Art justice: The Nazi aesthetic, cultural theft, and restitution in the 21st century.

Kathryn Elaina Jacob

University of Louisville

Follow this and additional works at: https://ir.library.louisville.edu/etd

Part of the Other History of Art, Architecture, and Archaeology Commons

Recommended Citation

https://doi.org/10.18297/etd/4340

This Master's Thesis is brought to you for free and open access by ThinkIR: The University of Louisville's Institutional Repository. It has been accepted for inclusion in Electronic Theses and Dissertations by an authorized administrator of ThinkIR: The University of Louisville's Institutional Repository. This title appears here courtesy of the author, who has retained all other copyrights. For more information, please contact thinkir@louisville.edu.
ART JUSTICE:
THE NAZI AESTHETIC, CULTURAL THEFT, AND RESTITUTION IN THE 21ST
CENTURY

By

Kathryn Elaina Jacob
B.A., University of Louisville, 2005
B.F.A., University of Louisville, 2005

A Thesis
Submitted to the Faculty of the
College of Arts and Sciences of the University of Louisville
In Partial Fulfillment of the Requirements
For the Degree of

Master of Arts
in Art (Creative) and Art History

Art History
University of Louisville
Louisville, Kentucky

May 2024
Copyright 2024 by Kathryn Elaina Jacob

All rights reserved.
ART JUSTICE:
THE NAZI AESTHETIC, CULTURAL THEFT, AND RESTITUTION IN THE 21ST CENTURY

By

Kathryn Elaina Jacob
B.A., University of Louisville, 2005
B.F.A., University of Louisville, 2005

A Thesis Approved on

April 25, 2024

By the following Thesis Committee:

__________________
Christopher Fulton

__________________
Jennifer Sichel

__________________
John Gibson
DEDICATION

This thesis is dedicated to my husband,

Nicholas Wilson

who has given me unconditional support, partnership, and affirmation in moments of doubt.

and

My brother,

J.P. Jacob

who introduced me to the world of art and igniting a passion,

and for his lifelong support and guidance.

and

And to Frankie

for loving and unconditional companionship.
ABSTRACT

ART JUSTICE:

THE NAZI AESTHETIC, CULTURAL THEFT, AND RESTITUTION IN THE 21ST CENTURY

Kathryn Elaina Jacob

April 23, 2024

This thesis examines the origins of the cultural aesthetics of the National Socialist Party of Germany, generally referred to as the Nazi Party. The Nazis aestheticized their politics to reinforce their antisemitic system of beliefs to further the pursuit of ethnic cleansing. Within this aesthetic, the doctrines of the party principles were illustrated for the acceptable citizens of the territories they dominated to assimilate the ideals that were espoused, originating from classical Greek artworks. By creating a structure of aesthetics, the Nazis were able to demonstrate a distinction between what art they found as acceptable and unacceptable, using this difference for their propagandistic purposes. I explore this in the first chapter. In the second chapter, I examine how the Nazis used this aesthetic to confiscate an accumulation of artworks. In the third chapter, there are two cases studies used to examine possible methods of restitution, and the current laws being enacted to ease the path for those seeking restitution.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEDICATION</td>
<td>v</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>vi</td>
</tr>
<tr>
<td>LIST OF IMAGES</td>
<td>viii</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>THE NAZI AESTHETIC</td>
<td>4</td>
</tr>
<tr>
<td>Hitler’s relentless desire for cultural domination</td>
<td>4</td>
</tr>
<tr>
<td>Degenerate art</td>
<td>18</td>
</tr>
<tr>
<td>EXECUTION OF AESTHEICS AND ACCUMULATION OF ART</td>
<td>24</td>
</tr>
<tr>
<td>The Grosse Deutsche Kunstaustellung and the Entartete Kunst</td>
<td>24</td>
</tr>
<tr>
<td>Kümmel Report</td>
<td>28</td>
</tr>
<tr>
<td>Hidden treasures and the Monuments Men</td>
<td>33</td>
</tr>
<tr>
<td>CASE STUDIES IN CONFISCATION OF ART AND</td>
<td></td>
</tr>
<tr>
<td>NEW LAWS FOR RESTITUTION</td>
<td>38</td>
</tr>
<tr>
<td>Adele Bloch-Bauer and Maria Altmann</td>
<td>38</td>
</tr>
<tr>
<td>Wally and Lea Bondi</td>
<td>41</td>
</tr>
<tr>
<td>Efforts for legal restitution</td>
<td>43</td>
</tr>
<tr>
<td>CONCLUSION</td>
<td>46</td>
</tr>
<tr>
<td>REFERENCES</td>
<td>49</td>
</tr>
<tr>
<td>CURRICULUM VITA</td>
<td>72</td>
</tr>
</tbody>
</table>
# LIST OF FIGURES

<table>
<thead>
<tr>
<th>FIGURE #</th>
<th>FIGURE TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Professional photograph of Hitler practicing gestures.</td>
</tr>
<tr>
<td>2</td>
<td>Professional photograph of Hitler practicing gestures.</td>
</tr>
<tr>
<td>3</td>
<td>Hitler at the podium while giving a speech.</td>
</tr>
<tr>
<td>4</td>
<td>Hitler at the podium while giving a speech.</td>
</tr>
<tr>
<td>5</td>
<td><em>The Man with the Golden Helmet</em>, Rembrandt, 1650</td>
</tr>
<tr>
<td>6</td>
<td><em>Leda and the Swan</em>, Correggio, 1532</td>
</tr>
<tr>
<td>7</td>
<td><em>The Astronomer</em>, Vermeer, 1668</td>
</tr>
<tr>
<td>8</td>
<td>Greek Riace Bronze: Statue of a Young Man with Headband, 460-430</td>
</tr>
<tr>
<td>9</td>
<td>Greek Aphrodite Callipygos (Roman Copy), 2 BCE</td>
</tr>
<tr>
<td>10</td>
<td><em>Readiness</em>, Arno Breker, 1937</td>
</tr>
<tr>
<td>11</td>
<td><em>Der Athlet</em>, Josef Thorak, 1937</td>
</tr>
<tr>
<td>12</td>
<td><em>Bäuerliche Venus</em> (<em>Farmer Woman Venus</em>), Sepp Hilz, 1939</td>
</tr>
<tr>
<td>13</td>
<td><em>Bäuerliche Venus</em> (<em>Farmer Woman Venus</em>), magazine cover</td>
</tr>
<tr>
<td>14</td>
<td><em>Die rote Halskette</em> (<em>The Red Necklace</em>), Sepp Hilz, 1942</td>
</tr>
<tr>
<td>15</td>
<td><em>Die rote Halskette</em> (<em>The Red Necklace</em>), magazine cover</td>
</tr>
<tr>
<td>16</td>
<td><em>The Four Elements: Fire, Water and Earth, Air</em>, Adolf Ziegler, 1937</td>
</tr>
<tr>
<td>17</td>
<td>Adolf Hitler’s office featuring Ziegler <em>Four Elements</em> painting.</td>
</tr>
<tr>
<td>18</td>
<td>Images from <em>Art &amp; Race</em></td>
</tr>
<tr>
<td>19</td>
<td>Images from <em>Art &amp; Race</em></td>
</tr>
<tr>
<td>20</td>
<td><em>Kriegskrippel</em> (<em>War Cripples</em>), Otto Dix, 1920</td>
</tr>
<tr>
<td>21</td>
<td><em>Self-Portrait with Chinese Lantern Plant</em>, Egon Schiele, 1912</td>
</tr>
<tr>
<td>22</td>
<td><em>Sitzender Jungling</em> (<em>Seated Youth</em>), Wilhelm Lehmbruck, 1917</td>
</tr>
<tr>
<td>23</td>
<td>Day of German Art Parade</td>
</tr>
<tr>
<td>24</td>
<td>Degenerate Art Exhibition</td>
</tr>
<tr>
<td>25</td>
<td><em>The Triad</em>, Rudolf Belling, 1929</td>
</tr>
<tr>
<td>26</td>
<td><em>Head in Brass</em>, Rudolf Belling, 1925</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>27</td>
<td><em>The Boxer</em>, Rudolf Belling, 1929</td>
</tr>
<tr>
<td>28</td>
<td><em>Life of Christ Triptych</em>, Emil Nolde, 1911-1912</td>
</tr>
<tr>
<td>29</td>
<td><em>Sea in the Evening Sunlight</em>, Emil Nolde, 1938-1945</td>
</tr>
<tr>
<td>30</td>
<td>Führermuseum model</td>
</tr>
<tr>
<td>31</td>
<td>Führermuseum model</td>
</tr>
<tr>
<td>32</td>
<td>Lucerne degenerate art auction</td>
</tr>
<tr>
<td>33</td>
<td>Lucerne degenerate art auction</td>
</tr>
<tr>
<td>34</td>
<td><em>Night Watch</em> by Rembrandt rolled for safe storage.</td>
</tr>
<tr>
<td>35</td>
<td>The Monuments Men</td>
</tr>
<tr>
<td>36</td>
<td>Altaussee salt mine storage for confiscated art</td>
</tr>
<tr>
<td>37</td>
<td>Altaussee salt mine storage for confiscated art</td>
</tr>
<tr>
<td>38</td>
<td><em>Portrait of a Young Man</em>, Raphael, 1514</td>
</tr>
<tr>
<td>39</td>
<td><em>Portrait of Adele Bloch-Bauer I</em>, Gustav Klimt, 1907</td>
</tr>
<tr>
<td>40</td>
<td><em>Portrait of Wally</em>, Egon Schiele, 1912</td>
</tr>
<tr>
<td>41</td>
<td><em>Russian War Prisoner</em> (1916), <em>Portrait of a Man</em> (1917), <em>Girl With Black Hair</em> (1911), Egon Schiele</td>
</tr>
</tbody>
</table>
INTRODUCTION

There are many reasons why art is stolen during war. Greed, opportunity, political or cultural domination are amongst them. It is a practice that dates to the ancient Romans, pillaging Greece of its arts to transform and elevate Roman society. Through the Ottoman Empire, the Crusades, and on to countries that had been colonized, the arts of a country were believed to be the property of the victor. Museums across the Western World are filled with artifacts from the East and South. Egypt, Africa, Asia haven all had their inheritances pilfered into some of the finest and most respected museums known today. A victorious Napoleon filled the walls of the Louvre Museum from his newly conquered territories through signed treaties. But never had a country so systematically and fanatically both accumulated and destroyed art as the Third Reich of Nazi Germany. All other efforts before or since are dwarfed in comparison. The Nazi regime embarked on not only a murderous rampage of ethnic cleansing, but with the aestheticism of politics, Nazism became a cultural movement. The cultural objects of Europe became fair game for the gluttonous desires of Adolf Hitler and Hermann Göring. They stole from museums, galleries, and personal collections. The Nazi leaders did not believe the Jewish population of Europe had a right to their lives, let alone property. Paintings, statues, furniture, antiquarian books, gold and silver, and tapestries were all taken, seized as state’s property, or sold under coercion. In 1945, the total value of the art stolen was $2.5 billion (almost $44 billion today, if adjusted for
inflation).\(^1\) It is estimated that more than 650,000 works of art were stolen during this period, around one-fifth of the art that existed in the world during WW2.\(^2\) Major efforts were made after World War II to return as much as could be found, but the ghosts of the past are haunting the art markets today. The task of restitution has fallen to the heirs, often the grandchildren or great-grandchildren of the victims of the Nazis, and they must seek out justice for their forebears. As Michael Marrus wrote:

