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LOOTED ART DURING WORLD WAR II. THE IMPLICATIONS OF MUSEOLOGISTS IN  
SAFEGUARDING, EXHIBITING OR RETURNING COLLECTIONS ARISING FROM  
CONFISCATION

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## **ABSTRACT**

There is an increasing debate going on these days regarding provenance; many institutions dealing with works of art and various other objects are opening specific departments in the core of their organizations in order to discover and to make public whether they possess or not any items that may have questionable provenance status. It is a salient time when museums, art critics and scholars, besides families who had their collections confiscated for various reasons as well as their lawyers, have decided to come to terms with trying to solve the problem of provenance.

The returning of these items is among one of those utmost delicate issues, involving large amounts of money, strict legislation and laws (each country involved in this subject has their own legislations regarding artwork property). Affections, remembrances, joys and sorrow are also on debate.

In this very respect, museologists and other museum personnel have a key role, as they have the expertise (in documentation, research, knowledge of the collections) and most important of all, the responsibility to do all that they can do to return these collections to their rightful owners.

Keywords: Collections. Provenance. Museologues. Museum. Jews. Holocaust. Nazi.

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## 1 INTRODUCTION

During World War II, the Nazi regime confiscated thousands of works of art (whether from museums or from private collectors), as well as an impossible to quantify number of particular objects, properties and other artifacts as personal as prostheses, gold teeth and hair of *their* prisoners. It is known that only a single art dealer named Julius Böhler<sup>1</sup>, whose gallery was in Munich, traded around 40,000 works of art, between 1933 and 1945, including collections confiscated and / or stolen from museums and art galleries and negotiated through agents of the Nazi party, but also from private collections.

Some of these negotiations involved Jews who tried to sell their property before the impending confiscation took place, at figures well below fair value.

Taking advantage of a moment where the discussions on repatriation of collections, which originate in confiscation (particularly in the proposed section of the Second World War), appear more and more and in different places (in museums, among art critics and academics, in families involved in devolution disputes and in the legal environment), there is an urgent need to monitor the dynamics and instances involved in these disputes by recognizing the existence of these collections and their possible return; a delicate and difficult subject, covering conflicts in different areas. It involves legitimacy or lack of it, lack of documentation, diverse legislation and, in particular, States (through museums), representing the biggest agents that hold a large part of these assets. In addition to the aforementioned, there are private collectors, who ended up acquiring these works, in addition to the original owner families and the states that had their artistic heritage stolen during that war.

Some institutions that currently possess these objects and / or collections of unknown origin and that, later on, proved to be the result of confiscation, have created mechanisms to solve this problem. The term provenance used here, refers to its use in the field of Museology.

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<sup>1</sup> There is a vast bibliography on this famous German auctioneer and his name appears in dozens of investigations whose aim is to discover works of art negotiated in Germany and Switzerland between the years 1933 and 1945.

All of this requires a set, a network of actions, the results of which are unpredictable. Many museums do not have the financial condition to buy a Monet or a Rembrandt permanently, paying the amount to the legitimate owners or their heirs, even causing a matter of loss of equity for the institution involved, in case it needs to effect the return.

Original documentation of ownership (by the first owner) is generally not available. Luck can sometimes happen when there was negotiation through an auctioneer, who has a file with data on the purchase and sale of such works of art, as happened with auctioneer Julius Böhler, who maintained detailed documentation. We know that evidence of possession is complicated to validate, as it deals with works of art negotiated in a period of upheavals, such as the years leading up to the events of World War II and, particularly, during that period. As for confiscated personal holdings, where there is no involvement of auctioneers or other agents, minimally official, the more complicated the discovery of the source will be.

The idea for this work came up during a lecture by the museologist Peter van Mensch at the Federal University of Pernambuco, in 2017, at the invitation of the Department of Anthropology and Museology at UFPE. At that time, van Mensch declared a concern about the negotiations for the purchase and sale of works of art that had been going on in Europe for some time, involving collections that are in the possession of heirs of former agents of the Nazi regime. With the death of those agents, their relatives, with no interest in these goods, are getting rid of them, putting them up for sale. Van Mensch's speech is linked to the ethics of Museology and brings to the surface the moral question of the institutions that exhibit such objects of art, many of those were acquired during that period, could be now displayed at exhibition halls, without the authorization of their rightful owners. And not just works of art, but furniture, carpets, clothing, objects of Jewish worship. What is the responsibility of these museums and art galleries when negotiating for the purchase and subsequent exhibition of objects of this type?

This project aimed to analyze the importance of negotiations for the return of collections, even expanding the theme, at the time when legitimacy in manipulating,

guarding and exposing this patrimony, but also of other collections that contain this same issue.

What should museologists do when faced with these goods?

Why return these works of art to their owners or heirs?

We sought to discover the power exercised by the collections and material heritage in terms of their relationship of affection and memory with their owners. When there is an abrupt rupture in this relationship - confiscations - what are the forces that continue to act? Understand the dynamics of returning art objects and other stolen collections, which are in possession of museums and/ or private collectors, in an illegitimate way. Museologists and their professional attitude regarding the ethical implications arising from the process of investigating and returning these collections.

The research was carried out by means of data collection, from sources such as files in virtual libraries (textual and image documents, in addition to the video search). As a resource for obtaining answers, this documentary analysis was then used (through biographies, research already completed, documentaries on video and in photographic archives).

The target audience of the research is the Museology professionals: museologists, curators, researchers in the field.

The main points for content analysis were the intrinsic reasons for the confiscation and its psychology; the plundering of heritage as an instrument of social and political exclusion; the dynamics of return; negotiation between the parties; the implications of the museologist in the return or not of these goods, should he come across them in his professional experience, in accordance with the code of ethics of the profession.

The current research was planned taking into account, almost entirely, the obtaining of data remotely (on the institutions' web pages), particularly through existing documentation in the collections and archives of institutions directly linked to the theme of provenance of objects of art originating from confiscation in European territory during World War II.

The contribution took place remotely, through dialogue with the conservation and documentation teams of some museums involved (The Utah Museum of Modern Art; the United States Holocaust Memorial Museum, both in the United States and the Auschwitz-Birkenau Memorial Museum, in Poland), by email.

Regarding research, in the first chapter we deal with the theme of objects and collections and the relationships they have with the individual and between them, individuals. A relationship that needs material support to operate, something that Tereza Scheiner explains: « The true flow of information is what extends from man to man, what interconnects people and people, and not people and objects. » (SCHEINER, 2015, p. 43).

The objective was to study how the patrimonial deprivation effected this break in the flow of affections and information, the starting point in the path of the dehumanization of the Jewish people in the face of German society and the world, aiming to start its complete erasure, through the extermination. Not only were civil rights revoked, but all material assets were also confiscated, which had traces of affection, information, memory and the feeling of belonging. On the one hand, these actions made illicit financial profit for the Third Reich, while selling many works of art at auctions, in addition to providing an entire collection of priceless value for the future Hitler museum, to be built in Austria.

The second chapter dealt with one of Hitler's greatest desires, that of owning an immense complex of cultural facilities, centered on the Museum that would become the largest and most important in Europe, the Führermuseum, although it was necessary to fill its galleries with stolen works of art. Perhaps the future Museum in Linz is a catalyst for all the kidnapping of works of art that we know.

In addition to this, the crimes were also the result of greed for these sources of wealth and prestige - the works of art - by some eminent figures in the Nazi party. It is exactly the confiscations that resulted in the entire later/ current problem that many institutions are involved in today, having in their collections works of art that do not belong to them, which is the focus of this research. Hitler sees Classical Art and the Museum as instruments and source of pacification, control of power and national identity.

In *Why return it ?*, the necessary actions for the return of this heritage are analyzed, as well as the ethical and professional implications of museologists in these processes.

