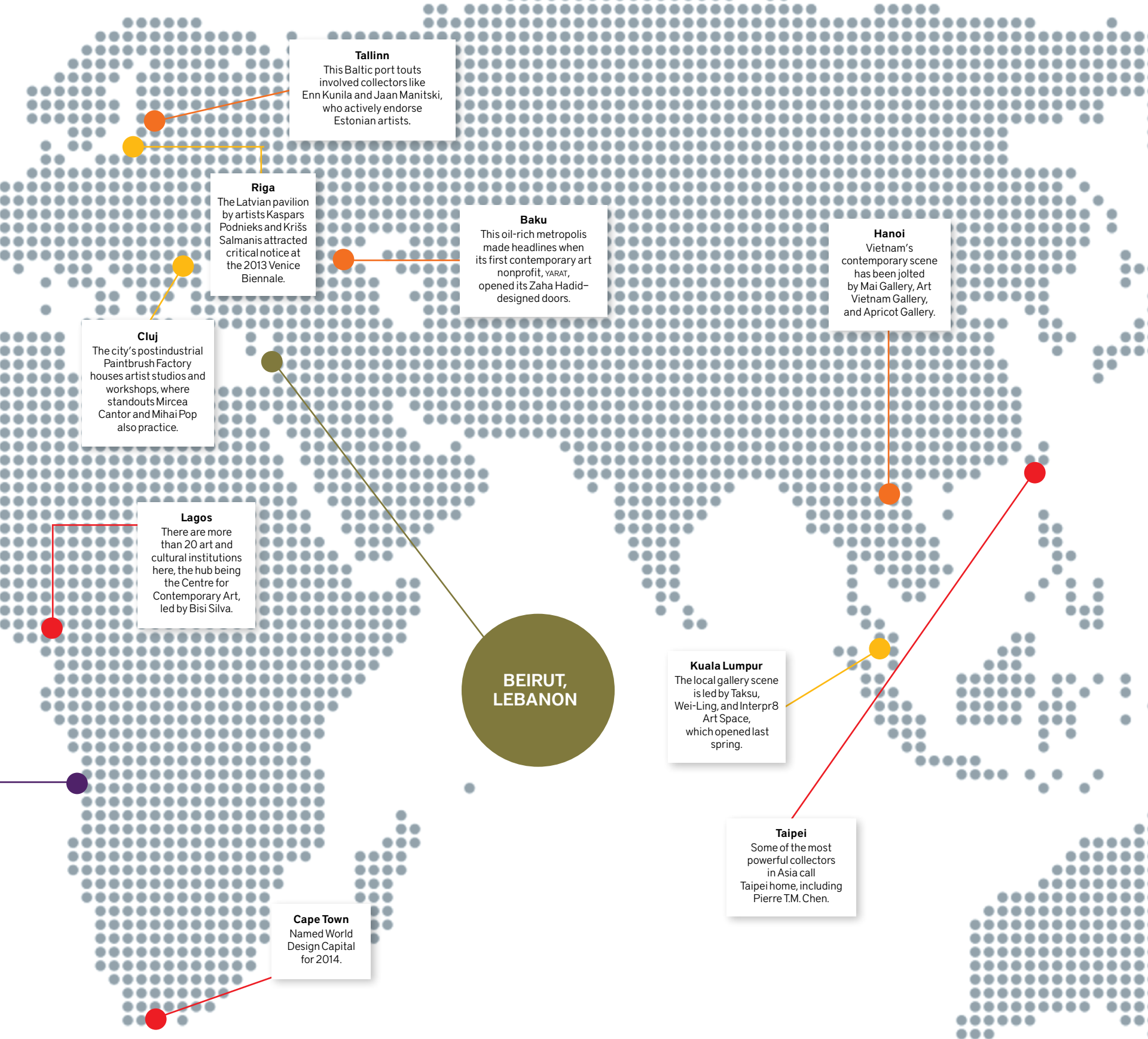


# EMERGING MARKETS

**Tallinn**

This Baltic port touts involved collectors like Enn Kunila and Jaan Manitski, who actively endorse Estonian artists.

**Riga**

The Latvian pavilion by artists Kaspars Podnieks and Krišs Salmanis attracted critical notice at the 2013 Venice Biennale.

**Cluj**

The city's postindustrial Paintbrush Factory houses artist studios and workshops, where standouts Mircea Cantor and Mihai Pop also practice.

**Lagos**

There are more than 20 art and cultural institutions here, the hub being the Centre for Contemporary Art, led by Bisi Silva.

**Cape Town**

Named World Design Capital for 2014.

**Baku**

This oil-rich metropolis made headlines when its first contemporary art nonprofit, YARAT, opened its Zaha Hadid-designed doors.

