

## ***Authentic de Chirico painting signalled as a Fake by L'Archivio dell'Arte Metafisica***

### ***The construction of a fake "truth"***

Fondazione Giorgio e Isa de Chirico

1. On 17 October 2013, Sotheby's London sold a painting by Giorgio de Chirico, ***Le Muse Inquietanti*** (The Disquieting Muses; late 1940s, oil on canvas, 90 x 70 cm, signed lower left "g. de Chirico") during its 20Th Century Italian Art auction for £398,500 (€472,000.00). The work features in the artist's catalogue raisonné, *Catalogo generale Giorgio de Chirico*, edited by Claudio Bruni Sakraischik (volume VI, tome III, n. 843), albeit with the wrong measurements "80 x 60 cm", instead of 90 x 70 cm. Upon Sotheby's request, the Foundation issued an *errata corrige* for the transcription error, indicating the correct measurements on the back of the photograph of the work.

The German buyer who had won the bid later refused to pay for the fine painting. Despite the work's inclusion in the artist's catalogue raisonné, his decision was motivated by the supposition that the work was actually a forgery executed by the well-known forger Renato Peretti. The buyer had been informed as such immediately after the auction by a de Chirico expert of his acquaintance. Unless otherwise indicated, this expert can be identified as Gerd Roos, who resides in Berlin and acts as Vice-President of L'Archivio dell'Arte Metafisica, Milan. It is unknown whether the buyer asked for his opinion *after* the sale (which would have been unusual, as advice is generally requested prior to auction) or if the expert spontaneously provided him with his opinion.



***Le Muse Inquietanti***, late 1940s  
Oil on canvas, 90 x 70 cm, signed lower left  
"g. de Chirico"

Indeed, a few days after the auction, a lengthy and articulated article entitled *Le case d'Asta, la Fondazione e i falsi Peretti* (Auctions Houses, the Foundation and Peretti fakes) appeared on L'Archivio dell'Arte Metafisica's website (10/2013). The article provided a detailed account of the incident, upholding the opinion that the painting sold on 17 October 2013 was a forgery by Renato Peretti, as he himself had once claimed.

The story was further backed up by the affirmation that the first six volumes of the artist's catalogue raisonné contain at least 117 forged works by Peretti. A list of such works was included at the end of the article. Giorgio de Chirico, who habitually authenticated works based on the examination of a photograph, had fully collaborated on the compilation of the *Catalogo Generale*.<sup>1</sup>

Originally published on the Milanese archive's website, the story was later picked up by the monthly publication "The Art Newspaper" and commented on in Cristina Ruiz's article entitled *De Chirico catalogue under scrutiny. Reliability of Publication Questioned as Collector refuses to pay for Painting claimed to be a Fake*, ('Art Market', Issue 254, February 2014). Based on the case at hand, the article ended up casting doubt on the reliability of the *Catalogue Generale* as a whole. Prior to publishing her article, Cristina Ruiz contacted the Foundation requesting information, at which time the Foundation confirmed the painting's unquestionable authenticity.

2. The article published on the L'Archivio dell'Arte Metafisica's website discusses Peretti at length, a name that is unfamiliar to most, but well known to dechirican experts. The said article can be attributed to Paolo Baldacci, the Archive's President. Peretti was a most proficient forger of Giorgio de Chirico's work, as well as that of a number of other important 20<sup>th</sup> Century Italian artists and of a few European artists. Peretti operated for around thirty years benefiting from the complicity of unsuspected gallery owners and art dealers, without whom this kind of criminal activity would neither make history nor produce economic gain. The *Nucleo Carabinieri Tutela Patrimonio Artistico* (Italian Police for the Protection of Cultural Heritage) brought Renato Peretti's activity to an end in the mid-1970s, in an operation successfully carried out under the guidance of Marshal Antonio Vastano. The investigation resulted in the forger's arrest as well as that of a dozen other people, including gallery owners and art dealers, and the seizure of hundreds of fake works (including works attributed to other artists).

