

## CODART ELF congress: Workshop 3

### Post World War II provenance research, recovery and restitution

Chair: Eric Domela Nieuwenhuizen, Instituut Collectie Nederland, Rijswijk

Secretary: Ron Spronk, Queen's University, Kingston, Ontario

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#### Introduction

Art restitution refers to the return of a museum object from a museum to a party found to have a prior and continuing relationship with the object, which is seen to override the claims of the holding museum. Although many museums have received requests for restitution of objects for many years, the number of claims and the variety of sources from which they have emanated have increased substantially in recent times. The last eight years the Dutch Government returned more than 250 Dutch and Flemish paintings to claimants. Many of these works of art were on loan in Dutch Museums. But also museums in other European and American countries had to return important works of art to survivors of the Holocaust and their heirs. Some experts say between 250,000 and 600,000 pieces of art looted by the Nazis are still held by museums, governments and private collectors. Only a very small fraction has been returned to the original owners or their heirs. Responsibility for decisions on restitution requests lies with museums and often with governing bodies. Who is best placed to examine the validity of a request? And what are the responsibilities of the museum directors and their curators? Should museums strive to identify all objects in their collections that were created before 1946 and acquired by the museum after 1932, and that underwent a change of ownership between 1932 and 1946? And should they make accessible currently available provenance information on those objects; and should they give priority to continuing provenance research? Or should museums just wait to see if claims come in?

Statements:

- 1 Two restitution-related exhibitions have already opened in 2007. At least 6 more are planned to open during 2008. Is this becoming a new trend?
- 2 The “Janus-faced” syndrome of restitution — are the museums really willing to give back the works?
- 3 Private restitution and the auction houses — who stands to gain?

#### **Speaker I: Shlomit Steinberg, Hans Dichand curator of European Art, Israel Museum, Jerusalem**

*Two Landmark Exhibitions at the Israel Museum explore the fate of stolen artworks from World War II*

Shlomit Steinberg presented aspects of organization and reception of two concurrent exhibitions at the Israel Museum: 1. *Looking for Owners: research, custody, and restitution of art stolen in France during World War II*; and 2. *Orphaned Art: looted art from the Holocaust at the Israel Museum*. *Looking for Owners* was organized in collaboration with the Réunion des Musées Nationaux of France (RMN) and will also be on view in Paris, but with a different focus. The exhibition in the Israel Museum presents 53 paintings that were stolen in France, focusing on the actual artworks, while the RMN opts to have a broader exhibition, which would also highlight the provenance research, for example through showing the reverses of the paintings with labels, seals and stamps. Around 100,000 artworks were stolen in France during World War II, of which circa 61,000 resurfaced after the war (mainly through the Allied

Collection Points in Munich and Baden-Baden), and only 14,000 of these were returned to their owners. *Looking for Owners* was mounted in very short time, but the exhibition was a great success, according to Shlomit Steinberg, especially in regard to attention from the press and the general public. Steinberg was somewhat disappointed in the fact that there was very little attention for the artworks itself, many of which were of very high quality. In the organization of the exhibition the RMN, according to Steinberg, showed little interest for exploring the “Jewish Issue” to a great extent but the Israel Museum highlighted those aspects of the topic in its second, concurrent exhibition, *Orphaned Art*. Here, stolen art from Jewish painters was presented, together with numerous pieces of Judaica that were looted from private homes as well as synagogues.

**Speaker II: Uta Neidhardt, Curator of Dutch and Flemish paintings, Staatlichen Kunstsammlungen Dresden**

*Post-War Provenance Research in the Old Master Picture Gallery, Dresden State Art Collections*

Uta Neidhardt discussed the three main fields in which the Dresden State Art Collections performs provenance research: 1. Provenance research into paintings that belonged to the victims of the Nazi regime; 2. Provenance research into paintings that entered the Gallery in the course of the so-called “democratic land reforms”; and 3. Research into paintings from the Gallery holdings that were stolen during World War II.

The Dresden State Art Collections played a special role in the looting of art works by the Nazis, since two of its former directors, Hans Posse and Hermann Voss, served as heads of the project for establishing Hitler’s *Führer museum*, better known as the *Sonderauftrag Linz*. The Gallery recognized that it holds a special responsibility in this regard, and, in addition to performing research in response to ownership claims, has performed systematic provenance research as early as the 1990s. After the war, the communist regime initiated the “democratic land reforms”, in which the Saxon nobility lost its holdings. The artworks from these castles and houses fell to the Dresden State Art Collections, but are now claimed back by their former owners or their heirs. Initially the German government had set a deadline for such claims, but that was lifted. A group of 18,000 artworks was returned to the former royal family of Saxony, the Wettin, in 1999, 12,000 of which were subsequently bought back by the government of Saxony. Currently a new claim from the Wettin family is being investigated, in which 170 paintings from the Gem.

According to Neidhardt, among many legitimate claims a significant number of false claims are also filed, and she expressed her frustration that many such claims are actually being honoured. These decisions are often instigated by political reasons rather than by the findings from the provenance research. This occurs relatively frequently when the artworks in question are not well-known, and kept in storage rather than on display in the Gallery. Some other colleagues from German museums confirmed this notion.

The State Art Collections are also actively researching the present whereabouts of its own paintings that were looted from its holdings at the end of World War II. It recently recovered a Jan Brueghel the Elder, which had resurfaced in Antwerp in 2001.

