

# STEPHEN ONGPIN FINE ART



**Honoré DAUMIER (Marseille 1808 - Valmondois 1879)**

**In the Courtroom (Avant l'audience)**

Pen and black ink and charcoal, with stumping.

A rapid sketch of a male figure in black ink on the verso. Signed with initials h.D. at the lower left.

212 x 225 mm. (8 3/8 x 8 7/8 in.)

A regular visitor to the Palais de Justice in Paris in the 1830s, Honoré Daumier portrayed scenes from the law courts for the next thirty years. Of his courtroom drawings, Colta Ives has noted that 'Daumier's particular genius is evident in the stunning and disciplined clarity of his images. The artist never became mired in detail or narratives that required explanation, but instead concentrated on defining character through incisive description.'

Datable to the middle of the 1860s, this drawing is closely related to, and may be regarded as a study for, Daumier's partly unfinished watercolour *The Lawyer for the Defence* (*Le défenseur*), formerly in the collection of Jan Krugier and sold at auction in London in 2014. A closely-related composition is also found in a drawing in the Victoria and Albert Museum in London. As Marget Stuffman has noted of these three drawings, 'In drawings of courtroom scenes... Daumier explored the relationship between the accused and his defender. Constantly varying the arrangement of the figures, he lets us see how sceptical he is about the integrity of lawyers and the possibility that justice will be served... [In these three drawings] the artist was here intent on showing the attorney's vacillation: at first he refuses to be bribed, but in the end he caves in.' A somewhat similar subject also appears in *The Pleading* (*La plaidoirie*), a now-lost watercolour.

Included in the major exhibition of Daumier drawings held at the Städelsche Kunstinstitut in Frankfurt and the Metropolitan Museum of Art in New York in 1992-1993, the present sheet was described in the catalogue of the exhibition as 'arguably the most successful of Daumier's four known studies of a stalled exchange between a lawyer and his imploring client, who advances toward him, hat in hand. The

confrontation is here very vigorously drawn and joined in close where the counselor's shrug meets the defendant's out-thrust jaw.'

As Ives has noted, 'Daumier's line drawings of the late 1860s and early 1870s...are to modern eyes his most original and exciting...The agitated, swirling, and sometimes spindly lines that Daumier drew seem energized by the impulses of the artist's own thoughts and thus seem to encapsulate pictorially both emotion and the tumult of creativity...One senses the rapidity with which the artist's mind and hand moved in both the fleeting nature of his figures' expressions and poses and the careening, swerving, and frequently off-course speeding of his hand.'

As Roger-Marx had earlier opined, 'Daumier is first and foremost a draughtsman, and to such a degree that one could almost say that he excels in suggesting colour while dispensing with it. Unequalled as an exponent of black and white where nothing can impede his progress nor damp his ardour, this burning creative genius uses his brush like a pen or a chisel: the medium must not be allowed to interpose between the dream and himself, nor successive manipulations conceal the irresistible power of one of the most vital creators of all time.'

Among the first owners of this drawing was the Dutch industrialist H. E. ten Cate (1868-1955). Ten Cate began collecting paintings, drawings and prints around 1920, his collection eventually including a fine series of etchings by Rembrandt. The present drawing was later in the collection of the billionaire American industrialist and collector Norton Simon (1907-1993).

### **Exhibitions**

Possibly Paris, Galeries Durand-Ruel, Exposition des peintures et dessins de H. Daumier, 1878, no.198 (lent by Barre); Possibly Paris, Ecole des Beaux-Arts, Exposition Daumier, 1901; Amsterdam, Bernard Houthakker, Dessins Anciens: Français – Hollandais – Italiens, 1952, no.16; Almelo, Kunstkring de Waag, Van Daumier tot Picasso, 1956, no.30; Düsseldorf, C. G. Boerner, Weihnachtsausstellung, 1964, no.138; Frankfurt, Städelsche Kunstinstitut and New York, Metropolitan Museum of Art, Daumier Drawings, 1993, no.84.

### **Literature:**

Possibly Erich Klossowski, Honoré Daumier, Munich, 1914, Katalog p.12, no.139 (incorrectly as a watercolour); Eduard Fuchs, Der Maler Daumier. Nachtrag-Supplement, Munich, 1930, p.64, no.318b, pl.318; Dirk Hannema, Catalogue of H. E. Ten Cate Collection, Rotterdam, 1955, Vol.I, p.88, no.141, Vol.II, pl.132; K. E. Maison, Honoré Daumier: Catalogue Raisonné of the Paintings, Watercolours and Drawings, Vol.II, London, 1967, p.216, no.652, illustrated pl.247; Diane Kelder, Masters of the Modern Tradition: Selections from the Collection of Samuel J. and Ethel LeFrak, New York, 1988, pp.18-19; Margret Stuffmann, 'Drawing from the Mind: Reflections on the Iconography of Daumier's Drawings', in Colta Ives, Margret Stuffmann and Martin Sonnabend, Daumier Drawings, exhibition catalogue, Frankfurt and New York, 1993, p.23, fig.22; Ives, Stuffmann and Sonnabend, op.cit., p.184, no.84 (where dated to the mid-1860s); Tatiana Ilatovskaya, Master Drawings Rediscovered: Treasures from Prewar German Collections, New York, 1996, p.136, under no.48, fig.1; Henri Loyrette et al, Daumier 1808-1879, exhibition catalogue, Ottawa and elsewhere, 1999-2000, p.438, under no.280.

### **Artist description:**

Born in Marseille but raised in Paris, Honoré Daumier was almost never to leave the city, and made its people the subject of much of his work. Although he attended life drawing classes at the Académie Suisse, he had little formal artistic training and was, for the most part, self-taught. He began his career as an illustrator and lithographer, providing images and political caricatures for newspapers and magazines such as *La Silhouette*, *La Caricature* and, most famously, *Le Charivari*. He soon established a formidable reputation as a caricaturist. Over the course of his life, Daumier produced over four thousand lithographs and some eight hundred drawings and watercolours. The drawings were mainly done during periods in his career – in the late 1840s and early 1850s, and again in the 1860s - when the artist's time was not completely devoted to his commercial work as a lithographer. In the 1860s, for example, when he was temporarily laid off by *Le Charivari*, Daumier produced a number of highly finished and elaborate watercolours to be sold to collectors.

As a draughtsman, Daumier tended to depict a handful of favourite themes, notably carnival performers, women and children, people on trains and in railway stations, and the law courts. Working in chalk, charcoal, watercolour, pen and ink and wash, he created both finished drawings and watercolours for sale, as well as sketches or studies and quick 'notes'. As the critic Claude Roger-Marx wrote of the artist, 'When Daumier drew to please himself and without thought of a purchaser, it was nearly always with the pen or with charcoal; sometimes with a Conté crayon, very seldom with a lead pencil. To an expansive genius, driven by the power of his imagination, charcoal gives the greatest scope, enabling him to pass in an instant from the most velvety black to silvery grey, to stress contrasting values, to make the most of the qualities of shimmering light which transform the charcoal powder into a modest form of pastel... The pen in Daumier's inspired fingers was no less rapid: we may follow its course across the surface of the smooth laid paper which he used for choice. It runs lightly, leaving furrows as though seared by fire, and, like the charcoal, it never fails to achieve a miracle...' Daumier's drawings are very rarely dated and are often unsigned, and only a very few were exhibited in his lifetime.