

Summary

For about twenty years there has been a tremendous worldwide interest in the issue of artworks, looted during the Second World War. This interest has been fueled by ample media attention and has produced a mass of journalistic articles and a myriad of books and publications on the subject.

Many tens of thousands of works of art were taken from the Netherlands to Germany in the period 1940-1945, and much has been published in our country on the issue of so-called 'looted art'.

In addition, there have been two exhibitions on this topic. In 2003 the Friesian Museum in Leeuwarden exhibited a selection of artworks held by the Dutch government, works that had been returned to the Netherlands from Germany after the war and referred to as the *NK collection*. This exhibition was partly inspired by the introduction of new government policy regarding restitution to the heirs of former Jewish owners of these works of art.

In winter 2006-2007 there was a second exhibition in the Hollandse Schouwburg in Amsterdam: *Geroofd maar van wie? (Looted, but from whom?)*. It focused on tracing the provenance of artworks looted during the war, and on the task of finding their rightful owners. The two exhibitions and the majority of publications covered particular aspects of the issue.

Our current exhibition, *Looted Art*, and its accompanying publication, puts forward the entire story for the first time. It focuses on all aspects - the pre-war situation, the exodus of artworks during the war, the destination of the works taken to Germany, and the post-war recuperation of art and its return to the Netherlands. In addition, the exhibition tells the story of the restitution of some of these possessions to their original owners or their heirs in the period 1945-1953 and explains the new restitution policy, which has taken shape over the last twenty years.

Before the war

The massive scale of the art exodus from the Netherlands in the period 1940-1945 is strongly linked to the flourishing of Dutch art trade during the

Interbellum period and to the great number of private collections in our country.

While Amsterdam was the most established international center for art trade at this time, there were also renowned trading companies in other Dutch towns and cities, notably in The Hague and in the Guelres towns of Dieren and Lochem. Prices were low, however. Ever since the 1929 financial crisis, art dealers had been able to buy works cheaply, but had had trouble selling them. This meant that companies with an ample amount of capital and firms that could procure loans had built up large volumes of stock.

At the very top was the Goudstikker firm. Besides selling top quality Dutch paintings, it dealt in international - particularly Italian - works of art. The Amsterdam art trader Hoogendijk en De Boer also had a prominent position, as did the firm Bachstiz in The Hague and the Katz Company in Dieren. The auction house Frederik Muller had an international reputation as well. In spite of the crisis there were many passionate art collectors, some of whom bought more than they could really afford.

Collectors did not limit themselves to paintings from the Dutch Golden Age, but were also interested in works from the fifteenth and sixteenth centuries, in drawings and applied arts, and in art works from abroad, especially from Italy. The interest in Italian painting in this period is evident from the Amsterdam exhibition organized in 1934 with nearly 1300 Italian art works on show dating up to the nineteenth century. These were works from Dutch public and, especially, private collections.

Many of the art dealers and collectors were of Jewish descent. Some of them had moved to the Netherlands from Germany or Austria during the Interbellum period. Others had emigrated before Hitler's rise to power in 1933, or arrived as refugees after the take-over of the Nazis.

The art market after the occupation of the Netherlands

Very soon after the occupation of the Netherlands, it became clear that the Germans had a very keen interest in buying art, which soon led to a steep rise

in prices. Many dealers, both Jewish and gentile, sold works to the Germans and many collectors and private owners were tempted to sell because of the rise in prices. A remarkable development was an interest in nineteenth century Dutch art, which up to that point had been relatively cheap and not very popular: city views, landscapes, marine paintings, and animal paintings came into vogue. Many new traders became active, dealing especially in nineteenth-century art. Some of them were not even officially registered with the Chamber of Commerce.

Tens of thousands of works of art disappeared over the Dutch-German border in the period 1940-1945. Some had come into German hands through looting, confiscation and plunder. Others because of a legal hitch: ordinary sales to Germans were illegal under the regulations of the Dutch government and the Allied authorities.

Jewish art dealers

The Germans waited some time after their invasion of the Netherlands on 10 May 1940 before introducing fierce anti-Semitic measures. Some Jewish art dealers and collectors felt very threatened, however, from the moment of the invasion.

