



# Newsletter

September 2022 – N°14

Published by the Advisory Commission



Network of European  
Restitution Committees  
on Nazi-Looted Art

# Content

<b>EDITORIAL</b>	Taking on historical responsibility	<b>03</b>
<b>NEWS</b>	70 Years of Holocaust Compensation and Restitution	<b>05</b>
<b>NEWS</b>	<i>transfer</i> . Journal for Provenance Research and the History of Collection	<b>06</b>
<b>NEWS</b>	Meeting CIVS / Advisory Commission, Berlin 1 July 2022	<b>07</b>
<b>NEWS</b>	<i>New entries online</i> : Lexicon of Austrian Provenance Research	<b>08</b>
<b>NEWS</b>	<i>New Recommendation</i> : The Dutch State Restitutes Coecke van Aelst Drawing to Feldmann Heirs	<b>09</b>
<b>NEWS</b>	Dutch Restitutions Committee's 2021 Annual Report	<b>10</b>
<b>NEWS</b>	New Independent Colonial Collections Restitutions Committee	<b>10</b>
<b>REPORT</b>	Report on Austria's activities on the occasion of the 4th international Provenance Research Day	<b>11</b>
<b>REPORT</b>	Report on the "Restitution in the Post-War Period" workshop, 5 May 2022	<b>13</b>
<b>REPORT</b>	Expropriated, restituted, marketed. How Austrian museums still make money with Nazi looted art	<b>15</b>
<b>REPORT</b>	Never trust your dictionary: language, translation, and looted art	<b>18</b>
<b>REPORT</b>	Restitution of "Jewish" silver plundered in 1939	<b>22</b>
<b>REPORT</b>	Investigating what is not there	<b>26</b>
<b>REPORT</b>	Seizing the Moment: The JDCRP Open-Source Digital Data Platform for Nazi-Era Cultural Plunder	<b>32</b>
<b>REPORT</b>	ZADIK Central Archive for German and International Art Market Studies – an academic institute researching contexts in the art world	<b>34</b>
<b>REPORT</b>	The OFP Project at the Brandenburgische Landeshauptarchiv in Potsdam	<b>38</b>
<b>CASE STUDY</b>	5 books returned to the descendants of French politician Georges Mandel	<b>42</b>
<b>CASE STUDY</b>	On the return of a book from the library of Eugen Herz	<b>44</b>
<b>CASE STUDY</b>	"Souvenirs" from alien lands: Hans Abel's "donation" to the Museum of Ethnology in Vienna	<b>46</b>
<b>ADDENDUM</b>	Billions to break the silence (Reparations Agreement between Israel and the Federal Republic of Germany 1952)	<b>49</b>





## Taking on historical responsibility

We are delighted to welcome a new member of staff to our team: Julia Albrecht joined us at the office of the Advisory Commission in July (*see p. 26 ff.*).

We are also particularly pleased to draw your attention to an article by Constantin Goschler, who discusses current issues and challenges in the area of restitution in connection with the historical policy of Wiedergutmachung pursued by the Federal Republic of Germany, especially in view of the 70th anniversary of the Reparations Agreement. (*see p. 49 ff.*).

In the debate surrounding current restitution decisions, the criticism is repeatedly raised that allegedly similar cases have given rise to divergent decisions. The problem is said to apply at both the international and the national level: the recommendations put forward by the various commissions of the Network of European Restitution Committees are said to differ in comparable cases, and even individual commissions are said to have issued contradictory recommendations at times. The observation is mainly based on a number of recommendations relating to cases involving so-called flight assets (Fluchtgut).

This is remarkable as the question of how to deal with “flight assets” remains extremely controversial to this day. As is known, equality is an abstraction of inequality. But even where cases are supposedly of a similar nature, it has not yet been possible to elaborate criteria for establishing comparability. Ever since the term “flight assets” was established in 2001 by Esther Tisa-Francini, Anja Heuß and Georg Kreis (E. Tisa-Francini, A. Heuß, G. Kreis, *Fluchtgut - Raubgut. Der Transfer von Kulturgütern in und über die Schweiz 1933-1945 und die Frage der Restitution*, Zürich 2001), it has caused numerous instances of controversy and uncertainty, while a systematic review and analysis is still pending. Although the word “flight assets” is generally understood to refer to cultural property that was removed from the National Socialist sphere of control by owners who were persecuted under the National Socialists, it should be noted that there is still no generally accepted definition of the term – either at the national or the international level. The very choice of the word “flight” – and even more so its significance in

connection with the practice of restitution – has been hotly debated for years and remains highly controversial to this day.

For Germany, the Federal Government, the Länder and local authorities have committed to the Washington Principles and reaffirmed this in their Statement by the Federal Government, the Länder and the national associations of local authorities on the tracing and return of Nazi-confiscated art, especially Jewish property (Common Statement). The Guidelines for Implementing the Common Statement attempt to flesh out the criteria for restitution in more detail. This is a key benchmark in terms of the practice of issuing recommendations as pursued by the German Advisory Commission. However, the Guidelines do not discuss the question of whether so-called flight assets are to be considered as equivalent to property confiscated as a result of National Socialist persecution. The Guidelines for verifying whether a work of art was Nazi-confiscated and for preparing decisions on restitution claims (p. 29) offered here are essentially based on the US Military Government Law No. 59 of 10 November 1947. While the Washington Principles are limited to works of art “confiscated by the National Socialists”, the Guidelines – in accordance with US Military Government Law No. 59 – expand the definition of Nazi-confiscated art to include property lost as a result of forced sale or for other reasons. US Military Government Law No. 59 was not intended to apply to the assessment of a sale of cultural property outside the borders of the Nazi sphere of power: the Act was exclusively focused on business transactions that took place within territory under Nazi control. The criteria enumerated in the Guidelines are therefore not readily applicable to the assessment of a legal transaction which took place outside this domain. Meanwhile, the current version of the 2019 Guidelines states: “However, even if an item changed hands outside of those territories [German Reich and occupied territories], it still cannot be ruled out that the item changed hands as a result of Nazi persecution.” (p. 21)

So the fact that so-called flight assets can be worthy

of restitution is expressly recognised. However, there is no mention of the conditions under which such a legal transaction is to be considered the result of Nazi persecution. As such, it is regularly up for discussion as to whether the causal connection between persecution and sale is sufficient to justify restitution – whether or not an item was sold as a result of economic hardship caused by forced emigration, for example. In our view, however, this focus on the economic situation of the seller is morally dubious, since it inevitably raises the question of the value threshold at which the sale of a cultural property outside the Nazi sphere of control is recognised as a consequence of Nazi persecution. Should items not be restituted given a certain level of wealth of the seller and only be recognised as worthy of restitution below this level? To put it crudely: how poor does a Nazi persecutee have to be for us to classify a transaction as being the result of Nazi persecution? And in the case of a larger collection: can we say that initial sales were not the result of persecution but the latter were?

As a consequence, any research concerned with the review of a restitution claim in “flight asset” cases would be forced to undertake a detailed assessment of the financial and economic situation of refugees so as to be able to decide whether the criteria of economic hardship applied. Such an approach would be reminiscent of the degrading asset lists used during the National Socialist era itself and – from a different perspective – before the German reparations committees. This cannot be the intention in the context of claims to be decided on in Germany. In addition to the general sense of unease that this method of assessment entails, it should be added that it seems inappropriate in principle to base a loss resulting from Nazi persecution on the financial status of the persecutee concerned and make the validity of a restituti-

on claim dependent on this status. Furthermore, the dimension of time would have to be discussed here: if the economic difficulties caused by emigration establish the causal connection between Nazi persecution and the loss of assets, this being the sole criterion legitimising restitution, it would have to be taken into consideration that while Nazi persecution ended on 8 May 1945, the consequences of this persecution did not.

Indeed, the term “flight assets” invites us to take a more fundamental perspective: where does National Socialist persecution begin and where does it end? Didn't such persecution also have a broader impact, not just across borders but also over the years? But does this make the search for a transnational, European consensus in dealing with persecution more plausible? Wouldn't this suggest comparability at the price of historical accuracy? Different countries had starkly differing roles to play with regard to National Socialism – first and foremost Germany, of course. The fact that the various countries today respond in different ways here does not seem to be a violation of a postulate of equality: it is simply the taking on of historical responsibility, something which may vary according to place and time. This can hardly be reflected in a set of Europe-wide rules.

By restituting cultural property, we address the past, but even more the present: we are seeking to make a difference today. Our aim is to admit to those who were persecuted that traumatising can continue for generations, and that for this reason, healing may be called for generations later, too. We are endeavouring to be a society that deals with the past differently than used to be the case.

**BENJAMIN LAHUSEN and GESA VIETZEN**  
Office of the Advisory Commission



Beratende Kommission  
im Zusammenhang mit der Rückgabe  
NS-verfolgungsbedingt entzogenen Kulturguts,  
insbesondere aus jüdischem Besitz



## 70 Years of Holocaust Compensation and Restitution

### International Conference, Tel Aviv University, 14-16 November 2022

On 10 September 1952, historical agreements were signed in Luxembourg between the government of Israel, the Conference on Jewish Material Claims Against Germany, and the government of West Germany regarding the provision of reparations and compensations. Both the government of Israel and the Claims Conference emphasized that the agreements were meant to provide compensation for material claims alone, and not for the murder of six million Jews for which no compensation was possible. The agreement signed by the government of Israel established that West Germany would pay Israel the sum of three billion marks (~\$715,000,000) over the course of 12-14 years, most in the form of various goods and means of production. The agreement signed by the Claims Conference included two protocols: one concerned Germany's promise to enact legislation that would directly compensate the victims of persecution, and the second concerned Germany's agreement to transfer 450,000,000 marks (~\$110,000,000) to provide assistance and rehabilitation to Nazi victims around the world. The agreements have had a considerable impact on Israel's economy and society. At the same time, it has been a cornerstone in prolonged campaigns for compensations and restitutions in which the Claims Conference played a crucial role.

To mark the 70th anniversary of the signing of the Luxembourg Agreement, the Goldstein-Goren Diaspora Research Center at Tel Aviv University, the Conference on Jewish Material Claims Against Germany, and Yad Vashem in cooperation with other institutions are organizing an international conference to be held at Tel Aviv University on 14-16 November 2022.

The aim of the conference is to consider the development and impact of the Reparations Agreement from a broad range of perspectives – historical, diplomatic, legal, economic, social, etc. – and provide a platform for presenting new research in the field and promoting fruitful academic discussion. The academic committee will be pleased to receive

proposals concerning the Luxembourg Agreement as well as previous and subsequent campaigns for compensation and restitution of property related to the Holocaust and will review any proposal that directly or tangentially touches on the following fields:

- *Early compensation claims before Luxembourg Agreements*
- *Issues relating to the Luxembourg Agreements*
- *The impact of the agreements on Israeli society and economy*
- *The impact of the compensation on Germany (including politics, society, Holocaust awareness, etc.)*
- *The impact of the agreements on Jewish-German relations or Israel-German relations*
- *Legislations re indemnification in Germany, Israel, and the public and political criticism and debates over the years*
- *Evaluation of the compensation to individuals – how it affected the individuals (psychologically, economically, relationship with Germany, etc.); how the process worked, adjudication of claims*
- *The GDR and its position and actions regarding compensation for Holocaust survivors*
- *Negotiations between the German government and the Claims Conference during the last seven decades*
- *The negotiation with Austria regarding personal compensation or the restitution of Jewish property*
- *The claim for property and assets (including art) throughout Europe*
- *Issues relating to agreements with industrial companies*
- *Restitution lawsuits brought against Swiss banks and German corporations*

#### Academic Steering Committee:

**Prof. Dan Michman, Dr. Iael Nidam-Orvieto, Prof. Havi Dreifuss, Prof. Roni Stauber, Prof. Jose Brunner, Prof. Leora Bilsky, Dr. Wesley Fisher, Prof. Constantine Goschler, Prof. Stephan Lehnstaedt, and Prof. Michael Bazylar**

*transfer***Journal for Provenance Research and the History of Collection**

The current ascent of provenance research within academia has not yet been reflected in the establishment of a dedicated periodical. Starting with its forthcoming first annual issue in late 2022, the recently founded online journal *transfer* – Journal for Provenance Research and the History of Collection undertakes to change this. Offering an Open Access (diamond) publication platform in the area of provenance research and the history of collection as well as various adjacent fields of investigation, like art market studies, sociology of art, or cultural property law, *transfer* constitutes a transdisciplinary and

cross-epoch journal. Besides experienced scholars *transfer* explicitly addresses early career researchers offering broad impact and high accessibility.

The journal is based at the Research Centre for Provenance Research, Art and Cultural Property Law at the University of Bonn and receives funding from the German Research Foundation. Webhosting is provided by the University Library Heidelberg via [arthistoricum.net](http://arthistoricum.net).

**Thematic Scope**

*The journal's approach of crossing disciplinary boundaries while aiming for maximum transparency is already well represented by the first annual issue's content. Ranging from research articles focussing on the translocation of cultural objects in different colonial settings, individual art dealer's involvements in Nazi art looting, or the relevant culture of remembrance mirrored in collections on antisemitism in post-war Germany to comprehensive research reports on the present state of provenance research on GDR/Soviet-confiscated art or the history of technical university collections, transfer 1 (2022) gives a broad spectrum of recent international research. Case studies, e.g. on Nazi-looted books in Israel's National Library or the object histories of prominent Dutch paintings in regional museums, miscellanea summarising work on the restitution of Greenland's Inuit art or giving advice on archival holdings of US art galleries, supplemented by book reviews and interviews, offer a huge variety of perspectives contributing to the field.*

**Submissions**

*The editorial board welcomes relevant submissions in English or German to be published in the next annual issue (2023). Research articles are subject to an external double-blind peer-review, other submissions will undergo an internal evaluation by the editors. All submissions receive a professional copy-editing before being published exclusively online.*

Editors: Dr. Ulrike Saß  
Prof. Dr. Christoph Zuschlag

Journal Management:  
Dr. Florian Schönfuß

Contact: [redaktion.transfer@uni-bonn.de](mailto:redaktion.transfer@uni-bonn.de)  
<https://journals.ub.uni-heidelberg.de/index.php/transfer>





## Meeting CIVS / Advisory Commission, Berlin 1 July 2022



© AMBASSADE DE FRANCE EN ALLEMAGNE

On 1 July 2022, an official and unprecedented meeting took place between the members of the CIVS advisory panel and their counterparts from the German Advisory Commission.

Visiting Berlin for a three-day Franco-German seminar organised in cooperation with the Wannsee Conference House and the Ravensbrück camp memorial with the aim of studying various themes such as “The role of senior officials under National Socialism”, “Aryanisation procedures in France and Germany” and “The deportation of women from France”, the CIVS took the opportunity to meet the German Commission at the French Embassy in Berlin.

Present were, among others, the Chairman Mr. Papier and Mrs. Süßmuth on the German side, the Chairman Mr. Jeannotot, Mr. Bénézech, the Director of the CIVS, accompanied by about ten of their respective members and by the General Rapporteur Mrs Bitter. The main issue at stake in this historic exchange - the two counterpart commissions have never met in this plenary and bilateral configuration before - to cross

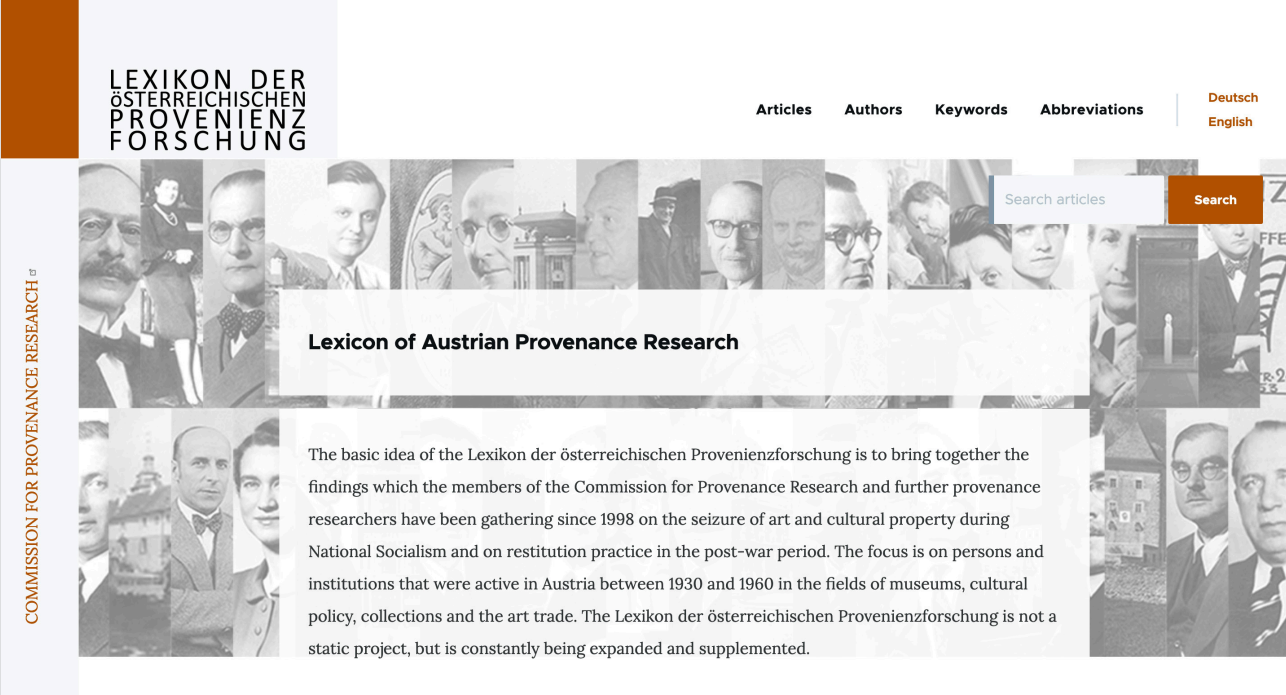
views and reflections in a French-German perspective, to combine legal and historical approaches to enrich the reflection of the two panels, also to create a kind of coordination between the visions developed by the French and German authorities on the issue of restitutions.

