LOOTING AND RESTITUTION DURING WORLD WAR II: A COMPARISON
BETWEEN THE SOVIET UNION TROPHY COMMISSION AND
THE WESTERN ALLIES MONUMENTS, FINE ARTS,
AND ARCHIVES COMMISSION

Laura Holsomback Zelman, B.S.

Thesis Prepared for the Degree of
MASTER OF ARTS

UNIVERSITY OF NORTH TEXAS
May 2012

APPROVED:

Olga Velikanova, Major Professor
Robert M. Citino, Committee Member
Christopher J. Fuhrmann, Committee Member
G. L. Seligmann, Jr., Committee Member
Richard McCaslin, Chair of the Department of History
James Meernik, Acting Dean of the Toulouse Graduate School
From the earliest civilizations, victorious armies would loot defeated cities or nations. The practice evolved into art theft as a symbol of power. Cultural superiority confirmed a country or empire’s regime. Throughout history, the Greeks and Romans cultivated, Napoleon Bonaparte refined, and Adolf Hitler perfected the practice of plunder.

As the tides of Second World War began to shift in favor of the Allied Powers, special commissions, established to locate the Germans’ hoards of treasure, discovered Nazi art repositories filled with art objects looted from throughout Europe. The Soviet Union Trophy Commission and the Western Allies Monuments, Fine Arts, and Archives Commission competed to discover Nazi war loot. The two organizations not only approached the subject of plunder as a treasure hunt, but the ideology motivating both commissions made uncovering the depositories first, a priority.

The Soviet trophy brigades’ mission was to dismantle all items of financial worth and ship them eastward to help rebuild a devastated Soviet economy. The Soviet Union wished for the re-compensation of cultural valuables destroyed by the Nazis’ purification practices regarding “inferior” Slavic art and architecture; however, the defeated German nation did not have the ability to reimburse the Soviet State. The trophy brigades implemented a process of restitution in kind to make physical reparations through the confiscation of Nazi war loot.
The Western Allies disagreed with the Soviet Union’s policy. The Monuments, Fine Arts, and Archives Commission endeavored to return artwork looted by the Germans to the rightful owners or surviving descendants. Historically, the Western perspective of the Soviet Union’s actions was that the trophy brigades looted the conquered German Reich; however, during the period of Glasnost and after the fall of the Soviet Union, personal memoirs and interviews of Soviet trophy brigade members and museum officials have become available, and the Soviet viewpoint better understood.

By analyzing both organization’s principles and actions, historians can assume a new disposition. The trophy brigades and the MFAA worked to salvage Nazi war loot, but the two commissions took divergent approaches as to what should be done with the spoils of war. It must be appreciated that decisions made sixty-seven years ago were made by nations attempting to do what they deemed morally correct but the lack of communication behind each ideology has made Western nations stand in judgment of the Soviet Union’s response.
Copyright 2012

by

Laura Holsombach Zelman
ACKNOWLEDGMENTS

I would first like to express my gratitude to Dr. Olga Velikanova for chairing my thesis committee. Her unique point of view and constructive criticism helped form my thoughts on looting and restitution on the Eastern Front into a scholarly argument of which I am proud. I wish also to thank Drs. Robert Citino, Christopher J. Fuhrmann, and G. L. Seligmann, Jr. for their assistance and guidance as committee members. Furthermore, I could not have succeeded as a student without the counsel and support from Drs. Richard McCaslin and Walter Roberts.

I am eternally indebted to my parents Dr. Thomas Holsomback and Bonnie Fuller Holsomback for their constant encouragement and reassurance. Most importantly, I would like to thank my husband, Jake Zelman, for helping me to realize my dreams and walking beside me as I strove to fulfill them. Lastly, thank you to the World War II veterans on the Chicago-Washington, D. C. Honor Flight who inspired me to learn more about looting during the Second World War.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ACKNOWLEDGMENTS</td>
<td>iii</td>
</tr>
<tr>
<td></td>
<td>TERMINOLOGY</td>
<td>vi</td>
</tr>
<tr>
<td>Chapters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Source Review</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Historiography</td>
<td>3</td>
</tr>
<tr>
<td>II.</td>
<td>THE EVOLUTION OF ART THEFT</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>The Origins of Organized Art Looting</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>International Consciousness and The Hague Conferences</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>The Justification of Nazi “Safeguarding”</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>The Destruction of Slavic Art</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>The Creation of a Restoration Commission</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>The Beginning Stages of War Reparations</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Artwork as a Form of Re-compensation</td>
<td>28</td>
</tr>
<tr>
<td>III.</td>
<td>GRIEVANCES OF THE SOVIET UNION: THE SOVIET TROPHY COMMISSION AND</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>RESTITUTION IN KIND</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nazi Destruction of the Soviet Union</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Evacuation Attempts</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>War Loot as Reparations</td>
<td>40</td>
</tr>
<tr>
<td>IV.</td>
<td>WESTERN RESTORATION IDEOLOGY: THE MONUMENTS, FINE ARTS, AND</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>ARCHIVES COMMISSION</td>
<td></td>
</tr>
</tbody>
</table>
The Creation of the Monuments, Fine Arts, and Archives Commission ...............58
Preservation and International Relations ..............................................................63
The Difficulties, Success, and Daily Operations of the MFAA ...............................66
Soviet Trophy Brigades .......................................................................................82
Western Allied Looting .......................................................................................83
The 202 and the Wiesbaden Manifesto ................................................................86
V. RESTORATION VERSUS RESTITUTION IN KIND ........................................92
Outline for Reparations .....................................................................................94
Soviet Restitution in Kind versus Western Restoration ....................................95
Western Restoration .........................................................................................99
Soviet Restoration ............................................................................................100
Revelations of War Loot ..................................................................................103
War Loot Nationalized .....................................................................................104
Private Trading: A Technicality in the Law .....................................................106
VI. CONCLUSION .............................................................................................114
The Soviet Trophy Commission and the Monuments, Fine Arts, and Archives
Commission ..................................................................................................114
BIBLIOGRAPHY ...............................................................................................118
### TERMINOLOGY

**Collecting point**
A point designated for the assembly of found art objects, including books and archival documents. Objects were held in these installations until provenance could be established and ownership could be transferred to the country of origin’s officials.

**Flakturm**
Flakturm or flak towers were complexes of large, above-ground, anti-aircraft gun blockhouse towers constructed in the cities of Berlin, Hamburg, and Vienna from 1940 onwards. They were used by the Luftwaffe to defend against Allied air raids on these cities during World War II.

### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERR</td>
<td>Reichsleiter Rosenberg Taskforce (Einsatzstab Reichsleiter Rosenberg)</td>
</tr>
<tr>
<td>CAD</td>
<td>Civil Affairs Division</td>
</tr>
<tr>
<td>ChGK</td>
<td>The Extraordinary State Commission for the Establishment and Investigation of Crimes of the German-Fascist Bandits and their Accomplices and Appraisal of the Losses Incurred by Citizens, Kolkhozniks, Social Organizations, State Enterprises and Institutions of the USSR (Чрезвычайная Государственная Комиссия)</td>
</tr>
<tr>
<td>MFAA</td>
<td>Monuments, Fine Arts, and Archives Commission</td>
</tr>
<tr>
<td>NKVD</td>
<td>The People's Commissariat for Internal Affairs (Народный комиссариат внутренних дел Narodnyy komissariat vnutrennikh del)</td>
</tr>
<tr>
<td>SD</td>
<td>Security Service (Sicherheitsdienst)</td>
</tr>
<tr>
<td>SHAEF</td>
<td>Supreme Headquarters Allied Expeditionary Force</td>
</tr>
<tr>
<td>SovNarKom</td>
<td>Council of People’s Commissars</td>
</tr>
<tr>
<td>SS</td>
<td>Special Police Force in Nazi Germany (Schutzstaffel)</td>
</tr>
<tr>
<td>SS Ahnenerbe</td>
<td>Study Society for Primordial Intellectual History, German Ancestral Heritage, Registered Society (Studiengesellschaft für Geistesurgeschichte, Deutsches Ahnenerbe)</td>
</tr>
</tbody>
</table>
CHAPTER I

INTRODUCTION

Time nicks St. Mary’s mantle hem. It rips John Baptist’s dress. Silence restores these losses. Art History mops up the mess while treasures get shipped home again to hang on the same hooks as when they were stolen by Hitler or Napoleon.

Presupposing virtuoso—scratched, fragmented, or hacked, Art’s intention is barely marred. The residual artifact glimmers steady through years or blood, enduring rough treatment or good or the suicidal carryings-on of humans.

How marble moulds itself into flesh, paint kindles gold in shafts makes me witness salvation first in comely handicrafts. It’s been often observed before: objects we choose to adore don’t prevent war but survive it and us.

_Private First Class Lincoln Kirstein_

The atrocity of war and genocide from 1939-1945 has historically overshadowed the Nazi looting of Europe. Yet, the lingering effects of art theft have influenced international relationships since the end of World War II. Historians cannot view looting as a separate series of events. It intertwined with the rage of war. Although it first began with the Nazis, State sponsored and individual looting occurred within the Allied ranks. Two ideologies paralleled the development of Soviet trophy brigades and the Western Allies Monuments, Fine Arts, and Archives Commission. First, the Soviet Union believed that the Germans owed Nazi war loot to the USSR as compensation for the invasion and ruination of Slavic art and architecture; and second, the Western belief that war loot should not constitute a form of reparations and must return to the rightful owners. Both art commissions championed their nation’s theory of restitution, but the Western Allies perceived restoration as the answer to war loot, and the Soviet Union deemed the spoils of war as an indemnity.
Source Review

The most prevalent form of information regarding looting on the Eastern Front and the work of the Soviet Trophy Commission and Western Allies Monuments, Fine Arts, and Archives Commission (MFAA) is secondary sources. The majority of the primary source information Western historians have cited consisted of archival documents; additionally, researchers who studied the MFAA used Monuments Men memoirs. In my thesis, I used secondary works to create the general framework of knowledge regarding the Soviet Trophy Commission and the Monuments, Fine Arts, and Archives Commission. Little primary source information exists within the United States with respect to the trophy brigades, and I have relied upon oral histories, diary experts, and radio interviews to support the Soviet Union’s claim for restitution in kind. Primary source documentation is readily attainable for the MFAA, and I accessed official documents and MFAA officer’s unpublished papers in the United States National Archives, the Archives of the Fogg Art Museum, the John Nicholas Brown Center for the Study of American Civilization, the National Gallery of Art Library, and Columbia University Rare Book and Manuscript Library. In my work, I have also cited numerous published memoirs written by MFAA officers. However, the Soviet archives needed to research the Trophy Commission were inaccessible during the Soviet regime and still remain difficult to access, and Germany’s Bundesarchiv has limited archival information concerning the trophy brigades’ looting within East Germany. Books and articles written about the trophy brigades have focused on oral histories and unpublished memoirs and diaries from museum employees and trophy brigade members. Additional published primary source information consulted, included the Protocol of the Crimea Conference

### Historiography

Lynn Nicholas’ book *Rape of Europa: The Fate of Europe’s Treasures in the Third Reich and the Second World War* is the first significant work regarding looting and restitution. Prior to her work, there was relatively no scholarly research solely dedicated to the looting of Europe. Nicholas reintroduced the topic of State sponsored art theft to a new generation of Americans in 1994.³ She researched the beginning of art theft in the Third Reich, including the questionable transactions between art dealers and notable Nazi art enthusiasts. Nicholas discussed how the quasi-legal art sales turned into unabashed art theft. Her book followed the artwork as it moved to Nazi secret repositories at the end of the war, and the Soviet trophy brigades and Western Allied

---

Monuments, Fine Arts, and Archives officers that competed to locate these art storehouses. In the 1980s while living in Belgium, the Nazi looting of Europe inspired Nicholas to better understand what happened to Europe’s art. Her work encouraged historians to revisit the topic of war loot during the Second World War. Although she described the theft and destruction of Europe’s cultural valuables, she dedicated only one chapter to the Nazi pillaging of the Soviet Union. Her brief introduction to the Nazis’ activities in the Soviet Union, and lack of additional information created questions regarding the Germans’ activities in the USSR, and why the Soviet trophy brigades formed.

The aggressive and malevolent actions of the Kunstschutz (Art Protection Commission), such as the Sonderkommando Ribbentrop, stole art objects, which the Nazis categorized as German and destroyed artwork of Slavic origin. As the Red Army forced the Wehrmacht westward to Germany, the Soviet trophy brigades sought to locate German art repositories to confiscate as a form of reparation. There is inadequate research regarding the Soviet looting of Germany as re-compensation. Soviet archives needed for this research were closed until Mikhail Gorbachev’s period of Glasnost, and many remained open through the 1990s. However, Vladimir Putin has reversed the process and limited access to the archives. Official documentation could validate the books and articles published since 1991 and personal memoirs written by Soviet citizens who witnessed the looting of both the USSR and Germany.

The most outspoken Russian authors regarding Soviet war loot were Konstantin Akinsha and Grigorii Kozlov. In 1991 after the collapse of the Soviet Union, ARTnews
published their first article, “Spoils of War: The Soviet Union’s Hidden Art Treasures.” It revealed that Kozlov witnessed the shredding of files of paperwork that exposed German war loot, which remained within Russia’s borders. Four years later in 1995, Akinsha and Kozlov expounded upon the Nazi destruction of the Soviet Union’s cultural valuables, the search for the Nazi art repositories, and the old Soviet and current Russian view of restitution in kind in their book *Stolen Treasure: The Hunt for the World’s Lost Masterpieces.* Several unpublished memoirs and diaries and sixteen first person accounts and testimonies were the basis for *Stolen Treasure.* Due to the political chaos of the early 1990s, the authors were unable to access the Soviet archives. Their work has explained the Soviet perspective and motivation behind looting Germany, which Western historians have ignored. Yet, when reviewing Akinsha and Kozlov’s books and articles, their Soviet bias bears consideration. Their works remains the primary voice for Soviet looting ideology. World War II cultural historians would benefit by examining the Soviet principle of looting from the enemy as a form of reparations.

American historian Patricia Kennedy Grimsted has written extensively about Soviet looted archives and the difficulties in restitution. Grimsted discussed the creation of the Extraordinary State Commission and the formation of Soviet trophy brigades in her article “Displaced Archives and Restitution Problems on the Eastern Front in the Aftermath of the Second World War.” In her article “Russia’s ‘Trophy’ Archives- Still Prisoners of World War II?”, Grimsted discussed the political problems that exist

---

6 Grimsted, “Displaced Archives and Restitution Problem.”
between Germany and Russia over stolen or destroyed archives and art objects. Grimsted has researched her works in Russian and Ukrainian archives and has translated numerous documents into English, including the “Federal Law on Cultural Valuables Displaced to the USSR as a Result of the Second World War and Located on the Territory of the Russian Federation,” on which she worked with Konstantin Akinsha for the International Journal of Cultural Property in 2010. Grimsted’s article focused on looted archives, and therefore does not singularly concentrate on stolen art. Her writings examine the Soviet Union’s looting of Germany as a State policy implementing restitution in kind (the confiscation of German cultural valuables to compensate the USSR for the destruction of priceless art objects and archives). Grimsted has also scoured the United States National Archives extensively to locate documentation exhibiting the United States principles of restoration and their interactions with the Soviet Union in the restitution process after the Second World War. Grimsted’s works introduce English readers to accessible primary sources, and they assist Akinsha’s and Kozlov’s writings by grounding their book’s personal testimonies from Soviet museum officials and trophy brigade members in archival documentation.

Wayne Sandholtz’s article, “Plunder, Restitution, and International Law” published in 2010, agreed with Grimsted’s discussion on the motivation for Soviet

---

looting. Sandholtz supported the principle of restitution in kind for the Soviet Union, and he advocated that the Russian “Federal Law on Cultural Valuables Displaced to the USSR” gave Russia the legal right to retain war loot as compensation. Sandholtz’s argument of restitution in kind was unlawful according to The Hague Conference doctrine; however, the Nazis first plundered the Soviet Union before the USSR looted Germany. This complicated situation makes The Hague Conference articles difficult to uphold, and in Russia, the 1998 law nationalizing war loot proved that The Hague Conference laws were merely international suggestions and not steadfast laws embraced by the global community. Sandholtz’s article created empathy for the Soviet Union’s dilemma. The USSR considered war loot within Russia as compensation; at the same time, The Hague Conference ruled that it was stolen art.

The Soviet Union had never disguised its desire for monetary or commodity compensation from Germany. Edward Stettinius, Jr., Secretary of State in 1945, in his book *Roosevelt and the Russians* believed that after the 1945 Yalta Conference and the formation of an Allied Reparations Committee Joseph Stalin took excessive amounts of property from Germany. Winston Churchill, Franklin D. Roosevelt, and Joseph Stalin signed the Protocol of the Crimea Conference in which they did not clearly define “reparations”, and they did not ban the seizure of war loot. By not addressing the subject of war loot, the Allies did not establish principles of restoration. In fact, it allowed Stalin’s trophy brigades to dismantle the Soviet zone of occupation, and there

---

were no repercussions for looting Soviet controlled East Germany. This technicality aided the Soviet Union’s defense that they seized any object of economic benefit to the USSR and did not loot an innocent country.

The United States and Great Britain did not accept the Soviet Union’s view for such an aggressive re-compensation plan; however, the Allies did not expressly forbid the Soviet Union from pursuing war loot as restitution in kind. Robert Edsel in his book *The Monuments Men: Allied Heroes, Nazi Thieves, and the Greatest Treasure Hunt in History* stated that the United States knew about the Soviet trophy brigades’ activities, but they remained silent regarding the looting of Germany.¹² The United States and Great Britain seemed empathetic to the USSR’s destruction and resulting economic despair and chose to overlook the looting of Germany by the Soviet Union. However, the Western Allied Monuments, Fine Arts, and Archives Commission (MFAA) did not want all known art storehouses to fall into the hands of the Soviet trophy brigades, so the MFAA searched diligently and quickly to locate Nazi art repositories. Edsel’s work focused exclusively on the MFAA and followed the Monuments officers through the end of the war, the opening of the collecting points, and the restitution problems that resulted. He contended that the MFAA pursued the ideology that ethically, they needed to establish provenance for the war loot, and that the MFAA should return art objects to the country of their pre-war origin. Numerous memoirs and articles written by MFAA officers, such as, Walker Hancock’s “Experiences of a Monuments Officer in Germany” published in 1946,¹³ Stratton Hammon’s “Memoir of the Ranking Monuments, Fine Arts

---

and Archives Officer in the ETO During World War II” published in 1988,\textsuperscript{14} and James Rorimer’s \textit{Survival: The Salvage and Protection of Art in War} published in 1950,\textsuperscript{15} confirmed that the Monuments Men felt convicted to restore looted artwork to the rightful owners. However, the Soviet trophy brigades did not share the MFAA principles concerning legal ownership.

Charles Kunzelman’s article, “Some Trials, Tribulations, and Successes of the Monuments, Fine Arts and Archives Teams in the European Theatre During WWII” published in 1988, was a study on the work of MFAA officers and the difficulties they experienced in locating the legal owners of Nazi war loot.\textsuperscript{16} Kunzelman’s article, which was based on memoirs of MFAA officers and archival research, influenced Nicholas’ and Edsel’s research about the Monuments, Fine Arts, and Archives Commission but was Western-centric. He did not mention the Soviet Union’s confiscation of German war loot, which was a large omission. In the 1980s, Kunzelman would not have had access to the closed archives of the Soviet Union, and he may have decided not to include their activities in his article due to the lack of information. Yet, the undertakings of the MFAA and the Soviet trophy brigades warrant comparison.

Research focused on the Monuments, Fine Arts, and Archives Commission did not truly begin until the late 1980s and early 1990s, and historians did not discuss the Soviet Trophy Commission until after breakup of the Soviet Union in 1991. There are no independent studies comparing and contrasting the two art commissions and their

\textsuperscript{14} Stratton Hammon, “Memoir of the Ranking Monuments, Fine Arts and Archives Officer in the ETO During World War II,” \textit{Military Affairs} 52, no. 2 (April 1988): 61-68.


divisional ideologies. There are three primary reasons for the scholarly void. First, the MFAA and the Soviet trophy brigades were miniscule, unheard of divisions of the army. Before the Second World War, no art committee had ever existed to retrieve looted artwork. Second, the devastating human loss that resulted from the war overshadowed the looting of material objects and art committees’ mission; and third, the inaccessibility of Soviet archives prevented historians from learning earlier about the Soviet trophy brigades’ activities and the abundance of war loot that still remained within the country. The ten secondary sources previously reviewed are currently the most significant books and articles written on the topics of the MFAA and the trophy brigades. However, much research is necessary to better understand how the two art commissions influenced each other and how their activities during the Second World War still affect international relations today.

Historians have shied away from the subject of the Soviet trophy brigades because archival access was insufficient, yet researchers need to emphasize both commissions to adequately study looting and restitution during the Second World War. The Soviet trophy brigades and the Monuments, Fine Arts, and Archives commission existed to solve the dilemma of Nazi looting, and their divergent ideologies regarding war loot has created contention. The United States National Archives and personal papers of MFAA officers held in museums and libraries have expounded upon the MFAA’s motivation to return war loot instead of using the art objects as a form of reparations. Soviet era primary source documents regarding the Nazi invasion and resulting looting of Germany would benefit this field of study immensely. Soviet archival information is necessary to give historical basis to the claim that the looting of Germany
was just exaction to compensate the plunder and destruction of the Soviet Union. Historians need to view the art theft of Europe and the Soviet State sponsored pillaging in context. By doing so, we can better understand the restitution ideology of the Soviet Union and the United States.
CHAPTER II

THE EVOLUTION OF ART THEFT

Ornamenta urbis, statuae et tabulae pictae, et quidquid pretiosae praedae fuit, ad naves delatum; urbs diruta a fundamentis.

[The adornments of the city, the statues and paintings and all the valuable plunder were placed on shipboard and the place was razed to its foundations.]