## 2 THE RELATIONSHIP BETWEEN OBJECT THEORY AND CONFISCATION ACTIONS

Objects and collections, whether in the private or in the State sphere, have always aroused our curiosity. Museums and galleries, places where these goods are usually located, are true temples, to which an increasing number of pilgrims are attracted, in search of History and to witness, in loco, what books and media information transmit and build about them. It is necessary to verify that the myth-building power is often centered on some very particular visions and beliefs of those who make the narratives, on subjectivities; it is a filter, a desire, a perception, and can, in many cases, hide other realities. Only the Louvre museum in the French capital drew a figure close to ten million visitors in 2019. It is a place of dominance and power. Cultural goods open up the possibility of past narratives, they are capable of sharpening the imagination of us all. These institutions, however, have accumulated, in the course of their existence, an infinity of goods whose origin continues to be the target of doubts, continuous analysis and investigation.

The exhibited collections provide the visitor with an infinite range of interpretations, of readings, each one of us "molds" the artist's object according to our life trajectory, independent and many times beyond the curatorial narratives.

In the case of confiscated art being exposed, what are the terms inscribed in the legislation that can give the museum the definite legitimacy in the act of exhibiting such a collection ?

The sociologist Marcel Mauss (2003), in his Essay on donation, highlights the instance present in the human exchanges of objects and in the undeniable trace that they manage to retain from their original possessors:

When interpreted in this way the idea not only becomes clear, but emerges as one of the key ideas of Maori law. What imposes obligation in the present received and exchanged, is the fact that the thing received is not inactive. Even when it has been abandoned by the giver, it still possesses something of him. (MAUSS, 2003, p.198).

Historian Olivia Nery, when researching the collection of Lyuba Duprat, a teacher who had left part of her personal objects to some of her students, reports some of her perceptions during the study on memory and affection:

This result motivated us to look for what was 'behind' these objects, to understand what they represented to their guardians and what differentiated them from those musealized. This monitoring of the trajectory of some vestiges that were displaced from the memorial institutions, revealed a network of affection and emotion related to the objects that were in the home of the interviewed former students. What we observed was the existence of a strong relationship of affection and emotion with these traces. They were affective objects, according to the concept presented by Véronique Dassié, under which there is a care, an assigned patrimonial value, they are memorial anchors that connect the memories and identities of the subjects and their families (DASSIÉ, 2010). The narrative, the look, the care at the moment of touching and using these objects that belonged to Lyuba Duprat were latent: they were not mere objects. (NERY, 2017, p.146).

With regard to confiscation actions, in the case studied here, there is certainly not the effect of donation, but of misappropriation, which makes this dynamic extremely complex. Confiscation is viscerally antagonistic to donation.

The delicate situation is described, in a similar way, by the shaman Yanomami Davi Kopenawa (2015, p.426), in his work *The Fall from Heaven*, where he narrates his visit to France, when he was taken to a Museum (Musée de l'Homme) and there he is faced with funerary remains of indigenous ancestors. On this subject, Meneses reveals to us:

What could be more personal and subjective than the body itself? However, it is as an ethnic affront that, for example, minorities and indigenous groups understood the 'publicization' of the spoils of their ancestors. It is on this route that attempts at solution were directed: from the 70s onwards, the American legislation on cultural heritage started to include explicit provisions referring to such problems. The same context also makes it possible to clarify that it is not the transfer of the personal object to the public space that is relevant, but the control of the meanings that such

a transfer implies. That is why ethnic groups have claimed and assumed, in the United States, Canada, Australia, the organization and integral management of anthropological museums (now called 'ethnic' museums), to ensure the preservation of a certain self-image, in the displacement that public exposure causes, from use value to cognitive value, possible to be extracted from funerary remains and objects (including personal and personalized ones), points of dispute over the 'right to History'. (MENESES, 1998, p. 98).

In addition to the confiscated art collection, it would also be important to remember other personal property also taken from prisoners during World War II. These objects captured by the Nazis – in the case of goods confiscated on arrival at concentration camps, for example, suitcases and everything inside them – did not include any kind of documentation that could later facilitate the tracking of information concerning the original owners. According to the United States Holocaust Memory Museum<sup>2</sup>, this immense quantity of personal belongings of Jewish prisoners was processed by the camp prisoners themselves and part of it was taken back to Germany, entering German trade and economics in different methods and forms. Despite the fact that some personal data were inscribed on the surfaces of the suitcases, there was also an immense disregard on the part of the system created by the Nazis regarding these artifacts. The suppression of information was due to the fact that the Nazi party's ideology considered such prisoners unworthy to have the right to memory, citizenship and life itself:

Naturally, the features materially inscribed in the artifacts guide readings that allow direct and immediate inferences about a myriad of spheres of phenomena. Thus, the raw material, its processing and manufacturing techniques, as well as the morphology of the artifact, the signs of use, the indications of different durations, and so on, seal, in the object, materially observable information about the nature and properties of the materials, the specificity of the know-how involved and the technical division of labor and its essential operational conditions, the functional and semantic aspects – empirical basis that justifies the inference of essential data on the economic, social and symbolic organization of the social and historical existence of the object. But, as it is a matter of inference, there is a need, not only for a theoretical logic, but also for the support of information external to the artifact. (MENESES, 1998, p. 91).

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<sup>2</sup> Information obtained via email with the institution: please refer to APPENDIX 1.

Money, stocks, gold and silver were sent to the banking system in Germany. Shoes, clothes, glasses, prostheses and other durable items captured among the belongings in the bags, were also sent and resold in Germany's markets. Only the amount was documented, in number or weight. Due to the large quantity, particularly in the period close to the arrival of Soviet troops, many of these objects were left behind, as shown by the photographs of stacks of bags and shoes found in some of these concentration and extermination camps.

When we talk about cultural goods and personal goods, be it a common suitcase or a universally known work of art, we touch on the physical and performance aspects of them. Meneses indicates Edward Casey's interesting work on embodied cognitive processes. His study signals the power of the artifacts with respect to this fiery particle capable of bringing specific marks to memory:

There is even greater need, if we recognize that the artifact is not just a passive, inert object, but an interactive agent within a sphere of life and the cognition of a society (...) the meaning of the object resides in both instances of recognition, as to their physical materiality and also their performance, their gestural patterns of behavior in relation to space, time and society. (MENESES, 1998, p.91).

During the German invasion of Dutch territory, there is the account of Mrs. Charlotte Bischoff van Heemskerck, from Arnhem. The father was a doctor and a collector. In the days of invasion and occupation, there was no possibility of finding a safe place to keep the family's collection, before the arrival of the Germans. Mrs. van Heemskerck says, "They stole everything. They knew every place where we could be hiding things. » (SOTHEBY'S).

One of the missing paintings, belonging to the van Heemskerck family, was discovered, seventy years after the end of the war, in one of the halls of the Mansion House, which is the residence of the Mayor of London. Mrs. van Heemskerck, upon meeting her father's art object, speaks of a deep perception of, once again, feeling at home (FIGURE 1). The painting, by artist Jacob Ochtervelt, called *The Meal of Oysters*, was on the wall in a waiting room of Mr. van Heemskerck in Arnhem.

Such narratives contribute to the understanding and proof of the cognitive instances studied by Casey<sup>3</sup>.

FIGURE 1 - MRS. CHARLOTTE VAN HEEMSKERCK (CENTER) VISITING THE LONDON MAYOR HOUSE, LOCATION WHERE THE FRAMEWORK THAT BELONGED TO HER FAMILY WAS LOCATED



SOURCE: Screen print of the documentary by auctioneer Sotheby's.

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<sup>3</sup> CASEY, Edward S. *Remembering: a phenomenological study* (1987).

