, in that it grants him a fresh perspective on each sally. In this way, he is able to revisit his canvas in an analytical manner, working in such a way as to remove any overly evocative or even tentatively figurative elements from the composition. Richter's abstract paintings are intended to be precisely that: abstract paintings. He works hard to remove any hint of a motif, forcing the viewer to look again and again at his work in order to seek understanding.

While the lack of any legible element may seem frustrating, it also forces the viewer to open his or her mind, or interpretative faculties, appreciating each and every detail of the painted surface in the quest for elements to read. The lack of a motif in *Abstraktes Bild* fits with Richter's outlook, itself coloured by his own experiences under various ideological realms in the twentieth century - Nazism, Socialism, Capitalism. He has removed any overt design, instead permitting the painting to suggest itself and evolve:



**Gerhard Richter**  
*Waldhaus*, 2004  
Oil on canvas  
© Gerhard Richter 2016

Peter Doig  
**Concrete Cabin, 1991-1992**  
Oil on canvas.  
New Walk Museum & Art Gallery,  
Leicester  
© DACS 2016. Image: Leicester Arts & Museums /  
Bridgeman Images



'No ideology. No religion, no belief, no meaning, no imagination, no invention, no creativity, no hope - but painting like Nature, painting as change, becoming, emerging, being-there, thusness; without an aim, and just as right, logical, perfect and incomprehensible' (Gerhard Richter, 1985, quoted in H.-U. Obrist (ed.), *Gerhard Richter: The Daily Practice of Painting. Writings and Interviews 1962-1993*, trans. D. Britt, London, 1995, p. 121).

While this was already the case in Richter's earlier abstract paintings, the use of the squeegee allowed him to tap into this notion of an ever-shifting, self-formulating order all the more eloquently. As Dietmar Elger has written:

'For Richter, the squeegee is the most important implement for integrating coincidence into his art. For years, he used it sparingly, but he came to appreciate how the structure of paint applied with a squeegee can never be completely controlled. It thus introduces a moment of surprise that often enables him to extricate himself from a creative dead-end, destroying a prior, unsatisfactory effort and opening the door to a fresh start. 'It is a good technique for switching off thinking,' Richter has said. 'Consciously, I can't calculate. But subconsciously, I can sense it. This is a nice "between" state'" (Gerhard Richter quoted in D. Elger, *Gerhard Richter: A Life in Painting*, trans. E.M. Solaro, Chicago & London, 2009, p. 251).



**14. Albert Oehlen** b. 1954

*Amber*

signed, titled and dated 'A. Oehlen "Amber" 95'  
on the reverse

oil on canvas

144.5 x 150.5 cm (56⅞ x 59¼ in.)

Painted in 1995.

**Estimate**

£250,000-350,000 \$330,000-462,000

€294,000-412,000 ♠

**Provenance**

Private Collection





Albert Oehlen's *Amber* presents the viewer with a dynamic, kaleidoscopic maelstrom of colours, marks, signs and brushstrokes. Painted in 1995, this picture reveals both Oehlen's credentials as one of the enfants terribles of post-war German painting, and also as an artist fascinated with the potential, and pitfalls, of his own medium. This work is equal parts punk and Post-Modernism, a lively assault on the hegemonies that have been created in the art world over the decades.

The 1990s saw a seismic shift in Oehlen's praxis. Turning away from the figurativism that had defined his earlier work, Oehlen careered towards progressively dissonant, abstract compositions of which *Amber* is a superlative, early example. This radical change mirrored the evolution painting through and beyond the Modernism of the twentieth century, but did so by adopting such rebellious gestures and anarchic pictorial chaos that the resultant painting appears to obliterate all the established aesthetic principles that had preceded them. In *Amber*, hints of figuration peek through the

turbulent swirls and scrawls of the paintwork, for instance the stern of an old ship and the head of a battle axe in the lower left-hand corner. By contrasting these with the abstract, gestural application of oils which dominates the composition, Oehlen has in fact created a microcosm of the evolution of painting in the twentieth century. In *Amber*, the result is a palimpsest, with discernible signs, more formal areas and hints of geometric shapes contrasting with the vigorously-applied paints that finally dominate the surface.

Oehlen used the history of painting as a means of forging a new path in his own right, at a time when many artists were struggling with directions in which to take the medium. By invoking his predecessors, Oehlen purposefully misappropriated artistic convention, thereby liberating himself from its confinement. *Amber* represents Oehlen's transcendence of aesthetics. Building layer upon layer, the figures and hues barely hang in balance as Oehlen pushes the capacity of painting to its absolute limit.



**Gerhard Richter**  
*Farbschlieren (Streaks of Colour)*, 1987  
Oil on canvas  
Private Collection  
© Gerhard Richter

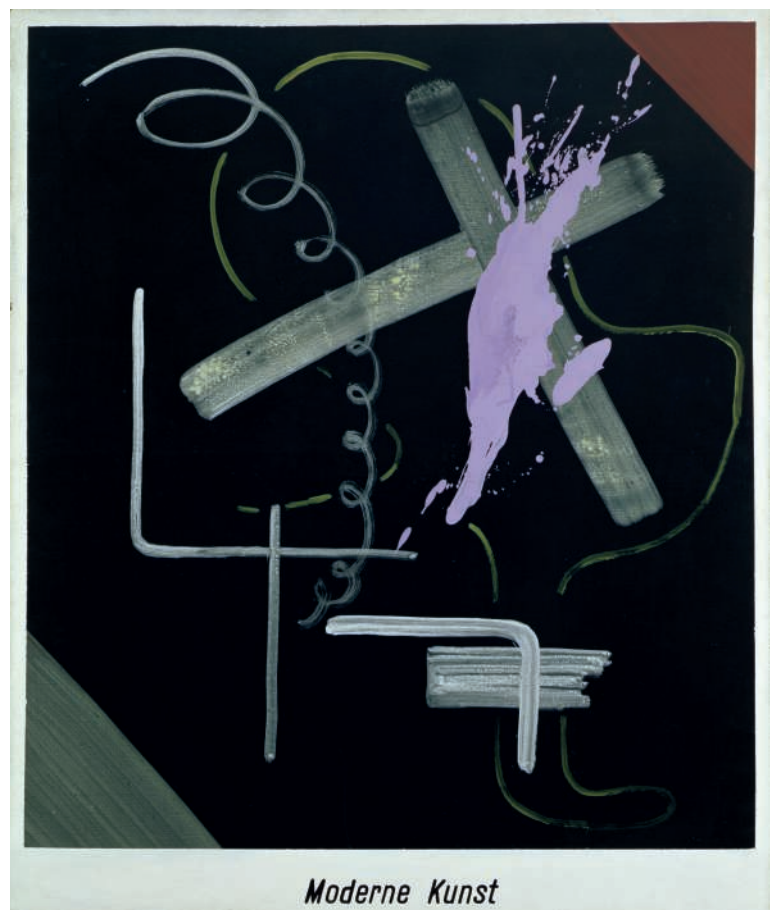
His most accomplished works inhabit a distinct space – what he termed ‘post-non-objectivity’ – in which painting cannot be readily analysed as purely figurative or abstract, nor as a simple mixture of the two either. As the curator Martin Clark explains, ‘it feels like his works have evolved into an entirely new species; brought into being like Frankenstein’s monster; cobbled together from the best and the worst bits of art history’s gaudy corpses.’ (Martin Clark, “Abstract Painting Must Die Now”, in Albert Oehlen, *I Will Always Champion Bad Paintings*, exh. cat., Whitechapel Gallery, London, 2006, p. 59).

Oehlen’s use of source material as a springboard for his compositions had shifted in 1990 when he began to use computer imagery as a basis for some of his works. In doing so, it was often the arbitrary nature of early computer graphics that intrigued him, with the stepped edges of the various pixels providing a contrast with the curves that they were supposed to delineate. Oehlen was dismantling the entire language

of representation. In *Amber*, a parallel process is clearly at work, with Oehlen undermining and overpainting everything that might hint at legibility or open interpretation. However the artist’s own marks remain clear, and indeed emphatic. ‘I require of myself that my paintings be comprehensible,’ Oehlen explained in 1995, the year after *Amber* was painted.

‘That doesn’t mean everyone likes them, or should. But even someone who thinks a particular work is an insult can still get close to it. I’m interested in very simple things. In the last few years, I’ve been particularly concerned with evidence – with not seeing anything in the painting other than what’s actually there. Nothing is codified – a mess is just a mess. I want an art where you see how it’s made, not what the artist intended, or what the work means, but what has been made, the traces of production’ (Albert Oehlen, quoted in D. Diederichson, ‘The Rules of the Game - Artist Albert Oehlen - Interview’, *ArtForum*, November 1994).

Sigmar Polke  
*Moderne Kunst (Modern Art)*, 1968  
 Resin and oil on canvas  
 On Loan to the Hamburg Kunsthalle,  
 Hamburg, Germany  
 © The Estate of Sigmar Polke/ DACS 2016











## 15. Günther Förg 1952-2013

### *Untitled*

signed and dated 'Förg 07' upper right  
acrylic and oil on canvas  
180 x 200 cm (70 $\frac{7}{8}$  x 78 $\frac{3}{4}$  in.)  
Painted in 2007.

### Estimate

£90,000-120,000 \$119,000-158,000  
€106,000-141,000 ± ♣

### Provenance

Greene Naftali Gallery, New York  
Acquired from the above by the present owner

### Literature

Rudi Fuchs, ed., *Günther Förg: Back and Forth*,  
Cologne, 2008, p. 81 (illustrated)

Günther Förg's *Untitled*, painted in 2007, presents the viewer with a monumental canvas, two metres in width, the entire surface of which is covered in hatching-like sequences of vertical brushstrokes in a range of colours. Here and there, the gestural application of paint on the background is also in evidence, creating a richly-textured composition. This painting is full of energy and colour.

*Untitled* is abstract, yet the areas of colour appear to have been arranged according to some system. Indeed, *Untitled* can be seen to have evolved from the grid and window paintings that Förg had previously created. In it, the actual lattice of the grids that Förg had superimposed has dissolved, leaving instead parcels of brushstrokes. In this, Förg has echoed the process of development by which Piet Mondrian had surpassed his own grid compositions, creating works such as *Broadway Boogie Woogie*, in which the colour became autonomous, part of the grid, rather than captured by it.

Much of Förg's work involved a dialogue with the legacies of Modernism, not least the pictures of the Abstract Expressionists and their heirs. Looking at *Untitled*, references to the mark-making of Cy Twombly and the 'zips' and verticality of Barnett Newman can be discerned. However, Förg's artistic process involved removing some of the intellectual aspirations and baggage of his artistic predecessors. Instead, he adapted some of their looks and techniques in order to create

paintings. His move away from the monochrome in the 2000s in particular revealed an interest in colour, its form and its function, as is embodied in the sampler-like array of brushwork on display in *Untitled*. This is a deconstruction, just as his architectural photographs of historically-loaded Modernist buildings focused on details that removed any sense of context. That process of fragmentation, which ran as a thread through Förg's work in many media, from sculpture and painting to photography and installation, is evident in the scattered marks of *Untitled*.

While many of his contemporaries, especially in Germany—not least his friend Martin Kippenberger—would create wry, ironic and often anarchic assaults of the art of the past, Förg's relationship was less critical. 'Retrospectively, the reason for the continued importance of Förg's oeuvre becomes clear,' Andreas Schlaegel would explain in 2011, only a few years after *Untitled* was painted. 'The evolution of his direct, subjective engagement with the aesthetic of the sublime — conducted without fear of stereotypical taboos — oscillates between appropriation and homage, yet Förg does so without any ironic quotations or other such cheap distancing techniques. Instead, he throws mythical ballast overboard and appropriates picture-making strategies in a way that makes them look new' (Andreas Schlaegel, quoted in Bruce Weber, 'Günther Förg, German Artist who Made Modernism his Theme, Dies at 61', *The New York Times*, 18 December 2013).





**16. Anselm Kiefer** b. 1945

*Odi Navali*

titled "Odi Navali" upper left; dated 1997  
on the reverse

oil, emulsion, acrylic and lead boat on canvas  
189.9 x 330.2 cm (74¾ x 130 in.)

Executed in 1997, this work is accompanied by  
a certificate of authenticity signed by the artist.

**Estimate**

£600,000-900,000 \$791,000-1,190,000

€706,000-1,060,000 ₹

**Provenance**

Lia Rumma, Milan

Acquired from the above by the present owner

**Exhibited**

Monza, Villa Reale, *L'Italia Negli Occhi Dello*  
*"Straniero" (Italy in the "Foreigners Eyes")*,  
23 April - 6 September 2015



odc narodzi













Drifting on the muddled tides of history, the impossibly heavy lead ship of Anselm Kiefer's phenomenal painting-come-sculpture *Odi Navali*, buckles against its rigid supports as if collapsing under the grievous weight of war's tragic annals. Weather-beaten and mangled it wallows amongst the swelling currents of impasto, crying lamenting tears of rust and emulsion that cascade from its battered hull into bubbling froth below. This work, realised on an enthralling scale, is a painting of astounding emotional affect and dramatic charge in which Kiefer exhibits the true extent of his artistic abilities and historical influences.