_Livy_

The theft of art and the retrieval process are not recent occurrences. When analyzing the beginning of organized looting, the timeless act of grand-scale art theft began with the ancient Greeks and Romans and continued into World War II. Even today, in the twenty-first century, restitution arguments remain influential in global politics.

Art theft in times of war has become a controversial topic in the late nineteenth and early twentieth centuries due to the creation of international laws prohibiting looting by The Hague Peace Conferences of 1899 and 1907. By tracing the origins of looting, researchers can examine the Nazi pilfering of Europe in a historical perspective. History has looked upon the Second World War as the milestone in systematic looting of conquered nations, because the Nazis succeeded in stealing the most art objects in recorded history.

The Origins of Organized Art Looting

One of the first recorded episodes of pillaging art and weapons from the conquered, Homer chronicled his epic poem _The Iliad_ with the description of the despoilment of Troy.¹ Pausanias, in his work _Description of Greece_, also recounted the

---

looting of Athens in 480 B.C. by Xerxes during the Persian Wars. Although the Greeks and co-existing civilizations of the ancient world established the basis for the conqueror to lay claim to all within the subjugated lands, the Romans breathed a sense of entitlement into their conquests. In an effort to understand the evolution of looting, historians must explore the origin of the Latin term diripio. Adam Ziolkowski described the verb diripio as meaning “to tear apart, to mangle, to tear to pieces.” This term developed into the definition, “to deprive, to divest, with a very strong emphasis on the unruly and violent character of the act; hence its most common meaning: to sack, to plunder, to loot.”

Wilhelm Treue stated that the Romans never questioned their right as the victor to plunder the defeated. They were an aggressive, violent, and greedy people who stole without remorse. Treue claimed that without this mentality, Rome would have never become the art capital of the world. He believed that the “Kunstplünderungen” dogma truly began to take form with Camillus and the sack of Veii in 396 B.C. and found a receptive audience with Marcellus' conquest of Syracuse, Sicily in 214-212 B.C.

Plutarch stated, that Marcellus "returned bringing with him many of the most beautiful public monuments in Syracuse, realizing that they would both make a visual impression of his triumph and also be an ornament for the city. Prior to this Rome neither had nor ever knew of these exquisite and refined things, nor was there in the city

\[\text{References}\]

\[\text{2} \quad \text{Pausanias, } \text{Description of Greece,} \ 1.8.5, \text{ trans. by W. H. S. Jones and H. A. Ormerod (Cambridge, Massachusetts: Harvard University Press, 1918).}\]

\[\text{3} \quad \text{Adam Ziolkowski, } "\text{Urbs direpta, or How the Romans Sacked Cities,}" \text{ in } \text{War and Society in the Roman World,} \text{ ed. John Rich and Graham Shipley (London and New York: Routledge, 1993), 70.}\]

\[\text{4} \quad \text{Wilhelm Treue, } \text{Kunstraub: Über die Schicksale von Kunstwerken in Krieg, Revolution und Frieden (Düsseldorf: Droste, 1957), 9; Livy, } \text{The History of Rome,} \text{ 5.20.}\]
any love of what was charming and elegant.” Livy opined much the same, “But as regards the adornments of the city, the statues and paintings which Syracuse possessed in abundance, he [Marcellus] carried them away to Rome. They were spoils of the enemy, to be sure, and acquired by right of war. Yet from that came the very beginning of enthusiasm for Greek works of art and consequently of this general license to despoil all kinds of buildings, sacred and profane.” Plutarch and Livy wrote hesitantly regarding Rome's delight for plundering cities for their art. There was no longer a distinction between secular and religious art and monuments. The Romans viewed objects of art as symbols of power. The victor could appropriate all cultural valuables of the defeated nation. The Romans confiscated all objects of art with little regard as to their spiritual significance. Until this point in history, religious artwork viewed with superstition was untouchable. In the early fourth century A.D., Constantine plundered pagan temples in the name of God. His soldiers denuded the statues of the gods of all precious jewels and metals and melted down all that appeared valuable. Little had changed 2,000 years later as Hitler’s Kunstschutz, such as, Einsatzstab Reichsleiter Rosenberg (Reichsleiter Rosenberg Taskforce or ERR) and Sonderkommando Ribbentrop, emptied churches and synagogues of all items of artistic value and melted down church bells to cast weapons.

---


The philosophy of stealing art from the defeated was not the only correlation between ancient and modern empires. As Napoleon entered Paris with the looted art objects of Rome, he replicated the Triumph of the Romans. The great French general embraced the Roman tradition as a public display of power through cultural supremacy. One can only conjecture as to what kind of spectacle Hitler would have paraded through the Third Reich on his way to his super-museum in Linz, Austria.

The Triumph of Aemilius, after his victory over the Macedonians in 167 B.C., lasted three days with one day consumed with the 250 chariots needed to transport the looted art and cultural valuables of Macedonia. Treue concluded that the great Triumphs which brought massive amounts of artwork, plundered by the generals and their soldiers, to Rome only fed the need for Roman generals and emperors to seek out new city-states to battle, subdue, and loot. The people of Rome had developed a taste for acquiring culture and wealth, and the continued success of the military supplied Roman citizens with the status symbols they so desired. The demand for plundered art was immense, and Cicero commented on the presence of art dealers that followed the Roman armies. Many comparisons between the art dealers of the Low Countries and France and the ancient Romans originated in the wake of the Nazi Army as they took financial advantage of fleeing citizens attempting to escape Nazi occupation.

---


Looting was not only State sanctioned to increase the nation’s holdings, but soldiers and citizens embraced the practice on an individual level. The relationship between art and money affected the soldiers of the ancient world in the most practical sense. With the exception of mercenaries, many armies were unpaid or paid very little. The promise of plundering the defeated city was in itself a form of payment and not necessarily a breach of military discipline.\(^1\) The idea of loot as a form of compensation occurred blatantly in the late eighteenth century French army of Napoleon Bonaparte. The French soldiers had no way of receiving payment for months at a time and lacked the most basic necessities. Discipline dissolved amid the men and looting became widespread amongst the army.\(^2\) During the restitution process in the years following the Second World War, it became obvious that the Nazis not only confiscated many art objects as State policy, but soldiers had stolen some artwork as an individual practice, because they felt entitled to additional payment for their service. As World War II veterans pass away due to age, the stolen art has reappeared, and some surviving family members have auctioned off their unique souvenirs. Artwork listed as missing or destroyed has slowly reemerged back into the public eye, but not necessarily the rightful owner.

Looting for the glory of the general was also a motivating factor. During the Revolutionary period, all ranks of the French army practiced art theft as a form of trade. Patricia Mainardi stated, “When the procession of the Fête de la Liberté bearing Napoleon’s art loot from Italy crossed Paris on a rainy day in July 1798, its passage was

\(^1\) For additional information, see Plutarch, “The Life of Lucullus,” The Parallel Lives of the Ancient Greeks and Romans, 19 and 29, trans. by Bernadotte Perrin (Cambridge, Massachusetts: Harvard University Press, 1914).

\(^2\) Treue, 203.
accompanied by a song whose refrain went ‘Rome is no more in Rome. It is now in Paris.’ As exhibited in this refrain, the French soldiers took great pride in their looting activities. Napoleon’s men believed that by stripping the artwork of Rome, the cultural capital, their actions would signify the glory of the French Empire. The Gazette Nationale published an article on 27 July 1798 stating, “This festival, already so cherished by all Frenchmen, will be still further embellished by the triumphal entry of the objects of science and art gathered in Italy… Thus all parts of the world have been made to contribute to enrich the most beautiful of our festivals and to make it as magnificent as the triumphal entry of Aemilius Paulus into Rome.”

Napoleon distinguished his plunder as not for himself but for France, similar to the Romans’ justification that they pillaged not for personal gain alone, but for the exaltation of the Roman Empire. Napoleon confiscated artwork from the people he had liberated from oppression, and Hitler used a variation of Napoleon’s excuse. He claimed that the Nazis would “safeguard” the cultural valuables of the overrun nations from the onslaught of the uncultured and destructive Allied soldiers.

The Romans’ colonization practices established the foundation for modern “protections” claims. How could a weak nation, defeated in battle, be able to care for their cultural valuables? Therefore, the conquering army “preserved” these treasures for the weaker nation. This ancient justification repeats throughout history. In post-World War II society, the rationale has left the battlefield for the art gallery. Museums

---

15 Treue, 204.
16 Harris, 56.
now “safeguard” cultural relics. The argument for the restoration of cultural art objects has affected every great civilization that fell to a rising power and remains a continuous source of contention among modern nations.

However, the acquisition of art symbolized power for Empires, and Napoleon found the procurement of art so valuable, that he included specific instructions regarding the art he desired in the treaties he forced the defeated nations to sign. This humiliating process was the first large scale attempt for the victorious State to confiscate the cultural valuables of the subjugated in a lawfully signed treaty. Napoleon had laid the framework for the legalization of looted art, an argument which Russia used in the contested law of 1998 which legalized war loot obtained by the Red Army during the Second World War.

International Consciousness and The Hague Conferences

Throughout history, the accepted notion was that victorious nations could strip the defeated country of its wealth. Whether that was horses and weapons or the State’s treasury, the superior military power saw this as consequences of succumbing to defeat. Destruction of this caliber was not unfamiliar to Europe. Wars had pillaged the continent for thousands of years. In the wake of the Napoleonic Wars, European consciousness as to what the rules of engagement should stipulate was in the process of forming. In the nineteenth century, the French government began to question the civility of Napoleon’s approach to art theft in the eighteenth century Age of Enlightenment. Mainardi asserted, “looting was no longer considered a natural right of

17 For the Treaty of Bologna of 4 messidor an IV (June 22, 1796), see Correspondance de Napoleon Ier, publiee par ordre de l’Empereur Napoleon III, vol. 1, no. 672, art. 8 (Paris, 1858), 525-30; for the Treaty of Tolentino, ler ventôse an V (February 19, 1797), see Correspondance de Napoleon Ier, publiee par ordre de l’Empereur Napoleon III, vol. 2, no. 1511 (Paris, 1858), 444-49.
warfare.” The 1815 Treaty of Paris first addressed the issue of returning looted items to their country of origin. By the late nineteenth century, the concept arose for a preservation system of international laws that would protect cultural landmarks and works of art from invading nations. The theory that culture is not a State entity but belongs to a nation’s citizens derived from The Hague Conference doctrine. Countries are liable for war, not individual people. Therefore, a people’s culture should remain untouchable to invading nations. The Hague Conferences met in 1899 and 1907 to create a framework of laws that would preserve historic buildings and monuments from unnecessary ruination and art objects from theft or destruction. Germany, Great Britain, the United States, and the Russian Empire signed these conventions.

At the dawn of the twentieth century, The Hague Conferences of 1899 and 1907 began the task of regulating the rules of warfare in a civilized era and established international laws pertaining to war loot. According to The Hague Conference, an invading power cannot confiscate objects of cultural significance. This was the first defining act to an otherwise gray zone of post-war politics. According to William Gerald Downey, Jr., “enemy public property is defined as chattels, the title to which is vested in a state or in any agency of such state,” and “enemy private property is defined as chattels, the title to which is vested in an individual, a private corporation or a public corporation not owned by the state or by an agency of the state.”

---

18 Mainardi, 156.
22 Ibid., 489.
community was in agreement that private property of a citizen of a losing power was not to be appropriated unless the objects in question were necessary to the continuing function of the military. However, an army could not acquire these articles of private property without compensating the owner, and said army was to requisition the articles with intention of return. The Hague Conference, Articles 46 and 47, formally declared looting strictly prohibited. After the First World War, the Treaty of Versailles reinforced The Hague Conference’s precepts banning looting and the Allies agreed to return plundered items.

The Justification of Nazi “Safeguarding”

What has astonished historians during the Second World War was not that the Germans had defied international laws banning looting created at The Hague, a convention in which they had participated, but the systematic way in which they pillaged surrendering nations. Historically, the plundering of defeated countries occurred regularly. Mainardi opined, “For Hitler, as for Napoleon before him, possession of the world’s art treasures would legitimize his regime and constitute the outward sign of Empire.” Rome was built upon the spoils of Greek statues and columns, but the Nazis stole what they considered masterpieces and destroyed what they categorized as “degenerate art”, a new and disturbing spin on their Aryan ideology. The Germans used their newfound control of the European art world to censor art and conform creative mediums to the Nazis’ principles.

---

25 Mainardi, 155.
First, in Germany, Hitler began his purification of art after the conclusion of the October 1936 Olympic Games. His first feat was to close the Nationalgalerie’s modern art exhibit, which the Nazis had named Schreckenskammer, or Chamber of Horror.27 Second, they claimed to protect art and architecture that could trace its roots to Germanic or Aryan masters from other European nations. The Nazis interpreted the looting of Western Europe as an act of protection and recovery of German art objects. However, art and architecture deemed “degenerate”, they slated for destruction; hence, the devastation to the Slavic lands of Eastern Europe. Centuries before Hitler, Constantine, a Christian emperor, practiced a similar act by exposing pagan temples, which he deemed demonic, to the elements and allowing the ruination of the ancient monuments.28 The Nazis were more efficient when destroying art objects, but they did not originate the practice.

At first, the Nazis focused on the looting of the West. Paul Ortwin Rave quoted Hitler in a 1937 speech, “We will, from now on, lead an unrelenting war of purification, an unrelenting war of extermination, against the last elements which have displaced our Art.”29 A German report published in late 1940, referred to as the Kümmel Report, launched claims of restitution against the French. Germany, now the master of France, wanted its artwork, stolen over the course of several wars, returned and knew France was no longer in a position to deny Germany’s demands. Dr. Otto Kümmel declared

27 Treue, 313.
28 Eusebius of Caesarea, The Life of the Blessed Emperor Constantine, 3.54-55.
29 Paul Ortwin Rave, Kunstdiktatur im Dritten Reich (Hamburg: Mann, 1949), 55-56.
that “it is questionable, if the entire French patrimony will suffice to replace these losses... the French can basically not object to the legitimacy of these claims.”

The Nazis sent Kajetan Mühlmann, a noted art historian and member of the Sonderbeauftragten für die Erfassung der Kunst und Kulturschätze (Special Commission for the Disposition of Art and Cultural Treasures), immediately from Poland to France to obtain twenty-seven Dürer drawings stolen by Napoleon from the Albertina Museum in Vienna. They used their valid petition for restitution, which Germany had lodged against France since the era of Napoleon, as an excuse for opening the doors to the museums of the West. Once inside, the Kunstschutz (Art Protection Commission) began their campaign of “safeguarding” the cultural treasures of Europe, but state-owned artwork was not the only victim of this pretended defense. As the Wehrmacht advanced through Europe and many citizens of occupied countries fled, the Nazis began to seize private property under the guise of those who had left their country of origin were no longer citizens, and their assets now belonged to the new German puppet state. The Vichy Government of France attempted to debate these terms by alleging that this violated The Hague Conference’s international rules regarding the retention of civil laws in occupied nations. The Nazis simply ignored these grievances. Once it became understood that the Germans would appropriate all artwork deemed valuable, what people could not smuggle out of the country, they sold to mostly

---

disreputable art dealers in an attempt to receive any form of financial return. This confiscation of private art easily transitioned into full-scale, State sponsored art theft.

**The Destruction of Slavic Art**

By September of 1940, Hitler designated additional support to assist the Einsatzstab Reichsleiter Rosenberg (Reichsleiter Rosenberg Taskforce or ERR) and their transportation of “safeguarded” artwork back to Germany.33 Monuments, Fine Arts, and Archives Officer Lane Faison argued for the unmasking of the safeguarding façade and an admittance of what it truly was, art stolen from across Europe to furnish Hitler’s super-museum in Linz which had “been officially planned and expertly carried out… to enhance the cultural prestige of the Master Race.”34 The Nazis slated those objects, which reflected ethnicity other than Aryan, for destruction along with the people it represented. This ideology extended to Germany’s eastern neighbors, primarily the Soviet Union’s Slavic and Communist population. Unfortunately, Poland lay between the Third Reich and the Soviet Union and became a proving ground for the Sonderbeauftragten für die Erfassung der Kunst und Kulturschätze (the Special Representatives for the Acquisition of Art and Cultural Treasures) looting tactics.

The Poles, not understanding the severity of the situation in which they found themselves enveloped, did not seem overtly concerned as they sent their cultural valuables to the East where they had historically hidden and protected their national heritage from invading nations. The Poles, batted about by Austria, Prussia, and

---


34 National Archives, Washington, D.C., Record Group 239, Records of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, RG 239/77 “CIR Linz” (July 15, 1945), 86.
Russia for centuries, were adept at evacuating their valued historical treasures.\textsuperscript{35} It was inconceivable to the Polish people that the Germans would invade their nation and classify their culture as barbaric and expendable. Dr. Charles Estreicher commented, “After the Armies, came the civil authorities, and with them, a host of specialists and experts. And this was the worst.”\textsuperscript{36} As the Wehrmacht drove eastward, the Soviet Union remained unconcerned regarding the Germans’ systematic dismantlement of Poland. The Nazis would soon unleash the methods being perfected within Poland upon the Soviet Union. Hitler believed that Leningrad (St. Petersburg) should “disappear completely from the earth, as should Moscow;” once that had occurred, “the Slavs would retire to Siberia” and Germany would gain the Lebensraum they so desired.\textsuperscript{37} He wanted to purify, pillage, and imbue Nazi dogma within the historic Slavic lands. The planned occupation of the Soviet Union was not an honorable take-over; it was annihilation.\textsuperscript{38}

The June 1941 Nazi invasion of the Soviet Union may have surprised Joseph Stalin, but Hitler’s brazen attack on his presumed ally did not astonish museum officials in the Soviet art world. Soviet museums had begun planning evacuation strategies for their prized possessions months before the first bombs dropped on Soviet soil. Ironically, the curators and directors of United States museums would begin the same

\textsuperscript{35} Charles Estreicher, \textit{Cultural Losses of Poland: Index of Polish Cultural Losses During the German Occupation 1939-1944} (London, 1944), v; the aforementioned work is a comparative account of the historical monuments, buildings, and objects within Poland prior to- and post- World War II. Dr. Estreicher gives a detailed account of the devastation and at times complete loss of Polish cultural valuables. This work is important in gauging the destructive power of the Nazis against Slavic nations, and although there is not a comprehensive published list for Soviet objects of art stolen or destroyed by the Nazis, the \textit{Cultural Losses of Poland} forewarns as to what kind of losses the Soviet Union sustained.

\textsuperscript{36} Ibid., vii.


process six months later after the December 1941 bombing of Pearl Harbor, Hawaii. By the close of 1941, Great Britain, the United States, and the Soviet Union found themselves under direct attack from the Axis Powers. Although Great Britain survived “The Blitz” and the United States experienced bombing devastation by the Japanese at Pearl Harbor, the Soviet Union suffered a complete invasion of the Wehrmacht. As the Nazis pushed the Red Army eastward, the Studiengesellschaft für Geistesurgeschichte, Deutsches Ahnenerbe (Study Society for Primordial Intellectual History, German Ancestral Heritage, Registered Society or SS Ahnenerbe) began to divest the country of all artisanship or any item indicating the preeminence of the German people and the degeneracy of the Slavic race. Although the Nazis halted on the outskirts of Leningrad and Moscow, the Germans destroyed or denuded many historic museums, palaces, buildings, and monuments in their attempt to reduce Slavic “degenerate” art and architecture to ruble.

The Creation of a Restoration Commission

Facing the massive looting operations of the Germans, it became apparent to the Allied nations that after the conclusion of the war they must address the Nazi looting of Europe. The United States took the initiative to resolve the question of war loot. Francis Henry Taylor, the director and curator of the Metropolitan Museum of Art in New York, wrote to Chief Justice Harlan F. Stone with the concept of United States sponsored art committees. Taylor’s letter, rather tactlessly, associated the British confiscation of the Greek Elgin Marbles and Napoleon’s looting of Italy in the same category as the Nazi plundering of Europe. Stone wisely omitted the claims of art theft

39 Nicholas, 250.
40 National Archives, RC 239/53 “Taylor memo for submission to the President” (November 24, 1942).
against the current Allied nations believing that old accusations would not assist in contemporary efforts to restore artwork stolen by the Germans. In 1942, Chief Justice Stone proposed to President Franklin D. Roosevelt that the United States create an established committee to aid in recognizing looted objects and assist in the restitution of said items. Stone requested that American officials notify the British and Soviet governments of the United States’ intentions and ask for Great Britain and the USSR to consider forming analogous committees. Stone suggested to Roosevelt that art specialists presently serving as soldiers could assist the General Staffs “so that, so far as is consistent with military necessity, works of cultural value may be protected.” The Chief Justice recommended that the newly formed commission should create a catalogue of stolen art objects. This list would assist in the location and recovery of state owned artwork or well-known privately held collections, but the practice of restitution in kind from the Axis Powers’ legal holdings, not including war loot, should compensate countries with unrecovered artwork. The definition of restitution in kind is the payment of damages to an object with an item of similar appraised value, whereas the definition of reparations is a monetary reimbursement for wrongdoing.

President Roosevelt approved Stone’s proposal within a month. Never before had a commission formed in wartime to consider the outcome of stolen property. The forethought was unprecedented because Taylor and Stone understood that returning cultural treasures to war weary nations would boost the citizen’s morale and aid with the recovery process.

41 National Archives, RG 239/53 “Stone to FDR” (December 8, 1942).
42 National Archives, RG 239/53 “Stone to FDR” (December 8, 1942).
43 Ibid.
44 Nicholas, 212.
The Beginning Stages of War Reparations

Delegates from the major Allied Powers met in London in 1944 to deliberate on what constituted artwork and how to interpret the French use of the word spolié (looted). The debate over terminology might have seemed trivial, but agreeing upon a definition for looting allowed all Allied countries to acknowledge in unison that this was an illegal operation facilitated by Hitler’s agents. The Allied diplomats also recognized that any assets commandeered by the Nazis would have occurred under coercion, and they must deem these art objects as stolen goods.\(^\text{45}\) Restitution of these objects to the legal owners was, but only one step, in Germany’s reparation measures.