“Restitution is more about the present than the past: it speaks to the survivors who are still among us. . . to the society at large for which such issues may be said to matter. . . and to a world in which injustice and wrongdoing are still too common- but for which, at the very least, we should have mechanisms available, when the carnage ends, to seek some measure of justice.” \(^3\)

The ramifications of this, the “greatest art theft in history,” are still reverberating. The necessity of understanding the nuances of restitution given the consistent emergence of art suspected of being stolen or coerced from victims of the Holocaust. As more and more artworks are coming to the public’s eye, decisions are being made as to the ethically objective course of action. The provenance of works is being minutely inspected, and more cases than ever are being decided in courtrooms. With the distance of time, artworks inherited from parents and grandparents, unaware of their origins, are coming to auction or exhibited and are recognized by the heirs of those from whom they were stolen. Both the public and the institutions themselves are reckoning with the ever-present ghosts from the brutal past of these stolen art works. As recently as March of 2024 with the appointment of Lucian

---


Simmons as the Metropolitan Museum of Art’s head of provenance research, museums are directing internal investigations to return items under question, although bought or acquired under good faith, to their proper owners.\(^4\) Transparency has become essential to the reputations of museums once thought to be unimpenetrable. In the first chapter of this paper, I will examine the motives of Adolf Hitler to incite a cultural revolution and how that translated into the Nazi aesthetic. In the second chapter, I will look at the history of how the Nazi regime juxtaposed the art they approved of with that which they did not, methods with which they accumulated art, and initial efforts to return that which was stolen. In the final chapter, I will use select cases to highlight examples of restitution, and efforts to make the process of seeking restitution easier.

THE NAZI AESTHETIC

HITLER'S RELENTLESS DESIRE FOR CULTURAL DOMINATION

Adolf Hitler was an infamously failed artist. In Mein Kampf, he writes of his artistic achievements: his talent as a painter “which was overcome only by my talent as a draughtsman, especially in all fields of architecture.” By 1908, he was rejected from the Academy of Fine Arts in Vienna twice. Hitler wrote of learning he failed the drawing exam: “I was so convinced of my success that when the news that I had failed to pass was brought to me it struck me like a bolt from the skies.” He left feeling “for the first time in my young life at odds with myself … My dream of following an artistic calling seemed beyond the limits of possibility.” He was even rejected when he placed an application at the School of Architecture. Hitler’s own taste in art veered to the classical, the opposite of what was being heralded in the press, modernism. He complained anything “wholesome was called kitsch by the filthy Jews” who wrote in the press about art, such as Berta Zuckerkandl and Felix Salten. Although denied entrance into the Academy, Hitler continued to paint, selling watercolor landscapes of Vienna and Munich and even receiving commissions to design for

---

7 Ibid., 56.
8 Feliciano, The Lost Museum, 18.
9 O'Connor, The Lady in Gold, 57.
several commercial advertisements and posters. His art continued to be intertwined with his politics. In Hitler’s political manifesto and autobiography Mein Kampf, he begins to attack the art movements of Modernism. He wrote that the works of art that were found within Cubism, Futurism, and Dadaism were “products of degenerate minds.” He argued that it was the “duty of the State, and of its leaders, to prevent a people from falling under the influence of spiritual madness.” He was the only dictator at that time to directly involve himself as much with political or military matters as with all of the aesthetic details of his would-be empire, not only the art and architecture, but political parades, uniforms, and insignias. Hitler even designed the official swastika flag. In Mein Kampf, he describes the meaning of the design: “[We see] in the swastika the mission of struggle for the victory of the Aryan man, and, by the same token, the victory of the idea of creative work, which as such always has been and always will be anti-Semitic.” This sense of the aesthetic even went as far as the most potent weapon of propaganda for the Nazis, Hitler’s energetic and dramatic speeches. Hitler’s speeches have a strong, almost visceral visual component. He is surrounded by the regalia of the Nazi party: flags, swastikas, the cheering crowds, and the architecture of the Reich. He was intuitive of the visual impact of the speeches; he would practice his gestures while being filmed by a professional photographer to study them. Even after becoming a professional politician, he continued to paint.


12 Ibid.
13 Ibid.
15 Kasher, The Art of Hitler, 49.
As Hitler matured, his anti-Semitism and admiration for certain painters were conjoined. One of the books known to have influenced him was by the German writer Julius Langbehn titled *Rembrandt as Teacher.* Langbehn saw the “heroic qualities” found in Rembrandt to be perfect a model for the Germanic culture and Aryan race, while also suggesting that a “Greater Germany” would one day govern all of Europe and possibly the world. Ernest Hanfstaengl, one of Hitler’s closest friends during this period recalled a trip to Berlin’s National Gallery: “We spent quite some time standing in front of Rembrandt’s *Man in the Golden Helmet.*” (fig. 1) Hitler began to pontificate: ‘There you have something unique. Look at that heroic, soldier-like expression. It proves that Rembrandt, in spite of many pictures he painted in Amsterdam’s Jewish quarter, was at heart a true Aryan and a German.’… Then, barely glancing at the Berlin Vermeers, we galloped in search of Hitler’s other artistic hero, Michelangelo.” Hitler would also seek out Michelangelo, Caravaggio, and Correggio. He specifically spent a great deal of time before *Leda and the Swan* (fig. 2) meditation on the sensual image, although he claimed it was the use of light on the figures behind the main duo; it was a story of lovers that was an “obsession” for him. Hitler’s “essential” aesthetics could be revealed in the retelling of this visit in Berlin: “Rembrandt’s Germanness and racial purity, Michelangelo’s powerful use of classical forms, and his own attempt to deny Correggio’s sensual appeal.” Hitler seemed to form a blind spot to any perceived lapses these artists might have had where it came to their involvement or use of anything “Jewish” as subject matter.

18 Ibid.
19 Ibid.
22 Ibid.
One of the paintings that Hitler most wanted for his collection was Vermeer’s *The Astronomer*. (fig. 3) While the subject is clearly in reference to the “Hebraic world” with the picture within the picture featuring a painting of “Finding of Moses” (when the Pharaoh’s daughter discovers the newborn in the Nile), the viewer sees it “filtered through the prism of Protestant culture.”24 Perhaps Hitler did not understand this reference or choose to simply ignore it.

In 1933, Hitler demanded that “all artistic productions with cosmopolitan or bolshevist tendencies must be thrown out of German museums and collections; they should be shown first to the public, the purchase price and the name of the responsible museum officials must be made known, but then all must be burned.”25 Two years later, Hitler threatened: “One will no longer discuss or deal with these corruptors of art. They are fools, liars, or criminals who belong in insane asylums or prisons.”26 The democratic ideal of freedom of expression was nonexistent in the world of the Third Reich. Any that might presume to question this was threatened with “sterilization or punishment”:

“They would be the object of great interest to the Ministry of the Interior of the Reich which would then have to take up the question of whether further inheritance of such gruesome malfunctioning of the eyes cannot at least be checked. If, on the other hand, they themselves do not believe in the reality of such impressions by trying to harass the nation with this humbug for other reasons, then such an attempt falls within the jurisdiction of the penal law.”27

Hitler setting the stage for a four-year period in which Germany would be purged of “modern art” and all that disagreed with the ethos of the prescribed Neoclassical style favored by Hitler, and in turn all of his underling disciples. In 1929, Nazi sympathizer Dr.

---

24 Ibid.
26 Ibid., 474.
27 Ibid., 480.
Wilhelm Frick became the Thurington Minister of Interior and Education, upon which he immediately decided to wipe all traces of the internationally influential Bauhaus. All that remained were their buildings, after the staff fled in 1925 sensing the turning tides. A German crafts organization was moved into their buildings, and any ruminate of their existence was either removed or painted over. After Hitler became Chancellor in 1933, a law was passed for “the re-establishment of the professional civil service,” which allowed the Nazis to remove anyone they deemed unfit from their office. This included any employee at universities, museums, or art schools, as they were all employees of the state. The Minister of Propaganda and Public Enlightenment, led by Joseph Goebbels, created a new group called the Reichskulturkammer (Reich Chamber of Culture), which all artists, writers, musicians, art dealers, architects, and anyone involved in the arts, was required to join. Any artist who didn’t belong was unable to produce, exhibit, or sell their works. They were not even allowed to purchase art supplies. Instructors or professors were not allowed to teach. The list of who would not be allowed to join include Jews, Communists, or anyone that did not conform to the Party’s stylistic “Nazi ideals.” Artists forbidden to create were often checked upon by the Gestapo during unannounced visits. If paint brushes were wet or the smell of art supplies were in the air, they could be immediately arrested. Artists made attempts at working covertly and hiding their creations. Emile Nolde made watercolors that he hid behind wallpaper. Willi Baumeister wrote: “No one knew I continued to paint, in a second story room in utter isolation. Not even the children and the servants must know what I was

---

29 Ibid., 9.
30 Ibid.
31 Ibid.
32 Ibid., 13.
doing there … Terrible was the idea that one would never again be able to show pictures in
public.”33

In a speech given on 18 July 1937 at the opening of the Haus der Deutschen
(House of German Art) in Munich, he poses a question:

“The question has often been asked: What does it really mean to be German? Among all the definitions which through the centuries have been suggested by
many men, the most valuable one for me seems to be that one which from the
start does not even try to give an explanation, but rather sets up a law. And the
most beautiful law which I can envisage for my people as the task set for its life in
this world, a great German has already long ago put into words: ‘To be German is
to be clear.’ This, moreover, implies that to be German means to be logical and
also, above all, to be true…Now this deep inner longing for such a true German
art which carries within it the traits of this law of clarity has always been alive in
our people. It occupied our great painters, our sculptors, the formers of our
architecture, our thinkers and poets, and probably to the highest degree, our
musicians.”34

He demanded:

“Art can in no way be a fashion. As little as the character and the blood of our
people will change, so much will art have to lose its mortal character and replace it
with worthy images expressing the life-course of our people in the steadily
unfolding growth of its creations. Cubism, Dadaism, Futurism, Impressionism,
and so on, have nothing to do with our German people. For all of these concepts
are neither old nor modern but are simply the artifactitious stammerings of men to
whom God has denied grace of a truly artistic talent and in its place has Awarded
them the gift of jabbering or deception. I will therefore confess now, in this very
hour, that I have come to the final inalterable decision to clean house, just as I
have done in the domain of political confusion, and from now on rid the German
art life of its phrase mongering.