**Hanoi**

Vietnam's contemporary scene has been jolted by Mai Gallery, Art Vietnam Gallery, and Apricot Gallery.

**Kuala Lumpur**

The local gallery scene is led by Taksu, Wei-Ling, and Interpr8 Art Space, which opened last spring.

**Taipei**

Some of the most powerful collectors in Asia call Taipei home, including Pierre T.M. Chen.

**BEIRUT, LEBANON**

While technology may have collapsed our sense of geographic distance it has expanded the world of contemporary art, as artists from all points on the globe enter into an ever-broadening dialogue. A natural outcome of this conversation is the coalescing of talent into regional markets nurtured in large part by the support of local curators and collectors. The three locales identified here — Bogotá, Beirut, and Luanda — represent different stages in the evolution of an art economy, and, thanks to the global recognition of the quality of their artists, we believe these new players have influence beyond their spheres. —THE EDITORS



Clockwise from above: Installation view of **María Fernanda Cardoso's** "Organos Intromitentes" at Casas Riegner earlier this year; **Alejandro Obregón's** *Monumento a Icaro*, 1967, which hit \$173,000 in the Latin American art sale at Sotheby's New York last fall; **Olga de Amaral's** mixed-media textile piece *Media Luna*, 2012; **Carolina Convers's** "Figure and Nature" at Beatriz Esguerra Art; patrons Steven and Solita Mishan.

Opposite: **Edgar Negret's** *Navegante*, 1977, took in an above-estimate \$9,375 at Phillips in November 2013.



## BOGOTA COLOMBIA

Artists from a rich culture take center stage  
By Jason Edward Kaufman



**THE NEW YORK ART WORLD** was abuzz last September when an untitled 2011 work by Colombian-born Oscar Murillo fetched \$401,000—just over 10 times its high estimate—at Phillips. Subsequent sales for the London-based artist's text and graffiti-style works—which have been compared to those of Jean-Michel Basquiat—neared \$200,000, doubling their high estimates. The 28-year-old, who has exhibited at South London Gallery and the Rubell Family Collection in Miami, completed his New York sale season with the announcement that he would join the David Zwirner Gallery stable. Murillo's performance is indicative of the potential of the Colombian market, which has become the darling of Latin American art aficionados. The scene appears poised for sustained development as long as there is continued economic and political stability. Poverty, education, and corruption remain pressing concerns, but the long-isolated country is refashioning itself as a rising democracy and tourist destination, using its own culture to serve these ambitions.

### FAIRS AND CURATED EVENTS

If one measure of a market's potential is whether it can support an indigenous art fair, Bogotá's ArtBO, held each October, ticks that box. Sponsored by the city's chamber of commerce, ArtBO has flourished under the direction of María Paz Gaviria Muñoz, the U.S.-educated daughter of former Colombian president César Gaviria Trujillo. The ninth edition last fall had 26 new exhibitors for a total

CLOCKWISE FROM TOP LEFT: OSCAR MONSALVE AND CASAS RIEGNER; SOTHEBY'S; OLGA DEL AMARAL AND BELLAS ARTES GALLERY; SANTA FE; BEATRIZ ESGUERRA ART; BOGOTÁ; PATRICK MCNULTAN; PREVIOUS SPREAD: WIKICOMMONS

of 65 from 21 countries, showing a steady build on the previous year. Exhibitors of note included Mexico's Alfredo Ginocchio Galería and OMR, Brazil's Galería Luisa Strina, and Colombia's own Galería Casas Riegner and La Central. Attendance leaped 25 percent, to 25,000, and participation by important collectors tripled.

The founding director of ArtBO, Andrea Walker, went on to launch a new fair, Art Cartagena, in January of this year. The boutique fair featured 15 exhibitors, 10 from overseas, and drew 2,000 visitors. On its heels is the new, privately sponsored International Biennial of Contemporary Art of Cartagena de Indias. Under the artistic direction of Brazilian-born Berta Sichel, the inaugural edition (through April 7) has distributed art from 45 countries throughout the Caribbean port, with free performances and site-specific installations in virtually every major plaza. Still, the major annual art survey is the Ministry of Culture's 74-year-old Salón Nacional, which now includes international contemporary art under the aegis of the Museo de Arte Moderno de Medellín's dynamic former director Juliana Restrepo.

## GALLERIES

Casas Riegner in Bogotá is Colombia's most internationally connected gallery, participating in Art Basel, Art Basel Miami Beach, and Frieze London and New York, among others. "My business comes mainly from the fairs," says owner Catalina Casas, who counts among her stable of older and emerging artists Mateo López, whose installation based on a Vespa trip along Colombia's abandoned railways was acquired by the Museum of Modern Art in New York; José Antonio Suárez Londoño, who creates drawings inspired by books; Johanna Calle, whose drawing practice embraces both figuration and abstraction; and conceptual and multimedia artist Miguel Angel Rojas. Prices range between \$2,000 and \$15,000, says Casas, who sells mainly to collectors in Brazil, the U.S., Britain, and Europe, where her artists are better known.

