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The Chopin Concerto Scandal

In 1966, EMI issued a previously unknown recording of Chopin's Piano Concerto #1 in E Minor featuring the pianist Dinu Lipatti. No orchestra or conductor was named. On the record jacket of the British release of the recording in 1971 was the following statement:

This recording includes a performance by Dinu Lipatti of Chopin's Piano Concerto No. 1. It comes from a tape, which EMI acquired, made at a concert in Switzerland in May, 1948. Although there is no question that the performance is by Dinu Lipatti, extensive enquiries have failed to establish the name of the conductor and orchestra. However, this particular performance has not been published in the UK before now and is therefore a musical document of rare value.

When EMI reissued the recording in 1981, the BBC broadcast the record, and a listener wrote in noting its similarity with a Supraphon recording dating from the early 1950s featuring the distinguished Chopin pianist Halina Czerny-Stefanska. Tests by BBC and EMI revealed that the two recordings were identical.

When the news broke, Dr. Marc Gertsch of Bern presented a tape to EMI of an authentic live Lipatti performance from a radio broadcast of a Zurich concert given February 7, 1950, featuring the Zurich-Tonhalle Orchestra conducted by Otto Ackermann. The tape formed the basis of a new LP and all previous pressings of the erroneously-attributed recording were withdrawn worldwide.

The behind-the-scenes situations leading up to the release of the Czerny-Stefanska recording are as follows.

In 1960, Walter Legge was approached by one Mr. Kaspar of Zurich, who owned a tape of the Lipatti/Ackermann performance of the Chopin Concerto in excellent sound. EMI expressed an interest in issuing the recording, but according to Legge, Kaspar vanished with the tape when copyright inquiries were made as to who the copyright owner was.

Shortly afterwards, another collector presented another tape of the Chopin Concerto to Madeleine Lipatti. EMI has said that while there were no detailed indications as to the origin of the tape, Madeleine, Legge, and Ansermet agreed that Lipatti was the pianist. EMI made inquiries into the identities of the orchestra (it was thought it might be the Concertgebouw or La Scala), but to no avail. The situation was exasperating to Walter Legge and Madeleine Lipatti. Madeleine wrote to Legge (in French) on October 17, 1963:

"I think that it will be very difficult, if not impossible, to obtain the references to its origin. The person who sold this tape to the man in Basel said that it consisted of a recording made by Dinu Lipatti with the Warsaw Orchestra with a conductor named Mawricki – but Dinu never played with these people! It is obviously a vicious lie... We are certain that Dinu played this Chopin Concerto only in Zurich since magnetos were invented! We can have no doubt."

Madeleine's identification of a purported conductor and orchestra runs counter

to EMI's story that the origin of the tape was unclear. In Legge's reply of October 23, he says:

"If as you say Dinu only played the Chopin Concerto in Zurich after the invention of the magneto, there must have been two performances or a rehearsal and a performance, because in the one tape I have heard there are audience noises and in the other there is absolute silence."

While Madeleine was clearly expressing doubts as to the authenticity of the recording, it did not seem to cross Legge's mind that the tape might not be authentic. He did not comment on the significant interpretative differences between the Zurich performance (which he had presumably heard) and the other tape, such as the drastically different tempo of the first movement, or the fact that the orchestral introduction was left intact in the recording that he thought might be a rehearsal, whereas it was cut in the authenticated Zurich performance.

Legge left EMI in 1964 before the situation was resolved, and EMI continued its involvement in the matter in his absence. An internal EMI letter from May 1965 summarizes the situation at that time:

"As nothing further could be done, the project lay dormant until a new tape arrived on the scene some months ago, of which the following situation pertains:

- a. The new performance is not the same as the previous tape, but those who knew Lipatti insist that it is he playing (Legge, Mrs. Lipatti, Ansermet, etc.)
- b. The orchestra is not the same.
- c. The conductor is not Ackermann."

A letter by M.W. Allen of the International Artists Department dated December 7, 1965 reveals some interesting information:

"...we have ascertained that the performance is not that with the Zurich Tonhalle conducted by Otto Ackermann. We have in fact an inferior tape of this performance and it is not the same."

While EMI's version of the events stressed that Kaspar had withdrawn his excellent quality tape, it appears that EMI was nevertheless in possession of another authentic copy of this performance. In the 1990s, a Lipatti student presented this writer with a private LP of another tape source of the Zurich concert. This source tape had a one-minute gap in the first movement and radio interference from neighbouring radio stations. It is unclear whether this is the same tape that EMI had in its possession in the 1960s, but it does reveal that there was more than one copy of the Zurich concert in circulation.