‘Works of art’ which cannot be understood in themselves but for the justification
of their existence, need those bombastic instructions for their use, finally reaching
that intimidated soul, who is patient and willing to accept such stupid or
impertinent nonsense- these works of art from now on will no longer find their
way to the German people.”35

After which, he levies this threat:

33 Ibid., 13.
34 Chipp, Theories of Modern Art, 478.
35 Ibid., 479.
“I do not want anybody to have false illusions: National Socialism has made it its primary task to rid the German Reich, and thus, the German people and its life of all those influences which are fatal and ruinous to its existence. And although this purge cannot be accomplished in one day, I do not want to leave the shadow of a doubt as to the fact that sooner or later the hour of liquidation will strike for those phenomena which have participated in this corruption. But with the opening of this exhibition the end of German art foolishness and the end of the destruction of its culture will have begun. From now on we will wage an unrelenting war of purification against the last elements of putrefaction in our culture.”

Hitler wanted what he saw as clarity and order depicted in art, heeding the classical ideals of perfection. Dignified and disciplined. This left very little room for variance in style or subject. He enacted a cultural revolution to build a strong and unified identity for Germany, and all the territories he planned to pull into “Germania” by force. All other cultures would be eradicated. This became an obsession for Hitler, one which was completely entangled with art to construct a narrative around the Nazi Party to create his empire. And he foresaw that his empire would dominate the world for 1,000 years.

This relationship between politics and art was central to the Nazi agenda. As historian and expert about the Nazi obsession of art Jonathan Petropoulos wrote, “these venomous individuals were engrossed with art.” The director of the Combat League for German Culture, which wasn’t a government group but Nazi affiliated, was quoted at a meeting:

“It is a mistake to think that the national revolution is only political and economic. It is above all cultural. We stand in the first stormy phase of revolution. But already it has uncovered long hidden sources of German folkways, has opened paths to that new consciousness which up till now had been borne half unawares by the brown battalions: namely the awareness that all the expressions of life spring from a specific blood … a specific race!…Art is not international … If anyone should ask: What is left of freedom? He will be answered: there is no freedom for those who would weaken and destroy German art … there must be

---

36 Ibid., 482.
no remorse and no sentimentality in uprooting and crushing what was destroying our vitals.”

The use of art as propaganda was effective. Hitler wanted to art that harkened back to the rustic life, old world trades, strong and virile youth along with family and motherhood as ideals. Adolf Ziegler, a figure painter who happened to be the Führer’s favorite and who would eventually be trusted to oversee the removal of modern “degenerate art” from all of Germany, said in agreement:

“He who paints our youth as wasted idiots, and the German mother like a Neanderthal woman, has shown undeniable proof of his degenerate character, and he who submits a bad, mediocre or unfinished work to such a perfect House of Art, proves that he has not understood the cultural demands of our time.”

Hitler wanted to not only wipe out an entire people and their culture, but also wanted to create and elevate one of his own makings, of the Aryan race. Art was not just an obsession for Hitler, but it could also be a weapon. Once he began stripping the Jews of the countries his military occupied, he not only stole their art, but any object of value, including those specific to the Jewish faith, such as menorahs. He knew by taking these things, he was not only stealing personal effects, but the identities and culture of these people, but their meaning and soul. They did not just physical obliterate them, but attempted to destroy any will, individuality, and self-possession.

In the four years that followed the initial proclamation, all German museums were purged of art that violated Hitler’s artistic theories. By the end of this purge or “purification,” public collections in German museums and galleries had over 16,000 works removed. By 1938, the Anschluss, or the unification, between Austria and Germany

---

40 Ibid., 18.
41 Feliciano, *The Last Museum*, 5.
42 Nicholas, *The Rape of Europa*, 23.
occurred after Germany crossed over the border. This is when they became much more aggressive about confiscating art. No longer satisfied with just taking from public collections and began to the expropriation of privately owned art works. This development began for a few different reasons. Hitler did not want any works of cultural significance to the Germans to be owned by a person of Jewish descent or any other sort of “inferior” race. Pieces were also chosen, not only for the museums of Germany, but to decorate the homes of the Nazi leadership.

A Nazi government official, Wilfrid Bade, wrote, “Our time is once more able to be Greek…At this moment, when Germany is overwhelming foreign influences of a thousand years and is returning to pure forms, works are created which are in their matures and noblest examples the equivalents of Greek art.” The Nazi’s believed that the Aryan race shared Nordic roots with the Greeks and Romans with the declaration from Hitler “When we are asked about our ancestors, we should always point to the Greeks.” There was an inherent concept of purity in the Nazi aesthetic, of nature, figure, and form. There was emphasis on the glorification of the idealized nude body, (Germanic) community, and generally quite large. (figs. 8/9) There is a simplicity in the subject matter. The images convey meaning to the viewer in a self-evident manner, without the need for conceptualism. Hitler denounced intellectualism. In a speech, he argued: ”Works of art’ which cannot be understood in themselves but, for the justification of their existence, need those bombastic instructions for their use, finally reaching that intimidated soul, who is patiently willing to accept such stupid or impertinent nonsense-- these works of art from now on will no longer

find their way to the German people.”\footnote{46} The meaning of a work of art must be self-evident without the need for “cognitive interpretation.”\footnote{47}

This anti-intellectualism went so far as for Joseph Goebbels to ban the use of the word “criticism” in 1937 and to discourage critical analysis of works, instead using the phrase “art reports” to allow for the work to “speak” for itself.\footnote{48} Art critics served an extremely important function for the Third Reich as they connected the general public to the “living culture,” as Nazi bureaucrats called contemporary art.\footnote{49} Contemporary German art was meant to manifest the ideology of the regime, and the art critics would create excitement for it through their writings. Written in a 1935 publication from the Institute for the Study of the Jewish Question: “The art press, art trade, and art criticism were exclusively in the hands of Jews,” and it was believed that these “Jews had foisted un-German modern art on the nation’ because they stood to profit the most.\footnote{50} The art critics were closely regulated by the Nazis, being part of the propaganda machine, and were required to obtain certification from the Propaganda Ministry, as well as both the Reich Chamber of Culture and Reich Chamber for the Visual Arts.\footnote{51} Goebbels put in place a set of further restrictions for those who could publicly write or discuss artworks in the 1936 Art Editor Law.\footnote{52} A journalist had to be ranked within the Reich at the level of an editor (Schriftleiter) and be at least thirty years old. Of all the art critics, Robert Scholz was the most significant. He was the editor of the official Nazi art magazine \textit{Art in the Third Reich}.\footnote{53} Through both his writing and work as an editor, he

could both “promote artists he favored, as well as to contribute to the articulation of the” Nazi ideology. This can be seen in a review Scholz wrote on a 1942 exhibition of Arno Breker in Paris: “sculpture always stands at the beginning of new, politically distinct art epochs,” and that Breker, “as the first representative of the art of a new Germany, signifies an equally deep and final rejection of the leading cultural circles of France. Scholz wrote about exhibitions that were outside the Nazi ideology as well. For an exhibition in London titled *German Art in the Twentieth Century*, he wrote:

“As patrons of this supposedly ‘unpolitical’ exhibition we find some very well-known individuals in the catalog. First of all is the architect Le Corbusier, the internationally notorious propagandist of building bolshevism, the inventor of the idea of the ‘living machine,’ and the founder of communist periodical *L’Esprit Nouveau*, which arrived in 1925 with the emblem of the Soviet star and the sickle. Another patron of this exhibition is the Spanish Jew, the Cubist painter and sculptor Pablo Picasso, who as art commissioner for Red Spain decorated the pavilion of the bolshevist arsonists with his grotesque sculptures. And we are not surprised to find among the patrons of this exhibition the famous Czech literary and salon bolshevist Karel Capek, the well-known hater of Germany. The excesses of these international bolshevists in the exhibition committee is sufficient proof of the purely ethical intentions of this show.”

Scholze enjoyed the power he held, to elevate or dismiss an artist, and he wheeled it at times viciously. He adamantly worked to target German Expressionist artist Emil Nolde as a degenerate artist, despite Nolde’s true belief and support for the Nazis.

The aesthetics of the Third Reich cannot be simply boiled down to Neoclassical style but was meant to be seen as a continuation of the greatness seen in classical art. The artists were not just creating a pastiche of the classical artists but following in their footsteps and

---

54 Ibid., 123.
55 Ibid., 124-125.
56 Ibid., 126.
57 Ibid., 124.
evolving. The Nazi art was “archnationalist … and … archtraditionalist,” exemplified in the sculpture of artists such as Arno Breker and Josef Thorak.\(^{58}\)

Arno Breker is the best example of the pinnacle of a Nazi artist. Hitler’s favorite sculptor, it was said that Hitler thought of him as is adopted son and “loved him.”\(^{59}\) In June of 1940, after the Nazis occupied France, he accompanied Hitler on his “art trip” around Paris, during which he told Breker, “I would have studied art in Paris, as you did, if destiny had not thrust me into politics.”\(^{60}\) Although Breker began his career with a modernist influence and training, he modified his work to adhere to the Nazi ideals.\(^{61}\) He believed that he could reconcile the two opposing movements of classicalism and modernism.\(^{62}\) He was deeply affected by the sculptures of Auguste Rodin, and widely exposed to modernist art during his years studying at the Düsseldorf Academy for art.\(^{63}\) Breker adapted his style to work within Nazi Germany, and he became very successful.\(^{64}\) After winning the silver medal for his work in the 1936 Berlin Olympics, he became one of the official artists who represented the entire Nazi regime.\(^{65}\) Breker was nominated on Hitler’s birthday in 1937 as “Official State Sculptor,” which gave him a large studio with over 40 employees and a professorship.\(^{66}\) Breker’s bronze sculpture from 1937 Readiness depicts a nude man with an idealized physique standing in an aggressive stance pulling a sword from its scabbard as though being called to action. (fig. 10) It is reminiscent of a Greek statue and is an allegorical

---

60 Ibid.
62 Ibid., 263.
63 Ibid., 263.
64 Ibid., 267.
65 Ibid., 268.
66 Adam, *Art of the Third Reich*, 199.
figure of Nazi militarism. Breker secretly collected modernist artworks, and often intervened when he could for his “degenerate art” friends and colleagues.” In 1943, Picasso was living in Paris. Breker, in “Operation White Dove,” helped Picasso avoid a summons to report for a physical required to send him to Essen, a forced labor camp.”

