The $60 Million Scam

For years Guy Hain manufactured and sold thousands of fake bronze sculptures. Now, convicted and facing more fraud allegations, he has disappeared

By Nicholas Powell

It is one of the largest art forgery scams in history. Over a period of at least 15 years, some 5,000 fakes of late-19th- and early-20th-century bronze statues valued at up to Fr 450 million ($60.5 million) have found their way into private and public collections. A sizable percentage of the counterfeit works, perhaps a quarter, are copies of sculptures by Rodin, which sold for between Fr 2 million and Fr 4.5 million ($270,000–$600,000) each. Works by nearly 100 other artists—including Antoine-Louis Barye, Émile-Antoine Bourdelle, Jean-Baptiste Carpeaux, Camille Claudel, Emmanuel Frémiet, and Aristide Maillol—were also forged. All the fakes are considered to be of extremely high quality, and many were created from original artists' plasters, making them hard to identify. Moreover, a complex manufacturing and retailing operation has made them difficult to trace.

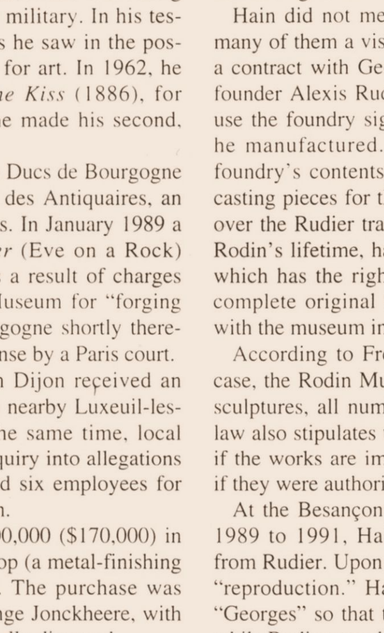
The mastermind behind the forgeries is a ruddy-faced, 59-year-old Frenchman named Guy Hain, who was recently sentenced by an appeals court in Besançon, in eastern France, to four years' imprisonment and a Fr 2 million ($270,000) fine. "The Hain scandal is enormous," says Marc Blondeau, an independent art consultant and dealer in Geneva and Paris. "He was a true connoisseur, which is why his activities pose such a problem. All of the works he faked are going to turn up on the market sooner or later."

"The quality of the Guy Hain bronzes was so high that everyone was fooled," says Jérôme Le Blay, who was the associate director of the Musée Rodin in Paris until he was hired by Christie's in January 1997 as a senior specialist in its French office. "Christie's had to deal with so many questions of authenticity, it needed an in-house expert," he explains. "I'm dealing every day with these problems." Le Blay says that much of the damage to the market occurred in the late 1980s. "The market was so hot. People may have had second thoughts about the quality of the bronzes, but they were so easy to resell," he says. "All auctioneers—whether more or less intentionally—sold fake bronzes."

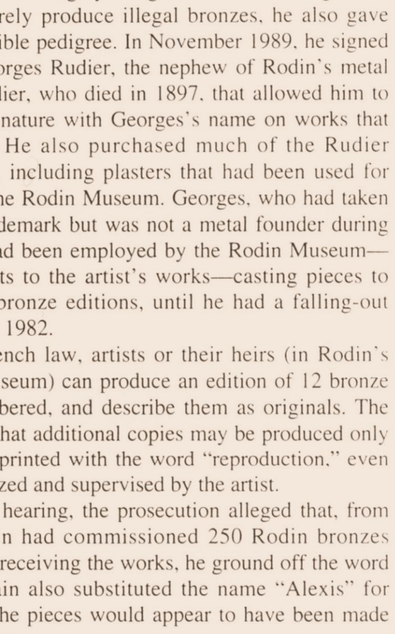
Gilles Perrault, an independent expert who was previously a restorer at both the Louvre and Versailles, and who was appointed by the court to examine the fakes produced by Hain, says he has documentary proof that examples of the Frenchman's handiwork—specifically, fakes of Rodin and Claudel sculptures—are now in the collections of some major museums throughout the world. Perrault declined to elaborate but also says that he has recently spotted forged works at art fairs in Europe and the United States. "People who specialize in bronzes without looking twice are taking a very big risk indeed," says Blondeau.