After an introductory round table, the afternoon was structured around two working sessions. In the first part, the CIVS presented a case study with a specific problematic on the qualification of the June 1942 sales in the Dorville family spoliation file, then in the second part, a discussion led by the Advisory Commission on the theme of “Fluchtgüter” allowed the two commissions to exchange views on this very specific and difficult to understand theme.

The day ended with a reception in the salons of the French Embassy by Her Excellency Anne-Marie Descôtes, French Ambassador to Germany.



## New entries online: Lexicon of Austrian Provenance Research



LEXIKON DER  
ÖSTERREICHISCHEN  
PROVENIENZ  
FORSCHUNG

Articles Authors Keywords Abbreviations Deutsch English

Search articles Search

COMMISSION FOR PROVENANCE RESEARCH

**Lexicon of Austrian Provenance Research**

The basic idea of the Lexikon der österreichischen Provenienzforschung is to bring together the findings which the members of the Commission for Provenance Research and further provenance researchers have been gathering since 1998 on the seizure of art and cultural property during National Socialism and on restitution practice in the post-war period. The focus is on persons and institutions that were active in Austria between 1930 and 1960 in the fields of museums, cultural policy, collections and the art trade. The Lexikon der österreichischen Provenienzforschung is not a static project, but is constantly being expanded and supplemented.

In July 2022, a further fourteen articles concerning auctions, art and antiques dealers, art collections and Nazi asset expropriation were posted online. They are by Gabriele Anderl, Julia Eßl, Katinka Gratzner-Baumgärtner, Stefan Kurz, Katja Lindenau, Felicitas Thurn-Valsassina and Leonhard Weidinger and concern:

- [Ferdinand Bloch-Bauer](#)
- [Lea Bondi-Jaray](#)
- [Dorotheum](#)
- [Alice Friedländer](#)
- [Othmar Fritsch](#)
- [Arnold Harding](#)
- [Galerie Harding](#)
- [Albert Klein](#)
- [Eduard Nierscher](#)
- [Adalbert Parlagi](#)
- [Rudolf Prinz](#)
- [Adolf Proksch](#)
- [Gezá Radó](#)
- [Helene Silverio](#)

Another new feature in July 2022 is the systematic linking of the 349 Lexikon articles with Wikidata. Links to GND and VIAF were already provided when the website was relaunched in 2021.



## *New Recommendation:* The Dutch State Restitutes Coecke van Aelst Drawing to Feldmann Heirs



THE MARRIAGE OF TOBIAS AND SARA BY PETER COECKE VAN AELST  
PHOTO: RIJKSMUSEUM AMSTERDAM

The Restitutions Committee has advised the State Secretary for Culture and Media to reconstitute the drawing *The Marriage of Tobias and Sara* by the artist Pieter Coecke van Aelst to the heirs of Arthur Feldmann (1877-1941). Recent research by the Expert Centre Restitution (ECR) has shown that it is sufficiently plausible that Feldmann lost possession of the drawing involuntarily on 15 March 1939, the day on which Germany invaded Czechoslovakia. The drawing was purchased by the Rijksmuseum Amsterdam in 1964.

### **Important Indications**

Research and witness statements have established that on the day Germany invaded Czechoslovakia, 15 March 1939, the Gestapo forced their way into the Feldmann family's large detached home in Brno and confiscated all the family's possessions, including the art collection. After the Second World War the Coecke van Aelst drawing was put up for sale by auction at Sotheby & Co in London in 1946. During its investigation, the ECR examined four annotated copies of the Sotheby & Co's sale catalogue accompanying the auction in London in 1946. Three well-known art historians and a reputable art dealer noted in them that the drawing had belonged to the Feldman Collection. The notes on the back of the drawing are a further impor-

tant indication that the drawing was in his collection. These notes are very probably in Arthur Feldmann's handwriting, as emerges from an explanatory note in the report by the Protection Worthiness Assessment Committee (TCB), which was asked to advise by the Cultural Heritage Agency of the Netherlands (RCE).

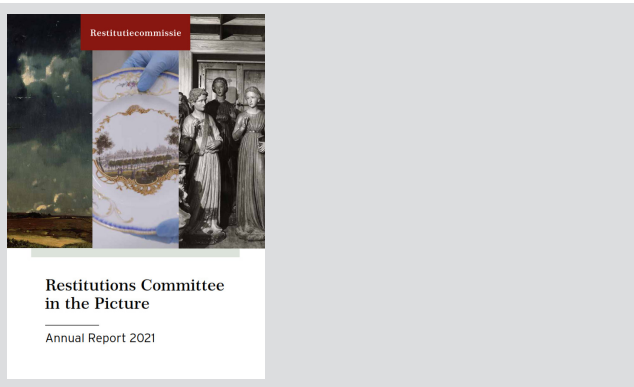
In 1946 the drawing was offered for sale by the firm Bennett & Bennett, established on the Channel Islands, together with various other works, which had been established previously as having been looted from the Feldmann Collection. Recent research has shown that the Channel Islands, occupied by the Nazis during and also after the Second World War, were known as a transit point for looted art. These findings have made it sufficiently plausible that Arthur Feldmann lost possession of the drawing by Coecke van Aelst involuntarily as a result of circumstances directly connected with the Nazi regime. After undergoing a number of ownership changes, the drawing was purchased by the Rijksmuseum Amsterdam in 1964.

Use the following link to read the complete recommendation:

<https://www.restitutiecommissie.nl/en/recommendation/feldmann-ii/>



## Dutch Restitutions Committee's 2021 Annual Report



Change and renewal dominated 2021 for the Restitutions Committee. The report issued by the Nazi Looted Art Restitution Policy Evaluation Committee was the basis for a new Decree Establishing the Restitutions Committee issued by the Minister in April 2021. It contains a [new assessment framework](#) on the basis of which the Restitutions Committee handles restitution applications. The Minister also decided to resume systematic research into the provenance of objects in the NK Collection (Netherlands Art Property Collection, managed by the State).

Change was not limited to formal measures. The need for more intensive and more accessible communication prompted the Restitutions Committee to invest

in personal contacts with applicants, parties involved and the international network of restitution committees. A new website was also launched in 2021. Its enhanced search function and expanded historical content are in line with current digital requirements. To mark the twentieth anniversary of the Dutch Restitutions Committee, 2021 furthermore saw the production of the [documentary Roofkunst & Restitutie \(Looted Art & Restitution\)](#), which features the experiences of applicants in two restitution cases.

Pandemic-related restrictions contributed to delays in completing investigation reports. As a consequence, in 2021 the Restitutions Committee was only able to issue one recommendation. [Thanks to new source material, the restitution application by the Adelsberger-Isay heirs, which had been rejected in 2009, was finally granted.](#)

The annual report describes all the developments relating to the Restitutions Committee, including personal input from committee members, photographic material and references to digital files.

Use the following link to read it:

<https://www.restitutiecommissie.nl/en/news/annual-report-2021/>

## New Independent Colonial Collections Restitutions Committee

### Assessment of restitution applications concerning colonial collections will start this autumn

An independent committee will assess applications for the restitution of colonial cultural heritage objects. The committee will be made up of various specialists with expertise in the field of colonial cultural heritage material. Countries of origin can submit these applications. Gunay Uslu, State Secretary for Culture and Media, is establishing this advisory body and has asked Lilian Gonçalves – Ho Kang You to chair it. The committee will assess requests for the return of cultu-

ral material that was brought to the Netherlands, possibly unlawfully, during the colonial era and that is now to be seen in Dutch museums. The government has authorized a budget of 2.4 million euros for this in 2022.

<https://www.rijksoverheid.nl/actueel/nieuws/2022/07/15/lilian-goncalves---ho-kang-you-voorzitter-commissie-teruggave-koloniale-collecties>



## Report on Austria's activities on the occasion of the 4th international Provenance Research Day

The international **Provenance Research Day** on the initiative of Arbeitskreis Provenienzforschung e. V. took place for the fourth time on 14 April 2022. Through exhibitions, guided tours, conferences, workshops, online publications, surgeries and social media, provenance researchers from seven countries (Austria, France, Germany, Italy, Netherlands, Switzerland, USA) provided insightful information on persecution-related expropriation, “degenerate art”, objects expropriated in the Soviet Occupied Zone and in East Germany, war-related losses, cultural assets from colonial contexts and collection history.

[A report on Provenance Research Day can be found in the previous Newsletter.](#)

A number of Austrian institutions also took part in various ways. **The Weltmuseum Wien** held an event entitled “Dienstagabend im Museum” (Tuesday Evening in the Museum). Hanin Hannouch, a curator at the Weltmuseum, moderated a podium discussion on different practices in post-colonial provenance research. She was joined by Martin Krenn, head of the history of science archive at the Naturhistorisches Museum in Vienna, and Dominik Spörker, member of the project team investigating the Emmerich Billitzer collection at the Weltmuseum. They talked about specific projects to highlight the various aspects and approaches and also the challenges and opportunities they present. The interactive workshop “Forschungslabor Museum: gemeinsam Objektbiografien erkunden” (Museum as a research laboratory: investigating object biographies together) held on the same day in the Weltmuseum examined diverse questions and challenges of provenance research in colonial contexts.

[Further information on provenance research at the Weltmuseum Wien are provided on the website.](#)

The **Vienna Museum of Science and Technology (TMW)** and the **Austrian Museum of Folk Life and Folk Art** in Vienna posted on Facebook and Twitter a review of twenty-four years of provenance research in Austria. The provenance of thousands of objects, books and archives at the TMW has already been checked and fourteen dossiers with several hundred objects submitted to the Austrian Art Restitution Advisory Board. In all cases the Advisory Board recommended return to their original owners or descendants.

[Further information on provenance research at the TMW are provided on the website.](#)

See also: [Publication on inventory number 1938](#)

The **Austrian Museum of Folk and Folk Art in Vienna** also posted a review on Facebook entitled “Was für eine Forschung? Provenienzforschung!” (What kind of research? Provenance research!). Although the museum is not a federal museum and is not therefore subject to the Art Restitution Act, since 2014 it has voluntarily followed the provisions contained in the law and the instructions given by the Commission for Provenance Research to investigate the provenance of the objects in its collections. It is planning a virtual exhibition on this subject in 2023.

[Further information on provenance research at the Austrian Museum of Folk Life and Folk Art are provided on the website.](#)

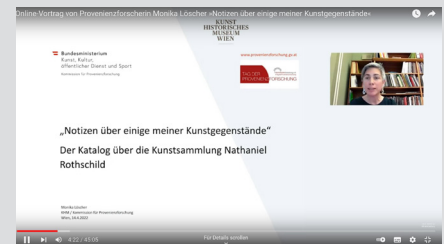
The archive of the **Kunsthistorisches Museum** took part in Provenance Research Day with a [blog entry](#). Susanne Hehenberger post an item on the blog site “RETOUR: Freier Blog für Provenienzforschende” on sources relating to the Vienna Rothschilds in the museum archive. The exhibition *The Vienna Rothschilds* at the Jewish Museum Vienna until 5 June 2022 also included loans from the archive of the Kunsthistorisches Museum.

Two guided tours were organized. The **House of Austrian History (hdgö)** offered a [curator tour](#) in cooperation with the Commission for Provenance Research entitled “Objekte mit umstrittener Geschichte” (Objects with a controversial history). Using the example of a landscape painting exhibited in the hdgö foyer since 25 January 2022, Stefan Benedik (hdgö) and Lisa Frank (Bureau of the Commission for Provenance Research) showed how certain individuals profited by appropriating objects from victims of the Nazi regime. All that is known about the picture is that it belonged to a family living at Liechtensteinstraße 45 in Vienna’s 9th district. The tour asked questions about our attitude to the present: how can museums act responsibly by returning objects?

Monika Löscher (provenance research at the **KHM** on behalf of the **Commission for Provenance Research**) and Susanne Hehenberger (**KHM archive**) offered a [tour](#) entitled “Herkunftsgeschichten in der Neuen Burg: Objekte und Quellen zur Provenienzforschung” (Provenance stories in the Neue Burg: objects and sources of provenance research) and presented various objects, including a shield in the Imperial Armoury, a fortepiano in the Collection of Historic Musical Instruments and chandeliers as exhibition objects. The tour allowed visitors to discover the provenance of objects and to gain an insight into the sources of provenance research in the archive.

In the series **Donnerstagabend im Museum** (Thursday Evening in the Museum), Monika Löscher gave a talk entitled “Notizen über einige meiner Kunstgegenstände: Der Katalog über die Kunstsammlung Nathaniel Rothschild” (Notes on some of my art objects: Nathaniel Rothschild’s art collection catalogue). The Rothschild art collections in Vienna were the first case dealt with by the Art Restitution Advisory Board in 1999, which recommended the return of 251 objects from Austrian federal museums to the original owners or their legal successors. A printed catalogue from 1903 on Nathaniel Rothschild’s extensive collection was overlooked at the time. It had been acquired by the Kunsthistorisches Museum in 1938 when the Rothschild assets were seized. A dossier was submitted to the Art Restitution Advisory Board for its 99th meeting on 30 March 2022.

The talk can be seen [on YouTube](#).



Mention should be made in conclusion of a [critical post on Twitter by Andrea Berger](#), researcher at the Museum of Science and Technology in Vienna. In it she discussed a serious societal problem in dealing with Nazi looted art, namely the marketing of restituted objects in museum shops. She urged provenance researchers to take a critical look at this issue. Further information from Andrea Berger can be found in this Newsletter. Her suggestion should definitely be considered more closely. (See also p. 15 ff.)



WOMAN IN GOLD BY KLIMT  
AND MOONLIGHT BY MUNCH  
WERE RESTITUTED IN 2006.  
PHOTO: ANDREA BERGER

## Report on the “Restitution in the Post-War Period” workshop, 5 May 2022

After several postponements on account of COVID-19, the workshop on the subject of restitution in the post-war period, originally planned for early 2020, took place in Vienna on 5 May 2022. The Commission for Provenance Research invited some thirty-five experts to the half-day event held in the Federal Ministry of Arts, Culture, the Civil and Sport. The starting point was the consideration that although a large number of art and cultural objects were restituted in post-war Austria, they have only been partially – if at all – documented, numbered, systematically researched and catalogued at an inter institutional level. The workshop organized by a small team headed by Leonhard Weidinger provided information on the current state of research on the subject, the actors and networks, structures and object transfers that had already been

researched, and the shortcomings and unanswered questions that still remain to be dealt with.

After a welcome by Pia Schölnberger, the workshop opened with an introduction to the subject covering the legislation and historical framework for restitution after 1945. The first panel then defined the scope of the post-war restitution of art and cultural objects. The second panel offered examples of restitution from federal and provincial museums after 1945. Twelve participants from the various institutions described the restitutions in their institutions after the war and talked about research topics still to be investigated, problems and unresolved questions. This was followed by a lively discussion moderated by Birgit Kirchmayr, in which the participants presented their experience and specialist knowledge.



CLOSING ADDRESS © BMKÖS, PHOTOS: HANNAH LEODOLTER



The workshop offered an analogue forum for productive specialist and inter institutional discussion within the Austrian (provenance) research community of the as yet little developed field of basic research. As the workshop format (limited number of specialist participants, short contributions of five to ten minutes and plenty of scope for constructive discussion) proved highly expedient, further workshops are planned to follow up the conclusions.

### Kurzvorträge / Presentations

**Leonhard Weidinger** Zum Rahmen der Restititionen  
*/ The scope of restitution*

**Panel 1: Zahlen, Daten, Fakten – was gehört zu den Restititionen, was nicht? / Facts, figures, dates – what counts as restitution and what doesn't?**

**Lisa Frank** Die sogenannte Sicherstellungskartei als Informationsquelle für frühe Restititionen / *The "Sicherstellungskartei" (reserve file) as source of information for early restitutions*

**Anneliese Schallmeiner** "Zum Stichtag 1. Jänner 1949 13.000 Objekte [...]" / *"13,000 objects as at 1 January 1949 [...]"*

**Susanne Hehenberger** Restititionen an die "Vereinten Nationen" am Beispiel des Kunsthistorischen Museums / *Restitutions to the "united nations" as shown by the Kunsthistorisches Museum*

**Konstantin Ferihumer** Vermögensverfall in der österreichische Nachkriegsjustiz / *Asset forfeiture in Austrian post-war justice*

**Katinka Gratzer-Baumgärtner** Fremddepot von Kunstwerken aus der Sammlung von Irma Götzl in der Österreichischen Galerie / *External depot of artworks from the Irma Götzl collection in the Österreichische Galerie*

**KONSTANTIN FERIHUMER and  
SUSANNE HEHENBERGER**

**Panel 2: Bundes- und Landesmuseen (exemplarisch) / Federal and provincial museums (selection)**

**Monika Mayer** Zur Frage der Rückstellungen der Österreichischen Galerie in der Nachkriegszeit im Spiegel nicht erfolgter Restititionen / *Restitution and non-restitution from the Österreichische Galerie in the post-war period*

**Julia Eßl** "... Bitte um Weisungen, wie sich die Albertina in einem solchen Fall verhalten soll." / *"... Request for instructions as to how the Albertina should react in cases like this"*

**Dario Alejandro Luger, Thomas Mayer** Frühe Rückstellungen am NHM bis 1950 / *Early restitutions at the Naturhistorisches Museum until 1950*

**Gabriele Anderl** "Frühe Rückgaben" – das Museum für Völkerkunde in Wien / *"Early returns" – the Museum of Ethnology in Vienna*

**Christian Klösch** Restitutionsverfahren im Technischen Museum Wien (TMW) in der Zeit bis 1965 / *Restitutions in the Technisches Museum Wien until 1965*

**Andreas Liška-Birk** Frühe Rückstellungen aus dem Niederösterreichischen Landesmuseum / *Early restitutions from the Niederösterreichisches Landesmuseum*



## Expropriated, restituted, marketed

### How Austrian museums still make money with Nazi looted art

The shops in Austrian museums all tend to show the same motifs on postcard, notebooks or coaster souvenirs. Works by Gustav Klimt such as *Adele Bloch-Bauer I* (“The Woman in Gold”) are particularly popular and appear prominently. For a few euros, visitors can purchase everyday and decorative objects that are not usually notable for their quality but in return have the artist’s most famous pictures printed on them. The fact that *Adele Bloch-Bauer I* was restituted from the Österreichische Galerie Belvedere in 2006 and has been in the USA since then seems to be irrelevant. The famous image is even to be found on silk scarves, cups or spectacle cases in museums that have nothing to do with Klimt or the fine arts.