Following the preliminary investigation conducted by the Public Prosecutor for the Criminal Court of Florence, which Peretti had collaborated in, he went on to make criminally relevant declarations by identifying other fakes supposedly by his hand. He made such assertions directly to the press, rather than to the investigators, who considered them unreliable. The celebrity achieved by alleging himself the author of over one hundred fake de Chirico's evidently exalted Peretti, who was a drug user and somewhat of a mythomaniac. He claimed such forgeries appeared in the first six volumes of the

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<sup>1</sup> It is worth specifying for the sake of those unfamiliar with de Chirico, that his catalogue raisonné, which includes over 2600 works, was intended by the artist as an instrument to counteract the escalating issue of the forgery of his artwork. The notary public authentication certification on the back of the canvas (which shall be discussed later on), was also implemented by de Chirico to offset forgery. In turn, such certification was also forged.

*Catalogo Generale*. To further substantiate his declaration, he compiled two lists of the work in question: he indicated sixty paintings he declared to have painted on the first, whilst on second he specified fifty-seven that he may have painted, indicating that to know for sure he would need to examine the original works. *The Disquieting Muses* in question appears on this second list.

During the trial it was conclusively ascertained that only five fake Peretti paintings, which had been confiscated at the time, had been published in the catalogue raisonné. The Magistrate ordered the insertion of an *errata corrige* identifying such paintings in Volume VIII (tome III) of the *Catalogo Generale*.

3. Instead of exercising necessary caution, Baldacci and Roos have taken Peretti's claims as *absolute and indisputable*. Baldacci, who self-declared himself "the biggest de Chirico expert in the world"<sup>2</sup>, is well aware that he himself is unable to tell the difference between a fake Peretti and an authentic work by de Chirico as, in fact, became evident when he previously formed part of the Foundation's Authentication Committee. Indeed, he was extremely careful in this case not to express a personal judgement about the painting in question, prudently preferring to cite Peretti's valuation. *Ipse dixit!*

At the time, the Foundation did not – nor intends to so at the present date – act against what it views as just another in a series of provocations (including paid advertising) directed at it by L'Archivio dell'arte Metafisica, and specifically by Paolo Baldacci and Gerd Roos.

It suffices to recall that the Milan Court of Appeal recently ascertained that Paolo Baldacci, the association's President, knowingly sold fake de Chirico paintings. The final Judgement, to which the Statute of Limitations was applied, was published on 19 July 2013. The Sentence, which will soon be available for consultation on the Foundation's website, is informative as it sheds light on the *modus operandi* employed by the vendors of forged artwork.<sup>3</sup> Although unconnected to Baldacci's criminal activity, the archive's Vice-President Gerd Roos was called upon to testify as a person of interest during the investigation. Roos confirmed the authenticity of the works commercialised by Baldacci to the Magistrate. In order to provide a complete picture, one should mention that L'Archivio dell'Arte Metafisica association was constituted one month after Baldacci's First Degree conviction to 20 months

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<sup>2</sup> The affirmation was made by Baldacci during a First Instance criminal proceeding hearing in which he was indicted. (Minutes of hearing, criminal proceedings n. 650/07 R.G., hearing of 5.5.2008, pp. 23-24).

<sup>3</sup> *First Degree Judgement, Ordinary Court of Milan, Criminal section (7th Criminal Section No. 2946 9/3/2009-3/6/2009)*, pp. 417-437. See also, *The Constants of History: Old and Recent Falsification of Giorgio de Chirico's Artwork, "Metaphysical Art – The de Chirico Journals"* n. 9/10, Le Lettere, Florence, Pictor O, Rome 2011, pp. 394-416. Both the Judgement and the article can be downloaded from the website [www.fondazionedechirico.org](http://www.fondazionedechirico.org) (in pdf format).

in prison for the actions described above, issued by the Court of Milan in March 2009. The First Degree Judgement included the confiscation of the forged paintings in question.

4. Following the appearance of the article on L'Archivio dell'Arte Metafisica's website, both Sotheby's and the seller of the *Le Muse Inquietanti* contacted the Foundation for clarification regarding the serious allegations that had been made about the painting. The article in question had seemingly strengthened the buyer's decision to desist from paying for the painting.

The Foundation promptly replied and provided irrefutable data and documentation conserved in its archives attesting to the painting's authenticity. Believing the issue closed, it assumed that the auction house and the seller would then proceed to enact the contract brought into effect through the buyer's successful bid on the painting.

5. However, Baldacci and Roos went on to publish another article under their association's name in the March issue of "The Art Newspaper". This article brought into question various statements made by the Foundation's President, Paolo Picozza, in Cristina Ruiz's article. They enquired after how the Foundation could have confirmed the painting's authenticity in view of the fact that the Foundation and its President had not examined the original.