A roomful of molds, plasters, sculpture fragments, and bronzes that Guy Hain forged after works by nearly 100 late-19th- and early-20th-century artists.



OWEN FRANKEN/CORBIS



A sizable percentage of Hain's counterfeits were copies of Rodin sculptures. Left, the artist's bronze *The Thinker* (1880–82) and one of Hain's versions.

Hain failed to attend the court session on June 28 in which he was sentenced, and he has since disappeared. His lawyer, Emmanuel Marsigny, "had given a guarantee that his client would appear in court and, if necessary, allow himself to be taken to jail," Hubert Bonin, the prosecutor at Besançon, told *ARTnews*. Marsigny did not return phone calls.

According to Perrault and Bonin, Hain wrote to the police explaining that he was unavailable to be taken into custody because he was on vacation. In a last-ditch effort, Marsigny, who is based in Paris, appealed the case, sending it to the Cour de Cassation, France's highest court. The court does not conduct new trials but reexamines cases for possible legal flaws. If it finds a flaw in the Hain trial, it can call for a retrial, although it cannot suspend the prison sentence handed down in Besançon. As *ARTnews* went to press, Hain had not been found.

Born in Dijon, in eastern France, Hain started out working as a sales representative for veterinary products, something he had learned about while serving in the military. In his testimony, Hain said that the animal bronzes he saw in the possession of veterinarians gave him a taste for art. In 1962, he made his first purchase, of Rodin's *The Kiss* (1886), for approximately $1,000. Sometime later, he made his second, a Barye sculpture, for about $200.

In May 1979, Hain opened a gallery, Les Ducs de Bourgogne (The Dukes of Burgundy), in the Louvre des Antiquaires, an antiques dealers' mall in the center of Paris. In January 1989 a fake bronze of Rodin's *L'Eve au rocher* (Eve on a Rock) (ca. 1885) was seized from the gallery as a result of charges brought against Hain by Paris's Rodin Museum for "forging artworks." Hain closed Les Ducs de Bourgogne shortly thereafter. In 1994 he was convicted for the offense by a Paris court.

Meanwhile, in October 1991, police in Dijon received an anonymous tip that the Balland foundry in nearby Luxeuil-les-Bains was producing fake bronzes. At the same time, local social-security tax officials launched an inquiry into allegations that the foundry had not officially reported six employees for tax purposes. The foundry belonged to Hain.

Hain had bought the premises for Fr 900,000 ($170,000) in August 1990, along with a chasing workshop (a metal-finishing studio) at Nogent-sur-Marne, near Paris. The purchase was made in the name of Hain's ex-wife, Solange Jonckheere, with whom he still lived, although they were legally divorced.

In January 1992, after putting the couple under surveillance and tapping Hain's phone, Dijon's investigative police force, lead by Inspector Denis Vincenot, arrested the dealer and Jonckheere. The police also seized thousands of bronzes, plasters, and molds from the premises of the Balland foundry as well as from those of another metal founder, Serge Galmiche, at Froideconche, whose services Hain had used. Similar objects were also confiscated from Hain's chasing workshop and from a warehouse at Le Bourget airport, north of Paris. Although works by an alleged total of 98 artists were forged, the instructing magistrate who carried out the inquiry before the trial recorded only 38 names, an oversight that ultimately saved Hain from being convicted on forgery charges for the remaining 60.

Hain did not merely produce illegal bronzes, he also gave many of them a visible pedigree. In November 1989, he signed a contract with Georges Rudier, the nephew of Rodin's metal founder Alexis Rudier, who died in 1897, that allowed him to use the foundry signature with Georges's name on works that he manufactured. He also purchased much of the Rudier foundry's contents, including plasters that had been used for casting pieces for the Rodin Museum. Georges, who had taken over the Rudier trademark but was not a metal founder during Rodin's lifetime, had been employed by the Rodin Museum—which has the rights to the artist's works—casting pieces to complete original bronze editions, until he had a falling-out with the museum in 1982.