"You can find great things without spending tons of money," says Carlos Hurtado, director of Nueveochenta, co-owned by former president Gaviria, himself a collector of international photography and Latin American art. He says prices for Colombian artists typically range from \$3,000 to \$10,000 for some established figures. "The market is very dynamic below \$20,000, but much less so at \$50,000," he says. "People are still offended by high prices," says Bogotá-based dealer Beatriz Esguerra. "Our minimum wage is between \$300 and \$400 a month, so \$100,000 is a lot of money. A million-dollar piece is just out of the question." Her young-to-midcareer artists sell in the \$1,500 to \$10,000 range, with a large painting by Pedro Ruiz, her most expensive artist, nearly tripling in the last five years, to \$25,000.

A few dozen galleries in the capital may not seem like overkill for a city of more than 8 million. But the scene has changed dramatically since the 1990s, when Valenzuela & Klenner was one of the only dealers supporting new art. Galleries La Cometa, Alonso Garces, and El Museo continue to deal in the secondary market, and galleries focusing on the new have arisen, including La Central, Rojo

Galería, MU, Galería El Garaje, Espacio, Argentine-owned Del Infinito Arte, and Odeón, which operates a satellite fair during ArtBO. Outside of Bogotá there are only a handful of galleries in Medellín, Cali, Cartagena, and Barranquilla. Colombian artists are better represented in New York by Henrique Faria, Nohra Haime, Johannes Vogt, who recently exhibited Juan Fernando Herrán, and Magnan Metz, which shows the promising young Miler Lagos.

## AUCTIONS

There is no major auction house in Colombia, so most of the action takes place in New York and London. Axel Stein, head of Latin American art at Sotheby's, says Colombian art sells mainly to Colombians, an exception being Fernando Botero, whose prices have reached \$2 million and whose international market extends to the U.S. and Asia.

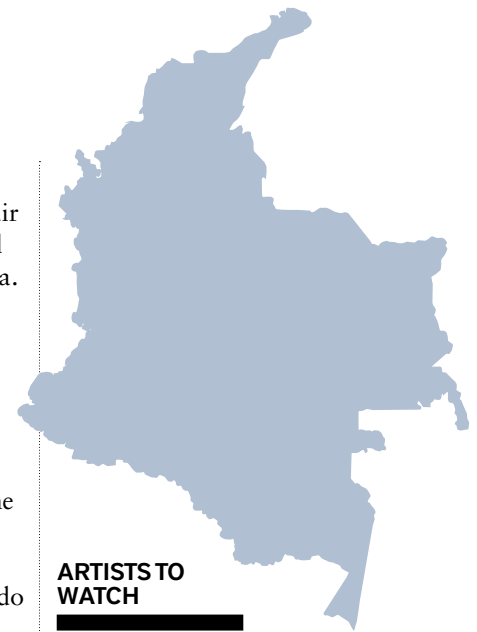
There is a steady market for sculptor Edgar Negret, one of whose 1950s constructions sold for \$62,500 at the Latin American Art sale at Sotheby's New York in November. Large quasi-abstract pieces by Alejandro Obregón are in demand by Colombian collectors, with a 1960s piece fetching \$173,000 at the Sotheby's November sale. Virgilio Garza, head of Latin American art at Christie's, says that at his sales, Americans are the main buyers. One benefit from Colombian art having been overlooked by 20th-century art centers is that works produced in the 1960s and '70s in dialogue with international art movements such as abstraction and conceptualism remain relatively inexpensive. New York-based art adviser Ana Sokolov points to Alvaro Barrios, recently featured in an exhibition at the Banco de la República and shown by El Museo locally and in New York by Faria and Haime, as one such prospect.

## COLLECTORS

Because of past problems with the drug cartels laundering money through artworks, collecting activity in Colombia has largely been secretive, though during last year's ArtBO several collectors revealed their private holdings. Textile producer Alberto Simhon and his wife Denise Camhi's heavily secured hillside house offers an eclectic international collection that ranges from Botero to the Chapman brothers. León Amitai showed the Latin American collection he houses at his textile company's factory, and Celia Sredni de Birbragher, founder and publisher of *ArtNexus* magazine, mounted a show at the artist residency she runs in Bogotá. But the national pride and optimism is tempered by caution. Sergio Ferreira Nieto, head of the security company SF International, presented young Colombian and Latin American artists, including Cubans Carlos Garaicoa and Alexandre Arrechea, but he expresses hesitation about the long-term prospects for the Colombian art scene. "The Latin American economies are very fragile. Hopefully, I am wrong, but I am still very skeptical," he says.

