

Some postscripts and parting thoughts

In another galaxy...

On November 5, 2014, shortly after the end of the Bakalar litigation over the sale at Sotheby's of Seated Woman, another auction house (Christie's) was selling Schiele's 1910 watercolor "Town on the Blue River", which also appeared to have been in the Grünbaum collection. The Grünbaum heirs made a claim to this painting as well.



What do you think happened?

And even more recently...

In December 2016, the US Congress passed a law called the Holocaust Expropriation Art Recovery (HEAR) Act, which does the following:

- establishes a statute of limitations of 6 years from actual knowledge of the Nazis' theft of cultural property or artwork to bring a claim to recover that artwork
- overrides any other statutes of limitations and the defense of laches

Why do you think Congress passed this law?

How would the Bakalar case have come out if this law had been in effect while that case was working its way through the courts?

Food for thought:

Does the law always lead to justice?

- What is the policy behind the laws?
- How does the court balance justice/injustice on each side?

The famous 20th century lawyer Clarence Darrow once said:

“Justice has nothing to do with what goes on in a courtroom; Justice is what comes out of a courtroom.”

Do you agree? Does this statement accurately reflect what you think occurred in the litigation around “Seated Woman with Bent Left Leg”?