The pair has evidently come up against difficulties in an attempt to rectify the confusion they created. Despite the information originally detailed in the Sotheby's catalogue, Baldacci and Roos are still unable, five months after their intervention, to confirm whether or not they consider the painting authentic. It is unknown whether one of them has personally examined the painting, which still remains at the auction house's headquarters.

At this point, the Foundation wishes to make its position known, not in answer to Baldacci and Roos, but rather for the benefit of scholars and collectors, as well as the ill-advised buyer, by providing documentation regarding the painting's authenticity.<sup>4</sup>

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<sup>4</sup> Whenever possible, additional documentation is requested today in support of an artwork's authenticity in the form of so-called external elements such as declarations, provenance, labels and the inclusion in art exhibitions, etc. The Foundation is capable of providing such documentation when requested. In a recent article written by Baldacci and published on the Archivio dell'Arte Metafisica's website under the title, *Il rischio delle autentiche. A proposito di un recente episodio che ha portato alla scoperta di un falso "disegno" di Giorgio de Chirico* (The risk of authentication - a recent episode that uncovered a fake "drawing" by Giorgio de Chirico - February 2014), the opinion was put forth that such elements are indeed all that is required to ascertain a painting's authorship, inasmuch as the direct examination of a painting, at least for Baldacci, appears to have become unnecessary.

6. Fondazione Giorgio e Isa de Chirico believes the painting entitled *Le Muse Inquietanti* to be an authentic work by Giorgio de Chirico, as illustrated by the following documentation<sup>5</sup>:

- the painting *Le Muse Inquietanti* was originally dealt with by Galleria Rotta in Genoa, a trustworthy gallery that never encountered problems with fake de Chirico works. The gallery owner, Roberto Rotta, enjoyed a close friendship with the artist. Documentation conserved in the Foundation's archives records around 150 works that passed through Galleria Rotta, all of which are authentic works by Giorgio de Chirico;
- the painting, *Le Muse Inquietanti*, was sent to Galleria Rotta directly from Giorgio de Chirico, who, upon parting with the work, wrote: "this metaphysical painting: 'The Disquieting Muses' is an authentic work that I executed and signed" [translated from the Italian, ed.], followed by the signature "Giorgio de Chirico" on the back of the painting (fig. 1). Furthermore, de Chirico also wrote the same declaration on the back of a photograph of the work, which he handed over to the gallery owner (figs. 2-2a);