## INFRASTRUCTURE

Rising interest in art has spurred the country's museums to expand physically and energize their contemporary programs, but the only Colombian institution actively buying contemporary art is Banco (continued on page 122)



## ARTISTS TO WATCH

### JOHANNA CALLE

BOGOTÁ, B. 1965  
drawings

### BEATRIZ GONZALEZ

BOGOTÁ, B. 1973  
painting

### MILER LAGOS

BOGOTÁ, B. 1973  
sculpture/  
installation

### JOSE ANTONIO SUAREZ LONDONO

MEDELLÍN, B. 1955  
drawings/prints

### MATEO LOPEZ

MEDELLÍN, B. 1955  
drawings/prints

### OSCAR MUNOZ

SANTIAGO DE CALI,  
B. 1951  
conceptual  
photography

### OSCAR MURILLO

LONDON, B. 1986  
painting

### BERNARDO ORTIZ

BOGOTÁ, B. 1972  
drawings

### MIGUEL ANGEL ROJAS

BOGOTÁ, B. 1946  
multimedia/  
conceptual





# BEIRUT ART CENTER مركز بيروت للفن



## BEIRUT LEBANON

A vibrant community of politically minded artists flourishes despite regional turmoil **By Jim Quilty**



Top row, from left: An exterior view of Beirut Art Center; Abraaj Art Prize winner Raed Yassin's porcelain vase from the series "China, the Battle of Tal al Zaatar," 2012; Paul Guiragossian's *La lutte de l'existence*, 1988, which fetched \$605,000 at Christie's Dubai in October 2013. Middle row: Artist Marwan Rechmaoui; an installation view of Antonio Seguí's exhibition at Galerie Janine Rubeiz; dealer Andrée Sfeir-Semler. Bottom: Cesar Nammour and Gabriela Schaub opened the Modern and Contemporary Art Museum in Alita.

Opposite, from left: The Ashkal Alwan art center in Beirut; Arab Image Foundation cofounder Akram Zaatari's ink-jet print *Scratched Portrait of Mrs. Baqari*, 2012.



**BEIRUT'S CURRENT ART** market is rooted in the work of a small but vibrant cosmopolitan community whose contributions to international modernism had long been obscured by Lebanon's 15-year civil war, which began in 1975. But since 1990, with the coalescence of institutions serving as both laboratories and exhibition arenas, the art scene has evolved significantly. Names like Walid Raad and Akram Zaatari were pushed to the forefront amid the identity politics of the mid 1990s, and Beirut's artists now have a platform, thanks to the well-supported art market in the Gulf region.

With the Lebanese state still wobbly, the key venues undergirding the local scene have been private initiatives. A persistent force in the city's contemporary art world is Christine Tohmé, who founded Ashkal Alwan, the Lebanese Association for Plastic Arts, in 1994. In 2011 she opened Home Workspace, a postgraduate institution for young artists, next door to the Beirut Art Center, a noncommercial exhibition space founded in 2009 by gallerist Sandra Dagher and artist Lamia Joreige, which presents international and regional contemporary art

LEBANON > 2012 POPULATION: 4.425 MILLION > 2012 GDP: \$42.95 BILLION >



and design. An important influence, too, are the Gulf's Arab petro-states, with the United Arab Emirates and Qatar becoming serious players in the incubation, exhibition, and sale of contemporary art. Lebanese artists have received exposure at the Sharjah Biennial, under director Sheikha Hoor Al-Qasimi, and the Qatar Museums Authority's Mathaf: Arab Museum of Modern Art.

## ARTISTS

The wave of artists who arose in the 1990s—among them Rabih Mroué, Raad, Marwan Rechmaoui, and Zaatari (a cofounder of the Arab Image Foundation archive)—continue to create respected work. But a younger generation has emerged, and though its members remain engaged with issues of space and place, they have distinct interests and approaches.

Beirut gallerists hesitate to discuss the city's hot young artists, wary of exposing their work to speculation by investors seeking portfolio diversification. Still, a handful of names have generated critical and commercial interest. Among the new guard is Ayman Baalbaki, whose brushy paintings often depict tropes from Lebanon's civil war, such as shelled buildings in the capital. Baalbaki is shown abroad at Rose Issa Projects in London and Luce Gallery of Turin. Abdulrahman Katanani's sculptural evocations of childhood deploy the detritus of Palestinian refugee camps; his *Freedom*, 2011, a sculpture of a hot-air balloon made of car parts and barbed wire, fetched \$27,500 at Christie's Dubai this past October. Several artists work with video, including the politically inflected musings upon frailty found in the work of Ali Cherri; the wry miniatures of Ziad Antar; or the shape-shifting, performance-based multimedia work of Mounira Al Solh.