The next concern focused on the monetary payment that Germany would owe the Allied Powers. At the Yalta Conference in February 1945, the Soviet Union suggested that Germany should pay twenty billion dollars in reparations for instigating the Second World War. The Allies’ dues totaled within the hundreds of billions of dollars, but the Germans could not reimburse the Allies such a staggering sum. Even though the United States and Great Britain did not accept the Soviet Union’s financial restitution plan, they authorized an Allied Commission of Reparations.\(^\text{46}\) At Potsdam in July 1945, Great Britain, the United States, and the Soviet Union agreed that Allied Powers could draw reparations from each country’s zone of occupation. The Allies agreed that an additional ten per cent of heavy industrial plants and supplies, not including cultural valuables, they must dismantle in the Western Allied zones and ship to

\(^{45}\) National Archives, RG 239/38 “Harvey to Kefauver” (July 18, 1944).

the Soviet Union as payment for their hardship and destruction suffered at the hands of the Nazis.\footnote{Ibid.}

Artwork as a Form of Re-compensation

As the Allies approached Germany, they discovered Nazi art repositories. Art experts from occupied countries hoped that the Allies would return their cultural valuables.

On 1 March 1943, the United States formed a Western Allied art committee, the Monuments, Fine Arts, and Archives Commission and was not aware that the Soviet Union formed a similar reparation and retrieval committee almost two years later on 25 February 1945 known as the Trophy Commission. The Soviet Union created trophy brigades to locate anything of economic value including war loot to reimburse the USSR for the destruction caused by the Nazis. The trophy brigades did not concern themselves with preservation nor did they prevent Red Army soldiers’ individual looting. The Monuments, Fine Arts, and Archives officers also located Nazi war loot, but they attempted to preserve and repair historic sites and expressly forbade the Western Allied armies from defacing monuments and buildings or looting valuables. Both entities worked tirelessly and carefully to locate hidden art storehouses as they swept through the lifeless remains of the Third Reich. However, there were distinct differences in the ideology of these two art recovery commissions. Whereas the Western Allies believed that they should return all discovered cultural valuables from whence they came, the Soviet Union embraced the option of restitution in kind, recognizing that the Nazis’ “purification” practice destroyed many of their historic possessions.
The following chapters define and analyze the Soviet Trophy Commission and the Western Allied Monuments, Fine Arts, and Archives Commission, and their theories on restitution in kind and reparations. Historically, the Western perspective believed that the USSR confiscated what the Nazis had stolen and that the Soviet Union was ethically wrong in doing so. The Western opinion did not take into account the agreed upon restitution in kind process affirmed by Stalin, Roosevelt, and Churchill in the Protocol of the Crimea Conference in February 1945. When the combat phase of World War II ended, the war was far from concluded. Hostility remained between the German and Russian people. Even after the Western Allies closed the last collecting point in the 1950s, West Germany and the Soviet Union continued their restitution demands against each other. At the end of the twentieth century, as Germany reunited and Russia reemerged from the ashes of the Soviet Union, diplomats and scholars clashed at the 1995 Bard symposium held in New York and continued flinging accusations of unwillingness to honor past treaties stipulating restitution. All parties involved, including the United States, claimed to harbor honorable intentions. Because of the complex nature of the Nazis' looting and destruction of “degenerate” art, which not only crossed international lines but also blurred the distinction between private and state held property, the nations involved could not establish a clearly outlined restitution process. Thus today, international courts must consider each restoration petition on an individual basis. By studying the Soviet Union and the Western Allies’ ideology on restitution, there is a desire that modern historians will take into consideration both

---

perspectives and understand that there is no easy resolution to art theft and the
 displacement of cultural valuables during the Second World War.
CHAPTER III

GRIEVANCES OF THE SOVIET UNION: THE SOVIET TROPHY COMMISSION AND RESTITUTION IN KIND

Only windblown tall reeds rising out of deep snow give one a feeling of some life within nature itself... all Peterhof is gone. It isn’t even a ghost town like Kiev, Kharkov, Poltava, Orel or Kursk... it is a desert strewn with wreckages from which, perhaps, has been blown away some of the most exquisite and most joyful art man has created.

Marcus Hindus

Long after the end of the Second World War and the surrender of the Axis powers, a battle still rages, a battle which has encompassed the various forms that the German and Russian governments have assumed over the past sixty-seven years. The Second World War’s last battle is being waged over the final pawns of war—war loot. The Nazi regime plundered these invaluable works of art, and, according to Soviet officials, the Red Army then “saved” this artwork from destruction. For decades, the Soviet government remained silent as to the whereabouts and inventories of the plundered items stored within Soviet borders, only sporadically returning items to museums, governments, and persons at their discretion.

In 1991, a year after the Soviet Union and reunified German State signed the Treaty on Good Neighbourliness, the media exposure forced the disintegrating USSR to acknowledge war loot hidden throughout the country. This ignited the smoldering argument of restitution versus reparation. This chapter will discuss the Nazi invasion of the Soviet Union, the resulting liquidation of Soviet treasures, the commissioned Soviet trophy brigades, and emerging discourse for material compensation. There is no all-compelling, satisfactory solution to this ethical and political situation. A case-by-case
scenario is the plausible answer. With this resolution in mind, legislation and foreign relations have added a complicated list of demands to an already tenuous topic.

Nazi Destruction of the Soviet Union

Before the first bomb fell on the Soviet Union, Adolf Hitler and his Nazi agents had plotted for the pillaging of Russia. Hitler had ordered the Schutzstaffel (SS), the Sicherheitsdienst (SD), the Wehrmacht, and Einsatzstab Reichsleiter Rosenberg (ERR) to obtain art deemed valuable to the Nazis, art that reflected Nazi Aryan taste, the old masters had created, was of Germanic origin, or artists who had ties to Germany had created. The Sonderkommandos were special divisions whose purpose was the looting and destruction of conquered lands.¹ The Sonderkommando Ribbentrop had instructions to obliterate cathedrals, palaces, monuments and other cultural institutions across the Soviet Union. Hitler was determined to remove the city of Leningrad (St. Petersburg) from the face of the earth.² The Nazis reviled all of Slavic culture, and for this reason the barbaric way, in which they treated captured Russian masterpieces, led to the inaccurate or lack of documentation of priceless artwork and the disappearance of many cultural treasures.³ Although Nazi forces never captured Leningrad, Sonderkommandos victimized such landmarks as: Peterhof, Pavlovsk Palace, Tsarskoe Selo, and Pushkin’s and Tolstoy’s homes. In 1944, when the Red Army arrived on the outskirts of Leningrad, they found the Tsars’ palaces in ruins. Once where grand

palatial mansions stood, now only burnt, hollowed out shells remained.\textsuperscript{4} Catherine’s Palace and Alexander’s Palace at Tsarskoe Selo were denuded of all valuables and decorations. Even the parquet floors and ceiling adornments, the Nazis had divested.\textsuperscript{5} They stripped the fifteenth century Pskov-Pokrovskii Monastery and the eleventh century Cathedral of St. Sophia, in Novgorod, of their ancient religious icons, chandeliers, and the Tsars’ and the Metropolitans’ thrones.\textsuperscript{6} The Soviet prosecutor at the Nuremberg Trials estimated conservatively that tens of thousands of art objects including the famed Amber Room were lost to Nazi plundering.\textsuperscript{7} Marlene P. Hiller defined these pillaged “cultural treasures” as “library collections, museum artifacts, scientific collections, archaeological material, religious objects and ceremonial art, musical instruments, architectural fragments and parts of monuments.”\textsuperscript{8} Due to the extensive range of these cultural possessions, exact figures do not exist as to the quantity of valuables stolen from the Soviet Union. Museums, libraries, or institutions only partially catalogued the vast majority of art objects, and smaller collections may have never taken inventory.\textsuperscript{9} The Soviet Union could not officially verify many items as stolen since there was no pre-war record. This problem continued to plague the Soviet restitution process.

\textsuperscript{6} Ibid, 69.
\textsuperscript{7} Petropoulos, 149; this is an extremely conservative number. No all-encompassing catalogue existed of total art objects destroyed or missing in both the Soviet Union public and private sectors.
\textsuperscript{8} Marlene P. Hiller, “The Documentation of War Losses in the Former Soviet Republics,” in \textit{The Spoils of War}, 81.
\textsuperscript{9} Akinsha and Kozlov, “Spoils of War”: 133.
The Soviet Union recognized the legitimacy of the Hague Conferences. On 19 November 1942, the Embassy of the Union of Soviet Socialist Republics in Washington, District of Columbia released this statement:

Article 56 of the Hague Convention, on the Laws and Usage of Land Warfare, of October 18, 1907, to which Germany is a party, forbids the seizure, damaging and destruction of property of educational and art institutions…and articles of scientific and artistic value belonging to individuals and societies as well as to the State. But the Hitlerite clique in criminal manner tramples upon the rules and laws of warfare universally accepted by all civilized nations.\(^\text{10}\)

On 5 January 1943, the Allied Powers followed the Soviet's statement with the Declaration of London.\(^\text{11}\) The document was a written warning against the pillaging of invaded nations and the reprehensible actions of the Nazis. The Germans committed flagrant international crimes, and the Allies would not tolerate any enterprise dispersing looted property.

With the end of the Second World War came the assignment of guilt. Nazi Generalfeldmarschall Georg von Küchler claimed that German troops did not pillage the Baltic States or Russia. They simply did not have the time to loot Russia's treasures. He proposed that Soviet citizens had vandalized their own cathedrals, museums, and palaces. His insulting claims continued. Due to the Soviet bombings from the Kronstadt naval base and the resulting fires, von Küchler believed his men could not save the treasures remaining in the palaces on the outskirts of Leningrad. Therefore, von Küchler surmised that the Red Army had destroyed their own landmarks,


preventing the Nazi troops from salvaging the remaining masterpieces.\textsuperscript{12} Von Küchler construed Nazi looting as the heroic rescue of Russian art. He accused the Soviets of bombing their own landmarks, but he did not consider that the invading Nazi army contributed to the firefight, which resulted in the destruction of, previously mentioned cultural monuments. In a skewed opinion, the Nazis accused the Soviet Union of destroying their artwork and feigned goodwill through alleged art salvation attempts. Von Küchler omitted the Nazi invasion of their Soviet ally. German aggression against the USSR negated von Küchler’s claims of heroic art salvage. If the Nazis had not declared war on the Soviet Union, no destruction of Slavic art and architecture would have taken place and no argument would exist as to whose bomb lit the fire that destroyed certain Soviet art objects.

The Nuremberg Trials brought to the forefront an argument for plunder. Von Küchler, in this sworn affidavit, claimed, “I have here argued that the salvage of valuable works of art is the responsibility of civilized people. That it is apathetic to see cultural treasures succumb to destruction.”\textsuperscript{13} The Nazis did not exclusively use the rationalization for looting as protecting the art and cultural valuables of invaded countries. The Allied Powers were the victors of war, but they too shared the blame for claiming found treasures for themselves. The Soviet Union and its trophy brigades also believed that they rescued precious works of art from annihilation in Germany, a slight variation being added, that Germany owed the Soviet Union the salvaged masterpieces as reparations for the irreconcilable damage done to the nation by the Nazis.

\textsuperscript{12} International Military Tribunal, \textit{The Trial of the Major War Criminals before the International Military Tribunal} 42 (Nuremberg, 1947-1949): 272-273.
\textsuperscript{13} International Military Tribunal, 273.
Evacuation Attempts

The Soviet Union attempted last minute evacuations of museums, palaces, and libraries, but time quickly expired as the Wehrmacht reached the major metropolitan centers of the USSR. In the early morning hours of 22 June 1941, the Nazi invasion found Stalin and his Red Army inattentive and unwittingly secure in the Nazi-Soviet Non-Aggression Pact. Although Hitler’s brash attack stunned the Soviet military and government, employees in Russian museums had planned for just such an occasion. Leningrad’s Hermitage Museum, with its logged holdings numbering in the millions, began an evacuation within hours of hearing of the German invasion. Workers packed crates and loaded them onto waiting freight trains. The first train left on 1 July 1941. One week after Hitler’s declaration of war against the Soviet Union, twenty-two boxcars brimming with an estimated half a million pieces of art lurched forward on the rails bound for Sverdlovsk, Siberia. Hermitage Director Iosif Orbeli grieved as the museum’s treasures slipped into the night. The second trainload left Leningrad on 20 July carrying over three-quarters of a million art objects. Although the two freight trains transported millions of items from the State Hermitage Museum to Siberia, over half of the museums assets remained.\(^{14}\) The German army halted before the purlieu of Leningrad owing to the lack of supplies. Those evacuating Russia’s heritage gained precious time to continue their preservation efforts.\(^{15}\)

Unfortunately, the Tsarist palaces on the Western outskirts of Leningrad were not as successful in their evacuation attempts. Tsarskoe Selo’s Catherine’s Palace housed, 


\(^{15}\) Ibid., 187.
among other art, the famed Amber Room. Museum employees could not remove the
delicate panels quickly without damaging the ancient rosin, and they decided to wall
over the panels in an attempt to disguise the priceless artifacts from the Nazis. Workers
removed all remaining amber ornaments and easily packed furniture from the palace
with extreme haste. The Kümmel Report had stipulated the confiscation of Germanic
art objects held within the Soviet Union. Kümmel’s Russian section listed as their
primary endeavor the dismantlement of the famed Amber Room in Catherine’s Palace.
The ornately carved amber panels, mosaics, and artwork, installed originally in the
Prussian palace of Mon Bijou, Fredrich Wilhelm II gave to Peter the Great as a gift in
1716. Eberhard Freiherr von Künsberg discovered the hidden amber panels. He and
his Nazi cohorts disassembled what remained of the Amber Room and shipped the
twenty-nine crates to Königsberg where they were on display for the German people.
Stewart Leonard stated, “The depredations around Leningrad were just the beginning.
All across the newly conquered lands those in the know went after the ‘Germanic’ things
they had long coveted.”

There was no historic building, monument, or museum in the occupied territories
that the Nazis did not ransack and, in many cases, destroy. Tchaikovsky’s home in
Klin, the Germans turned into a garage for the Nazi motor pool and much of the wooden
furniture, they used as kindling. Fortunately, the museum directors had evacuated the
composer’s delicate, musical arrangements to a museum in Votkinsk. However,

---

16 Ibid, 190.
17 Otto Kümmel, Bericht auf Erlass des Herrn Reichsministers und Chefs der Reichskanzlei RK 118 II A
vom 19. August 1940 und auf Erlass des Herrn Reichsministers für Volksaufklärung und Propaganda BK
9900 - 02/13.8.40/89 - 1/6 vom 20. August 1940, known as the Kümmel Report (Completed December
31, 1940), 140.
18 Nicholas, 191.
19 The Steward Leonard Papers, quoted in Hellmut Lehmann-Haupt, “Cultural Looting of the Ahnenerbe,”
Tolstoy’s home, Yasnaya Polyana, was not able to evacuate all of his writings and those, which remained, the Germans used to heat the home’s stoves. These acts of vandalism demonstrated the Nazis total disregard for any Slavic historical site, yet one could make the argument that these museums succumbed to rowdy soldiers billeted within their walls, not the intentional desecration of Soviet art history. Numerous Allied soldiers defaced buildings in which the military quartered them throughout Europe. Yet, the Allied authorities, if necessary, disciplined their soldiers and court marshaled several for looting activities. The exact opposite was true of the German high command. Hitler had adamantly expressed his desire to destroy all elements of Slavic civilization; desecration and destruction were, in essence, orders from the Führer.

Pavlovsk Palace was experiencing the same fate of hurried packing and limited supplies. Anatoly Kuchumov, a Pavlovsk museum employee, wrote in his personal journal, “22 June. Flown through the halls this evening, packing what we can.” Two days later he lamented, “24 June. Not stopped for 24 hours. Comrades having nosebleeds from leaning over the packing crates. Run out of boxes and paper... Had to use the tsarinas’ dress trunks and their clothes to wrap up our treasures.” Curator Anna Zelenova and her staff continued to ship the museums holdings eastward as the palace began to swell with refugees escaping the Nazi’s advance. By 31 August, the Soviet military turned Pavlovsk into army headquarters. Army officials warned Zelenova that the museum was in German controlled territory on 16 September 1941. As she departed, Zelenova took a catalogue of Pavlovsk’s artwork and maps indicating where workers had stored the museum’s holdings. Unfortunately, she and her staff were

20 Nicholas, 194.
21 Anatoly Kuchumov, Diary, June 22 and 24, 1941.
forced to leave several thousand items behind to suffer destruction or theft at Nazi hands.\textsuperscript{22}

Zelenova’s plight was an example of the Soviet Union’s failure to adequately prepare the nation’s cultural heritage for war. Curators at Peter the Great’s palace, Peterhof, were hindered from their removal of crated valuables. Officers of the Народный коммиссариат внутренних дел or The People's Commissariat for Internal Affairs (NKVD) accused the museum employees of defeatism by evacuating. NKVD officers claimed that the museum staff believed the Red Army could not protect Russia’s cultural heritage. This resulted in the abandonment of multiple collections that museum employees could have saved from the Nazi looters.\textsuperscript{23} The Soviet government, in effect, sabotaged its own evacuation efforts. A citizen’s confidence in the Red Army’s strength was more admirable than rescuing the treasures of the Tsars. The security police committed great travesties by stopping evacuation attempts. The belief that evacuation efforts cast doubt on the superiority of the Red Army cost the Soviet Union priceless treasures that museums could have removed in advance of the invading German army.

Regrettably, the Soviet Union can also attribute much destructiveness to historical landmarks by their own Red Army’s scorched earth policy as they retreated eastward in 1941.\textsuperscript{24} As Russia slowly opens the Soviet archives, information continues to materialize depicting the damage done to Eastern Europe and Russia by the Red Army. The Communist regime shrouded these documents in secrecy for decades allowing condemnation to rest squarely on the Axis Powers, and from the Soviet Union’s perspective, if the Germans had not invaded the USSR, there was no reason to

\textsuperscript{22} Susan Massie, \textit{Pavlovsk: The Life of a Russian Palace} (Boston: Little, Brown, 1990), Chapter 11.
\textsuperscript{23} Akinsha and Kozlov, “Spoils of War”: 2.
\textsuperscript{24} Peteropoulos, 146.
implement the ancient practice of burning all usable items in the wake of a retreat. Therefore, if the Nazis had not instigated the Great Patriotic War, no harm would have befallen Soviet historical sites.

On 2 January 1944, the thirtieth and final bomb struck the hollowed remains of the Hermitage Museum, almost three and a half weeks before the Red Army would enter Leningrad. During that time the Nazis continued their looting activities throughout the Soviet Union. In a Nazi report to the ERR, Gerhard Utikal stated that the German agents had stripped the countryside of all valuable effects, leaving only destruction for the Soviet Army to discover. This was common practice for the retreating Wehrmacht. The Nazi savagery combined with the Soviet Union’s unplanned and chaotic evacuation attempts amplified the enormity of cultural losses. Notwithstanding the ignorant actions of State authorities, which sometimes choose not to implement plans for evacuations, rank and file museum workers jeopardized their lives to save the cultural heritage of the Soviet Union.

War Loot as Reparations

As early as 1942, the Soviet Union plotted their revenge against the Nazi aggressors. Stalin’s militant push for immediate retribution against Germany dispelled any consideration for a legal, post-war reparation process. Stalin created the Extraordinary State Commission for the Establishment and Investigation of Crimes of the German-Fascist Bandits and their Accomplices and Appraisal of the Losses Incurred by Citizens, Kolkhozniks, Social Organizations, State Enterprises and

---

25 Rest and Varshavsky, 188.
Institutions of the USSR (Чрезвычайная Государственная Комиссия or ChGK) in November 1942.\textsuperscript{27} In the spring of 1943, Igor Grabar, a painter, art historian and prominent Soviet cultural figure, penned a letter to the head of the ChGK Nikolai Shvernik suggesting that the USSR should acquire art objects from Nazi collections as compensation for the defilement done to Soviet museums and institutions.\textsuperscript{28} Akinsha and Kozlov described the ChGK as having “enormous power. Under its supervision, commissions were created on every front to organize the collection of trophies. All decisions about the removal of material to the USSR were signed personally by Stalin.”\textsuperscript{29} Once the Red Army had left the USSR and entered Europe, trophy brigades formed to locate, identify, and collect works of art in Germany for the Soviet Union. Mikhail Khrapchenko, Director of the Arts Committee of the Council of People’s Commissars, and Andrei Konstantinov, Deputy Head of the Arts Committee, headed the trophy brigades. Artists, art historians, art restorers, museum officials, librarians, musicians, and many others with usable talents comprised the trophy brigades. The confiscation of, not only Russian but, all works of art from Germany was just repercussion for the blight of war the Nazis had brought upon their alleged ally, the Soviet Union. Irina Antonova, a Pushkin Museum official who in 1946 had accepted war loot into the museum’s holdings, and a witness to the Nazi destruction, stated in 1991, “The Germans committed terrible crimes in our country and the highest justice is on our side. We do not need to justify ourselves; we can dictate our conditions.”\textsuperscript{30} The

\begin{flushright}
\textsuperscript{27} National Archives, Washington, D.C., Record Group 239, Records of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, RG 239/19 "OSS R&A Report 2555," September 20, 1944.
\textsuperscript{28} Akinsha and Kozlov, \textit{Stolen Treasure}, 20.
\textsuperscript{29} Ibid, 44-45.
\textsuperscript{30} Akinsha and Kozlov, \textit{Stolen Treasure}, 233.
\end{flushright}
German newspaper, *Die Welt*, interviewed Antonova in 2005. She expounded upon the why the dismantlement of Germany was fair and used Napoleon’s exploits to justify the Soviet Union’s actions. Antonova claimed, “Three quarters of all the Italian art in the Louvre came to Paris with Napoleon. We all know this, yet the works remain in the Louvre. I know the place where Veronese’s large painting used to hang in the monastery of Vicenza. Now it’s in the Louvre where it will stay. It’s the same with the Elgin Marbles in London. That’s just the way it is.”