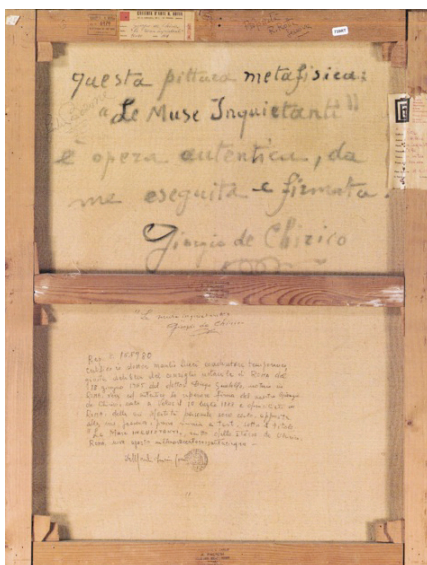


Fig. 1

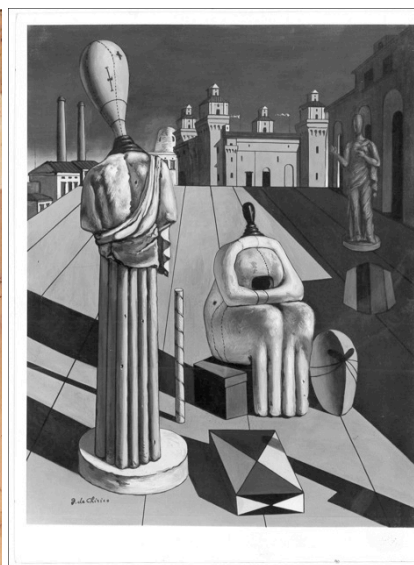


Fig. 2

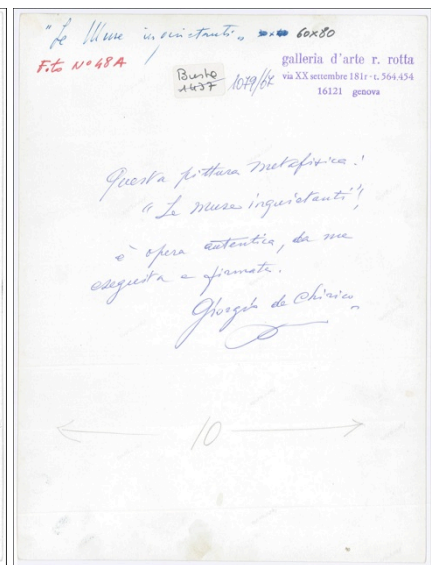


Fig. 2a

<sup>5</sup> The key indicator regarding a painting's authenticity is the painting itself. *Le Muse Inquietanti* presents itself as a well-executed work painted by Giorgio de Chirico. It was executed in the late 1940s, in a period before the increasing demand for metaphysical works (the 1950s and thereafter). Basing his judgement on a photographic reproduction painting, Antonio Vastano has confirmed the authenticity of *Le Muse Inquietanti*. Vastano, the most competent authority on Giorgio de Chirico's artwork, is the only person capable of carrying out such identification. Furthermore, he is also the only person competent enough to identify a painting executed by Peretti without error.



- in turn, Roberto Rotta, sold the painting to a well-known and conscientious Genovese collector, whose office was not only located on the same street as the gallery, but whose art collection boasted seven of the artist's paintings, all of which of fine quality;

- the painting was exhibited in *Mostra Mercato d'Arte Contemporaneo* (Contemporary art market exhibition) held at Florence's Palazzo Strozzi from 23 March to 28 April 1963. It was catalogued number 21 as evinced by a label on the back of the work and was published in the exhibition catalogue on page 200, (albeit with erroneous measurements). The painting is undoubtedly the same work that was recently sold at auction

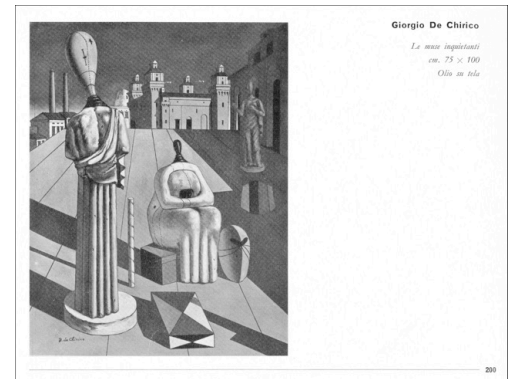


Fig. 3

(fig.3);

- in September 1965, the painting was included in an exhibition entitled, *Opere scelte d'arte contemporanea* (Chosen contemporary artworks), organised by Galleria Rotta in its gallery space in Genoa on via XX Settembre, as seen on a label affixed to the back of the painting's frame. The work is reproduced in the catalogue published by the gallery at the time (figs. 4, 4a, 4b);