**Speaker III: Rudi Ekkart, Director, Rijksbureau voor Kunsthistorische Documentatie, The Hague**

Rudi Ekkart has been at the forefront of restitution research for 11 years, both in issues of restitution from museum collections and in post-1933 provenance research. He chairs the *Ekkart Committee*, which supervises the provenance research into the objects in the so-called “NK” (Nederlands

Kunstbeitz) collection, the remaining works of art recuperated after the war, and makes recommendations to the Dutch government.

Ekkart presented a historic overview of the situation in the Netherlands, and described the progress that has been since the early 1990s when the research started. The Netherlands Museums Association, in the late 1990s, ordered all its members to research its acquisitions that were made between 1940 and 1948, which has now been completed. This research has led to several claims, but not in exceptionally high numbers. A second stage of has recently been initiated, which will research acquisitions made between 1933 and 1940, and post 1948. This research, unlike the first stage, is supported by a central office, "[Origins Unknown](#)".

From the NK collection, several thousands of artworks were restituted to the former owners, but the rest fell to the Dutch State. Several claims on artworks on the latter category were dismissed immediately after the war. In the early 1990s, some 4700 paintings had remained without a known owner; by then, it had become clear that in many of its dismissals of claims, the Dutch State had taken a too formal approach. Provenance research was started in earnest, and in the case of looted art works the former owners were actively traced, with some reasonable success. This new approach resulted in many more claims, some of which are very large, such as the Goudstikker and Katz. Around 50 cases were handled, and in circa 90% of these cases the artworks were restituted. Another 40 cases are still remaining, which will probably have a lower % of restitution. Some claims are simply false, for example for paintings sold in the 1920s. Other claims deal with voluntary sales or with sales by Nazi collaborators; in other cases there simply is not enough information to retribute, or no heirs can be found.

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## Report on the discussion

A short but lively discussion followed, especially after the question was raised if restitution research was a contained phenomenon. What if Prague would ask for the Adriaen de Vries sculptures, and what about the art that was looted in the Napoleonic Wars? Most speakers felt that restitution is mostly World War II related. It was stated that the Committee Ekkart had proven that provenance is key for any restitution case. It was observed that an important change in policy had occurred in Dutch policy in 2001, when it was decided that art dealers who had lost their stock were to be treated the same way as private collectors. The role of the auction houses was also discussed; apparently some of the larger cases were driven by research coming from the auction houses. A last remark concerned that often the heirs had no other choice than to sell, especially when there are multiple heirs.

### Participants in this workshop were:

- 1 Heinrich Becker, Assistent curator, Suermondt-Ludwig-Museum, Aachen
- 2 Peter van den Brink, Director, Suermondt-Ludwig-Museum, Aachen
- 3 Eric Domela Nieuwenhuis, Curator, Instituut Collectie Nederland, Rijswijk
- 4 Rudi Ekkart, Director, Rijksbureau voor Kunsthistorische Documentatie, The Hague
- 5 Marta Gołębek, Assistent curator, Wilanów Palace Museum, Warsaw
- 6 Krystyna Gutowska-Dudek, Curator of painting, Wilanów Palace Museum, Warsaw
- 7 Ursula Härting, Exhibition curator, Gustav-Lübcke-Museum, Hamm
- 8 Paul Huvenne, Director, Koninklijk Museum voor Schone Kunsten, Antwerp
- 9 Dariusz Kaczprzak, Curator of Old Masters, Łódź Museum of Fine Arts, Łódź
- 10 Elly Klück, Curator, Rijksbureau voor Kunsthistorische Documentatie, The Hague

- 11 Olga Kotková, Senior curator of Netherlandish, German and Flemish paintings and sculpture, National Gallery in Prague, Prague
- 12 Zoltán Kovács, Deputy head of department for registration, Museum of Fine Arts, Budapest
- 13 Suzanne Laemers, Curator, Rijksbureau voor Kunsthistorische Documentatie, The Hague
- 14 Inga Lander, Curator of the department of prints, National Library of Russia, St. Petersburg
- 15 Angel M. Navarro, Professor of art history, University of Buenos Aires, Buenos Aires
- 16 Uta Neidhardt, Curator of Dutch and Flemish paintings, Staatliche Kunstsammlungen Dresden - Gemäldegalerie Alte Meister, Dresden
- 17 Gary Schwartz, Webmaster, CODART, Maarssen
- 18 Martina Sitt, Head of department of paintings, Hamburger Kunsthalle, Hamburg
- 19 Ron Spronk, Research curator, Harvard University Art Museums, Kingston
- 20 Shlomit Steinberg, Hans Dichand curator of European Art, Israel Museum, Jerusalem
- 21 Júlia Tátrai, Curator, Museum of Fine Arts, Budapest
- 22 Priscilla Valkeneers, Scientific associate, Centrum voor de Vlaamse Kunst van de 16de en de 17de eeuw, Antwerp
- 23 Dominika Walawender-Musz, Assistant curator, Wilanów Palace Museum, Warsaw
- 24 Dennis Weller, Associate curator of European art, North Carolina Museum of Art, Raleigh
- 25 Lisbeth Wouters, Director, Musea Antwerpen – Rubenshuis, Antwerp
- 26 Yao-Fen You, Detroit Institute of Arts, Detroit