Another would be Thorak’s *Der Athlet (The Athlete)* from 1937, a depiction of Max Schmeling. (fig. 11) In this bronze sculpture, the nude figure stands in a staggard stance with his head held high. His right arm is raised, as though answering a call, while his other hand is pressed to his side. He has a length of cloth billowing behind him as they are draped over his risen bicep and his lowered forearm. Schmeling was a German heavy-weight boxer, who in a fight in 1936, knocked out Joe Louis, a Black American boxer, nicknamed the “Brown Bomber.” This elevated Schmeling in the eyes of Hitler as an example of German greatness. There is an irony to the elevation of Schmeling in the Nazi leader’s eyes. In 1938, Schmeling returned to fight Louis and quickly lost. Schmeling lost the admiration of Hitler; he could no longer be useful as a tool of propaganda, and he refused to join the Nazi party. Schmeling was drafted into the Paratroopers because Hitler resented his refusal to join the Party. In 1989, it was discovered that not only did Schmeling not agree with the beliefs of the Nazis, but he hid two Jewish children in his apartment until he was able to help them escape to America. He became good friends with Joe Louis and in an interview said he was glad he lost that second boxing match, as he worried that if he had, the Nazis would have kept him on that pillar and awarded him a medal, lauding him as the symbol of Aryan greatness, and he could have been tried as a war criminal, even after all his refusal to join their politics.69

---

68 Ibid.
An example of a painter favored would be Sepp Hilz. He painted portraits and rural scenes of peasants. His painting *Bäuerliche Venus* (*Farmer Woman Venus*) of 1939 shows a young woman with blonde hair in a braided bun. (figs. 12/13) She is nude apart from a pair of slippers and one knit red-and-white sock. She holds the back of a chair to steady herself as she puts on a slipper, apparently after removing a sock, which is on the floor of a country bedroom. Her clothing sits on the chair seat and the wood bed behind her is unmade. This painting was purchased by Goebbels for 15,000 Reichsmark. Another of his paintings is a portrait of a young woman, with pale skin and blue eyes, her blonde hair is in a Dutch crown braid. She wears a peasant’s shirt and two strands of red beads as a choker. This painting by Hilz, *Die rote Halskette* (*The Red Necklace*) of 1942 is a portrait of Liselotte Prams. (fig. 14) It was purchased by Hitler for 5,000 Reichsmark and was on the cover of the Nazi magazine *Frauen Warte*, the only Nazi approved magazine for women.\(^7\) (fig. 15)

Adolf Ziegler, a favorite artist of Hitler, the president of the Reich Chamber of Culture, and curator of the Great German Art Exhibition and Degenerate Art exhibition, painted one of the main works for the German exhibition. *The Four Elements: Fire, Water and Earth, Air* is an oil painting in the triptych format. (fig. 16) The four young, nude, blonde women sit on a marble bench are allegories for the four elements. The wall behind them is a deep blue, with wide wooden floorboards and a black-and-white checkerboard design. The first woman holds a flame, the second a bowl of water, the third a bunch of wheat, and the fourth has hair obviously being roused by the wind. They sit on clothes of red, green, white, and yellow. The figures are almost photographically realistic. Ziegler includes body hair, counter to the classical tradition, for which he earned the nickname “The Reich Master of

---

\(^7\) “Sepp Hilz.” *German Art*, https://germanartgallery.eu/sepp-hilz-bauernmadchen-mit-hut/.
Pubic Hair.” Women’s highest role within the Nazi party was as the bearer of children to repopulate Germany with the “superior Aryan race” and this image was meant to support that notion (while stirring the libidos of the German males).72 Hitler purchased this painting to hang above his fireplace in his office.73 (fig. 17) According to Ziegler “Our work represents our philosophy.”74 To the Nazis, this work, while bland and banal in comparison to the “-isms,” held a high moral value, with an emphasis on family, home, and church. Anyone that wouldn’t or couldn’t conform was censored and eliminated.

DEGENERATE ART

The phrase “degenerate art” comes from a surprising source. A Jewish doctor, Max Nordau, coined the phrase in 1893 with the publication of his book Entartung (Degeneracy).75 In this book, Nordau calls all modern art “pathological,” from the Impressionists to the music of Richard Wagner, as well as the effects of rise of Modernity, leading to the “ruin” of society, creating individuals that were physically and mentally “degenerate.”76 With a mixture of critique of metropolis and the romanticism of the rustic rural life, he concludes that “the city dweller represents a human type that is fated to perish.”77 “Nature demonstrates to man that he cannot live without farmland, that he needs the fields just like the fish needs water; man sees that he perishes when he tears himself from

72 Ibid.
73 Adam, Art of the Third Reich, 152.
74 Ibid.
75 Nicholas, The Rape of Europa, 7.
76 Ibid.
the soil, that only the farmer reproduces himself uninterrupted, remains healthy and strong, while the city dries up the marrow of those who live there, makes them ill and infertile.78 He points to the rapid changes of the modern civilization that man is unable to adapt to as the cause for mental illness or “degeneration.” It’s not surprising that Nordau believed without exception that modern avant-garde art, music, and literature was sick and degenerate.79 This included the Impressionists, Richard Wagner, Charles Baudelaire, and Friedrich Nietzsche.

For Nordau, the artists of the avant-garde were the same as criminals:

“It never occurs to us to permit the criminal by organic disposition to ‘expand’ his individuality in crime, and just as little can it be expected of us to permit the degenerate artist to expand his individuality in immoral works of art. The artist who completely represents what it is reprehensible, vicious, criminal, approves of it, perhaps glorifies it, differs not in kind, but only in degree, from the criminal who actually commits it.”80

He also gives this mental “degenerate” superficial physical degenerations, such as “asymmetry” in growth or features, harelips, and squint eyes.81

In 1928, architect Paul Schultze-Naumberg published Art and Race. In this grotesque volume, Schultze-Naumberg paired photos taken from medical texts of human clinical case of deformed and diseased individuals, pairing them with images of modern paintings and sculpture, such as the work of Modigliani and Otto Dix, in an effort to show the diseased and inferior minds of Modernists corrupting the “Northern” races.82 (figs. 18/19) He argued that only the Aryan “racially pure” artists could create “healthy art,” exemplifying the ideals of classical beauty.83 He felt that isolating the public from Modernism would guard them from its influence: “The body of the people is physically and mentally

78 Ibid.
79 Ibid.
80 Ibid., 45-46
81 Ibid., 46.
82 Nicholas, The Rape of Europa, 8.
different in orientation and healthier; only today’s art is one-sidedly focused on manifestations of decline and degeneration.”

In a second edition of *Art and Race* published 6 years later, Schultzze-Naumberg praises the changes Hitler’s reign had achieved, “especially the fact that Jews had been driven from their positions of power and that the doctrine of genetic health and racial anthropology had been made the basis of the new state.”

He wrote: “The eradicating of the inferior is no longer an ideology remote from reality but has been embodied in the laws and thus become reality.”

He theorized that the upmost goal of art would be to depict a healthy human as the “Nordic type.”

In this 2nd edition, he writes as though he is doing so for the Nazi party:

“The most important artistic task has always been the depicting of the human type, which we encounter in painting and sculptural works not only as dominant but also as dominating us. We are struck by an essential feature, namely that in the times of the Republic the depiction of the Nordic human being was encountered only as a very rare exception and even then overwhelmingly only in lower manifestations of it. Depictions of human beings were dominated by foreign, exotic features. But even within this type we observe a strong tendency not to depict the more noble manifestations of it but unmistakably precisely those that almost distort primitive man almost into the grinning mug of the animalistic cave dweller. At the same time we see everywhere a preference for and emphasis of manifestations of degeneration familiar to us from the army of the sunken, the sick, and the physically deformed. The methods chosen for depiction, which are, after all, highly characteristic of their time in any art, point more or less to a physical and moral low. If we were to identify the symbols that are expressed in the majority of paintings and sculptures from that time, they are the idiot, the whore, and sagging breasts. You have to call a spade a spade. It is a veritable hell of subhumans spread before us here, and we exhale when we leave this atmosphere to step into the pure air of other cultures, especially antiquity and the Renaissance, in which a noble race struggled to express its desires in its art. We can only presume that our reader is familiar with the art that until very recently filled our exhibitions and the chambers of horrors of our museums and about which advertising executives issued their ceaseless cries of ‘unprecedented!’ This book cannot disseminate them but only revive the memory of them and evoke the idea of the world into which the authors of these images tried to lead us.”

---

84 Peters, *Fear and Propaganda*, 50.
85 Ibid., 51.
86 Ibid.
87 Ibid., 52.
88 Ibid., 52-53.
For the Nazis, “degenerate art,” although not exclusively, was synonymous with Modern Art and/or Jewish art. Hitler denounced Jews for being, as he believed, the leaders of modernism in museums and in the press, in the opening speech of the Haus der Deutschen Kunst building:

“On these cultural grounds, more than on any others, Judaism had taken possession of those means and institutions of communication which form, and thus finally rule over public opinion. Judaism was very clever indeed, especially in employing its position in the press with the help of so-called art criticism and succeeding not only in confusing the natural concepts about the nature and scope of art as well as its goals, but above all in undermining and destroying the general wholesome feeling in this domain.”

Simply put, degenerate art was anything that was not instantly comprehendible or held an incoherent narrative. If it lacked a historic purpose and will, if it valued restlessness, ambiguity over perfection, the individual, or didn’t celebrate racial purity. If the work depicted not in a glorified realistic manner or if the colors used didn’t correspond to those that naturally occur (a landscape needed to be true to nature). In a sculpture, if the viewer must walk around it to understand or if the color of the sky was painterly in style. Abstraction was not tolerated. Degenerate art was anything, absolutely without question, that exceeded the limitations of the Nazi aesthetic. If an artist went outside these parameters, they were regarded as “enemies of the state, active promoters of evil, criminals against whom the organized strength of the society should be directed.”

Joseph Goebbels believed the art “insults German feeling, or destroys or confuses natural form, or simply reveals an absence

---

90 Grosshans, Hitler and the Artists, 8.
of adequate manual and artistic skill.”

It was seen as disrespectful towards “religion, femininity, and the military.”

Otto Dix was an artist who was intensely disliked. In 1933, he was fired from his teaching position in Dresden after being accused of committing violations to the moral sensibility of the nation. A veteran of the First World War, his work was dark and satirically explored the unheroic images of the living casualties of the war and life in the modern city. His works were fantastical with imagery that lay between realistic and caricature. 

_Kriegskrüppel or War Cripples_ from 1920 is the first of a series of paintings. (fig. 20) After the war, 80,000 German troop amputees returned home. The series vividly shows the effects of the “Great War” upon the citizens in a grotesque fashion. Four men walk down the street in tattered full uniform, all missing multiple limbs. Their faces are distorted and mangled with missing skin, jaws, and eyes. The colors are vibrant, harsh, and shocking. Dix is criticizing the idea of the heroics of war, instead showing nothing but ruination, decay, and destruction.