This vigilante conviction permeates historical literature written with a Russian perspective. The loss of art objects from the Soviet Union was incalculable. Thousands of pieces of Russian art remain unaccounted for today, and distressingly, only a limited amount was discovered in the occupied zones of Germany at the end of the Second World War. Antonova’s conviction explained Russian sentiment supporting the looting of Germany, but she failed to consider that Nazi war loot, removed to the Soviet Union contained art objects stolen from other European nations, not just the USSR. A valid argument existed for the confiscation of German owned artwork, but by retaining art from other European countries victimized by the Nazis, the Soviet Union became looters themselves.

As the Red Army pushed into Nazi Germany, they found the terrain brimming with castles, caves, mines, and cellars filled with Europe’s priceless treasures. The Trophy Commission was comprised of highly trained art experts who combed the countryside to locate hidden repositories in its diligent search for German assets to seize. The mission was to obtain valued objects for the Soviet Union, from industrial machinery to fine art, anything that could help breathe life into a failing war economy.

---

The unique aspect of the Soviet trophy brigades was that commanding combat officers had no authority over their mission. The Arts Committee of the Council of People’s Commissars expected the Soviet Military Administration and the Red Army to comply with all requests without fail, quite the opposite of the environment the Monuments Men operated within in the Western Allied Armies.33

Unbeknownst to the Western Allies, the trophy brigades had become highly efficient units due to their experience in the Baltic States and Poland. At the time of their commissioning, their task was primarily to find Russia's looted treasures, and when necessary, remove industrial machinery that could help rebuild the devastated Soviet economy. As it became clear that the Nazis had obliterated most of Russia’s cultural history due to their Slavic ethnicity, the trophy brigades turned their attention to restitution in kind. If the Germans had lost or destroyed many of the USSR’s priceless items, the Soviet Union would take what the Nazis had accumulated as repayment for art lost. By the time they reached Berlin, their highly organized system stripped what was left of Germany’s previous glory days before the Western Allies would cross into the Berlin city limits.34

The United States also tasked the Monuments, Fine Arts, and Archives officers to locate Nazi war loot; furthermore, they preserved historic buildings and monuments and returned stolen artwork to the legal owners. However, the Soviet trophy brigades differed from their Western Allied counterpart in that they did not attempt to preserve or restore historical buildings and monuments, nor did they choose to hamper individual looting by Soviet soldiers or local residents. At the onset, the brigades searched

34 Nicholas, 361-362.
thoroughly for the missing Soviet treasures, but as the probability of the recovery of Russian valuables eroded, the desire for any compensation in kind grew.\textsuperscript{35}

The location of the first large repository removed by the trophy brigades was in an underground shelter near Hohenwalde in early 1945.\textsuperscript{36} Not far from the mine was a camp where, the Nazis held Russian and Ukrainian adolescents as prisoners of war. These young people discovered the art depository, and when the Red Army arrived, they showed the soldiers their miraculous find.\textsuperscript{37} In March 1945, the trophy brigades quickly emptied the shelter and loaded the art objects onto a freight train bound for Moscow, and so began the journey eastward for Germany’s cultural treasures. This find was proof of the success that the trophy brigades would have throughout the German Reich.

After liberation of Pavlosk Palace, the Council of People's Commissars (SovNarKom) dispatched a museum curator, Anatoly Kuchumov, not as a member of a trophy brigade, but as an individual, to reconnoiter the countryside, inquiring into what had happened to the artwork left behind during the evacuation. SovNarKom forbade him to reveal his assignment and instructed him to tell family, friends, and coworkers that he was on a personal vacation.\textsuperscript{38} Kuchumov began walking the grounds of the shelled museum and found the splintered remains of antique furnishings, demolished statues, and paintings removed from their frames and damaged beyond repair. From 1944 until the end of the war, he made his way through the Eastern Occupied

\textsuperscript{35} Nicholas, 361-2.
\textsuperscript{36} Akinsha and Kozlov, Stolen Treasure, 48.
Territories searching for art objects from the museums at Pushkin. In Vyr, Estonia, Kuchumov located a storehouse full of furniture from Catherine’s Palace, and in a gulley, he found antique books and statuaries that belonged to the museums. In Riga, Latvia, he discovered four hundred canvases, eight thousand cameos, and hundreds of additional items from the Pushkin complex. When Kuchumov reached Königsberg where he hoped to find the Amber Room panels, all that remained of the schloß was ruins. Kuchumov failed to locate the most priceless pieces of artwork stolen from Tsarskoe Selo, and the accepted explanation was that the Amber Room panels burned to the ground with the castle. Many of Russia’s precious valuables experienced the same tragic fate, unable to locate and presumed destroyed.

In Germany, Soviet soldiers not affiliated with the trophy brigades made unexpected finds. At Schloß Karnzow near Kyritz, Soviet officers located and disregarded a storeroom filled with drawings. Soviet soldiers asked Viktor Baldin, an architect and Red Army soldier, to examine the drawings and recognized works by Corot, Delacroix, Degas, Dürer, van Gogh, Goya, Manet, Raphael, Rembrandt, Rodin, Rubens, Titan, and Toulouse-Lautrec. Although his superiors could not be bothered with the drawings, Baldin took upon himself the obligation to preserve as many as he could rescue. He sacrificed his personal effects to keep the collection intact. As his engineer company trekked through Germany, he carried the four hundred drawings in a suitcase for the duration of the war and back to the Soviet Union. Baldin hid the drawings in his home until after the collapse of the Soviet Union in 1991, when he donated them to the Shusev State Scientific Research Museum of Architecture. The

---

40 Nicholas, 366.
Shusev quickly handed over the compilation of artwork to the State Hermitage Museum in St. Petersburg. Baldin’s account made it difficult to label him as a looter. His actions preserved drawings that his fellow troops would have otherwise left to the elements or used as fire kindling. However, he removed artwork from Germany and hid it until the Soviet Union fell, thus he took part in the looting of Germany. Baldin was not alone in his actions, but because the Soviet Union rejected the principle of private property, artwork brought back in the USSR remained hidden until 1991 and has slowly materialized in the last two decades.

One of the greatest discoveries was the prized Dresden Gallery collections. When trophy brigade officer Major Natalia Sokolova entered the ruins of Dresden on 8 May 1945, she urgently made her way to Zwinger Palace. Sokolova was shocked at the level of destruction but knew that the Germans must have evacuated their priceless treasures much like the directors of the Hermitage had done. The trophy brigades located pieces from the Dresden gallery in three major locations Weesenstein, Pockau-Lengefeld, and Gross Cotta where they unearthed Raphael’s *Sistine Madonna*. Trophy officers loaded approximately seventeen hundred art objects onto a secure train bound for the Soviet Union. The train cars were retrofitted to support large pieces of artwork. As stated in Akinsha and Kozlov’s book, Stalin considered the collection of “state importance,” and he requested the immediate transfer of the Dresden pieces to Moscow.

42 Nicholas, 364-365.
44 Akinsha and Kozlov, *Stolen Treasure*, 110.
When the Red Army breached Berlin, the trophy brigades were quick to begin emptying depositories, museums, and institutions that the Western Allies would soon control. The brigades took the retrieved art objects deep into the Soviet zone of occupation to a collecting point in Karlshorst.⁴⁵ According to Akinsha and Kozlov, the Soviet government deceived the Western powers claiming that they had found “nothing of importance” in Berlin.⁴⁶ All the while, Deputy Head of the trophy brigades, Andrei Konstantinov and Viktor Lazarev, a renowned art historian, were present as the trophy officers unloaded the Trojan gold and pictures from the Nationalgalerie that Nazis had hidden in the Flakturm Zoo in Berlin.⁴⁷ The first airplane from Berlin arrived in Moscow on 30 June 1945 and contained crates of the Trojan gold. The Dresden Gallery collections arrived at Vnukovo airport in August of 1945. Covertly, the spoils of Germany disembarked in Moscow and made their way to the Pushkin State Museum of Fine Arts.⁴⁸

However, information reached American officials regarding the removal of Nazi war loot by Soviet Trophy Commission authorities. German museum personnel relieved of their positions by Soviet commanders, irate art historians, archivists, and library employees expounded upon the Soviet dismantlement of Germany to Monuments, Fine Arts, and Archives officers. According to a document entitled “Antiken Abteilung” (Antiquities Department) in the United States National Archives, “The Soviet authorities under the direction of Professor Lazareff removed 1,800 statues from the Altes and Neues Museum… Consequently it will be difficult if not impossible to ascertain the

---

⁴⁵ Nicholas, 362.
⁴⁶ Akinsha and Kozlov, Stolen Treasure, 99.
⁴⁷ Nicholas, 362.
⁴⁸ Akinsha and Kozlov, Stolen Treasure, 41-42.
known losses and the Russian removals will go undocumented.”\(^{49}\) Although aware of the Soviet looting, the MFAA continued to pursue restoration for all victimized nations. The MFAA collecting points returned art objects of Russian provenance, located in several Western Allied controlled Nazi repositories, to Soviet officials regardless of the Soviet Union’s State sponsored art theft of Germany.

A document entitled “Treuhandverwaltung für Kulturgut” (Trust Management for Cultural Heritage) stated, “The castle of Colmberg, near Lehrberg (Landkreis Ansbach), was the principal repository for shipments of art (paintings, icons, furniture, and decorative arts) from northwest Russia, particularly Pskov and Novgorod, as well as the palaces in suburban Leningrad (Gatchina, Pavlovsk, and Peterhof). There were also some icons and other collections from Kyiv.”\(^{50}\) Two additional large art depositories used by the Nazis for art objects looted by the ERR from the Soviet Union were Schloß Höchstädt and the Monastery of Buxheim near Memmingen. The ERR had also located Soviet cultural valuables on Alfred Rosenberg’s property in Bamberg and in the appropriated Parisian castle of Baron Kurt von Behr, Rosenberg’s Paris ERR director.\(^{51}\)

The Committee on Arts Affairs of the USSR was an important clearing-house for arriving German cultural property.\(^{52}\) As freight trains arrived in Moscow, the Committee distributed the German loot to secret depositories within Soviet museums, closed cathedrals and monasteries, libraries, archives, and storehouses across the Soviet


\(^{50}\) Bundesarchiv, Koblenz, Deutschland, Record Group 323, Treuhandverwaltung für Kulturgut (TVK), BAK, B 323/495 “The memorandum with enclosures of Frank P. Albright” (February 15, 1946).


Union’s Euro-Asian dominion. The Stalin administration determined that Nazi plunder would remain hidden within Soviet borders. Although quiet exchanges occurred with European nations over the next three decades, Soviet authorities officially denied the existence of German war loot in the USSR throughout the Cold War.\(^53\) Irina Antonova believed that the inability to investigate the sealed German collections held Soviet museum officials captive. She described Stalin’s decision as a “regime of secrecy.”\(^54\) Any information regarding the considerable war loot transported to the Soviet Union was highly censored in the communist regime until the final years of Mikhail Gorbachev’s Glasnost (1989-1990). According to Mark Deich, “Then information gradually surfaced in Russia and in the West about the secret depositories for trophy art, about the millions of ‘trophy books’ in an abandoned church outside of Moscow, and the kilometers of state and private archives from countries all over Europe that had been held for half a century in the top-secret ‘Special Archive.’”\(^55\)

The great irony of the secret German loot in the Soviet Union was that much of the documentation of priceless objects, like the Trojan Gold, was in unsealed archives located in the Central Archive of Literature and Art. In this case, the Soviet chaotic filing system was the only curtain of secrecy.\(^56\) At the end of the 1950s and 1960s, as the Cold War raged and the Space Race began, Valery Koulichov described “a period of total and absurd secrecy” commenced.\(^57\) The regime of secrecy, as Antonova coined it, prevented museum departments from discussing which items of war loot were under

---

\(^54\) Elizabeth Simpson, “Instances of Repatriation by the USSR,” in The Spoils of War, 145.  
\(^56\) Akinsha and Kozlov, Stolen Treasure, 239.  
\(^57\) Koulichov, 172.
their supervision. Museum officials strictly obeyed the State sponsored silence from the years of Nikita Khrushchev and Leonid Brezhnev until well after Mikhail Gorbachev’s presidency.\textsuperscript{58} The only credible reason for this hyper clandestineness lies with the Soviet Union’s political preoccupation. War loot needed to remain hidden for future bargaining power, and East Germany needed to remain an ally to the Soviet Union. The possibility of displaying German valuables in Soviet museums would have complicated political issues exponentially.

The first Soviet acknowledgement of German possessions came in 1949. The USSR made the decision to return archives, confiscated from Nazi depositories, for the cities of Hamburg, Lübeck, and Bremen, in an exchange for the archival records of Tallinn and the Kaliningrad (Königsberg) region.\textsuperscript{59} Nazi documents claimed that they had stored many of the Soviet Union’s treasures in castles in Königsberg and the surrounding areas. On 12 January 1945, the last Nazi report mentioning the Amber Room and other Russian assets, asserted that they were to evacuate the Soviet artwork from Königsberg to Saxony.\textsuperscript{60} By obtaining this archival information, the Soviet Union continued to follow the evidence trail of their stolen property. Yet, credible proof that Soviet valuables survived the Second World War has proved evasive. Similar futile circumstances have occurred and shored up Soviet suppositions that repatriation was unlikely.

In 1991, the Union of Soviet Socialist Republics collapsed in economic ruin. The reorganized Russian Federation chose to pursue a more democratic form of government. Several Soviet archives opened and, for the first time officially, Russia

\textsuperscript{58} Ibid, 172-173.
\textsuperscript{59} Simpson, 145.
\textsuperscript{60} Akinsha and Kozlov, \textit{Stolen Treasure}, 12.
acknowledged that war looted existed within the country. The debate over the legality of war loot once again ignited.

In 1999 Irina Antonova gave an interview to the program *Vis-à-vis* on the Voice of Russia. She declared, “in the West they raise the question of captured art values, this is actually playing the game on one side of the field. There are captured values everywhere. There are many of them in the French museums, in many cities of other European countries and they are shown also in America. And nobody there raises the question of returning them. Such a selective approach seems to exist towards Russia, only.” Her argument made a valid statement as to the Western view of the Soviet Union. Almost every Western Power had historically participated in looting, but in the post-Enlightenment era, Western nations now condemned the very actions they once committed. There was a distinct inability for people outside of the Soviet Union to fully understand the feeling of justification in the concept of restitution in kind. The United States and Great Britain could not accept this process as fair or legal. Although the Nazis had severely plundered France, Italy, and the Low Countries, they were able to retrieve the vast majority of the stolen artwork stolen. The Soviet Union clung to the claim that since the Germans destroyed their cultural valuables; all war loot seized by the Soviet officials was, in essence, reparation. There was no sensitivity to the fact that the war loot that the Soviet Union had confiscated from the Nazis once belonged to other nations and private citizens. A comprehensive judgment deemed all appropriated Nazi art objects as restitution in kind.

---

61 “Irina Antonova, Director of the Pushkin Museum,” narr. Armen Oganesyan, *Vis-à-vis*, Voice of Russia (Голос России), Moscow (June 3, 1999).
Due to the USSR’s view on war loot, Soviet officials did not embrace the Western Allies philosophy of repatriation. Soviet authorities regarded collecting and redistribution points established by the Monuments, Fine Arts, and Archives Commission with skepticism. The Western Allies had not supported the USSR’s restitution in kind ideology. This concerned Soviet officials that the United States might not restore art objects located with the Western zones of occupation to the rightful Soviet owners. Some Soviet citizens accused the United States of removing surviving Slavic art to America and not returning the artwork to the USSR. Despite the fact that between 1945 and 1959, the United States recorded nineteen transfers of art, archives, and books from the MFAA collecting points to Soviet authorities. However, Soviet officials who refused to sign shipment receipts complicated the restitution efforts between the United States and the USSR. Other problems, which arose were claims that the United States had not included all promised art objects in bulk transfers, yet Soviet authorities refused to allow U. S. officials to inspect the shipments and itemized lists. Distrust grew out of restitution conflicts between the United States and the USSR, and Soviet citizens were never privy to the truth since their own trophy brigades concealed Nazi war loot, which included Soviet artwork, brought into the country.

Soon after the Second World War, the Cold War isolated Soviet art historians and archivist from communicating with the West. The USSR only made limited attempts to continue the restitution process, and the vast majority of those gestures of goodwill were from individuals who had looted artwork, not the secret Nazi war loot hidden in Soviet repositories.

---

62 U. S. Restitution of Nazi-Looted Cultural Treasures to the USSR, 3.
63 Ibid., 10.
After the Soviet Union dissolved, the new Russian Federation inherited the war loot debate. In 1991, when media exposed Soviet secret repositories to the international community, the claims from European nations began to overwhelm the new Russian government. Russia made the decision to freeze all restitution efforts until the State Duma could pass legislation regarding the previously unrecognized treasures of the Soviet Union. In 1993, when confronted about the Nazi war loot within Russian borders, Alla Butrova, director of Pushkin Museum’s International Department, coyly said, “I assure you everything is perfectly preserved—wherever it may be.”

Nazi war loot, now renamed “dislocated art,” was no longer a State-held secret. By 1994, the Hermitage decided to showcase their German holdings. Dr. Yevgeny Sidorov, Minister of Culture in the 1990s, wrote, in regards to a war loot exhibit displayed at the State Hermitage Museum in St. Petersburg, “Showing these works, which were excluded for decades from the international art community, demonstrates the goodwill with which Russia is pursuing the difficult search for the proper solution to the problem of ‘relocated’ art.” He continued, “I have no doubt that this occasion will advance the cause of worldwide culture—establishing a sense of mutual trust and helping us all to address our disagreements through constructive dialogue (however lengthy the dialogue may be), rather than through confrontation.” Sidorov’s sentiments might have been genuine, but in the years following the Hidden Treasures Revealed exhibit, art and archive transfers have almost ceased. A small number of art objects

---

66 Ibid., 6.
recognized as war loot seized in Germany remain on permanent exhibition at the State Hermitage Museum.

The consequences of looting in the Second World War make it imperative to understand the ideology behind the art theft. In comprehending each nation’s viewpoint, better international relationships will result. It is of great importance to interpret why the Soviet Union conducted a policy of restitution in kind, and why the Western Allies pursued principles of restoration.

As the USSR implemented a restitution in kind policy, appropriating all art objects in Nazi repositories as payment for destroyed Slavic pieces, the Soviet Union quickly replaced Germany as the villain. According to the Western Powers, the Soviet Union had confiscated what the Nazis had stolen, and it should be returned to the legitimate owners. If Soviet officials had agreed with Western perspectives, one could argue that the precious few items that they were able to barter for would have never been restored. Yet, those who are highly critical of the Soviet Union’s repatriation and the current Russian Federation’s reservation to the restitution process have cried out that the Russians’ actions are not fair. Can anyone answer without bias what should be done? What the Nazis destroyed is forever gone. This resulted in, Stalin having his trophy brigades take what they deemed fit to immediately compensate the Soviet Union in post-war years. The descendants of the Third Reich who wish to live as peaceful people will never be able to make reparations to Russia. The Soviet Union suffered incomparable human and material losses at the hands of the Germans. The damage of neither Great Britain, the United States, nor France could compare to the distress that the USSR experienced. This key factor explains why Soviet, and now Russian, policy
regarding the seizure of war loot remains steadfast. The USSR could not rely upon Western aid, such as the Marshall Plan, so they chose to loot Germany as a form of financial re-compensation.

In the years following the war, absolute secrecy shrouded Nazi loot located within the Soviet Union. From the 1950s-1980s, the USSR occasionally repatriated art and archives to primarily East Germany in an attempt to motivate Germany to restitute remaining Slavic artwork to the Soviet Union. However, East Germany maintained that no Soviet owned artwork remained in the country.

After 1991 and the collapse of the Soviet Union, the newly formed Duma halted “goodwill” exchanges until Russian legislation could be instituted concerning Nazi spoils of war. Three major factors contributed to Russia’s rationale. First, the articles of The Hague Conferences relevant to looting were suggestions at best. No international law existed which could enforce those principles. Second, the ownership of war loot was not clear. The Western perspective believed that Germany did not own what they stole, but the Soviet Union viewed Nazi plunder as property of the Third Reich, and thus subject to confiscation for war reparations. Third, the historical precedent persisted that the victorious nation could dictate the terms of financial reimbursement to the defeated. In past civilizations, from the Greeks and Romans to Napoleon Bonaparte, the victor’s reward and payment for military expenses came from the wealth and cultural treasures of the defeated. Following this model, the Soviet Union’s confiscation of Nazi loot was just, but modern, Western ethics have harshly judged their actions without truly attempting to view the situation from the people of the Soviet Union’s perspective.
Since the 1998 law nationalizing war loot, almost all restitution efforts have ended. The party petitioning for restitution must prove that they had no connection to an Axis Power and could pay the storage and operational fees assessed by Russia. The “goodwill” exchanges of the twentieth century have ceased, and any endeavor to resolve the international problems of war loot has stagnated. Almost seventy years after the last shot fired and the final bomb fell, the Nazi looting of Europe continues to affect global politics and international relationships among nations victimized by the Germans’ art theft and purification practices.
CHAPTER IV
WESTERN RESTORATION IDEOLOGY: THE MONUMENTS, FINE ARTS, AND ARCHIVES COMMISSION

The physical act of carting pillaged beauty off to the homeland is older than the hills of Rome, which are people with marble mythology stolen from the temples of Athens. But the Germans did something new this time; they looted art on an ideological basis—almost all the victims were French, Dutch, Austrian and Belgian Jews, and Poles and Russians of any faith. The fact that the Nazis considered their looting of art a protection of art was also a novel touch.