### 3 HITLER'S MUSEUM ( *FÜHRERMUSEUM* )

The museum has always been relevant, at least for some sectors of the Nazi system. Hitler's Führermuseum would crown with sovereignty - culturally and politically - the German people. The museological theory points to the symbolic power of the narratives of culture and the act of working and exposing memories, here, in the perspective of exaltation of a certain social group to the detriment of others. Hannah Arendt, in her book *Eichmann in Jerusalem*, already offers us a clue about this. In 1934, Adolf Eichmann, an employee recently hired by the Nazi party to work in the Information department, is responsible for organizing all documentation collected from Freemasonry in order to create a museum. Arendt reports the initial confusion of Nazi ideology, where the groups that should be most devalued were mixed, among them, Freemasonry, Jews, Communists, Catholics:

Incidentally, one of the characteristics of the Nazis was their willingness to found museums celebrating their enemies. During the war, several entities fought fiercely for the honor of founding anti-Jewish museums and libraries. We owe this strange craze the preservation of many cultural treasures of European Judaism. (ARENDR, 2010, p. 49).

The actions planned to confiscate works of art in an unprecedented manner had Hitler's longing to be the greatest art agglutinator in the world as a major force. As early as 1925 it is known that he planned to build a national art gallery in Berlin, being himself the future director of that center. However, his ideal changed with the annexation of Austria to the empire of the Third Reich. He removes this future prestige from Berlin, the capital of a country that was not his own – Germany – and starts to glimpse all this cultural and artistic glory for his homeland, in Austrian.

Linz then became the place capable of housing the immense arts center (FIGURE 2). There, Hitler had lived part of his childhood and adolescence, and the city was only 121 kilometers away from his birthplace, Braunau. We have here an idea of the dictator's nostalgic and playful side. The refuse to choose Vienna to receive his dreamed Museum was due to a feeling of regret and resentment that Hitler felt since the moment he was denied both requests to enter the Viennese School of Fine Arts , where he had sent his

drawings, while he still resided in Linz. He suffers one of the worst blows of his post-adolescence, upon being rejected, as he stated himself in his book, *My Struggle*.

FIGURE 2 - HITLER AND THE ARCHITECT WHO DESIGNED THE CULTURAL COMPLEX IN LINZ. HITLER OBSERVES THE MODEL THAT HAS THE MUSEUM AS THE PROJECT'S CENTRAL BUILDING



SOURCE: Ullstein bild via Getty Images, [ca. 1944]<sup>4</sup>

The School had responded negatively to his request to enter, giving him the verdict of 'unsatisfactory' skill for the arts. In the fall of the same year he tries to join one more time and once again the admission committee denies him the possibility of being accepted. After his mother's death in 1908, Hitler left the city of Linz and settled in Vienna.

There is little consensus on the exact time when Adolf Hitler's feeling of anti-Semitism arose. Historian Thomas Weber, in studies published in his article *The Pre-1914 Origins of Hitler's Antisemitism Revisited* (WEBER, 2020, p. 70-86), discusses Hitler's anti-Semitic attitudes and speeches prior to his arrival in Munich in 1913.

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<sup>4</sup> GETTY IMAGES. Hitler and Giesler at the Bunker. Please refer to p. 37.

It is also the moment when he begins to admire the figure of the mayor of Vienna, Karl Lueger, a politician with great oratory skills and above all a well-known anti-Semite. The emperor is against Lueger's election, but he can do little against the poll. Hitler's interest in politics grows. Lueger promotes a successive withdrawal of rights from the Viennese Jews, with his rise to power.

The feelings of love and hatred for art seem to have had an overwhelming effect on Adolf Hitler's later choices and decisions. His rise to power led him to put into practice the ideas he had nurtured for years. The contempt for modern art made him pursue and abolish all the tracks left by the schools that held this title, namely, cubism, Dadaism, abstractionism, expressionism, among others. Modern art has been given the title of "degenerate". Historian Cornelia Feye aligns the strategies of persecution and destruction of minorities perpetrated by the Nazi regime directly with Hitler's aesthetic point of view, where he annihilates everything he considers to be degenerate (Jews, Gypsies, the physically and mentally ill, etc.) while sovereignly praises the Aryan race and the classical German artists, using, as a theoretical foundation and alleged legitimating power, his own artistic 'sensitivity':

When he came to power, he immediately started making public what kind of art was important to him. In Munich, he ordered the construction of the House of Art (Haus der Deutschen Kunst), where he asked the architect Hermann Giesler to prepare the model of what would become the Führer Museum, in his hometown of Linz, Austria. The model was assembled in the bunker where Hitler lived his last days, demonstrating the extent that art occupied in his plans. (LA JOLLA LIGHT, 2017, not paginated).

Actions were taken to try to show the German people that non-classical forms of art were inappropriate (they would be against the purity of the early days of Art) for Germany's immaculacy purposes. Hitler truly used the notions of beauty and ugliness (according to a peculiar reading of these concepts) both in his interpretations of what the fine arts were, worthy of admiration, and in what should be exterminated, being himself an admirer of classicism. Out of an extensive list of impure artists to be banned from the act of contemplation and respect on the part of the Germans, there were only six who were Jewish artists, out of a total of 112 artists.

There was a confiscation of this degenerate art (Entartete Kunst) and about 16,000 paintings classified in this category were removed from museums across Germany. Imagine all the logistics behind these actions, the professionals involved in removing this entire collection and sending it to the places determined by Hitler. It is worth remembering the ethical question in the face of such an overwhelming power, the power of the State, which suddenly appears in front of the employees of these institutions, forcing them to comply with such orders, many of whom are already aware of the dark destiny that awaited this artistic and cultural heritage. Part of it, 650 works (paintings, sculptures and engravings), was grouped and exhibited from 19 July to 30 November 1937 at the Institute of Archeology in Munich as well as in Hamburg (FIGURE 3). Against modern art: "an insult to German sensibility, a destruction or confusion of natural forms, simply revealing a lack of manual and artistic technique".

FIGURE 3: QUEUE IN FRONT OF THE *DEGENERATE ART* EXHIBITION IN HAMBURG



SOURCE: The opening of Entartete Kunst at Schulausstellungsgebäude, Hamburg, Dec 6, 1938. By Ullstein.

The exhibition followed in parallel to the official exhibition of artists acclaimed by Hitler, as a kind of counterpoint / comparison. Some of those so-called degenerate works

were displayed without the frames and, on the bare walls, slogans were written or painted, in huge letters, with derogatory texts.

It is important to remember that, before the Nazi period, Germany was a great welcoming and diffusing center of modern art. The public, it is not known in which aspect, whether positive or negative, went to the Institute of Archeology, in order to visit the exhibition, transforming it into one of the biggest events of this type in the history of the arts of the 20th century, in European territory. Another part of these 16,000 works of art captured from German museums was sold to private buyers through auctions.

The main motive for planning the confiscation and thefts of these collections, which the Nazi regime carried out, seems to have Hitler's desire to transform his future museum into a kind of cultural hotspot for the empire, even if it was necessary to fill the halls with stolen works of art. The building that would house the Führer museum would be the ground zero for several other buildings around it. Linz would be the largest heritage city in Europe.

Jennifer Dasal, curator of modern art exhibitions, makes an interesting analysis of Hitler's connection with the arts:

The impact of a museum project, never built, [defining the fate of thousands of works of art]. If Hitler was unable to be a great artist, the works of art of other artists and the Museum were the way he envisioned to stay connected with that dream. (DASAL, podcast, emphasis added).

To support this aim, a unit was created, which later became known as a true institution dedicated to the looting of works of art, which was called Task Force of Leader Rosenberg, (Einsatzstab Reichsleiter Rosenberg - ERR). Created by Alfred Rosenberg to collect literature on the Jewish people under the pretext of forming a group to study anti-Semitism, it soon came to be used as a 'legitimate' organization for the confiscation and looting of objects and works of art.

It is worth emphasizing the importance of Art and the institution that exercises the prerogative of the narratives of this phenomenon together with society - Museums - in the context of the power that Hitler thought of. He sees a particular art form and especially the museum as instances capable of pacifying and giving identity to German society, despite using to achieve these goals a deformed discursive subjectivity and an ideal that excludes cultural diversity.

