

# Nazi looted art works discovered in Munich

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Two weeks ago, the German *FOCUS* magazine revealed that, while conducting the authorised search of a flat in Munich-Schwabing on February 28, 2012, police found and seized about 1,400 paintings and prints, most of which probably consisted of Nazi-looted property that was considered lost.

Among the works are paintings by Picasso, Chagall, Matisse, Nolde, Renoir, Toulouse-Lautrec, Liebermann, Beckmann, Otto Dix, as well as artists of the Dada, Expressionism, Surrealism and Cubism movements, outlawed by the Nazis as “degenerate art”. There are also works by artists from earlier centuries, such as Dürer and Spitzweg.

The flat is owned by the almost 80-year-old Cornelius Gurlitt, son of Nazi art dealer Hildebrand Gurlitt, who apparently harboured this huge collection of paintings until his death in 1956.

His son Cornelius, who is not an art dealer, ostensibly lived from the proceeds of the sale of some of these works on the art market. On September 22, 2010, customs officers had searched him on a train from Zurich to Munich, found €9,000 in cash in his bag and began investigations against him on suspicion of tax evasion.

In December 2011, Gurlitt was nevertheless easily able to auction off a gouache painting until then considered lost—*The Lion Tamer*, by expressionist painter Max Beckmann—at the Lempertz auction house in Cologne. A search warrant issued a few months later led to the confiscation of 121 framed and 1,285 unframed works of art from his flat.

A fierce debate about the Nazi art theft has been triggered by this large-scale recovery of valuable art works in the middle of Munich almost 70 years after the war and nearly 80 years after the Nazis’ “degenerate art” propaganda offensive. More remarkable still is the fact that the public prosecutor had been secretly in possession of the confiscated pictures since February 2012 and is even now unwilling to publish a complete list of the works found.

The federal government was informed of the matter several months ago, according to spokesman Steffen Seibert. But the general public, relatives of the former Jewish owners and public museums throughout Europe, from which the Nazis seized works of art, were—and continue to be—denied the right to inspect the collection.

At a press conference on November 4, Augsburg senior prosecutor Reinhard Nemetz justified this by claiming that proceedings against Cornelius Gurlitt for tax evasion and embezzlement had not yet been completed. “Priority is given to the investigations. I can’t speculate about who may be the owners of any of these objects”, he said, adding that people believing they are entitled to any of the works are welcome to register their claim.

No indication was given regarding Cornelius Gurlitt’s whereabouts. “I don’t know where he is, because that’s not a matter we’re dealing with”, Nemetz said. No investigations have been carried out by the judicial authority either in Salzburg, where Gurlitt owns a house and—according to press reports—also rents a flat, nor in the home of his

sister.

Nemetz’s assertion that informing the public about the trove would threaten the preservation of the art works was criticised by Berlin art expert and lawyer Peter Raue as “verging on insolence”. A list of images published on the Internet would enable museums and relatives of former Jewish owners to help resolve questions of ownership.

The Israeli *Haaretz* newspaper wrote that the works found in Munich were “only the tip of the iceberg”. According to the Culture and Media Advisor to the German government, there were about 80 German art dealers who had acted like Hildebrand Gurlitt.

Alfred Weidinger, vice director of the Vienna Belvedere Palace Museum, told the Austrian APA news agency: “It was no secret that this collection existed. Basically, every important art dealer in southern Germany knew it existed—and knew how much of it there was, too”.

Weidinger claimed the collection would have been found much earlier, if the relevant German authorities had carried out their investigations more carefully. “If they didn’t know until 2013 that there was a Gurlitt collection in Munich, they weren’t doing their job properly”, he said.

In a *FOCUS Online* video interview, Lempertz auction house legal adviser Karl-Sax Feddersen defended the auction of the Beckmann painting from Gurlitt’s collection as “a normal affair”. He admitted that Gurlitt was known to the house: “The name Gurlitt—Gurlitt was a colourful character who did business even in those crazy times (sic). If you are familiar with the background, you will of course understand that there can be problems in this respect”. But the auction house reconciled itself to the inheritance of the Beckmann picture.

## “Degenerate Art”

In 1937 the Nazis launched their “Degenerate Art” campaign with a touring exhibition in Munich and later in other major cities in Germany and Austria. In preparing for the exhibition more than 21,000 works of modern art were confiscated from German museums. After the war began, another 600,000 works of art were stolen in the occupied countries of Europe.

The propaganda exhibition, “Degenerate Art”, displayed to the public for the last time many modern masterpieces that had been confiscated from museums. It attracted a record number of over 2 million visitors. The confiscated works were then stored in depots in Berlin—for example, in the Victoria warehouse in Kreuzberg, in the Schönhausen Palace in Berlin-Niederschönhausen and also in the basement of the wartime propaganda ministry, where a number of leading Nazis like Hermann Göring stored valuable appropriated works they later privately sold.

In May 1938, the confiscation of the art works was legitimised by the “Law on Sequestration of Products of Degenerate Art”.

A total of 1,004 paintings and 3,825 graphics, officially declared to be unusable eminent pictures, were burned in the courtyard of

Berlin's main fire station on March 20, 1939. Some 125 works, chosen by a "Commission for the Liquidation of Products of Degenerate Art" under the direction of Hermann Göring, were scheduled for an auction in Switzerland, which was to be transacted by the Theodor Fischer auction house in Lucerne.