Although the sale of souvenirs with pictures of restituted artworks might appear at first glance to be unimportant and harmless, it nevertheless allows conclusions to be drawn about the attitude not just of museums but also of society in general to Nazi expropriated assets, provenance research and restitution. The word “souvenir” comes from the French word meaning “memory” or “to remember”. The objects, particularly those brought back from holidays, recall a particular event, place or person. This begs the question as to what events, places or persons are being recalled by the souvenirs in Austrian museums with pictures of looted art restituted by the Republic of Austria: the trip, the museum visit or the injustice? What message do the museums or operators of the museum shops wish to give to the potential purchasers of these souvenirs? Do they wish to express regret that the originals are no longer in the collections? Do they wish to recall this time of injustice? Or does it have nothing to do with the history of the original art work? What image of Austrian culture is being conveyed to visitors? And how do major Austrian cultural institutions face up to their own history and complicity with the Nazi regime?

#### Restitution as part of Austrian culture

Although countless academic and popular books on Nazi looted art have been published in recent decades and Hollywood has also tackled the subject, for example with the film *Woman in Gold* starring Helen Mirren and Ryan Reynolds, no one appears bothered by the sale of souvenirs with pictures of expropriated and restituted artworks on them. Works such as *Adele Bloch-Bauer I* are regarded as icons of Austrian culture, although they have long been restituted and are no longer in the museums and most of them are not even in Austria. This commercial exploitation appears particularly questionable given the fact that the restitution of *Adele Bloch-Bauer I* was decided in a US court. Because of the international marketing of the picture in catalogues and artbooks,



“ADELE” CUP AT THE ÖSTERREICHISCHE GALERIE BELVEDERE SHOP  
PHOTO: ANDREA BERGER



“ADELE” NOTEBOOKS, SILK SCARF AND POCKET MIRROR STRAINERS AT THE ÖSTERREICHISCHE GALERIE BELVEDERE SHOP  
PHOTOS: ANDREA BERGER

the California district court considered that it came under “commercial activity in the United States” and that Austria was therefore to be charged with expropriation in contravention of international law.

But why, in spite of their history, do these well-known pictures appear to be so unproblematic that they can even be exploited for profit?

Among other things, it is because of the museums themselves that most people associated “The Woman in Gold” with classical music, nineteenth-century architecture and mountains rather than Nazism, persecution and restitution. Mention of the Nazi expropriations is rare in Austrian museums, and visitors have to look hard for criticism of the institutions’ own past.

Provenance research is carried out practically only when it is required by law and is barely mentioned in exhibitions. Gaps in exhibitions as a result of restitution are quickly filled rather than being used for reflection or admission of the museum’s own complicity. This is probably due to the fact that the Austrian federal museums affected by the Art Restitution Act do not usually feel responsible, since provenance research there is mostly carried out and financed by the Commission for Provenance Research. If provenance research and restitution are mentioned at all, it is usually in exhibitions about the museums’ history, as something that happened in the past, even though there are still plenty of unresolved cases today. Because of this attitude, the results of provenance research are only known to a highly sensitised group, while the general public is under the impression that the affair has long been closed and that there is no need anymore to deal with the dark past. Objects restituted to their rightful owners or descendants and then bought back, borrowed or even donated and shown in exhibitions without contextualisation or sold as souvenirs merely confirm this belief.

#### What to do with the questionable tea strainers?

The question remains as to how to deal with all these souvenirs with Nazi looted art motifs. There are three conceivable approaches. First, it is likely that visitors would not even notice if certain motifs were to disappear from museum shops. In contrast to attitudes to the original artworks, this would be unproblematic.

Secondly, visitors could take their spectacles from the Woman in Gold case, connect their smartphones to the museum’s free Wi-Fi network and find out the history of the pictures on the postcards they have just purchased. It would be more appropriate, however, for this information to be provided by the museums or shop operators themselves so that visitors would not have to check themselves whether a particular object was politically suspect. Visitors should be able





SOUVENIR SHOP: PLATES WITH THE INSCRIPTIONS “AUSTRIA” AND “VIENNA” IN A SOUVENIR SHOP DISPLAY IN VIENNA  
PHOTO: ANDREA BERGER

to assume that the original pictured on the various souvenirs is in the museum itself or at least somewhere in Austria and has not been restituted after a protracted legal dispute.

Thirdly, souvenirs could also be used to provide visitors with information about expropriated objects. By means of QR codes on the packaging, the history of the object could be provided and the attention of the public at large and not just the small sensitised group drawn to the illegal past through the souvenirs. They could be reminded that Austrian institutions and museums were highly involved in the Nazi crimes and/or benefited from them; that for decades this complicity was deliberately suppressed and remained unspoken and unquestioned; that many of the former owners and their descendants did regain their possessions until too late – after the 1998 Art Restitution Act came into force; that many iconic Austrian artists were persecuted, expelled or murdered by the Nazis; and that it was often Jewish patrons of the arts who recognised the talent of young artists and supported them.

At the moment, the souvenirs with motifs of Nazi looted art merely recall that these and other aspects are not recalled.



“ADELE” TEA STRAINERS AT THE ÖSTERREICHISCHE GALERIE BELVEDERE SHOP  
PHOTO: ANDREA BERGER

#### ANDREA BERGER

Research consultant and curator at the Technisches Museum Wien. She wrote her master’s dissertation at the University of Vienna (Department of Contemporary History) on representation, provenance research and restitution of cultural objects expropriated by the Nazis.

## Never trust your dictionary: language, translation, and looted art

In a good demonstration of serendipity, this article was originally prompted by a casual conversation about the term *speechlessness*. In German, the noun *Sprachlosigkeit* can either mean being dumbfounded, which is also its usual connotation in English (as in *they left me speechless*), but it can also be used to express an absence of communication, an inability to find the words that would be needed to resolve an issue. In English, this is however more suitably expressed by the word *silence*.

*Sprachlosigkeiten* in the museum was also one of the titles in an instructive lecture series recently organised by the Lenbachhaus in Munich about language in

the museum. Speakers addressed subjects as diverse as how to handle a museum's back office with its historical, and often inappropriate or plainly inaccurate, terms on index cards and accession ledgers, to remnants of anti-Semitism and Colonialism in everyday expressions, not to mention gender bias in historical sources. Language shapes thought, in other words, even when we use expressions inadvertently, disregarding their original or culturally acquired context.

In the work of the European restitution commissions, but also in my work as director of the "Help Desk" for enquiries about Nazi-looted art at the German Lost Art Foundation, terms of language and translation are



INTERPRETERS SIMULTANEOUSLY TRANSLATE THE ENTIRE TRIAL INTO THE FOUR LANGUAGES OF PROCEEDINGS: ENGLISH, FRENCH, RUSSIAN AND GERMAN, 1945/46.  
SOURCE: PICTURE CREDIT: NATIONAL ARCHIVES, COLLEGE PARK, MD, USA





constant reminders that we must break the silence on historical injustice with not just any words but that we must find strive to find the right ones, and in several languages. In many years of working as a translator of scholarly writing on arts and culture, the handling of context and politics in language in German and English also became part of my daily practice.

For convenience, I abbreviated the title of my above-mentioned office branded as “Help Desk” at the foundation. My visiting card reads in full: *Enquiries about cultural assets seized in the National Socialist era*, which is actually more precise and correct, while quite a mouthful. The abbreviation I used brings me to one of the minor issues I come across most frequently: the term *Nazis*. In the US, the word is used in all manner of context to denominate people who believed in and worked to implement the racist ideology of the German National Socialist party between 1933 and 1945 in Europe. As English-language scholarly writing and conference papers become ever more globalised, and non-native speakers often do not discriminate between US English and British English, by now I keep encountering *Nazis* in both British and German papers. As a German native speaker, it makes me uneasy however. I find it entirely acceptable in popular articles and in the media, as in newspapers, non-academic books, and films. Yet it is, to my mind, very much a colloquial expression, and it has a twee undertone which I find jarring in academic publications. In German, it is on a par with *Sozis*, another colloquial term – now rather dated – for members of the politically opposite Social Democrat party. Hence, as an editor I often suggest changing *Nazis* to *National Socialists*, which has the advantage of being more serious and historically correct.

In my work, another very frequently occurring stumbling block is presented by the term *Washington Principles*. Here, the majority of German speakers is attracted as if by a magnet by the closest similar-looking German word: *Prinzipien*. Even worse, it is not an obvious major blunder; everybody will mentally refer back to the English *Washington Principles* and accept the German version as a matter of course. However, while there is only a slight shift in meaning and context, *principles* and *Prinzipien* are not totally

synonymous. In German, *Prinzipien* have a moral-ethical ring to them (as in: *it is against our principles to restrict religious freedom*). In English, the term *principles* is typically used in a broader sense, unless preceded by the qualifying adjective *moral/ethical*. As the Washington Principles are essentially a list of instructions, or guidelines for dealing with Nazi-looted art, my policy is to either translate them into German as *Washingtoner Richtlinien*, or indeed keep them in English: *die Washington Principles*. Sadly, even official documents in Germany tend to cling to *Prinzipien*, which may not be as hair-raising as the very unfortunate German version of *rogue state* (*Schurkenstaat*, a made-up word that manages to ignore all the context and rich meaning of *rogue*, from a slap-on-the-wrist misdemeanour to *going rogue*, behaving in an erroneous or dangerous fashion), but which I still find clunky and unimaginative.

Referring to the Nuremberg trials, Hannah Arendt already pointed out with some sarcasm that *crimes against humanity* does not appear to be the same as the German *Verbrechen gegen die Menschlichkeit* (literally *crimes against humaneness*) (1). A much closer translation would certainly be *Verbrechen an der Menschheit*. There are diverging opinions whether this was an honest mistake by the translators at the time of the trials, a different reading of the term which may have to do with the French secondary meaning of *l'humanité* as humaneness, or even an intentional conceptual change referring back to earlier legal concepts, as the scholar Elizabeth Borgwardt argued (2). In any case, as a translation it is worthy of discussion, but the German predominant version is by now so much part of the general terminology that we simply have to live with it. The least we can do, I would argue, is to point it out and reflect on it.

Nearly untranslatable is a publication which is much quoted in Nazi-restitution matters: the *Handreichung zur Umsetzung der “Erklärung der Bundesregierung, der Länder und der kommunalen Spitzenverbände zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes, insbesondere aus jüdischem Besitz” vom Dezember 1999*. This is the official German government handbook on the subject of restitution



for Nazi-looted art, and not surprisingly, its ponderous title is typically abbreviated as *die Handreichung*. Yet there is no equivalent for a *Handreichung* in English – there is the *handbook*, and the (more humble) *handout*, but a *Handreichung* is different. It conjures up an image of a hand reaching out to offer guidance, with perhaps just a whiff of paternalism. The term is also becoming dated, and there are examples of *Handreichungen* now being rebranded as *Leitfaden* (*guidelines*) or *handouts*. To add to the confusion, in addition to the German government's *Handreichung* on restitution, the German Lost Art Foundation publishes a *Leitfaden* on provenance research. In English, both tend to become *guidelines* and get consequently mixed up on occasion, which is why some English writers keep the German original title – the same strategy as the one I suggested above on the subject of the Washington Principles.

While in examples like the Washington Principles, the most popular German version is kept in maximum alignment to similar-sounding words in English, the government-sponsored *Deutsches Zentrum Kulturgutverluste*, where I work, has taken another direction. Its English name *German Lost Art Foundation* is so far removed from the German name of the same organisation that conference speakers sometimes struggle to remember it ad hoc. Both have advantages: the database *lostart.de* is brought to mind more prominently in the English title, but the German title is more comprehensive on cultural assets in general. Our postbox however needs to be forever double-labelled.

English is often more concise and to the point, but sometimes German actually has the advantage. The ubiquitous *NS-verfolgungsbedingt entzogen* is a perfect example. *Entziehung* is a broad term implying any manner of seizure in the context of persecution by the Nazis, be it a forced sale, theft, organised looting, trumped-up tax demands, confiscations in any context, or other measures. It also exists in other German legal contexts and essentially means “to take away from someone”. In this example, *Nazi-looted art* is by far the inferior in concept and a fairly inadequate translation.

When something is *seized*, or *verfolgungsbedingt*

*entzogen*, it could conceivably become classified as *Beute*. Yet here we open another can of linguistic political worms: a dictionary may offer the term *booty*, whose unsuitability becomes obvious following a simple search on the web. So, let's move to *loot* – this may work better as a translation, even though it has historical connotations to the British Empire's military plunder and is consequently not embraced by all and sundry, yet there is a further twist here. *Beutekunst*, in German, specifically refers to cultural assets translocated from German territory in World War II and taken to the Soviet Union. Dispensing with the loaded and somewhat accusatory term *Beute/loot*, a more neutral and precise German expression now becoming dominant is *kriegsbedingt verlagert*, that is translocated as a result of war.

In provenance research, the question of adequate pricing on the historical art market also often comes up. Here, without the context of art market practice, translation can be challenging in a different way. The German *ein fairer Marktpreis* looks temptingly similar to *fair market value* in English – yet I would hazard that many translators will not be aware that the latter has a precise legal meaning and defined process in US appraisals for art and other assets, which may affect its suitability as a general translation. A paraphrase, though cumbersome in this example, could shed the unwanted connotations, such as *a price paid on the open market when neither party is under any constraint to complete the deal*. And while we are on the value of art, an estimate (an educated professional sale price suggestion designed to please sellers and/or buyers) is of course not a valuation/appraisal (a considered professional opinion used as a basis for tax and insurance), though both are, in German, a *Schätzung*.

*Race* is another obvious minefield. In German, for reasons directly associated with the National Socialist era, the term *Rasse* is usually a no-go. In contrast, many English speakers use the term, for example when analysing and denouncing *racial persecution*, or referring to the *human race*. While there is a debate in UK academic circles and to a lesser extent in general society about sensitive terminology – and it is acknowledged that race is a social construct – *race* and *ethnicity* are terms which

are used frequently in UK legal and policy contexts to identify identities. There is also another significant variation between the UK and the US in this respect, as became clear in the recent uproar about Whoopi Goldberg's – subsequently corrected – remark defining racism as directed at people of colour.

*Ethnic cleansing* is an expression which writers in English often use without concern, and more importantly, without inverted commas. Its origins appear to lie in an equivalent Serbian expression from 1992. On the web page of the German Federal Agency for Civic education (bpb.de) the term *Säuberung* consequently appears in inverted commas, since practically nothing in such policies can be called clean. Yet this German sensitivity is owed in part to the extreme perversion of language Germany experienced under the National Socialist regime, where for example a politically motivated attack on Jewish citizens was cynically dubbed the “Night of Broken Glass”. For good reason, this term is no longer used in serious writing and is now often replaced in German by *Novemberpogrome*. (Whether a state-organized attack is a pogrom depends on the definition of the latter.) In any case, with regard to “ethnic cleansing” I would lean towards inverted commas.

Professional translators outside academia often work with the concepts of translation, localisation, and transcreation. Translation is closest to the common concept of transferring the meaning of a sentence from one language into another. This will often imply considerations about contact and culture which may have a bearing on the choice of expression in the target language. Localisation can involve a more conscious and targeted adaptation, typically in a digital entertainment context, involving things like changes in metric measurements, currency units, etc. A third concept is referred to as transcreation. In marketing, this is a term for creative transformation. A punchline in an advertisement is often so “local” that it can only be transferred to another cultural context by preserving the “spirit” with entirely different words: the phrase *good things come to those who wait* simply does not travel. In academic translation, these concepts tend not to come up, but I believe there are elements of transcreation in my editorial suggestions for artic-

le or book titles. German titles of research papers can be long, cumbersome and have a tendency to include a historic quotation. English equivalents can be much punchier and are designed to attract attention while not deterring from the seriousness of the writing.

Translations in the political and historical context of restitution of cultural assets seized in the National Socialist era must take the greatest possible care to build on awareness and education about each term, communicating carefully with readers of different languages. A lighter example perfectly illustrates the point. I recently came across a historical-political translation done with effortless skill: in a Berlin train station, I passed a poster promoting a current exhibition at the German Historical Museum. It is entitled *Richard Wagner und das deutsche Gefühl* which was translated very elegantly into English as *Richard Wagner and the Nationalization of Feeling*. Chapeau!

#### SUSANNE MEYER-ABICH

Director of the “Help Desk” for enquiries about cultural assets seized in the National Socialist era at the German Lost Art Foundation. She also has extensive experience as a free-lance translator and editor of publications on arts and culture.

(1) Hannah Arendt, *Eichmann in Jerusalem* (New York: The Viking Press, 1963), 252.

(2) Elizabeth Borgwardt is working on a book project on crimes against humanity entitled “The Nuremberg Idea”.