Art dealer Jacques Goudstikker decided to flee the country with his wife and child during the first days of the occupation. He lost his life in an accident during the passage to England. Employees of the firm sold the artworks to Field Marshall Hermann Goering, and German banker Alois Miedl continued to run the company. Miedl replenished the trade stock by buying many works from art dealers, especially the Katz firm in Dieren.

Some Jewish art dealers, such as Katz, Houthakker and Nijstad, sold their businesses in time, formally, to trusted non-Jewish contacts.

Thus, they managed to keep their companies from being disestablished or being placed under a *Verwalter*, a German manager, which happened to other Jewish art dealers from 1941. With the appointment of a *Verwalter* the Jewish owners lost control over their own company. Revenues went straight to the German manager and the German authorities. Many Jewish art and antiques

dealers eventually closed down and many of the owners and their families were murdered in the concentration camps.

Jewish collectors

Some Jewish collectors had a timely premonition of their fate, especially among those who had emigrated from Germany to the Netherlands in the thirties. Several had fled to England or the US before the occupation, sometimes leaving their artworks in the Netherlands.

This is the case with the heirs of Hans Ludwig Larsen, a collector who died in 1937. When the Germans were able to trace their possessions, these were confiscated as enemy property. The occupying forces managed to obtain complete collections of owners who had died before the occupation, such as the collection of Fritz Mannheimer; this banker, who died in 1939, had to hand over his art collection to his bank because of his debts.

Several artworks entered the market in 1940 because their owners committed suicide very shortly after the German invasion. Other collectors decided to sell (part of) their collections to obtain funds to get away.

The Germans eventually confiscated many collections. Jews were obliged/ordered to hand in their possessions to the Liro bank on the Sarphatistraat in Amsterdam. German buyers usually had first pick of the art that had been handed over to the Liro. The rest of the goods were sold at auction. The same thing happened to works that had been confiscated as enemy property, or as abandoned inventory.

This was clearly not just the case with complete collections that were at that time regarded as exceptional and valuable. It applied also to clusters of single works of art, which held relatively little value at the time and which were part of an owner's home inventory.

German collectors

Many works of art that were transferred to Germany during the war, were meant to go to the Führermuseum, which was to be built in Linz, close to Hitler's birthplace. The museum was meant to dwarf all other museums in the world. Hitler had a staff whose task it was to bring together and curate the museum collection. In the beginning, museum director Hans Posse was in

charge, and after he died in 1942 it was Hermann Voss. In the Netherlands Erhard Göpel played a central part as buyer for the Führermuseum. Although Hitler strongly identified with the museum project, it was not a private collection and the Führer's personal input and taste were of little importance in building it.

The second large collection was that of Field Marshall Hermann Göring, which was a private collection. In contrast to Hitler, Göring personally selected and bought many artworks based on personal taste. During the beginning of the occupation of the Netherlands he bought the entire stock of the Goudstikker firm. He returned part of the stock, which he found less appealing, to the firm, which had been placed under a German manager, Miedl. Göring, too, had his personal buyers, among them Walter Andreas Hofer. The frenzied competition between the Führermuseum and Göring was an important cause of the spiraling prices.

These two examples inspired many German administrators and military personnel in the Netherlands to build private collections on a smaller scale. German art dealers were active too, but on the whole their acquisitions soon went on to private collections and museums. The German museums were avid collectors and significantly expanded their collections during the occupation. The museums in Düsseldorf, Karlsruhe and the Ethnographical Museum in Frankfurt were especially active in acquiring Dutch art.

The works of art in this exhibition and publication and have not merely been selected on the basis of their inherent artistic quality. Often they were chosen because they represent the various collections of which we have spoken.

It is notable that the works show a change in taste. Some works, which we would now deem potential icons for the Hitler and Göring collections, did not in fact enter these collections, but were made available for German museums as "consolation prizes".

Recuperation and restitution

During the German occupation, the Dutch government-in-exile had determined that all sales to the German occupiers were illegal. The allied authorities supported the Dutch government on this point. During the war, the American authorities in particular were already considering what was to be done with the enormous number of artworks collected in Germany, and with the legal reparations for those who had involuntarily lost their possessions. The Americans reached agreements with their allied partners, to the effect that all works of art that they recovered would be sent back to their countries of origin, with the explicit goal of returning the works to their rightful owners or their heirs.