### 3.1 THE NUREMBERG LAWS AND OTHER DECREES

In order to demonstrate to the German people that the measures adopted by the party were legally supported, Hitler relied on the creation of laws specifically formulated and aimed at revoking the civil rights of minorities, particularly the Jewish people. Arendt (2010) sees another bias in the matter of laws, as a possibility of separating the undesirable – the Jews – but allowing coexistence with this group of people, almost in a quarantine system. Many Jews saw the new legislation as a milestone, as it finally delimited the separation between Jews and Gentiles, something that was even part of orthodox Jewish thought. However, they did not take into account the harmful developments that would follow. It is worth noting that the German population quickly absorbed the deliberations and was complicit with the discrimination proposed by such laws, against the Jews. The decrees and future laws were created without any kind of evaluation that followed the rite of legality, on the part of the German parliament, the Großdeutscher Reichstag, which, during the years of the Nazi regime, was only a state apparatus and the legislative arm used by Hitler to make possible the execution of his plans. This legislation aimed at restricting the rights of non-Aryans followed a series of decrees proposed by Hitler as early as 1933. He uses a legal instance to chancellor his actions:

Using the fire of the Parliament on February 27, 1933, whose authorship was attributed to the Dutch communist Martin Van der Lubbe, Hitler, then Chancellor, began his journey in the maximum concentration of power. He managed, from that event, that President Hindenburg signed a Decree, called “Decree for the Protection of the People and the State”, on February 28, 1933, which surrounded

some fundamental freedoms of the people, notably that of the press and of association. In the same Decree, it limited the epistolary secrecy and the inviolability of the home. For some cases, it instituted the death penalty, as well as preventive detention measures against political enemies, at that time, aimed at communists. Still in 1933, the year in which he was appointed Chancellor, motivated by the European anti-Semitic movement, Hitler established measures to exclude Jews from German economic and social life. (SALES, 2017, p. 13).

Then, it is noted that the brutality and "the structural violence of the Nazi system" (KARNAL, 2011) are transformed into necessary mechanisms, through their own legislation, to achieve a greater purpose, the retaking of the importance of Germany in the scenario worldwide.

To avoid the disapproval of the German population, death camps began to function in Poland. From 1941 to 1942, Sobibor, Treblinka, Chelmno, Majdenek, Belzec and Auschwitz II fields were created. The extermination of the Jews had been designed and carried out using the most refined techniques, in the most varied areas of knowledge. As noted by Morrison (2006), sophisticated techniques of Engineering, Administration and Industrial Chemistry, made the production of the death of Jews in the extermination camps more efficient and dynamic. (SALES, 2017, p. 15).

Thus, through the restrictive decrees, agents of the Nazi party found the apparent legality to act. Let us remember that the enacted law functions as an important collective contract, which must be respected – "a court order is not discussed, it is fulfilled". Renowned jurists and law scholars were consulted and helped create the decrees. Arendt concludes in her work, previously mentioned, that the Nazi project would happen anyway, but the result was more rapid because of the efficient help of lawyers, civil servants, businessmen and German society. Particularly interesting is the fact that many war criminals during the Nuremberg Court trials – city that marks the legal conception (both the Nuremberg Laws and the huge celebrations of the Nazi party) that started the Final Solution, but also the final place of judgment for these crimes – demonstrated a perception of guiltlessness; they were just executing orders, complying with German laws and helping the country to eliminate its 'enemies'.

### 3.2 THE CONFISCATION

Across Europe, many institutions linked to culture, as well as families holding works of art, rushed to try to sell or send their collections to safer places. In this context, it is worth remembering the difficulty in making decisions when we have at stake objects and collections of priceless patrimonial value and family memory. They were often goods belonging to ancestors, carrying symbolism and affections that could not be valued. In order to prevent the Nazis from plundering their museums and galleries, some countries have carried out actions to evacuate works of art and other collections, hiding them outside large urban centers, in cities far from the most obvious targets.

The case of the director of national museums in France, Jacques Jaujard, stands out (FIGURE 4). Successive trucks removed almost all the works that were in the Louvre, before the Germans took the French capital definitively. Historians report that the actions of emptying the Louvre and other institutions took place under the condescending eyes of Wolff Metternich, a German aristocrat and profound art connoisseur. Metternich had been chosen directly by Hitler and was responsible for sending to Germany the holdings confiscated in Paris. Realizing that there was an imminent danger of the possible disappearance or even destruction of such an important artistic heritage, since the removal would be done by land (by rail) and with a high risk of air strikes, Metternich does not oppose Jaujard's operations, trying to convince his superiors in Berlin that the collections that belong to France's national treasury cannot be appropriated by Germany, because of international rights in times of war. When Berlin, especially Hermann Göring, discovers that Metternich is not acting quickly in sending the works of art, Göring himself tries to intervene. Michel Rayssac, French researcher and author of the book *The Exodus of Museums*, says: "Göring, being a raptor with an appetite that was never satisfied, a shameless predator, who comes to the Jeu de Paume museum, where the collections of modern art and also the collections owned by the Jews are stored, he goes in, picks it up and leaves. »<sup>5</sup>

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<sup>5</sup> DEVILLERS; POCHART. Michel Rayssac in *Illustre & Inconnu*, a French TV documentary of France 3 on the actions of Jacques Jaujard to prevent the plundering of works of art at the Louvre Museum in Paris. (Verbal information).

FIGURE 4 - JACQUES JAUJARD, DIRECTOR OF MUSEUMS OF FRANCE DURING THE PERIOD OF NAZI OCCUPATION AT HIS OFFICE



SOURCE: Resister-art-litterature.

And it is precisely at the Jeu de Paume museum, a few meters away from the Louvre, where Rose Valland observes everything. Valland was an art historian and volunteer who worked at Jeu de Paume. Despite a certain distrust on the part of the Nazi authorities, Valland stayed working in the museum, as responsible for the collections.

Fluent in the German language and without revealing it to anyone, she is able to hear and understand much of what is said and discussed in the conversations, passing on all she can to Jacques Jaujard. Valland, in addition to monitoring and observing movement within the museum, also catalogs most of the collections that are being brought to the Jeu de Paume, the result of looting of private art galleries and the homes of Jewish collectors in Paris.

Several Jewish auctioneers and gallery owners in Paris had their holdings confiscated. The Rothschild family, Daniel Wildenstein, Paul Rosenberg (famous Jewish auctioneer), Alphonse Kann, Pierre David-Weill (banker), among other prestigious figures of the Jewish elite of Paris are among them. Most of these goods are taken to the Jeu de Paume museum. The Jewish community had no legal right to possession, neither to

property nor to cultural goods, according to the new laws promulgated by the German Parliament at Hitler's command and endorsed by famous German jurists and lawmakers.

Rose Valland, on July 23, 1943, writes a note to Jacques Jaujard, informing him that the Germans burned about six hundred works of art, including paintings by Picasso, Klimt, Miró, Dali, among others, in the garden of the Jeu de Paume.

The loot unit (ERR) maintained a detailed cadre of officials, Nazi officers and hundreds of soldiers chosen to confiscate, pack, transport and care for the stolen collections and works of art, as well as the task of maintaining archival documentation of everything, being the primary destination, the future Hitler Museum in Linz. Many officers, like Göring, to name just one, also tried to confiscate works of art for their own collections, during this looting process. It was the confiscation of the confiscation.

The basis here was the reports of events in the French capital, as this was one of the biggest targets of the Nazis, with regard to these actions of looting of works of art, although similar events to these happened in several other cities occupied by the Nazis.

The National Archives in Washington, United States, has forty-three albums with photographs of part of the stolen collections. Since many assets were confiscated and diverted by agents of the Nazi party even before everything was properly documented by the ERR brigade, there is an inability to detail the actual amount. It is known that there were a hundred photo albums. This material, known as Hitler's Albums (FIGURE 5), has been used as an important source of research for those seeking to discover information that may indicate the whereabouts of those goods.

