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**MUSEUM OF FINE ARTS, BOSTON, ASSERTS RIGHTFUL OWNERSHIP  
OF KOKOSCHKA PAINTING, *TWO NUDES (LOVERS)***

BOSTON, MA (January 24, 2008)—In a lawsuit filed January 22 by the Museum of Fine Arts, Boston (MFA), the Museum asserts rightful ownership of its painting *Two Nudes (Lovers)* (MFA, Boston; about 1913; accession number 1973.196) by Oskar Kokoschka (Austrian, 1886–1980). The MFA filed a complaint in U.S. District Court for the District of Massachusetts in response to a request for restitution made by Dr. Claudia Seger-Thomschitz, represented as the sole heir of the painting’s former owner, Dr. Oskar Reichel of Vienna, Austria. Seger-Thomschitz has asserted that Reichel was forced to sell *Two Nudes (Lovers)* under duress in Nazi-occupied Austria in 1939. However, the MFA’s recent investigation into the history of ownership, or provenance, of the painting confirms that the MFA has clear title to the work. After meeting with counsel to Seger-Thomschitz yesterday, representatives of the Museum determined that, in order to protect its rightful ownership, it was necessary to seek a court order quieting title to the work.

The MFA has been a leader in provenance research and in making provenance information available to the public through the Museum’s website, [www.mfa.org](http://www.mfa.org). In 1998, a systematic review of the Museum’s collection of European paintings was undertaken with the goal of identifying works of art that might have been the subject of looting, forced sale, or other improper transfer during the Nazi era (1933–1945). In 2000, the MFA posted on its website the provenance of each of its European paintings, as well as a list of works for which it had

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provenance concerns—*Two Nudes (Lovers)* was not among them. (The MFA website is updated as new information about the collection is discovered.) During the past decade, the Museum has restituted a number of works of art to their rightful owners as new information has come to light.

“We take matters of provenance very seriously and follow the highest standards of professional practice in responding to claims for works in the MFA’s collection,” said Malcolm Rogers, Ann and Graham Gund Director of the Museum of Fine Arts, Boston. “After the provenance research about *Two Nudes (Lovers)* was presented, the Collections Committee of the Museum’s Board of Trustees gave its full support to our assertion of rightful ownership of this Kokoschka painting.”

### **Background**

Austrian artist Oskar Kokoschka painted *Two Nudes (Lovers)* in Vienna just prior to World War I. It is a self portrait of the artist and his lover, Alma Mahler (the widow of the great composer Gustav Mahler), with whom he had a tumultuous affair. Kokoschka painted the work about 1913, then sold it around 1914–15 to Oskar Reichel, a Jewish doctor and art collector in Vienna. Reichel lent the painting to numerous exhibitions, and it was published several times while in his collection.

At the time of the 1939 sale, Reichel was living in Vienna, which was occupied by the Nazis following the *Anschluss*, or incorporation, of Austria into Germany in 1938. He sold the painting—along with four other Kokoschka paintings—in February 1939 to Otto Kallir-Nirenstein (known as Otto Kallir, former owner of the Neue Galerie in Vienna and, at the time of the sale, owner of the Galerie St. Etienne in Paris). Kallir, also a Jew, and Reichel had known each other and traded art for many years. In fact, Reichel had previously consigned *Two Nudes (Lovers)* to Kallir for sale several times. The sale by Reichel was voluntary—*Two Nudes (Lovers)* was not confiscated or looted by the Nazis, nor was it sold due to Nazi coercion.

Kallir later moved from Paris to New York (where he opened a branch of his Paris gallery) and then sold the painting to another gallery in New York. The painting was subsequently bought by a third gallery in New York, which then sold it to Sarah Reed Blodgett (later Sarah Reed Platt) in late 1947 or early 1948. Blodgett owned *Two Nudes (Lovers)* until her death in 1972, when she

bequeathed it to the MFA. Since 1973, when the Museum accessioned the Kokoschka painting, the work has almost continuously been on display at the MFA, except for periods when it was on loan to other museums for exhibition. The painting is currently on view in the Lorna and Robert Rosenberg Gallery in the MFA's (second floor) European Galleries.