## Restitution of “Jewish” silver plundered in 1939

One of the many aspects of the deprivation of the rights, the property, and ultimately of the lives of German Jews was the dispossession of their jewellery and precious metals in early 1939. On 26 April 1938, all Germans classified as Jews by the NS state were required to declare their objects with a value exceeding 5000 Reichsmark. Since 3 December 1938, they were barred from buying and selling jewellery and objects made of precious metals. Finally, on 21 February 1939 they were ordered to hand those items already in their possession within two weeks to 66 pawnshops spread all over the then Reich – which included Austria and occupied territories of Czechoslovakia. In Munich alone about 10 tons of jewellery and precious metal were registered. The consignors, in total 2.306, came mostly from Munich, but also from many other places all over Bavaria, and even beyond. Among them were members of well-known families such as the art dealers Bernheimer and Heilbronner or the Uhlfelder, owners of a big department store. While these often brought many hundreds of pieces to the pawnhouse, there were also rather modest persons who seem to have possessed not more than the one or two precious objects that were now taken from them. Accordingly, there were certainly some collector’s pieces among the items coerced from their owners, but most of the trove piled up at the pawnshops consisted of objects of daily use, from knives and spoons to silver tea pots.

While the consignors were only given a summary receipt, the proper registration started in the months that followed. The objects, their weight and value were listed on a form or Abgabebblatt, along with the name and, in most cases, the address of the consignor. For the estimate, two classes of objects were defined – those of minor value that were mostly expected to be melted down (“Schmelzsilber”), and those that could still serve their purpose with a new owner (“Gebrauchssilber” or “Façonsilber”). On the base of their weight, the consignors were to be paid a price oriented on the lower range of market values. The same applied to objects of particular merit. During the process, these were given separate numbers (“Kul-

turgutnummern”). In the taxing process, specialists were involved, including the director of the Bavarian National Museum (BNM), Hans Buchheit. Once the process was completed, the consignors were sent the designated sum, mostly via bank transfer and often an entire year after the consignment.

All jewellery had to be passed on to a central collecting point in Berlin. The silver, on its turn, was sold directly by the pawnshops. Most of it went to companies specialized on melting metal. The second biggest group of buyers consisted of silversmiths and dealers, but among the customers there were also public institutions like hospitals seizing the chance to acquire



THE OBJECTS IN STORAGE AT THE BAVARIAN NATIONAL MUSEUM, MUNICH 2018. PHOTO: BASTIAN KRACK



better cutlery, city employees including the Munich NS mayor, private persons or, finally, museums, as the BNM. Its director Buchheit, familiar with the objects thanks to the taxation process, acquired 322 of them.

While the objects sold to the metal melt and most of the objects taken over by dealers or individuals are irrevocably lost and untraceable, two thirds of the pieces purchased by the BNM were restituted in the first two decades following the end of the NS state. However, 112 remained. The reasons for this are multifold. The museum did not actively search for the families, and if approached, it pretended in some cases not to find an object. In addition, the German authorities asked the families to repay the sums they had received from the NS state for the pieces.

These 112 remaining objects were analyzed and catalogued by my predecessor as head of provenance research, Alfred Grimm, with extra funding of the Bavarian State Ministry for Education and Culture, Science and Art.

The results were made public in 2019 in the Lost Art database, in a book “Silber für das Reich” (edition Klinger, 118 pages), and in an exhibition.

When I took over that same year, I started to look for descendants of the 65 owners identified by Grimm. Towards the end of that year, the museum was granted the first ever project on a search for heirs supported by the German Lost Art Foundation (Deutsches Zentrum Kulturgutverluste), with additional funding by the Bavarian State Ministry for Science and Art. After some bureaucratic hurdles had been overcome, the project started officially in June 2021. By that date, we had already been able to get in touch with almost half of the families identified by Grimm. As by now, the same applies for much over two thirds of them.

Key to the success is the research in multiple databases and archives, since 2021 mainly done by the highly specialized historian Irene Krauss. The support of many individuals and institutions worldwide proves equally invaluable.

The restitution is by now approved in almost half the cases, and 14 objects have been actually restituted. While the larger part of them returns directly to the families, sometimes on a rotating base so that all are able to share them, other descendants have opted for a different approach. They decided that the returned objects should not be just a private, but a public reminder of the darkest moments in the history of the XXth century, handing them over to museums – in Israel, in the USA, or even at the places in Germany their ancestors had come from.



THE OBJECTS IN THE 2019 EXHIBITION  
“SILVER FOR THE REICH - SILVER OBJECTS FROM  
JEWISH PROPERTY” IN THE BAVARIAN NATIONAL  
MUSEUM, MUNICH 2019, ARRANGED ACCORDING  
TO THEIR FORMER OWNERS  
PHOTO: BASTIAN KRACK

These silver pieces remain separated from the families. However, it often turns out that our work itself and all the contacts (and even friendships) that result from it import much more to the descendants than the material possession of the objects. This includes our efforts to trace the different lines of a family. Displaced by the NS state all over the world, some relatives were not even aware about each other's existence.

The number of restitutions itself is, sadly, still comparatively small, in particular taking into account the advanced age of quite a couple of the family members

waiting for the objects, among them a few that still have personal memories of the traumatic years of persecution and emigration.



GREAT GRANDDAUGHTER TAMARA KOCHRICHT AND THE AUTHOR AT THE RESTITUTION OF TWO CANDLESTICKS FROM THE PROPERTY OF ÉLISE MAISON (1854-1942), PARIS, 2021. PHOTO: AUTHOR

There are three main reasons for these delays. In most cases, there were no testaments. Under such circumstances, we must make sure that the pieces go to the right persons. It is therefore not sufficient to get in touch with one member of a family, but all most direct heirs must be traced and approached. Since about two thirds of the original owners did not survive the NS regime, and since in many cases entire families have been almost wiped out, we have to search among remote cousins, nephews and nieces. In one case, more than 30 relatives had to agree to a solution before a piece could be finally returned. To identify all lines and get the necessary agreements, signatures and finally the official approval, can be a very lengthy process.

The second reason for the current delays lies in the fact that there was funding for the research, but not for the return of the pieces itself. I am very grateful

that, after many efforts and deliberations, we have finally overcome this dilemma. Thanks to the support of the German Lost Art Foundation and others, the rhythm of restitutions will accelerate in the coming months. Many will take place in the US and Israel, where most of the families are living.

And finally, the third stumbling block was the unwelcome surprise that the identifications presented in 2019 were less reliable than we had assumed. The objects and the owners were only summarily documented at the pawnhouse, and the original pawnhouse documents were missing since the 1960s. Moreover, the objects at the BNM are of a very similar nature: There are mostly candlesticks, vessels for salt and spices, (kiddush) cups, cutlery – i.e., mainly objects that had been part of the daily life and private religious ceremonies of the families. It goes without saying that these objects can be easily confuted, in particular, if they do not bear anymore the identification marks attached to them in the pawnhouse. In fact, only a very few of them do. A careful reexamination of the old museum files proves that such confusion effectively took place, and this already in the 1950s and 1960s. As a result, pieces had been returned to the wrong families at that early date. 15 out of the 65 cases identified in 2019 are possibly or probably affected by such errors. This means that a reexamination of all existing documentation is a prerequisite for continuing our work, and that we have to restart from square one in a couple of cases. What makes matters worse is the fact that in several of the affected cases the families had already been informed about the objects to expect, and that the formalization of an agreement had already started. At least we feel still confident that we will be able to relate almost every single object to a former owner, and to reconstitute all these pieces to descendants of their last legitimate owners.

The delays and errors are deplorable, but since the value of these objects is mostly emotional, we must make sure that the objects are returned to the right families. In a number of cases, these objects are

the only physical remains of a victim of the shoa. In others, the owners managed to emigrate, but lost their German property in the lift vans described by Kathrin Kleibl in the previous edition of this Newsletter. References to these lift vans abound in the restitution claims raised after the war.

However, there are positive aspects linked to our renewed research as well. Over the last months, our knowledge about the 1939 events has increased enormously. In particular, some of the documentation that was missing for decades has come to light again. Thus, in early June I was shown among uncatalogued material at the Munich city archive 600 out of 2306 original “Abgabebblätter” detailing the registration of the silver consignments. In addition, lists were found that allow to link numbers registered at another Munich institution, the Stadtmuseum, to the actual owners. As it turned out, some of the silver objects there were owned by the same persons as those in the BNM, so that from now on, both institutions will be able to join forces.

The big aim is that progress won't stop there. In the Wirtschaftsarchiv Baden-Württemberg, the parallel documentation for Stuttgart has been discovered which is amazingly complete and intact. Hopeful-

ly there will soon be a proper project on it. A lot of research has been carried through in Hamburg and Berlin, but in many other cities, much more needs to be done. Hopefully the experiences gathered at the BNM project, and the new findings at the Munich city archive, will lead to combine forces of the specialists working in this field all over Germany, in order to achieve new findings, and, ultimately and above all – arrive at more restitutions.

**MATTHIAS WENIGER**

Bayerisches Nationalmuseum München;  
Curator of sculptures and paintings before 1550;  
Head of provenance research; Head of photographic services.



## Investigating what is not there

The Ginsberg Project as an example of the challenges facing private individuals in search of lost collections. How do you find something that is no longer there? Or something which might still exist but appears to be untraceable?

The vast majority of provenance researchers are concerned with things that are physically present, i.e. works hanging on the walls of museums, standing on the shelves of libraries, or stored in the depots of museums and institutions. A brief glance at the projects funded by the German Lost Art Foundation quickly reveals that most project funds go to public institutions and are used for the purpose of conducting research into in-house collections.

A small number of the projects funded by the German Lost Art Foundation are concerned with collections that have disappeared, usually in their entirety. The applicants are private individuals, mostly descendants of victims, who are searching for traces of the lost items almost 80 years after the end of the Second World War (1). The fact that relatively few applications for funding are submitted by descendants is due to the fact that many families are still unaware that their ancestors owned individual works or entire collections. In other instances, especially where the

descendants live abroad, the people concerned may not be aware that they are able to apply for financial support in Germany to search for lost art, with the help of a person who lives here or that of a German institution (2).

The *Ginsberg Project* exemplifies the challenges facing descendants in searching for lost collections. At first it was almost a coincidence that Dodi Reifenberg, a descendant of the Ginsberg family, suddenly became aware of the fact that his ancestors possessed art collections. He had read the famous, family-based novel *Effingers* by his great-aunt Gabriele Tergit, so he had some idea that his family may have been wealthy – not only in the material sense but even more in the sense of cultural wealth. He realised that he came from a family that had lived and worked in Berlin from the end of the 19th century onwards.

This realisation in winter 2017 was the starting point for the collaboration between Dodi Reifenberg and

ADOLPH MENZEL,  
,THE SLEEPING SEAMSTRESS IN THE WINDOW',  
ETCHING, EARLY TEST PRINT WITH CORRECTIONS,  
IN THE DEPOT OF THE DEUTSCHES HISTORISCHES MUSEUM,  
BERLIN. THE PRINT WAS IN LUDWIG GINSBERG'S COLLECTION  
UNTIL AT LEAST UNTIL DECEMBER 1935. IT HAS BEEN ADDED TO  
THE INVENTORY OF THE MUSEUM FÜR DEUTSCHE GESCHICHTE  
(1952-1990) IN 1957. IT'S IS STILL UNCLEAR HOW THE PRINT  
GOT INTO THE COLLECTION OF THE MUSEUM, AS THE RECORDS  
FOR THIS ACQUISITION COULD NOT BEEN LOCATED IN THE  
MUSEUM'S ARCHIVE.  
PHOTO: P. HANSON



myself. After months of researching various clues in archives in Berlin and online, we eventually arrived at the conclusion that the family had been actively involved in the grain trade in the 19th century, had owned textile factories in Łódź, Poland, and in Zawiercie, and had lived in Berlin's prestigious Tiergarten district with around 45 family members from the 1880s onwards. Various family members were culturally and socially involved in the Jewish community in Berlin, as well as in city life in general. The brothers Ludwig and Max Ginsberg and their cousin Herbert Ginsberg were joint proprietors of the bank Gebrüder Ginsberg. Their wealth allowed them to engage in philanthropy as well as to acquire and maintain art collections. All three collections were lost as a result of the National Socialist tyranny and no longer exist as such.

### **The Ginsberg Project**

The longer the *Ginsberg Project* has been running, and the bigger it has become – over the years we have been able to employ three researchers to investigate the lost collections thanks to funding from the German Lost Art Foundation – the clearer it has become to us what a mammoth task this is, both from the point of view of sheer scope and in terms of the nature of the work involved. The *Ginsberg Project* concerns the search for almost 2,000 lost works: the collection of Ludwig Ginsberg, who owned the most comprehensive collection of Adolf von Menzelgraphics ever to be privately owned, comprising some 500 sheets. the collection of Herbert Ginsberg, who owned a vast collection of East Asian art consisting of some 900 objects. and a collection of Islamic art of Max Ginsberg which included almost 500 items. In addition, all three collectors also owned other works



LIVING WITH THE COLLECTION IN THE LIVING ROOM OF HERBERT AND OLGA GINSBERG, VON DER HEYDT STRASSE 5, BERLIN; ILLUSTRATED AND SELF-DESIGNED CATALOGUE, HERBERT GINSBERG COLLECTION, LEIPZIG UNIVERSITY LIBRARY, 1923.

such as paintings, graphics, handcrafted objects and sculptures that did not belong to a specific collection. And then there are items such as the valuable violin owned by Ludwig Ginsberg, the existence of which we traced entirely by chance in various exchanges of letters.

### Ludwig Ginsberg's Menzel collection

Ludwig Ginsberg (1873 – 1939) was married to Helga Ginsberg, née Aeukens (1887 – 1923). She died at an early age in 1923, only a few years after the birth of the younger of her two daughters, Lotte. After Ludwig Ginsberg died in 1939, Lotte was deported to Riga in 1942 and murdered there. Only the elder daughter Alice was able to flee to Great Britain in 1939 with the support of the musician Bronislaw Hubermann, and she continued to live in London. When she died in 2020, she bequeathed a handful of belongings to the Royal National Institute for the Blind, which she had supported for decades. Alice suffered from a serious eye disease at a young age, which caused her to go almost completely blind within a few years. There is not a word in her will about her father's collection. He had owned the most important and comprehensive collection of Menzel graphics that had ever existed in private hands.

The researcher in charge, Pauline Hanson, has nonetheless succeeded in reconstructing it piece by piece over the past years. She was also able to track down around 60 works. The starting point was a 1930 catalogue issued by the auction house C.G. Boerner, where Ludwig Ginsberg had offered his collection for sale for the first time and which probably listed most of the works in the collection. One particular difficulty in researching which items belonged to the collection arose from the fact that some of them were offered for sale at later auctions after the National Socialists had seized power. Among other things, it was complicated to determine which works had not been auc-

tioned in 1930 and which items Ginsberg had kept for himself, not offering them for sale for the first time until later. The challenge of finding lost items is entirely different in the case of graphic sheets as compared to individual paintings, which are always solitary specimens. Sheets are available in several prints, so they do not necessarily catch the eye, and since they are not as valuable, they do not tend to attract attention in the same way. Nevertheless, Pauline Hanson has managed to identify the current location of some 60 works.

**Pauline Hanson:** (since 2018 provenance researcher for the Menzel Collection of Ludwig Ginsberg, funded by the German Lost Art Foundation):

*The main difficulty in this project is not that many of the objects we are looking for are printed works, which as a serial medium can pose particular challenges in provenance research. The real crux is that as long as proactive provenance research at museums is perceived as a voluntary exercise and not as an obligation or duty, external research efforts can be slowed down or even hampered. Researching print collections often requires an initial time-consuming orientation phase inspecting poorly inventoried collection holdings where an initial check for the period 1933 – 1945 has yet to be carried out. The lack of knowledge among staff with regard to the existence of the corresponding acquisition documents and other relevant archival records, as well as them being archived separately from the collections considerably complicates provenance research.*

### The Herbert Ginsberg East Asian Collection

Herbert Ginsberg (1881 – 1962) was married to Olga Ginsberg, née Lachmann (1888 – 1953). Together the couple had one child, Marianne, who was born in 1911. The family owned a large property with two villas on Lake Wannsee in Berlin as well as a spacious apartment in the centre of Berlin. Herbert Ginsberg's





passion for collecting East Asian art began when he went on a trip around the world before his marriage in 1908, which also took him to Asia. In Japan alone he bought about 300 wood prints and 160 netsukes. Up until 1929, he expanded his collection with purchases at auctions and from dealers throughout Europe, which he listed in a catalogue he compiled himself. Researcher Laura-Marijke Hecker believes he assembled a collection of around 900 items from Japan, China, Korea and India. Apart from a few pieces that we know were returned to the family after the war, the majority of the collection has been lost.

From 1924 until his flight in 1938, Herbert Ginsberg was a member of the expert commission of the Museum für Ostasiatische Kunst (Museum of East Asian Art) in Berlin. In 1926, Ginsberg was involved in the founding of the Gesellschaft für Ostasiatische Kunst (Society of East Asian Art), going on to become a board member and treasurer. As a result of the Nuremberg Race Laws, the director at the time, Otto Kummel, who was General Director of the Preußische Museen (Prussian Museums) in Berlin, saw to it that all members of the Gesellschaft für Ostasiatische Kunst who were persecuted as Jews, including Ginsberg, were stripped of their membership (3). The family's attempt to emigrate to Brazil failed: only daughter Marianne Ginsberg managed to escape to the USA. Olga and Herbert Ginsberg fled to the Netherlands via Switzerland in the summer of 1938, and they were able to take part of the collection with them. These items were confiscated by the SD of the SS in Rotterdam in late summer 1942. Also, the whereabouts of another part of the collection – some 500 pieces – which Ginsberg could not take with him to the Netherlands remains unknown to this day. Neither do these items appear in the packing lists of the objects taken to the Netherlands. What is more, Ginsberg does not lay claim to them in his post-war reparations application.