Egon Schiele was another artist that was labeled degenerate. Part of the Expressionist movement, Schiele was known for his portraits and for his studies of women that were highly sexualized. He uses an expressionistic line that intensely conveys the fragilities of human subjects. His mark-making is distinctive. One of his more famous works is the oil painting _Self-Portrait with Chinese Lantern Plant_ of 1912. (fig. 21) The skeletal figure unflinchingly locks eyes with the viewer. His head is tilted with his nose slightly up in the air. His hair, depicted through a series of brushstrokes looks to be contained chaos. His depiction of himself as a sensitive artist is easily seen through the tension of the colored patchwork that conveys the so pale its almost blue tone of his skin. His body leans to the

---

91 Foster, *Art Since 1900*, 329.

92 Ibid.
right as he wears a black shirt and blazer that is distinguished through a series of lines
delineating the structure of the clothing. Behind him are several lines with leaves and red
lanterns hanging with a hatching of painterly off-white line for the background.

Wilhelm Lehmbruck was dead for eighteen years before he was labeled a degenerate artist. A German sculptor, unable to reconcile his time served during the First World War as a paramedic, he committed suicide in 1919. His sculptures convey a sense of grief,
melancholy, and hopelessness. The figures are long and slender, reduced to bare forms,
somewhat abstracted but still expressive of the grief he felt. *Sitzender Junge* (*Seated Youth*) is of a young man seated on a rock. (fig. 22) His knees are bent and his upper half tilts forward to let his elbows rest on his thighs. His head is bent so his gaze is downcast. The features of his form are smooth and more implied than realized. The clean lines of his elongated limbs and torso and bent neck give a sense of deep meditation. This sculpture was deemed “politically and artistically inappropriate” and was slated to be melted down but was saved due to its ability to be sold.93

---

EXECUTION OF AESTHETICS AND ACCUMULATION OF ART

THE GROSSE DEUTSCHE KUNSTAUSSTELLUNG

AND THE ENTARTETE KUNST

This polarization of the Nazi hierarchal beliefs in art can best be seen in the juxtaposition of two exhibitions that occurred simultaneously in 1937. 18 July 1937 marked the first on what would become an annual festival for art. Marking the grand opening of the Haus der Deutschen, the festival for the “Day of German Art” in Munich began with a spectacular parade.\textsuperscript{54} Modeled after the parades Napoleon organized to show the spoils of his own plundering of art, this pageantry led seven thousand people through the streets for two hours and two and half miles. (fig. 23) It was a celebration of Two Thousand Years of German Culture, even if this was broadly defined.\textsuperscript{55} While the Nazi regalia was heavily featured throughout, the arts were divided into seven historical periods: Germanic, Romanesque, Gothic, Renaissance, Baroque, Classical and Romantic, and the New Age.\textsuperscript{56} Golden Viking ships, knights in amour on horseback, women dressed as the allegory of sacrifice carrying torches, and ultimately, large scale models of the buildings being

\textsuperscript{55} Ibid., 349.
\textsuperscript{56} Ibid., 356.
constructed under the Nazi regime.\textsuperscript{97} The parade concluded with hundreds of uniformed members of the German Nazi military.\textsuperscript{98}

The Haus der Deutschen opened after a speech by Hitler with an exhibition comprised of work that exemplified the classical ideals of the Aryan nation, as described by Hitler. The \textit{Grosse Deutsche Kunstausstellung}, or Great German Art Exhibition, displayed the art of the people, specifically non-Jewish Germans. It was an effort to counter what the Nazis believed to be “cultural decay.” The exhibition not only clarified the “ideological structures” German artists were now expected to conform to but further conveyed the propaganda of the ethnic racism of the Nazi identity discourse.\textsuperscript{99} Hitler dramatically opened the exhibition:

“From now on, we will wage a relentless war of purification against the last elements of our cultural decay. But if there is one among them who still believes that he is destined for higher things, then he has now had four years to prove this probation, but these four years are also enough for us to come to a final judgment. But now - I want to assure you here - all the mutually supporting cliques of gossips, dilettantes and art cheats will be rooted out and eliminated. As far as we are concerned, these prehistoric cultural Stone Agers and art dabblers may return to the caves of their ancestors, to make their primitive international scribblings there.”\textsuperscript{100}

The bar had been set. The exhibition opened, with seven more to follow in as many years, until the Nazi defeat in the Second World War. Curated by Adolf Ziegler, the paintings were hung in the typical fashion, with statues throughout. It was dignified and well done. It was meant to be a celebration of what was considered true Germanic art. And it was a failure. Attendance was low, and the works, most of which were for sale, were practically nonexistent. Hitler ended up using government funds to buy most of the works.\textsuperscript{101}

\textsuperscript{97} Ibid., 357-359.
\textsuperscript{98} Ibid., 360.
\textsuperscript{99} Enwezor, \textit{The Judgement of Art}, 22.
\textsuperscript{100} Chipp, \textit{Theories of Modern Art}, 482.
\textsuperscript{101} Nicholas, \textit{The Rape of Europa}, 20.
The companion *Entartete Kunst*, or “Degenerate Art” exhibition opened the following day, 19 July 1937. (fig. 24) Also curated by Ziegler, the exhibition took place in an abandoned warehouse that had been used to store plaster casts. This exhibition was conceived to incite ridicule of the works. 650 paintings by over 112 artists (of whom only 6 were Jewish) were hung haphazardly along the walls.\textsuperscript{102} Many of the artists were German, such as Georg Grosz, Paul Klee, Käthe Kollwitz, Otto Dix, Ernest Ludwig Kirchner, Max Beckmann, Franz Marc, but also included Pablo Picasso, Marc Chagall, Piet Mondrian, and Wassily Kandinsky. Some unframed, hanging crooked or even upside down, the works were presented as a storeroom for trash, hung over murals left from the previous tenants. The exhibition’s first three rooms were divided by theme. The first room displayed works that were deemed anti-religion. The second room held works by only Jewish artists. The third room displayed works considered to be demeaning to women, soldiers, and farmers. The walls were hand painted with graffiti and with slogans and descriptions of the perceived barbarity and decadence of the works. “Revelation of the Jewish racial soul,” “an insult to German womankind,” “the ideal-cretin and whore,” “the Jewish longing for the wilderness reveals itself- in Germany the Negro becomes the racial ideal of a degenerate art,” “madness becomes method,” “nature as seen by sick minds,” “even museum bigwigs called this the ‘art of the German people’” are a few that were on the walls.\textsuperscript{103} One description read:

\begin{quote}
“‘They say it themselves: We act as if we were painters, poets, or whatever, but what we are is simply and ecstatically imprudent. In our imprudence we take the world for a ride and train snobs to lick our boots.’ Manifesto A. Udo, Aktion, 1915. Anarchist-Bolshevist: Lunarscharski, Liebknecht, Luxembourg.”
\end{quote}

\textsuperscript{102} Foster, *Art Since 1900*, 329.
\textsuperscript{103} Barron, *Degenerate Art*, 46.
\textsuperscript{104} Nicholas, *The Rape of Europa*, 21.
If it were simply a contest of the Neoclassic versus Modernism, and it seems as though Modernism won. More than two million people viewed the exhibition (20,000 people a day) in Munich alone, which then proceeded on a thirteen-city tour. After it completed its tour, more than 3 million visitors attended, five times more than the companion exhibition. Ironically, this exhibition has been seen historically as one of the largest Modern Art to ever be executed, and the most visited.

These two exhibitions did not occur without their own contradictions. The German artist Rudolf Belling appeared in both the “Degenerate Art” exhibition and the “Great German Art Exhibition.” Belling had two sculptures in the degenerate exhibit: The Triad and Head in Brass, both avant-garde works. (figs. 25/26) His sculpture in the opposing exhibition, The Boxer, was a portrait of Max Schmeling. (fig. 27) Belling’s sculpture of Schmeling, which was unlike his other work, had been part of a competition held for the 1932 Summer Olympics in Los Angeles. Quietly, Ziegler removed the two sculptures from the Degenerate Art exhibit, leaving the Aryan icon Schmeling for viewing. Belling was labeled a degenerate artist, fled to America in 1935, returning to Germany only once to rescue his son (who was half Jewish) and settled in Turkey for the remainder of his life. Many of his sculptures that remained in Germany were smashed or melted during the Nazi reign.

Another artist, Emil Nolde, had thirty works in the degenerate exhibition, despite being a member of the Nazi party. He wrote of Hitler, “The Führer is great and noble in his aspirations and a genial man of deeds.” He held the same beliefs, especially as an

---

105 Ibid., 22.
106 Foster, Art Since 1900, 330.
107 Petropoulos, Artists Under Hitler, 159.
antisemite, but he was denounced as Hitler saw Nolde’s Expressionistic work as degenerate and was forbidden from painting. In July of 1938, Nolde wrote a letter to Goebbels:

"I take this particularly hard, and especially because I was- before the beginning of the National Socialist movement- almost the only German artist in open struggle against the foreign infiltration of German art and fought against the unclean art dealers against machinations of the Liebermann [Max Liebermann: Jewish artist and Honorary President of the Prussian Academy] and Cassirer period [Paul Cassirer: Jewish art dealer and publisher], a struggle against a superior power that brought me decades of material need and disadvantages."108

“After the partition of North Schleswig, it would have been easy for me- a celebrated artist throughout the world- to get caught up in political matters. This is due to my devotion to Germandom, above all else, which I have shown at every opportunity, both domestically and abroad, as I have fought for and recognized the Party and state, despite their defaming me. Or, perhaps, I have done this all the more because I am convinced of the world importance of National Socialism.”109

Even after all of this, Nolde still saw himself “as a true believer who had made great sacrifices for the German cause.”110 (figs. 28/29)

THE KÜMMEL REPORT
For Hitler, art was always an objective. His dream of the supremacy of Germany as the superpower of the world included cultured German cities and museums. He began collecting art in the 1920s. His collection began to grow, and so did his ambitions. He drew sketches of the building that would house his collection, drawing rooms specifically for his favorite German Romantic painters.111 Hitler began to acquire works with the prospect of creating a great museum. After both the completion of the House of German Art in Munich and a trip to Italy in 1938, where he visited the museums of Rome, Florence, and Naples, he

108 Ibid., 155.
109 Ibid., 159.
110 Ibid.
decided to expand his idea for the museum. The Führermuseum was to be built of a monumental size in his childhood home of Linz, Austria, a place where no other museum in Germany could outshine it, its architecture or collection. He wished Linz to be a cultural capital of Europe. The concept and design were Hitler’s own, but he commissioned Hermann Giesler to design and build the structure. The museum would consist of a series of colossal buildings forming a complex. (figs. 30/31) Slated to be completed by 1950, the Neoclassically designed museum would have a five-hundred-foot-long façade with colonnades. The colossal structure would be able to hold 227,000 objects. The grounds would feature a hotel, parade ground, theater, opera house, and library. As he and his henchmen made plans to conquer Europe, the plans to lay siege upon the great works of art of Europe were also simultaneously being made as well. The director of the Dresden Museum, Dr. Hans Posse, was hired to be in charge of acquiring works for the museum, by purchasing or “forcefully” acquiring them. This included buying works and confiscating paintings from occupied lands, such as France, Holland, Czechoslovakia, Poland, Austria, Switzerland, and Italy. Posse would select works from what had been confiscated from Jewish collections to either go into the Linz Museum or to be added to the collections of Austrian museums. His initial budget was 10 million Reichsmarks, but by the end of 1944, it had reached 70 million. Posse was unencumbered in his purchasing power. He was able

