

## Provenance In Brief

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“Provenance:” French, noun *f*, origin, source; *en ~ de*, from || ~ *de*, come from;  
Figurative - originate/result/stem from; be due to

You will frequently encounter references to the “provenance” of a work of art. The literal meaning of the word is the origin or source of the work. Provenance is often defined narrowly as the history of ownership. It means that, and more. Provenance encompasses the origin and history of a work of art - who made it, who has owned it, and where it has been. “Good provenance” implies a record that supports the “bona fides” of the piece, both as to authenticity, a clear chain of title, and value. A “lack of provenance” implies suspicions as to the origin or authenticity of a work, or even that it may have been stolen or illegally exported. What constitutes good provenance varies. A nineteenth century American Hudson River School painting can be sold with fair confidence even with some gaps in its history due to owners who wanted to remain anonymous. A Gustav Klimt which disappears from records in Austria in 1940 and reappears in 1955 is highly suspect. Pre-Columbian pottery from Mexico originally sold in 1965 without any excavation record may be a safe purchase. If the same pottery first appears on the market after 1972 with no excavation record or export license, a buyer today could receive unwanted attention from U.S. and Mexican authorities.

I advise a client to seek as much documentation as possible, not only to protect themselves as a buyer or seller, but to preserve information about the object. The cultural meaning and value of a work of art is enhanced by knowledge of its creation, ownership and “use” over time. It is a bonus that the monetary value of a piece of art is normally increased by the same information.

The “sources” of provenance are varied. They include:

- **Sales documents** such as invoices, purchase agreements, advertisements, condition reports, appraisals, shipping records, auction records, and correspondence. Auction records which list only “a private collection” as the owner and where the auction house will not disclose the identity of the seller present a road block, especially when the piece is new to the market, as do private sales where both the seller and buyer are anonymous to each other, with a third party acting as escrow agent for the work and the purchase price.
- **Records of attempted sales** such as auction records, and correspondence with potential buyers. (Attempted sales can be missed if you request only records of completed sales.)
- **Owners documents** such as appraisals, insurance valuations, photographs which include the object, exhibition records, and letters referring to the object.
- **Artist’s records**, whether directly from the artist or from the artist’s estate or heirs, such as production records, sale records, correspondence, and exhibition records.
- **Independent authentication documents** such as certificates from the artist’s estate or heirs, or from a trust, foundation or board established by the heirs to authenticate the artist’s works. You can purchase reports from organizations tracking stolen art or from organizations keeping records of art sales. A scholar who has published the only study of an artist or made a single artist the focus of her career may be the sole authority whose opinion on authenticity is definitive. A “catalogue raisonné” is a scholarly compilation of an artist's entire body of work. It may be published by a trust, foundation or board dedicated to that artist, or by a scholar or scholars who have made the artist a focus of their careers. A catalogue raisonné may be the beginning point for determining the

authenticity and provenance (history) of artwork, or the end. Despite contrary scholarly opinion attesting to the authenticity of a piece, a work rejected by the official catalogue cannot as a practical matter be sold as an authentic work of that artist.

- **Public documents** such as newspaper stories, museum catalogs and records, exhibition records, scholarly articles, export permits, law suits, even archaeological excavation permits and records. New York newspapers with archives going back to 1900 and before remain fruitful resources, especially since New York was the center of the art world and art trade in America.
- **Public Stolen Art Registries** are useful both in conducting provenance research and due diligence. Some of these “public” documents are easier to obtain than others. Searches of the National Stolen Art File maintained by the FBI must be made through a law enforcement agency. Interpol, however, offers a public subscription database of stolen art plus a CD listing about 28,000 stolen works of art and cultural property. World War II looting and restitution claims continue to surface. Looting of art world wide continues to be a disaster for countries whose art is being stolen. Online sources of information include the Central Registry of Information on Looted Cultural Property 1933-1945, [www.lootedart.com](http://www.lootedart.com), the Commission for Looted Art in Europe, [www.lootedartcommission.com](http://www.lootedartcommission.com), and the United States Department of State Cultural Heritage Center, <http://eca.state.gov/cultural-heritage-center>.
- **Private registries and research services** collect information on stolen art and provide services to assure potential buyers that a work of art has not been stolen or illegally exported. The International Foundation for Art Research (IFAR) publishes an online stolen art alert. [http://www.ifar.org/stolen\\_art\\_alert.php](http://www.ifar.org/stolen_art_alert.php) The Art Loss Register accepts reports of stolen art, maintains a database of stolen artworks, registers works of art for owners, and provides investigative services and reports on whether a work has been lost or <http://www.artloss.com/en>. While it has limitations, the Art Loss Register is frequently a first step in clearing a piece from any taint of having been stolen. Some pieces, such as works by a European artist that disappear from the record between 1920 and 1945 and reappear after 1945, should always be submitted to the Art Loss Register for an initial clearance.



Gustav Klimt – 1902  
Detail of Beethoven Frieze Final Panel  
Secession Hall, Vienna, Austria  
A work for which provenance will never be an issue.