Janet Flanner

When the Second World War began in September of 1939, the world warily watched as the Nazis assaulted their Polish neighbors and violated the Treaty of Versailles. The futility of attempting to appease Adolf Hitler became a reality, and no European nation desired to repeat the bloodshed of World War I. An aggressive and violent political party that sought to regain what the Fatherland had forfeited after its 1918 capitulation now led Germany. Although the Allied Powers directed their immediate concern toward Germany’s Lebensraum policy and racial purification practices, the Nazis blatant theft of Europe’s great cultural treasures did not go unnoticed. In the midst of Germany ignoring The Hague Regulations, the Western Allies gathered a small band of American and British men and women to rectify the Nazis’ grievous theft of Europe’s art. The American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe created the Monuments, Fine Arts, and Archives section of the Western Allied army to focus on the cultural devastation left in the wake of German invading forces. Never before or since has a military organization operated on a purely cultural level. Their success is evident in
every major museum on the European continent, and what failures they had in locating missing objects is an unfinished saga, materializing in the hands of unsuspecting buyers to this day.

During the Nuremberg Trials, Dr. Alfred Rosenberg, director of the ERR, claimed that he received orders directly from Adolf Hitler describing his mission to “save” Europe’s great cultural treasures.¹ After the war ended, Monuments, Fine Arts, and Archive officers located thirty-nine picture albums, the first of three or four hundred planned inventory albums. Photographic evidence gave witness to the items pillaged by the ERR especially designated for the Führer’s super-museum in Linz, Austria. Dr. Rosenberg had these albums assembled for Hitler’s birthday in 1945. Janet Flanner quoted the inscription penned by Rosenberg, “the hope that your brief contemplation of these beautiful things of art which are nearest your heart will send a ray of beauty and joy into your revered life.”² The brazen actions of the ERR are now considered the greatest art heist in history.

The Creation of the Monuments, Fine Arts, and Archives Commission

The United States became concerned for the artwork in American museums after the bombing of Pearl Harbor, Hawaii. Many ranking museum employees and artists became convinced that the looting of American museums and historic buildings could happen next. By 1942, the American Defense-Harvard Group and the Committee of the American Council of Learned Societies forcefully pushed President Franklin D. Roosevelt to create an art preservation section in the United States Army.³ Chief Justice Harlan F. Stone wrote to Roosevelt on 8 December 1942 expressing the need

² Ibid., 241-242.
³ Ibid., 267.
for an American preservation agency to focus on locating missing objects, identifying undocumented artwork, and restoring looted pieces to the rightful countries or devising a compensation system for masterpieces destroyed by the Nazis.\textsuperscript{4} In April of 1943 David Finley composed a letter stipulating the creation of a preservation agency within the U. S. Army. Secretary of State Cordell Hull signed Finley’s letter on 21 June 1943 and presented it to Roosevelt.\textsuperscript{5} On 23 June 1943, Roosevelt signed into being the American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe.\textsuperscript{6} Roosevelt named Supreme Court Justice Owen J. Roberts as chairman of the newly formed preservation body. It quickly became known as the Roberts Commission, in short.\textsuperscript{7}

The Roberts Commission, the civilian parent organization, was vital to the creation of the Monuments, Fine Arts, and Archives section (MFAA) of the United States Army. The MFAA fell under the Civil Affairs Division (CAD), which the Allied Forces had founded on 1 March 1943. The Roberts Commission now acted in an advisory capacity to the CAD.\textsuperscript{8} A subcommittee chaired by Professor Paul Sachs of Harvard University provided names of men and women who were artists and/or conservators, or had backgrounds in the field of art. A second subcommittee chaired by Professor William B. Dinsmoor of Columbia University created a master list of historic buildings and

\begin{flushright}
\textsuperscript{5} National Archives, Washington, D.C., Record Group 239, Records of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, RG 239/12 “Hull to FDR” (June 21, 1943).
\end{flushright}
monuments in war-torn Europe that the Roberts Commission could disseminate amongst government officials and military personnel. The American Council of Learned Societies was instrumental in creating the *Supreme Headquarters Official Lists of Protected Monuments*. This was a substantial civilian assembled manual describing which historic sites the Allied Forces must save if at all possible, which buildings officers must prohibit billeting and forbid soldiers from looting and defacing. Molly Bompane described the maps as including lists of “library collections, museum artifacts, scientific collections, archaeological material, religious objects, musical instruments and architectural fragments.” The Roberts Commission also intended for active MFAA officers in Europe to use these instructional texts to facilitate their preservation work.

The Monuments Men expected additional assistance from civilian agencies, such as the Roberts Commission, once Allied forces secured certain sites. On 30 August 1943, General Dwight D. Eisenhower communicated that he would allow American civilian conservation groups to enter Sicily to collaborate with the MFAA. Eisenhower’s announcement shocked the British supreme command. The British immediately confronted President Roosevelt demanding that the Allied Forces should only allow military personnel into field. Roosevelt eventually discarded his plan of joint civilian-military preservation operations. Members of the Robert Commission who were anxious to participate along the side of the MFAA felt devastated that they would remain

---

10 Flanner, 267.
12 *Reports of the American Commission*, 4-5.
in an advisory position. The lack of civilian help left the officers of the Monuments, Fine Arts, and Archives Commission essentially alone in Europe without additional assistance. On 30 June 1946, the Roberts Commission terminated their operations, and the members of the MFAA no longer had the support of the Commission as they continued their work in returning art objects to the nations from which the Nazis had stolen them.

Flanner made the profound observation that “at the height of its war effort, the United States had almost three million men under arms in the European Theater of Operations. Exactly one dozen men out of these millions were functioning… as a *rarissimo* group known as Monuments, Fine Arts, and Archives.” These Monuments Men or Venus Fixers, as soldiers sometimes called them, consisted of mainly museum employees, art and art history professors, and architects. Bompane claimed, “Almost every major American museum had one or more employees who served during World War II as a MFAA officer.”

The first Monuments, Fine Arts, and Archives officer was Major John Ward Perkins, an archaeologist by trade. The MFAA charged Perkins with the protection of the Roman ruins of Cyrene, Leptis Magna, and Sabratha in Northern Africa from the destruction of Allied soldiers. As the Allied forces crossed into Sicily, Captain (later Lieutenant Colonel) Mason Hammond became the first MFAA officer to found an office in Palermo on 4 August 1943. The only information in which he came armed was the

---

14 Farmer, 76.
15 Flanner, 266.
16 Bompane, 2.
17 Hammond, 87.
18 *Reports of the American Commission*, 51.
Italian Touring Club Guide for Sicily to create detailed maps of historic sites and largely populated areas.\(^{19}\)

One week after the 6 June 1944 D-Day invasion of Normandy, France, Captain (later Major) Bancel LaFarge was the first Monuments officer to arrive in France.\(^{20}\) He began overwhelming task of visiting and documenting the sites located in Allied territory that the Roberts Commission named in the *Supreme Headquarters Official Lists of Protected Monuments*.\(^{21}\)

Charles Kunzelman counted a “constantly fluctuating, [MFAA] staff of about 185 personnel. Seventeen were British, and one was a Norwegian officer… the [United States] Army provided 84 officers and 43 enlisted men; Navy eleven officers; and the Marine Corps one officer… The actual number on duty at the height of the MFAA operations did not exceed 35 members.”\(^{22}\) These numbers reflect the staff and officers in post war Europe. Of the original Monuments Men, two died on assignment. In an attempt to rescue artwork in Cleves, Germany, enemy shrapnel killed Major Ronald Balfour, and while driving in a jeep to investigate an art claim, a German marksman shot Captain Walter J. Huchthausen.\(^{23}\)

One of the great hazards of the Monuments, Fine Arts, and Archives section was the vague position that they held within the bureaucratic frame of the United States army. The MFAA was never a cohesive military unit despite their remarkable work. The fact that the United States military did not fully recognize the MFAA as a legitimate

\(^{19}\) Nicholas, 223.
\(^{20}\) Ibid., 283.
\(^{21}\) Kunzelman, 57.
\(^{22}\) Ibid., 57.
\(^{23}\) Ibid., 57.
branch was where this problem began.\textsuperscript{24} Due to their few numbers only one
Monuments Man may be attached to designated army units. Most commanding officers
lacked any attachment to their MFAA officer or retained any concerns for their individual
well-being.\textsuperscript{25}

The Monuments Men worked in Western Europe from their inception in 1943 until they
transferred the last unclaimed pieces to the West German government in 1951. This allowed
Germany to take ownership of their own returned art and work to continue the
restitution process of art objects still in question.\textsuperscript{26} Until the final days of the war, the
enormous mission of protecting Europe’s treasures weighed heavily upon twelve, mostly
middle-aged men. Once the fighting had subsided, the Army could then focus on
growing the ranks of the MFAA and solving the problem of Allied collecting points packed
with European looted art.\textsuperscript{27} In essence the Army’s collecting points became a
proverbial “lost and found” where victimized nations could search for their stolen
property.\textsuperscript{28}

Preservation and International Relations

Until the Allied invasion of Sicily and then Italy, the preservation of historical
monuments and restoration of looted objects was not an active concern for American
and British troops.\textsuperscript{29} However, the debacle at Monte Cassino readjusted Allied attitudes.
For a time, Allied commanders attempted to protect the twelfth century monastery at
Monte Cassino, Italy from bombing. At the insistence of New Zealand troops who

\begin{footnotes}
\item[24] Farmer, 141.
\item[25] Kunzelman, 59.
\item[27] Flanner, 266-267.
\item[29] Ziemke, 54.
\end{footnotes}
believed the constant German assault originated from within the monastery, General Sir Harold Alexander ordered General Mark Clark to call in an aerial raid.\textsuperscript{30} Once the artillery leveled Monte Cassino, the Allied command realized that the Germans had not used the monastery for cover, and the destruction of the ancient site was avoidable.\textsuperscript{31} Earl F. Ziemke made the observation that “The Italian campaign, however, had revealed the military commanders to be distinctly unwilling to risk tactical advantage or the lives or welfare of their troops to protect cultural intangibles. Neither could civilians, in the midst of a life-or-death ideological struggle, easily urge soldiers in battle to respect the shrines.”\textsuperscript{32}

Allied forces were oblivious to the inconceivable destruction assailing historic buildings throughout Italy. This did not escape the Nazi propaganda machine. The Germans turned American naïveté into a media sensation. The Nazis portrayed the Allies as evil and vindictive, destroying every important monument in their wake. The issues of Allied billeting in palaces and other buildings of historic importance only intensified Italians fears. Allied commanders quickly realized the significance of dispelling the Nazi propaganda. Monte Cassino marked the first official time the Allied supreme command turned to the MFAA for assistance in preserving what paramount sites lay ahead in German occupied territory.\textsuperscript{33} Lieutenant General Omar N. Bradley, quoted by Robert M. Edsel, stated,

\begin{quote}
We are a conquering army, but we are not a pillaging army. We do not destroy property unless the enemy forces us to do so. When our men
\end{quote}

\textsuperscript{30} David Hapgood and David Richardson, \textit{Monte Cassino: The Story of the Most Controversial Battle of World War II} (Cambridge, Massachusetts: Da Capo Press, 2002), 173.
\textsuperscript{31} Hammond, 90-91.
\textsuperscript{32} Ziemke, 54.
perform such acts in liberated countries it gives rise to adverse public opinion. I regret that private property which was not destroyed during the German occupation should suffer as a result of undisciplined acts of troops who are members of the liberating army.34

Monte Cassino made it essential that the Allied military demonstrate deference when encountering celebrated monuments or buildings within the war zone. National pride remained deeply imbedded in these physical landmarks, and Allied sympathy towards these respected sites would enhance relations with the liberated people.35

MFAA officer Captain Robert Posey recalled a story about General George S. Patton. As the U. S. Seventh Army approached Agrigento in Sicily and upon viewing the destruction of the Roman ruins, Patton confronted a local resident, demanding to know if the American artillery had caused the damage. The farmer commented that the American military had not caused the destruction that it had taken place in the last war. Patton asked the man in which war the damaged had occurred. The farmer replied it was The Second Punic War.36 A rather humorous end to Patton's concerns, and yet, a profound statement that two thousand years later, the Allied forces found themselves treading in the footsteps of Hannibal, only in this millennium they must push back the German Third Reich.

After the fiasco at Monte Cassino, the United States understood that they could only achieve success as an occupying army if they protected historic sites. On 26 May 1944, General Eisenhower addressed a letter to his generals concerning the cultural importance of the monuments, which undeniably lay between the invading Allied forces and the occupying German army. The Supreme Commander signed directives stating

34 Ibid, 136.
36 National Archives, RG 239/47, cable, “Lang to Calhoun” (July 7, 1944).
the necessity of safeguarding structures on the Supreme Headquarters Official Lists of Protected Monuments.\textsuperscript{37} In Eisenhower’s letter, disseminated only eleven days before the Normandy invasion, he expressed the great importance of Operation Overlord to all civilization and the need to protect national monuments and treasures in the countries they were liberating. Eisenhower instructed his commanders to exhibit respect for these buildings or objects unless German soldiers took advantage of these revered sites and endangered the lives of Allied troops. He closed his letter by requesting that officers pass down this information through the chain of command.\textsuperscript{38}

The Difficulties, Success, and Daily Operations of the MFAA

Two weeks after D-Day, Lieutenant George Stout, United States Navy, and Squadron Leader J. E. Dixon-Spain, Royal Air Force, joined Captain Bancel LaFarge in Normandy. The Monuments Men arrived without transportation, typewriters, or even cameras and were expected to hitch rides across mutilated lands and save historic monuments armed with only their will to succeed.\textsuperscript{39} The confusion surrounding the Monuments, Fine Arts, and Archives section compounded the first three MFAA officers difficult tasks in France. Allied soldiers and local European residents constantly confronted the Monuments Men as to who they were and what their mission was. Although, Eisenhower had issued his letter of protection for European historic sites; LaFarge, Stout, and Dixon-Spain were met with skepticism. All commanders were supposedly in possession of Supreme Headquarters Official Lists of Protected Monuments, yet they seemed unaware of the MFAA’s job to inspect and document

\textsuperscript{38} Reports of the American Commission, 102.
\textsuperscript{39} Flanner, 268.
significant structures, preserve what art or architecture they could salvage, and evict troops who had set up barracks in unauthorized buildings. The *Official List of Protected Monuments* addressed all three issues. The MFAA’s activities were new to the ancient military apparatus. The unknown outcome of their mission proved to hamper military supplies. They had no way of justifying exactly what they might need, so the U. S. Army, with limited supplies, could not grant unlimited resources to the MFAA. With no past knowledge of how to perform the task at hand and no real power to enforce their initiatives, the Monuments Men faced daily dilemmas.

MFAA officers lacked radios for contact, few had cameras and less had film, and the supply of “Off Limits” signs that the U. S. military required posted on damaged buildings or structures in which billeting was prohibited were quickly exhausted. The most important shortage was the lack of transportation. Although, the Monuments Men continually applied for vehicles from the motor pool, the army denied their requests because the MFAA lacked priority. The Monuments Men resorted to hitchhiking, requisitioning bicycles or abandoned automobiles to investigate reports of found looted art throughout the countryside. The MFAA officers were relentless in their efforts. Edward Dolnick claimed the Monuments Men were “terrified that they would arrive too late at a bonfire set by the Nazis and fueled with Raphaels and Rembrandts and Titians.”

Unfortunately, reality quashed the Roberts Commission’s vision of MFAA personnel led by a lieutenant colonel, sixteen majors, twelve junior officials, officers

---

40 Flanner, 268-269.
41 Edsel, *Rescuing Da Vinci*, 129.
staffed in every Army headquarters and men under those officers.\textsuperscript{44} There was no structure to the MFAA; no manual existed detailing their mission; there was no procedure in which to relate with commanding officers in the field. Each situation that arose demanded the quick thinking and unconventional recommendations of the Monuments Men. Building relationships with enlisted men and officers alike, gave the MFAA the best chance at a successful outcome.\textsuperscript{45}

The MFAA created monument maps indicating where field officers and pilots should avoid shelling.\textsuperscript{46} However, preserving art and architecture came second to soldier’s lives and defeating the Nazis.\textsuperscript{47} Damage occurred to sites that the Monuments Men could not stop. They followed the Allied Front and some war victims were inanimate. German snipers took refuge in medieval church bell towers or intricately decorated palaces. Commanding officers sacrificed the stone and mortar of those structures for the survival of Allied soldiers.

Lieutenant James Rorimer, future curator of the Metropolitan Museum of Art in New York, recorded his three-part mission. First, after each battle MFAA officers scoured the area locating and documenting the appearance of surviving buildings. Second, Monuments Men tried to perform triage on damage structures and located local citizens that could assist in immediate restoration. The third, and according to Rorimer the most substantial action, was to prevent additional destruction or looting by Allied troops and townspeople.\textsuperscript{48}

\textsuperscript{44} Flanner, 267.
\textsuperscript{45} Edsel, \textit{The Monuments Men}, 86.
\textsuperscript{46} Edsel, \textit{Rescuing Da Vinci}, 128.
\textsuperscript{47} Ziemke, 55.
There were three basic types of accounts or documents that the MFAA officers generated. The first was a personal journal which detailed each man’s individual experiences in the field; the second was an official report submitted every two weeks listing what monuments the MFAA officer visited, the location of the site, if the site needed restoration and the name of the commanding officer informed of the repairs needed, supplies used and mode of transportation used, and any other information that would be relevant for each specific structure. Third, Monuments Men assembled a “Field Record” containing much of the previously stated information, but they submitted the “Field Record” more frequently. According to the Report of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, “… during the first four months of operations within Headquarters Communications Zone (Com Z) alone, a total of 1,240 sites and 597 towns were visited by an average of 2 ½ MFA & A officers in the field. This amounted to 125 sites and 60 towns per man per month.” These numbers are staggering considering that most of the Monuments Men hitchhiked, walked, or rode requisitioned bicycles.

Once MFAA officers had arrived at designated locales, their work did not end with the reports accumulated about specific landmarks. They also morphed into detectives combing through, more often than not, burnt out ruins of museum or city offices. The Monuments Men inspected every surviving piece of paper, pursuing any information that could lead to whereabouts of the plunder items hidden by the Nazis.

The second aspect to investigating towns for evidence was the questioning of local citizens until MFAA officers could find a city or museum employee willing to talk.

---

49 Reports on the American Commission, 105.
With each interview, new names and information would materialize. Gradually, with relentless attention, the MFAA officers were able to follow the Nazis movements and uncover small caches left behind and eventually huge repositories within the borders of Germany and Austria.

Yet, with all the excitement that MFAA officers encountered, they also had to examine all claims made against the Allied Army under the Rules of Land Warfare. Sadly, many cases proved to be the vandalism by liberating forces, but some accusations were wrongfully made against the Allied military. Monuments Men had to handle each claim with the utmost respect unless proven false. The MFAA needed to perpetuate congenial relations with the local population. Presenting a concerned front to the observant and skeptical public made people willing to assist the Monuments Men in the restoration of local historic buildings. This immediate form of intervention helped unite the war-weary people in a community project and begin the process of internal recovery from the German invasion.

As American troops learned about the Monuments Men and their responsibilities, soldiers, many barely more than boys, thought the MFAA officer’s work looked like a type of puzzle. George Stout recalled how art experts in the midst of a total war fascinated these young men. Some commanding officers had told their men that they were not to destroy certain monuments or that they could not lodge in historic buildings, but not why. These men were naturally curious to understand why they were

51 Ibid., 227.
important. In many of the Monuments Men’s memoirs, they wrote about the inquisitiveness of troops, and by educating them on how the Nazis had looted Europe and hidden great masterpieces throughout the continent, the mystery of Nazi war loot instigated the ultimate treasure hunt. Reports began to flood in to MFAA officers. Almost every report claimed that a soldier had located a Michelangelo painting. Monuments Men responded quickly to each report. Walker Hancock stated, “These generally turned out to be nineteenth century German landscapes, but no information of the kind was ever lightly treated and, as nearly as possible, every call for an inspection was heeded. One day, we knew, the masterpieces would turn up, and every attempt to recover them was to be encouraged and commended.”

And that day came; the call was for a MFAA officer to inspect a Breughel retrieved from a home in Krauthausen, Germany. The precise identification of the artist shocked the Monuments Men. Intrigued, they hoped to learn if this could be one of the lost Flemish masters. Walker Hancock and George Stout set off to investigate this claim. When they arrived at Busbach, they learned that the Nazis had bombed the house which held the painting just two days prior, and just moments before they reached Busbach, the Germans shelled the adjacent house where Allied troops had bunked. Colonel Hardin informed the two MFAA officers if they wanted to get their Purple Hearts, they could continue their foolhardy mission to save the Breughel. Not surprising, Stout and Hancock headed for the Front. Upon finding the painting, Hancock expected Stout to authenticate the work and return to safer ground, but not the

---

meticulous George Stout. As gunfire chattered and bombs fell not far from their location, Stout turned to Hancock and asked him to take notes as he dictated his finding. Once Stout had finished inspecting the painting, he declared it most likely the work of Pieter Breughel the Elder from the sixteenth century. After their harrowing experience, the lack of transportation once again defeated the Monuments Men. In a war zone, it was not advisable to move a four hundred year old painting in an open-air vehicle. A few weeks later, Hancock returned for the painting, loaded it onto a weapons carrier, and watched the gold frame sparkle in the moonlight as the Allied caravan moved forward.56 The work of MFAA officers was tedious, at times dangerous, and usually unappreciated. Despite the lack of recognition, Monuments Men like Hancock and Stout risked their lives to rescue stolen artwork. The MFAA understood that once soldiers reported the location of items or repositories, they had to move quickly to investigate the claim or risk losing the art object to individual looting, defacing, fire, or to the elements.