---

112 Nicholas, *The Rape of Europa*, 41.
118 Puloy, *High Art and National Socialism*, 211.
119 Nicholas, *The Rape of Europa*, 44.
to spend all that he could without having to consult any person or ministry.\textsuperscript{120} Normally, a museum might acquire two or three major works a year. In 1941, the National Gallery of Art in Washington, D.C. opened with a collection of 497 paintings, with around 3,000 by the mid 1990s.\textsuperscript{121} In Posse’s first year, he acquired 475 paintings, and by 1945, he had selected over 8,000.\textsuperscript{122}

Goebbels began hiring art historians to compile lists of valuable artworks of German origin that were taken out of the country since 1500.\textsuperscript{123} Otto Kümmel was hired specifically to create this list.\textsuperscript{124} These lists would help the Nazi Party bring back the works to achieve Hitler’s vision for the Führermuseum.\textsuperscript{125} Kümmel, along with three other specialists, Dr. Hans-Joachim Apfelstaedt, Dr. Hans Baumann, and Dr. Franz Rademacher created a three-volume list.\textsuperscript{126} Systematically, the volumes filled with art works listed a piece’s place of origin in Germany, when it was taken, its current location, and its current value.\textsuperscript{127} The works were divided into three categories: “Works of special historical significance,” “works of lesser importance,” and “works of local interest.”\textsuperscript{128}

The confiscation, or theft, of the work was systematically carried out by the Nazis. In 1938, they began to take from private collections. That year, the Ordinance for the Registration of Jewish Property was enacted, a decree was made that anything valued over 5,000 Reichsmarks had to be registered with the state. This included not only artwork, but

\textsuperscript{120} Ibid., 49.
\textsuperscript{121} Ibid.
\textsuperscript{122} Ibid.
\textsuperscript{123} Petropoulos, \textit{Art as Politics in the Third Reich}, 14.
\textsuperscript{124} Feliciano, \textit{The Lost Museum}, 24.
\textsuperscript{125} Petropoulos, \textit{Art as Politics in the Third Reich}, 14.
\textsuperscript{126} Feliciano, \textit{The Lost Museum}, 25.
\textsuperscript{127} Ibid.
\textsuperscript{128} Ibid.
furniture, books, jewelry, and even life insurance.¹²⁹ Then came the Ordinance for the Attachment of the Property of the Peoples’ and State’s Enemies, and the Ordinance for the Employment of Jewish Property.¹³⁰ These Ordinances gave the officials a list that systematically detailed where to look for cultural property.¹³¹ In November of 1938, the First Ordinance on the Exclusion of Jews from German Economic Life (which decreed that Jews could not own a business and had to be “Aryanized” and “sold” to an authorized German citizen) and the Ordinance for the Attachment of the Property of the People’s and State’s Enemies (which decreed that Jews must pay a 20% tax on all valuables they were forced to declare) went into effect.¹³² They didn’t just take the Germanic items they wished to include, but also anything they decreed as degenerate. In the early years of the Reich, Jews were able to exchange their valuable property for exit visas.¹³³ On rare occasions that were documented, families that had left Germany or one of their occupied territories could exchange works of art for members of their family that were placed in concentration camps.¹³⁴ When the Jewish population received the decree that they were no longer citizens, and non-citizens were unable to own property, the Nazis were allowed to take all that they wanted without formalities.

The Kunstschatz, or the art theft program, was especially ruthless and precise.¹³⁵ Hitler became obsessed with the massive art collection, and he alone would determine the fate of the looted art.¹³⁶ The works confiscated were also given to Officers in the Nazi Party,

¹³⁰ Ibid.
¹³¹ Ibid.
¹³² Petropoulos, Art as Politics in the Third Reich, 92-93.
¹³³ Nicholas, The Rape of Europa, 39.
¹³⁴ Ibid., 109.
¹³⁵ Feliciano, The Last Museum, 4.
¹³⁶ Petropoulos, Art as Politics in the Third Reich, 130-131.
at least those that Hitler did not want for his collection. Hermann Göring amassed the
greatest amount of stolen art works. He took enough to decorate his eight homes, over 1,400
pieces, which was valued at $200 million dollars in 1945 ($2.9 billion today).\(^{137}\)

The looted art was cared for, being preserved, stored, and inventoried, while those
that it was taken from were deemed worthless.

On 30 June 1939, Germany held an auction in Lucerne, Switzerland at the Grand
Hotel National for the work that they called degenerate. (figs. 32/33) Works by Picasso,
Matisse, Chagall, Gaugin, Braque, Van Gogh, and thirty-three other artists would be for
sale.\(^{138}\) The auction was internationally advertised. The group of buyers were told the money
raised would be used for German museums to purchase approved art. It was not extremely
profitable. Many people were reluctant to bid or bid low on principle.\(^{139}\) New York’s
Museum of Modern Art purchased five paintings which remain in their collection.\(^{140}\) The
auctioneer behaved in an unexpected manner. According to a journalist from the journal
Beaux Arts:

“The sale was efficiently conducted by M. [Theodore] Fischer, who was not always able to hide his disdain for certain degenerate pieces. Presenting Men with a Pipe by Pechstein, he said, with a little sneer, ‘This must be a portrait of the artist’ . . . when he withdrew other lots, which he had started at rather high minimum, he took wicked pleasure in observing loudly, ‘Nobody wants that sort of thing.’ Or ‘This lady doesn’t please the public’ . . . and he smiled when he said the word ‘withdrawn.’”\(^{141}\)

In the end, German museums did not receive the money. Even after a Commission for the
Exploitation of Degenerate Art was formed and works could be bought for a fraction of


\(^{138}\) Nicholas, The Rape of Europa, 3.

\(^{139}\) Ibid., 4.

\(^{140}\) Ibid.

\(^{141}\) Ibid.
their worth, the warehouses were “distressingly full” with well over 5,000 pieces still unsold.\textsuperscript{142} It was decided in a desire to carry out Hitler’s purification policy, some would be burned in a “bonfire as a symbolic propaganda action.”\textsuperscript{143} On 20 March 1939, 1,004 paintings and sculptures, and 3,825 drawings, watercolors, and graphics were burned at the Berlin Fire Department.\textsuperscript{144} It was a “final solution” for the Germany, but shocked the international art world, and echoed the horrific future.

**HIDDEN TREASURES AND THE MONUMENTS MEN**

In response to both the well-known art looting by the Nazis and the imminence of war, many museums, in Europe and Britain began taking precautionary measures to safeguard the objects in their collections. The Tate in London took down all major works and temporarily replaced with “similar but lesser ones.”\textsuperscript{145} The Rijksmuseum in Holland began packing important works and sending them to a castle in Medemblik, including a meticulously rolled *Night Watch* by Rembrandt.\textsuperscript{146} (fig. 34) London’s National Gallery closed and removed all the works, which were driven to Wales for safekeeping.\textsuperscript{147} The Louvre had to act quickly, removing art from frames, and using scenery trucks from the Comédie-Française to move the precious works to Chambord.\textsuperscript{148} After 7 December 1941, museums in the United States began taking precautions as well.\textsuperscript{149} The Museum of Modern Art, the major paintings on the third floor were taken down to the storeroom every night for safe keeping

\begin{footnotesize}
\textsuperscript{142} Ibid., 23-25.  
\textsuperscript{143} Ibid., 25.  
\textsuperscript{144} Ibid.  
\textsuperscript{145} Ibid., 51-52.  
\textsuperscript{146} Ibid., 53-54.  
\textsuperscript{147} Ibid., 52.  
\textsuperscript{148} Ibid., 53-56.  
\textsuperscript{149} Ibid., 206.
\end{footnotesize}
and rehung in the morning. The National Gallery in Washington, D.C. quietly sent 17 sculptures and 75 paintings, including Botticelli’s *Adoration of the Magi*, van Eyck’s *Annunciation*, David’s Rest on the Flight into Egypt, as well as three Vermeers, three Rembrandts, and three Raphaels, to the Biltmore Estate in Asheville, North Carolina. 15,000 items were removed from the Metropolitan Museum by February 1942 and sent to a suburban area in Philadelphia. Even the Declaration of Independence was sent to reside at Fort Knox.153

As the war progressed, so did the destruction. In 1943, the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas was formed. Informally, it was called the Roberts Commission, named after the US Supreme Court Justice Owen Roberts. The committee created a catalogue of all the European treasures that should be preserved, such as museums, private collections, architecture, and monuments. They also provided aerial maps with the locations of the listed cultural objects or buildings, with instructions for protection and salvage. The hope was that with the upcoming Allied European Invasion, the information provided could help the Allied forces identify these landmarks and they could be spared from destruction. But after decision was made to bomb the abbey at Monte Cassino in Italy was made with the misinformation that it was occupied by German forces and destroying it, a decision was made to make officers of the Commission more relevant. This became the Monuments, Fine Arts, and Archives Section unit (otherwise known as the Monuments Men), which traveled with the

150 Ibid., 205.  
151 Ibid., 207-208.  
152 Ibid., 208.  
153 Ibid., 209.  
154 Ibid., 222.  
commanders. It was comprised of 345 men and women from thirteen different countries.

On 29 December 1943, General Eisenhower issued all commanders the first Allied General
Order of the war on the protection of these cultural landmarks:

“Shortly we will be fighting our way across the Continent of Europe in battles
designed to preserve our civilization. Inevitably, in the path of our advance will be
found historical monuments and cultural centers which symbolize to the world all
that we are fighting to preserve.

It is the responsibility of every commander to protect and respect these symbols
whenever possible.

In some circumstances the success of the military operation may be prejudiced in
our reluctance to destroy these revered objects. Then, as at Cassino, where the
enemy relied on our emotional attachments to shield his defense, the lives of our
men are paramount. So, where military necessity dictates, commanders may order
the required action even though it involves destruction to some honored site.