The most tireless and formally diverse of these artists is Raed Yassin, who emerged from the city's experimental music scene and has proved an inspired visual artist, gleefully embracing collaboration to create work in porcelain and factory textiles, as well as photographs and installations.

In a scene obsessed with photography and video, the architecturally trained Rayyane Tabet embraces urban decay. The winner of the Pinchuk Foundation's 2012 Future Generation Art Prize, Tabet made his Beirut debut at Sfeir-Semler Gallery in 2013 with a show inspired by abandoned oil infrastructure—the Trans-Arabian Pipeline, which ran from the Gulf to the Mediterranean.

## COLLECTORS AND PATRONS

Saleh Barakat, founder of Agial Art Gallery, a purveyor of Lebanon's blue-chip modernists, says the domestic art market has remained solid despite the country's intermittent political crises, thanks to middle-class buyers who quietly purchase work they love. Among the best-known private collectors of Lebanon's modern art are successful businessmen like Ramzi Saidi and Raymond Audi, who adorns branches of his Banque Audi with paintings by Lebanese artists such as Paul Wakim.

The tradition of collecting may be entrenched, but it is rare to find true philanthropic patronage, such as the financing of exhibitions or monographs or the donation of works or collections to public museums without expectation of return. Nor is there any state-sanctioned collection or museum devoted to modern and contemporary art. Instead, many collectors support Lebanese artists by facilitating acquisitions by overseas museums. Gallerist Andrée Sfeir-Semler cites two such individuals as genuine art patrons: Maya Rasamny, who cochairs the Tate's Middle East and North Africa Acquisition Committee and has been instrumental in the Tate's embrace of Arab art; and Robert Matta, who plays a similar role in acquiring Arab art for Paris's Centre Pompidou.

In the last few years, a handful of collectors have established private museums for their holdings and opened them to the public, including Tony Salamé, the founder and CEO of Aïshti, a luxury department store chain, with his Metropolitan Art Society; Abraham Karabadjian and Roger Akoury, who have established KA Modern and Contemporary Art Space in the coastal town of Dbayeh; and Cesar Nammour and Gabriela Schaub, who opened the Modern and Contemporary Art Museum (MACAM) in Alita. The most serious effort to redress Beirut's want of a national gallery, however, has been undertaken by the Fondation Saradar, which recently launched a program to take the family's collection public with the help of a committee of modern and contemporary art arbiters who are executing further acquisitions.

## COMMERCIAL GALLERIES AND AUCTIONS

Beirut has a small but lively gallery scene, with between 20 and 30 commercial spaces servicing a segmented city numbering near 2 million. Two spaces founded soon after the civil war ended remain significant today: Agial, founded by Barakat in 1990, and Nadine Begdache's Galerie Janine Rubeiz, opened in 1993. Both offer a mix of 20th- and 21st-century artists, including modernists like Chafic Abboud, Saloua Raouda Choucair—who was recently featured at the Tate Modern in London—and Paul Guiragossian.

Newer spaces are focusing on contemporary art. Andrée Sfeir-Semler established the Beirut branch of her Hamburg-based gallery in 2005. The city's first white cube-style space, it represents some of Lebanon's most respected contemporary artists, including Mroué, Tabet, and Zaatari, as well as iconic modernists like Etel Adnan.

In 2010 Laure d'Hauteville launched the Beirut Art Fair, held annually in September; the edition last fall lured some 18,000 attendees. Though (continued on page 122)

## ARTISTS TO WATCH

### ZIAD ANTAR

SAIDA, LEBANON, AND PARIS, B. 1978  
photography/video

### MOUNIRA AL SOLH

BEIRUT, B. 1978  
video/performance

### AYMAN BAALBAKI

BEIRUT, B. 1975  
painting

### ALI CHERRI

BEIRUT AND PARIS, B. 1976  
video/performance/installation

### FOUADELKOURY

BEIRUT AND PARIS, B. 1952  
photography

### ABDULRAHMAN KATANANI

BEIRUT, B. 1983  
mixed media

### SAMER MOHDAD

BEIRUT, B. 1964  
photography

### RABIH MROUE

BEIRUT, B. 1967  
performance/theater

### WALID RAAD

NEW YORK, B. 1967  
video/photography

### MARWAN RECHMAOUI

BEIRUT, B. 1964  
sculpture/installation

### RAYYANE TABET

NEW YORK, B. 1983  
sculpture/installation

### RAED YASSIN

AMSTERDAM AND BEIRUT, B. 1979  
multimedia/conceptual

### AKRAM ZAATARI

BEIRUT, B. 1966  
video







# LUANDA ANGOLA

An ad hoc scene leaps into the limelight **By Suzana Sousa**



Clockwise from above:  
 Angellhosvanny's *Untitled*,  
 2010; Yonamine's mixed-  
 media on canvas *Art Fuck To*,  
 2009-10; *Luanda*, C-print  
 from the series "Found Not  
 Taken," 2009, by 55th  
 Venice Biennale honoree  
 Edson Chagas.