The title, *Odi Navali*, was taken from that of a series of poems by the Italian writer Gabriele D'Annunzio that describe, with great sadness, the death of Admiral Simone Pacoret di Saint-Bon - a renowned war hero and founder of the modern Italian Navy. The poet, D'Annunzio,

was a notorious jingoist and aside from his influential writing, took a highly active role in Italy's World War I campaigns and even went so far as leading 2,000 militiamen to seize the city of Fiume in the inter-war years, hoping to annex it under Italian control. His irreverent proto-fascist rhetoric and thirst for political influence even saw some nationalists calling for his leadership in place of Mussolini's.

Along with the life and work of D'Annunzio, the title also engages with the conceptual underpinnings of a significant installation Kiefer produced in 2004 called *Velimir Chlebnikov*, which now resides on permanent seasonal display at the Hall Art Foundation, Vermont. This immersive work consists of a 1,000 square foot steel mausoleum containing thirty paintings dealing with nautical warfare, many of which contain ship motifs and the same inscription 'Odi Navali'. Among these comparable canvases,

**First and last exit of the German  
Battleship Bismarck on route to Denmark.  
It sank 27 May 1941**

Image: © PVDE / Bridgeman Images



the present lot is by far the most impressive, both in ambition and execution. Yet this subtle connection links the work with the Russian Futurist Poet and experimental mathematician from the installations title, *Velimir Chlebnikov*, who devised a theory that prophesied the occurrence of major naval battles every 317 years. Though Kiefer dismisses the validity of Chlebnikov's claims as nonsense, by adopting his thought processes, Kiefer not only collapses conventional temporal structures by linking individual wars to the innumerable catastrophes that have recurred throughout all of human history, but he sees war through the warped perspectives of a man whose penchant for both creativity and the arcane could only be matched by the hermitic life of an artist. As Adrien Searle explains: '[Kiefer's] interest in the utopian madness of Chlebnikov, whose example I believe he sees almost as a case study in

self-mythology and the will to power, might be taken as a metaphor for artistic struggle. We cannot forget Hitler wanted to be an artist, too.' (Adrien Searle, "All at Sea," *The Guardian*, 5 July 2005, online resource).

Kiefer is indelibly drawn towards these defiant characters whose maniacal dogmas blind them from the conventions that are so apparent to many around them. He channels their ideas to form artistic anomalies that allow him, as a German artist, to adequately engage with twisted ideas and bitter motifs of the Second World War. But above all else, he emulates their irreverence, sequestering himself in his studio in the countryside of the French Provence, free to while away his time with the mystics of history in order to forge works of wild, uninhibited expression, implementing the demoniac tenets of war in order to best portray its grief.

**Caspar David Friedrich**  
***North Sea in Moonlight*, 1823-1824**  
Oil on canvas  
National Fine Arts Museum, Prague  
Image: Bridgeman Images





Property from the Estate of Pentti Kouri

**17. Antony Gormley** b. 1950

*Mountain and Sea*

iron and air

193 x 67 x 47 cm (75⅞ x 26⅜ x 18½ in.)

Executed in 1987-1988.

**Estimate**

£200,000-300,000 \$264,000-396,000

€235,000-353,000 ₣ ₣

**Provenance**

Acquired directly from the artist by the  
present owner

**Literature**

Richard Noble and Antony Gormley, *Antony  
Gormley*, London, 2007

Clive Turnbull, "Antony Gormley:

The Impossible Self", *The Green Book*, vol. III,  
no. 1, front cover and pp. 20-28 (illustrated)





Antony Gormley uses his own body as medium, tool and subject. In *Mountain and Sea*, two figures – each derived from a mould of Gormley's own form – stand locked in an embrace. In this work, Gormley meditates on the unique process of objectifying a subjective moment. One 'bodycase' (the mountain) is rigid but unstable, arms by its sides and falling backwards, with its toes raised off the ground. It is an image of the resistance to change of fixed positions. The other 'bodycase' holds the first, preventing it from falling. In Gormley's words, this 'casing of a body holding a casing' can be seen as an elemental metaphor 'a sculptural evocation of the pathetic fallacy; the poetic notion that human emotion can best be described in the relations between the elements'. This gives an emotional charge to the composition: is this embrace a reflection of some personal relationship thrust into the public realm, or some evocation of the potential and limits of sculpture itself? While the body language may hint at some unrequited feelings between these figures, there is nonetheless a sense of acceptance, support and understanding.

*Mountain and Sea* is one of the first works that Gormley cast in iron and is hollow, like his earlier lead bodycases. The work was cast in London at the Meridian foundry in Peckham, close to his home and studio at that time; a foundry that had never previously cast in iron. *Mountain and Sea* was created at a pivotal time in Gormley's career, when his work was beginning to garner increasing international attention and acclaim. His works had been shown at the Venice Biennale in 1982 and 1986, at Documenta in 1987 and two years later, would be the subject of a major solo exhibition at the Louisiana Museum of Modern Art in Humlebaek, Denmark.

At this time, most of his sculptures were based on moulds taken directly from the artist's body: a process of casing in plaster and scrim that captured an overall attitude or stance of a body but refused the likeness of the statue. This allows the sculptures to function as universal entry-points for the viewer, allowing empathy and understanding through their balance between being the record of a specific body and the generic mode of its capture.



'My work is the index of a real body in time', Gormley explains. 'It is not symbolic. It has no narrative other than the narrative of its own making.' (*Antony Gormley on Sculpture*, London: Thames & Hudson, 2015, p. 159)

The fact that Gormley's lead bodycases are hollow is often made evident, as in *Land, Sea and Air II* (1982), where the eyes, nostrils and ears are all indicated by apertures in the lead casing; or in the eye-like stigmata holes in the chest, hands and feet of *Untitled for Francis* (1986), currently on display at Tate Modern. By the mid-1990s, the hollow interiors of the moulds were filled, making the solid cast iron masses of bodyforms like those of *Another Place* (1998), now permanently installed at Crosby Beach near Liverpool.

During the 1980s in particular, Gormley often used his work to activate the contexts in which they were placed: lying on the ground, protruding from the wall or suspended from the ceiling. In *Mountain and Sea*, he seems to be considering his relationship to sculpture itself and its ability to capture and evoke memory. The dual figure has continually recurred in Gormley's work, taking its cue from Brancusi's *The Kiss* (1907) in an investigation of two bodies becoming one. Other examples include Gormley's

*Growth* (1987), *Dawn* (1988) and *Landing II* (of the same year). These sculptures introduced a new binary dimension to his work.

Gormley has attributed an interest in using his own body as the template and armature for his sculptures in part to Buddhist ideas and art: '[Buddhism] gave me the idea that you can make sculpture about being rather than doing; that you can make sculpture that becomes a reflexive instrument rather than existing as freeze-frame in a narrative.' (ibid., p. 143). In *Mountain and Sea*, that reflexivity is taken to a new extreme in evoking a sculptor's relationship with his work and offering it as an analogue for an individual's relationship to other bodies.

The title hints that these figures may also relate to the teachings of the alchemist Paracelsus (1493-1541) who in his works makes several claims that faith could cast the mountains into the sea. Paracelsus' writings have often served as a reference point for Gormley, touching upon the maxim, 'As above, so below; as within, so without'. In *Mountain and Sea*, the artist's body has become a microcosm of a wider order and thereby a means of understanding our participation in the wider scheme of existence itself.

**Left: Antony Gormley**  
***Land, Sea and Air II*, 1982**  
Lead, fiberglass  
*Land* (crouching) 45 x 103 x 50 cm  
*Sea* (standing) 191 x 50 x 32 cm  
*Air* (kneeling) 118 x 69 x 52 cm  
© The artist

**Right: Constantin Brancusi**  
***The Kiss*, 1907**  
Stone  
Hamburger Kunsthalle, Hamburg  
© DACS, London 2016. Image: Hamburger  
Kunsthalle / Bridgeman Images





**18. Antony Gormley** b. 1950

*Field II*

1,200 terracotta figures

overall dimensions variable, each approx.

20 cm (7⅞ in.)

Executed in 1989, this work is accompanied by an installation guide provided by the Antony Gormley studio.

**Estimate**

£150,000-200,000 \$198,000-264,000

€176,000-235,000 ₣ ₣

**Provenance**

Salvatore Ala Gallery, Milan

Acquired from the above by the present owner

**Exhibited**

New York, Salvatore Ala Gallery, *Antony Gormley*,

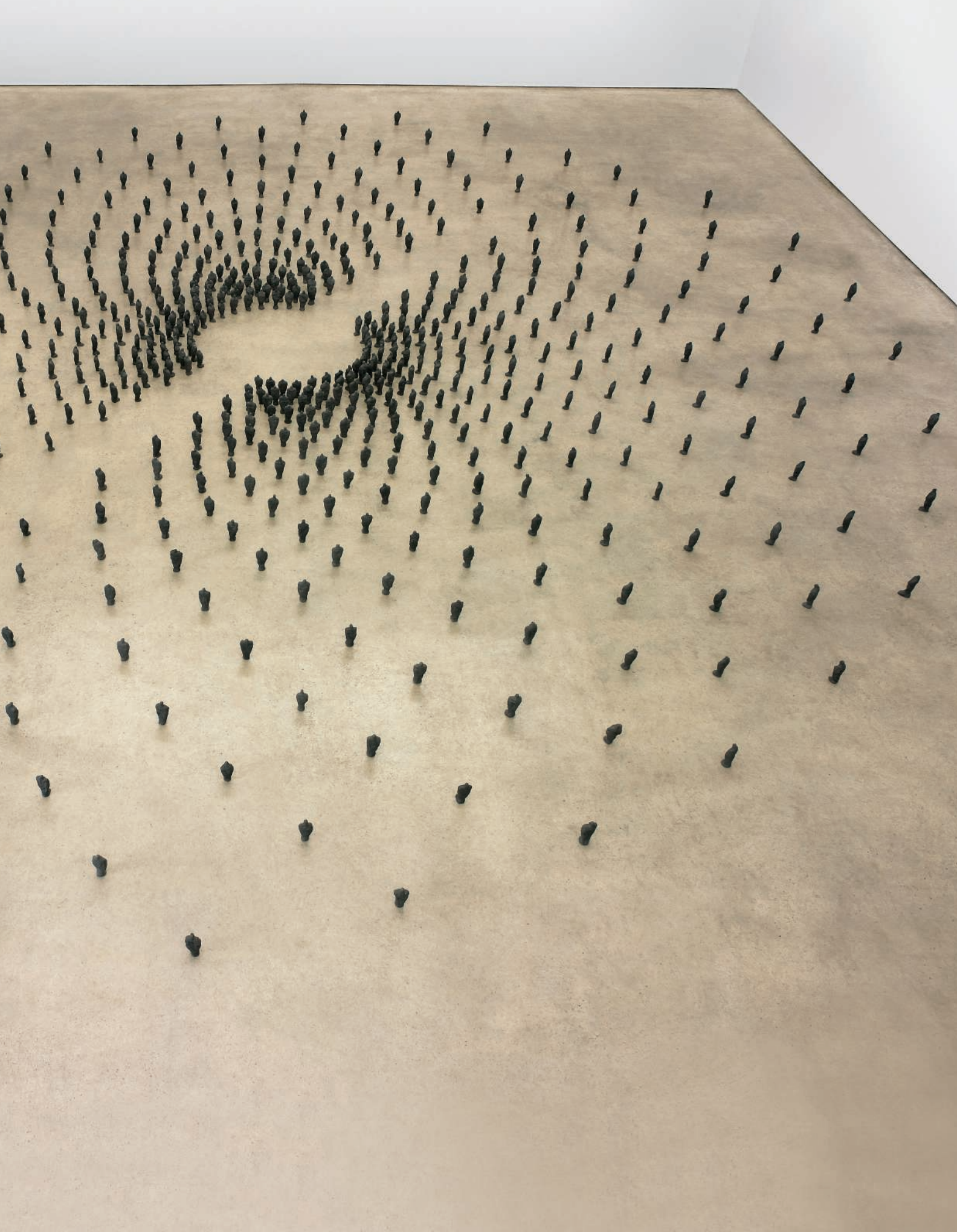
15 April - 31 May 1989

Los Angeles, Ace Gallery, *Field*, 1999

Please note the work can be displayed at variable sizes: the scale of the piece is determined by the size of the space it is installed in. The minimum size of the work is as illustrated, with 558 of the 1,200 figures installed









This is *Field II*, and is Gormley's first collaborative work in clay where he recognised the importance of shared origination, working with friends and assistants to make over one thousand figures by hand. It is made of brick clay that Gormley dug from the ground near the Essex coast, which was fired and dipped in black slip. The work was made for Gormley's solo exhibition at Salvatore Ala Gallery, New York, in 1989. The first work titled *Field* (1984–85), was a standing, life-size, lead bodycase with outstretched, elongated arms.

In *Field II*, the viewer is confronted by the expectant, upward looking gazes of the hundreds of small, hand-sized figures facing inwards at his or her feet. Divided into two hemispheres as if a transection of the brain, it allows the viewer to pass between the mirrored sides to become the subject of the work's gaze. The idea was to make a concentrated energy zone like a magnetic field as a concentrating zone for self-reflection. The work makes earth conscious and allows it to address us.