Joseph Goebbels's propaganda ministry then commissioned qualified art experts to sell other works of art in order to obtain foreign currency for the imperial treasury and the war. Among these art sellers were Ferdinand Möller, Karl Buchholz, Bernhard A. Böhmer and the Dresden art historian, Hildebrand Gurlitt.

Although Gurlitt had a Jewish grandmother and was involved in modern art prior to 1933 as director of the Zwickau Museum and head of the Hamburg Art House, he rose to become one of the Nazis' most successful art dealers after Hitler's seizure of power.

From 1942, Gurlitt operated in France and the Netherlands on behalf of Hitler's "Special Mission Linz", cooperating there with Erhard Göpel and Bruno Lohse. The commission involved the gathering of looted art objects for a monumental "Führer Museum" in Linz.

Bruno Lohse, SS lieutenant colonel and deputy head of a special staff for visual arts at the notorious Task Force of Reich Leader Alfred Rosenberg (ERR) in Paris, organized—among other cultural crimes—the destruction of Alphonse Schloss's famous Jewish collection in southern France. The collection contained numerous Dutch masterpieces of the 17th century, including some by Rembrandt, Brueghel, Rubens and Frans Hals. Hermann Göring selected hundreds of paintings from those confiscated in the ERR's Jeu de Paume headquarters for his personal collection. Apparently, Gurlitt also had access to this collection and was in a position to exploit it for himself. Only a few of the works were to resurface after the war.

As is now known, Hildebrandt Gurlitt also participated in an October 1943 visit by Erhard Göpel to expressionist painter Max Beckmann, who was living in exile in Amsterdam. The two art dealers talked Beckmann into selling his pictures. In the postwar period, this was portrayed as an heroic feat on part of Göpel, who allegedly wanted to secure Beckmann's financial livelihood. Such euphemistic accounts survive even today on Wikipedia.

#### **No legal consequences after 1945**

After the war, the raids conducted by the Nazi looters went unpunished. Hildebrand Gurlitt and many others continued to work as art dealers. Gurlitt participated in denazification proceedings that exonerated him, partly because of his Jewish grandmother.

Gurlitt claimed during his interrogation that most of the works in his collection were burned in the bombing of Dresden, shortly before the war ended. In the 1960s, his widow repeated this claim, which the discovery of the Munich trove has now proved to be a lie.

Approximately a hundred works, found and confiscated by the Americans during Gurlitt's arrest at the von Pölnitz family castle in northern Bavaria, were described by Gurlitt as "a private collection". His demand for their return proved successful. The Allies also handed collections back to many other Nazi art dealers.

In the postwar period, Hildebrand Gurlitt again dealt in modern art, heading the Düsseldorf Art Association until his death in 1956. He was revered in polite society to such an extent that a street in Düsseldorf was named after him.

Following the war, other Nazi art dealers also managed to pursue their former profession undisturbed or attain honourable positions in the cultural sector, as did Ferdinand Möller and Erhard Göpel. The latter was an editor at the Prestel publishing company from 1948, as well as art critic for the *Süddeutsche Zeitung* and *Die Zeit* newspapers.

His museum career at the Bavarian State Picture Collection failed only because his advocates had themselves been connected with "Special Mission Linz"—as was attested by the director general of the collection, Ernst Buchner, formerly one of Hitler's most important art advisers.

Hermann Voss, head of "Special Mission Linz", was appointed director of the Dresden State Art Collections by Goebbels in 1943 and remained at this post after 1945, courtesy of the Soviet occupiers. Only when he fled to the West was he arrested and interrogated by the American occupation authorities. However, he was able to evade conviction and eventually even managed to rise to the position of Bavarian state government adviser on the sale of works of art.

In the latest issue of *Die Zeit*, US historian and expert on Nazi looted art Jonathan Petropoulos declared that trading in stolen art is once again flourishing, particularly in Munich, where a network of former Nazis is active. He pointed out that those involved included Bruno Lohse, Andreas Hofer, Karl Haberstock and Hildebrand Gurlitt.

When former SS officer Bruno Lohse died at the age of 95 in 2007, stolen paintings by Claude Monet, Auguste Renoir and Camille Pissarro were discovered in his Zurich safe, which was managed under the code name of a certain "Schönart" company based in Liechtenstein.

The German judiciary, itself riddled with former Nazi attorneys, showed no interest in pursuing the art dealers and museum directors who were involved in Nazi art theft. "The parties concerned were able to continue their lives unmolested and became a normal part of the West German art scene", says Petropoulos.

When two members of the Task Force of Reich Leader Alfred Rosenberg, Robert Scholz and Walter Andreas Hofer, were sentenced to ten years' incarceration in Paris in 1950, the Federal Republic refused to extradite them.

To this day, works that the Nazis seized from public museums and passed on to their licensed art dealers—including Gurlitt—in order to be resold are regarded as property lawfully acquired through purchase. The transactions made at the time under conditions of force were never declared annulled. The "Law on Sequestration of Products of Degenerate Art" was not revoked after 1945, and art dealers consequently had free rein to trade in the stolen works of art.

The current conduct of the office of the public prosecutor has to be seen in this context. It wants to avoid an open debate about the behaviour of the post-war German judiciary in relation to art theft perpetrated by the Hitler regime. At the same time, it wants to protect stakeholders in the art market, who are still enriching themselves through the sale of art works plundered by the Nazis.



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