**5 - GIORGIO DE CHIRICO**  
**« Le muse inquietanti »**  
 dip. ad olio su tela  
 mis. 75 x 90 - anno 1949

Fig. 4b

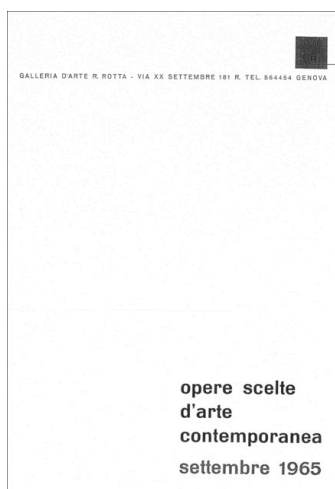


Fig. 4

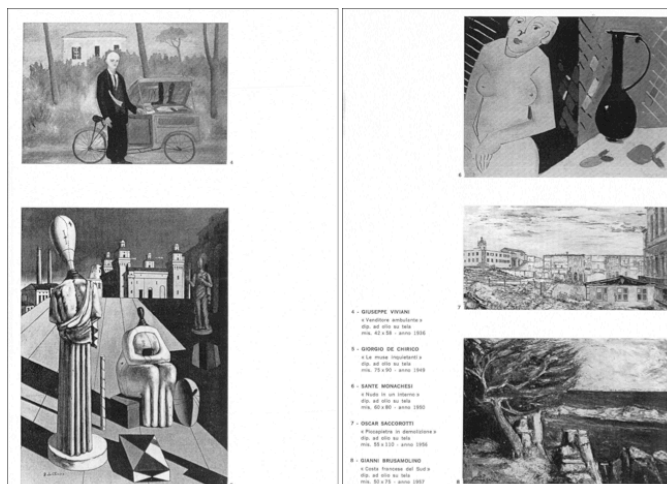


Fig. 4a

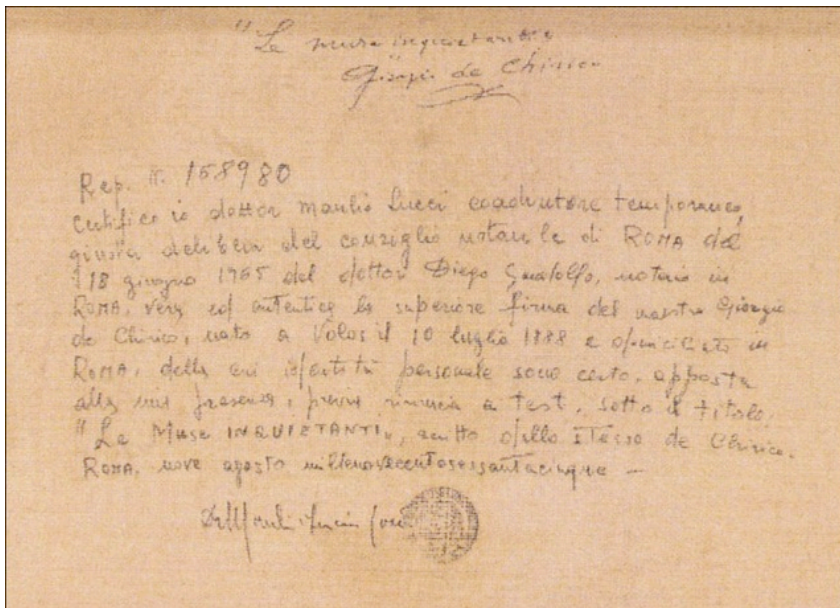
In August 1965, the owner of *Le Muse Inquietanti* entrusted this painting and a number of other works to Galleria Rotta for the upcoming September exhibition, with the idea of eventually selling the painting during the show. The gallery owner, Roberto Rotta, took the initiative to request a notary public certification to attest the painting's authenticity from notary public Diego Gandolfo in Rome.<sup>6</sup>

7. Hence, on 9 August 1965, in Rome, the painting ***Le Muse Inquietanti*** was authenticated along with seven other paintings (all of which came from Gallery Rotta), in the presence of Giorgio de Chirico and Manilo Lucci (an assistant of Notary Public Gandolfo who was on vacation at the time).

On this occasion, de Chirico was able to examine the painting once again. He then wrote the title of the work and signed his name for the second time (directly below his first signature located in the upper part of the canvas added when he had initially handed the painting over to Galleria Rotta in the late 1940s). Notary public Gandolfo's assistant then authenticated de Chirico's signature, with the following declaration: "I, Mr. Manilo Lucci, temporary assistant to Mr. Diego Gandolfo, Notary Public of Rome, hereby certify, without the presence of witnesses as agreed, the above signature of the artist Giorgio de Chirico, born in Volos on 10 July 1888 and domiciled in Rome, the personal identity of whom I am certain, written in my presence under the title 'Le Muse Inquietanti' also written by de Chirico, as true and authentic, Rome 9 August 1965". Manilo Lucci then applied his own signature along with a notary seal, above which he wrote the repertoire number 168980, as can be seen in the authentic excerpt that appears in Diego Gandolfo's repertoire ledger conserved at the Notary Public Archive in Rome (figs. 5-6).

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<sup>6</sup> For those unfamiliar with the certification procedure, it involved de Chirico writing the work's title and signing his name on the back of the canvas (or cardboard, as the case may be) in the presence of a notary public. The notary then proceeded to certify the artist's signature by applying his own, together with a notary seal and repertoire number (from November 1963 onwards). The certification was then transcribed in what was known as the Notary Repertoire Ledger. The notary certification acted as a notary deed, compiled as a public act. As such, any contestation of the signature's authenticity could only be put forth through legal action. The procedure was intended to act as certification of the authorship on the back of the painting. Prior to the editing of his catalogue raisonné, de Chirico employed this method in the hope of stemming the proliferation of forged works contaminating his oeuvre at the time.