**Right: Installation view of *American Field*, 1991**  
Terracotta  
Salvatore Ala Gallery, New York  
Photograph by Joseph Coscia Jr. © Courtesy the artist



**Left: Sir Antony Gormley**  
*American Field*, Forming a Figurine, 1990  
© Courtesy the artist

**Right: Antony Gormley**  
*Field II*, Figurine, 1989 (from this current lot)



*Field II* was followed two years later by the making of the *American Field* (1991). Gormley worked with brickmakers and their families in the Parish of San Matías, Cholula, Mexico. They made a field of 35,000 figures, which were exhibited as a solid mass, facing towards the viewer, to fill gallery and non-gallery spaces in America and Canada. Here, the viewer stands at the threshold of the work and becomes subject to the collective gaze of many thousands of hand-sized figures.

In the context of limited resources and ever rising human population, and our concerns over migration, the Field works have an ever greater contemporary relevance. Gormley has spoken about these works 'as being about the spirit of the ancestors but also those of the unborn; asking those of us that have freedom of movement, feeling and intelligence, what kind of world we are making and what are we prepared to share?'



♦ 19. **Damien Hirst** b. 1965

*Figures in a Landscape*

inscribed 'I love you' in lipstick on the mirror.  
glass, steel, silicone rubber, wardrobe, lamp,  
clothes, air fresheners and packaging,  
rubbish bags and lipstick  
overall 213.4 x 213.4 x 274.3 cm (84 x 84 x 107<sup>7</sup>/<sub>8</sub> in.)  
Executed in 1998.

**Estimate**

£250,000-350,000 \$330,000-462,000

€294,000-412,000 ♠ †

**Provenance**

White Cube, London

Acquired from the above by the present owner







Presenting some of the most significant themes within his oeuvre, the present work engages us with the death of love in an age of plastic and cosmetic superficiality. *Figures in a Landscape* is a seminal example of Damien Hirst's rare series of *Vitrine* works. This series sits alongside his *Formaldehyde* works and *Pill Cabinets* as the most intellectually rigorous and visually powerful iterations of Hirst's unique creative enterprise, encapsulating the provocative aesthetic and satirical tone that defined the British Avant-Garde in the 1990s.

Perishing within their fragile polythene skins, Damien Hirst's spurious rubbish bag 'figures' slump against the incarcerating steel and glass 'landscape', as if impassively being propped up by the very anxieties that divide and imprison them. The implied odour of the atrophic mess is masked by the artificial scent of cheap air fresheners that have been carelessly scattered over the incumbent figures, ruthlessly lampooning the narcissistic pursuits of contemporary culture by

emulating our proclivity for simulated beauty that manifests itself through our use of cosmetics, social media, designer perfumes, etc.

Hirst is wryly satirising a society entrapped by a dissonance between the ideals of beauty, the inadequacies of self-image, and our gradual demise as time passes. Yet, he also presents us with a society yearning for something that exceeds its natural means, of which one can both sympathise with and pity.

Along the periphery of the divisive steel cage, two old pieces of furniture stand in sharp contrast to the amorphous forms below, rising above the squalid chaos like lingering figments of dignity in a world defined by languish. The single phrase 'I Love You' is scrawled in lipstick across the mirror like a lover's affectionate message which implies intimacy, despite the pervading squalor. This phrase is important. It links the work to the emotionally charged neon slogans of the equally provocative Young British Artist,



**Francis Bacon**  
***Study for Portrait, 1971***  
Oil on canvas  
Private Collection  
© The estate of Francis Bacon.  
All Rights Reserved, DACS 2016

Alberto Giacometti  
*The Cage*, circa 1949-1950  
Bronze  
Collection Fondation Alberto and  
Annette Giacometti  
© Alberto Giacometti Estate / Licensed in the UK  
by ACS and DACS, 2016. Image: Bridgeman



Tracey Emin and the pseudo-post-punk pop culture of the 1990s that empowered female expression and sexuality. However, it also associates the work with another *Vitrine* Hirst made the same year titled *Contemplating a Self Portrait as a Pharmacist*, in which a half finished canvas sits alongside a mirror containing the same phrase. This is a message the artist wrote to himself. It brings about a more direct analysis, one in which the phrase takes on the maniacal characteristics of a person in emotional decline. Under this reading the words lack their natural sincerity and become disconcerting, exposing a sense of anguish that requires abating, whereby a message of self-love becomes indistinguishable from a feeling of self-loathing.

This is a brave and unabashedly confrontational work that continues down a path already laid by some of the most important artists of the twentieth century. The black, contorted sacks positioned within isolating formal structures evoke Francis Bacon's tortured figures trapped within the tense dimensions of their own thoughts. The use of industrial materials and found objects – sacks, steel – recall the Arte Povera constructions of Jannis Kounellis. Here, beauty becomes manifest in unconventional ways. The raw power of the structures carries its message with a haunting yet quotidian grace, ultimately establishing a causal relationship between self-image and provocation.



Δ **20. Damien Hirst** b. 1965

*Untitled #2 (Spot Painting)*

signed 'Damien Hirst' on the reverse

household gloss on canvas

91.4 x 91.4 cm (35<sup>7</sup>/<sub>8</sub> x 35<sup>7</sup>/<sub>8</sub> in.)

Executed in 1992.

**Estimate**

£300,000-500,000 \$396,000-659,000

€353,000-588,000 ₣ ♠

**Provenance**

Private Collection (acquired directly from the artist)

Private Collection, Transylvania

Christie's, London, 5 February 2004, lot 217

Private Collection

Phillips, London, 14 February 2013, lot 20

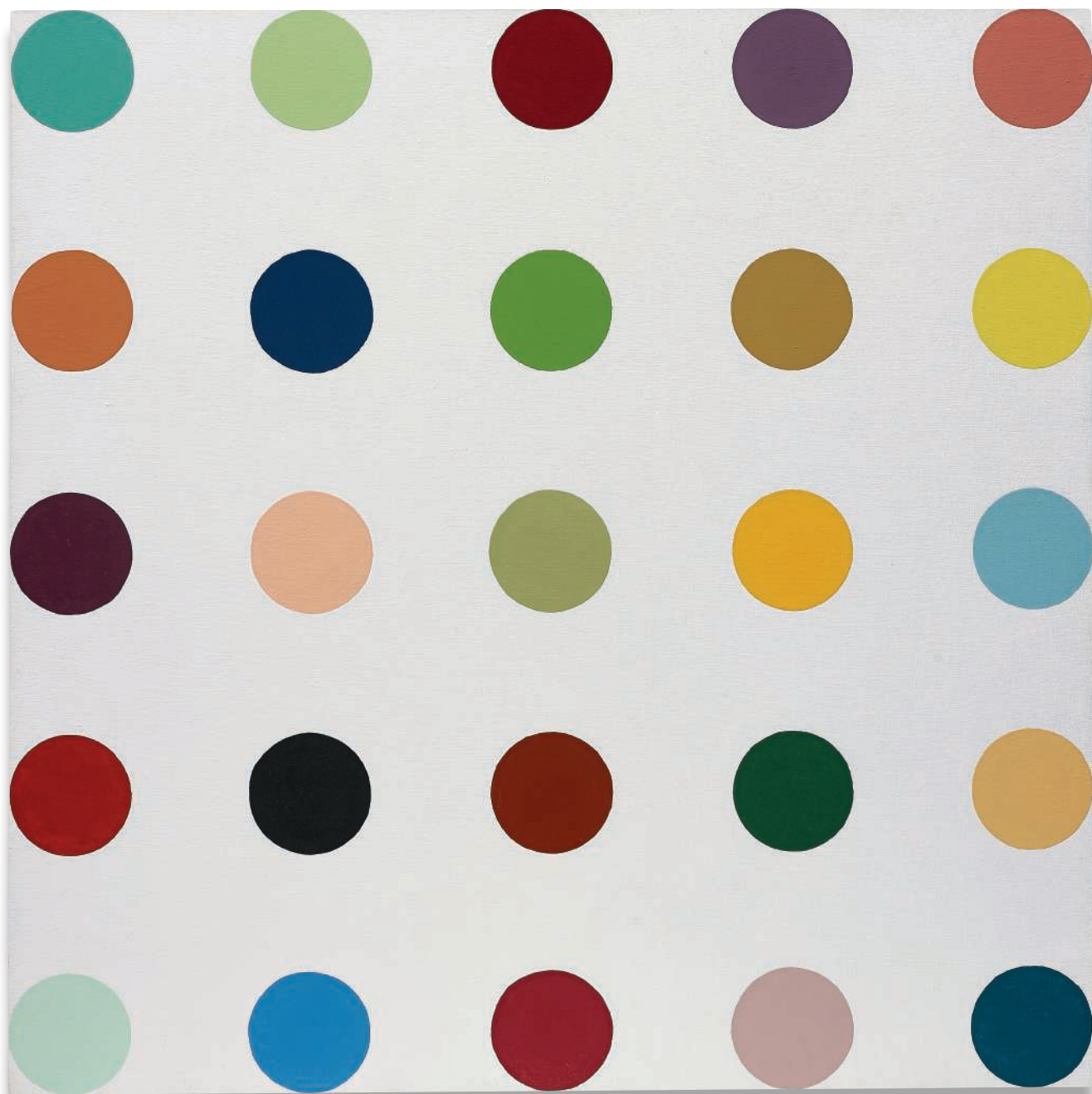
Acquired at the above sale by the present owner

**Exhibited**

New York, Gagosian Gallery, *The Complete*

*Spot Paintings 1986 - 2011*, 12 January -

18 February 2012, p.44 (illustrated)





Damien Hirst has been one of the most prominent presences in the contemporary art scene - from his earlier career at Goldsmiths College in London, where he assembled his first *Medicine Cabinet*, *Sinner*, in 1988, to his Tate Modern retrospective in 2012, Hirst's art is some of the most striking and most recognised today. The *Spot Paintings* undoubtedly are one of the best known series of modern art, conforming to a notion of structure familiar from the *Medicine Cabinets*, and yet it gave him the control over colour in painting he was looking for: 'The thing that was causing me problems in painting was colour, finding a structure where I could lay it down, be in control of it rather than it controlling me. Once I'd done that, I didn't really have problems with colour anymore.' (Damien Hirst in Ann Gallagher, ed., *Damien Hirst*, 2012, p. 91)

Damien Hirst's spot paintings have been a source of controversy in the art world since their first appearance in the mid-1980s - not only has the exact number of the existing spot paintings has long been questioned, but they were both celebrated and disdained for their machine-like industrial uniformity. In this lot, uniquely coloured dots are arranged in a precise grid; the regimented pattern implies order and structure, yet looking at the painting there is an underlying sense of chaos. The artist explains this as due to the lack of satisfying colour interplay: 'If you look closely at one of these paintings a strange thing happens: because of the lack of repeated colours there is no harmony. We are used to picking out chords of the same colour and balancing them with different chords of other colours to create meaning. This can't happen. So in every painting there is subliminal sense of unease; yet the colours project so much joy it's hard to feel it, but it's there.' (D. Hirst, *I want to spend the rest of my life everywhere, with everyone, one to one, always, forever, now*, London, 1997, p. 246). This spot painting is exemplary of the approach taken by the artist to much of his oeuvre - despite the differing hues of the spots, they come together to create a unified composition, and each individual object, be it a pill in his *Medicine Cabinet*, a diamond in a *Diamond Cabinet*, or a spot in the *Spot Paintings*, is completely equal to the next in its value to the greater whole. By employing different objects simply in this role of a part of the whole, Hirst questions the value of each, and whether you can truly know the artistic value of a pill, a diamond, or a spot. His ingeniously simple artistic vision provides deep emotions to its viewer, as well as fundamentally questions what art is.

## 'It was just a way of pinning down the joy of colour'

Damien Hirst

English artist Damien Hirst,  
circa 1993

Photo by Gemma Levine / Hulton Archive /  
Getty Images





Δ **21. Bridget Riley** b. 1931

*KA 2*

signed and dated 'Riley '80' on the lower right turnover edge; further signed, titled and dated 'RILEY "KA 2" 1980' on the reverse and titled and dated 'RILEY "KA 2" 1980' on the stretcher oil on linen

65.7 x 54.9 cm (25⅞ x 21⅝ in.)

Painted in 1980.