According to French law, artists or their heirs (in Rodin's case, the Rodin Museum) can produce an edition of 12 bronze sculptures, all numbered, and describe them as originals. The law also stipulates that additional copies may be produced only if the works are imprinted with the word "reproduction," even if they were authorized and supervised by the artist.

At the Besançon hearing, the prosecution alleged that, from 1989 to 1991, Hain had commissioned 250 Rodin bronzes from Rudier. Upon receiving the works, he ground off the word "reproduction." Hain also substituted the name "Alexis" for "Georges" so that the pieces would appear to have been made while Rodin was alive.

In 1994 Georges Rudier sued Hain for having fraudulently registered the Georges Rudier trademark in his own name. Hain was ordered by a Paris court to pay Fr 200,000 ($37,000) in damages and was forbidden to use the trademark. While the case was on appeal, Rudier died. The illegal use of the Rudier trademark, however, had already proved very lucrative for Hain: according to Perrault, a Rodin *Age of Bronze* for which Rudier had billed Hain Fr 200,000 ($32,000) sold at auction for Fr 4 million ($640,000). The sale reportedly occurred at Drouot in November 1989. "From the 1900s to the 1980s, the quality of the Rudier bronzes had been the same. So there was an immense profit for Hain," notes Le Blay.



Gilles Perrault, an expert appointed by the court to examine the forgeries, with examples from Hain's workshop.

"Hain's system was most ingenious," Perrault told *ARTnews*. "He worked in watertight compartments, none of his workmen knew about the other workshops, and he transported the sculptures from one place to another himself. He then used go-betweens—his wife, his mistress's father-in-law on one occasion, and even retired people—whom he paid 30,000 francs [around $5,000] in commission to consign the bronzes to salerooms. He, Hain, was far too notorious to do the business himself."

Perrault continues: "Hain would buy genuine bronzes at auction and not pay the auctioneer immediately. He made molds from the bronzes, made reproductions, and recycled these through salerooms, too."

Also discovered in the inquiry was the fact that Hain's workmen did not know where he lived. He did not even have a bank account, whereas his divorced wife, Jonckheere, had no fewer than ten, and Fr 18 million ($3 million) had passed through one of them between 1987 and 1991.

In January 1997, Hain was sentenced to four years in prison and a fine of Fr 200,000 ($38,000). But Hain, the public prosecutor, and the plaintiffs—among them, some of the forged artists' heirs and buyers of the fakes—all appealed the sentence. Hain objected to the court's ruling because he considered himself innocent. The other parties protested that the punishment was too lenient.

The Besançon appeals court then ordered Perrault to carry out one of the most demanding art evaluation tasks in legal history. "I picked Perrault because he is an independent expert who is used to working with courts, and so, unlike the vast majority of his colleagues in France, does not work for dealers or auctioneers," explained prosecutor Bonin.

Using sophisticated laboratory techniques to test patinas and examine microscopic surface marks, Perrault and two assistants spent a year looking at 2,500 molds, plasters, and fragments of sculptures, along with 1,100 entire bronzes (250 of which were genuine) by 98 artists and, especially, by Rodin. The evaluations cost the court Fr 1.8 million ($280,000).

"Hain produced almost industrial quantities of sculptures," said Bonin, who, during his three-hour summation on April 12 of this year demanded five years' imprisonment, a Fr 20 million ($2.7 million) fine, and confiscation of Hain's property to help pay an Fr 15 million ($2 million) tax and social-security bill. "He was an outstanding forger who produced pieces of high quality," said Bonin. "His stock-in-trade was late-19th-century animal bronzes. He made molds from genuine pieces, producing between 6 and 12 reproductions from each. But his most lucrative specialty was Rodin bronzes, which sold for between Fr 2 million and Fr 4.5 million [$270,000–$600,000]."

Owing to legal restrictions, "Hain was investigated and sentenced only for forgeries committed over a period of six years," said Bonin, although he noted that "Hain was active for at least 15 years." The prosecutor added that it was extremely difficult to identify buyers, largely because of the sheer quantity of works Hain sold through Parisian, provincial, and international salerooms.