FIGURE 5 - HITLER'S ALBUM, WITH PHOTOS OF PART OF THE CONFISCATED COLLECTION



SOURCE: Getty images.

#### 4 WHY RETURN IT?

Not only does it happen with regard to cultural assets confiscated during periods of war and colonial rule, but we also remember the collections of indigenous peoples that are under the tutelage of large museums. Religious collections, ancient artifacts discovered and taken to the archaeologists' countries of origin, especially in the 19th century, the so-called 'archaeological traffic', are also part of the debate. Many institutions have this type of heritage in their collections with documentary pending on its origin. It is necessary to investigate. Maintaining an attitude of ignorance does not grant a sense of compulsory ownership of these collections. We have noticed, in the last decades, an increasing performance of the affected families, particularly in the study proposed here, for the recovery of their assets.

There is a certain mistrust, on the part of some directors of institutions that have this type of collection, regarding these return actions. We also contemplate here the question of the Brazilian Civil Code and the statute of limitations (prescription), which makes such processes unfeasible. Many wonder why there was such a delay by families in bringing justice to recover their assets. There is a very convincing explanation, since, after the war, these people were dispersed, not returning to their places of origin. Many victims (whole families) were killed, which made the request for repossession impossible. Thousands of them did not even have the desire to remember what had been left behind. In the words of Agamben (2002, p. 178), these prisoners had been reduced to the most painful place of spoil, a condition never equaled in recent human history. Reduced to bare life, they are a docile, dehumanized, legally killable body, with no rights and to whom death itself is an act of compassion.

It is worth highlighting the analysis that the sociologist makes, when talking about the removal of political and civil rights and its tragic effect on individuals:

To the extent that its inhabitants have been stripped of all political status and reduced entirely to bare life, the [concentration] camp is also the most absolute biopolitical space ever realized, in which power has nothing but pure life before it, with no mediation. (AGAMBEN, 2002, p. 178).

At the end of the war, most of those who survived went to other continents, looking for a spatial distance from the place of memory of the holocaust, which made the actions to recover their assets equally difficult. It is necessary to remember the almost rudimentary state of communications in 1945, summarized by the telegraph, the telephone via cable, the ship, the radio and the post office. Thus, let us imagine the effort required to recover a work of art, without even having an idea of where it was taken. It is known that when these collections and art objects were found by the allies, as a rule, their destination was the artist's country of origin, since there was no information available capable of showing which State institution, museum, art gallery or private owner belonged such goods, especially those less known goods. In the case of great artists, such as Rembrandt, their paintings were sent to Holland, even if their legal owner was someone in Milan.

Think of the great works of art acquired by private Jewish collectors, outside the art market; how could they trace their origin and their true owners? Researchers, scholars and lawyers, in the most recent decades, ended up locating these works of art and other cultural goods in museums, art galleries or at auctions and contacted the families of the original owners. Many of these people were not even aware of the existence of these goods. Another way to try to locate this heritage is by hiring private investigators. Thus, the processes that initiate requests for return have taken place.

During the research, some words always appeared and, among those that most caught our attention are: legality, reparation, justice.

Restitution, the act of giving back, brings important discussions, involving moral and ethical instances about museums and the actions triggered by these discoveries, at the moment when there was a change in collective thinking and social behavior regarding this topic. In a temporal shift, the actions planned and executed by the Nazi system, today, would be legally and ethically condemned. This delicate process, although painful, bears a symbolism, which demonstrates above all, a purpose of justice towards the owners stripped of their property.

## 4.1 THE IMPLICATIONS OF THE MUSEOLOGIST

The museologist's professional code of ethics, approved by COFEM (Federal Council of Museology), which is a conduct law derived from ICOM / UNESCO, governs a series of devices to be followed by professionals at a museum. Failure to fully comply with this legislation may result in progressive sanctions, until the termination of the professional registration, when judged the museologist in charge of professional conduct in disagreement with the precepts of the code. In its first article, the code points out that there are specific rules of conduct that need to be respected. We highlight, among these duties, the museologist's actions in dealing with the demands involving the collections, which can be seen in some articles, configuring an ethical norm of this profession:

### FUNDAMENTAL DUTIES AND PROHIBITIONS

Article 5 - The museologist is not allowed to:

f- Be conniving with error, not to communicate to the professional inspection bodies the legal and ethical infractions of which they are aware, and to induce others to perform acts that may have an unfavorable impact on the concept of professional practice;

### DUTIES IN RELATION TO CULTURAL AND ENVIRONMENTAL HERITAGE

Article 8 - the museologist must, in relation to the patrimony:

b- Follow internationally accepted standards (ICOM / UNESCO) regarding the acquisition, documentation, conservation, exhibition and educational dissemination of the preserved collections in museums, contributing to the safeguarding of collections and dissemination to the public; as well as in relation to extramural museum works; (COFEM, 1992).

The investigations and the decision to return the collections treated in the present work have presented an interesting dilemma for the professionals who work in these museum institutions.

The return of works of art to legitimate private owners has usually followed three processes: (a) internal investigation of the institution to discover the origin of the collection it possesses, with the possibility or not of return; (b) external actions, arising from possible legal owners of the works of art, through a private investigation and promotion of a judicial process and (c) an attempt to negotiate directly between the owners' heirs and the institutions.

Among the three performances, the most frequent are the last two. As an example, we can mention the case of the Jewish industrialist Richard Semmel. In 2021, the Museum de Fundatie, in Zwolle, in the Netherlands, negotiated with Mr. Semmel's legal heirs the purchase / financial repair of a painting by the artist Bernardo Strozzi, entitled *Christ and the Samaritan Woman by the Well*, which is part of the Museum's collection on long-term exhibition. The story of the painting begins with the original owner, a wealthy Jewish textile industrialist, resident of Berlin, who already in the early years of Adolf Hitler's rise to power fled to Holland. Mr. Semmel was a well-known buyer and collector of works of art and, already in Holland, anticipating the invasion of that country by the Nazi army, was forced to dispose of his personal collection, selling part of his collection at auctions, for price well below the amount due. He died in New York, in 1950, in a situation of poverty. A friend who also lived in New York, Grete Gross-Eisenstädt, remained in Mr. Semmel's will as his universal heir. He certainly predicted future developments that would result in reimbursement for Mrs. Grete. In 2013, Mrs. Gross-Eisenstädt's grandchildren requested the return of the works of art that are in the museum in Zwolle. The family's attorney filed the lawsuit and the Dutch court took the case to the Restitution Committee, which in turn ruled that the work of art, incorporated into the museum's collection, was vital to Dutch society and this fact surpassed the aspirations of the heirs of the original owner. Notwithstanding this official decision, the professionals of the Fundatie Museum, in 2021, took the decision to return the heirs in an amount of financial reparation of 200,000.00 euros (about R\$ 1,300,000.00 in conversion from April 2021) for this framework signed Bernardo Strozzi.

It is a conflict of interest, because it involves huge sums of money, in addition to a difficult transfer of assets. The decisions have been balanced, with victories both for the side of the collective interest and in favor of the interest of the families in dispute.

One of the alternatives to this dilemma could be the loan agreement, the lending, where the institution legally returns the cultural asset and the heirs sign a documentary commitment so that the work of art remains on display. In the future, if there is a need to sell it, there may be a contractual provision in which the institution has the acquisition prerogative, if it can pay the amount for the work. However, in most cases, heirs tend to want a return.

In all these situations, it is the museologist, together with the other professionals in charge of managing these institutions, who have the technical knowledge and understand the implications in the theoretical field on the importance of promoting a response that is rooted in ethics and justice. The institution's management needs subsidies and a jurisprudence that assists in decision making. The museologist is a vital agent in this process. Society's response seems to us to support these initiatives, and museums that have recognized their debt to these legitimate owners have received prestige from public opinion. On the other hand, long processes, with the use of resources and embargoes, causing the cause to be dragged on for a long time, cause a deterioration in the institution's image.