**Estimate**

£250,000-350,000 \$330,000-462,000

€294,000-412,000 ♠

**Provenance**

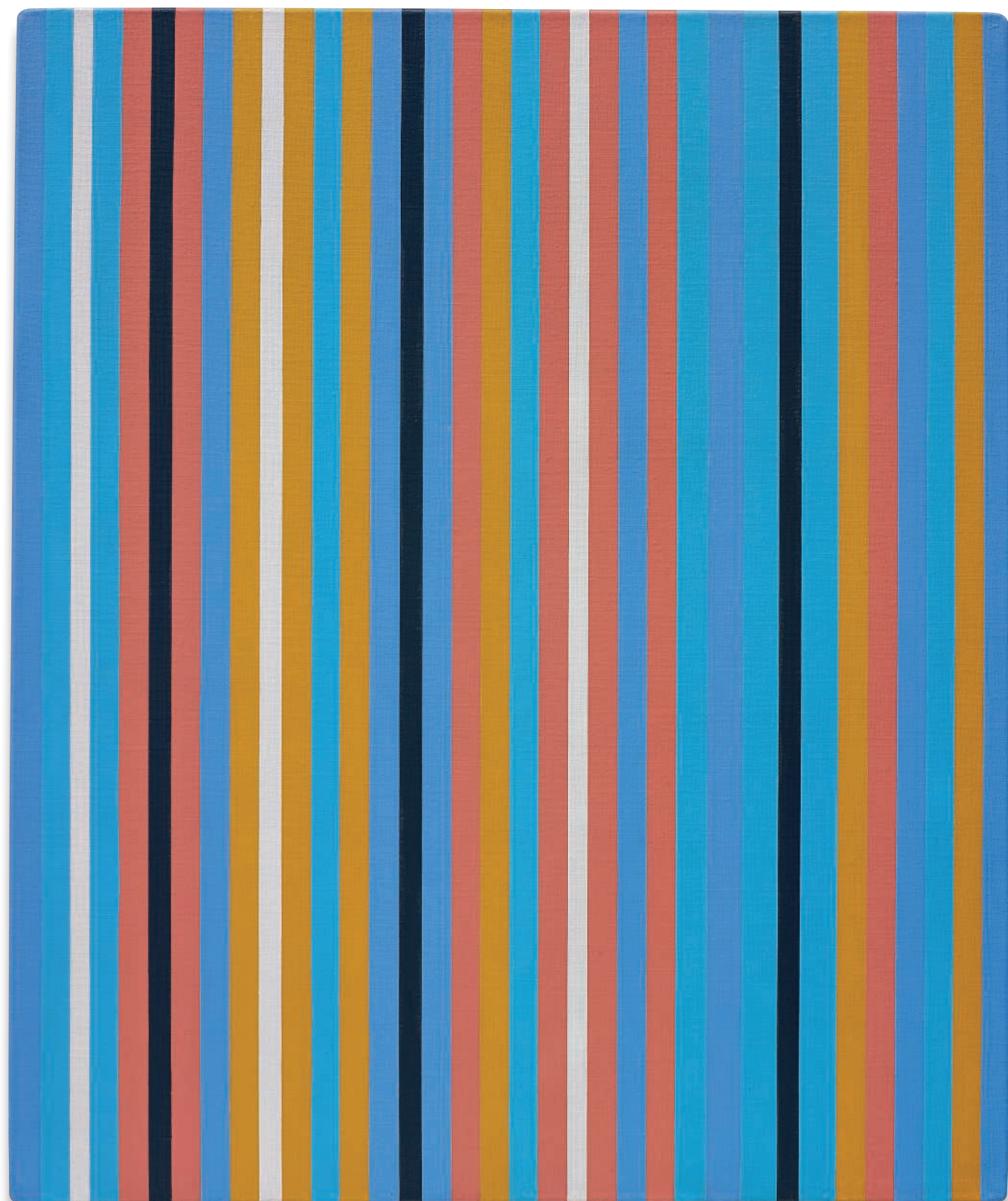
Kartsten Schubert, London

Private Collection (acquired from the above in 1995)

Christie's, London, 2 July 2014, lot 126

Private Collection

Acquired from the above by the present owner





With its tightly-packed surface of vertical lines of colour, *KA 2* is an enthralling composition which marked a new direction, palette and structure, as well as a return to oil painting, for Bridget Riley. Painted in 1980, *KA 2* belongs to the cycle of *Egyptian Palette* paintings Riley produced in the wake of her influential visit to Egypt in the winter of 1979-1980. Through this series the artist invoked her sensations on visiting Egypt through the colours of its palette. She also captures the spirit of that nation, as the title itself refers to the *ka*, a crucial, immortal aspect of each human being according to ancient Egyptian belief.

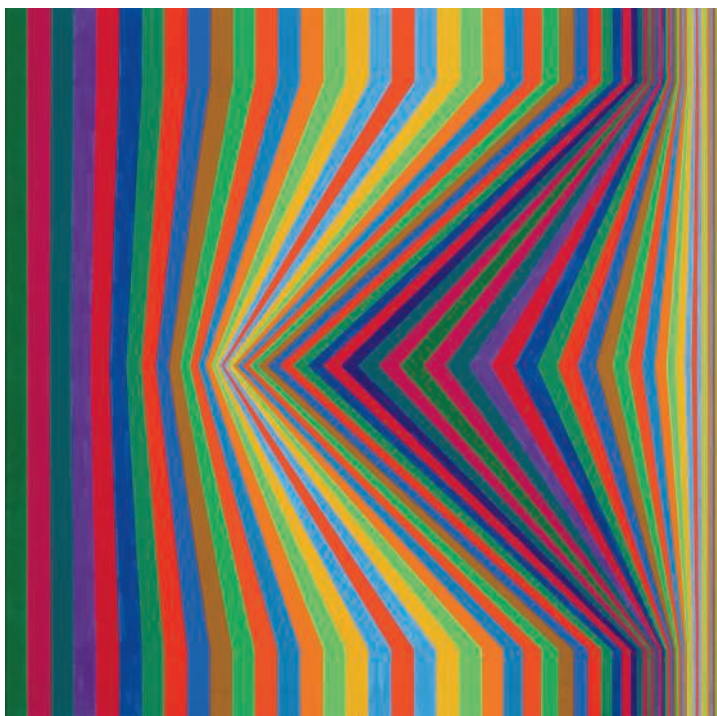
Discussing the origins of the *Ka* and *Ra* series in Riley's trip to Egypt, Paul Moorhouse explained that the artist, '... visited the Nile Valley and the museum at Cairo, and was able to study, at first hand, the tombs of the later Pharaohs in the Valley of the Kings. Riley was astonished by the art she found in these ancient burial sites carved out of rock and located deep in the earth. These sacred places were dedicated to the dead, yet the tomb decoration was a vivid evocation of life and light [...] In looking at the art and craft of Ancient Egypt in the Cairo Museum, Riley recognised that the same colours had been used in all aspects of the Egyptians' material lives, from the decorative to the purely functional' (Paul Moorhouse, *Bridget Riley*, exh. cat., Tate Britain, London, 2003, p. 22).

Upon her return, Riley decided to recreate the colours she had witnessed. Crucially, rather than copying these hues from reproductions in books, Riley relied exclusively on her own memory. This reveals the extent to which Riley's pictures, such as *KA2*,

are rooted in her own personal, subjective experience. This is a work based on sensation and feeling, rather than clinical conceptualism.

In her quest to create a pure visual experience, with the luminosity of each colour pushed to an extreme, Riley opted for restrained, graphic simplicity. For this reason, she returned to the neutral motif of the vertical stripe, recalling the black and white compositions of her early 'Op Art' production. As seen in *KA 2*, each tone, aligned side by side, preserves its own individual brilliance and value, while at once engaging with those adjacent in a dynamic and optical pulsation of light. Echoing a rhythmic passage of music, Riley carefully sets up a chromatic progression, with salmon pink, yellow and green bordered by blue chords and interspersed with accents of black to add emphasis to the visual rhythm. The white stripes serve to introduce some visual relief, while also highlighting the boundaries of each colour zone.

In *KA 2*, Riley's clear fascination with the sonority of colours recalls her early interest in the works of the Neo-Impressionist painter Georges Seurat, after whom she even made studies during the 1950s. The Pointillist painter had sought to introduce light into the canvas through dots of pure colour, carefully placed either for contrast or harmony to intensify both their individual power and the overall effect. Similarly, Riley developed a mode of painting that employed the repetition of individual colours in geometric patterns, in this case lines. In this way, the lines surpass and transcend their own limitations, and work together to achieve a greater luminosity.



**Left: Victor Vasarely**  
***Berc*, 1968**

Tempera on panel  
Private Collection

© ADAGP, Paris and DACS, London 2016.  
Image: Bridgeman Images

**Right: Bridget Riley at work**  
**in a studio in April 1964**

© Photo by Tony Evans / Getty Images





## 22. Emilio Vedova 1919-2006

*Presenza N7V*

oil and charcoal on canvas

201.2 x 86.5 cm (79¼ x 34 in.)

Painted in 1959, this work is registered with the Fondazione Emilio e Annabianca Vedova under archive number FV50.

### Estimate

£120,000-150,000 \$158,000-198,000 €141,000-176,000 ♠

### Provenance

Galleria Blu, Milan

Private Collection, Milan (acquired from the above in 1960)

Thence by descent to the present owner

Bursting in a rich and dramatic movement of marks, *Presenza N7V* stands as one of the most engaging examples of gestural paintings from the European artistic scene of the late 1950s. It represents a symbol of political freedom at a time when Italy had been plunged into the aftermath of the devastation caused by Fascism.

In the fervent and highly politicized debate between realism and abstraction of the post-war Italy, Vedova emerged as one of its major protagonists. Starting his career as a self-taught artist, Vedova joined the solid cultural renovation proposed by groups such as *Corrente* or *Gruppo degli otto pittori italiani* who refused to subjugate the realistic style of the nineteenth-century. Nonetheless, he soon stood out for building his own genuine language and remaining utterly faithful to it, in spite of the various changes that necessarily sprang from his moving with the times.

In 1959, Vedova experienced a period of transition, whereby his forms drifted away from an initial figurative and geometric tendency, explaining 'I step out of a personal, inner crisis: I rebel against all geometry, the dominant rigor in my paintings and I try to shake my work towards a more

spontaneous direction' (Emilio Vedova quoted in, Germano Celant, *Vedova 1935-1984*, Milan, 1984, p. 35). As *Presenza N7V* fiercely demonstrates, Vedova embraced a more fragmentary and aggressive visual language, characterized by vortices of destructive energy, fluxes of centripetal and centrifugal movements, where the sign is no longer decipherable. Herein the Cubist geometric strictness of his early period is tempered with a sense of profound emotional involvement and the work is animated with the same convulse dynamism and feverishness that was central to the Futurist practice, the difference being that his violent canvases are not a hymn to modern times, but rather they convey – in abstract terms – the feelings of grief and distress that pervaded his society.

Vedova believed in the purity of art that could on its own lead to redemption. Therefore *Presenza N7V* can be considered as the artist's intimate response to the broken world he was living in, which could only be depicted through gestural abstractions. It is this ethic and poetic consistency that saved Vedova from burning himself out in the melting-pot of Informel and enabled him to authentically express himself.







**Participate.**



## 23. Joe Bradley b. 1975

*Egyptian Freek*

oil on canvas

280 x 220 cm (110¼ x 86⅝ in.)

Painted in 2010.

### Estimate

£90,000-150,000 \$119,000-198,000 €106,000-176,000 ₪

### Provenance

Peres Projects, Berlin

Acquired from the above by the present owner

### Exhibited

Berlin, Peres Projects, *Joe Bradley: Freeks*, 8 October - 6 November 2010

Joe Bradley's works have moved through a variety of styles, from his bright monochromatic pieces, a series of simultaneously abstract and figurative works that challenged the canonical definition of painting itself, to his bold 'one-shot' doodles in the *Schmagoo Paintings*, direct in their conceptual derivation and a celebration of the artist's immersion in popular culture. 'I always like being surprised and sort of caught off guard by other people's work. So it doesn't cause me any anxiety to explore different avenues', Bradley explained in an interview (Joe Bradley in conversation with Laura Hoptman, *Interview Magazine*, March 29, 2013).

In *Egyptian Freek* from 2010, Bradley explores the timeless human form as a vessel to delve into the history of painting and its nature as a medium: 'With painting, I always get the impression that you're sort of entering into a shared space. There's everyone who's painted in the past, and everyone who is painting in the present.' (Ibid.) The present lot depicts a black silhouetted figure in sharp contrast to the pale background 'in kind of ridiculous Egyptian-style poses', as the artist himself explains in an interview (Joe Bradley in conversation with Yasha Wallin, *Art in America*, January 5, 2011). Bradley draws on the connection between this work and Egyptian art, and cave paintings, to emphasise the evolution of painting as slower than the rest of the world, and to start a discussion with his predecessors: 'You can be in conversation with those men and women in the caves - it's like yesterday, you know? I think that time moves slower in painting.' (Joe Bradley, *Interview Magazine*, March 29, 2013).





**24. Sterling Ruby** b. 1972

*SP33*

signed with the artist's initials, titled  
and dated 'SP33. S.R 08' on the reverse  
acrylic and spray paint on canvas  
317.5 x 472.4 cm (85 $\frac{5}{8}$  x 185 $\frac{7}{8}$  in.)  
Executed in 2008.

**Estimate**

£400,000-600,000 \$528,000-791,000  
€471,000-706,000

**Provenance**

Metro Pictures, New York  
Private Collection, London  
Phillip's, London, 2 July 2014, lot 7  
Acquired at the above sale by the present owner















Gustave Courbet  
**The Wave, 1870**  
 Oil on canvas  
 Private Collection  
 Image: Bridgeman Images

Suspended in a network of hazy fluorescent pigments, Sterling Ruby's *SP33* is a hypnotically abstract example of the artist's admired series *SP* - an acronym that designates the 'spray painting' technique.

