

OFFICIAL STATEMENT FROM THE BAYERISCHE STAATSGEMÄLDE-SAMMLUNGEN IN RESPONSE TO FALSE CLAIMS, 28 JUNE 2016

In direct response to the article by Catrin Lorch and Jörg Häntzschel: “Der Münchener Raubkunst-Basar”, printed in the weekend edition of the *Süddeutsche Zeitung* on 25/26 June 2016

The artworks that came into the Bayerische Staatsgemäldesammlungen's possession as a “relocation of state property” and referred to in the *Süddeutsche Zeitung* article are at the forefront of provenance research conducted at the Bayerische Staatsgemäldesammlungen. These artworks seized from the private art collections of leading figures in the Nazi Party and from the Nazi Party's own collection were initially brought by the US army to the Central Collecting Point (CCP) in Munich. At the CCP in Munich extensive investigations were carried out with the aim of returning stolen and looted art to the rightful owners. Whenever stolen or looted art continues to be found among “relocated state property”, then the works in question represent complex cases that the experts at the CCP were unable to resolve. With the dissolution of the Nazi Party and the expropriation of high-ranking Nazis' assets, the artworks were transferred into the hands of the Federal Government or the Free State of Bavaria, depending on where they had been found. It should be pointed out that this procedure was not merely limited to works of art. The State of Bavaria, for example, was also granted ownership of the Nazi Party buildings, Hitler's private residence at Prinzregentenplatz, and the rights to *Mein Kampf*. As a “relocation of state property” the Bavarian State Government entrusted the artworks to the Pinakotheken.

The Bayerische Staatsgemäldesammlungen has made earnest and extensive efforts in provenance research in recent decades and has come to clear findings:

As long ago as 2004 it issued the provenance report *Die Kunstsammlung Hermann Görings* (The Art Collection of Hermann Göring), which includes the 142 works that were consigned to the Staatsgemäldesammlungen in the postwar period as a so-called “relocation of state property”. Since 2007 all works have been listed on www.lostart.de on the suspicion that they may be looted art. Since 2013 a further 740 works formerly expropriated from the collections of the Nazi Party and high-ranking Nazis have been under investigation by two provenance researchers. The research work is funded by the museums themselves and the Bavarian State Ministry for Education, Culture, Science, and the Arts. Thanks to continual and ongoing research by the Staatsgemäldesammlungen, the number of works publicized on www.lostart.de has doubled since 2007 and the figure now stands at 236 works. At the same time, researchers are striving to reconstruct and contextualize the decision-making processes that led to artworks passing from National Socialist possession into the museum collections after the Second World War. These questions are of relevance for both the future handling of objects “relocated from state property” and public awareness surrounding this issue; it is furthermore surprising that these questions have not played a role in historical scholarship to date. Later this year, in 2016, this part of the project should come to a conclusion, resulting in a

publication. The sudden death on 4 November 2015 of our colleague responsible for this research, who died at the age of just 32, led to a delay in the project. We have managed to find a successor for the post, filled as of 1 July 2016.

As long ago as 2000 researchers published *Die Kunstsammlung des Reichsmarschalls Hermann Göring: Eine Dokumentation* (The Art Collection of Reich Marshal Hermann Göring: A Documentation), in which Edda Goering's claims were discussed. The sales of "Göring works" in 1966/67 have been publicly documented, since 2004, in the Staatsgemäldesammlungen's publication, *Die Kunstsammlung Hermann Görings*, as detailed above. This was followed, in 2008 and 2009, by the subsequent publications *Raub und Restitution: Kulturgut aus jüdischem Besitz von 1933 bis heute* (Theft and Restitution...) and *Der Eiserne Sammler: Die Kollektion Hermann Göring. Kunst und Korruption im "Dritten Reich"* (The Iron Collector...). Both publications make clear and express reference to the claims of Emmy and Edda Göring, as well as the restitution of artworks to Emmy and Edda Göring, and sales/auctions of works by the Federal Government and the State of Bavaria in the period 1963 to 1997.

The assertion that the Bayerische Staatsgemäldesammlungen is not confronting its history and does not work in a transparent manner is false.

On the seizure of the assets of Heinrich Hoffmann, the following information is located in the archives of the Bayerische Staatsgemäldesammlungen:

In 1952, a total of 255 objects were handed over to the State of Bavaria, as represented by the Bavarian State Ministry of Finance. An additional seven sculptures with provenance tracing to the Gufflham estate were later added to this, which brought the figure to 262 objects.

In 1953, Heinrich Hoffmann, whose entire estate was confiscated upon being judged a "major offender" in the *Spruchkammerverfahren* (denazification tribunals), was reclassified into a lower band of offender, upon which 20% of his assets were reattributed to him. This lead to an appraisal of the works from the former "Hoffmann Collection", largely because Heinrich Hoffmann wished to reacquire his percentage in material assets – that is, including artworks. In May 1954, 20% of Heinrich Hoffmann's property was returned to him in the form of 12 pictures. A further pictures, which had been given to his son, daughter and to a masseur before the war, were then likewise returned in the ensuing period.