An example that has been shown to be feasible regarding the transparency of information about collections is that of the Getty Center, in the United States (FIGURE 5). With a detailed digital platform on the origin of its vast collection available on the Internet (Getty Provenance Index), this institution has worked to guarantee to the community all information about its collections, thus making it possible for anyone to access this data.

The benefit is situated, not only in matters of provenance, but in the unmistakable act of demonstrating to society the engagement of the museum and how it positions itself in the face of such demands.

FIGURE 6 - THE GETTY CENTER, NEAR LOS ANGELES



SOURCE: Getty images.

It is worth mentioning here, as an illustration of the matter of provenance in Brazil, the work of Gabriela Figueiredo, in the interesting study she carried out on part of the MASP collection (São Paulo Art Museum), where she analyzes the purchase made by Assis Chateaubriand and Pietro Maria Bardi of works of art in a period close to the end of the Second World War. When writing her article, she focused through the objective looking of the law. The Brazilian Civil Code of 2002 states:

Art. 186. Anyone who, by voluntary action or omission, negligence or imprudence, violates the right and causes harm to others, even if exclusively moral, commits an unlawful act. (BRAZIL, Brazilian Civil Code, 2002).

The reference for the time being has to do with the acquisition of cultural goods made by Chateaubriand and Bardi for MASP, without the due concern of checking documentation of the origin of the goods. There are seventy-three sculpted bronze dancers

by Degas, part of the MASP collection, where they arrived in 1954. In Brazil, with the prescription institute, return processes of this type remain without legal basis. The heirs of a German gallery owner named Alfred Flechtheim, a Jew fleeing the Nazi regime, contacted MASP to request information about five of the seventy-three dancers, claiming that these works of art belonged to Flechtheim. The plaintiffs' lawyers try to use the buyers' lack of vigilance argument (Chateaubriand and Bardi), focusing on an objective lack of good faith action (in law, 'eviction' is the term used):

Whether Chateaubriand and Bardi were aware of the obscure provenance of the works they acquired on the European market and which are now the subject of discussion is essential for analysis through the Civil Code and, even more, to determine whether it was their duty to work out, prior to purchase, for the detailed examination of the records of the pieces of art, since, being considered an obligation, there would be a suppression of objective good faith on their part, who failed to fulfill a duty related to the legal business, having no right in relation to the seller, who in this case would be represented by European galleries or auction houses, as their conduct would be considered to have been in bad faith, covering up a irregular and illicit situation, that is, the purchase and sale of goods belonging to third parties. (FIGUEIREDO, 2017, p. 645).

These examples serve to alert and awaken Museology professionals to the urgency of documentation, capable of tracing the origin of the collections, being a matter of the most serious importance within the set of responsibilities of the museologist's duties.

## 5 CONCLUSION

Museology, both in its actions in the practical field and in theory, and the professionals involved in these missions that Museology must carry out, have followed, during its existence, the path of ethics and dialogue, as primordial bases for its existence. Although many museums are trying to solve the problem of the origin of their collections, during the research, it was noted the difficulty of action when it comes to the theme return, when some work of art in the heart of the collection is there through a past acquisition resulting of confiscation, specifically in the cut proposed by this research, of the confiscated heritage of the Jewish people, during the Second World War.

The museologist, as a facilitating agent in these research processes, is able to conceive the practical and theoretical bases on the subject, being able to assist the other professionals with whom he works, directors, curators, lawyers, researchers, in taking decision-making.

The disputes established are not, absolutely, just in the financial field, although this is a factor of great importance, knowing the cultural value of these universally known works of art and the high sums that they can collect if auctioned. But it also affects moral, symbolic and affective instances, which need to be properly considered during the negotiation process.

Transparency becomes imperative on the path to a fair solution, so making it possible for the general public to access information from the holdings is extremely necessary, exemplified here by the Getty Center, which provides detailed source information through the official website, of its works of art / collections.

It is also worth highlighting the power of museums as a place of hegemonic affirmation, perceived here through the point of view of Adolf Hitler and his interpretation of culture and artistic heritage in the museum. The space that Art occupies in his political-cultural deliberations has much to provide in the field of psychology.

## REFERENCES

- APPADURAI, A. (Ed.). (1986). *The social life of things: Commodities in Cultural Perspective*. Cambridge: Cambridge University Press. doi:10.1017/CBO9780511819582
- ARENDR, Hannah. *The human condition*. Trans. Roberto Raposo, Rio de Janeiro: Forense Universitária, 1989.
- \_\_\_\_\_. *Eichmann in Jerusalem: a report on the banality of evil*. Rev. and enl. ed. New York: Viking Press.
- AGAMBEN, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Heller-Roazen, Daniel. Stanford University Press, 1998.
- CASEY, Edward S. *Remembering: a phenomenological study*. Bloomington & Indianapolis: Indiana University Press, 1987.
- COFEM. Code of ethics for museologists, 1992. Available on: < [http://cofem.org.br/legislacao/\\_codigo-de-etica/](http://cofem.org.br/legislacao/_codigo-de-etica/) >. Accessed: 17 April 2020.
- DASSIÉ, Véronique. *Objects d'affection: une ethnologie de l'intime*. Paris: Éditions du Comité des travaux historiques et scientifiques, 2010.
- DEVILLERS, Jean-Pierre; POCHART, Pierre. **Illustre & Inconnu: how Jacques Jaujard saved the Louvre**. France 3, 2014. Available on: < <https://www.youtube.com/watch?v=NfdH6SQiArU> >. Accessed: 21 April 2020.
- EPISODE 26: Hitler's Führermuseum (Season 2, Episode 6). Lecturer: Jennifer DASAL. [S.l.]: Artcurious, 16 October 2017. Podcast. Available on: < <https://www.artcuriouspodcast.com/artcuriouspodcast/26> >. Accessed: 4 May 2021.
- FEST, Joachim C. *Inside Hitler's bunker : the last days of the Third Reich*; translated from the German by Margot Bettauer Dembo. New York : Picador Publisher, 2005.
- FEYE, Cornelia. The art that Hitler hated. **La Jolla Light**, 2017. Available on: < <https://www.lajollalight.com/art/sd-cm-ljl-hitler-art-20171101-story.html> >. Accessed: 28 April 2021.
- FIGUEIREDO, Gabriela P. B. de. Restitution of cultural assets: a legal analysis of MASP's acquisition of works of art in the post-war period. *Annals of V Cidil – justice, power and corruption*. RDL, Rede Brasileira Direito e Literatura, V. 5, N. 2, p. 635-656, 2017.
- KARNAL, Leandro. Hatred in Brazil. A lecture on philosophy, Campinas, 23 September 2011. Available on: < <https://institutocpfl.org.br/o-odio-no-brasil-leandro-karnal-2/> >. Accessed: 2 May 2021.

KOPENAWA, D.; BRUCE, A. *The falling sky: Words of a Yanomami Shaman*. Translated Beatriz Perrone-Moisés. São Paulo: Companhia das letras, 2015, p. 426.

LEVI, Primo. *If This Is a Man: And, the Truce*. Harmondsworth: Penguin, 1979.

MAUSS, Marcel. *Essay on the gift*. In: Sociology and anthropology. São Paulo: Cosac Naify, 2003, p. 186-210.

MENESES, Ulpiano T. Bezerra de. *Memory and material culture: personal documents on the public space*. Historical studies. Rio de Janeiro, v. 11, n.21, p. 89-104, 1998.

\_\_\_\_\_. *The material object as a document*. Transcript of a lecture on *Cultural Heritage: politics and perspectives*. IAB/CONDEPHAAT, 1980.

NERY, O. S. Object, memory and affection: a reflection. *Revista Memória em Rede*, v. 9, p. 144-161, 2017.

RAYSSAC, Michel. *The exodus of museums, history of works of art under the occupation*. Paris: Payot, 2007.

