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Husband and wife allege Guy Cogeval's Vuillard catalogues were “plagiarised” from their unpublished manuscript

Art historians go to court in France and the US to reclaim the research they say was stolen from them

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The authors and publishers of the Edouard Vuillard catalogue raisonné and of the exhibition catalogue of the recently touring Vuillard retrospective are being sued in French and US courts by two art historians who claim the books plagiarise their work.

In January, lawyers for married couple Annette Leduc Beaulieu and Brooks Beaulieu filed a complaint in the Tribunal de Grande Instance de Paris against Guy Cogeval, director of the Montreal Museum of Fine Arts (MFA), and also the newly appointed acting head of exhibitions for the Grand Palais in Paris, and author of the Vuillard catalogue raisonné; Antoine Salomon, Vuillard’s grandnephew and a catalogue contributor; Mathias Chivot, another contributor; and against co-publishers the Wildenstein Institute, Wildenstein Institute Publications, and Skira

Editore.

A parallel complaint was filed in the Court of Federal Claims in Washington, DC against Mr Cogeval and the National Gallery of Art, which co-published the Vuillard catalogue with the MFA in 2003.

The Beaulieus, who had worked on an unpublished version of the catalogue raisonné, claim that the Wildenstein publication reproduces verbatim a large number of passages from their text, that many other sections were only slightly modified, and that the general structure replicates one they created. They claim they assembled the 3,000 entries in the catalogue, as well as original text based on letters in the Paris archive maintained by Vuillard's heir, and that this material was used without their authorisation or acknowledgement. In the catalogue raisonné, the Beaulieus are credited only among the list of earlier collaborators, and their names appear nowhere in the catalogue of the National Gallery exhibition that recently ended its international tour at the Royal Academy in London.

In parallel cases in Paris and Washington, the Beaulieus demand that both catalogues be withdrawn from sale, infringement judgements published, monetary compensation provided, and, if publication is to continue, they receive proper acknowledgement and financial compensation through a license or royalty.

The couple's involvement with Vuillard dates to 1990 when the National Gallery hired Annette Leduc Beaulieu to conduct research towards a future exhibition. Her collaboration with Mr Salomon in the Vuillard archive led him to hire her to write a text for the planned catalogue raisonné. She and her husband continued the project and the French publisher Adam Biro agreed to produce it, with Mr Salomon and the Beaulieus as co-authors. According to Bruce Mee, the Beaulieus' lawyer in Paris, Mr Salomon decided he was to be the sole author, which led to disagreement and to his filing suit to get the Beaulieu manuscript. In March 1996, a court-sanctioned settlement required the Beaulieus to hand over their research with the understanding that if it were to be used, they would help prepare the text for publication and be credited as co-authors. If the manuscript were not used, the Beaulieus would recover their rights to publish it independently, but not in the form of a catalogue raisonné, and Mr Salomon would make available royalty-free the documents necessary to illustrate their publication.

They gave their manuscript to Mr Salomon who brought the catalogue project to the Wildenstein Institute, which rejected the text and brought in Mr Cogeval. "Our text of the

catalogue raisonné was ready,” said Mr Beaulieu, speaking to The Art Newspaper from his home in Paris. “We were working on layouts and suddenly it was over.”

Mr Salomon then refused to provide the Beaulieus with illustrations, stating they were needed for his own publication. The Beaulieus sued, and in October 1999, the court validated the prior agreement and ordered Mr Salomon to provide the documents or pay a daily fine—initially FFfr500 (\$80) per day, then increased to FFfr1,000 (\$180). Mr Salomon appealed and asked for a stay of enforcement, claiming that the Beaulieus were demanding not just reproductions and photocopies, but original works of art and letters. According to Mr Mee, “Salomon created the appearance that original works of art would be handed to Americans who might abscond with patrimoine of France”. Mr Salomon’s sister (who has since died) also intervened to say her rights were violated by the court order, and, in July 2000, the court stayed the enforcement pending appeal.

Meanwhile, the Wildenstein catalogue raisonné was published and the retrospective took place (and Daniel Wildenstein, who had been involved in negotiations, died), and the Salomon appeal has been delayed by the copyright-infringement case brought by the Beaulieus in January 2004.