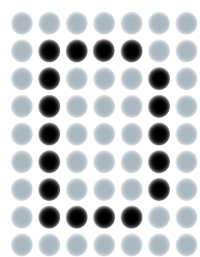
Top row, from left:  
 Kiluanji Kia Henda's  
*Redefining the Power II*  
 (Series 75 with Shunnuz Fiel),  
 2011, has the artist appropri-  
 ating the signs of colonial  
 power; artist Yonamine with  
 the triptych *My People II*,  
 2008. Above: The União  
 Nacional dos Artistas  
 Plásticos is Luanda's  
 long-standing artist hub.  
 Right: Upgrade Art Room, the  
 first commercial gallery in  
 the capital, showed Renato  
 Fialho's "Sonhar de Olhos  
 Abertos" in November 2013.



ANGOLA >

2012 POPULATION: 20.82 MILLION >

2012 GDP: \$114.1 BILLION >



**URING A VENICE BIENNALE** marked by the inclusion of artists obscured by the usual curatorial apparatus, it is perhaps not surprising that last year's Golden Lion for Best National Participation went to a country, Angola, that was participating in the Biennale for the first time. Edson

Chagas's documentary-inflected photographs in the 2009 series "Found Not Taken," which capture junked objects placed in improbable contexts in cities including Luanda—say, a deflated soccer ball in front of a pocked blue wall that suggests a kind of global map—starred in the first Angolan pavilion. Printed on cheap poster paper and stacked on pallets in the Palazzo Cini, copies were snapped up by eager visitors. The installation was ultimately purchased by Jochen Zeitz, the German collector and director of François Pinault's fashion conglomerate, Kering.

Chagas's thought-provoking juxtapositions are an apt introduction to Luanda, the capital of a country that is rife with stark contrasts as it recovers from a colonial past under Portugal and 27 years of civil war. Today Angola booms with economic growth driven by oil money—it is the African continent's second-largest oil producer, behind Nigeria—and recent investments in public infrastructure. But 12 years of peace have also brought attention to a growing art scene that is still, according to leading collector Nuno Lima Pimentel, in an "embryonic state."

## INSTITUTIONS

The União Nacional dos Artistas Plásticos (UNAP), the artists' professional union, is the hub of local artistic activity; headquartered in downtown Luanda, it draws together practitioners from successive generations with studio spaces and a small exhibition gallery. Due to its history as a political organization during Angola's Socialist years, UNAP fell out of favor with younger artists, but its central location, as well as its support of personal networks of apprenticeship among artists, has helped it remain relevant in a local environment that offers little in the way of formal art schooling. A key figure is the artist and curator Fernando Alvim, who, starting in 2003, promoted a cultural movement that led to the 2006–07 launch of the Trienal de Luanda, which has served as a platform for young artists and created international links through several projects.

With infrastructure scarce, artists are seizing every opportunity to show their work. Events in Luanda typically range from open studios to ad hoc exhibitions and pop-ups sited in decaying urban spaces or even in private houses. Initiatives such as e.studio—an artists' collective created by Francisco Vidal, Nelo Teixeira, RitaGT, and Antonio Ole, a relative elder statesman of Angolan art—and Jahmek, an arts consulting company, are helping artists to develop exhibitions and concepts and also to promote their work. Last year, the Upgrade

Art Room opened in Luanda's historic downtown, helping to fill the void in commercial galleries and raising hopes of attracting the attention of international markets. But dealers may face an uphill battle, as artists have enjoyed years of self-representation. International galleries currently working with Angolan artists include A Palazzo Gallery in Brescia, Italy; Lisbon's Galeria Baginski and Cristina Guerra Contemporary Art; and Galleria Fonti in Naples. Artists such as Kiluanji Kia Henda and Yonamine have found footholds in Europe and beyond with Fonti and Guerra, respectively. Artco Gallery of Aachen, Germany, featured the figurative painter Manuela Sambo at the 1:54 contemporary African art fair in London last October. Installations by Yonamine are priced in the upper \$20,000s, while Chagas's prints go for a bit more than \$8,000. However, values are generally still too low to generate secondary-market auction action.