Immediately after the German capitulation, the American Central Collecting Point in Munich started its activities to recover artworks. It used extensive intelligence that had already been collected by the Americans.

As most tokens of the German obsession for art collecting were retrieved in the American occupied zone, the Collecting Points in this zone were the most important. Similar centers were established in the English, French and Russian zones. The Russians were the only ones who did not adhere to the agreements to return artworks to their countries of origin; they took all the art they found to their own country. From the other zones all artworks for which a provenance could be established, were returned to their country of origin.

In the Netherlands recuperation/restitution was entrusted to the *Stichting Nederlands Kunstbezit*, SNK. Provisions had been made during the war to establish this foundation and it was set up directly after liberation.

In July 1945 the Dutch Military Authority issued a decree concerning the declaration of looted cultural property. Anyone involved in voluntary or involuntary transfer of art to the Germans, was compelled to declare this. Of course, this resulted in an incomplete overview, partly because many former owners had perished in the war. The SNK supplemented these declarations using administrative information from German looting institutes, such as the Liro bank. They also used sales ledgers from art dealers such as Goudstikker. Eventually, a mass of tens of thousands of forms was created, in order to identify artworks in Germany and to demand their recuperation.

Anyone who had involuntarily lost works of art during the occupation, or their heirs, could claim these works at SNK, if they had been recovered. Many people made use of this possibility, but more often than not they were unsuccessful. The restitution policy of the SNK was very restrictive, partly because of the conditions under which the institute was forced to work.

Nevertheless, in the first five years after the war thousands of artworks were returned to their former owners or their heirs. These were usually works belonging to Jewish owners, but there were also works confiscated by the Germans because the owner – often Jewish, sometimes gentile – had moved to a country that Germany was at war with at the time.

In the early 1950's the work was considered done, and the SNK was disbanded. The rest of the artworks that were deemed interesting were handed over to the Ministry of Education, Culture and Science to enrich the museum collections and to decorate Dutch public buildings. The remainder was auctioned. This was seen as some sort of compensation for the Dutch nation.

Renewal of restitution policy

Influenced to some degree by growing international concerns about the unsolved consequences of the Second World War, looted art became a focus of interest in the Netherlands, starting in 1997. This was also the case for the artworks that were still held by the Dutch government, having been returned from Germany after the war. An investigation in 1998 concluded that the old restitution policy had been far too narrow, and that by today's legal standards there were clearly works in the *NK collections* that were eligible for restitution. The entire NK-collection, which comprised some 5.000 works, was screened by Bureau Herkomst Gezocht, the agency that was set up for this task. The bureau double-checked the provenance using SNK archives and other sources. Use of computers provided the researchers with much more clarity and structure than the SNK researchers had been able to muster with their paper files.

Wherever researchers identified a possibility of forced loss of property, they set up a search to trace the heirs of the former owners, and to find out if the heirs were able to provide any new information to help establish provenance. The bureau designed a new restitution policy as well. After approval by the government, it became the guideline for the newly appointed Restitution

Commission, set up to advise on all claims on works in the NK collection. This new policy led to dozens of restitutions, some large and spectacular, such as that of works from the collection of Friedrich Gutmann and of paintings from art dealer Goudstikker. The Goudstikker case, which was fiercely opposed in the courts by the Dutch government, attracted immense international attention.

Meanwhile, the research project, which in the beginning had been geared specifically towards the NK-collection, was extended to focus on the collections of other Dutch museums. The researchers set out to identify artworks that had been acquired during or after the Nazi regime, and to determine whether the original owners had lost possession because of looting, confiscation or forced sale.

Two museum research projects into past acquisitions were set up: *Museale Verwervingen 1940-1948* (1998-1999) and *Museale Verwervingen vanaf 1933* (2009-2013). Within these projects several works of art were traced that were eligible for restitution to the heirs of the original owner.

And the work continues. New cases come into being as new evidence appears, and as we are being provided with more clarity on the many artworks still missing.

In the early years of restitution it was assumed that everything would be taken care of in a few years. However, as the process unfolded, it became clear that the restitution process is far more complex than presumed and will need a great deal of tending to for years to come.