**Laura-Marijke Hecker** (since 2020 provenance researcher for the Ludwig Ginsberg East Asian Collection, funded by the German Lost Art Foundation): *“How do you find something that isn't there any more? When our research started, one important find was that of*

*three photo albums compiled by Herbert Ginsberg himself. These albums were held at Leipzig University Library for decades, marked with swastika stamps. They date from 1923, so they may not document the inventory status of 1933. And incidentally, they're certainly subject to restitution themselves.*

*The biggest challenge after that was to reconstruct the East Asian Collection as a whole and understand the circumstances of the loss. This required a lot of archival work and comparison of collection lists. As a result of this groundwork, I divided my provenance research into two strands. Firstly, I'm attempting to trace the path taken by the part of the collection confiscated in the occupied Netherlands, and secondly, I'm looking into what happened to the part of the collection that – according to my current knowledge – did not go to the Netherlands with the Ginsberg-couple. This approach requires historical knowledge so as to be able to understand how the various National Socialist groups proceeded, for example. In the case of Herbert Ginsberg, for example, this concerns practices in the occupied Netherlands, where the East Asian objects were confiscated – in other words, objects that tended not to be the focus of the major Nazi collectors.*



A TURKISH PLATE, PAINTED IN THE CENTRE WITH A FELUCCALIKE SHIP IN BLUE, GREEN, BLACK AND RED, WITHIN A SCROLLED BORDER, 11 1/2 IN. THE PLATE WAS PART OF MAX GINSBERG'S COLLECTION AND WAS SOLD IN AN AUCTION BY SOTHEBY'S IN LONDON ON JULY 31ST, 1939

*In addition to a knowledge of history, it's important to look at the collector himself and his social milieu. What kind of person was Ginsberg? How did he react to the sanctions imposed on the Jews? What did he do with his collection? Did he sell it, give it away, hide it? What were the relationships like within his family? Who did he associate with in the Third Reich? The aim is to understand the life of Herbert Ginsberg and his relationship to his collection. All these questions can throw up hot leads.*

*For the part of the collection confiscated in the occupied Netherlands, the final report of the "Stichting Nederlands Kunstbezit" (SNK) – the organisation that took care of returning cultural objects to their original owners after the Second World War – states that the confiscated collection was taken to Ravensbrück in northern Germany. Good networking with other researchers is crucial to this kind of search: that was how I found out that, in addition to the concentration camp, Ravensbrück also had hall-like wooden barracks for the storage of looted art from 1943 onwards.*

*As far as the other part of the collection is concerned, we still don't know what happened to it: I'm currently researching the buyer of Ginsberg's Villa am Kleinen Wannsee, Adam August Breuer. Like Herbert Ginsberg, Breuer was a passionate East Asian collector – so could it be that Ginsberg sold him part of his collection? You have to keep on asking yourself new questions and challenging seemingly established facts to get a little closer to finding out where the collection has ended up."*

### **The Islamic Art Collection of Max Ginsberg**

Max Ginsberg (1872 – 1938) was married to Henriette Ginsberg, née Sachs (1875 – 1942). After his death in May 1938, Henriette was deported to Treblinka in autumn 1942 and murdered. The couple's sons Adolf and Bernhard managed to emigrate to the USA in 1941 with great difficulty and by an indirect route. The latter's sister Adele, her husband Max Nothmann and their younger daughter Vera, were deported to Auschwitz in spring 1943. Only the older daughter, Gerda,

who was deported from Westerbork with her Dutch host parents in 1944, survived the camp as a forced labourer (4). She was liberated by the Soviets on 1 May 1945 and was later able to emigrate to the USA, where she found her uncles Adi and Bernhard. During preliminary research into the Max Ginsberg collection, we found and met the direct and only living descendants of Max Ginsberg in the USA. A daughter of Gerda's and several grandchildren visited Berlin in connection with the laying of *Stolpersteine* (*small local memorials to victims of the holocaust*) for the family in June 2022 (5).

Max Ginsberg's Islamic Collection comprised around 400 handcrafted Persian, Syrian and Egyptian items dating from pre-Islamic times to the 18th century. His interest in this was presumably aroused by his uncle Hermann Burchardt, who made numerous trips to the Middle East in the 1890s and also lived in Damascus for some time. Ginsberg may have accompanied him on one or more journeys at the turn of the century, laying the foundations for his own collection.

**Helmuth Braun** (since 2021 provenance researcher for the Islamic Collection of Ludwig Ginsberg, funded by the German Lost Art Foundation): *"The crucial point was finding out that Max Ginsberg's collection had been auctioned off at Sotheby's in London in 1939. According to Sotheby's, the consignee was the so-called AMOBA art dealership based in Amsterdam. Research into the buyers at the auction, who were bidding on behalf of various museums in Great Britain, France, the Netherlands, Germany, Austria and Switzerland, is laborious and time-consuming. Even more difficult – more than 80 years later – is the search for the private bidders of the time and their heirs.*

*Finding out how the collection was able to leave Berlin for the 1939 auction and find its way to Otto Meyer's AMOBA art dealership in Amsterdam will take some detective skill. It is an open question as to whether and how the family benefited from the proceeds of the*

*collection. Judging by Max's son Adolf's documents of financial hardship after emigrating to Britain in the summer of 1939, it seems doubtful."*

### Conclusion:

Conducting research into lost collections not only serves to identify works that require restitution. It always involves uncovering forgotten biographies and lost collection histories, too, so as such it is "a form of reparation through late recognition" (6) of a cultural life that no longer exists. This kind of research also depends to a large extent on the work of museums and other institutions that preserve records. The easier the access and the better the processing of documents that are now more than 80 years old, the more likely researchers are to find relevant material and therefore also the lost works themselves.

### JULIA ALBRECHT

is a lawyer and author and joined the team of the German Advisory Commission in July 2022. Previously, Julia managed the Ginsberg project and conducted research on Nazi-looted art.

(1) [https://www.kulturgutverluste.de/Webs/DE/Forschungsforderung/Projektfinder/Projektfinder\\_Formular.html?cl2Addresses\\_Adresse\\_State=instart\\_koop-privatperson+instart-privatperson&show\\_map=0&cl2Categories\\_Themen=FBNS&sortOrder=cl2Addresses\\_Adresse\\_sort+asc#103278](https://www.kulturgutverluste.de/Webs/DE/Forschungsforderung/Projektfinder/Projektfinder_Formular.html?cl2Addresses_Adresse_State=instart_koop-privatperson+instart-privatperson&show_map=0&cl2Categories_Themen=FBNS&sortOrder=cl2Addresses_Adresse_sort+asc#103278)

(2) <https://www.kulturgutverluste.de/Webs/EN/HelpDesk/Index.html;jsessionid=47DF60E310822BAF35562432DB6891F8.m0>

(3) "I became a member of the Expert Commission of the Department of Eastern Art of the State Museum, Berlin (1924-1938) and a co-founder as well as a member of the board of directors of the Gesellschaft für Ostasiatische Kunst (GOK) Berlin (1926-1938). WII put an end to it all – as well as to my collection. [...] However, some of our lost works of art will be remembered through publications and catalogues of exhibitions in which they have been shown." Cf. LBI/NY, AR 1028/MF 818, box 4, folder 3, Notes on Art Collecting, undated.

(4) Gerda Nothmann Luner, *Gerda's Story: Memoir of a Holocaust Survivor*, 2002

(5) <https://plus.tagesspiegel.de/berlin/entrechtet-gedemutigt-ermordet-neue-stolpersteine-in-tempelhof-sc-honeberg--das-sind-die-schicksale-dahinter-496353.html>

(6) Gesa Jeuthe, *Kunstwerke im Exil – Das sogenannte "Fluchtgut" als Zeugnis von Verfolgung, Vertreibung und Verlust*; in: *Archive und Museen des Exils*, edited by: Sylvia Asmus, Doerte Bischoff, Burcu Dogramaci; Volume 37 of the series *Exilforschung*, 2019



## Seizing the Moment: The JDCRP Open-Source Digital Data Platform for Nazi-Era Cultural Plunder

Historians have long struggled to find ways to document the vastness of the Holocaust, with its unprecedented scale of murder and destruction. Due to the immensity of the task, multiple gaps in research remain, including the degree to which the National Socialist plunder of European Jewish property was intertwined with the systematic attempt by the Nazis and their allies to extinguish all traces of Jewish lives, culture, and identity.

Three-quarters of a century later, the dimensions of this meticulously organized theft remain largely unknown. In recent years, historians and provenance researchers have stepped up investigations to document what was taken, from where, and from and by whom, charting where possible the journey and the fate of the looted property.

Although considerable archival documentation exists, the research has been significantly hampered by the difficulties of researchers and affected families to access documentation. Archival evidence is geographically scattered and often in fragmentary form, lacking digitization, with many records difficult to access. Archival search systems for information are often inadequate to locate vital information. Potential treasure troves of documents in both public and private hands remain closed to researchers. The whereabouts of many objects remain unknown, due to the looting, confiscation, and wide-ranging dispersal of Jewish family collections. And public awareness is lacking: Few have asked about the fate of the immense number of looted possessions and property seized outright, or of the possessions Holocaust victims were forced to sell, give away, or abandon to survive or migrate.

The final resolution of the groundbreaking 1998 Washington Conference on Holocaust Era Assets identified the lack of attention to this issue, calling for a central registry of archival material. In addition to several commercially based registries, a number of

valuable open-source pilot projects, including the Einsatzstab Reichsleiter Rosenberg (ERR) Jeu de Paume database in 2010 and the International Research Portal for Records Related to Nazi-Era Cultural Property in 2011, demonstrated the feasibility of a larger-scale project. The German Lost Art Foundation sponsors the rapidly expanding Proveana and Lost Art websites that provide valuable information on hundreds of looted collections.

Nonetheless, a comprehensive open-source digital database for existing archival documentation still does not exist.

Only recently, given the development of more sophisticated digital tools, expanding amounts of provenance research, growing access to relevant archives, and surging public interest, has it become realistic to consider creating the long-held vision of a central archival database for stolen cultural objects. In 2019, this combination of factors prompted the Conference on Jewish Material Claims Against Germany and the Commission for Art Recovery, in close coordination with a transnational network of experts and partner institutions, to establish the Jewish Digital Cultural Recovery Project (JDCRP) Foundation.

Based in Berlin, the foundation was launched to create an open source, archivally based data platform of cultural objects looted from European Jewry by the Nazis, their allies, and collaborators. The JDCRP strives to intensify and multiply the exchange of research and information being collected on looted cultural objects for research and educational purposes. Cultural objects to be documented will include visual arts, applied arts, Judaica, musical instruments, books, and other objects of significant cultural value.

By drawing together various archival sources in one location, the JDCRP central archival platform will provide larger amounts of information than was previously possible regarding the ownership, seizure, dispersion, and recovery efforts of Jewish-owned property in pre-WWII. It will as well provide greater

accessibility to little-known archival information, such as tax records, shipping registers, and restitution claims, offering new opportunities to chart the journeys of the looted objects.

In 2020 the JDCRP launched the EU co-funded pilot project, “The Fate of the Adolphe Schloss Collection.” This distinguished collection of Old Master paintings owned by French-Jewish businessman Adolphe Schloss was looted by German Nazi and French Vichy officials in 1943 from non-occupied southern France. The project compiled information on the fate of the 333 looted paintings, drawing upon archival material and research in France, the UK, Germany, and the Netherlands. The project resulted in identifying variables that need to be considered in the larger eventual database; the provenance of the objects; and a detailed timeline that tracks the events, persons, and objects. The Schloss collection project also provides an initial data structure for the inclusion of additional collections in the central JDCRP platform and offers basic educational information about the use of archives to track stolen art.

An EU co-funded extension project is slated to begin in the fall of 2022 that will transfer archival information from the Einsatzstab Reichsleiter Rosenberg Jude de Paume database to a new central structure, by providing direct links to the relevant archives. JDCRP is also exploring methods to improve search methods and evolving technologies to enhance accessibility. The project will also document in detail two additional looted collections and expand educational material to enable a wider circle of users of the data platform.

In addition to the compilation of archival documents and the investigation of collections, JDCRP is supporting research that will provide unique overviews

of the scope and dimension of the cultural plunder. In early 2022, JDCRP launched the “Persecuted Jewish Artists” project to document the thousands of European Jewish artists persecuted and largely murdered during the Nazi era. Their art was often confiscated or destroyed, with their work thusly forgotten. The project will create an initial central index for the persecuted artists, in the hope that such an index will spur further research and discoveries of art that helped shape the history of early twentieth-century art. With the whereabouts of hundreds of thousands of looted objects still unknown, the archival material can provide Holocaust survivors and their family heirs an opportunity to reconnect with family histories, providing a measure of moral justice. It can offer expanded perspectives on the Jewish contribution to European pre-war cultural heritage. Finally, a central platform will provide the basis to map the scope and mechanisms of the largest cultural theft known in history, allowing us to understand more fully the devastating impact of cultural theft during the Holocaust.

#### DEIDRE BERGER

Executive Board Chair, Jewish Digital Cultural Recovery Project Foundation

<https://de.jdcrp.org/>



JEWSH DIGITAL CULTURAL RECOVERY PROJECT

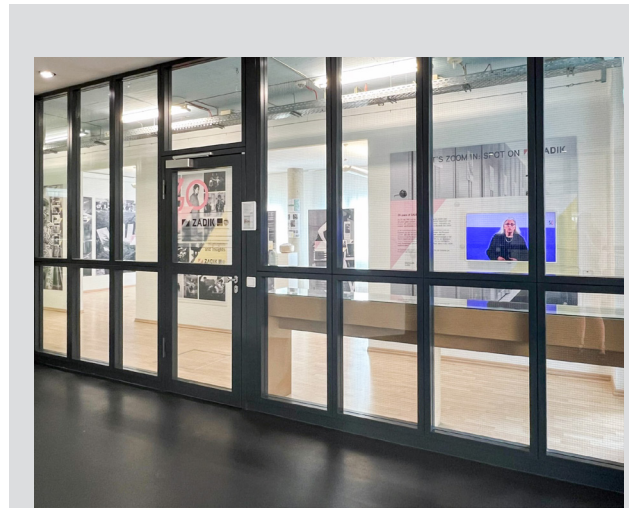
## ZADIK

## Central Archive for German and International Art Market Studies – an academic institute researching contexts in the art world

ZADIK | Central Archive for German and International Art Market Studies is an academic institute of the University of Cologne. It is dedicated to archiving, processing, critically and reflectively researching, and communicating the history, structures, contexts, and developments of international art systems. Today, the Central Archive comprises over 170 holdings of gallery owners, art dealers, auction houses, art critics, curators, specialist photographers, and other protagonists in the art market, focusing on the period from the early 20th century to the present. As the world's first specialized archive on the history of the art market, ZADIK was founded in 1992 and transferred to the Faculty of Arts and Humanities at the University of Cologne in 2020.

### History and Range of Activities

The idea for ZADIK originated among the ranks of the commercial art world itself: the gallery owners Hein Stünke, Rudolf Zwirner, and Gerhard F. Reinz had been discussing plans, since the mid-1980s, to found an archive preserving the history of the commercial art world. The archives of fellow-gallerists who had documented their lifetime achievements and commitment to art, frequently over several decades, were to be conserved for research purposes, enabling the hitherto neglected history of the commercial art world to be integrated into the general history of art. A decisive impetus for the founding of ZADIK was provided by the transfer of the gallerist Paul Maenz's archive to the *Getty Research Institute* in Los Angeles in 1991. Hein Stünke, who was awarded the ART COLOGNE Prize in the same year, set a counter-example by donating the archive of his gallery *Der Spiegel* to the *Bundesverband Deutscher Galerien BVDG e. V.* (Federal Association of German Galleries), today *Bundesverband Deutscher Galerien und Kunsthändler e. V.* (Federal Association of German Galleries and Art Dealers) as ZADIK's first inventory. All the other archives that



ENTRANCE, ZADIK, IM MEDIAPARK 7, KÖLN.  
VIEW INTO THE EXHIBITION "30 YEARS OF ZADIK – HIGHLIGHTS  
AND INSIGHTS", 25.05.2022-24.05.2023

ZADIK has subsequently received have likewise been donations.

The inaugural meeting of ZADIK took place on May 25, 1992, and a non-profit organization was founded, at that time still under the name *Zentralarchiv des deutschen und internationalen Kunsthandels e. V.* (Central Archive of the German and International Art Market).

Since it was founded, the range of ZADIK's collecting and other activities has steadily expanded. From the very beginning, publications have represented a major means of communication for ZADIK, facilitating the publishing of both internal and external research and documentation. The magazine [sediment – Materialien und Forschungen zur Geschichte des Kunstmarkts](#) (sediment – materials and research on the history of the art market) was launched as a publication in 1994 and has now reached 31 issues. The publications address and expound on subject matter and selected holdings culled from the archive. Since 2020, sediment has been available in bilingual form



(German/English) as an [open access e-journal](#) on the *arthistoricum* platform. As of the 2022 anniversary issue, the format will be supplemented by a section of contributions that are double-blind peer reviewed, enabling it to also offer a platform to an academic community specializing in art market research in the future. The regular [special exhibitions](#) that ZADIK puts on display in its own premises at Mediapark 7 in Cologne and annually at ART COLOGNE provide a further means of communication.

### New Direction

2020 was a significant year for ZADIK as it was transferred to the University of Cologne, from which point ZADIK became an academic institute of the Department of Philosophy and is no longer registered as an association. It functions, instead, as what is defined in German legal terms as a “gemeinnütziger Betrieb gewerblicher Art (gBGA),” with its own board of directors and [advisory board of trustees](#). In October 2020, apl. Prof. Dr. Nadine Oberste-Hetbleck succeeded apl. Prof. Dr. Günter Herzog as director.