Although, a number of soldiers seemed interested in the MFAA’s work that did not mean all. The most prevalent issue that Monuments Men combated was unauthorized billeting and vandalism.57 Mason Hammond recalled viewing many culturally significant buildings disfigured by German and American graffiti.58 Once MFAA officers realized that their “Off Limits” or “Protected Monument” signs did not deter Allied looting, they devised an ingenious plot to sanction off the sites most likely to be victimized with white tape, falsely flagging Allied troops, that located on the premises, were undetonated mines. Flanner characterized the Monuments Men as

---

56 Ibid., 276-279.
57 Kunzelman, 58.
58 Nicholas, 226.
“frantic boardinghouse keepers, trying to put thousands of lodgers into the right rooms and out of the wrong ones, and above all, trying to prevent them from pocketing everything pretty that belonged to the house.”

The MFAA had to protect Europe’s art and architecture from Allied enlisted men to generals. They considered their mission to be the retrieval, guardianship, and restoration of European art looted during the Second World War, and many of the Monuments Men were not afraid of agitating superior officers to achieve their objectives.

One of the most notorious incidents occurred when Lieutenant James Rorimer confronted Colonel Brown about the misappropriated objects currently furnishing General Eisenhower’s office. Rorimer, never one to respect rank, dared to challenge Brown’s authority. Rorimer explained that decorating the general’s office with objects removed from Versailles violated every statement Eisenhower had issued regarding looted art. He continued with the question, would this not give the Nazi propaganda machine ammunition against the Allied Supreme Commander? The Nazi had already broadcasted the announcement:

Like Hyenas the Anglo-American barbarians in the occupied western territories are falling upon German works of art and beginning a systematic looting campaign. Under flimsy pretexts all private houses and public buildings in the whole area are searched by art experts, most of them Jews, who “confiscate” all works of art whose owners cannot prove beyond doubt their property rights... These works of art, stolen in true Jewish style, are transferred to Aachen, where they are sorted and packed and then dispatched to the U.S.A.

---

59 Flanner, 270.
61 National Archives, RG 239/10 “DNB Broadcast of March 17, 1945” (March 17, 1945).
Although the brash accusations of Rorimer enraged Colonel Brown, and he threatened to notify Rorimer’s superior officer, Brown had all objects d’art returned to Versailles the following day.\(^6^2\)

Rorimer’s actions could be explained by his lack of knowledge in dealing with military bureaucracy. Monuments officer Stratton Hammon explained the unique situation that arose within the MFAA. The Monuments Men who were career military men were proud of the branches of the military they had participated within prior to the creation of the Monuments, Fine Arts, and Archives section and wore their original insignia on their uniforms. The newly appointed officers were not associated with any other division of the military; they wore an insignia depicting an eagle within a circle. The newcomers were christened “Bird-in-a-gilded-cage” officers. This automatically led to a division within a miniscule division. Hammon believed that soldiers respected the career military men more and supposed that the small insignia could invite cooperation from an otherwise apathetic soul.\(^6^3\) Whether Hammon’s observation was correct or not is subjective at best. However, all who confronted superior officers eminently felt the need for higher rank. The U. S. Army remained firm in their decision not to grant ranks higher than captain or lieutenant to those with no combat knowledge.\(^6^4\) The Roberts Commission confronted the Department of War about the insufficient system of promotion. On 28 July 1944, John J. McCloy the Assistant Secretary of War responded to the Roberts Commission’s accusation. McCloy stated that rank should have no

\(^6^3\) Hammon, “Memoir of the Ranking Monuments, Fine Arts and Archives Officer,” 62.
\(^6^4\) Ziemke, 56.
impact on the fulfillment of the MFAA’s mission. His response ended the discussion of rank injustice.

Captain Walter Farmer reminisced about his interview with Lieutenant Charles Kuhn. Farmer keen to transfer into the MFAA, found himself surprised that Kuhn did not question him thoroughly about his past employment as an architect and interior designer. Kuhn seemed more interested in Farmer’s understanding of the Army’s policies and regulations. Farmer understood that his abilities to navigate the military bureaucracy secured his transfer, not his abilities as an art expert. When the Monuments Men realized that there would be no promotions for incoming art experts, they adapted their plan and recruited from within the military ranks, ensuring future MFAA officers would have the field experience necessary for increased rank. As MFAA officers in Europe tried to out maneuver bureaucrats in the United States, Walker Hancock found the politics of war rather humorous. He commented, “even Charlemagne would not be graciously received without proper clearance, despite his eleven hundred years of residence in that area.”

MFAA officers found themselves caught in the web of bureaucracy. Yet, they understood by recruiting soldiers with an art or architecture background from the battlefield, new Monuments officers would be acceptable for military promotion. This strategy would assure MFAA officers with higher rank and more influence within the military hierarchy.

Regardless of rank, the MFAA’s work continued. In 1944, as the Allied Front passed into Germany, soldiers and Monuments Men began to discover the vast

---

65 Kunzelman, 59.
67 Hancock, “Experiences of a Monuments Officer,” 304.
treasure troves of looted art. Emptying these repositories would constitute the most memorable work the MFAA accomplished.\textsuperscript{68} When Hitler invaded Poland in 1939, he had most of the national museums closed and artwork, deemed not “degenerate”, moved to shelters, which could resist aerial raids.\textsuperscript{69} The Nazis had located art repositories in castles, monasteries, caves, and mines. These locations were harrowing to access due to German traps, structural damage, water damage, or destruction caused by displaced persons or escaped slave laborers. Entry into each site was slow, as the sites needed constant inspection.\textsuperscript{70}

However, the Monuments Men had a French spy to thank for their detailed information. Jacques Jaujard, curator of the Louvre, implored Rose Valland, curator of the Jeu de Paume Museum in Paris and future French MFAA officer, to secretly record where the Nazis shipped French art. The ERR used Valland’s museum as a clearinghouse for masterpieces plundered from France and a personal shopping mall for Göring before the art shipped East to Germany. Valland kept duplicate copies of everything she could obtain hidden away in her home. In direct result of Valland’s courageous efforts, James Rorimer located these Nazi repositories and empty the priceless masterpieces into American collecting points. Soon many of Valland’s coordinates would fall into the hands of the Soviets once Allied Zones of Occupation went into effect.\textsuperscript{71} Rorimer, now Valland’s closest confidant, followed her information trail to Günther Schiedlusky and found detailed records of Rosenberg’s looting in

\textsuperscript{68} Kunzelman, 57.
\textsuperscript{70} Kunzelman, 57.
\textsuperscript{71} Flanner, 260; for more information regarding Rose Valland’s efforts please see, Rose Valland, \textit{Le front de l’Art: défense des collections françaises 1939-1945} (Paris: Réunion des Musées Nationaux, 1997).
France until 31 July 1944. Lieutenant James Plaut, of the Office of Strategic Services, explained to Rorimer that this archive was the damning evidence needed. Rorimer testified to the validity of these records against Rosenberg during the Nuremberg Trials.\(^\text{72}\)

Technician Fifth Grade Harry Ettlinger recalled one of his Rose-Valland-inspired expeditions. In 1945, Rorimer had learned from Valland about pilfered artwork stored at Schloß Neuschwanstein. Once Ettlinger and Rorimer had made the monumental climb into the neo-Gothic castle, they discovered priceless art objects stolen from many notable Jewish families.\(^\text{73}\) The task that lay ahead was the removal of artwork from the spires of the castles and down the steep stairways for transportation to American collecting points.\(^\text{74}\)

Rorimer was not the only Monuments Man making incredible discoveries. Walker Hancock investigated a salt mine in the Thuringian Forest where an American soldier had found a bejeweled scepter and orb. Upon inspection of the mine, Hancock had a newly constructed wall knocked down, and he discovered a room with military regalia and four caskets.\(^\text{75}\) The caskets contained Feldmarschal von Hindenburg, Frau von Hindenburg, Frederich Wilhelm I, and Frederick the Great, unearthed by Hitler for a grand reburial in his new Thousand Year Reich.\(^\text{76}\) Once the soldiers cleared the mine, the question arose as to what should be done with the four caskets. Amid German

\(^{72}\) Kunzelman, 58-59.
\(^{73}\) Bailey, 50.
\(^{75}\) Hancock, “Experience of a Monuments Officer,” 294-295.
\(^{76}\) Ibid., 296.
protest, a top-secret operation, appropriately named Operation Bodysnatch, left the MFAA responsible for the reburial of the four historic figures.\textsuperscript{77}

On 6 April 1945, in Thuringia, the 347\textsuperscript{th} Infantry of General Patton’s Third Army stumbled upon the mine at Merkers, where the Nazis had evacuated the Reichsbank gold. The rows and rows of bags containing gold bricks and coins almost overshadowed the estimated 80 million United States dollars worth of priceless art including the famed Bust of Queen Nefertiti.\textsuperscript{78} Due to the ever-growing fear of Soviet occupation, the U. S. Allied Command had the mine at Merkers cleared immediately. George Stout had to plead and barter rations to gain enough manpower from civilians to pack and raise the invaluable treasures from the depths of the earth and transport them safely into American zoned lands.\textsuperscript{79}

With the discovery of Merkers, every Army wanted to have the recognition of finding the next repository filled with treasure. The U. S. First Army would have that privilege. As they reached Siegen, Walker Hancock reported that the first question the American officer in command wanted answered was “Where are the paintings?”\textsuperscript{80} Hancock stated that the American knowledge of Nazi repositories surprised the Germans. Hancock, Stout, and the Vicar of Aachen Cathedral navigated through the copper mine tunnels under the city. The smells and sounds of displaced persons living in the tunnels instantaneously bombarded them. Roughly a quarter of a mile into the copper mine they happened upon a locked door. Hancock recalled that the Vicar knocked on the door and it opened to reveal, “Racks filled with paintings and

\textsuperscript{78} Flanner, 276-278.
\textsuperscript{79} Hammond, 93.
\textsuperscript{80} Hancock, “Experiences of a Monuments Officer,” 289.
sculpture… more than four hundred paintings. Without making an inspection we soon discovered that Rembrandt, Rubens, Van Dyck, Delacroix, Lochner, Fragonard, Van Gogh, Gauguin, Cezanne, Cranach, Hals, and Renoir were among the artist represented.⁸¹ During their visit, the relieved Vicar found the relics from the Aachen Cathedral, including Charlemagne’s skull fragments, accounted for among the artwork. As they readied to leave, Herr Etzkorn, the German keeper of the Siegen depository, drew their attention to several crates containing Beethoven’s original composition of his Sixth Symphony.⁸² The wonders never seemed to end.

The greatest discovery of Nazi loot started with MFAA officer Captain Robert Posey’s toothache. Posey sent fellow Monuments Man Private First Class Lincoln Kirstein into Trier, Germany to find a dentist. The dentist was fluent in English and greatly interested in their work. After repairing Posey’s tooth, he took the pair to meet his son-in-law who he reputed to be an art expert. The dentist introduced Posey and Kirstein to Herman Bunjes; Bunjes was an art historian. He had served as an officer in the Schutzstaffel (SS) and was an accessory to the looting of France. Rose Valland had already warned James Rorimer about his involvement. Bunjes did not explicitly detail his work in Paris, but he did confide in Posey and Kirstein that he was a SS officer. For safe passage out of Germany, he offered the two Monuments Men the locations of Hitler’s super-museum repository. Posey and Kirstein explained that they could not grant he and his family transit visas. Bunjes acquiesced and gave the men the location of a salt mine in Alt Aussee, Austria.⁸³ General Patton’s Third Army uncovered Alt Aussee in May of 1945. Here laid an estimated 6,700 paintings and an

---

⁸¹ Ibid., 288-292.
⁸² Ibid., 292.
⁸³ Dolnick, 252-253.
undetermined number of sculptures and reliefs. Among the monumental finds were Michelangelo’s *Bruges Madonna* and the *Ghent Altar*.

Once fighting had ceased in Europe, the MFAA could continue their search for Nazi repositories. The final count found 1,400 sites where Allied soldiers discovered over fifteen million objects d’art. Now the task before MFAA officers was the cataloguing, photographing, storing, and securing the priceless art until restoration could be accomplished. Once again, false claims and lack of supplies slowed their progress. Flanner commented, “there was not even enough paper for them to type their reports on… the Monuments Men cut the maps to folio size and typed their reports on the back.” It would take six years before the MFAA’s assignment was complete, and the Monuments Men’s mission to return the remaining looted works charged to Germany.

According to the SHAEF, “with the advice of MFAA specialist officers reserve and properly equip for use as collecting depots for works of art… buildings suitable for the purpose.” The first American collecting point opened at Marburg, Germany and quickly became responsible for an enormous collection of Nazi war loot. The MFAA divided the looted art into three classes at the collecting points. The definition of Class A was art stolen by the Nazis from public and private owners without reimbursement. Class B categorized art that had been bought from private owners for an amount deemed

---

84 Flanner, 278-279.
85 Bompane, 2.
86 Flanner, 283.
87 National Gallery of Art, Library, Smyth Papers, “SHAEF Document AG 000.4-2 GE-AGM” (May 20, 1945).
inappropriate for the work in question, and Class C consisted of art owned by the State of Germany prior to the war.\textsuperscript{88}

Lieutenant Craig Hugh Smyth managed the Munich Collecting Point.\textsuperscript{89} Munich housed art located in the Western regions, including Alt Aussee. Captain Walter Farmer supervised the Wiesbaden Collecting Point, which contained objects from Berlin, Merkers, Siegen, Grasleben, and other sites where the Germans had stored their own national treasures. In Frankfurt, the MFAA established Offenbach Collecting Point to shelter art and books plundered from Masonic Lodges and Jewish synagogues.\textsuperscript{90} Smaller collecting points opened in Bad Wildungen, Heilbronn, Kochendorf, Marburg, and Nuremberg.\textsuperscript{91}

Walter Farmer wrote that while managing the Wiesbaden Collecting Point, he had to travel within a 100 mile area making house calls on the smaller collecting points.\textsuperscript{92} He also recounted the extreme difficulty in working with the French and Russians. The British and Americans had cooperated together in MFAA operations and continued to enjoy an amiable relationship. Communicating with all occupying countries was necessary to establish what the Allies had recovered and what was still at large. Farmer found that British and American pressure helped motivate the French into action.\textsuperscript{93} The Russians remained eerily quiet as to the whereabouts of certain pieces of art last seen in their sphere of influence.

\textsuperscript{89} Nicholas, 358.
\textsuperscript{90} Edsel, Rescuing Da Vinci, 208.
\textsuperscript{91} Report of the American Commission, 135.
\textsuperscript{92} Farmer, 30.
\textsuperscript{93} Ibid., 38.
Soviet Trophy Brigades

One of the great concerns that spurred the Monuments Men relentless drive was the millions of soldiers in the Red Army approaching Germany from the East. Rumors abounded that among the Soviet soldiers were trophy brigades: the virtual alter ego of the MFAA. Whereas the mechanism of the Monuments Men was to preserve damaged structures and return plundered artwork, the procedures of the Soviet trophy brigades, under direct orders from Joseph Stalin, were to dismantle and ship eastward everything that could be of use to Russia and claim all Nazi loot as reparations for the severe losses the Soviet Union had suffered at the hands of Germany. The race for the remaining Nazi repositories had begun.

Although the Russian trophy brigade officers in Berlin claimed that nothing of value remained in the Soviet Zone of Occupation, the Monuments, Fine Arts, and Archives officers were fully aware of the Soviet’s restitution in kind policy. MFAA officers had heard the whispers of Soviet officials dismissing museum and library employees. Why else would they oust practically free expert labor, unless the Soviet Union was shipping artwork in those locations eastward? At the Allied conferences, Roosevelt, Churchill, and Stalin had not approved the wholesale dismemberment of Germany. Yet the Western Allies chose to look away. Great Britain and the United States knew that the Soviet Union had lost not only their cultural heritage but millions upon millions of citizens had perished in the war. Victimized nations wanted their artwork returned, but those decisions would need a delicate political touch considering that the trophy brigades did not distinguish between the innocent original owners and

---

the German owned loot. This narrative continues today, sixty-plus years after the final repository was found.

Western Allied Looting

After the war ended, the Western Allies turned their focus to reconstruction and restoration. By 31 August 1948, the MFAA officially entrusted the Munich Collecting Point to Germany. A small service took place in the building that had housed the collecting point. United States and German officials signed documents transferring custodianship of the remaining artwork. In the Munich Collecting Point's three-year history, the MFAA had returned tens of thousands of pounds of art and books to the countries from which the Nazis had stolen them. The United States reserved the right intervene in the continuing restoration process.  

As the collecting points began to finish their repatriation work and close their makeshift museums, it became apparent that many looted items remained missing. One of the most disappointing answers lay in Allied looting. On 31 August 1944, the War Department issued Circular 353, which allowed Allied soldiers to remove items as souvenirs that had no historical relevance. The memorandum prohibited the confiscation of any item, which violated the 79th Article of War. However, the War Department created the precedent for legalized looting. Circular 353 complicated the MFAA officer's duties.

One of the first large scale Allied looting expeditions took place near Berchtesgaden on 4 May 1945. When the 101st Airborne found Göring's treasure train and a fallout shelter Göring used to store his priceless collection, the soldiers fired their

---

96 Downey, Jr., 500-501.
weapons into the train destroying several paintings. Lieutenant James Rorimer and Captain Calvin Hathaway hurriedly made their way to Unterstein, Germany where the 101st Airborne had transported their find. Upon arrival, Rorimer and Hathaway found a sign stating “Göring Art Collection, courtesy 101st Airborne.” After the two Monuments Men regained control of the situation, two small-scale paintings by Memling had vanished. The MFAA could not supervise the millions of Allied soldiers on the European continent. This incident demonstrated how even under military supervision, individual soldiers stole artwork.

Two years later in August of 1947, Herbert Steward Leonard, of the MFAA Munich Collecting Point, was in search of one of the missing Memlings, the *Madonna With Child*. Leonard believed that U. S. Major Paul Kubala had perpetrated the theft. As Kubala shipped luggage home at the end of his tour of duty, Leonard had his baggage held at customs and searched. The *Madonna With Child* was not among his belongings. On 17 November 1947, Leonard questioned Kubala as to the whereabouts of Memling’s work. Kubala’s surprising answer was that he had turned over the painting to a MFAA officer in full view of Colonel William Quinn and had a receipt for the transaction. Although Kubala could not produce the receipt, he identified James Rorimer as the Monuments Man who was last in possession of the *Madonna With Child*. On 25 January 1948, Rorimer produced a written statement, a receipt, and pictures of his transfer of the Memling to Major John H. Smith and Captain Harry Anderson of the 101st Airborne. When confronted with this evidence, Smith claimed he had returned the painting to Colonel Quinn, a blatant lie. Unfortunately, Smith and Anderson were now

---

97 Flanner, 265.
civilians and no longer answered to the military. The search for the Memling went cold, and on 24 March 1948, Leonard closed his investigation.\textsuperscript{98}

Another case of unrecovered art involved the disappearance of the Quedlinburg Church Treasures. On 19 April 1945 when the U. S. 87\textsuperscript{th} Armored Field Artillery took Quedlinburg, they found the mine containing treasures from the Byzantine and Roman empires. Within days, items began to disappear from the mine. Not until 1990 did the missing Quedlinburg relics reappear.

Lieutenant Joe Tom Meador was a soldier in the 87\textsuperscript{th} Armored Field Artillery. Meador, who received his Bachelor of Arts from North Texas State University, had secretly mailed items from the Quedlinburg treasure home to his mother in Whitewright, Texas.\textsuperscript{99} After Meador's return from Europe, he lived a double life. By weekday, he managed a hardware store in his hometown; by weekend, he entertained many of his male lovers in his Dallas apartment decorated with the Quedlinburg treasures. Meador passed away from cancer in 1980, and his brother and sister inherited his estate. In 1988, Meador's siblings sold the \textit{Evangelistic Samuels}, a tenth century jeweled script, for 3 million United States dollars. Germany quickly became aware of the transaction and retained the Andrew and Kurth law firm to represent the Quedlinburg Church. During the two-year mediation, the Dallas Museum of Art held in trust the treasures. On 1 May 1992, the Meador family received 2.75 million United States dollars by the German government for the return of the remaining items. Before the ancient relics returned to the Quedlinburg Church, the Dallas Museum of Art exhibited Germany's

\textsuperscript{98} Alford, 57-60.  
\textsuperscript{99} Ibid., 177-179.
priceless looted treasures to the American public. Unfortunately, two relics remain unaccounted for and are presumed still in the Dallas, Texas vicinity.

Western Allied soldiers were not immune from the urge to loot Germany. Whereas the Soviet State sponsored looting activities in the remnants of the Third Reich, American soldiers stole on an individual level not condoned by the United States. The illustrations of the stolen Memlings and Quedlinburg Church Treasures, demonstrate the inability of the United States military doctrine to prevent looting by their own troops. Moreover, efforts of the United States to prevent looting on an individual level failed.