## COLLECTORS AND PATRONAGE

Luanda may lack a formal art market, but it already possesses a crucial component in forming one: collectors. The most public about their purchases are Pimentel, Rui Costa Reis, and António Nascimento. In the general absence of commercial galleries, artists are responsible for the selling their own artworks, and they employ a community-minded strategy. According to artist Benjamin Sabby, "There is a certain solidarity among artists; when we sell artworks and feel that the collector or institution is interested, we propose other artists." Such ties are already cementing networks between artists and patrons. Collectors who choose to trumpet their relationships in turn have an impact on others' purchases and on prices, so, as in many emerging art markets, the distinction between collectors and dealers is fairly fluid.

There are a handful of private foundations and corporate sponsors of the arts in Luanda. Congolese businessman Sindika Dokolo, who is married to Isabel dos Santos, daughter of Angola's president, has been an important patron of Angolan arts through both the Luanda triennial and his 3,500-piece SD African Collection of Contemporary Art. The Banco Angolano de Investimentos hosts the yearly exhibition "BAIarte" and sponsors artistic projects; the national insurance company, ENSA, offers an annual arts prize.

## NOTICE FROM ABROAD

The presence of Angolan artists has been growing on the international arts scene. The Portuguese Cultural Institute and the Goethe-Institut, for instance, have sponsored projects by Angolan artists. The video and performance artist Nástio Mosquito reprised some of his best pieces addressing Western conceptions of Africa in London for the Tate Tanks program in 2012; Antonio Ole showed his work recently in Madrid at the Fundación Carlos de Amberes. Kiluanji Kia Henda showed *Homem Novo* at Art Basel Statements in 2012 with Galleria Fonti, and (continued on page 122)



## ARTISTS TO WATCH

### EDSON CHAGAS

LUANDA, B. 1977  
photography

### KILUANJIKIA HENDA

LISBON AND LUANDA, B. 1979  
photography

### ANGEL IHOSVANNY

LUANDA, B. 1975  
painting/sculpture/  
photography

### DELIO JASSE

LISBON, B. 1980  
photography

### PAULO KAPELA

LUANDA, B. 1947  
painting/installation

### NASTIO MOSQUITO

LUANDA, B. 1981  
multimedia/  
performance

### ANTONIO OLE

LUANDA, B. 1951  
painting/video/  
photography

### BENJAMIN SABBY

LUANDA, B. 1975  
painting/sculpture

### ANA SILVA

LUANDA, B. 1969  
painting

### FRANCISCO VIDAL

LISBON AND LUANDA, B. 1978  
painting/  
photography/  
installation

### YONAMINE

LISBON AND LUANDA, B. 1975  
installation



e.studio  
cofounder  
Nelo  
Teixeira's  
Untitled  
Sculpture,  
2012.



We told him about the 2013 District Court case *ACA Galleries, Inc. v. Kinney*. ACA's president, Jeffrey Bergen, had purchased the Milton Avery painting *Summer Table, Gloucester* from collector Joseph Kinney after inspecting it at a New York storage facility. Shortly thereafter, the Milton and Sally Avery Arts Foundation determined that the work was not by Avery.

ACA sued Kinney in an attempt to rescind the sale, arguing that both parties had thought the painting was authentic, but the court held for Kinney, stating that in New York, mutual mistake "may not be invoked by a party to avoid the consequences of its own negligence"—particularly where "the party wishing to invoke the doctrine bears the risk of the mistake because he was aware of his limited knowledge but acted anyway."

Different courts have used the seemingly simple theory of mutual mistake to arrive at different outcomes. In contrast to the result reached in *ACA Galleries, Inc. v. Kinney*, two New York Supreme Court decisions—*Uptown Gallery, Inc. v. Doniger* in 1993 and *Feigen & Co. v. Weil* in 1992—allowed purchasers to rescind sales contracts on the grounds that the parties mistakenly assumed that an artwork was authentic.

In the former, Uptown Gallery bought a painting from Marjorie Doniger that both the gallery and the seller believed was by Bernard Buffet. The work bore Buffet's signature and was accompanied by an invoice with his name. When Uptown Gallery discovered the painting was a forgery, it demanded a refund, but Doniger refused, arguing that by purchasing the work, the gallery had assumed the risk of its being fake. Here the court held for the gallery, determining that there was "no reason why defendant should be entitled to a wind-fall based on its sale of a painting that was not what either party believed it to be."

122 Similarly, in *Feigen & Co. v. Weil*, art dealer Richard Feigen sold what he believed was a genuine Matisse drawing, *Le vase d'opaline*, signed "H. Matisse '47," to Tom Hammons in 1989. The sale was for \$165,000, and Feigen passed along \$100,000 to the drawing's owner, Frank Weil. In 1990, when Hammons was ready to sell it, the Matisse estate declared the work a forgery. Feigen demanded that Weil return the money, but Weil refused. Citing the pregnant cow case, the court ruled for Feigen.