These far-reaching structural changes are also being accompanied by conceptual changes at ZADIK. The vision of ZADIK’s new direction is that of becoming, with its archive, the world’s leading competence center in the field of art market documentation and art

market studies. This will require a further expansion of its holdings and the scope of its collecting, archival description activities, interdisciplinary research, the utilizing of a digital strategy, international networking and collaboration, as well as the development of innovative concepts to convey its mission. As an academic institute, ZADIK is being divided into three areas: specialist archive, research and teaching center, and cultural institution.

### Association for the Promotion of ZADIK

The restructuring has also meant that the previous sponsoring organization has become the Gesellschaft zur Förderung des ZADIK e.V. (Association for the Promotion of ZADIK) through changes in the statutes and a renaming. With its board members being elected in June 2022, the new association has become interdisciplinary in its composition: art law / copyright law (Yasmin Mahmoudi, chair), history of art / provenance research (Dr. Katja Terlau, deputy chair), philosophy / art market (Jorge Sanguino, treasurer), history / archiving (Dr. Ulrich S. Soénius, secretary), and University of Cologne / ZADIK (Prof. Dr. Nadine Oberste-Hetbleck, who is a member of the board in her position as director of ZADIK).

One significant innovation instigated by the new association is that everyone can become a member!



VIEW INTO THE EXHIBITION  
 „30 YEARS OF ZADIK – HIGHLIGHTS  
 AND INSIGHTS”.  
 ON THE RIGHT VIDEO-GREETING  
 BY ISABELL PFEIFFER-POENSGEN,  
 MINISTERIUM FÜR KULTUR UND  
 WISSENSCHAFT DES LANDES  
 NORDRHEIN-WESTFALEN A.D.

[\(Application for membership online\)](#) Membership not only offers an opportunity for anyone interested in the art market to engage in intense discussions and networking, but also provides a way of supporting ZADIK, for example the current funding of a student assistant as part of the [project on the archive holdings of the “Hauswedell und Nolte” auction house supported by the German Lost Art Foundation](#).

### **Third-party Funded Project “Hauswedell & Nolte Auction House,” German Lost Art Foundation**

In the “Hauswedell & Nolte” archive from Gabriele Braun and Ernst Nolte, ZADIK has come into possession of the archives of an important auction house that was founded before the Second World War and continued operating until 2016, specializing in books, autographs, and art. The subject of the project being funded by the German Lost Art Foundation is the digitization and archival description of “core data” relevant to provenance research (also involving cultural property from the colonial era) on the auctions by the Dr. Hauswedell, and from January 1, 1969 Hauswedell & Nolte company. Books and autographs, East Asian, African, Oriental and pre-Columbian art and cultural assets, as well as “Western” modern art and Old Masters were auctioned and sold there. The “core data” relate specifically to the auction data. The data at Hauswedell (& Nolte) can be researched from the auction catalogues, the almost completely extant consignor books (from 1951 onwards) and auction records. From a total of around 342,000 auction lots, from auction 23 (1940) to 297 (1992), 100,000 lots with their corresponding core data had already been included in the ZADIK database during the 2019-2022 funding period. The data for the remaining auction lots are now to follow during the extension to the project that has been running since June 2022. Since the record is incomplete, it is not possible to research the entire data concerning all the lots that were put up in the auctions mentioned, but in the majority of cases it is possible. The data obtained are to be published on the ZADIK database, insofar as there are no legal restraints, so that all the art and cultural assets bought and sold there will appear on the internet and therefore be available for further provenance research. The

digitized versions of the auction catalogues – some of which were created with the support of University and City Library of Cologne – will be published, copyright permitting, by the [University Library, Heidelberg](#).

Our dialogue with provenance researchers is a matter of great importance to ZADIK. Therefore, the archival description and digitization of other archive holdings relevant to provenance research, such as “A 32 Hermann and Günther Abels / Art Salon Hermann Abels / Gemäldegalerie Abels, Cologne” is at the top of our list of priorities.

### **Anniversary: ZADIK turns 30!**

30 years after being founded, during 2022 ZADIK is looking at the past, present, and future. Employing a range of formats, it will be setting accents and emphases during the 2022 anniversary year, focusing on its history and holdings, “contexts in art” and “diversity in the art market.” Since May of this year, three campaigns are being carried out to establish new forms of long-term academic communication:

Under the motto “Let’s zoom in: Spot on ZADIK,” the anniversary exhibition [“30 years of ZADIK – Highlights and Insights”](#) has been running since May 25, 2022, providing insights into ZADIK’s areas of activity and its holdings. Furthermore, the anniversary issue of sediment [“Reflections on the Art Market – Writing Art Market History”](#) will be published at the end of 2022, which will introduce an ongoing conceptual development: in addition to the Documentations section addressing ZADIK and its history, a Research section is being introduced featuring contributions by external authors.

Under the title “Let’s reflect: Diversity in the Art Market,” the [academic blog “Women in the Art Market”](#), which was conceived and published during 2021, focuses on the scope, diversity, and complexity of this particular area, as an interdisciplinary research and educational project that is being continued and expanded.

Under the title “Let’s talk: ZADIK Outreach,” topics relating to (art) archives will be addressed in discussions at selected locations both in Cologne and beyond.

All of these activities are intended to ensure that ZADIK as a central platform for discussions, research, and education in the contexts of the art world is making both a decisive contribution and maintaining its public profile.

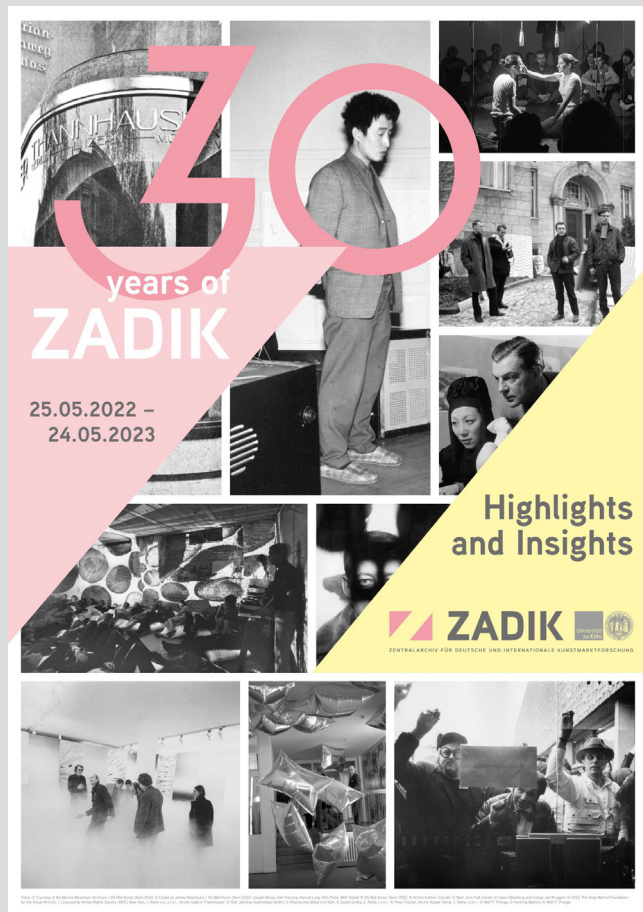
**Contact**

University of Cologne  
 ZADIK | Zentralarchiv für deutsche und internationale Kunstmarktforschung  
 Im Mediapark 7  
 D-50670 Cologne, Germany  
 Telephone +49 221 470-89230  
 E-Mail zadik-info[at]uni-koeln.de

**NADINE OBERSTE-HETBLECK**

has been director of ZADIK | Central Archive for German and International Art Market Studies since October 2020 as well as apl. Professor in the Department of Art History at the University of Cologne. Since 2021 she has been a member of the arts class at the *Nordrhein-Westfälische Akademie der Wissenschaften und der Künste* (North Rhine-Westphalian Academy of Sciences and Arts), and since 2022 a member of the advisory board of the *Koordinationsstelle für Provenienzforschung in Nordrhein-Westfalen* (Coordinating Center for Provenance Research in North Rhine-Westphalia).

On 23 November 2022, Nadine Oberste-Hetbleck will be presenting the work and provenance research-related holdings of ZADIK at the [Herbsttreffen des Arbeitskreises Provenienzforschung e. V.](#) (Fall Meeting of the Provenance Research Working Group) at Kunstmuseum Basel.



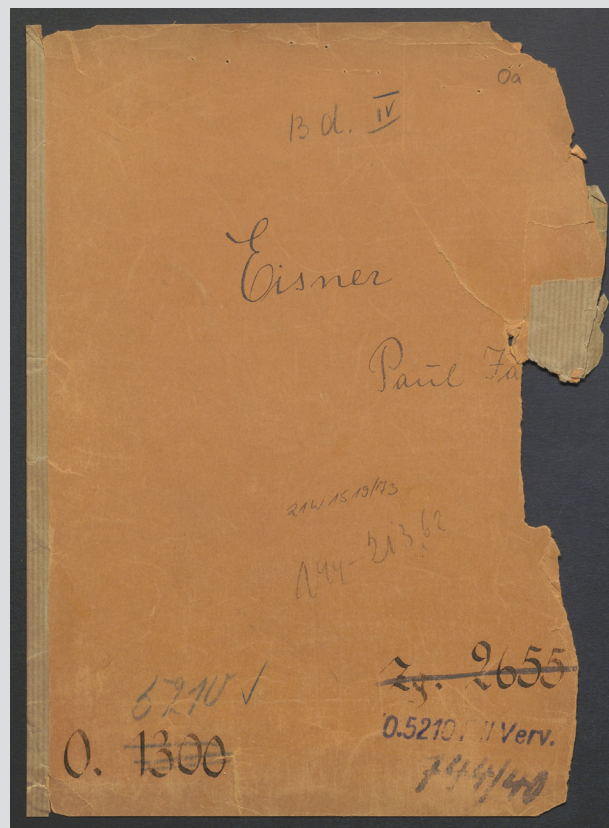
EXHIBITION POSTER “30 YEARS OF ZADIK – HIGHLIGHTS AND INSIGHTS”  
 PHOTOS: © COURTESY OF THE MARINA ABRAMOVIC ARCHIVES / VG BILD-KUNST, BONN 2022; © ESTATE OF JAMES ROSENQUIST / VG BILD-KUNST, BONN 2022; JOSEPH BEUYS, KARL HARTUNG, KONRAD LUEG, OTTO PIENE, WOLF VOSTELL © VG BILD-KUNST, BONN 2022; © ARCHIV KUTTNER, ERKRATH; © NAM JUNE PAIK ESTATE; © CLAES OLDENBURG AND COOSJE VAN BRUGGEN; © 2022 THE ANDY WARHOL FOUNDATION FOR THE VISUAL ARTS INC. / LICENSED BY ARTISTS RIGHTS SOCIETY (ARS), NEW YORK;  
 1. REIHE V.O., V.L.N.R.: ARCHIV GALERIE THANNHAUSER; © ROLF JÄHRLING; KOELNMESSE GMBH; © RHEINISCHES BILDARCHIV KÖLN; © EWALD GNILKA; 2. REIHE V.L.N.R.: © PETER FISCHER; ARCHIV KASPER KÖNIG;  
 3. REIHE V.L.N.R.: © WOLF P. PRANGE; © HENNING WOLTERS; © WOLF P. PRANGE



## The OFP Project at the Brandenburgisches Landeshauptarchiv in Potsdam

Since 2020, the so-called OFP Project has been researching 42,000 files of the Nazi Vermögensverwertungsstelle of the Oberfinanzpräsident (OFP) Berlin-Brandenburg at the Brandenburgisches Landeshauptarchiv in Potsdam. The files are assigned to victims of Nazi persecution by name. They document how the Nazi state liquidated confiscated property, in most cases of Jews living in the administrative district of Berlin-Brandenburg, for the profit of the state treasury. The focus of the research project is on art and cultural assets mentioned in the files. They were confiscated by the Gestapo (Secret State Police) and sold by the financial authority in auctions and free-hand negotiations. Nowadays they are often found in museums and public institutions because the legal predecessors of these institutions were able to profit from the plundering of the Jews during the Nazi era. One goal of the OFP Project is to identify the locations of Nazi looted art and to inform both the representatives of the former proprietors and the legal successors of the museums and public institutions about our research results. The end of the project is expected to end in mid-2023.

In order to identify locations of cultural property looted as a result of Nazi persecution and to reconstruct the loss of art ownership, a DMS (document management system) is being used, that is being developed by the OFP Project at the Brandenburgisches Landeshauptarchiv (Brandenburg State Archives). It enables computer-based detection of art robbery in the files. The use of the DMS was preceded by an intensive process of basic research into the workings of the Vermögensverwertungsstelle (Property Liquidation Office). It was necessary to investigate the systematic working methods of the financial authority. The knowledge of how art treasures were selected, how auctions and negotiated sales were hierarchically organized, and how the accounting to the state treasury was handled made it possible to define search categories and to program the tool to search specifically for profiteers. Profiteers of the Nazi art robbery who appear regularly in the files as “buyers” are, for example, the Reichs-



Brandenburgisches Landeshauptarchiv (BLHA),  
Rep. 36A Oberfinanzpräsident Berlin-Brandenburg (II) Nr. 8094/3



HISTORICAL FILE COVER

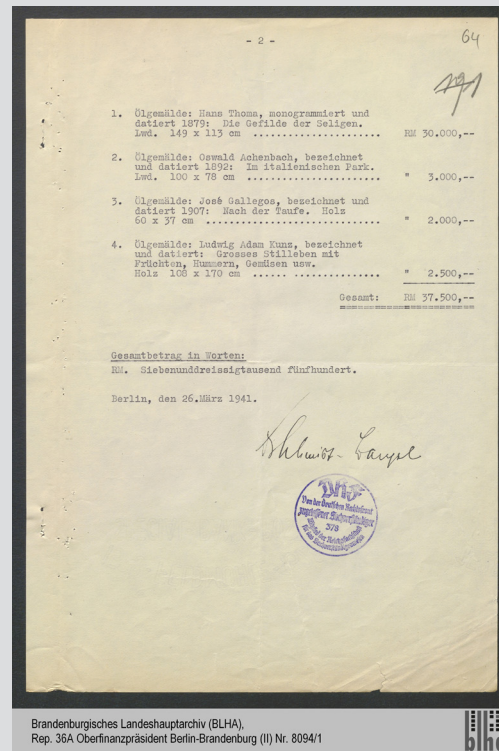
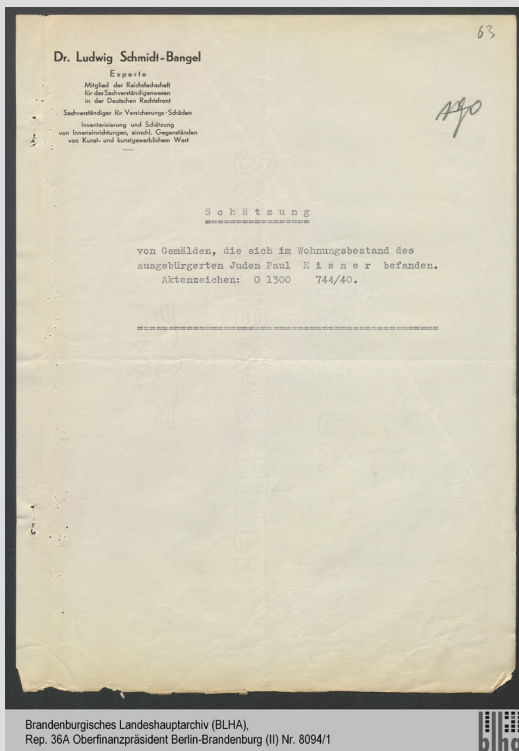
kanzlei, the Auswärtige Amt (Foreign Office) and middlemen for the Führer-Museum Linz planned by Adolf Hitler, furthermore the Reichsluftfahrtministerium (Reich Aviator Ministry) for Hermann Goering, the Reichsfinanzministerium (Reichs Ministry of Finance) and the State Museums in Berlin. In addition, numerous local art dealers who were registered at the Reichskulturkammer (Reich Chamber of Culture) and state authority employees are annotated. Private persons are hardly annotated as direct buyers of high and medium quality art objects in the files. They do, however, appear in the recorded negotiations for the sale of so-called household goods to war-affected persons. During the whole project, basic research will be further advanced and the DMS will be adapted to new

knowledge and requirements. The OFP Project aims to use new modern methods to analyze a mass source in a structured way and create a resilient result on the Nazi art robbery.

**The Vermögensverwertungsstelle**

At the end of 1941, the Vermögensverwertungsstelle officially succeeded the Ausbürgerungsabteilung (Emigration Department) of the Finanzamt Moabit-West and took over 100 percent of its employees. The new authority was responsible for the liquidation of the confiscated property of Jews and so-called Reichsfeinde (enemies of the Reich) in the administrative district. From mid-1941 onward, the Vermögensverwertungsstelle has successively taken over from its predecessor authority thousands of cases of so-called emigrants that had not yet been closed. These were Jews who had fled Germany. The Vermögensverwertungsstelle took action on the basis of

laws and ordinances issued by the Nazi state, as well as official decrees and service instructions issued by the Reichsfinanzministerium - whenever so-called Jewish property was to be confiscated and transferred to the Nazi-state. The activities of the employees of this financial authority are carefully recorded in the files, because these were administrative procedures. In the files, the researchers at the OFP Project have to deal with the highly effective processing of official regulations by experienced and established finance officials - who had already worked in the authorities under different political systems (Empire, Weimar Republic, National Socialism) - and with their successors, for whom professional advancement was assured. The files of the Vermögensverwertungsstelle prove that the employees of this financial authority were bureaucrats who, unimpressed by the consequences of their actions, carried out official regulations. Documents, archived in Potsdam, also transfer the ways in



Brandenburgisches Landesarchiv (BLHA), Rep. 36A Oberfinanzpräsident Berlin-Brandenburg (II) Nr. 8094/1

Brandenburgisches Landesarchiv (BLHA), Rep. 36A Oberfinanzpräsident Berlin-Brandenburg (II) Nr. 8094/1

ESTIMATION OF THE FOUR PAINTINGS

which the employees of the authorities participated in the plundering of the Jews, which had become a state principle since 1938.