**Fig. 5** Notary Public Authenticity Certification hand-written and signed by Mr. Manilio Lucci, (assistant to Notary Public Diego Gandolfo), on 9 August 1965, on the back of the canvas of *Le Muse Inquietanti*, with notary seal and repertoire number 168980, under the artist's signature and the painting's title handwritten by Giorgio de Chirico

NUMERO				COGNOME, NOME, PATRONIMO DOMICILIO O RESIDENZA DELLE PARTI	INDICAZIONE SOMMARIA	STIPULAZIONE									
1	2	3	4			1	2	3	4	5	6	7	8	9	10
168980	9 agosto 1965	Autenticazione firma		de Chirico Giorgio - Roma	sul retro del dipinto su tela intitolato "Le Muse Inquietanti" autografo										
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**Fig. 6** Excerpt of Notary Public Diego Gandolfo's Notary Repertoire Ledger on 9 August 1965, repertoire number 168980 (sixth line from top; under the title "summary indication" is written: "on the back of the canvas entitled "Le Muse Inquietanti")



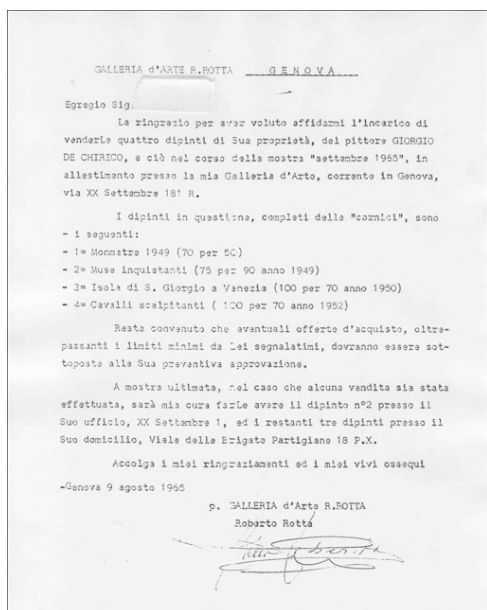


Fig. 7

- on the same day (9 August 1965), upon taking custody of the artworks he had been entrusted with, gallery owner Roberto Rotta provided the collector with a receipt for these artworks. The Foundation conserves a photocopy of this receipt, whilst the collector's widow still possesses the original document (fig. 7 – the name of the original owner has been concealed);

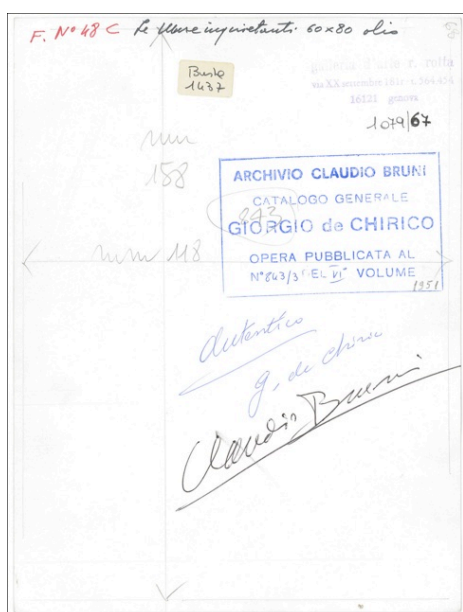


Fig. 8

- the artist had yet another opportunity to examine the painting many years later, on occasion of the painting's inclusion in the *Catalogo generale Giorgio de Chirico*. This examination took place as *per praxis*, based on its photographic reproduction, on the back of which de Chirico wrote "authentic" followed by his signature and that of Claudio Bruni (fig. 8).

Finally, once the painting was published in the *Catalogo generale*, as occurred for other works owned by Galleria Rotta, the original photograph with the artist's autograph was handed over by the owner to Claudio Bruni Sakraischik who registered it in his archive. It remains archived in the file pertaining to Galleria Rotta in the Foundation's archive today.

