Museum Dilemma: Nazi-era Art Restitution

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The plundering of art as an aspect of conquest and war dates back thousands of years. The Greeks, Romans, and famously Napoleon and his armies took part in the practice of art plunder. Plundered art and cultural goods were not only taken by victors as the spoils of war, but the theft and destruction of these objects also served to further demoralize subjugated people throughout history. While World War II continued this horrific tradition of art plunder, it differed from any other case in history in several significant ways. It is important to examine how the Nazi’s approach to art plunder was systematically unprecedented, resulting in an unparalleled number of art objects plundered, sold and destroyed. The methodical plunder of art during the Second World War was so extensive and far reaching that even today, decades after the end of the war, restitution of plundered art is only beginning to take place. By examining the unique history of World War II art plunder, we can better understand the distinctive ethical ramifications that Nazi era art plunder has for museums today.

Hitler’s practice of art plunder differed from that of his predecessors in the sheer number of objects looted. It is estimated that one-fifth of the world’s art was displaced during the Second World War.¹ During the six years of the Second World War, Hitler, the Nazis and the Axis powers acquired hundreds of thousands of works of art that were stolen and forcibly obtained from museums and private collectors throughout occupied Europe. Nazi art plunder was not only unique in its systematic approach, but also unique in the targeting of specific groups of people within the population.² Alfred Rosenberg, who was appointed the Reichsleiter for Nazi ideology, articulated what constituted “inferior” races and Herman Goering organized squads of thieves to plunder and categorize art objects based on Rosenberg’s distinctions between legitimate and degenerate. Works that looked unfinished, like the roughly brushed art of the Fauvists and German Expressionists, or too avant-garde, like that of the Cubists and Dadaists, were deemed by the Nazis as degenerate. Other work that also fell into this category included art

with Jewish subject matter, leftist imagery or art that was made by the hand of an “inferior” race. \(^3\) Hitler’s vision for the Final Solution included not only the mass murder of what he considered to be the enemies of the nation, but also the destruction of his adversaries’ souls and memories. Thus art that was created by his enemies, as a reflection of their soul, was sought out by Hitler to be destroyed or sold. \(^4\) Nazi art plunder also differed from its historical precursors in that it began at home as a prelude to war, instead of in its aftermath. \(^5\)

By 1941, Rosenberg’s squad of official art looters, the Einsatzstab Reichsleiter Rosenberg, had moved beyond Germany’s borders and was working its way through occupied Europe. Thoroughly pillaging museums, galleries and individual collections, the ERR amassed an enormous quantity of art objects. Artworks deemed “legitimate” were intended for the personal collections of Hitler and other important players in the Nazi party. Paintings that were favored by the Fuehrer were romanticized depictions of Germanic people and culture, which helped push his ideology of a superior race. \(^6\) Works judged as degenerate were either destroyed or sold in order to replenish Germany’s rapidly decreasing supply of munitions. Countless works were destroyed or, like innumerable objects of precious metals, deconstructed for their raw material. Some Slavic cultural objects and artworks were saved, due to the Fuehrer’s bizarre idea for a museum of “an extinct race”. The purpose of this museum was propagandistic—by validating the significance of Hitler’s enemies, his victory would be all the more impressive. The control of art was not just for the purpose of political assertion. As a counterpoint to Hitler’s plan for the museum of “an extinct race”, stood his dream of building the largest collection “of legitimate art” in the world in his hometown of Linz, Austria. In an overwhelming irony, the

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Fuehrer declared that his collection of art was a sign of his superior civility, setting him apart from the barbarous inferior races.  

The art plunder of the Nazis would not have been possible if not for the collaboration of many types of individuals. The ethical questions of art plunder become further muddled when you consider all who participated on varying levels to make the process go smoothly. Today it is impossible to know if cooperation with the Nazis was a clear choice and to what benefit collaboration was to these individuals. The meticulousness and volume of works plundered was made possible by the cooperation of numerous opportunistic dealers and curators, who diligently compiled lists of art to be stolen. In America, the art market flourished as buyers ignored the origins of the art, the fate of the original owners and the horrors that they were funding with their purchases.