"What happens if a work is believed to be authentic at the time of sale, but experts later change their opinion?" asked Leon. "Can a contract be rescinded for mutual mistake then?"

The answer was no. Expert opinions may change, but that does not provide a legal basis to undo a sale.

As a practical matter, when representing a buyer we sometimes try to address the thorny issue of what happens if an authentic work later becomes "de-authenticated" by including a provision in our purchase contracts. We ask for the right to rescind the purchase for a certain period of time, typically two years, if there is a change in expert opinion. Some auction houses put similar clauses in their consignment agreements (but without the time limit), giving them the right to rescind a sale if they believe the sale would subject them to liability for a breach of warranty of authenticity.

The good news for Leon was that there were legal theories apart from mutual mistake that might support his case. For example, our client might have a valid fraud claim if Wellington had knowingly made a false representation with the intent to deceive. Or he might argue breach of warranty if Wellington's representations did not have a reasonable basis in fact.

Leon chewed this over as he finished his pastry, then shot us a devilish grin. "I might just have a 'diamond' I can sell to Wellington," he said. "My philosophy is 'Never interrupt your enemy when he is making a mistake.'" ▢

CHARLES AND THOMAS DANZIGER ARE THE LEAD PARTNERS IN THE NEW YORK FIRM DANZIGER, DANZIGER & MURO, SPECIALIZING IN ART LAW.

de la Republica. It may be that museums overseas are the ones promoting Colombian art most actively: The Tate, which established a Latin American acquisitions committee in 2002, has acquired work by Feliza Bursztyn, Beatriz Gonzalez, Oscar Muñoz, Rojas, and Doris Salcedo. MOMA has acquired work by Johanna Calle, Bernardo Ortiz, and José Antonio Suarez. López was recently awarded the Rolex Mentorship with William Kentridge.

Conditions in Bogotá seem to favor private museums, and many patrons are committed to investing in culture as social infrastructure. Architect and hotelier Alejandro Castaño converted a town house into a showcase for his Latin American collection, and restaurateur Leo Katz—whose adviser is Carlos Basualdo of the Philadelphia Museum of Art—intends to open a similar space for his international art. Mauricio Gómez, a collector and lawyer, opened Galería 12:00 nearby to feature Colombian artists. And Venezuelan-born collector Solita Mishaan, a member of the Tate's Latin American acquisitions committee, announced that her Misol Foundation may open a space in the city. With other collectors and real-estate investors, Bogotá could soon have a flourishing new arts district.

## Beirut (continued from page 99)

they may participate, Beirut's most prominent gallerists agree it is a less important point of diffusion than fairs in Europe (Art Basel, Frieze, FIAC, etc.) and in the Gulf region, such as Art Dubai. The parallel Abraaj Group Art Prize has provided an important launchpad for several Lebanese artists.

Christie's and Sotheby's operate in nearby Dubai and Doha, respectively. Christie's says that in the 15 sales held since its first auction of contemporary Arabic art, in 2006, it has moved 189 works by Lebanese artists, including Guiragossian's *La lutte de l'existence*, 1988, for an artist-record \$605,000. Sotheby's notched its highest total, \$15.2 million, in April 2013, boosted by above-estimate takes from six Lebanese artists: Baalbaki, Tagreed Darghouth, John Jurayj, Jamil Molaeb, Raad, and Rechmaoui.

## PROSPECTS IF STABILITY HOLDS

Lebanon's civil war demonstrated its artists' resilience. Indeed, some cite the rupture as a factor in the vitality of the country's contemporary art. Fears of spillover from the current conflict in neighboring Syria were confirmed by the spate of car bombs and assassinations in Beirut in 2013 and early 2014. These hang heavy over the artists, gallerists, curators, and collectors who have struggled to strengthen the city's arts infrastructure. *Min shouf*, as a Beirut might say. We'll see.

## Luanda (Continued from page 101)

Délio Jasse was a finalist for the 2014 BES Photo prize in Lisbon. The shared language of Portugal's former colonies could open a path to Brazil's more developed art economy.

## PROSPECTS AT HOME

The international visibility of certain Angolan artists has forced an acknowledgment from the government—Kia Henda received the National Culture Prize in 2012—and this is significant, considering the attitude toward art and culture left over from the country's Socialist period, between independence in 1975 and the late 1980s, when art was viewed as a tool for propaganda and the expression of Angolan national pride. But the Luanda art scene's growth spurt is straining the existing art infrastructure, exposing the lack of policy and institutions able to promote and protect an art market. Everything from adequate copyright laws to the establishment of art schools is needed to professionalize the market and foster its growth to make it less dependent on informal personal networks, and more on artistic merit. ▢