Two French auctioneers, Francis Faure and Bernard Rey, in Rambouillet, near Paris, appeared in court alongside Hain, accused of "complicity in fraud" for having sold 288 forged sculptures on Hain's behalf between 1986 and 1991, making Fr 12 million ($1.7 million) in the process. The 1997 hearing resulted in suspended one-year sentences and fines of Fr 250,000 ($43,000) for each of them. The Besançon court, however, subsequently declared them not guilty on the grounds that, like all auctioneers, they were "generalists" who depended on the opinions of experts who helped organize their sales. These specialists had declared the Hain fakes to be genuine.

The 21 plaintiffs at the mid-April court hearing in Besançon included no fewer than nine heirs of the estate of Camille Claudel, Alain and Jacques Renoir, descendants of the artist; the Dina Vierny Foundation–Maillol Museum of Paris; several individuals who had bought Hain fakes; and the Rodin Museum (which owns the *droit moral*, or moral right, to Rodin's work. Museum officials would not comment on Hain while his case was still being appealed).

During the Besançon court hearing, an ebullient Hain interrupted proceedings on several occasions by accusing virtually everyone else in the courtroom of misdeeds. He accused the judges of "incompetence" and Inspector Vincenot, who tracked him down, of being "corrupt" and "selling fake Rodins in New York."

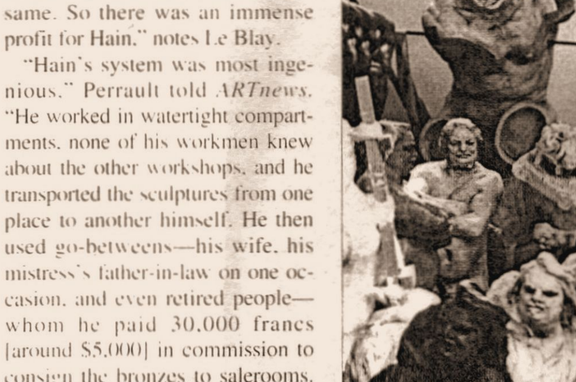
In the meantime, freed on Fr 400,000 ($69,000) bail after 14 months in prison following the 1997 verdict, and while awaiting his appeal to come to court in Besançon, Hain allegedly started forging all over again. In September 2000, Magistrate Eric Halphen seized 250 plasters, molds, and bronzes (among them several Rodins, including *Eve on a Rock* and *Age of Bronze*) from a workshop, which has led to further forgery indictments for Hain. The case has yet to come to court. Provided Hain reappears, any sentence pronounced will come on top of the four years handed down on June 28 at Besançon.

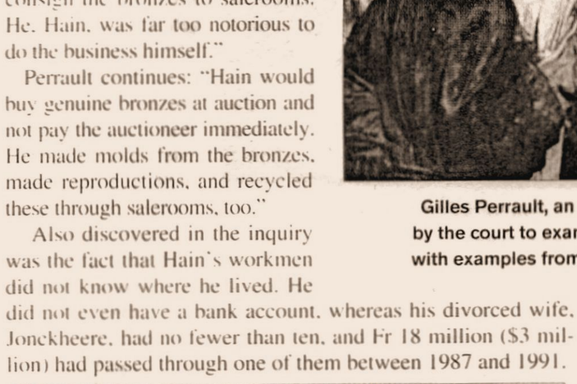
Hain's defense has always rested on the argument that all bronzes, even those cast during an artist's lifetime, are reproductions by skilled workmen of an original work, in Attorney Marsigny also argued that the *droit moral*, the right of an artist or his heirs to protect the integrity of his work, does not include the authority to control or prevent the production of copies.

In a telephone interview with *ARTnews* after the Besançon hearing, but before the June 28 verdict, Hain said: "This is a plot against me and my wife. Legally, I am in the right. All bronzes are reproductions anyway, so I am innocent."

Asked to reply, Bonin, the public prosecutor, said, "Hain produced forgeries on a vast scale that have caused immeasurable harm to the art market." ■

Nicholas Powell, a writer based in Paris, last reported for the





Top Hain's copy of a horse by Eugene Lequesne. Above Elements of Rodin's *The Thinker* cast by Georges Rudier.





A plaster model for Rodin's *Naked Balzac with Folded Arms* (1892–93, left) and a plaster mold with elastomer lining for the same work.