As Soviet armies invaded Germany at the end of the war, they were convoyed with their own squads of art looters. Considering their thievery as “war reparation”, the Soviets took from the Nazis that which the Nazis had plundered from their victims. One of the reasons that thousands of cases of art plunder are only now being addressed is that these missing objects were rediscovered with the fall of the Iron Curtain in 1989. Recently, the Russian parliament passed legislation that ruled these plundered objects to be legitimate war reparations and property of the state.

Allied soldiers also took art and cultural objects back with them to America and England, participating in art plunder, albeit on a smaller scale (while no less unethical) than that of the Soviets. The ethical ambiguity of World War II, involving practices started long before and continuing after the end of the war, is unparalleled and makes this issue different than any other case of historical art plunder. Primo Levi describes this varying scale of participation as the

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ethical “gray-zone”. With the enormous amount of collaboration on all levels of art plunder, the
distinction between victim and victimizer is less obvious.\textsuperscript{11}

After the war, the Allies tried to sort out the jumble of Nazi plunder by establishing
collecting points and restituting the objects to their country of origin. From this point, it was left
up to the individual governments to return the objects to the museums, galleries and individuals
from which they were taken. Unfortunately, not every country dealt with art restitution with the
same degree of effort and integrity. There was much debate at the end of the war as to whether
the Allies should be taking art as a form of reparation from Germany. Some individuals argued
for art as reparation, since vast the destruction of war left Germany with little of value other than
art and cultural artifacts. However, many of the Allies decided that they would abstain from this
basis of reparation, not wanting to participate on a government level with the same looting
started by the Nazis.\textsuperscript{12} In a twist of ironies, the decision by the Allies not to plunder set them
apart as a civilized culture in opposition to the Fuehrer, who was motivated to plunder in order to
represent himself as culturally refined.

The Cold War delayed matters of restitution as political cooperation between the East and
West decreased rapidly. In America, issues of the Second World War took backseat to the
overwhelming fears of spreading Communism. Many of those who survived the Holocaust were
also eager to move forward with their lives rather than relive painful memories.\textsuperscript{13} However with
the passage of time, issues of art restitution became increasingly complicated. Another
complication in the restitution of Nazi plundered art is that the number and fate of all of the
stolen objects is unknown. A comprehensive inventory of unclaimed art that now resides in
European museums and government institutions has never been commissioned, and little effort
has been made to find the rightful owners or their heirs.\textsuperscript{14}

\textsuperscript{14} Beker, Avi. 2001. The Plunder of Jewish property during the Holocaust: confronting European history.
Beginning in the early 90's, a growing interest in the matter of Nazi-era art plunder prompted negative attention toward the museum world. Reacting to this scrutiny, both the American Association of Museums (now the American Alliance of Museums) and the American Association of Museum Directors created guidelines for consideration of Nazi-era provenance issues. The AAM established guidelines states:

If a museum determines that an object in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, the museum should seek to resolve the matter with the claimant in an equitable, appropriate and mutually agreeable manner.15

Following these guidelines, however, is ultimately the choice of the individual museum. Several museums have made the decision to be transparent about their collections with provenance holes during the Nazi-era. The Metropolitan Museum of Art, for example, publically listed the names of approximately four hundred works with questionable provenance on its webpage. So far, there has only been one case in which a museum has taken it upon itself to research and return a work of art from their collection, unprompted by media-scrutiny and external pressures. In 2000, the National Gallery of Art in Washington driven by internal compulsion, researched and returned the oil painting Still Life with Fruit and Games by Frans Snyders to its rightful heirs. The heirs, who had long given up on finding the painting, praised the National Gallery of Art for taking the initiative to do the right thing, even at its own expense.16

In the past ten years, museums in the Dallas-Fort Worth area have experienced their fair share of scandal centered on Nazi era art plunder. Interviewing Deborah Reed, a long time docent at the Kimbell Art Museum, I was able to learn about how the museum handled two cases of art from their collection with ties to Nazi plunder. In 2006, the Kimbell restituted the painting Glaucus and Scylla, after its rightful heirs provided irrefutable proof that the artwork had been seized in 1943 by Hitler’s regime in occupied France. The Kimbell repurchased the painting for

$5.7 million when the twenty-seven living descendants sold the painting at auction the following year. Ms. Reed explained that it was an expensive correction to make, but one that brought incalculable amounts of goodwill to the museum.\textsuperscript{17}

\textit{The repurchased painting by Joseph Mallord William Turner, Glaucus and Scylla, 1841.}

\textsuperscript{17} Reed, Deborah. Interview by author. Email interview. Denton, October 26, 2012.
More recently, the Kimbell was again faced with an issue of Nazi era plunder when Robert Edsel found a picture of the museum’s *Bust of Isabella d'Este* being carried out from the salt mine, where Hitler stowed the plundered art intended for his Linz museum collection.