But there are many circumstances in which damage and destruction are not
necessary and cannot be justified. In such cases, through the exercise of restraint
and discipline, commanders will preserve centers and objects of historical and
cultural significance. Civil Affairs Staffs at higher echelons will advise commanders
of locations of historical monuments of this type, both in advance of the
frontlines and in occupied areas. This information, together with the necessary
instructions, will be passed down through command channels to all echelons.”156

Without this command, and the backing of President Roosevelt, the officers of this special
unit might not have been taken seriously. They would not be directly overseen by the
commanders of the unit but by the Allied Control Commission.157 They would be on the
front lines and actively involved in the planning in battle operations. It was a small group,
and the core of it was made up of art scholars, artists, museum curators, and architects—all
established professionals in their fields.158 (fig. 35)

156 Ibid., 63-64.
157 Ibid., 52.
158 Ibid., 59.
As the war continued, Hitler began to worry about the increasing number of Allied air raids destroying his meticulously curated hoard of art works. He ordered that they be sent for safekeeping to several locations. One such location was a hundred miles from Linz in Altaussee, Austria, Hitler ordered for a salt mine to be converted into storage for the collection. It was a perfect location. The mine was hidden from view and would be impossible to bomb from the air. The salt in the walls would absorb moisture, which would leave the humidity at the optimal 65%. The temperature varied little, between 40⁰-47⁰.¹⁵⁹ Huge racks were built within the carved-out chambers of the mine. (figs. 36/37) It was the perfect location. When the Monuments Men discovered the location in May 1945, thousands of items were found, including 6,577 paintings, 230 drawings and watercolors, 954 prints, 137 sculptures, 129 pieces of arms and armor, 122 tapestries, 1,200 to 1,700 cases of books, 181 cases of antiquarian books, 78 pieces of antique furniture, and 79 baskets of objects.¹⁶⁰

The Ghent Altarpiece by Van Eyck Brothers, the Madonna and Child from Bruges by Michelangelo, and Vermeer’s The Astronomer were included amongst the finds. They were lucky to have arrived in time. In March 1945, Hitler began to understand the changing tides of the war. He issued what has become known as the “Nero Decree” or the “scorched earth” policy.¹⁶¹ In this, he orders that complete destruction of everything left in the path of the Nazi retreat.¹⁶² He wanted nothing left to go back to those degenerates he believed to be undeserving.¹⁶³ With that order, eight bombs, each weighing 1,100 pounds, were planted inside the Altaussee mine.¹⁶⁴ The same was to be carried out at various other places housing

¹⁵⁹ Ibid., 305.
¹⁶⁰ Ibid., 384.
¹⁶² Nicholas, The Rape of Europe, 250-252.
¹⁶⁴ Ibid.
the stockpiles of art. This led to over 30,000 artworks to still be missing, and presumed destroyed, such as Raphael’s *Portrait of a Young Man.* (fig. 38)

At the end of the war, the Monuments Men were tasked with finding the homes for over five million objects. It was an impossible task to find each individual owner for all the works that had been seized. The method they deployed was to group the works by country and send them to their homeland for the authorities in that country to sort out. This was the best scenario, but it still had its drawbacks.

Hitler committed suicide on 30 April 1945. The day before, he dictated his will to his secretary:

“What I possess belongs to the party. Should this no longer exist, to the state. Should the state too be destroyed, no further decision on my part is needed.

I have acquired collections of paintings over the years, not for my private enjoyment, but solely out of a desire to endow a picture gallery in my birthplace, Linz.”

Even Hitler’s final thoughts were about his beloved art.

---

165 Ibid. 333.
CASE STUDIES IN CONFISCATION OF ART AND NEW LAWS FOR
RESTITUTION

ADELE BLOCH-BAUER AND MARIA ALTMANN

Adele Bloch-Bauer and her husband Ferdinand were part of the wealthy Viennese
elite. A patron of the arts, her salon hosting many of the great artists at the turn of the
century, composers, authors, artists, and even politicians. The socialite was described as quite
intelligent, inquisitive, and opinionated but was not allowed to go to school, so she studied
under her own initiative. The couple curated an enviable art collection, which included a
large neoclassical porcelain collection. The Jewish couple did not have any surviving
children, and Bloch-Bauer died in 1925 of meningitis at the age of 43.

In 1903, Ferdinand commissioned Gustav Klimt to paint a portrait of his beloved
wife. The charming bohemian artist was a well-known, successful painter in Vienna. He was
a founding member of a movement called the Vienna Secession, which was closely related to
art nouveau. His work skirted the line between fine art and decorative, he was greatly in
demand. By the time Adele was painted for the first time, he had entered his golden phase,
inspired by Byzantine art with its use of gold and decorative tiles. His work has a feeling of
transcendence. Layering patterns and gold, realism and abstraction, his portraits have a sense
of intimacy and intensity. Many of his drawings and sketches were of his female models in
erotic poses. Even in the most straightforward portraits, there is a feeling of erosim. There
were many people who believed that Adele and Klimt were lovers, and the portrait he
created only intensified this speculation, long after their deaths and even today. It would not have been unlikely, as discreet as the artist was, he was the father of fourteen children. Adele was the model for two commissioned portraits, a work titled Judith, and countless drawings.

The Portrait of Adele Bloch-Bauer I, completed in 1907, is oil and gold leaf on canvas. (fig. 39) The sitter is awash in a sea of gold. Her pale face is delicately and realistically portrayed, as are her revealed shoulders and clasped hands, which are awkwardly positioned to hide a disfigured finger. Her black hair is swept up and her sensuous eyes stare directly at the viewer with a lusty gaze. There is a slight blush to her cheeks and her redden lips are slightly parted revealing white teeth. Her dress is created with gold patterns with spots of pink, blue, and black. The front of the dress has a panel with a pattern of “evil eyes,” white with blue irises. Behind her is a patchwork of different shades of gold. Swirling circles of raised gold relief appear in patterns. The ground in the lower left corner is a brilliant green. This mesmerizing painting became known as the Mona Lisa of Austria. In her handwritten will, Adele asks that her husband to leave this and the other Klimts in their collection to the Austrian State Gallery, or what became the Belvedere: “I ask my husband, after his death, to leave my two portraits and the four landscapes by Gustav Klimt to the Austrian Gallery in Vienna,” which Ferdinand acknowledged. Before that occasion would come about, the Nazis seized the work. He was charged with evading taxes after his sugar factory and business was “Aryanized.” He was ordered to pay 700,000 Reichsmarks, which was later increased to 1.4 million. With the decree forcing the registration of all valuables, the Nazis knew of the porcelain collection, which they confiscated, along with the art collection. The Klimt paintings were sent to the Belvedere. In 1946, Ferdinand writes his will, leaving his estate to his two nieces, Luisa and Maria, and nephew Robert.
In 1946, the Austrian government passed the Annulment Act, which was meant to void any questionable transactions that occurred between 1938 and 1945 when the Nazi party was in power. But the same year, a law was enacted that disallowed the export of “artworks…deemed to be important to (the country’s) cultural heritage” and anyone who wished to do so had to receive permission from the Austrian Federal Monument Agency. For many Viennese Jews that fled Austria and settled elsewhere, this meant they could not be reunited with their property. The Agency began a cycle of forcing Jews to donate or trade valuable artworks to the Belvedere in exchange for permits for other works. After being denied initial efforts for restitution, it wasn’t until 1998 when a journalist, Hubertus Czerin discovered documents that prove the painting rightfully belonged to the family of Bloch-Bauer and the Belvedere knew the work had been stolen. The Austrian government passed the Art Restitution Law, which allows art to be returned to the rightful owners when it is proven that the family had been forced to sell or sign over ownership, and any claims must go to an appointed committee. The committee feared that the work will be taken from Austria and sold into a private collection, never to be seen again. Maria Altmann, the niece of Ferdinand and Adele, began to pursue restitution but is denied by the committee. A lawsuit was filed in the United States, which eventually reached the US Supreme Court despite the fact that the legality of even filing the lawsuit was questioned by the lawyers for the Austrian government. Eventually, Altmann agreed to a binding arbitration in Austria, which she won in 2005, 67 years after it was taken from the Bloch-Bauer home. The paintings were purchased by Ronald S. Lauder at auction and are on permanent display at the Neue Galerie in New York City.
WALLY AND LEA BONDI

Egon Schiele was an Austrian Expressionist painter, mentored by Gustav Klimt. Using the same frankness of Klimt’s work, Schiele took it even further. Not only known for his explicitly erotic depictions of sexuality in self-portraits and of female models, but he could also reveal the inner workings of the sitter, without idealizing features or the psychology. Both vulnerabilities and scars were portrayed. Lea Bondi was the Jewish owner of the art gallery Galerie Würthie in Vienna. She discovered Schiele as a young artist and early represented his work in her gallery. At some point, he presented her with a gift, Portrait of Wally, the companion work to his Self-Portrait with Chinese Lantern Plant of 1912. (Image 40/21) Wally was Schiele’s lover and was a frequent model for his work. Wally looks up as though she is seated low, leaning towards the left. Her wide blue eyes look out from under her thick red eyebrows and her pale face. The tip of her nose, her cheeks, and her lips, with a sly smile, are somewhat rouged. Her short, curly red hair falls behind her, with a hint of her pale forehead seen through a veil of curly bangs. She wears a black dress with a white collar, the structure of which is made apparent through a pattern of thick brush marks. She sits on a patch of brilliant green with the same Chinese lantern plant behind her. The background is also created. With patterns of thick off-white brush marks, with a swath of crimson red behind her head. This painting was a prized possession of Bondi and a testament to her friendship with Schiele.

In 1939, art dealer Friedrich Weiz was given permission to confiscate Bondi’s art gallery to “Aryanize” it. He went to her home and saw the Portrait of Wally on her wall. He declared “I want it,” and while Bondi argued for a moment, her husband told her to give it to Weiz. It was not wise to try to negotiate with a Nazi. The next day, she and her husband left Vienna for London. All she could take with her was what she could carry, but she was
able to take some of the Schiele drawings she owned. She opened a gallery in London named St. Georges. She never forgot the painting of *Wally.*

After the war, Bondi applies for restitution of her gallery, but it was found that Weiz had made improvements to the space, and she owed him 9,000 shillings. At that point in time, the whereabouts of Wally were unknown. But it seemed that it had been misappropriated to a collection of works owned by another Jewish collector that had been sent to the Belvedere. The inventory mistitled it, but there is a handwritten note in the margin with the correct name on it of *Wally.* It wasn’t until 1953 that Bondi discovered the location of her beloved painting. She asked a Schiele enthusiast and collector and a client of her St George gallery, Rudolf Leopold, for help in getting the work which rightfully belonged to her back. Instead, Leopold brokers a deal for himself with the Belvedere to exchange one work for *Wally.* She continued to attempt to regain possession of the work up until her death.