SALES, Cyntia Mirella C. Fernandes. The apparent normality of the Nazis' actions. *FAS@JUS*, v. 7 n.1, p. 13, 2017.

SCHEINER, Tereza. Material culture and museology. In: *Museology and heritage / Marcus Granato*. Rio de Janeiro: Astronomy and Sciences, 2015. 344p.

SOTHEBY'S. The 97-Year-Old Reunited with her Nazi-Looted Masterpiece. Available on: < <https://www.sothebys.com/en/videos/the-97-year-old-reunited-with-her-nazi-looted-masterpiece> >. Accessed: 13 May 2021.

ULLRICH, Volker. *Adolf Hitler Ascent – 1889-1939*, vol. 1. Editora Saraiva, 2015.

WEBER, Thomas. The Pre-1914 Origins of Hitler's Antisemitism Revisited, *The Journal of Holocaust Research*, 34:1, 2020, p. 70-86.

## ONLINE PHOTOGRAPHS

PICTURE 1: SOTHEBY'S. The 97-Year-Old Reunited with her Nazi-Looted Masterpiece, [s.d.]. Available on: < <https://www.sothebys.com/en/videos/the-97-year-old-reunited-with-her-nazi-looted-masterpiece> >. Accessed: 13 May 2021.

PICTURE 2: GETTY IMAGES. Hitler and Giesler in the Bunker, [ca. 1944]. Available on: < <https://www.gettyimages.fi/detail/news-photo/hitler-adolf20-04-1889-politiker-nsdap-d-imagespr%C3%A4ch-mit-news-photo/541476675> >. Accessed: 19 October 2020.

PICTURE 3: GRANGER. Available on: < <https://www.granger.com/results.asp?image=0085335> >. Accessed: 16 December 2020.

PICTURE 4: RÉSISTER PAR L'ART ET LA LITTÉRATURE, [s.d.]. Available on: < <https://resister-art-litterature.jimdofree.com/resister-en-france-occupee/jacques-jaujard-et-les-oeuvres-du-louvre/> >. Accessed: 7 February 2021.

PICTURE 5: GETTY IMAGES. Hitler Album. Available on: < <https://www.gettyimages.com.br/detail/foto-jornal%C3%ADstica/national-archives-senior-conservative-morgan-foto-jornal%C3%ADstica/488792863> >. Accessed: 22 March 2021.

PICTURE 6: ARCHINECT. BENDOV, Pavel. Available on: < <https://archinect.com/archexplorer/project/the-getty-museum> >. Accessed: 10 March 2021.

## APPENDICES

### APPENDIX A – EMAIL FROM THE USHMM (UNITED STATES HOLOCAUST MEMORIAL MUSEUM)

US Holocaust Memorial Museum Request Number:  
142550 - Contact the Museum Form Submission - ☆  
January 28, 2021 12:51:55 Caixa de entrada

L **Library and Archives Reference Desk** 28 de jan  
para mim ^ ← → ⋮

De Library and Archives Reference Desk • reference@ushmm.org  
Para fs.antonio@gmail.com  
Data 28 de jan de 2021 15:52

←
📄 🗑️ 📧 ⋮

The Nazis did not classify the materials taken from victims at the concentration camps. Those items were not tracked, per se, in any meaningful way. Rather, they were processed by prisoner functionaries and distributed back into the German economy through various methods. Money, cash, gold and silver, was directed to the banking system. Material goods, such as shoes, clothing, or other durables, was sent to Germany to be resold to the German masses. Quantities of objects were tracked, and some of those records may exist at the concentration camp museum archives. However, by and large, there were no records the kinds of which you mention.

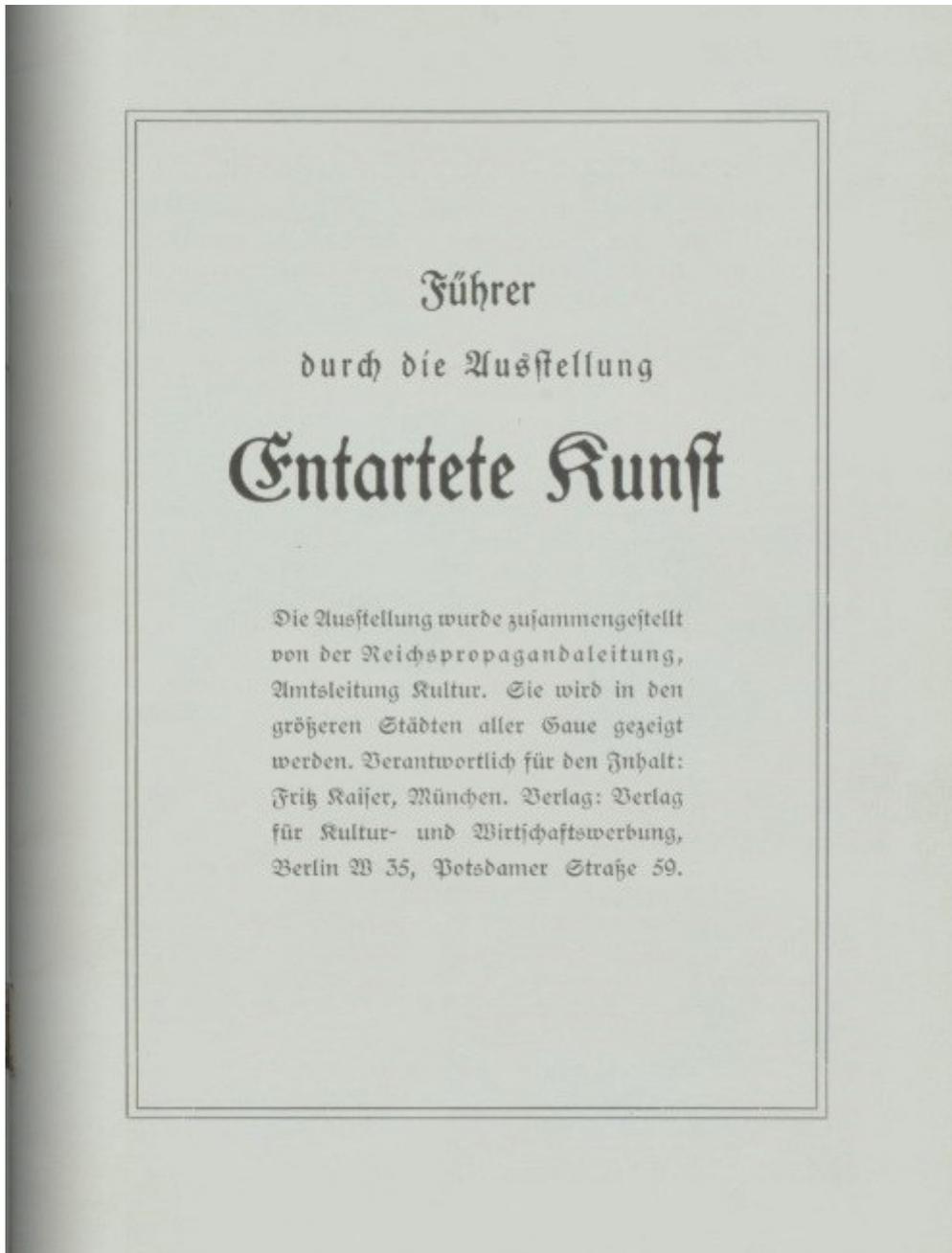
If I can be of further assistance with your project, please don't hesitate to ask.

All the best,  
Vincent Slatt

APPENDIX 2 – « DEGENERATE ART » FOLDER SLEEVE



## APPENDIX 3 – « DEGENERATE ART » EXHIBITION FOLDER



## APPENDIX 4 – « DEGENERATE ART » EXHIBITION FOLDER

eteKunst2\_med\_p9

### Was will die Ausstellung „Entartete Kunst“?

Sie will am Beginn eines neuen Zeitalters für das Deutsche Volk anhand von Originaldokumenten allgemeinen Einblick geben in das grauenhafte Schlusskapitel des Kulturzerfalles der letzten Jahrzehnte vor der großen Wende.