With the establishment of the Vermögensverwertungsstelle, two departments were created that were responsible for the systematic liquidation of the remaining property of Jews. One department was responsible for handling the assets of deportees under registry signature O 5205. The other department was responsible for the administration of the assets of refugees under the register number O 5210, which were held in storage by forwarding companies. The last mentioned department will be discussed in more detail in this essay.

#### **A Case Study: O 5210-744/40 – Paul Jakob Eisner**

From 1941, the Nazi financial authorities were primarily concerned with liquidating the confiscated so-called removal goods of emigrants, which had been stored in forwarding agencies for years. Thousands of files that had been created by the Finanzamt Moabit-West under the registry signature O 1300 were continued from mid-1941 by the Vermögensverwertungsstelle under the registry signature O 5210.

The files of the Vermögensverwertungsstelle document the bureaucratic procedures initiated by the Nazi authority's employees to liquidate complete the property left behind by Jews. The identity of the former owners was meaningless in this process. In order to obtain information about the lives of the persons in whose names the files were established, other historical sources must be consulted. This also applied to the case study presented here:

In the file named to Paul Jakob Eisner (1886-1965) the earliest activity of the financial authority are dated 1938. The former general manager of Hahnsche Werke Aktiengesellschaft was forced to flee Germany in 1937 after being expelled from the company's board of directors. Hahnsche Werke Aktiengesellschaft was an association of steel and rolling mills that employed about 3,500 people in the 1920s. During the Nazi period it was "Aryanized" and taken over by Mannesmann-Röhrenwerke. With the loss of his position, Paul Jakob Eisner was deprived of his existence.

The property he left behind after his escape was confiscated by the Gestapo in 1939. The inventory of his apartment at Große Querallee in Berlin was stored at the Gustav Knauer forwarding company. A four-volume file in the Brandenburgisches Landeshauptarchiv in Potsdam reports on the liquidation of his movable and immovable property. After his expatriation in 1940, the financial authorities began to liquidate Eisner's so-called removal assets in 1941.

When the removal goods were brought to the auction room of the Finanzamt Moabit-West on Kottbuser Ufer on March 1941, four paintings had to be sorted out. They were valuable cultural property and so-called art treasures had to be handed over to the art auctioneer Hans W. Lange. The expert Ludwig Schmidt-Bangel had carried out the first estimation of the paintings at the financial authority. Among the four paintings was a *Large Still Life with Fruits, Lobsters, Vegetables, etc. Wood. 108 x 170 cm* made by Ludwig Adam Kunz. It was listed under item 4 and estimated at 2500 Reichsmark.

The auctioneer Hans W. Lange sold the four paintings on May 19, 1941. He had reformulated the art-historical apparatus for each painting in his auction catalogue. The still life by Ludwig Adam Kunz was offered under catalog number 37: *Large Still Life with Fruits, Copper Bowls, a Dead Peacock, lobsters and hunted heron. Wood. H. 106cm, br. 167cm*. The work realized 1100 Reichsmark, which was paid into the state treasury by the auctioneer.

Contextual research in the database of the Deutsches Historisches Museum discovered that the still life had entered the Linz collection under No. 1951 via the art dealer Maria Almas-Dietrich, who regularly acquired art objects from confiscated Jewish property for Hitler. After World War II, the painting was registered by the Allies under No. 11772 in the Collecting Point Munich. At that time, no indications were found to whom the painting had once belonged. It was therefore classified as "ownerless good" and given to the Israel Museum in Jerusalem, where it is now known as the *Still Life with Lobsters and Fowl, Oil : Wood. 106x170 cm* under B53.07.4702.



After the DMS in the OFP project had made the painting identifiable in the files, its actual location could be discovered with the help of the Lostart database. The Israel Museum had registered the still life there as cultural property confiscated by the Nazis under *ID 572593*. With the help of the Jewish Museum Berlin, the heirs could be identified and the research results of the OFP project were passed on to the Israel Museum.

**IRENA STRELOW**

Head of Provenance Research at the OFP-Project,  
Brandenburgisches Landeshauptarchiv in Potsdam,  
Germany

<https://blha.brandenburg.de/index.php/the-ofp-project/fields-of-work/provenance-research/>



LUDWIG ADAM KUNZ, STILL LIFE WITH LOBSTERS AND FOWL  
© ISRAEL MUSEUM JERUSALEM, BY EINAT ARIF-GALANTI

## 5 books returned to the descendants of French politician Georges Mandel

With the support of the Commission for the Compensation of Victims of Spoliation due to Anti-Semitic Legislation during the Occupation (CIVS) in Paris, the *Stiftung Preußischer Kulturbesitz* (SPK) and the *Sächsische Landesbibliothek - Staats- und Universitätsbibliothek Dresden* (SLUB) have returned a total of five books from their collections to the descendants of the prominent French minister Georges Mandel.

Following a recommendation by the CIVS on 12 February 2021, the books were handed over on Friday 15 July 2022 by the French Prime Minister Elisabeth Borne, in the presence of, among others, His Excellency Hans Dieter Lucas, Ambassador of the Federal Republic of Germany to France, and Andreas Görgen, Head of Department of the Federal Government Delegate for Culture and the Media, at the Hôtel Matignon in Paris.

Watch the entire ceremony via this [video link](#)

### French-German cooperation in the area of provenance research honoured

On the occasion of this ceremony, Mrs Borne underlined the remarkable gesture of the German institutions as a sign of French-German friendship, trust and reconciliation.

The four books returned by the SPK were identified at the *Staatsbibliothek zu Berlin* as part of a provenance research project financed by the *Deutsches Zentrum Kulturgutverluste*, with which the CIVS has a cooperation agreement since 2019. With the help of the CIVS from its office in Berlin, the heirs of Georges Mandel were contacted to propose the restitution.

The Prime Minister reiterated the French government's desire to pursue the restitution of looted works of art. She also emphasised that by donating the five books to the Shoah Memorial in Paris, Georges Mandel's heirs are pursuing the collective duty of remembrance.

The restitution of cultural property looted by the Nazis is a requirement shared by France and Germany. Mr. Jeannotot, President of the CIVS, who had the honour of opening the ceremony with a speech of presentation, did not fail to underline "what brings

our two countries together: neither France nor Germany is afraid to look its own past in the eye, and do not shirk their historical responsibilities".

In France, the work carried out by the CIVS for more than twenty years has led to the restitution of many looted assets. This restitution is testimony to the concrete effects of the reform initiated under the impulse of Prime Minister Édouard PHILIPPE. In 2018, the CIVS saw its capacities strengthened in this area, and since 2019 it has been supported in its work by the Ministry of Culture's Mission for Research and Restitution (M2RS). The law of 21 February 2022 is another example of this proactive approach: adopted unanimously by Parliament, it enabled fifteen works from public collections that had been looted to be returned to the families of victims.

### Georges Mandel, an emblematic figure

Georges Mandel (born Louis Georges Rothschild on 5 June 1885), from a modest Jewish family in Paris, was a French journalist and politician. A fierce



BOOKPLATE OF EUGENIE HERZ, DESIGNED IN 1923 BY THE VIENNESE PAINTER AND ETCHER RICHARD LUX (1877-1939)

© PÔLE DE PRODUCTION PHOTOGRAPHIQUE DES SERVICES DE LA PREMIÈRE MINISTRE

opponent of the policy of appeasement towards the Nazi regime, he stood uncompromisingly against fascism. Even before the outbreak of the Second World War, he strongly warned of the dangers of Nazi Germany and publicly criticised the Munich Agreement.





He was first a journalist, then a deputy for the Gironde and several times Minister: Minister of Posts, Telegraphs and Telephones (PTT) from 1934 to 1936, Minister of the Colonies from April 1938 to May 1940, then Minister of the Interior until June 1940. After the German invasion and the arrival in power of Philippe Pétain on 16 June 1940, Mandel lost his position as Minister.

Shortly after the occupation of southern France, Georges Mandel was arrested for the first time in Bordeaux in June 1940. A life of detention then began for him. He was later handed over to the Nazi regime in November 1942, which sent him to the Sachsenhausen concentration camp and then to the Buchenwald concentration camp, a special camp for political prisoners from the occupied territories. Finally, in 1944, he was handed over in France to the French Militia, a paramilitary organisation, which murdered him on 7 July 1944 in the forest of Fontainebleau.

At the same time as the arrest of Georges Mandel in 1940, his flat was requisitioned by German units. The books returned were taken from the plundering of his flat. Mandel's library, which included 15,000 volumes, was also "seized" and books were subsequently transferred to Germany. So far, only 700 volumes have been found and returned.

They were kept by the State Library of Berlin (*SBB - Staatsbibliothek zu Berlin*) and the University Library of Dresden (*SLUB Dresden*), which in 2019, in an exemplary gesture, contacted the Commission for the Compensation of Victims of Spoliation (CIVS) in Berlin so that these books could be returned to the rightful owners of Georges MANDEL.

### A symbolic date

The date of the eve of the commemoration of the 80th anniversary of the *Vél' d'Hiv* (Velodrome) round-up was not chosen by chance. Because of its scale and because it led to the death of nearly 4,000 children, the *Vél' d'Hiv* round-up is one of the most terrible episodes of the Second World War in France. Today, it has become a symbol of the Vichy government's collaboration in the Nazi genocidal enterprise.

In this historical context, the work of remembrance and reparation continues. The French government is fully committed to this through its strong support for the CIVS and by supporting the work carried out to achieve restitution.

A brief reminder of the facts: on 16 and 17 July 1942, 12,884 Jews were arrested by the Paris police on the initiative of the Nazi authorities. 8,000 men, women and children were locked up in the Velodrome d'hiver. On 20 July, the total number of arrests in Paris and its immediate suburbs reached 13,152. From 19 to 22 July, the families from the *Vél' d'Hiv* were transported to the Pithiviers and Beaune-la-Rolande camps. Adults and adolescents were deported first. Brutally separated from their parents, around 3,000 young children were left behind in terrible distress. They were transferred to Drancy and then deported to Auschwitz-Birkenau between 17 and 31 August 1942.

*If you would like to know more about the recent cases of book restitutions that the CIVS has been able to handle, you can read the full article on the subject that appeared in the [spring issue](#) of the Newsletter.*



RESTITUTION OF THE MANDEL BOOKS 2022  
© PÔLE DE PRODUCTION PHOTOGRAPHIQUE DES SERVICES  
DE LA PREMIÈRE MINISTRE





## On the return of a book from the library of Eugen Herz

Since its establishment after 1911, the scientific library of the Österreichische Galerie Belvedere has specialized in the collection of books about Austrian art. The 900 volumes for the most part donated and purchased from antiques dealers between 1933 and 1946 almost doubled the stocks that existed in 1932. The systematic provenance research did not uncover any expropriated items allocated to it by Nazi authorities. At its 71st meeting of 14 March 2014, however, the Art Restitution Advisory Board determined that six books purchased from antiques dealers for the museum library after the war had previously been expropriated by the Nazis. One of them was *Die Österreichische Zeichnung im 19. Jahrhundert* by Bruno Grimschitz, purchased in 1950 from Antiquariat V. A. Heck in Vienna. The provenance researchers discovered the bookplate of Eugen Herz on the inside cover. Based on this bookplate, the biographical research on behalf of the Commission for Provenance Research brought to light a story of persecution and expropriation.



BOOKPLATE OF EUGEN HERZ, DESIGNED IN 1923 BY THE VIENNESE PAINTER AND ETCHER RICHARD LUX (1877-1939)

Eugen Herz, a doctor of law and art collector, was born in Vienna on 26 August 1875. In 1908 he married Ida née Kestranek (1876–1963). He began his career in the Prager Eisenindustrie-Gesellschaft, before joining the Alpine Montangesellschaft in Donawitz, where he remained as director general until 1936. He was also vice-president of the Austrian Chamber of Commerce, censor in the Austrian National Bank and president of the Federation of Austrian Industries. He was a patron of the theatre and arts, owning share certificates in the Verein des Deutschen Volkstheaters. His art collection included works by Peter Paul Rubens, Ferdinand Georg Waldmüller and Tina Blau, and his library with its rare first editions was listed by the German-Austrian State Monument Protection Authority in 1919 as a protected cultural asset. Richard Lux designed the bookplate for Eugen Herz shown here in 1923.

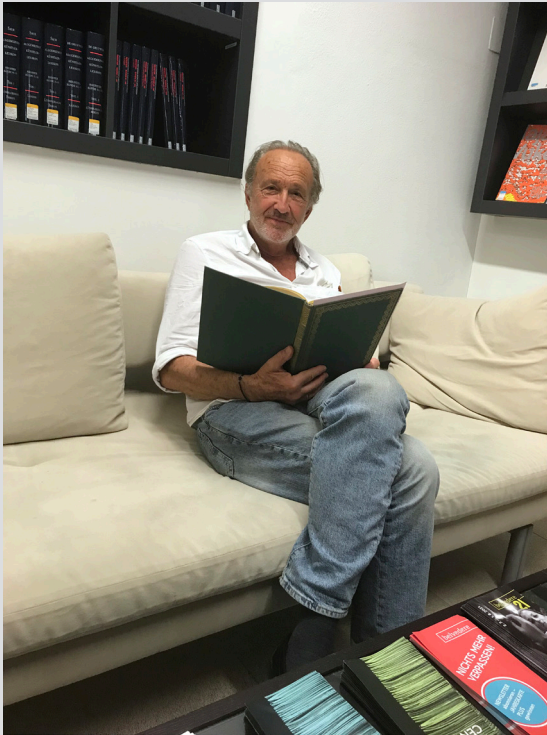
Although Herz converted from Judaism to Catholicism at the age of twenty-four, after the annexation of Austria to the German Reich in March 1938 he was persecuted by the Nazis as a Jew. According to the asset declaration of 13 July 1938, which he was obliged to submit, he had considerable assets, including a house co-owned with his wife Ida in St. Gilgen am Wolfgangsee, jewellery and luxury items, collections of art, bronze plaques and Biedermeier glasses, and diverse securities. On account of his ill health, the Nazis did not prosecute him for failing to include his library in the asset declaration. At this time the regime had already largely helped itself to the Herz assets. The Austrian State Archive contains a decision by St. Gilgen am Wolfgangsee local court of 6 June 1938 appropriating title to the villa in St. Gilgen and the entire inventory in favour of the German Reich.

The couple's apartment at Prinz Eugen-Strasse 30 in Vienna was inspected on 7 February 1939 by a member of the Property Transaction Office, and valuable items including silver tableware and vases were noted but not the well-stocked library. It was not until the end of



July 1939 that the book collection was evaluated by the bookseller Josef Berger as an “expert commissioned by the Party”. He stated “I visited the library of Ing. Herz, Vienna, 4., Prinz Eugenstrasse 30, comprising art literature, German and French classics, collected

The stock records of Antiquariat V. A. Heck since its founding in 1877 are intact, but the book in question is not listed separately. The specific circumstances and time at which it was acquired cannot therefore be determined. It is certain, however, that V. A. Heck did not buy it as part of a bulk purchase from Eugen Herz’s former library.



MIGUEL HERZ-KESTRANEK IN THE BELVEDERE RESEARCH CENTRE IN JULY 2021 WITH THE BOOK FORMERLY OWNED BY HIS GRANDFATHER.  
© KATINKA GRATZER-BAUMGÄRNTNER

In July 2021 the book from Eugen Herz’s library, which had been purchased from V. A. Heck by the library of the Österreichische Galerie in 1950, was restituted from the Belvedere research centre to Herz’s grandson Miguel Herz-Kestranek following a decision by the Art Restitution Advisory Board at its meeting on 15 May 2014. At this meeting the Board also recommended the restitution of works owned by Max Berger and Erich Arthur Bien. The four publications formerly owned by Bien were donated to the Belvedere Library in 2022 by his legal successors. Berger’s legal successors have not yet been determined.

works, memoirs, etc., today and estimate its value at MK 1,600 – in words one thousand six hundred.”

The library was secured on 10 August 1939 in order to “have the proceeds of sale of the non-declared library appropriated in favour of the German Reich”. The lawyer Erich Zeiner’s application for the securing of the library to be lifted was granted in early February 1940. The fate of the book collection and the way in which the book in question was acquired by Antiquariat V. A. Heck could not be established. Eugen Herz escaped deportation, no doubt on account of his marriage to Ida, who was classed as “non Jewish” by the Nazis. In early February 1939 the couple left for Höchstätt am Chiemsee in Bavaria, where Eugen Herz died in 1944.

#### KATINKA GRATZER-BAUMGÄRNTNER

art historian, has been an archivist and provenance researcher at the Belvedere since 2007.

#### MONIKA MAYER

head of the archive of the Österreichische Galerie Belvedere Vienna, member of the Commission for Provenance Research.



## “Souvenirs” from alien lands: Hans Abel`s “donation” to the Museum of Ethnology in Vienna

On the 25 October 1938, the Museum of Ethnology in Vienna (Museum für Völkerkunde, today’s Weltmuseum Wien) registered the acquisition of several dozen ethnographic objects as a “donation” from Hans Abels. They were listed as “miscellaneous”, as they were diverse items from different regions of the world.