The 202 and the Wiesbaden Manifesto

Individual American soldier looting was not the only problem the MFAA had. The United States had decided on a “safeguarding” operation, which would make the MFAA’s restitution efforts appear hypocritical. On 6 November 1945, Captain Walter Farmer of the Wiesbaden Collecting Point received orders to prepare 202 pieces of artwork for transportation to the United States. Farmer summoned the MFAA officers in Germany. The outraged letter they composed became known as the Wiesbaden Manifesto. The Monuments Men accused the American government of looting the art safeguarded by the MFAA until German museums could be repaired. MFAA Captain Edith Standen, quoted by Marion Deshmukh, declared, “… the original removal of these works for safekeeping, unnecessary, unwise, and unethical as it was, proved almost fatal to the whole program in Germany…” The Monuments Men felt utterly double-

\[\begin{align*}
100 & \text{Ibid., 183-185.} \\
101 & \text{Farmer, 55.} \\
102 & \text{Bailey, 54.} \\
103 & \text{Deshmukh, 422.}
\end{align*}\]
crossed. All that they had slaved and sacrificed to accomplish, to prove America as the champion of the beleaguered nations, President Truman cancelled out with one order.\textsuperscript{104} When MFAA officers applied for transfers so that they would not have to participate in what they judged as American looting, the U. S. military denied their petitions for transfer, and they were warned that any attempt to interrupt the packaging and transfer of the paintings would result in a court-martial. The directive to ship the German art to America for protection became cynically known as the Westward Ho Plan.\textsuperscript{105}

The majority of the American art community became enraged upon hearing of Westward Ho. They agreed that this made the United States look two-faced. At the same time that the MFAA packed art destined for America, accused Nazi looters prepared to appear before the Nuremburg Tribunal.\textsuperscript{106} On 25 January 1946, James W. Riddleberger, State Department chief of the Division of Central European Affairs, issued a statement citing General Lucius Clay’s concerns that the collecting points did not have enough personnel to protect the artwork and that providing heat for a museum in the midst of a coal shortage was ludicrous. Riddleberger understood that the order to remove artwork might call American intentions into question. However, he stood by President Truman’s pledge that all works would return to Germany once conditions were better.\textsuperscript{107} General Clay advised the Department of the Army on 6 February 1948 that the collecting points in Munich and Wiesbaden were in excellent condition, and the return of the paintings involved in the Westward Ho fiasco would bolster the United States reputation when compared to the uncontrolled dismantlement of Germany by the

\textsuperscript{104} Bailey, 54.  
\textsuperscript{105} Flanner, 287-289.  
\textsuperscript{107} Ibid., 12.
Soviet Union. After touring major museums in America, the United States finally returned the 202 masterpieces to the Wiesbaden Collecting Point on 22 April 1949.

The Westward Ho controversy tainted the United States image as champion of looting victims. The MFAA officers worked diligently to determine provenance and restore art objects to the rightful country of origin, but the removal of German art to the United States for “safekeeping” undermined their hard work and convictions. Dissimilar to the Soviet Union who looted Germany for re-compensation, the United States had criticized the USSR’s restitution in kind policy as unfair for the subjects of Nazi looting. However, in the last months of 1945, President Truman approved the relocation of German owned art, making the United States complicit in confiscation of war loot. Western historians chose to disregard the United States looting activities in the Second World War, but to evaluate the ideology of looting and restitution by the Soviet Union and the United States, all bias must be put aside and the facts considered, regarding State sponsored and individual compelled looting.

While the European theater consumed the art world’s every thought, restoration and bureaucratic games in the West did not solely preoccupy the MFAA. The U. S. army ordered several Monuments Men, including George Stout, to the Pacific theater. In the last few months of 1945, four MFAA officers left their European collecting points to oversee the potential operations in Japan and Korea. The Pacific theatre differed greatly from the European campaign. The Japanese had not looted Asia as the Germans had Europe. Therefore, the Monuments Men primarily documented structural damage that occurred during war, thwarting possible destruction, and confiscating any

---

108 Farmer, 76.
109 Ibid., 82.
art looted by individual soldiers during battle.\textsuperscript{110} With the dropping of the atomic bombs on Hiroshima and Nagasaki, the great temples and museums of Tokyo survived further war-inflicted damage. The MFAA officers were able to secure the sacred sites of Japan and Korea and complete their work rapidly.

In 1951, the U. S. army deemed the mission of the MFAA complete. They had returned the vast majority of art objects in collecting points to the country of legal ownership, and collecting points, which had not been closed, relinquished to the new Germany state to continue the restoration process. After the dissolution of the Monuments, Fine Arts, and Archives section of the Army, many of the Monuments Men and Women returned to America, and distinguished museums and universities throughout the country hired them. Due to the obscure nature of the MFAA, the U. S. military did not compose an officially sanctioned history about the work of the Monuments Men in its entirety. American awards and accommodations overlooked Monuments officers because little was known about the MFAA, and their tedious but very successful work in restoration.\textsuperscript{111} Nevertheless, the French government honored several MFAA officers and Roberts Commission staff with the Legion of Honor in 1947. France could not afford to buy medals for the ceremony, and David David-Weill interceded and helped purchase the medallions. David-Weill was a French Jew whose art collection the Nazis looted and the Monuments Men returned to him.\textsuperscript{112} The French awarded Mason Hammond the rank of Officer of the Legion; Craig Hugh Smith, Robert Posey, and Thomas Howe were among those made Chevaliers of the Legion.\textsuperscript{113}

\textsuperscript{110} Report of the American Commission, 157-159.  
\textsuperscript{111} Kunzelman, 57.  
\textsuperscript{112} Karlstrom, Stout, and Howe, 16.  
The MFAA’s efforts demonstrated the successfulness of modern ethics in restitution compared to the historic looting practices of Napoleon and earlier empires. The Monuments, Fine Arts, and Archives Commission was the practical embodiment of the restorative concept, not just the theoretical incarnation of The Hague Conferences’ doctrine. The daily aspiration of MFAA officers was to preserve and return what the Nazis had stolen, and by 1951, they had restituted millions of art objects that individuals would have otherwise stolen, or the elements would have ruined.

As the MFAA’s restoration process concluded, and they relinquished control of the last collecting point in Munich to German authorities, the Western Allies believed the problem of war loot to be resolved. However, that was not to be the case between the East and West Germany and the Soviet Union. The looting of the USSR by the Nazis and the subsequent looting of Germany by the Soviet Union created new dilemmas, which the two nations could not easily solve through the restoration process.

In the conclusion of the Roberts Commission’s final report, the Commission credited the accomplishments of the preservation mission exclusively to the ambition and drive to succeed that each MFAA officer exemplified. SHAEF, quoted by Kunzelman, claimed that the preservation and restoration of Europe’s treasures “is due in the first place to the devoted, untiring and discriminating service of the Monuments officers with Armies, Army Groups, and Lines of Communication organizations. These officers by their personal qualities have been able to ensure the goodwill of their fellow officers in all branches of the service…”114 With all of the trials and tribulations that the Monuments, Fine Art, and Archives officers encountered, history remembers them as cultural heroes. The men and women that fought tirelessly to rectify the Nazi plunder of

114 Kunzelman, 59.
Europe armed with little more than willpower. The proof of their success fills museums across Europe, but the MFAA represented more than inanimate objects. They restored cultural heritage to countries that lay in ruins, a visual representation of the life that existed before the war and the encouragement that normalcy would return. The mission of the Monuments Men and Women embodied goodwill toward all nations. The MFAA did not discriminate against art due to its pre-war origin; artwork returned, to expunge the memory of Nazi looting, and to rebuild national pride. Janet Flanner penned the beautiful observation that “Their work to recover and preserve millions of plundered treasures has enabled past, present, and future generations to enjoy the many irreplaceable cultural treasure of Europe.”¹¹⁵ These men and women’s names may not be familiar to most, but their work lives on indefinitely in the artwork, architecture, and books that they snatched back from the brink of destruction. For every Rembrandt, Van Gogh, Cezanne, or Vermeer that hangs on a museum wall today, it is a splendid notion to know that many of these paintings were amongst those rescued by the distinguished Monuments, Fine Arts, and Archives men and women.

¹¹⁵ Flanner, 2.
CHAPTER V

RESTORATION VERSUS RESTITUTION IN KIND

Hitler is a monster of wickedness, insatiable in his lust for blood and plunder. Not content with having all Europe under his heel, or else terrorized into various forms of abject submission, he must now carry his work of butchery and desolation among the vast multitudes of Russia and Asia.

Winston Churchill

Before World War II, international law did not specify how aggressor nations should pay reparations. The absence of directives led to disputes among the three major Allied powers, Great Britain, the Soviet Union, and the United States. The Soviet Union pressed for the total dismantlement of Germany, but Great Britain and the United States were fearful of another economic depression and chose to help rebuild the Germany economy under vigilant supervision. The two contrasting perspectives contributed to the disagreements regarding forms of compensation.

As late as 14 July 1945, the Allied officials in Moscow were still indecisive as to how they should divide the remaining resources of Germany, to whom they should distribute the shares amongst, and what objects they should allot as reparations.¹ J. P. Nettl quoted from the Report of the Crimea Conference,

We have considered the problem of the damage caused by Germany to the United Nations in this war and recognize it as just that Germany should be compelled to make restitution in kind for this damage to the greatest extent possible. A commission for the Compensation of Damage will be established. The commission will be instructed to consider the extent and the means by which the damage done to the Allied Countries by Germany is to be made good.²

The U. S. Military Government halted all artwork trade occurring within Germany, and they once again suggested compensation exacted from German art holdings. General Lucius Clay, Colonel Bernard Bernstein, and Edwin Pauley lobbied for the use of German owned artwork as a form of material re-compensation.\(^3\) However, Great Britain protested against using art objects in financial reparations and pressured the United States to adopt the formal stance that all artwork where they could verify provenance should return to the countries of origin.\(^4\) The Soviet Union assumed the opposite position and believed that by removing German works of art and transporting them to the USSR, the trophy brigades were in essence reimbursing Russia for the losses inflicted upon the nation. Wayne Sandholtz, who supported the Soviet perspective, inferred that the culmination of the loss of historic sites, the theft of valuables, and the inability to locate those treasures after the war all gave credence to the argument of restitution in kind. Sandholtz defined restitution in kind as, “the replacement of cultural property lost or destroyed during war with objects of similar value from the state responsible for the loss or destruction.”\(^5\) The Western Powers refused to officially commit to this method of re-compensation. Yet Stalin, in his “Proclamation to the People” on 8 May 1945, continued to demand the total dismantlement and elimination of the German State.\(^6\) The Western Allies dismissed the Soviet Union’s economic propositions, but the Allies had established the principle and accepted at Yalta that

---

\(^3\) National Gallery of Art, Records of Office of Secretary General, excerpts from “Crosby Report of Mission to Europe,” March 8-June 10, 1945; Edwin Pauley was a Democratic Party fundraiser who was chosen by President Harry Truman to interact with the Soviet Union in regards to reparations and report directly to the office of the President.


material reparations would benefit them immediately, whereas, monetary reimbursement would take decades to collect. The Allies directed all questions regarding restitution to a Reparations Commission, which Great Britain, the Soviet Union, and the United States had authorized at the Yalta Conference. The Western Allies acknowledged that the USSR endured far worse hardships than that which the Nazis inflicted upon Western nations, and that awareness led to an increase in the Soviet Union’s awarded reparations.7

Outline for Reparations

In the *Report of the Crimea Conference*, Great Britain, the Soviet Union, and the United States agreed to four points on the topic of re-compensation. First, Germany must repay victimized nations for the damage caused by Nazi aggression. The Allies entitled those countries, which experienced the worst destruction at the hands of the Third Reich, to receive reimbursement first. Second, Germany must forfeit all assets, domestically and internationally held. This was to include industrial supplies, forms of transportation encompassing trains and ships, all financial shares, and any additional money making ventures within Germany’s domain. Germany must also supply desired commodities as reparations, and the Allied Powers retained the right to exact forced labor from German citizens if needed. Third, the Allies would establish a Reparations Commission in Moscow, and the Commission was to include representatives from Great Britain, the Soviet Union, and the United States. Fourth, the Reparations Commission would decide upon the monetary amount owed to the victimized nations by Germany.

---

The Allies tentatively agreed upon twenty billion United States dollars with almost ten billion dollars being allocated to the Soviet State.\(^8\)

The concession for the Soviet Union to receive the majority share of financial reparations offended Edwin Pauley. He believed that the United States should have received the bulk of the settlement. Pauley had learned of the Soviet trophy brigades’ looting operations, and when he arrived at the Reparations Commission conference in Moscow, Pauley lobbied for the confiscation of any and all objects within a country’s zone of occupation that the Zone Commander deemed necessary.\(^9\) This policy would grant full-scale looting of Germany by the Allied Powers and allow the United States to seize all valuables within their sphere of influence. Pauley was more concerned about matching the Soviet Union’s acquisitions than honoring the Monuments, Fine Arts, and Archives Commission’s founding principle of restoration. However, the British would not abandon their stance regarding restitution. On the first day of the Reparation Commission’s meetings, the European Advisory Council ruled that the Allies could not allot artwork located within Germany for purposes of re-compensation without provenance being ascertained first.\(^10\)

**Soviet Restitution in Kind versus Western Restoration**

The debate over whether to embrace restitution in kind or to restore artwork to the legal custodians only distanced the Allies farther into Soviet versus Western ideology. Although the Soviet trophy brigades had acted under a veil of secrecy, the

---

Western Allies were aware of their activity but not the extent of their success. The trophy brigades existence only exacerbated the dispute over restitution and encouraged the MFAA to swiftly locate and clear out Nazi repositories that would soon fall into Soviet occupied territory. In an American report on restitution composed in 1949, the Western Allies surmised that the Soviet Union would return the art objects that they had confiscated during the Second World War. After all, the Soviet government, after the First World War, had resolved to return all displaced cultural property and had followed through with their guarantees. Moreover, in 1942, Stalin’s government had invoked the authority of The Hague Conference when the Nazis ravaged artwork of Russian origin and landmarks on Soviet soil.\(^\text{11}\) The January 1943 Inter-Allied Declaration Against Acts of Dispossession Committed in Territories under Enemy Occupation or Control, which the Soviets and sixteen other countries signed, also committed the signers to the opposition of pillaging works of art that constituted a nation’s heritage.\(^\text{12}\) The Soviet Union was bound to follow the rules of engagement that they themselves had instituted. Nevertheless, Stalin behaved as though he was oblivious to the aforementioned agreements. The Soviet government exported German war loot to the USSR as legitimate reparations.\(^\text{13}\) However, the Western Powers objected, claiming that the removal of war loot was not lawful. The Soviet Union blamed the Western Allies for not delivering their zonal shares to the USSR and upholding the Protocol of the Crimea Conference.\(^\text{14}\) No longer was there talk of The Hague Conference agreements, only


\(^{13}\) Ibid., 65.

\(^{14}\) Nettl, 55.
that the Soviet Union had settled their losses and there would be no return of cultural property to Germany. The Soviet Union claimed that the Nazis had illegally seized cultural property from the USSR, and that the removal of German art objects by the Soviet trophy brigades were legal reparations. The Soviet form of justice appeared almost pardonable as officials argued that Germany and the Allied Powers had not signed a peace treaty. If the Allies had authorized a treaty, Germany would have no privilege to the restoration of cultural property removed from their borders just as the peace treaty had forced Italy to accept. Since no treaty was confirmed between Germany and the Allies, German officials concluded that the Soviet Union had no lawful rationale for retaining war loot that rightfully belonged to Germany.

Almost fifty years after the end of World War II and directly after the collapse of the Soviet Union, Russian journalists exposed archival information regarding the Soviet holdings of war loot to the media. The restitution argument once again sparked international interest. In 1994, the Russian Federation maintained the Soviet position justifying the retention of Nazi war loot. The Russian Federation countered the German accusation with the argument of war compensation met by means of restitution in kind. The new Russian position held true to the 1940s Soviet conviction. The only substantial development was the Russian Federation acknowledgement of Nazi war loot within the country. The Western perspective remained static. They still supported restoration as the ethically correct solution. The Institute of State and Law of the Academy of Sciences prepared a legal response for the Russian government. They stated that the entitled victims of Nazi looting, such as the Soviet Union, were to extract reparations

---

16 Ibid., 250.
from Nazi Germany for the damages incurred during the Second World War.\textsuperscript{17} Natalia Sokolova, a former major in the trophy brigades, asserted that the Allies “had the right to take, confiscate, or liquidate any enemy property.”\textsuperscript{18} The Soviet Union followed through with the decision made at the 1943 Teheran Conference, 1945 Yalta Conference, and 1945 Potsdam Conference, which confirmed that nations invaded and occupied by the Nazis could compensate themselves for their losses from their occupied zones.\textsuperscript{19} The USSR believed that the Allied Control Council permitted reparations to be appropriated from their zone of occupation. Sokolova claimed that the “Control Council adopted the principle of restitution in kind at a meeting on 17 April 1946, and decided to give its members permission to take the enemy’s cultural property as compensation for objects of a unique character destroyed or lost during the war.”\textsuperscript{20} Ultimately, the Control Council never approved the order because the Soviet Union failed to disclose an itemized list of war loot in the USSR.

The United States, Great Britain, and France adopted the opposite view that the German people had a right to objects of their cultural heritage. The basis for their stance was Article 56 of the Second Hague Conference, which stated, “The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction or willful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of

\textsuperscript{17} Ibid., 248-249.
\textsuperscript{18} E. Usenko, N. Ushakov, Y. Shulzhenko, Institute of State and Law of the Russian Academy of Sciences: “Conclusion Regarding Legal Principles for Solution of Questions Connected with Cultural Valuables Removed to the USSR as a Result of the Second World War,” no. 1420224-21154, March 9, 1994 quoted in the unpublished manuscript of Natalia Sokolova..
\textsuperscript{19} Akinsha and Kozlov, \textit{Stolen Treasure}, 248-249.
\textsuperscript{20} Usenko, Ushakov, and Shulzhenko.
legal proceedings.”21 The Hague Conference of 1907 had set such precedents, and the signatories of the Conference doctrine must defend said canons. The Soviet Union was in direct violation of Article 56, as well as Articles 46 and 47. Yet, Soviet authorities chose to ignore The Hague Conference principles in favor of restitution in kind. This argument amplified tensions between the Soviet Union and the Western Allies and brought no conclusion to the restitution of Germany’s works of art.22

Western Restoration

The post-war political breakdown in communication slowed restoration, and until items could be identified and provenance proven, the Monuments Men pursued conservation efforts and continued their guardianship.23 The United States decided that once the MFAA could establish pre-World War II ownership, the collecting points should relinquish art and books to their countries of ownership, not to independent citizens.24 Once the responsible nations arrived to acquire their objects d’art, the collecting points required the officials to sign receipts for the items returned. The United States terminated liability for the priceless property once the petitioning nation’s officials loaded it onto awaiting transportation. Once the MFAA released the masterpieces, it was the duty of the signing country to discern private ownership and locate surviving families.25

The return of the national treasures reinvigorated morale. Many of the items held religious significance, and their recovery meant the return of normalcy to war-weary

21 Second Peace Conference of The Hague, 1907, Convention (IV) Respecting the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land (The Hague, October 18, 1907), Article 56.
nations. An article in The New York Times described the Dutch elation at the return of their masterpieces. They believed that the return of symbols of national culture would help rally the devastated economy, and the Dutch credited the Monuments, Fine Arts, and Archives officers for restoring their national pride.\textsuperscript{26} From 1945-1951, the Monuments Men also worked to create national pride in Germany by exhibiting the artwork to civilians and soldiers that they held in trust for the destroyed German museums.\textsuperscript{27} In essence, these temporary museums in Allied collecting points allowed the German people to visit the German State owned artwork while they repaired the museum buildings. The MFAA officers accomplished two tasks. First, they helped people reconnect with their country’s culture that existed before the rise of the Nazis and the Second World War; and second, they disproved Nazi propaganda that declared the Allies would destroy all German artwork. The transparency of the MFAA’s intentions compared with the Soviet trophy brigades’ secrecy, demonstrated goodwill to the German people and reinforced the MFAA’s principles of restoration.

Soviet Restoration

With the death of Stalin in 1953, a relaxation of government known as the “thaw,” allowed Soviet officials to broach the topic of the spoils of World War II stored throughout the USSR. Vyacheslav Molotov wrote to the Central Committee on 3 March 1955 concerning the Dresden collections. He believed that there were only two ways in which the USSR could solve the situation. First, the Soviet government could nationalize the Dresden collection, or second, they could return the collection to the

\textsuperscript{27} Edsel, Rescuing Da Vinci, 208.
German people. Soviet officials decided to return the Dresden Gallery collections to Germany, and Molotov’s letter set a precedent for future restitution of German war loot.

The Council of Ministers published a statement in Soviet newspapers declaring that the USSR had decided to return to East Germany works of art from the Dresden Gallery collections that the heroic Red Army had salvaged from the war torn German Reich. By 1957, the Soviet Union had returned over one and a half million objects including the Pergamum Altar to the German Democratic Republic. Nikolai Mikhailov, Soviet Minister of Culture, christened these masterpieces as “twice saved.” Rescued first from the ruinous caves and mines or destroyed castles and museums in Nazi territory, and secondly, by the art restorers in Soviet museums. The Soviet propaganda attempted to bolster the heroic image of the USSR. The Soviet Union wanted not only their citizens, but also the global community, to recognize their efforts at restoration. However, the war loot that remained within the Soviet Union proved their endeavors to be a superficial attempt to quiet the Western cries of unethical behavior.

Returns continued later, on 29 July 1960, East Germany and the Soviet Union signed the “Protocol of the Transfer by the Government of the Union of Soviet Socialist Republics to the Government of the German Democratic Republic of Cultural Property Saved by the Soviet Army.” The Soviet Union repatriated over one and a half million items, including, books, various archives, sheet music, and an extensive range of

---

28 Akinsha and Kozlov, Stolen Treasure, 189.
29 Ibid., 189.
31 Akinsha and Kozlov, Stolen Treasure, 193.
artwork, which they had stored secretly in the Hermitage and Pushkin Museums.\textsuperscript{32} These returns demonstrated the Soviet Union’s desire to create a strong footing upon which future cultural property exchanges could occur. Soviet generosity was not only a way to strengthen foreign relations, but a manifestation of intent, that they were willing to trade Germany’s national valuables for the restitution of Soviet missing treasures.

Restitution remained a delicate process. Soviet officials used the return of the Dresden Gallery collections as propaganda, reinforcing the benevolence of the Soviet Union. This was a way of demonstrating their ability to work with the East German people in the recuperation of their cultural assets. The Soviet Union did view this working relationship as a channel for Germany to restitute Soviet spoils of war. As stated by Akinsha and Kozlov, “on 19 October 1957 the German Democratic Republic Embassy in Moscow sent a note to Soviet officials… ‘After a careful search organized by German state organizations, it was learned that there are no cultural valuables from the Union of Soviet Socialist Republic in the German Democratic Republic.’”\textsuperscript{33} East Germany’s response shocked and disappointed Soviet officials.