Twenty years after Basquiat's ground-breaking graffiti had begun to revolutionise the visual landscape of the Brooklyn street scene, Ruby first conceived the kaleidoscopic *Spray Paintings* in 2007. A subjective response to tagging and defacement of public spaces - a common sight in urban environments such as the artist's home-city of Los Angeles. Synonymous with vandalism, graffiti functioned as a mean of rebellion for sub-cultures and minorities to contend ownership and authority. Tackling the sociological implications of urban demarcation, Ruby's spray paintings purposely employ abstraction to convey destruction of clear order, standing for freedom of expression. The resulting works don't produce images of space and self, they rather descend into a cloudy field, eventually becoming the artist's visual commentary on the lack of certainty.

Realised in billboard-like proportions, *SP33* utterly commands and consumes the viewer's attention. Herein the surface possesses a washed-out look with pulsating striations of acrylic spray paint that span the length of this horizontal work in a multi-layered ocean of colour and form. The top and bottom section of the canvas are predominantly lemon-lime green and bright acid pink, while in the foreground the two contrasting hues interweave and blend together. A thick nebulous and blackened wave inundates the centre. Within the frame of the work, a vague horizon line emerges through this amorphous intrusion of black lines that separate the land from the sky, where the warm tones of the painting's top edge fade down into greens, invoking a sense of atmospheric landscape.

Although Ruby's *SP33*, as well as many other examples from the series, enigmatically suggests a link with Abstract Expressionism, the artist however incites a different logic. Unlike his transcendental predecessors, in his highly physical and raw works Ruby aims to tether us to our world, gravitating towards the street art practices of the urban area in which he lives and works,



Ed Ruscha  
*Real Estate*, 1982  
 Oil on canvas  
 Private Collection  
 © 2016 Ed Ruscha. Image: Bridgeman Images

**‘For me, it was about how as a kid I started to identify with visuals and aesthetics. The only culture I could get my hands on was surrounding me’**

Sterling Ruby

and which he sees daily from his car—layer upon layer, history upon history, tag upon tag. In fact in depicting the California scene with a stylized visual language and through the use of spray paint one can surely liken Ruby’s *SP* series to the work of Ed Ruscha. While the latter expresses a profound understanding of the so-called process of Californication, by encapsulating its emblems and icons into abstracted words, the first innovatively investigates the other side of the coin, that of the urban vandalism, a phenomenon which is deeply rooted in the street culture of Los Angeles. Here, Ruby removes painting from the realm of luxurious beauty and pushes it toward an aesthetic of deterioration, which, as the artist himself claimed, can be considered ‘..as a type of beauty. Like an entropic beauty. That’s perhaps very gothic or very baroque, to a certain extent [...] It’s interesting to see how beauty is represented and how different takes on beauty can be so dichotomous and different.’ (Sterling Ruby on beauty, *The Utopia Parkway Files*, online resource) Amidst the pinks, blacks and greens of *SP33*, Ruby entangles contemporary ideals of beauty with issues of repression and expression.



**25. Alex Israel** b. 1982

*Untitled (Flat)*

stamped 'MADE AT WARNER BROS. STUDIOS  
BURBANK, CA.' on the reverse; further signed  
and dated 'Alex Israel 14' on the reverse  
acrylic on stucco and ceramic tiles  
243.8 x 137 x 8.2 cm (95<sup>7</sup>/<sub>8</sub> x 53<sup>3</sup>/<sub>4</sub> x 3<sup>1</sup>/<sub>4</sub> in.)  
Executed in 2014.

**Estimate**

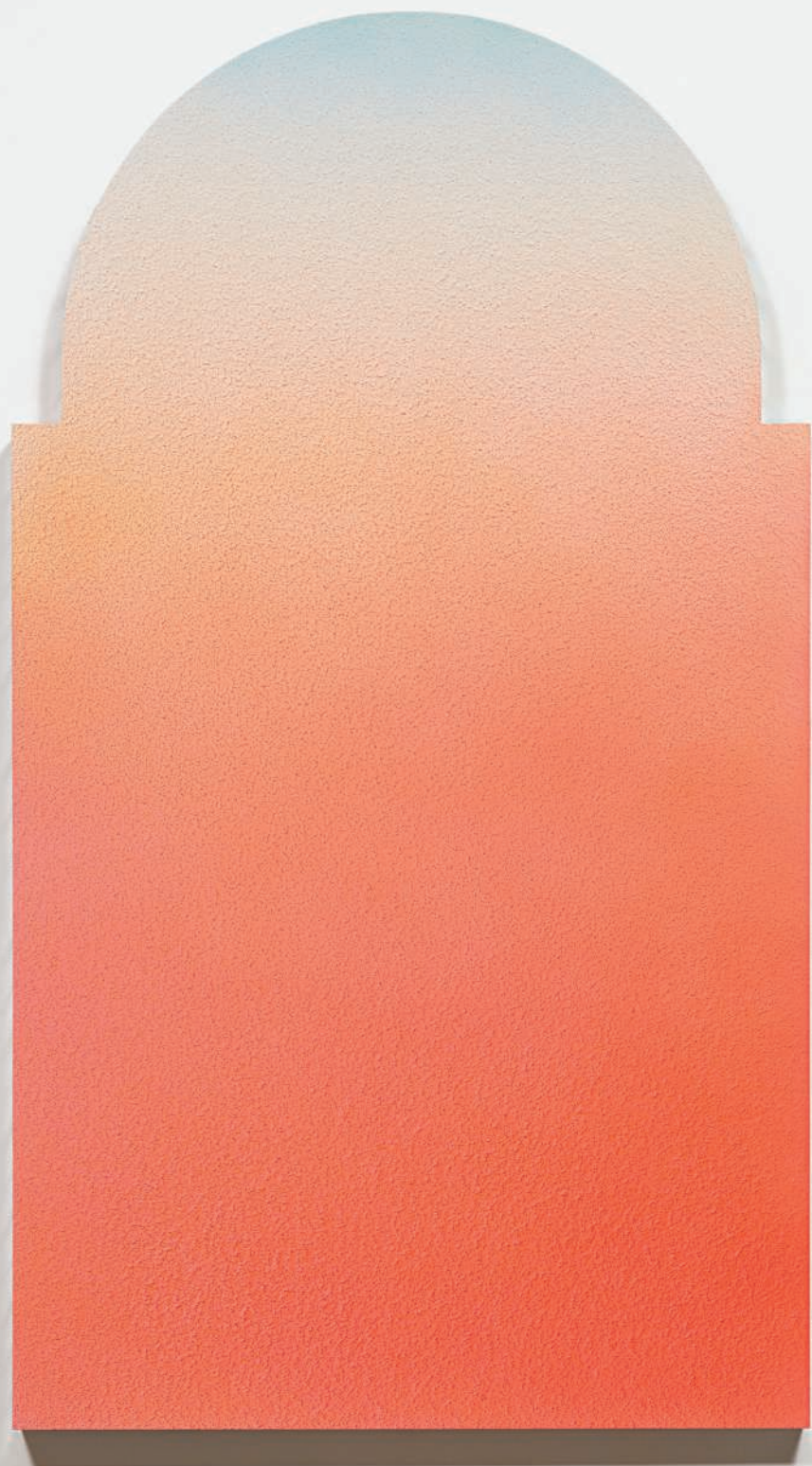
£180,000-250,000 \$237,000-330,000

€212,000-294,000 ₪

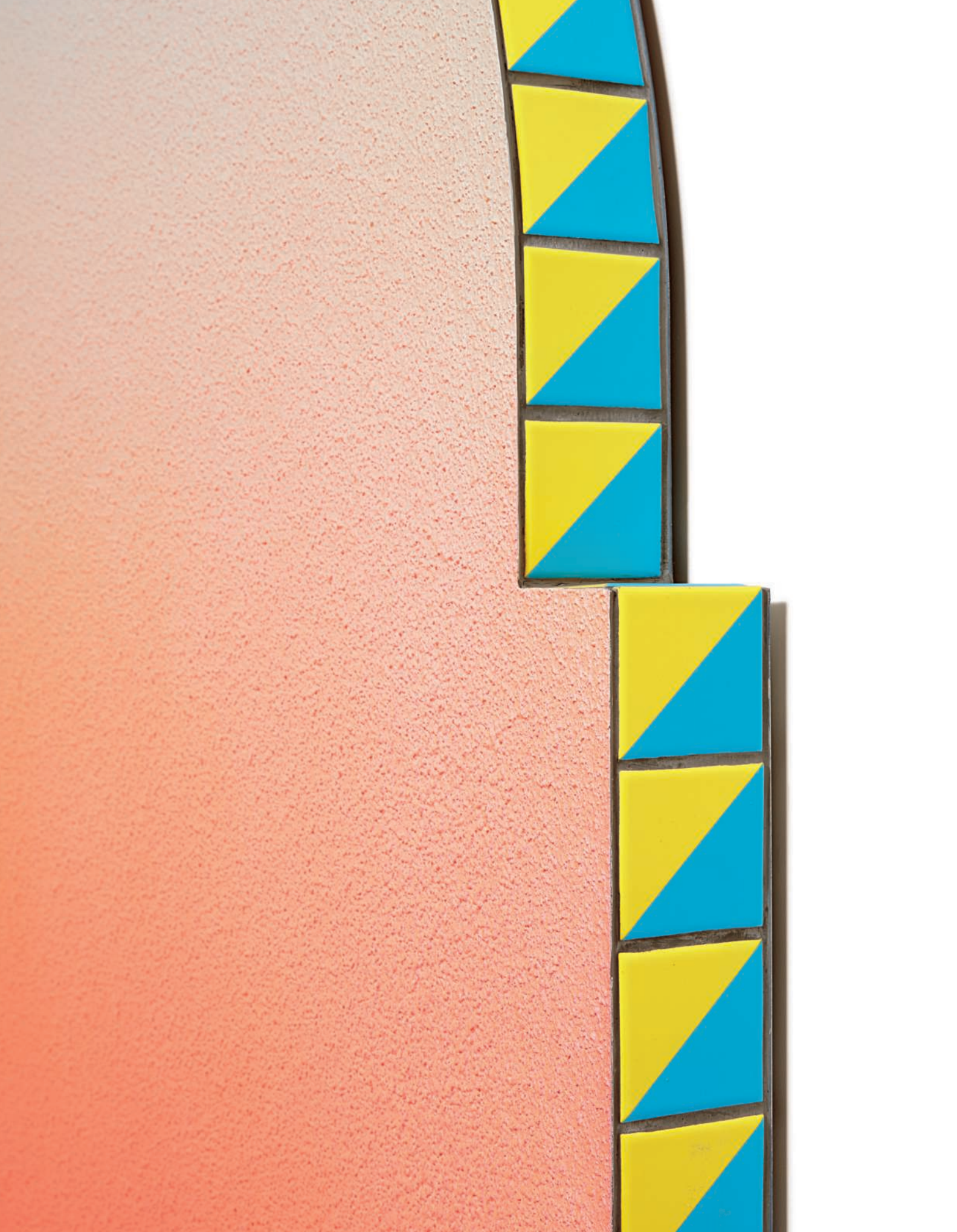
**Provenance**

Almine Rech, Paris

Acquired from the above by the present owner







## **‘Los Angeles is the place where the American Dream comes to life’**

Alex Israel

Gently gradating in achingly beautiful sfumato tones Alex Israel's *Untitled (Flat)* offers a welcome reprieve from the dissonance of everyday life, imprinting upon our imagination the impossibly idyllic dreams of Hollywood where perfect sunsets seemingly last forever. After all, what Israel provides us with is a version of reality so perfect it can't exist. With the tessellated tiles of its frame emphasising its sense of luxury, Israel's subtly sardonic work oozes with seductive visual opulence whilst revelling in the artifice that has become synonymous with his home town of Los Angeles.

This picture embodies artifice: it was produced by the prop department at Warner Bros. Studios, the home of the silver screen on which we have projected our fantasies for generations. The name 'flat' is cinema slang for the artificial backdrops on which scenery is painted to create the illusion of space, and this series of works was to be used for exactly this purpose in projects such as the artist's YouTube series *As it Lays*. Against a backdrop of entrancing *Flat* paintings, Israel assumed the role of talk show host, interviewing celebrities as diverse as Larry Flynt, Jamie Lee Curtis, Christina Ricci and Molly Ringwald. Many of these figures are entwined in the culture and mythos of Los Angeles, and have come to define the wider world's understanding of the Hollywood image. However, Israel's interviewing style is atypical. He never reacts or responds to his interviewee's answers, and instead probes them with seemingly unconnected and impersonal questions. Through his deadpan delivery, Israel creates an awkward viewing experience that breaks down the highly polished image we typically attribute to pop-culture icons. The celebrities were often forced to respond honestly to mundane questions about their breakfast or workout routine etc., reducing them to an ordinary humility that makes them appear altogether more human. In some cases, they would play up to the façade, weaving together ever more outrageous strands of fantasy to form stories that match the irony of Israel's patter, creating an impression of desperation in this inscrutable environment. In *Untitled (Flat)*, Israel puts the viewer in the hot seat—as we look at the perfect tequila sunrise sky of this painting, we find ourselves on our own miniature set, with our own imaginary glimmer of the spotlight.