The information about the donor was sparse. The museum merely noted that he had worked as a ship’s doctor for the Austrian Lloyd and that he had travelled through South Africa, India and Japan between 1903 and 1904. Consequently, it was assumed that Abels had acquired the objects as souvenirs from his voyages or during visits on land while working on the ships.

The museum’s files of that time do not mention that Abels and his wife Else were persecuted by the Nazis as Jews. It remains unclear which employee described and inventoried the objects and when. However, it can be assumed that, as with practically all acquisitions during 1930s and 1940s, this was only done in the post-war period. The collection “donated” by Abels was included in the museum inventory under 43 item numbers (Postnummern), some of which comprised several connected items.

According to the listing, most of the artefacts came from southern Africa, India and Japan. They included various clubs, spears, shields, some of them covered with fur and intended for use at “war dances”, as the description said, but also jewellery and bead embroidery, Indian fans woven from palm leaf, a raffia bottle basket, masks, patience games and sandals from Japan, a cigar from the Indochina peninsula and some pictures on rice paper from China.

From today’s perspective, some of the ethnic attributions are no longer acceptable. For example, the origin of some objects was given as “Zulu Kaffirs” – a term now considered derogatory and racist, the use of which has even been banned as hate speech in South Africa.

After the Second World War, the Museum of Ethnology reported a number of problematic acquisitions from the Nazi era to the authorities in accordance with the Regulation on the Reporting of Expropriated

Assets (Vermögensentziehungs-Anmeldungsverordnung), but the “donation” by Hans and Else Abels was not among them. It was only in the course of provenance research in the Austrian federal museums in 1998 that these objects and their “donor” by Hans



WELTMUSEUM WIEN, INV. NO. 127.347: FRONT AND REVERSE SIDE OF A SMALL COWHIDE SHIELD, USED FOR CHILDREN’S DANCES, ZULU (SOUTH AFRICA). © WELTMUSEUM WIEN





Abels and his biography became the focus of more detailed research.

Further investigations revealed that Hans Abels was born in Vienna on 18 February 1873 in a Jewish family. His father Bernhard / Baruch Abeles came from western Bohemia and his mother Anna, née Kassowitz, from Pressburg (Bratislava). He attended secondary school in Merano (South Tyrol), then studied at the medical faculty of the University of Vienna and received his doctorate in 1897. In 1902 he changed his surname from Abeles to Abels. He specialized in paediatrics, worked as a university lecturer (Privatdozent) and published a number of scientific articles. Beyond that, he gave talks on the radio and elsewhere for a broad non-scientific audience.

At an advanced age in 1934, he married Else Löwenhek (Löwenheck) at the synagogue in Vienna's 20th district (Brigittenau). Else Abels, who was born in Vienna on 23 May 1906, was more than 30 years younger than her husband. Her parents originated from Galicia. Like her husband, she was a doctor, having re-

ceived her doctorate in 1932. The marriage was childless.

Abels had lived since 1905 in a rented apartment in Villa Höfken at Sternwartestraße 33, built by the architect Oskar Laske sen. in 1890 in the 19th district of Vienna (Döbling), where Abels also had his doctor's surgery. Numerous prominent personalities also lived in that neighbourhood, including the writers Arthur Schnitzler and Felix Salten and the operetta composer Emmerich Kálmán. There were also several Jewish families who were to be expropriated and expelled after 1938, for example Camilla Kuffner, widow of the brewery owner Wilhelm Kuffner, and her daughters. Anna Abels, Hans Abels' mother, also resided in Villa Höfken for years and died there in July 1937.

In his asset declaration (Vermögensanmeldung) that Hans Abels had to fill out as a Jew, he did not mention his ethnographic objects. This is not surprising, since they were probably souvenirs – everyday things of little monetary value –, and Abels himself would pro-



WELTMUSEUM WIEN. INV.NO. 127.359: FLY COVER, WOVEN FROM DYED PALM LEAF STRIPS, INDIA.  
© WELTMUSEUM WIEN



bably not have classified them as a collection. Only when they were acquired by the museum as an ensemble did they acquire this status.

The available archival records leave open the question of whether Abels personally handed over the artefacts to the museum or at least arranged the handover. At any event, the collection arrived at the museum at more or less the same time as the forced relocation of Hans and Else Abels from the villa at Sternwartestraße 33 to an apartment in another Viennese district took place.

Hans and Else Abels left Vienna on 3 July 1939, and managed to escape first to the UK, where they lived temporarily in Oxford, and from there to the USA. The ship arrived in New York City on 3 January 1940. Hans Abels could no longer practise as a doctor there, probably because of his age, his poor state of health and the lack of recognition of his academic certificates. He died on 26 November 1942 at Mount Sinai Hospital in Manhattan.

Else Abels married again; her second husband was Carl Ziegler. She was also able to continue to work as a doctor in New York, where she died on 14 August 1995.

Lise (also Lisa, Luise) Fanni Abels, the unmarried sister of Hans Abels, born on 8 June 1882, who had also lived in the villa at Sternwartestraße 33 in the 1930s, stayed behind in Vienna. She had studied biology at the University of Vienna and obtained a doctoral degree there. She then worked as a schoolteacher in Vienna. She and her mother Anna had both changed her name from Abeles to Abels in 1904. Although she had left the Jewish community and converted to Protestantism in 1907, she was persecuted under the Nazi racial laws as a Jew. She too was expelled from her apartment and ultimately deported to Riga on 26 January 1942. She did not survive the Shoah.

In the course of the provenance research at the Museum of Ethnology / Weltmuseum Wien, a dossier on the Abels collection was compiled by the author of this article. At its meeting of 1 June 2007, [the Art Restitution Advisory Board recommended the return of the ethnographic objects to the heirs of Hans and Else Abels](#), a recommendation that was subsequently approved by the minister responsible.

Subsequently the Jewish Community Vienna (Israelitische Kultusgemeinde Wien) was asked to help to find and contact the heirs. In June 2008 the heirs asked for the objects to be sent to New York, where they lived.

In June 2008 the heirs asked for the objects to be sent to New York, where they lived. Before the objects could be actually returned, however, a number of administrative obstacles had to be overcome, so that it took until 2021 that with the mediation of the Federal Ministry for European and International Affairs a shipment to New York could be arranged. On 18 March 2021 the objects were finally handed over by Dr. Michael Haider, director of the Austrian Cultural Forum New York, to Mrs R., born 1936, a niece of Else Abels (née Ziegler), who lives as a retiree in New York.

I would like to thank Mathias Lichtenwagner from the Department for Restitution Affairs of the Jewish Community Vienna and Julia Unterweger from the Austrian Commission for Provenance Research for their cooperation.

#### GABRIELE ANDERL

Former provenance researcher for the Weltmuseum Vienna, freelance scholar, author and journalist in Vienna.

See also Gabriele Anderl, “Provenienzforschung am Museum für Völkerkunde in Wien”, in *Archiv für Völkerkunde* 59–60, 2009 (published in 2012), pp. 1–58. <https://ub.meduniwien.ac.at/blog/?p=29205>

## Reparations Agreement between Israel and the Federal Republic of Germany 1952

### Billions to break the silence

**In signing the Reparations Agreement of September 1952, the Federal Republic of Germany agreed to pay billions in reparations to Jews. It was this recognition of guilt for German crimes that also laid the foundations for relations with Israel.**

On 10 September 1952, an unusual treaty was signed in Luxembourg that went well beyond the bounds of routine diplomacy: an attempt was made to translate the consequences of the Shoah – the systematic murder of European Jews – into material compensation payments. On this day, in an atmosphere of distinct aloofness, Federal Chancellor Konrad Adenauer and Israeli Foreign Minister Moshe Sharett signed a comprehensive treaty package. The document was also signed by Nahum Goldmann, President of the Claims Conference – the New York-based federation of 23 Jewish organisations from all over the world that had been founded in 1951. There were no spee-

ches, handshakes or other courteous gestures. The Federal Republic of Germany undertook to pay a total of 3.45 billion deutschmarks to Israel to compensate European Jews persecuted by the Nazi regime – partly in monetary form and partly through the supply of goods. Representing the “Diaspora Jews” scattered all over the world, the Claims Conference was to receive a share of 450 million deutschmarks.

One of the greatest difficulties along the way to concluding the Reparations Agreement had been to initiate direct negotiations with the Federal Republic in the first place. Such a step meant an enormous political and psychological burden on the state of Israel, which was founded in 1948: in a sense, the Jewish world had imposed a ban on Germany after the Shoah. In order to avoid direct contact, therefore, the Israeli government first called on the support of the four victorious powers in 1951 in demanding payment of a total of 1.5 billion US dollars by the two German states.



A BRIEFING BY MEMBERS OF THE CONFERENCE ON JEWISH MATERIAL CLAIMS IN LUXEMBOURG DURING THE SIGNING OF THE REPARATIONS AGREEMENT BETWEEN THE GERMAN FEDERAL REPUBLIC, THE STATE OF ISRAEL, AND THE CONFERENCE ON JEWISH MATERIAL CLAIMS

COPYRIGHT: UNITED STATES HOLOCAUST MEMORIAL. PROVENANCE: BENJAMIN FERENC



But when the Allies refused to take on this mediating role, Jerusalem was forced to approach the two German states directly.

The German Democratic Republic ignored the Israeli demand. Invoking its ostensible status as an anti-fascist alternative that had broken with recent German history, it regarded itself as bearing no responsibility whatsoever for the crimes committed by the National Socialist regime. Reactions in the Federal Republic were likewise restrained. But at least Chancellor Adenauer declared himself willing to initiate talks and was even prepared to deliver a statement to the Bundestag – which had been demanded as a prior condition for negotiations.

On 27 September 1951, Adenauer proclaimed in the West German parliament that “unspeakable crimes” had been “committed in the name of the German people [...] which entail an obligation to make moral and material amends with regard to both the individual damage suffered by Jews and the damage inflicted on Jewish property.” Moreover, on 6 December 1951, at a conspiratorial meeting in London with Nahum Goldmann, Adenauer made the surprising and far-reaching decision to accept the Israeli demand for one billion dollars (4.2 billion deutschmarks according to the exchange rate at the time) as a basis for negotiations. This was two thirds of the total amount Germany was being asked to pay – for decades, the GDR was called upon to pay the missing third, but to no avail. What role did the Western Allies play in the complex diplomatic process that followed? Could it be that the negotiations were a kind of ticket to the West for the Federal Republic? No, for both the Western Allies and for the Adenauer government, this matter was more of a sideshow on the way to regaining sovereignty and therefore commercial and moral credit. Nonetheless: the incorporation of the Federal Republic in the Western alliance had absolute priority, and this required confidence-building measures – including a willingness to deal with the consequences of the National

Socialists’ murderous violence.

In view of this, the USA informed the Jewish side that a negotiated outcome would have to come about as a voluntary commitment on the part of Germany, while Bonn was repeatedly told by the Americans how damaging it would be to the reputation of the Federal Republic if the talks were to fail. In this way, the USA sought to avoid being called upon indirectly to finance the future agreement. As it was, the Americans left the West German government to resolve the dilemma involved in satisfying both economic and moral demands – and therefore to negotiate the specific details of the agreement itself.

The negotiations took place on neutral ground: from March 1952 onwards, the German delegation engaged in parallel, two-phase negotiations with the delegations of Israel and the Claims Conference in an old moated castle in Wassenaar, the Netherlands. For many Israelis, the indirect recognition of the German government that these talks involved was difficult to bear. When the Knesset agreed to the talks, the scenes of unrest outside the parliament building in Jerusalem resembled civil war. Ultimately, the only thing that induced the Israel government to bite the bullet was the imminent financial collapse of Israel, which saw itself as being surrounded by enemies.

The representatives of Israel and the Claims Conference insisted that their claims resulting from the Shoah were unique and paramount. On the German side, however, there were two competing opinions: for some, the moral debt took precedence over commercial debt, while others wanted to see Jewish claims discussed within the overall context of all the demands being made against Germany resulting from the Second World War – after all, Germany’s pre-war and post-war debts were the subject of negotiations at an international conference in London going on at the same time.

As these negotiations progressed, Adenauer’s position fluctuated between the two positions, ultimately seeking to achieve success in both Wassenaar and

London. As he put it: “The restoration of our credit in the world depends on the success of both sets of negotiations. After all, that is the purpose of all this.” The question of whether the Israeli demand was to be seen in connection with the parallel negotiations over the London debt agreement or should be regarded as a claim in a category of its own temporarily threatened to derail the talks in Wassenaar. After the first round of talks, the German delegation – led by the lawyers Franz Böhm and Otto Küster – stated as instructed that it recognised the sum of three billion deutschmarks as the Israelis claim, but that it could only discuss the actual amount and mode of payment once further progress had been made at the London debt conference.

Internally, however, Böhm and Küster pressured the

Chancellor to accept the sum of three billion, thereby in fact supporting the Israeli position. In order to lend weight to this, they ultimately resigned demonstratively from the delegation leadership, for which they were severely attacked by German politicians. In view of the negative international response, however, Adenauer finally relented and the negotiations were able to continue.

While the second phase involved a dispute over the Claim Conference’s demands, the negotiations with the Israel delegation were more straightforward once agreement had been reached in principle. The focus was now primarily on the modalities of the goods supplies. Symbolic issues were particularly important here, such as the right of German merchant ships to call at Israeli ports under the flag of the Federal Repu-



CHANCELLOR KONRAD ADENAUER SIGNS THE REPARATIONS AGREEMENT BETWEEN  
THE FEDERAL REPUBLIC OF GERMANY AND ISRAEL  
COPYRIGHT: UNITED STATES HOLOCAUST MEMORIAL. PROVENANCE: BENJAMIN FERENC

blic. Difficulties were also caused by protests on the part of Israel's Arab neighbours, who feared that their enemy would be strengthened by the German reparations. The German opponents of the agreement, especially CSU politicians Fritz Schäffer and Franz Josef Strauß, eagerly seized on this foreign policy argument, praising German-Arab friendship.

Adenauer, Sharett and Goldmann finally signed the laboriously negotiated package on 10 September 1952 in Luxembourg. The agreement with Israel on a lump-sum compensation amounting to three billion deutschmarks was accompanied by two protocols with the Claims Conference.

The first contained the negotiated principles for the improvement of the existing individual compensation and restitution laws, while the second provided for a lump-sum compensation to be paid to the Claims Conference in the amount of 450 million deutschmarks. Of the total of 3.45 billion deutschmarks, payment of which was to be spread over 14 years, one third was to be provided by means of deliveries of German goods. Another 30 per cent of the sum was earmarked for the purchase of crude oil. For comparison: the federal budget for 1953 was 27.85 billion deutschmarks.

Even after the agreement was signed, it was still opposed by large numbers of politicians in the Federal Republic, who continued to invoke the notion that it would be damaging to relations with the Arab states. The agreement was equally unpopular among the German population at the time: an opinion survey by the Allensbach Institute in August 1952 found that among those questioned, only eleven per cent expressed their unreserved support.

Adenauer used political tactics to get the agreement through parliament – not least playing on widespread German prejudice: against his better judgement, he presented it not only as a moral necessity, but also as a concession to the alleged international influence of the Jews, which one could not escape. In view of the numerous opponents in his own government coalition, however, he ultimately had to rely on the votes of

the opposition SPD in the controversial final vote in the Bundestag on 18 March 1953 to secure a majority for the agreement.

After ratification, however, the Reparations Agreement was implemented to the letter by the Federal Republic. The agreed payments and supplies contributed significantly to the development of the economic infrastructure in Israel, while at the same time acting as an economic development programme in Germany. Subsequent years also saw implementation of the improvements in West German compensation legislation as recorded in the supplementary protocols – a point which the Claims Conference had focused on in the negotiations.

Furthermore, the Reparations Agreement established the role of the Claims Conference as a privileged partner in the ongoing development of reparations and their implementation. Beyond the immediate economic impact, the payments and deliveries agreed on in Luxembourg contributed significantly to breaking what initially seemed an irreconcilable silence between Germans and Jews after the Shoah, ultimately paving the way for communication, however difficult this may have been.

As historian Dan Diner writes, the agreement and its implementation helped steadily to erode the informal ban imposed on Germany by the world's Jews. Nonetheless, it is worth remembering that the differing expectations of the two sides that had hindered communication in Luxembourg were to emerge repeatedly in later years: while the Jewish side understood the confrontation with the material consequences of the Shoah as ultimately being a permanent process that could never come to an end, to this day the German side continues to nurture the expectation that the process must indeed reach a conclusion at some point. Nevertheless, without the Reparations Agreement, the subsequent difficult process of rapprochement between Israel or the Jewish world and the Federal Republic of Germany would probably not have been possible in the way it eventually came about. This is



why, in the global debate on overcoming the consequences of dictatorships and historical injustice, the agreement has been cited for some time now as a major precedent. In the decades after it was signed, the Reparations Agreement became a point of reference for the development of new standards in international law, according to which states are required to take responsibility for crimes against both their own minorities and those from abroad. A closer look at the history of the agreement reveals both the difficulties and opportunities that such an undertaking is fraught with.

**CONSTANTIN GOSCHLER**

Professor at the chair of contemporary History at the Ruhr-University Bochum

Courtesy of DAMALS - Das Magazin für Geschichte, 9/2017, [www.damals.de](http://www.damals.de)

 Bundesministerium  
Kunst, Kultur,  
öffentlicher Dienst und Sport  
Kommission für Provenienzforschung

 CIVS



Beratende Kommission  
im Zusammenhang mit der Rückgabe  
NS-verfolgungsbedingt entzogenen Kulturguts,  
insbesondere aus jüdischem Besitz

**Spoilation  
Advisory  
Panel**

Restitutions Committee

## IMPRINT

The Newsletter is published by  
the Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property

©2022 by the Network of European Restitution Committees on Nazi-Looted Art

All rights reserved. No part of this publication may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain other noncommercial uses permitted by copyright law.