In 1997, the Museum of Modern Art presented an exhibition of the Egon Schiele work from Leopold’s collection. The heirs of Lea Bondi sent letters to the MoMA demanding the return of the painting. The heirs ensued upon a complex legal battle that lasted for over a decade. What was unusual was that all the major museums, from MoMA, the Met, even the Jewish Museum, sided with the Leopold family. Their interest was that if this case was allowed to proceed, the art world would suffer as foreign museums and collectors would be hesitant to allow significant works to be borrowed. Ultimately, while the legal teams were preparing for another battle, Leopold died. His widow then asked to have a deal to settle out of court for $19 million dollars. The painting remained in the Leopold collection in Vienna, but it was required that a detailed label about the theft and trial over the painting be displayed on a plaque next to it in the museum.
EFFORTS FOR LEGAL RESTITUTION

In 1998, The Department of State and the U.S. Holocaust Memorial Museum hosted the Washington Conference on Holocaust-Era Assets. The conference was convened to address issues around the restitution of assets confiscated during the Third Reich, approximately between the years 1933-1945. Eleven principles for handling Nazi looted art were conceived, written, and endorsed by the delegates from 44 countries:

“In developing a consensus on non-binding principles to assist in resolving issues relating to Nazi-confiscated art, the Conference recognizes that among participating nations there are differing legal systems and that countries act within the context of their own laws.

1. Art that had been confiscated by the Nazis and not subsequently restituted should be identified.

2. Relevant records and archives should be open and accessible to researchers, in accordance with the guidelines of the International Council on Archives.

3. Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.

4. In establishing that a work of art had been confiscated by the Nazis and not subsequently restituted, consideration should be given to unavoidable gaps or ambiguities in the provenance in light of the passage of time and the circumstances of the Holocaust era.

5. Every effort should be made to publicize art that is found to have been confiscated by the Nazis and not subsequently restituted in order to locate its pre-War owners or their heirs.

6. Efforts should be made to establish a central registry of such information.

7. Pre-War owners and their heirs should be encouraged to come forward and make known their claims to art that was confiscated by the Nazis and not subsequently restituted.

8. If the pre-War owners of art that is found to have been confiscated by the Nazis and not subsequently restituted, or their heirs, can be identified, steps
should be taken expeditiously to achieve a just and fair solution, recognizing this may vary according to the facts and circumstances surrounding a specific case.

9. If the pre-War owners of art that is found to have been confiscated by the Nazis, or their heirs, can not be identified, steps should be taken expeditiously to achieve a just and fair solution.

10. Commissions or other bodies established to identify art that was confiscated by the Nazis and to assist in addressing ownership issues should have a balanced membership.

11. Nations are encouraged to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues.\textsuperscript{166}

These were released along with a statement from the then U.S. Under Secretary of State for Economic, Business, and Agricultural Affairs Stuart Eizenstat:

“Several weeks ago, we prepared a discussion paper of 11 general principles, which was used as the basis of extensive consultations and which all of you have today. These principles are not, in themselves, a solution. They are a means by which nations can fashion their own solutions consistent with their own legal systems. The principles try to capture the spirit of this conference for nations engaging in this task. If these principles are properly applied, the discovery of Nazi-confiscated art will no longer be a matter of chance. Instead, there will be an organized international effort -- voluntary in nature but backed by a strong moral commitment -- to search provenance and uncover stolen art. This effort will be undertaken by governments, NGOs, museums, auctioneers, and dealers.\textsuperscript{167}

There was no obligation to comply, it was strictly voluntary. But is has transformed the process of dealing with the international task of restitution of the stolen art. Countries have been changing laws or adding exceptions to allow more ease for restitution to occur. In 2016, President Barack Obama signed into law the Holocaust Expropriated Recovery Act (HEAR), extending the statute of limitations for legal actions in the United States for seeking


recovery of Nazi looted art.\textsuperscript{168} The issue of statute of limitations has been the lynchpin in many cases, sometimes not allowing for a case to go forward due to the perspective of unfairness. State to state, region to region, country to country, the statute of limitations often differs immensely.\textsuperscript{169} As recently as September 2023, three Egon Schiele drawings- \textit{Russian War Prisoner} (1916) from the Art Institute of Chicago; the pencil-on-paper drawing \textit{Portrait of a Man} (1917) from the Carnegie Museum of Art; as well as the watercolor-and-pencil on paper work \textit{Girl With Black Hair} (1911) from Oberlin’s Allen Memorial Art Museum- were seized by the office of Manhattan District Attorney. (fig. 41) It was found that they had been stolen from the collection of Jewish collector Fritz Grünbaum by the Nazis.\textsuperscript{170} While two of the drawings have been returned to the heirs of Grünbaum, the Art Institute of Chicago is continuing to challenge the claim of the work being stolen.\textsuperscript{171}

CONCLUSION

The consequences of the crimes of the Nazi regime are still being felt almost 100 years later. Cases such as these are happening more often than ever as art works with unsuspecting owners flood the art market. In 2012, Cornelius Gurlitt was discovered to literally be living with 1,406 works of art, including Renoir, Matisse, Delacroix, Chagall, Picasso, many more for what had been estimated to be a $1 billion collection. Gurlitt was the son of Hildebrand Gurlitt, a German art historian and gallery director who worked with the Nazis selling degenerate art, despite being Jewish himself. The works had been at Gurlitt’s home in Dresden, which he claimed when questioned by the Monuments Man that arrested him, had been bombed in an air raid by the Allies and all the work had been destroyed. Cornelius had inherited the collection from his father and felt it was his duty to care for it.

This might be an extreme example, but more artworks are either entering the art market or displayed in a reputable institution are being recognized as part of an illicit history. While the concept of what outcome is most just might seem transparent, it often takes a court of law to decide a complicated issue. Every possible solution can bring more questions, and every question, more possible answers. Whether it be from careless auction houses or collectors not doing the due diligence in to the process of investigating provenance or that combined with incomplete or falsified information of the provenance, inheritors are often being placed in the position of defending the ownership of a work as one created in good faith. The heirs that works are returned to often sell them at auction. This isn’t always out of


\[173\] Ibid.

\[174\] Ibid.
greed, but a necessity. There are costs to owning a work worth millions of dollars, such as insurance, housing, and security. Museums worry that work restituted would instantly go onto auction, and virtually disappear into a private collection. It was announced in January of 2024 a previously thought lost Gustav Klimt painting, *Portrait of Fräulein Liesen*, would be auctioned at im Kinsky, a small auction house in Vienna.\(^{175}\) The preauction estimate for sale price was between $32 million and $53 million.\(^{176}\) The painting’s provenance is ambiguous, and the auction house admits that the painting was “most likely acquired illegally during the Anschluss.”\(^{177}\) The lost Klimt painting was sold on 24 April 2024 for $37 million to an unnamed private collector in Asia.\(^{178}\) A confidential financial arrangement brokered by the auction house between the unnamed sellers and the heirs of the Lieser family was reached before the auction creating a “fair and just solution” benefiting both parties.\(^{179}\) Do museums have a moral obligation and responsibility to display works of art by the masters of artistic movements, and does that outweigh the justice of returning works to the rightful heirs? Is there more justice in displaying these works in a museum or collection with open access to the public or to the individuals they were stolen from almost a century ago? In the case of *Portrait of Wally*, do museums have the right to an expectation that works they borrow in good faith will be returned to the lender, even if it becomes involved in a court battle?

But what about the original owners of the art. Though many have passed, they and their heirs deserve justice for the crimes perpetrated upon them by a ruthless regime.

---


\(^{176}\) Ibid.


\(^{178}\) Ibid.

\(^{179}\) Ibid.
The Nazis systematically stole their lives, identities, homes, family, culture, and dignity. They deserve justice. How do we as a society foster an atmosphere that induces all the participants, be they the institutions that we trust to harbor the arts or the individuals that collect, to correct the wrongs committed generations ago? The entire belief in the idea of restitution revolves around an idea of ethics and justice, but this remains a theoretical moral gray area which seems to bring forth more questions. Works of art that were stolen, hidden, or decried as degenerate and nearly destroyed should be able to be seen by the public and not disappear for another several generations. But the families seeking restitution are looking for closure for a generational grief passed down over the course of the last 90 years. The short reign of a dictator nearly destroyed the artistic culture created in the centuries before his rule. There must be a way of honoring the heritage of those that survived.
REFERENCES


Morowitz, Dr. Laura, and Dr. Laura Morowitz. “Adolf Ziegler, the Four Elements: Fire, Water and Earth, Air.” Smarthistory. https://smarthistory.org/ziegler-four-elements/.


FIGURES

Figure 1: Professional photograph of Hitler practicing gestures.
Figure 2: Professional photograph of Hitler practicing gestures.

Figure 3: Hitler at the podium while giving a speech.
Figure 4: Hitler at the podium while giving a speech.

Figure 5: The Man with the Golden Helmet, Rembrandt, 1650
Figure 6: Leda and the Swan, Correggio, 1532

Figure 7: The Astronomer, Vermeer, 1668
Figure 8: Greek Riace Bronze: Statue of a Young Man with Headband, 460-430

Figure 9: Greek Aphrodite Callipygos (Roman Copy), 2 BCE
Figure 10: Readiness, Arno Breker, 1937

Figure 11: Der Athlet, Josef Thorak, 1937
Figure 12: Bäuerliche Venus (Farmer Woman Venus), Sepp Hitz, 1939

Figure 13: Bäuerliche Venus (Farmer Woman Venus), magazine cover
Figure 14: Die rote Halskette (The Red Necklace), Sepp Hilz, 1942

Figure 15: Die rote Halskette (The Red Necklace), magazine cover
Figure 16: The Four Elements: Fire, Water and Earth, Air, Adolf Ziegler, 1937

Figure 17: Adolf Hitler’s office featuring Ziegler Four Elements painting.
Figure 18: Images from Art & Race

Figure 19: Images from Art & Race
Figure 20: Kriegskrüppel (War Cripples), Otto Dix, 1920

Figure 21: Self-Portrait with Chinese Lantern Plant, Egon Schiele, 1912
Figure 22: Sitzender Jüngling (Seated Youth), Wilhelm Lehbruck, 1917
Figure 27: The Boxer, Rudolf Belling, 1929

Figure 28: Life of Christ Trptych, Emil Nolde, 1911-1912

Figure 29: Sea in the Evening Sunlight, Emil Nolde, 1938-1945
Figure 30: Führermuseum model

Figure 31: Führermuseum model
Figure 32: Lucerne degenerate art auction

Figure 33: Lucerne degenerate art auction
Figure 34: Night Watch by Rembrandt rolled for safe storage.

Figure 35: The Monuments Men
Figure 36: Altaußee salt mine storage for confiscated art

Figure 37: Altaußee salt mine storage for confiscated art
Figure 38: Portrait of a Young Man, Raphael, 1514
Figure 39: Portrait of Adele Bloch-Bauer I, Gustav Klimt, 1907

Figure 40: Portrait of Wally, Egon Schiele, 1912
Figure 41: Russian War Prisoner (1916), Portrait of a Man (1917), Girl With Black Hair (1911), Egon Schiele
CURRICULUM VITA

NAME: Kathryn Elaina Jacob

ADDRESS: 117 Adams Street
Louiseville, KY 40206

EDUCATION & TRAINING:

B.A., Art History
University of Louisville
1998-2005

B.F.A., Drawing
University of Louisville
1998-2005