

# Art and Justice

by Michael Curtis



One of the great misfortunes of history is that a young, unemployed, mediocre realistic painter of buildings and landscapes named Adolf Hitler was denied admission to the Vienna Academy of Fine Art. If he had been admitted the world would have been saved from one of the greatest calamities of humankind and the murder of millions of innocent people.

It would also have been spared the experience of one of the largest, perhaps the largest, thefts throughout the whole of

Europe, and organized official plunder by special military units as more than an estimated 650,000 art objects were stolen, many from Jewish owners, constituting what should be considered as one of the milder forms of the Holocaust. Hermann Goering, in control of the ERR (Institute for the Occupied Territories) gave orders to seize Jewish art collections, and they were housed for a time at the Museum Jeu de Paume in Paris.

Some of these objects, paintings and statues, were found by American and Allied military during and after World War II by groups such as the Monuments Men who saved them from destruction. This was urgent because of the "Nero Decree" of March 19, 1945, an order by Hitler to destroy the German infrastructure to prevent its use by the advancing Allied forces, as well the destruction of the stolen art works, the Eiffel Tower, and Paris as a whole.

But many of the art objects remain missing or are kept hidden, deliberately or otherwise, by major museums in the United States and Europe, and in university sites. Much of the stolen art, by one estimate 100,000 works, has never been returned to their owners or family members. The decent and moral act of returning stolen art to the descendants of persecuted or murdered Jews has not been fulfilled. A familiar episode makes this plain. Only after considerable effort and money was Ronald Lauder able to buy Gustav Klimt's painting *Adele Bloch-Bauer I*, (Lady in Gold), that had been looted, displayed in Austria's national museum, returned after a court battle to its former Jewish family owners in 2006, bought by Lauder, and now on view in his museum in New York.

A considerable amount of missing art taken by the Nazis was unveiled as the result of a chance encounter when an elderly man named Cornelius Gurlitt, a recluse who lived alone in an apartment in Munich, Germany, and owned a house in Salzburg, Austria, was stopped by police in September 2010 during a routine passenger check when returning from Zurich to Munich.

An examination of his apartment in Munich, and later his house in Salzburg found 1,406 stolen works of art by many of the great painters, including Picasso, Matisse Cezanne, Manet, and Monet.

Gurlitt had no job, no income, but survived by occasionally selling one of the paintings. All he wanted to do he said "was to live with my pictures." The problem is that they were not his pictures. They had been acquired by his father, Hildebrand Gurlitt, a German art historian and dealer, friendly to some of the Nazi leaders especially Goering, and who made ten trips during World War II to Paris and who stole or bought art at minimum prices. Hildebrand was also one of the only four people allowed to deal with "degenerate art," the art that Hitler detested.

Hildebrand was put under house arrest after the war but deceived his American investigators by portraying himself as a harmless academic, whose art collection had been destroyed during the Anglo-American firebombing of Dresden on February 13-15 1945, and was thus released from custody.

Part of the extraordinary collection, 250 of the 1,400 works, is now to be seen publicly for the first time in November 2017 in an exhibition, *Dossier Gurlitt: Nazi Art Theft and Its Consequences*, in two museums, one in Bern, Switzerland, the designated heir of Cornelius who died in May 2014, and containing works taken from German museums in 1938, and the other in Bonn, Germany.

A number of problems exist pertinent to the art works. Their provenance is largely unknown at this point: the rightful owners of only five of them appear to have been identified; the decision of which were stolen from Jews and which were bought "legally" had to be determined; it is not clear how many of the stolen works were ever returned to their Jewish owners.

Interestingly, the focus of the exhibitions, Dossier Gurlitt will be on "Degenerate Art" which echoes the infamous Nazi Degenerate Art exhibition of July 1937 in Munich of modern, abstract, non-representational art, including works by Paul Klee, Oskar Kokoschka, Wassily Kandinsky and Max Beckmann. This show of 650 items, fulfilling Hitler's hatred of his school of art, was deliberately hung badly, with graffiti on the walls insulting the art and the artists.

Whatever the fascination for viewers of the two exhibitions or more likely the painful reminder of the Holocaust, they provide the opportunity to focus on two relatively neglected and interrelated issues: the fact that prestigious art museums have still not evicted looted Jewish art from their holdings and display; and the slow return of art to their former rightful owners.

A just and fair solution of the threat of Jewish art holdings is necessary. This has been acknowledged by 46 states in the Terezin Declaration of June 30, 2009 which called for the restitution of art obtained in forced sales and sales under duress, as well as confiscated. The Declaration is even more compelling as Terezin was a Nazi concentration camp where thousands of Jews were killed or died from malnutrition, or were sent to death camps. Identification of Jewish owned works and restitution of them would be a befitting humanitarian response to evil words and deeds.