

# Artists' estates as a private and public function : what is governed (or not) by the market?

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# ARTISTS' ESTATES AS A PRIVATE AND PUBLIC FUNCTION

*What is governed (or not) by the market?*

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**Wolfgang Henze** When an artist dies, the works created by that person come together to form an estate. Two fundamental aspects are irrevocably altered at this juncture: First, the oeuvre ceases to develop and evolve and the phase of evaluating and positioning the work in a changing world is set in motion. Second, the artist no longer decides what happens to his or her work. Instead, this is handled by the heirs or whichever parties or institutions the artist has designated for this function. Aside from these issues, the situation for the work itself remains unchanged as far as the art world is concerned: It has to be preserved and maintained, exhibited, published and promoted just as during the artist's lifetime. This all costs money and, in the absence of another funding source, can only be financed through sales. When private collectors and museum collections acquire these works, they are also interested in the promotion of exhibitions and publications and can help enhance and/or preserve the value of the artistic oeuvre in conjunction with the efforts of those managing the estate. Art sales not only generate financial resources for the administration of estates but also create communities of interest for the work of the artist. Art that is not successfully promoted along these lines will either fail to gain recognition in the first place or, if it has previously achieved some sort of reputation, will subsequently fall into oblivion. What are the various types of artists' estates?

There are artistic oeuvres that were sold and donated more or less in full and/or in some cases destroyed during the artist's lifetime, such as those of Erich

Heckel, Max Pechstein or Karl Schmidt-Rottluff, whose estate was relatively small compared to that of the more complete and well maintained estate of Kirchner. All these cases involve bodies of artistic works that had attained recognition beyond national borders during the artist's lifetime.

Then there are artistic oeuvres that were only known on the national level during the artist's lifetime, as was the fate of abstract artists like Nay, Schumacher, Schultze, Thieler, Trier, Götz or the Swiss Theo Eble and many others who found themselves stifled on two fronts: On one hand, by the extraordinary situation in post-1945 Germany with the dual nature of art reception following the tabula rasa of the Entartete Kunst (Degenerate Art) campaign – namely the resurgence of classical modernism and, parallel to that, the contemporary positions of the time. And on the other hand, their short-lived breakthrough at the 1959 documenta could not withstand the overpowering competition from Abstract Expressionists in the USA.

Third, there are the works by artists who were only recognized locally if at all during their lifetime. By no means do all such cases involve works of negligible artistic significance. This large volume of artistic works cannot be financed through sales under the auspices of regular estate management. Sometimes families are fortunate enough to have sufficient resources to finance work on the estate. Many of these less well-known artistic oeuvres are valid expressions of their time and exhibit a level of quality. In this way, they form "humus" that feeds the intensive and interlinked



statements and messages from a particular point in time. Above all, they hand down the engagement with art, both actively and passively, and are therefore not to be underestimated or belittled. Yet can we expect these bodies of artistic work to be preserved in large numbers in our public archives?

We now come to three examples of publicly administered artists' estates or partial estates that ought to speak for themselves:

In 1969 and 1971, Woty and Theodor Werner bequeathed their respective artistic estates and their collection of works by colleagues to the Bayerische Staatsgemäldesammlungen (Bavarian State Painting Collections). In the decades since, works by other artists in the Werners' collection have been repeatedly put on exhibit while their own works have mostly languished in storage. Theodor Werner was one of the most significant abstract painters of 20th-century Germany. In 1975, however, the Bayerische Staatsgemäldesammlungen chose not to channel any of their revenues to give proper recognition to the artist by supporting the publication of Brigitte Lohkamp's dissertation, a monographic work on Theodor Werner with a catalogue raisonnée.

In 1975, Fritz Winter donated a large portion of his oeuvre to the Bayerische Staatsgemäldesammlungen in the form of a foundation. In this case, the institution financed the publication of a monograph in 1986 including a catalogue raisonnée of the paintings. When it comes to actual exhibitions, Fritz Winter has seldom

been seen in the galleries of the museum. The Bayerische Staatsgemäldesammlungen has intermittently put on smaller exhibitions in which Winter is juxtaposed with contemporaries and like-minded artists. Fritz Winter was one of the century's great painters and an exhibition at the Nationalgalerie in Berlin would have been in order in 2005 to mark the centennial of his birth.

In 1957, Gabriele Münter donated her extensive collection of works by Wassily Kandinsky to the Städtische Galerie im Lenbachhaus in Munich under the direction of Konrad Roethel along with a portion of her own artistic oeuvre while she was still alive with the remainder being bequeathed after her death. The institution failed to nurture and promote the work in exhibitions and publications, not to mention a catalogue raisonnée. It was not until 1992 that a comprehensive Münter exhibition was shown at the Lenbachhaus accompanied by a catalogue and in 2000, Annegret Hohberg published Münter's graphic art oeuvre.

For me, these stories make it clear that an artistic oeuvre should be privately cultivated and managed as long as possible. Only after all the possibilities have been fully exhausted and exploited should the heirs look for a suitable public facility where the complete oeuvre or portions of it and the associated documents can have a continued existence. Anything else is pure illusion in my opinion, inevitably pushing the oeuvre into obscurity and failing to ensure financial viability.