Reichel died in 1943 at the age of 74 of natural causes in Vienna. In 1957, one of his sons asserted a restitution claim with the Austrian authorities for approximately 47 paintings by Anton Romako that had been owned by Reichel, but never asserted a claim concerning any painting by Kokoschka, including *Two Nudes (Lovers)*, or otherwise sought to invalidate the sale of the painting to Kallir. In March 2007, more than 68 years after the sale of the painting by Reichel, Seger-Thomschitz, of Vienna, identified by her counsel as a non-relative "select niece" of Reichel's son, Raimund, made a claim of restitution against the MFA.

### **The MFA and Issues of Provenance**

The MFA is committed to determining, on an ongoing basis, whether any work of art in its collection has ever been stolen, confiscated, looted, or otherwise unlawfully appropriated as a result of Nazi persecution without subsequent restitution. The Museum has thoroughly reviewed the claim to *Two Nudes (Lovers)* in accordance with its own Acquisitions Policy as well as the guidelines set forth by the American Association of Museums (AAM), the Association of Art Museum Directors (AAMD), and the Washington Principles of 1998 on Nazi-Confiscated Art.

Upon learning of Seger-Thomschitz's assertion, the MFA conducted a comprehensive, ten-month-long international investigation of the painting's provenance, seeking further documentation of the various transactions and changes of ownership in the work's almost 100-year history. The findings that resulted from the Museum's examination of information pertaining to Reichel's personal history, his relationship with Kallir, the 1939 sale of *Two Nudes (Lovers)*, and the subsequent history of the painting and of the Reichel family establish that Seger-Thomschitz's claim is invalid, in contrast to other Holocaust-era stolen art claims that have been reviewed and resolved by institutions, including the MFA.

The painting has been publicly exhibited and documented in print for almost 70 years. In fact, Reichel has been identified as a prior owner of the painting in numerous published references that also named Sarah Reed (Blodgett) Platt or the MFA as the current owner. The MFA has noted in its court filing that neither Reichel's sons, nor Seger-Thomschitz, ever sought the return of the painting until March 2007.

The MFA thoroughly reviewed the information that Seger-Thomschitz and counsel provided in support of her claim. The Museum also openly shared with the claimant's counsel the results of its own extensive research. Despite the fact that the research demonstrates that the claim is without merit, counsel to Seger-Thomschitz has not withdrawn her claim to the painting. Accordingly, the Museum has taken legal action to confirm its rightful ownership of *Two Nudes (Lovers)*.

## **DIGITAL PHOTOGRAPHY**

Digital image available upon request by contacting Kelly Gifford at 617.369.3540.

*The MFA has been a leader within the museum community in sharing objects in its collection, and their provenance, worldwide on its website, [www.mfa.org](http://www.mfa.org). In 1998, the Museum began the systematic review of the provenance of its collection, with the goal of identifying objects that may have been improperly sold or traded during the Nazi era (1933–1945). In 2000, the MFA launched on its website information and images pertaining to several works where the provenance was in question, with the intent of identifying/restituting works that may have been confiscated during WWII. The Museum updates this website regularly with new provenance research discoveries. Currently, information about more than 330,000 objects is available at: [www.mfa.org/collections](http://www.mfa.org/collections). In the Advanced Search box at top right, type in accession number 1973.196 for the Kokoschka work, *Two Nudes (Lovers)*.*

*The Museum of Fine Arts, Boston (MFA), is recognized for the quality and scope of its encyclopedic collection, which includes an estimated 450,000 objects. The Museum's collection is made up of: Art of the Americas; Art of Europe; Contemporary Art; Art of Asia, Oceania, and Africa; Art of the Ancient World; Prints, Drawings, and Photographs; Textile and Fashion Arts; and Musical Instruments.*

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