The present work acts as a shrewd conduit for this polarising effect. With unyielding aplomb, Israel makes evident the falseness of contemporary culture, whilst rejoicing in its absurdity, beauty and potential to entertain. As the artist explains, 'These clichés carry so much symbolic weight and meaning; they activate people's imaginations and inspire them to find a better way, and a better life' (Alex Israel in Conversation with Aram Moshayedi, *Interview Magazine*, 1 January 2015, online resource).



Property from the Estate of Pentti Kouri

**26. Gary Hume** b. 1962

*Rose*

enamel paint on aluminum

304.8 x 243.8 cm. (120 x 96 in.)

Painted in 1999.

**Estimate**

£80,000-120,000 \$106,000-158,000

€94,100-141,000 ₣ ♠

**Provenance**

White Cube, London

Phillips de Pury & Company, New York,

10 November 2005, lot 17

Private Collection

Acquired from the above by the present owner





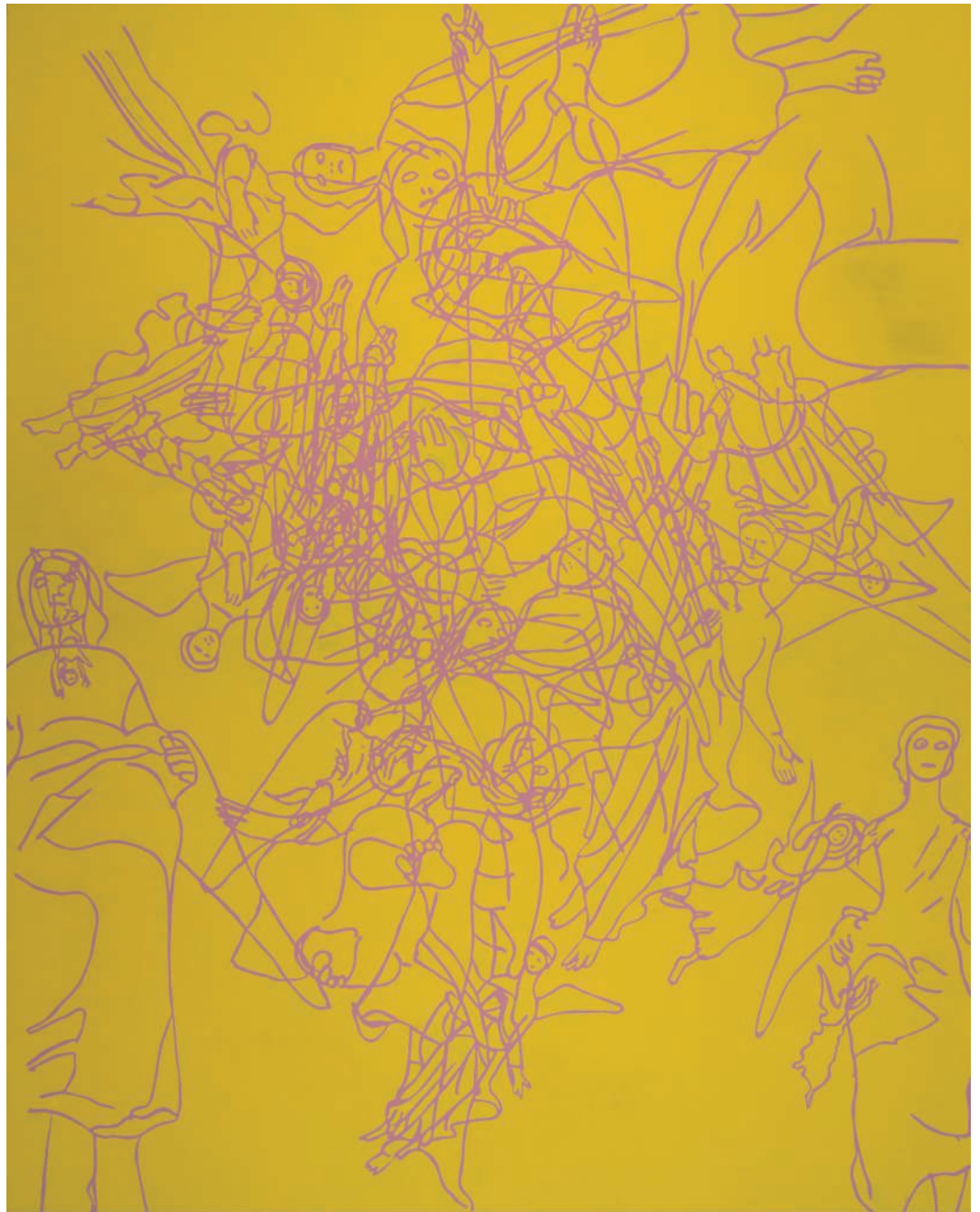
With its blush-pink hue and weaving white forms, Gary Hume's monumental painting *Rose* perfectly and playfully probes the limits of the figurative and the formal in art. Painted in 1999, the magnificent scale and industrial, high-gloss finish of *Rose* are at deliberate odds with the subject matter suggested by the title, which hints at some intimate floral image. Instead, we are presented with a vast surface that hovers ambiguously between the realms of the abstract and the representative. Combining this with his techniques, which involve projection, metal supports and household paints, Hume throws into question the entire nature of painting.

The work's title, *Rose*, is a homonym which could refer to either the delicate tone of pink or the thorny, flowering garden plant from which the colour gets its name. By hinting at a subject matter that defies immediate visual recognition in the criss-crossing white streaks, Hume endows *Rose* with a reticence, an inscrutability. At the time that he painted *Rose*, Hume typically traced source images onto sheets of acetate, using them to project his subject onto the aluminium supports he favoured since the mid-1990s. Where many of these subjects were from commercial images in magazines, the convoluted forms in *Rose* are more self-reflexive: they derive from a closely cropped section of one of Hume's own drawings. This was made for *Yellow Angels*, another painting from 1999, which was exhibited in the British Pavilion at the Venice Biennale the same year and is now in the Art Institute of Chicago. The source image depicts dozens of angels that are overlaid such that the forms interlace and they lose figurative definition. In the present work Hume abstracts this image further, focusing more readily on the formal properties of minutiae that would otherwise be overlooked. Hume's focus deliberately decontextualises his own source material, pushing it further towards the brink of abstraction.

By magnifying and paring back his imagery in this way, and presenting it on a vast, sheer support, Hume strips away its original purpose or content, yet creates a composition that nonetheless draws in the viewer. Through these means—reinforced by the lack of specificity and misleading nature of the title—the viewer can only attempt to rationalise the dancing lines of sheer white paint that carve their elusive patterns in the unrelenting sea of pink, opening *Rose* up to subjective interpretation. As Adrian Searle wrote in 1999, the year that *Rose* was painted, 'what remains is a strangeness, a sense of things frozen and suspended in the painting's silence' (Adrian Searle, *Behind the Face of the Door*, Gary Hume XLVII Venice Biennale, exh. cat. British Pavillion, Venice, 1999, p. 10).

**'I love painting...  
I love the fact that they don't move.  
They constantly change with the light.  
They are sort of patient'**

Gary Hume



**Gary Hume**  
**Yellow Angels, 1999**  
Enamel paint on aluminium  
Courtesy of the Art Institute of Chicago  
© The Artist / DACS 2016

Hume's use of household paints to depict familiar subjects emphasises this strangeness, this surreal quality. In using a domestic material, he is both cocking a snook at the art establishment, and indeed the entire notion of fine arts, and also appears to invoke Sigmund Freud's concept of the 'Uncanny', or *Unheimlich*. For Freud, there was a grey area between the 'Heimlich' and the 'Unheimlich', and this is encapsulated in Hume's ability to present familiar subjects using familiar materials in a manner that is transformative and indeed provocative. He uses the ordinary to invoke the extraordinary.

*Rose* was painted at a crucial time in the artist's career. In 1999, just three years after being nominated for the Turner Prize, Hume was asked to represent Britain at the Venice Biennale. This garnered him critical acclaim and consequently became the springboard for his inclusion in a series of important exhibitions at Whitechapel Gallery, London, the Hammer Museum, Los Angeles, and the Museum of Contemporary Art, Chicago the same year.



## 27. Tim Noble and Sue Webster b. 1966/1967

\$

204 ice white turbo reflector caps, lamps, holders and daisy washers, lacquered brass, electronic light sequencer (3-channel shimmer effect)  
182.9 x 129.5 x 24.8 cm (72 x 50% x 9¾ in.)  
Executed in 2001, this work is number 3 from an edition of 5 plus 1 artist's proof. This work is accompanied by a certificate of authenticity signed by the artists.

### Estimate

£60,000-80,000 \$79,400-106,000  
€70,600-94,200 Ω ♣

### Provenance

Modern Art, London  
Acquired directly from the above by the present owner

### Exhibited

Los Angeles, Gagosian Gallery, *Tim Noble & Sue Webster: Instant Gratification*, 10 November - 22 December 2001, n.p. (another example exhibited)  
New York, Friedrich Petzel Gallery, *Electrify Me*, June 2001 (another example exhibited)  
New York, MoMA PS 1, *Tim Noble and Sue Webster*, 12 October - 29 December 2003 (another example exhibited)  
Boston, Museum of Fine Arts, *Tim Noble & Sue Webster*, 21 April - 6 September 2004, n.p. (another example exhibited and illustrated)  
Dresden, Deutsches Hygiene-Museum, *Die Zehn Gebote: Politik - Moral - Gesellschaft*, 2004, p. 45 (another example exhibited and illustrated)  
New York, Pace Gallery, *Burning, Bright: A Short History of the Light Bulb*, 28 October - 26 November 2011 (another example exhibited)

Dazzling and extravagant, ostentatious and unashamed, Tim Noble and Sue Webster's \$ is a luminous, monumental embodiment of the aphorism, all that glitters is not gold. With its waves of brightening and dimming light, \$ is a hypnotic, seductive, yet also critical, comment upon the mirage-like promises that are proffered to us all in everyday life in capitalist society. The light show is animated, adding an intense visual flamboyance to its display—yet its elusive waves of darkness hint at a certain fragility, at the emptiness and darkness lurking behind such a potent symbol as the dollar sign. This may be a beacon guiding the passer-by towards the easy waters of wealth, or the cliffs of oblivion. It is only too fitting that an example of \$ was included in 'Instant Gratification', Noble and Webster's 2001 solo exhibition at the Gagosian Gallery in Beverly Hills. At that show, the eponymous centrepiece was one of their famous shadow sculptures, in which their profiles could be glimpsed, projected by a fluttering, seemingly-amorphous mound of dollar bills.

The shimmering light effects of \$ recall the dazzling neon extravaganza of the 'Strip' in Las Vegas, a city which fascinated the two artists when they visited it. The desert city in Nevada, which has become such a place of pilgrimage for gamblers, is the ultimate distillation of the capitalist drive, of the risk-all mentality, and of the oft-fatal lure of the ever-imminent win which pushes the punter further towards the precipice. The artists were fascinated by the glamour, the decadence and the kitsch that was all on such flagrant display there. But Las Vegas is just a concentrated version of everyday life in the consumer realm: our culture is dominated by the hollow sheen of celebrity, the bling-bling of advertising, the hollow promise held out by big business and big brands. And what brand is bigger than the dollar itself? The cultural currency of this symbol is global. It was its nature as an endemic icon that led Warhol to use it in his own works. In \$, Noble and Webster have presented a gleeful, bright, brash update to Warhol's own *Dollar Sign* - this is Pop Art on steroids.





## 28. **Andy Warhol** 1928-1987

### *Electric Chair*

signed and dated 'Andy Warhol 71' on the reverse on each print and stamp numbered screenprint on Velin Arches paper, in 10 parts each 90.2 x 121.9 cm (35½ x 47⅞ in.) Executed in 1971, this work is from an edition of 250 plus 50 artist's proofs wpublished by Bruno Bischofberger, Zurich.