*The photograph that brought the provenance of the Bust of Isabella D’Este under question*

The Kimbell, in collaboration with Edsel, discovered that the sculpture had belonged to the Lanz family of Holland but was purchased during the war for Hitler’s collection. In 1946, the bust was returned to the Netherlands where they were left to deal with restitution. The Netherlands ultimately decided that Hitler legitimately bought *Isabella*, so the bust would be sold at auction and not returned to the Lanz family. Ms. Reed explained to me that this decision by the Netherlands was a key component in the Kimbell’s conclusion that the bust was legitimately acquired after the war.¹⁸ While I applaud the Kimbell’s exhaustive research in both cases, I question the decision of the Netherlands that the bust was legitimately sold to Hitler. I doubt that

anyone would have really had much choice during the Second World War when Hitler is keen on your art collection.

Another local museum that has come across scandal of Nazi era provenance is the Meadows Museum. In 2006, Edsel discovered photographic proof that the Meadows’ portraits of Saint Justa and Saint Rufina by Bartolomé Esteban Murillo had been seized from the Rothschild family during World War II. In a recent interview Scott Winterrowd, the Curator of Education at the Meadows Museum, explained how the museum is dealing with this issue:

“With all the media attention and with the works being widely published, it is thought that there is no one seeking claim on the works. In addition both Meadows staff and Mr. Edsel’s staff have visited archives in Europe trying to track down paperwork showing that the objects were restituted to their proper owners before their sale to the Meadows. Both investigations have led to dead ends for the time being. It is hoped to resume the search but it is not certain where to begin. We have another work, the Portrait of Queen Marianna by Velazquez that we know was stolen during the war and later returned to its owners before its sale to the Meadows. We have the documentation from France.”

Mr. Winterrowd suggests that museums follow the guidelines set out by the AAM concerning provenance issues and World War II. He also explained that the Meadows Museum was trying to be as transparent as possible about the situation by posting information on their Nazi era provenance portal, open to anyone for access and research.¹⁰

Other museums, conversely, have chosen to remain as guarded as possible about their items in question, removing the works from the public’s eye and returning them to storage. In recent years, many museums have fought restitution claims by arguing that the provenance is too difficult to prove, that they paid a significant amount for the piece in good faith, or that the work in question is indispensable to its collections as a teaching mechanism.\(^2\) To this argument, I would ask museums, just what lessons they are trying to teach? It would seem that a museum, as an institution of learning and preserver of culture, should be first in promoting the ethical actions of a civilized society. I would argue the Holocaust victims whose art was plundered or who were forced to sell their art at absurdly low prices had no choice in the matter. However the buyers of that art, who continue to exchange and profit from it to this very day, are free in choice and in inquiry of provenance. It is hypocritical of art professionals, who in all other regards claim to want to know everything about their collection, to ignore issues of provenance. I feel that in the future, the due diligence of inspection when purchasing a work of art needs to be the responsibility of the buyer, just like when purchasing a used car. This approach, that a work of

art is guilty until proven innocent, would require a certain degree of additional expense of research. This expense seems to me like a small cost for a greater reward of ethical validity.

It is despicable that museums have so often treated the rightful heirs of artwork in their collection as profiteers and scammers. For the heirs or survivors, the art that was plundered has a far greater value beyond its monetary worth. It may be the last connection to the memory of a life that disappeared along the plundered art. While the lives that were extinguished during the Holocaust can never be restituted, perhaps objects that evoke memories of them can offer a small piece of solace to the families. Nazi-era art restitution should not be considered a loss for museums, but instead an opportunity to right some of the horrendous wrongs of history.