Despite the obvious differences in interpretation, EMI and the listed Lipatti experts still felt that the 'silent audience' tape was an authentic Lipatti performance – or perhaps they simply wished it to be true. EMI felt, in the words of Peter Andry (May 10, 1965), that "it is thought worth taking a risk in order to issue the tape which is good and contains a fine performance." EMI's classification of what is 'good' seems to have been recorded sound quality. As they believed that Lipatti was performing on the sonically-superior tape (perhaps they had not been made aware of Mrs. Lipatti's doubts, which had been expressed to Legge in a private letter; it is nevertheless in EMI archives), this was the performance that was released.

All the while, Dr. Marc Gertsch of Bern had in his possession a complete authentic tape of the Zurich Tonhalle concert. At the age of 15 in 1951, Gertsch had met a collector who had recorded the broadcast in wonderful sound, and having no sophisticated means of transferring the recording, he made a tape by using a handheld microphone. As the recording was progressing, the battery on his player started to wear out, leading to a speed shift as the performance progressed. Regrettably, the collector from whom he had copied the recording later erased his tape with a Wagner opera (leading

Gertsch to say, "One more reason to hate Wagner!").

When the erroneous Lipatti performance was released, Gertsch approached Madeleine Lipatti with his authentic recording and expressed his doubts that the performer on the LP was really Lipatti. (Lipatti's biographers had also expressed their reservations in print, noting that the playing on the record lacked certain trademark Lipatti nuances.) She listened to his tape and threw a tantrum, saying that it was a terrible tape with poor sound. Gertsch felt that she had realized that the released performance was not authentic.

When it was proven in 1981 that the issued recording did not feature the playing of Dinu Lipatti, Madeleine Lipatti was the only person still alive who had authenticated the tape, Legge and Ansermet having already died. Gertsch offered the tape to EMI under the condition that no legal action be taken against Madeleine, who was then quite ill (she would die a short time later). Gertsch was given one copy of the released LP for his efforts.

EMI claimed, when their mistake was discovered, "that there was no suggestion of any 'conscious deception'". While they cannot be accused of conscious deception, there was some serious lack of good judgment. The fact that they had an authentic tape of the Zurich concert in their possession when they released the unidentifiable tape is disturbing. If it were the same alternative source as the one I received in the 1990s, the gap in the first movement would have rendered it unsuitable for widespread release on EMI. However, the fact that they were able to listen to the two performances side-by-side – something that was not possible according to the official story that Kaspar had run off with the tape – indicates a lack of discernment and musical understanding on the part of those making the decisions.

Lipatti was a very consistent pianist, and yet the two released performances are so different that it is difficult even for the average listener to imagine that they could be the same pianist. Indeed, in around 1970, when the UK release was being prepared, one EMI employee who had been given the tape listened to it and marched into his supervisor's office, saying "If that's Dinu Lipatti, I'm Marie-Antoinette." He listed all of the musical reasons it could not be Lipatti (the playing was weaker and the phrasing more feminine, for example) but the reply was "Well, his name is on the box. It's Lipatti."

As for the purported recording date of May 1948 – Lipatti had on May 30, 1948 performed the Bartok Third Concerto in Baden-Baden, a tape of which Legge obtained around the same time as the Chopin Concerto came to his attention. His hope was to release the Bartok on the same record as the Chopin, but Paul Sacher blocked its release because he was unhappy with his conducting in the performance. Since the Germans were using tape in the 40s, perhaps EMI believed that the performance of the Chopin Concerto came from a German concert given by Lipatti around the same time as the Bartok was performed. However, it would not have taken much time to investigate whether Lipatti had performed the Chopin E Minor in that period.

It is worth noting that a small reel-to-reel tape was found by Gertsch in Madeleine Lipatti's collection when she died. It included an excerpt from the second movement of the concerto and the two Etudes Lipatti played at the Zurich concert, in excellent sound. It is likely a fragment of Kaspar's tape which he had copied as proof of the tape he had in his possession. The fragments were released on the CD "Lipatti: Cornerstones" on the Archiphon label (now out of print), along with a new remastering of Gertsch's tape. EMI declined to buy this material when it was offered to them for the 50th anniversary of Lipatti's death, preferring instead to continue reissuing Keith Hardwick's less-than-ideal 1981 transfer.

All records of Dinu Lipatti in the Chopin First Concerto that were printed after 1981 and which list Otto Ackermann and the Zurich Tonhalle Orchestra in the credits consist of the authentic performance featuring Dinu Lipatti. All LPs that do not list an orchestra and conductor, and that have May 1948 as the recording date, are in fact the Halina Czerny-Stefanska performance. Among these are:

German Columbia C 80934
Electrola 1C 049-01716
Electrola set 1C 197-53780/6 (some editions)
EMI (UK) HQM 1248
EMI (UK) set RLS 749
Seraphim (USA) 60007