### **Estimate**

£150,000-200,000 \$199,000-265,000  
€177,000-235,000 †

### **Provenance**

The Estate of Gunter Sachs  
Munich, Karl & Faber Kunstauktionen,  
5 June 2014, lot 587  
Acquired at the above sale by the  
present owner

### **Exhibited**

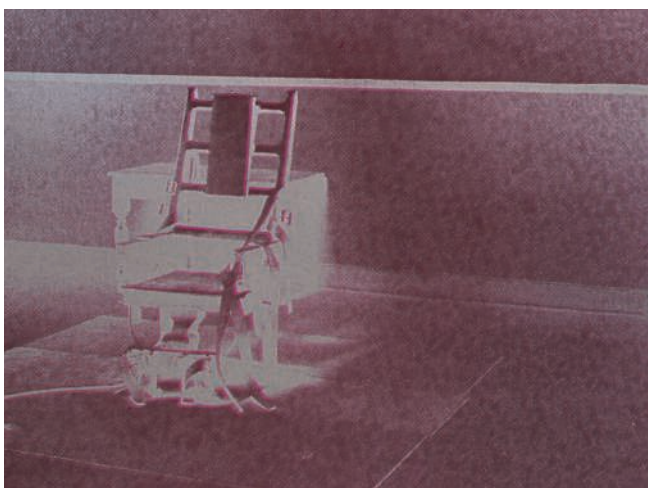
Paris, Musée d'Art Moderne de la Ville de Paris,  
*Warhol Unlimited*, 2 October 2015 -  
7 February 2016, pp. 179-171 (another from the  
edition exhibited and illustrated)

### **Literature**

F. Feldman, J. Schellmann, *Andy Warhol Catalogue  
Raisonné of Prints 1962 - 1987*, Milan, 2003, pp. 77-78  
(another from the edition illustrated)











★★★★  
**FINAL**

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**3¢**

Vol. 32. No. 245

New York 17, Friday, April 6, 1951\*

88 Main+4 Manhattan Pages

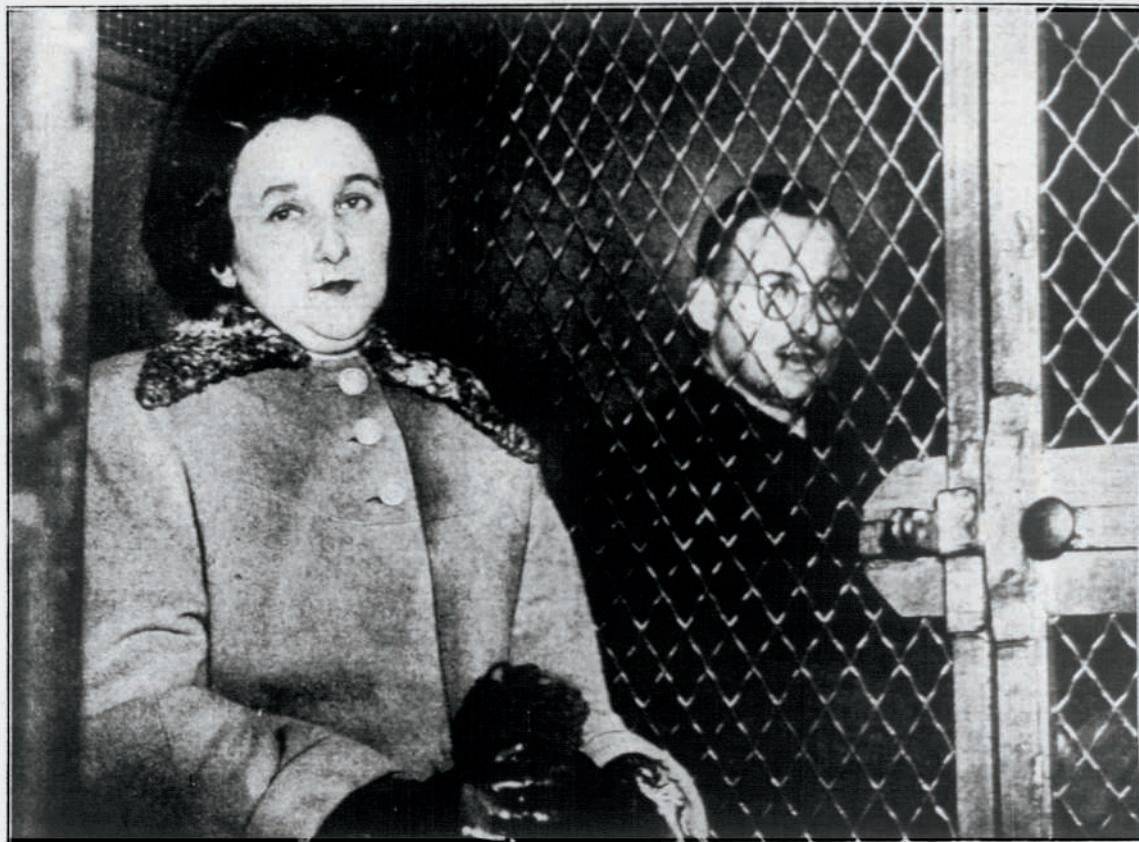
3 Cents IN CITY 4 CENTS ELSEWHERE

# A-SPY COUPLE DOOMED TO DIE

—Story on Page 3

## *Use Chiang's Army, Mac Asks*

—Story on Page 2



**On Way to Chair.** Gloved hands folded, Mrs. Ethel Rosenberg, 35, rides in rear of prison van on way to Women's House of Detention. Julius Rosenberg, 32, is separated from his wife by wire screen in van outside U. S. Courthouse. They were sentenced to death for passing A-bomb secrets to Reds, enabling Russia to perfect bomb ahead of schedule. —Story p. 3

(NEWS photo by Bill Meurer)

**‘You’d be surprised who’ll hang an electric chair in the living room. Especially if the background matches the drapes’**

Andy Warhol

Repetition is indispensable in Andy Warhol’s series *Death and Disaster*. From an early stage, Warhol understood that prolonged exposure to violence lead to a desensitisation of it: ‘When you see a gruesome picture over and over again, it doesn’t really have an effect.’ (‘What is Pop Art? Interviews with Eight Painters’, *Art News*, November 1963). Reiterating the same image of the lone electric chair suggests that it is an instrument for mass-production of death. The liberal use of the striking colours brought about a stark contrast to the macabre subject matter. Invented to maximise efficiency in executions and make it as impersonal as possible, the electric chair merges Warhol’s obsession with mechanised production and death.

Beginning in 1964, Warhol produced paintings based on a press photograph of the electric chair used in the execution of Julius and Ethel Rosenberg. In the 1960s, parallel to the series *Death and Disasters*, America was embroiled in fervent debates of the ethics with regards to capital punishment. These morbid images were presented void of any moral consolation or social commentary. Warhol further distanced himself emotionally from the grim subject through the use of vivid colours. The silkscreen process introduced unevenness, irregularities, and glare to the image, retaining the sense of immediacy of press photo he appropriated

The same industrial means of mass production that produced Coca-Cola, Campbell’s Soup, and other consumer goods so central to Warhol’s practice, this portfolio of electric chairs highlighted America’s death industry and the shadow of the rampant consumerist culture.



## 29. Ai Weiwei b. 1957

*Colour Jar*

glazed ceramic

206.5 x 63 cm (81¼ x 24¾ in.)

Executed in 2006.

### Estimate

£120,000-180,000 \$158,000-237,000

€141,000-212,000 †

### Provenance

Lisson Gallery, London

Acquired from the above by the present owner

Reappropriation is at the heart of Ai Weiwei's art. Using symbolically rich readymades, he adopts critical perspectives on cultural authority and the politics of value. He is interested in the different kinds of significance that objects accrue - be they cultural, historical, or monetary - and in the ability of the artist to animate and problematise this multiplicity. Bringing the techniques of Dadaism and Pop Art into contact with Chinese history and culture, his work is socially engaged, seeking to understand both artist and nation's place in a globalised world.

The present lot, like *Coloured Vases* and *Dropping a Han Dynasty Urn*, 1995, is act of cultural rewriting. In iconoclastic fashion, the artist skews expectations of reverence, imposing his own design atop a visual associated with the China of old, the jar, thereby resisting their nostalgic valorisation. Unlike his later vases, *Colour Jar* is completely engulfed in the vibrant green, which is consistently applied across the exterior of the jar. Through this exuberant overlaying, Ai explores the tension between artistic freedom in the present and the limitations imposed by historical and cultural pressures. Bold in both palette and concept, *Colour Jar* navigates difficult terrain by exploring the strain between artist and society as well as history and modernity.





### 30. Dan Flavin 1933-1996

*Untitled (to Don Judd colorist) 5*  
pink and green fluorescent light  
133 x 122.9 x 10.2 cm (52 3/8 x 48 3/8 x 4 in.)  
Executed in 1987, this work is number 2 from an intended edition of 5 of which only 3 were fabricated and is accompanied by a certificate of authenticity signed by the artist.

#### Estimate

£80,000-120,000 \$106,000-158,000

€94,100-141,000 †

#### Provenance

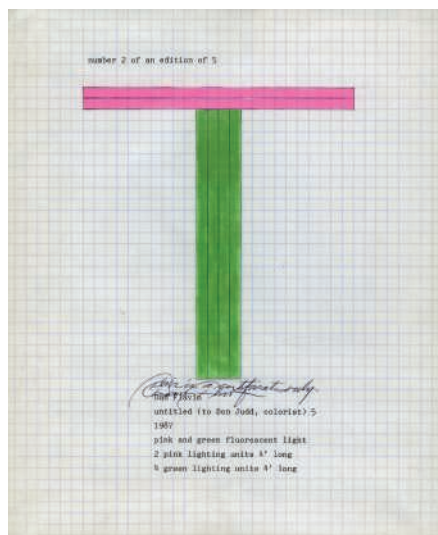
Marisa Del Re Gallery, New York  
Private Collection, London  
Christie's, New York, 11 November 2004, lot 335  
Private Collection  
Sotheby's, New York, 12 November 2014, lot 510  
Acquired at the above sale by the present owner

#### Exhibited

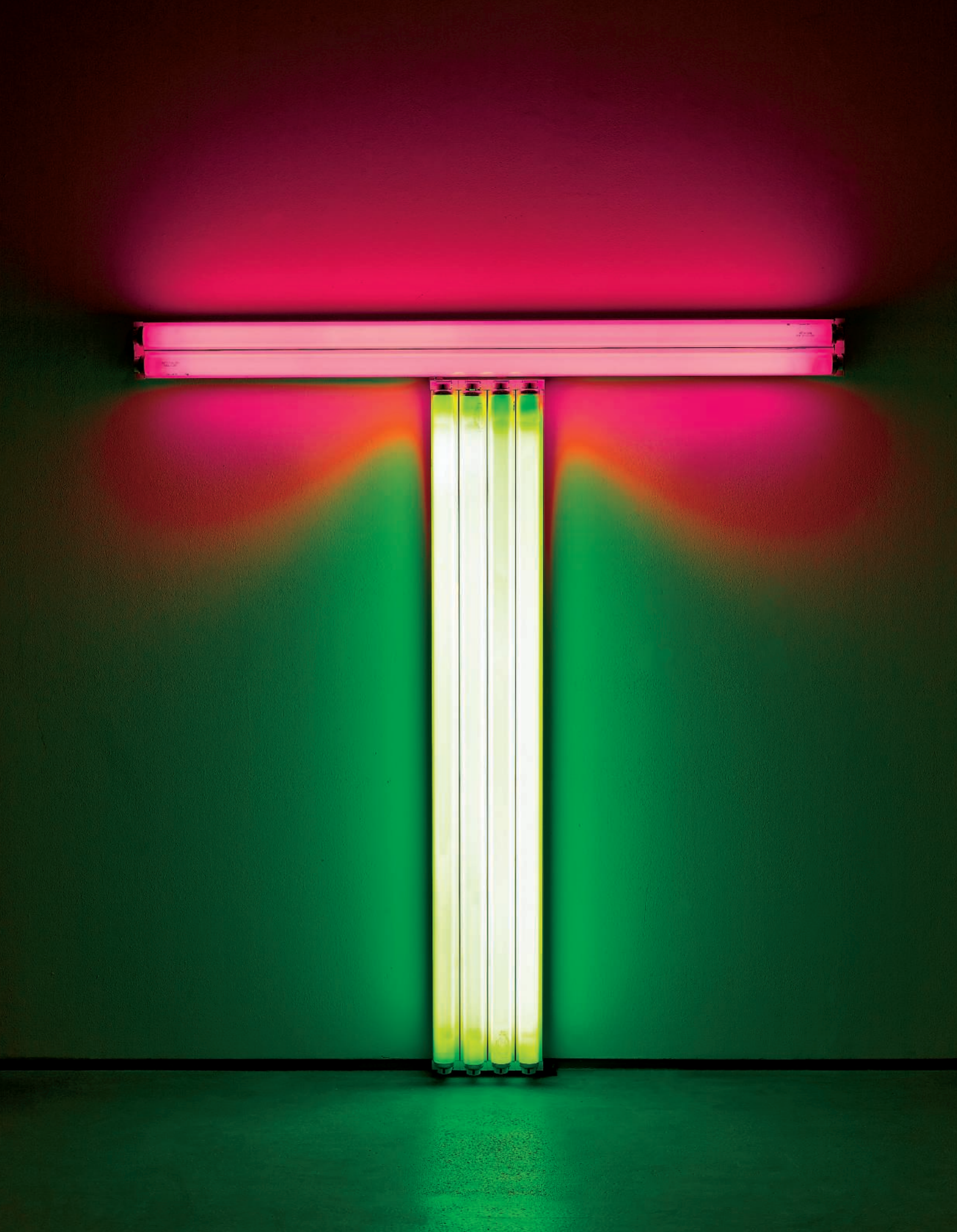
Paris, Galerie Nikki Diana Marquardt, *Dan Flavin: Hommage à Leo Castelli*, 1957-1987,  
May - June 1987 (another example exhibited)  
Musée d'Art Contemporain de Lyon, *Collection Panza: Dan Flavin*, June - September 1989  
(another example exhibited)  
Cologne, Galerie Tanit, *Dan Flavin: eine Auswahl neuerer Arbeiten*, November 1989 - January 1990 (another example exhibited)  
Musée d'Art Moderne de la Ville de Paris, *Un Choix d'art minimal dans la collection Panza*, July - November 1990, pp. 48-49, illustrated in colour (another example exhibited)  
New York, Solomon R. Guggenheim Museum, *Dan Flavin*, September 1995 - January 1996 (another example exhibited)  
Osaka, Gallery Yamaguchi, *Untitled (to Don Judd, colorist)*, October - November 1996 (another example exhibited)  
North Adams, Museum of Contemporary Art, *Test Site*, May 1999 - April 2000 (another example exhibited)  
London, Serpentine Gallery, *Dan Flavin*, August - September 2001, pp. 16-17, illustrated in colour (another example exhibited)  
New York, Home Alone 2 Gallery, *Jimmy Desana and Dan Flavin*, September - October 2013  
St Ives, Tate St Ives, *Artist Rooms: Dan Flavin*, 23 May - 27 September 2015 (another example exhibited)