Until the fall of the Soviet Union, hushed, sporadic returns continued when Germany could produce Slavic artwork with which to barter. In 1975, the Ethnographic Museum in Leipzig received collections confiscated as war loot by the trophy brigades from the Ethnographic Institute in Berlin-Dahlem.\textsuperscript{34} The last recorded Soviet sponsored restitution happened in 1986 at the Pushkin Museum when the USSR bestowed the

\textsuperscript{33} Akinsha and Kozlov, Stolen Treasure, 206.
\textsuperscript{34} Ibid., 223.
fifteenth century Ruben painting *Landscape with the Christ Child and John the Baptist* upon Krista Teshner, the cultural attaché of East Germany.\(^\text{35}\)

Revelations of War Loot

For much of the twentieth century the Soviet Union remained silent as to the treasures still hidden within her boundaries. In October 1991, came the first official announcement that war loot still existed within the Soviet Union. President Mikhail Gorbachev ordered the establishment of a new Commission of Restitution. The Russian government determined that two-way restitution could only proceed if Germany returned Russian artwork, or they substituted equivalent objects.\(^\text{36}\) The hope existed that many of the objects still missing from the Soviet Union would return.\(^\text{37}\) This was not the case. In 1991, Germany once again affirmed that no Soviet works of art were within the country.

In 1990, President Mikhail Gorbachev and Chancellor Helmut Kohl signed the Treaty on Good-Neighbourliness, Partnership and Cooperation. Article 16 stated that “lost or unlawfully transferred art treasures which are located in their territory will be returned to their owners or their successors.”\(^\text{38}\) At that time, Germany did not know about the hidden repositories within the Soviet Union that housed millions of objects of war loot. With the collapse of the Soviet Union, so froze the miniscule restitution process.\(^\text{39}\) In 1992, the German State became aware of the Soviet Union’s holdings when President Boris Yeltsin expressed Russia’s desire to resolve the issue of war loot.

\(^{35}\) Ibid., 223.
\(^{36}\) Ibid., 237.
\(^{38}\) Ibid., 232.
\(^{39}\) Grimsted, “Displaced Archives and Restitution Problems”: 30.
Yeltsin and Chancellor Kohl reaffirmed the Treaty on Good-Neighbourliness signed two years prior by the Soviet Union and Germany, but now authorized by the Russian Federation and Germany. The two nations established a Russian-German Joint Commission to mediate new restitution issues.\textsuperscript{40} The Soviet Union remained optimistic that Germany would discover their cultural property and demanded that German authorities create a list of cultural possessions removed by the Nazis from the USSR that they had not returned. The likelihood of truth in the 1957 East German memorandum conveying the absence of Soviet art objects, greatly disappointed Soviet officials. As Russia had to consider that restitution might become a fruitless effort, Wolfgang Eichwede described, "reciprocity became a key Russian word without a determination of what equivalence would mean."\textsuperscript{41} Russians clung to the belief that their national treasures still existed. It was incomprehensible to believe that thousands of items ranging from paintings and sculpture to books and furniture to jewelry and tapestries were lost forever.

\textbf{War Loot Nationalized}

In the era of Glasnost, the Russian officials fervently parleyed the discussion of restitution. A hostile debate raged in the Russian Duma in May and June of 1994. The supporters of cultural restoration fought against those members of the Duma who believed that the articles of The Hague Conferences were suggestive, not definite, and lacked the power to enforce said mandates. Without internationally accepted legislation regarding war loot and an absence of Russian laws pertaining to spoils of war, the Duma halted future restoration efforts. On 21 April 1995, a parliamentary regulation

\textsuperscript{40} Akinsha and Kozlov, \textit{Stolen Treasure}, 247.
prevented further restitution until the Russian Duma could enact adequate legislation concerning war loot.\textsuperscript{42} In March 1995, the Duma drafted “On the Right of Ownership of Cultural Treasures Transferred to the Territory of the Russian Federation as a Result of the Second World War.” In the preamble, it expounded, “the new law aims to establish a firm legal basis for the considering of those treasures as partial compensation for the loss to the Russian cultural heritage as a result of the colossal looting and destruction of cultural treasures by the German occupying army and their allies in the course of the Second World War.”\textsuperscript{43} The law echoed Stalin’s sentiments and laid the framework for Russia to legally claim spoils of war as re-compensation. The drafted law nationalizing war loot passed in the State Duma (Lower House), but the Federation Council (Upper House) blocked its progression.\textsuperscript{44} Once again, Russia was at a stalemate with no laws governing a very sensitive international issue.

Although the law failed to pass in 1995, the Russian Parliament continued negotiations to nationalize the spoils of World War II. President Boris Yeltsin vetoed the first draft of the law, but by April of 1998 Parliament passed the legislation again, and the Duma’s ruling forced Yeltsin to sign it into law. The law nationalized war loot but had several loopholes. According to Patricia Kennedy Grimsted, in May 2000, the new President Vladimir Putin amended the original legislation “reinforcing the prohibition of restitution of cultural property to Germany and the Axis Powers, but providing for the potential restitution under specified conditions to countries that fought against the Nazi

\textsuperscript{42} Grimsted, “Displaced Archives and Restitution Problems”: 66.
\textsuperscript{43} Rossiiskaia Federatsiia, Federal’nyi zakon, proekt: “O prave sobstvennosti na kulturnye tsennosti, peremeshchennye na territorii Rossiiskoi Federatsii v resu’tate Vtoroi mirovoi voiny,” Prilozhenie k postanovleniiu Soveta Federatsii Federal’nogo Sobraniia RF ot 23 marta 1995 goda, no. 405-I-SF.
\textsuperscript{44} Grimsted, “Displaced Archives and Restitution Problems”: 29-30.
regime and to those victimized by the Nazis.\textsuperscript{45} By retaining items from the Axis powers, Russia compensated themselves for the egregious losses they sustained at the hands of those same countries. Grimsted continued, for those States, which qualified for the restitution process, the law provided that they must pay an honorarium for the “storage, appraisal, and processing fees” associated with the transition from Russian ownership to those applying for said restitution.\textsuperscript{46} Russia’s new restitution policy went against historic and current popular feeling that the spoils of war were financial re-compensation. However, once Russia had created legislation legalizing war loot, they did acknowledge the rights of other nations victimized by Nazi looting. Russia, unlike the MFAA, did not research the provenance of looted art objects or contact the countries from where the Nazis had stolen the art. If they wanted to redeem their looted art, individuals and States had to petition the Russian Federation for their stolen goods, prove that they had no affiliation with the Axis countries, and pay operational fees. The Soviet Union claimed that the artwork that they removed from Germany was “Twice Saved,” once from war by the trophy brigades and again by art restorers who cleaned and repaired the art objects. However, the Russian Federation restitution practices treated fellow subjects of Nazi looting as twice victimized.

Private Trading: A Technicality in the Law

Despite the creation of nationalization legislation, trading continued and superseded the new law. For example, the Nazis in Vienna, Austria appropriated the Rothschild family archives during the Second World War, and the Soviet Union acquired the Rothschild papers when they removed Austrian archives to the USSR. The

\textsuperscript{45} Grimsted, “Russia’s ‘Trophy’ Archives.”

\textsuperscript{46} Ibid.
Rothschilds procured the love letters of Tsar Alexander II to his wife Princess Ekaterina Dolgorukii for approximately $250,000 in 1999 at a Christie’s auction. The Tsar’s love letters placed the Rothschild family in a unique position to barter with the Russian government for the restitution of their family documents. This successful exchange encouraged a dialogue to remain open between Russia and other countries or individuals willing to negotiate with Russian art objects. The Rothschild trade prepared the way for Russia to condone future exchanges.

One of the greatest exchanges occurred in April 2000. Germany returned a few recently discovered mosaics and a commode (an elaborately decorated low chest of drawers) from the Amber Chamber in Catherine’s Palace of Tsarskoe Selo to the Soviet Union in exchange for 101 drawings from the Bremen Kunsthalle collection. These drawings and sketches were part of the hundreds confiscated by Viktor Baldin, a Red Army soldier that had recognized these masterpieces scattered in the cellar of Schloß Karnzow. Baldin had attempted repeatedly to return the drawings to Germany in the years following the Second World War. He had written letters to Leonid Brezhnev in the 1960s and Mikhail Gorbachev in the 1980s conveying his conviction, but it was not until 1990s that the new Russian Federation acknowledged his concerns. Negotiations for the return of the Bremen Kunsthalle collection had began under President Mikhail Gorbachev, but halted due to the collapse of the Soviet Union. President Vladimir Putin lifted the export embargo on the Bremen Kunsthalle collection for the April 2000 amicable exchange.

47 Ibid.
48 Ibid.
The disclosure of the mosaics and commode from the Amber Room of Catherine’s Palace, only exacerbated the long held notions that Germany was withholding Russian artwork stolen during World War II. Whether German officials were truthful that they had no prior knowledge of Soviet war loot and that private collectors had come forward to return the Russian valuables was not the most prevalent issue. Those who had held hope that art pillaged from the Soviet Union survived felt justified in their beliefs. The exchange of war loot would continue as long as Germany could locate the Soviet treasures they had claimed did not exist.

President Vladimir Putin presided over, what Grimsted described as, “gestures of goodwill” when Russia presented the seventeenth century painting *Heyduke* by Christopher Paudiss (items from the pre-war Dresden Gallery collection), found in the Moscow Izmailovo market in 1992, to German officials. In return, the Germans presented Putin with a religious icon, dating to the sixteenth century, which had been stolen from the Pskov-Pokrovskii Monastery during World War II.  

Previously, Germany had denied that Russian loot exist within their present borders; however, pillaged items continue to surface. Grimsted affirmed that individuals who had obtained war loot, “not from state repositories, and hence they were not subject to the new Russian law on cultural treasures,” provided these Russian “gestures of goodwill.”

Private citizens in both Russia and Germany have turned over invaluable artifacts that were in their possession. As the years elapse between the end of the Second World War and the present, a feeling of goodwill seems to pervade. For those who possessed items plundered in the Soviet Union or the German Reich, the homecoming of those

---

50 Grimsted, “Russia’s ‘Trophy’ Archives.”
51 Ibid.
works of art to their perspective nations has contributed to enhancing international relations between the two countries. Grimsted postulated, “with this new emphasis on the return of German cultural treasures from private Russian holdings, the Russian government holds out the hope of bringing response from the German private sector.”

Be that as it may, foreign relations have become uncomfortable at times due to the disclosure of looted artwork remaining in Russia and the lack of enthusiasm by Russian officials toward restitution. In January 1996, when the Russian Federation joined the Council of Europe and committed itself to the amends of cultural property, it seemed as though Russia would consider the return of German war loot. Regrettably, at the moment when foreign relations appeared to progress, the previously discussed parliamentary regulation hampered restitution until the Duma could compose appropriate legislation in 1998.

At present, Germany and Russia still harbor deep contention over the spoils of World War II. Akinsha and Kozlov observed:

At a conference on “The Spoils of War” in New York sponsored by the Bard Graduate Center, German and Russian representatives confronted each other angrily… some of the Germans [representatives] accusing the Russians of stalling and some of the Russians [representatives] asserting that the Germans had no right to make any demands… considering how much devastation and suffering Germany had brought upon Russia in the war.

No unbiased answer appears in sight for this sixty-seven year old dispute. Russia has rebuilt her economy, overthrown communism, and made great strides for amiable foreign relations. Yet indelible marks still scar the country. The greatest being the unfathomable human loss numbering in the tens of millions that still upsets the male to

_______________________________

52 Ibid.
53 Akinsha and Kozlov, Stolen Treasure, 247.
female ratio six and half decades later. There is not a plausible way to compensate Russia for her human sacrifice. Observing the reparation argument from a Russian viewpoint, it is an uncomplicated dispute. Germany will never be able to repay the human debt; therefore, why should Russia not retain the cultural treasures the trophy brigades brought out of the Third Reich. The Federal Law on Cultural Valuables Displaced to the USSR as a Result of the Second World War and Located on the Territory of the Russian Federation was adopted by the State Duma on 5 February 1997, and President Boris Yeltsin signed it into law on 15 April 1998. The law, which nationalized war loot, did leave allowances for restitution to those who were victims of Nazi brutality. The law defined Former Enemy States (Germany, Bulgaria, Hungary, Italy, Romania, and Finland) and Property of Former Enemy States ("any property that is State-owned … or owned by societal or other organizations and associations in Former Enemy States"). Federal Law number 64-FZ and its amendments were explicit in their wording that the Axis Powers (save personal property or private collections) were not eligible for restitution petitions.54 Grimsted recorded that the “Russian Duma estimates as high as 86 percent of Russians are unwilling to consider restitution of cultural property to Germany and its wartime allies.”55 The vast majority of Russian citizens agreed with Irina Antonova and her belief that justice was on their side, that there should be no conciliation to Germany and the Axis Powers. Antonova claimed that the Soviet Union had returned over one and a half million objects of war loot to Germany in the 1950s and 1960s, and until the twenty-first century, Germany had not

55 Grimsted, “Russia’s ‘Trophy’ Archives.”
reciprocated the gesture of goodwill.\textsuperscript{56} No motivation existed in Russia to pursue an equal restitution process with Germany. The Soviet Union had signed a joint Non-Aggression Pact to remain neutral, yet in 1939, the German Third Reich had been the aggressor and brought death and destruction to their ally.

Grimsted outlined multiple reasons for why the fervent moratorium on restitution remained.

First, because Russians consider cultural treasures seized from those countries as compensatory restitution for the cultural treasures lost, destroyed, or plundered from the USSR by the Nazi invaders and their allies.

Second, because Russians firmly believe that Nazi-looted Russian cultural treasures were not returned from the West.

Third, because with the transfer of the mosaics and commode from the Amber Chamber… and then the icon from Pskov, Russians are convinced that the Germans are still hiding many other cultural treasures from the USSR.

Fourth, because deputies in the Russian Duma argued about the new Russian law: “the language of this Law is the language of justice.” If queried about the Hague Convention of 1907… they would repeat that the “trophies” brought to Moscow were compensatory restitution after the war was over.

Fifth, because the Russian public… views those trophies as symbols of the Soviet victory over the “fascist” invader, which the USSR and their own families sacrificed so much to achieve.\textsuperscript{57}

Russia’s decisions to nationalize war loot confirmed Grimsted’s first consideration. With Germany not able to reimburse the Soviet Union for damages accrued, securing cultural property as reparations for Soviet art objects that the Nazis destroyed or remain unaccounted for is a logical conclusion.

\textsuperscript{56} “Irina Antonova, Director of the Pushkin Museum,” narr. Armen Oganesyan, \textit{Vis-à-vis, Voice of Russia (Голос России)} (Moscow, June 3, 1999).

\textsuperscript{57} Grimsted, “Russia’s ‘Trophy’ Archives.”
Second, it was difficult to fathom the idea that tens of thousands of objects that the Nazis pilfered and exported to Germany miraculously disappeared. The Soviet trophy brigades documented the lack of Russian objects located, and this only reaffirmed the USSR’s restitution in kind policy. The question remains as to where the Germans hid such large sums of sizable pieces of art. A fortunate outcome being that some pieces might have survived, and the Nazis could have sold the artwork to disreputable art dealers to raise funds for the German war effort. The lamentable answer being that the Germans destroyed these remnants of Slavic culture.

Third, the concern that unreturned Russian treasures existed is valid. In 2000, with the return of objects recorded in Nazi logs as being removed from the Amber Room in Catherine’s Palace, Russian citizens have a right to be suspicious of masterpieces that have surfaced within Germany. Germany has officially denied the existence of Russian valuables within their borders, and now pieces from collections that supposedly burned to ashes materialize.

Fourth, this consideration centers on the nationalization debate. Some officials have justified the Soviet Union taking reparations as compensation. Herein, the compensation guidelines dictated by the three conferences of the Allied Powers during the last months of the war which allowed for reparations to be confiscated from occupied zones, and The Hague Conference Articles 46, 47, and 56 regulations which prohibited reparations from being acquired from the defeated nation’s cultural property, conflict with each other greatly. Such contradictions provided fodder for endless debates and prevented the Allied Powers from agreeing upon set protocols for art restoration.
Grimsted grounded her fifth reason for prohibition of restitution in the symbolism held by the German war loot. Those tangible trophies signified the hard fought Soviet victory, and that the tens of millions of Soviet citizens that perished did not do so in vain.
CHAPTER VI

CONCLUSION

All of this accumulated Beauty had been stolen by the most murderous thieves that ever existed on the face of the Earth. How they could retain the nicety of appreciation of great Art and be exterminating millions of people nearby in concentrations camps, I couldn't understand then and I can't understand today.

Dr. Leonard Malamut

The Soviet Trophy Commission and the Monuments, Fine Arts, and Archives Commission

The Soviet Trophy Commission and the Monuments, Fine Arts, and Archives Commission were the physical representation of the Soviet Union and the United States restitution theories. They preformed the actions, which their governments requested and for that, the West has harshly criticized the trophy brigades as opportunistic looters. The MFAA and the trophy brigades may have fundamentally disagreed on restitution in kind versus restoration policies, but both art commissions salvaged Europe's art from dank and dirty repositories forgotten in post-war reconstruction. Each commission pursued their States’ directives with patriotism and believed that their motives were morally superior to the other. Whereas the Soviet trophy brigades attempted to re-compensate their nation for the terrible cultural losses, Nazi looting did not affect Great Britain and the United States. Therefore, the MFAA did not identify themselves as a victim of the Nazis art theft, but as patrons attempting to repair the damage done to Europe by the Germans. The Nazi theft and destruction of Slavic artwork was the pivotal motivation that caused the Soviet Union to embrace restitution in kind and left the United States unable to empathize with the USSR’s insurmountable cultural loss.
Historians have not attempted a detailed comparison of the Soviet Trophy Commission and the Western Allies Monuments, Fine Arts, and Archives Commission. By juxtaposing the trophy brigades and the MFAA, the divergent ideologies become apparent, and an understanding of why the USSR chose a restitution in kind policy versus why the United States supported a restoration policy becomes clear. A comparison of the two art commissions contributes to scholarship by analyzing opposing restitution ideologies through the actions of trophy brigade officers and Monuments Men. The results of their endeavors had international consequences that still affect global politics, and a comparison of the trophy brigades and MFAA gives context to the continuous restitution debates.

History has remembered the Second World War as the last total war laying waste to three continents. The political and economical devastation maimed nations, capitalist and communist alike. The realization of the staggering loss of life is unfathomable, and the fallout from Hitler’s Thousand Year Reich continues to affect foreign relations and international law in the twenty-first century. The dialogue of reparations versus restitution is only one of the lingering points of contention amongst descendents of the aggressors and the victims. Wayne Sandholtz described that “for most of history, such a dispute would not have arisen because the rule was to the victor go the spoils.”¹ Before The Hague Conferences, only the 1815 Congress of Vienna had attempted to restore private property to the victimized nation, and prior to the Congress of Vienna, no restitution process existed. Victory included confiscating the treasures of the defeated, but at the dawning of the twentieth century, forethought prevailed. World War II,

unfortunately, proved The Hague Conference rules virtually unenforceable. At the conclusion of the war, when the fighting had ended, only then could rational minds ask for the implementation of war loot stipulations.

For those who believe that the question was simple, all rightful owners should reclaim their stolen items. The solution appeared to be black and white. However, from the beginning of World War II, the Nazis polluted into gray, murky confusion all black and white answers to moral and ethical issues. It was not possible to condemn Russia for nationalizing the cultural property in their possession without acknowledging that the Nazis instigated the plundering of Europe and initiated the argument of war loot that still angers both Russia and Germany today. There is no irrefutable answer. The issue reels from restitution as a gesture of goodwill to prohibition of returns due to the unilateral direction of most recuperation efforts. If Russia strictly followed The Hague Conference articles, they must return all war loot to the nations from whence it came. However, this would penalize Russia and not Germany. Russia would neither receive their stolen art from Germany nor collect monetary reparations for the destroyed art objects. The logical argument is to support Russia’s policy of non-restitution towards Axis nations, but Russia must review all petitions from Nazi victims and return artwork to the legitimate owners.

Neither Germany nor Russia accepts that they must disclose their total acquisitions, and this continues to promote anger and ill will concerning war loot. With every new German Chancellor or Russian President comes the reoccurring restitution versus reparation discourse, the enduring legacy of Nazi Germany and the plunder of national treasures that began at the behest of Adolf Hitler. In the overcast atmosphere
of war, the Soviet Union accepted Nazi plunder as compensation for the material damage. Now, the reincarnation of the German State longs for the return of their lost masterpieces. How to best identify whom the spoils of war truly belong to complicates the application of The Hague Conference doctrine. One person or family can claim provenance, but for an aggressor State, legal ownership is debatable. As the years continue to pass, the question of war loot remains sensitive and a binding agreement does not appear to be probable. Yet, as Germany and Russia continue to work together toward the prospect of restitution, they can create a neutral ground to promote goodwill and encourage private citizens who possess war loot to return those items from whence they came.
BIBLIOGRAPHY

Primary Sources


Bonaparte, Napoleon. Correspondance de Napoleon Ier, publiée par ordre de l'Empereur Napoleon III, Volume 1, Number 672, Article 8 and Volume 2, Number 1511. Paris, 1858.

Bundesarchiv, Koblenz, Deutschland. Record Group 323. Treuhandverwaltung für Kulturgut (TVK).


Rossiiskaia Federatsiia, Federal'nyi zakon, proekt: “O prave sobstvennosti na kufturnye tsennosti, peremeshchennye na territorii Rossiiskoi Federatsii v resul'tate Vtoroi mirovoi voiny.” Prilozenie k postanovleniiu Soveta Federatsii Federal'nogo Sobraniia RF ot 23 marta 1995 goda, no. 405-I-SF.


**Secondary Sources**