The Foundation believes that no further demonstration is required in order to prove *Le Muse Inquietanti*'s authenticity. One must note that the painting should be dated 1949 and not 1951 as listed in the catalogue raisonné.

9. Herewith is a brief comment regarding one of the more entertaining affirmations made in the article published by Baldacci-Roos in "The Art Newspaper".

Casually shifting into reverse position (as with the number of fake Peretti's that they initially indicated as "117" and now reduced to "a few dozen"), the two authors admitted that Peretti's list of fakes cannot be taken at face value and ask: "Who would be the most qualified experts to undertake such an examination?", rhetorically volunteering themselves to resolve a hypothetical problem triggered by their very own crying of "Wolf!", regarding a non-existent case. "Surely not the foundation itself", they respond, "which has a direct interest in the outcome of any such investigation: as the heir and custodian of de Chirico's estate and legacy, it would be liable for any financial loss accrued as a result of mistakes committed by the artist". Such an affirmation is pure nonsense and totally lacks any legal foundation. Baldacci's reference to a conflict of interests, is indeed hilarious, when one considers the fact that during the period he acted as a member of the Foundation's Authentication Committee, he constantly acted in conflict of interests.<sup>7</sup>

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<sup>7</sup> When Paolo Baldacci was called upon in 1993 to take part in the Foundation's Authentication Committee, regardless of the fact that he operated in the art market, he guaranteed, even publically, that he would keep his commercial activity absolutely separate from his position in the Foundation. Unfortunately, he would go on to do the exact opposite. In an interview by Judd Tully, *Real and Unreal: The Strange Life of de Chirico's Art*, published in "Art News", Summer 1994, pp. 154-159, he answered Tully's concern about "his dual roles as a dealer and a member of the foundation", by declaring: "I keep my commercial activity absolutely separate from my position in the foundation, which means that I do not buy or make any kind of business transactions with the paintings submitted to the authentication committees". The fact that Baldacci, strengthened by his specific knowledge of the artist's work, went on to purchase works by de Chirico lacking certification and then, provide such certification as a member of the Committee, consequentially increasing their commercial value, indeed confirms how, in fact, he did not keep separate "his dual roles as a dealer and a member of the foundation".

In a court hearing in 2008, whilst answering the Judge's questions regarding one of the incriminated paintings in the case held at the Court of Milan (see note 3), Baldacci stated: "So, I took the photograph of the painting to the foundation. I cannot prove it, as it was a long time ago and I do not remember, but I am certain, because that is what I always did. I would take the stuff I bought, I would put it there, I would show it, and this stuff was then archived". (Minutes of hearing, 5 May 2008). During that specific hearing Baldacci deposited a file containing a "selection of works by de Chirico that were bought and sold by me during the time I was a member of the de Chirico Foundation Committee", to which we must add, were in turn authenticated by the Foundation's Committee of which he was a member, and in which he held, as to his own specification, the role "of greatest responsibility and highest authority concerning the pre-war period" (*ibidem*, p. 19). In a recent interview by Cristina Ruiz for "The Art Newspaper" (*Challenge to the de Chirico Authentication Board*, September 2013, n. 249, 'Art Market', p. 3), Baldacci completely reversed the precedent declaration made to Judd Tully, with the affirmation that "he never sold any work that he had authenticated himself", thus changing the issue at hand, as if

However, in a rather childish way the statement does serve a purpose, which can be formulated as follows: if the Foundation cannot express an opinion, to just whom can one turn? The answer is simple: “Here we are, ready and able to take on the serious task!” Indeed, who could be more competent than Paolo Baldacci who is extremely well versed in fake de Chirico’s, having knowingly sold a few? And if Baldacci will not do, then how about Gerd Roos, who although uninvolved in Baldacci’s selling of fakes, did, indeed, confirm the authenticity of these fakes to the investigators.

All joking aside, it must be said that, after being a member of the Foundation from 1993-1997 in a position that required the utmost personal and professional responsibility, in light of the significant legal proceedings Baldacci has recently been involved in and, having taken act that he knowingly sold fake paintings attributed to de Chirico as has been confirmed *res judicata* by the Milan Court of Appeal (20 May-19 July 2013), the Foundation believes Paolo Baldacci is the last person in the world who can judge authentic and fake de Chirico works. As such, he is not, and never again will be, truly credible. He, himself, should be convinced of this.