The plagiarism charge hinges on whether or not Mr Cogeval used original material from the Beaulieu manuscript, a copy of which was left in the Salomon archives. “They have been very clever, shifting things around, but our work was the basis of the published catalogue raisonné,” said Mr Beaulieu, referring to the list and descriptions of the 3,000 works of art. “The work they did on the catalogue itself was more the work of an editor. I don’t consider this a new catalogue raisonné. It’s a catalogue raisonné they inherited”.

In a telephone interview from Montreal, Mr Cogeval countered that the Beaulieu catalogue itself was inherited from work done by Antoine Salomon and his father Jacques. “Most of my supposed infringements are that I take the title, dimensions, and dates, the technical description of each painting. That is easy to dismiss. Antoine Salomon had compiled the illustrated list of works including technical information, along with the details of the provenance. Of course, the same number of works are in my catalogue; they have not invented the number of works of art. The titles do not belong to them. This is not serious.”

But Mr Beaulieu says the Salomon list was “useless, out of date, incomplete and in a completely different order” from the one he and his wife compiled and which, he claims, was used by Mr Chivot and Mr Cogeval. “They shifted some blocks around, but there are hundreds—including

undated works—that appear in the same order,” he said.

Mr Cogeval maintains that he did not use their research. “The organisation of the catalogue is totally different and the *parti pris* [general approach] is totally mine,” he said. “The main job was to do a literary survey and interpretation of Vuillard’s life. That is what I did. Sometimes I felt I was on the verge of writing a novel about Vuillard,” he continued. “I stressed more than anyone else the psycho-sexual aspects of the artist’s life. This was totally absent from what the Beaulieus call their manuscript. They wrote a manuscript quite developed in certain aspects and silent in others. There is nothing on the late portraits, nothing on the crisis of creation that Vuillard went through from 1900 to 1910. They were not interested in his attitudes during World War II, which is a whole chapter in my catalogue. They know nothing about his interest in politics, and he spent most of his life with politicians. To say Vuillard was a manipulator, that he felt he was the saviour of French art: that is what is important!”

Mr Cogeval pointed out that he selected all of the comparative illustrations of work by other painters. “None was taken from them. Do you think they would compare Vuillard to David Hockney? Can you imagine? They have no culture,” he says. “They are ageing students!”

Mr Beaulieu contends that “there are word for word plagiarisms in the texts—not many of them—but the important text we wrote about the drama of the Vuillard household is plagiarised almost verbatim in the entry under ‘Soirée familiale’. Cogeval is claiming that is his great discovery.”

The Beaulieus’ lawyer Mr Mee argues that “Mr Cogeval took their material, stole their ideas, and did not credit them, and has gone out of his way to smear them, suggesting they were prudish Americans who may be shocked by sexual findings about Vuillard. It’s absurd,” he said, adding that the Beaulieus were unfairly expunged from the publication. “Wildenstein wanted to have an intellectual monopoly, and to do that he had to get rid of the Beaulieus and put in his own people. Wildenstein’s *modus operandi* is to publish catalogues raisonnés to gain control of the market as the recognised expert, so anyone who wants to sell a Vuillard will have to go through Wildenstein to have it added to a supplemental catalogue”.

Guy Wildenstein in Paris declined to comment, referring queries to his lawyer Jean-Luc Chartier, who did not return repeated phone calls.

“I feel an enormous sense of betrayal,” said Ms Beaulieu recently. She said the National Gallery advised her to “bow out gracefully” rather than jeopardise the Vuillard exhibition or catalogue

raisonné. “I was sidelined and sacrificed by my own art-historical family in the interest of maintaining good relations between the National Gallery of Art and the Vuillard heirs.”

“We want justice,” her husband says. “We want the National Gallery to admit that they are at fault and that we have been unjustly treated, our work used and uncredited. From Wildenstein we would like some official recognition that they have used our work. This has set us back. We worked on this all those years. All of our most important discoveries in the archives have been appropriated and published. It’s heartrending.”

The cases in Paris and Washington are still in their preliminary stage and no hearings have yet been scheduled.

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