Sie will, indem sie das Volk mit seinem gesunden Urteil aufruft, dem Geschwätz und Phrasendrusch jener Literaten- und Kunst-Cliquen ein Ende bereiten, die manchmal auch heute noch gerne bestreiten möchten, daß wir eine Kunstentartung gehabt haben.

Sie will klar machen, daß diese Entartung der Kunst nicht war als etwa nur das flüchtige Vorüberwachen von ein paar Rareitäten, Torheiten und allzu kühnen Experimenten, die sich auch ohne die nationalsozialistische Revolution tolgelaufen hätten.

Sie will zeigen, daß es sich hier auch nicht um einen „notwendigen Säurungsprozeß“ handelte, sondern um einen planmäßigen Anschlag auf das Wesen und den Fortbestand der Kunst überhaupt.

Sie will die gemeinsame Wurzel der politischen Anarchie und der kulturellen Anarchie aufzeigen, die Kunstentartung als Kunstbolshewismus im ganzen Sinn des Wortes entlarven.

Sie will die weltanschaulichen, politischen, rassistischen und moralischen Ziele und Absichten klarlegen, welche von den treibenden Kräften der Herabsetzung verfolgt wurden.

Sie will auch zeigen, in welchem Ausmaß diese Entartungserscheinungen von den bewußt treibenden Kräften übergreifen auf mehr oder weniger unbefangene Nachbeter, die trotz einer früher schon und manchmal später wieder bewiesenen formalen Begabung gewissen-, charakter- oder instinktlos genug waren, den allgemeinen Juden- und Bolschewientummel mitzumachen.

Sie will gerade damit aber auch zeigen, wie gefährlich eine von ein paar jüdischen und politisch eindeutig bolschewistischen Wort-

2

„Kunstkommunist werden heißt zwei Phasen durchlaufen:  
1. Platz in der kommunistischen Partei nehmen und die Pflichten der Solidarität im Kampf übernehmen;  
2. Die revolutionäre Umstellung der Produktion vornehmen.“

Der Jude Wieland Herzfelde  
in „Der Gegner“ 1920/21.

Entartete Kunst (Degen



## APPENDIX 5 – « DEGENERATE ART » EXHIBITION FOLDER

eteKunst2\_med\_p9

führen gelenkte Entwicklung war, wenn sie auch solche Menschen kulturpolitisch in den Dienst der bolschewistischen Anarchiepläne stellen konnte, die ein parteipolitisches Bekenntnis zum Bolschewismus vielleicht weit von sich gewiesen hätten.

Sie will damit aber erst recht beweisen, daß heute keine der an dieser Kunstentartung damals irgendwie beteiligten Männer kommen und nur von „barmhertigen Jugendbegeisterungen“ sprechen darf. Aus alledem ergibt sich schließlich auch, was die Ausstellung „Entartete Kunst“ nicht will:

Sie will nicht die Behauptung aufstellen, daß alle Namen, die unter den ausgestellten Machwerken als Signum prangen, auch in den Mitgliederlisten der kommunistischen Partei verzeichnet waren. Diese nicht aufgestellte Behauptung braucht also auch nicht widerlegt zu werden.

Sie will nicht bestritten, daß der eine oder andere der hier Vertretenen manchmal — früher oder später — „auch anders gekommt“ hat. Ebenjowenig aber durfte diese Ausstellung die Tatsache verschweigen, daß solche Männer in den Jahren des bolschewistisch-jüdischen Generalangriffes auf die deutsche Kunst in der Front der Herabsetzung standen.

Sie will nicht verhindern, daß diejenigen Deutschblütigen unter den Ausgestellten, welche ihren jüdischen Freunden von ebendem nicht in das Ausland gefolgt sind, nun ehrlich ringen und kämpfen um eine Grundlage für ein neues, gesundes Schaffen. Sie will und muß aber verhindern, daß solche Männer von den Firkeln und Cliques einer so düsteren Vergangenheit dem neuen Staat und seinem zukunftsstarken Volk gar heute schon wieder als „berufene Bannerträger einer Kunst des Dritten Reiches“ aufgeschwätzt werden.

4

Entartete Kunst (Degene

„Wir ziehen es vor, unsauber zu existieren, als sauber unterzugehen. Unfähig aber anständig zu sein, überlassen wir verbohrten Individualisten und alten Jungfern. Keine Angst um den guten Ruf!“

„Der Gegner“ 1920/21.



„Das realisch Gebundene wird zerteilt und aufgebrochen zu einem Gefäß für seine aufgestaute, sinnlich brennende Leidenschaft, die — nun entzündet — keine seelische Tiefe mehr kennt und nach außen schlägt, verzehrend, expansiv, sich mit allen Teilen begattend. Es gibt für ihn keine Widerstände mehr und vorgesezte Grenzen . . .“

Zeitgenössisches Literaturgeschwätz über solche damals „moderne“ Bordellkunst.



APPENDIX 6 – « DEGENERATE ART » EXHIBITION FOLDER



On its last page, it is written: « Idiocy or freedom – or both – taken to the nth degree. »

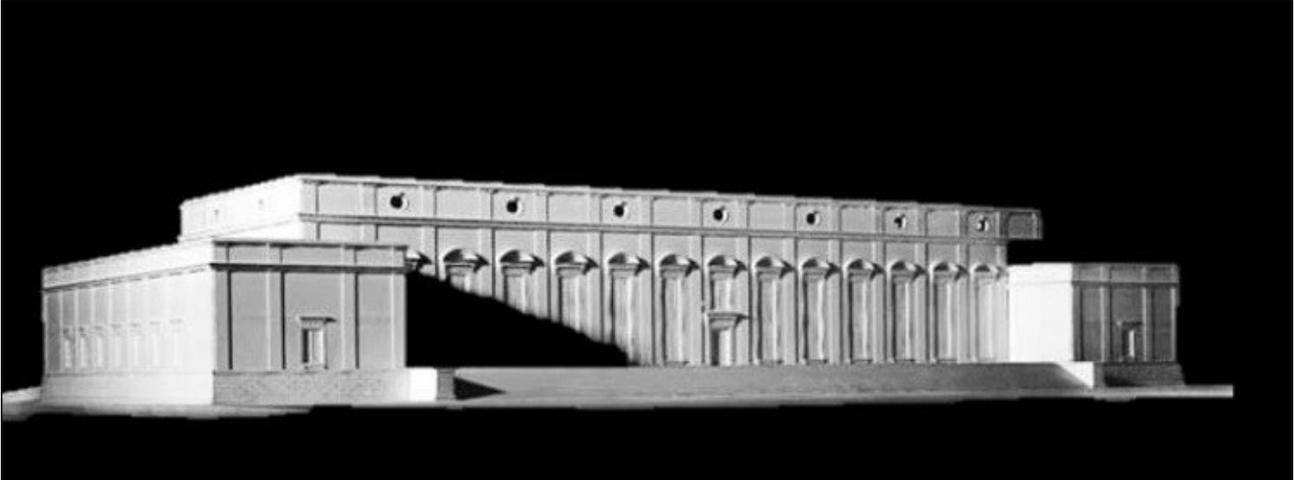
**APPENDIX 7 – HERMANN GÖRING AT A MUSEUM IN PARIS, WHILE OBSERVING  
SOME WORKS OF ART CONFISCATED FROM THE JEWS**



**APPENDIX 8 – ROSE VALLAND, ART HISTORIAN, AT THE JEU DE PAUME, IN 1935**

TO ONE OF THE HALLS, SHE GAVE THE NAME 'ROOM OF MARTYRS'

**APPENDIX 9 – HITLER’S NEVER BUILT FÜHRERMUSEUM IN LINZ, A COPY OF  
*HAUS DER KUNST* , A MUSEUM IN MUNICH**



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