#### Literature

Catherine Francblin, "Dan Flavin", *Art Press*, no. 116, July - August 1987, p. 80  
Maiten Bouisset, "L'Espace au neon de Dan Flavin", *Beaux Arts*, no. 90, May 1991, p. 73 (another example illustrated)  
*Dan Flavin: The Architecture of Light*, exh. cat., Solomon R. Guggenheim Museum, New York, 1999, pp. 82-83 (another example illustrated)  
"Fluorescent Light Being Installed", *Independent*, London, 23 August 2001, p. 1 (another example illustrated)  
Frank Whitford, "New Lamps for Old," *Sunday Times*, London, 2 September 2001, Sec. 9, pp. 14-15 (another example illustrated)  
Catherine Croft, "Floor Show," *World of Interiors*, February 2004, p. 79 (another example illustrated)  
Michael Govan and Tiffany Bell, *Dan Flavin The Complete Lights 1961-1996*, New York, 2004, no. 487, p. 363 (illustrated diagram)



Certificate from the artist of the current lot









**Dan Flavin**  
***Untitled (to Don Judd, colorist) 1-5, 1987***  
 Fluorescent lights  
 Artist Rooms installation at the  
 Gracefield Arts Centre, Dumfries 2014  
 © 2016 Donald Judd. Photo: © Tate, London 2016

*Untitled (to Don Judd colorist) 5* is a mesmeric light sculpture that perfectly encapsulates Dan Flavin's practice. Created in 1987, it is also a touching dedication to his long-time friend and fellow Minimalist progenitor Donald Judd. Flavin exclusively used fluorescent lighting as a medium in his mature works, echoing the propensity for industrial, mass produced materials that characterised the influential sculptures and writings of preeminent artists such as Carl Andre, Sol LeWitt and of course Judd.

By using fluorescent bulbs, Flavin extended the scope of his media beyond that of his contemporaries - light transcends the material constraints of physical substances, becoming an immaterial yet prevailing medium in itself that could saturate its environment and illuminate its audiences. This sculpture is liberated from the materiality, gestures, symbols and allusions that demarcated the Abstract Expressionist and Surrealist movements of previous generations. Any wall on which *Untitled (to Don Judd colorist) 5* is installed immediately dissolves into the effulgent aura of pink and green that emanates from the beaming light fittings, causing the work's setting and substance to fuse as one. As the viewer approaches, they too become enveloped by the work's lambent atmosphere, entering into it as both spectator and component. The bulbs themselves are arranged in a manner that introduces a rigid geometry to the composition, with the vertical green bars and cruciform pink atop them. However, the way that the light bleeds from one colour to the other between these forms disrupts this rigidity, as does the involvement of the viewer, blurring the boundaries of the artwork itself.

In *Untitled (to Don Judd colorist) 5*, Flavin has used near-opposing pink and green; from these, he has also conjured a range of other colours, which occupy the in-between zones. The title indicates that colour was clearly on Flavin's mind at the time, as it had been on Judd's during this period. Throughout the 1980s, Judd had paid an increasing attention to the use of colour in his sculptures; indeed, one posthumous monograph was even entitled *Donald Judd: Colorist*. Here, Flavin appears to be referencing and responding to this shift in his friend's works. 'Color, like material, is what art is made from,' Judd said. 'It alone is not art' (D. Judd, 'Some Aspects of Color in General and Red and Black in Particular' 1993, in D. Elger (ed.), *Donald Judd: Colorist*, exh.cat., Ostfildern-Ruit, 2000, pp. 110-14). In *Untitled (to Don Judd colorist) 5*, Flavin has demonstrated his own parallel perspective on the use of colour.



# 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:

<i>Portion of the Hammer Price (in EUR)</i>	<i>Royalty Rate</i>
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.

**Jackson Pollock**  
*Blue poles*, 1952  
oil, enamel and aluminium paint  
with glass on canvas  
212.1 x 488.9 cm  
National Gallery of Australia, Canberra  
© The Pollock-Krasner Foundation ARS,  
NY and DACS, London 2016



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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.

(b) In order to provide our services, we may disclose your personal data to third parties, including professional advisors, shippers and credit agencies. We will disclose, share with and transfer your personal data to Phillips's affiliated persons (natural or legal) for administration, sale and auction related purposes, including to persons outside the European Economic Area (EEA), where national laws may not provide an equivalent level of protection to personal data as that provided within the EEA. You expressly consent to such transfer of your personal data, including sensitive personal data, outside the EEA. We will not sell, rent or otherwise transfer any of your personal data to third parties except as otherwise expressly provided in this Paragraph 12.

(c) Phillips's premises may be subject to video surveillance and recording. Telephone calls (e.g., telephone bidding) may also be recorded. We may process that information in accordance with our Privacy Policy.

#### **13 Limitation of Liability**

(a) Subject to sub-paragraph (e) below, the total liability of Phillips, our affiliated companies and the seller to the buyer in connection with the sale of a lot shall be limited to the Purchase Price actually paid by the buyer for the lot.

(b) Except as otherwise provided in this Paragraph 13, none of Phillips, any of our affiliated companies or the seller (i) is liable for any errors or omissions, whether orally or in writing, in information provided to prospective buyers by Phillips or any of our affiliated companies or (ii) accepts responsibility to any bidder in respect of acts



or omissions, whether negligent or otherwise, by Phillips or any of our affiliated companies in connection with the conduct of the auction or for any other matter relating to the sale of any lot.

(c) All warranties other than the Authorship Warranty, express or implied, including any warranty of satisfactory quality and fitness for purpose, are specifically excluded by Phillips, our affiliated companies and the seller to the fullest extent permitted by law.

(d) Subject to sub-paragraph (e) below, none of Phillips, any of our affiliated companies or the seller shall be liable to the buyer for any loss or damage beyond the refund of the Purchase Price referred to in sub-paragraph (a) above, whether such loss or damage is characterised as direct, indirect, special, incidental or consequential, or for the payment of interest on the Purchase Price to the fullest extent permitted by law.

(e) No provision in these Conditions of Sale shall be deemed to exclude or limit the liability of Phillips or any of our affiliated companies to the buyer in respect of any fraud or fraudulent misrepresentation made by any of us or in respect of death or personal injury caused by our negligent acts or omissions.

#### 14 Copyright

The copyright in all images, illustrations and written materials produced by or for Phillips relating to a lot, including the contents of this catalogue, is and shall remain at all times the property of Phillips and, subject to the provisions of the Copyright, Designs and Patents Act 1988, such images and materials may not be used by the buyer or any other party without our prior written consent. Phillips and the seller make no representations or warranties that the buyer of a lot will acquire any copyright or other reproduction rights in it.

#### 15 General

(a) These Conditions of Sale, as changed or supplemented as provided in Paragraph 1 above, and Authorship Warranty set out the entire agreement between the parties with respect to the transactions contemplated herein and supersede all prior and contemporaneous written, oral or implied understandings, representations and agreements.

(b) Notices to Phillips shall be in writing and addressed to the department in charge of the sale, quoting the reference number specified at the beginning of the sale catalogue. Notices to clients shall be addressed to the last address notified by them in writing to Phillips.

(c) These Conditions of Sale are not assignable by any buyer without our prior written consent but are binding on the buyer's successors, assigns and representatives.

(d) Should any provision of these Conditions of Sale be held void, invalid or unenforceable for any reason, the remaining provisions shall remain in full force and effect. No failure by any party to exercise, nor any delay in exercising, any right or remedy under these Conditions of Sale shall act as a waiver or release thereof in whole or in part.

(e) No term of these Conditions of Sale shall be enforceable under the Contracts (Rights of Third Parties) Act 1999 by anyone other than the buyer.

#### 16 Law and Jurisdiction

(a) The rights and obligations of the parties with respect to these Conditions of Sale and Authorship Warranty, the conduct of the auction and any matters related to any of the foregoing shall be governed by and interpreted in accordance with English law.

(b) For the benefit of Phillips, all bidders and sellers agree that the Courts of England are to have exclusive jurisdiction to settle all disputes arising in connection with all aspects of all matters or transactions to which these Conditions of Sale and Authorship Warranty relate or apply. All parties agree that Phillips shall retain the right to bring proceedings in any court other than the Courts of England.

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### Auction

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### Viewing

28 September – 5 October 2016

Monday – Saturday 10am – 6pm

Sunday 12pm – 6pm

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The 20th Century & Contemporary Art department would like to thank Alex Baddeley, Stefania Sorrentino, Qihao Shao and Polina Gordovich for their research, writing and assistance in producing this catalogue.

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*Hymn*, 1999–2005

painted bronze

595.3 x 334.0 x 205.7 cm

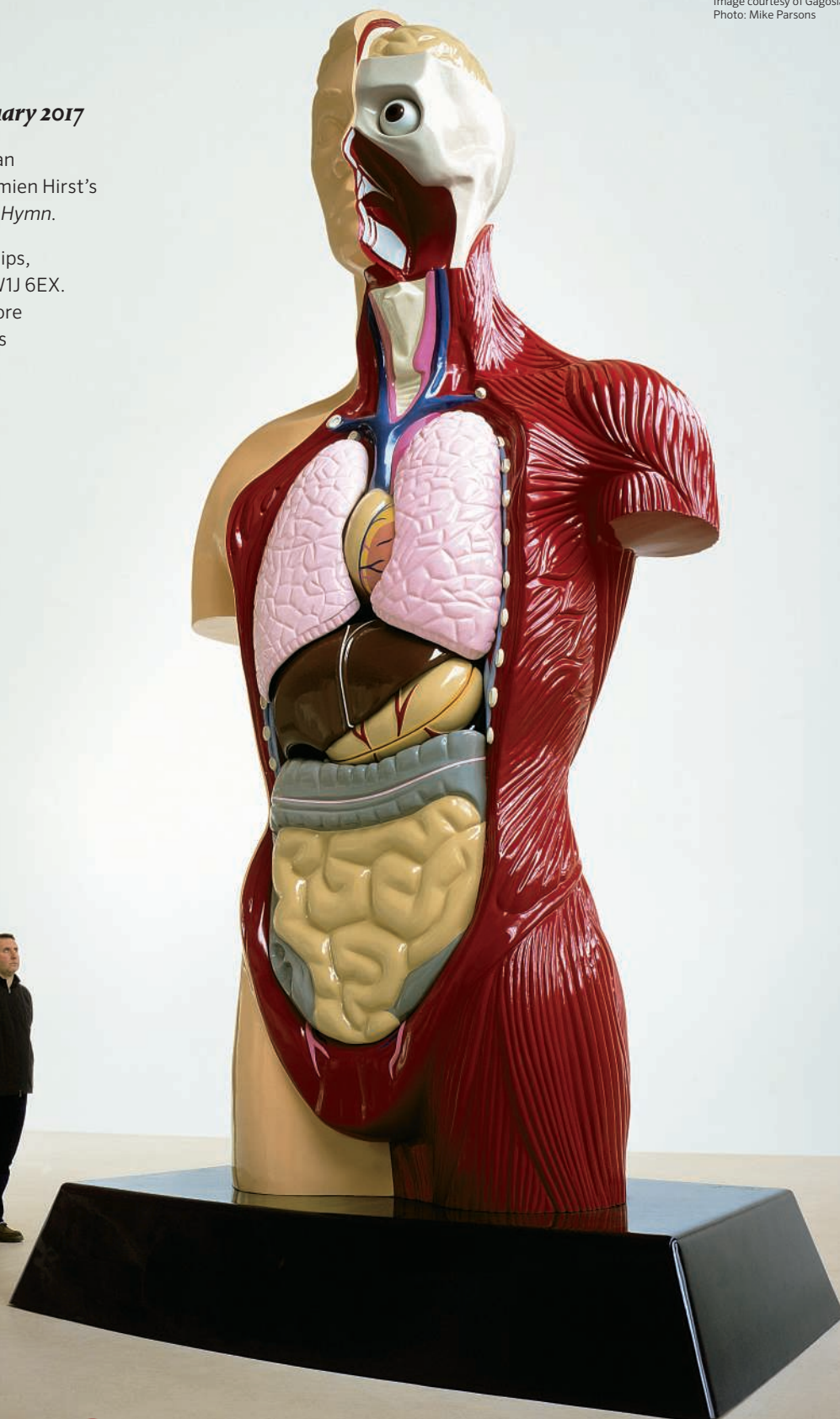
(234.4 x 131.5 x 81 in.)

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