On 30.10.1956, a directive was issued by the Finanzmittelstelle (Financial Resources Point) to return to Heinrich Hoffmann almost all the pictures from his holdings. In actual fact, on 11.3.1959, the Treuhandverwaltung von Kulturgut (Trust Administration of Cultural Assets) only handed over to the Staatsgemäldesammlungen some 13 objects with provenance tracing to Hoffmann. In 1962/3, another seven sculptures belonging to Hoffmann from the Gufflham estate were added to the collection of the Staatsgemäldesammlungen. In 1962, with ministerial authorisation, seven artworks were sold, of which Henriette Hoffmann acquired five.

Currently, the Bayerische Staatsgemäldesammlungen possesses five pictures and seven sculptures with provenances tracing to Heinrich Hoffmann; since September 2013, eight of these works have been placed on www.lostart.de due to suspicions that they could constitute looted art.

Sources on Heinrich Hoffmann's asset seizure can be found in the Staatsarchiv München (Munich State Archive) and the Bayerisches Hauptstaatsarchiv (Archives of the Bavarian State) as well as in the Bundesarchiv (Federal Archive) in Koblenz.

The Bayerische Staatsgemäldesammlungen goes to great lengths to continue to confront its own history, which is simultaneously and inextricably intertwined with the history of the Free State of Bavaria and of the Federal Republic of Germany. This probing into its past is executed in the most transparent manner possible. In the past, numerous press releases have been issued announcing preliminary results (2014); the project has been announced publicly in speeches and essays. The media have also dealt with the issue of the so-called relocations of state property more than once (*Der Spiegel*, 27.01.2013, article by Steffen Winter; Bayerisches Fernsehen, program by Julia von Schwerin in January 2014, "Der Institutsspaziergang"; Bayerisches Fernsehen program by Michael Bauer in February 2014 on Spitzweg). Together with the Minister for Education, Culture, Science and the Arts, Dr Ludwig Spaenle, the Staatsgemäldesammlungen also called a press conference on this topic in 2014.

As early as July 2011, the Staatsgemäldesammlungen and the State Ministry for Education, Culture, Science and the Arts handed over to the Commission for Looted Art, as represented by Anne Webber, all documents in the possession of the Bayerische Staatsgemäldesammlungen pertaining to the 1962 sale of the paintings to Henriette von Hoffmann-Schirach, which was authorised by the Finance Ministry. Further information on the previous owner or later owners after Heinrich Hoffmann/Henriette Hoffmann-Schirach are not provided in the documents in the archives of the Bayerische Staatsgemäldesammlungen.

The Bayerische Staatsgemäldesammlungen has been carrying out provenance research ever since the Washington Conference in 1998, to which, it should be pointed out, the Bayerische Staatsgemäldesammlungen was the only German museum body to send a representative.

It is the declared intention of the relevant ministry and the directors of the Bayerische Staatsgemäldesammlungen to return unlawfully seized property to its owners or their heirs, or to find fair and just solutions in the spirit of the Washington Principles. The Staatsgemäldesammlungen proactively investigates all paintings and sculptures which were acquired after 1933 and were produced before 1945. This refers to the **existing inventories** of the three Pinakotheken, the Sammlung Schack (Schack Collection), and the twelve branch galleries. Currently, four employees, financed by government funds, are working on this in a department set up expressly for provenance research.

The Director-General Dr Bernhard Maaz belongs to that generation of art historians which was among the decisive proponents of the Washington Principles. In his previous posts in Berlin and Dresden he was already highly active in personally advocating restitutions to victims of the Nazi regime.

Provenance research is a tedious job, it demands expert qualifications and great diligence, since the results must be authoritative. For the work of our in-house provenance researchers, unrestricted access to the records is essential. Upon request and by appointment, the records of the Staatsgemäldesammlungen are freely open to inspection by heirs, their representatives, and external researchers. For example, Jonathan Petropoulos was able to work here in the museum on his publication *The Faustian Bargain*, which was published in the year 2000; many others have followed him, as can be verified. Catrin Lorch and Jörg Häntzschel, the authors of the article in the *Süddeutsche Zeitung*, were also supplied the material they requested in its entirety, otherwise the article would hardly have been possible.

The assertion that the records of the Bayerische Staatsgemäldesammlungen are not accessible or that access was denied is false.

Since 1998, 12 restitutions from 8 collections have been carried out, often thanks to proactive research by the Bayerische Staatsgemäldesammlungen, as in the cases of August Liebmann Mayer and Julius Kien, and in the case of Michael Berolzheimer. These cases were put together by a research team with the support of the Bayerische Staatsgemäldesammlungen. It is the declared intention of the relevant ministry and the directors of the Bayerische Staatsgemäldesammlungen to return unlawfully confiscated property to its owners or their heirs, or to find fair and just solutions in the spirit of the Washington Principles.

The assertion that the Bayerische Staatsgemäldesammlungen would impede restitutions is false.

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