

## In the name of the father

**Looted Art** – An auction of three paintings, which were long in possession of a museum, will divide the art world. Embarrassingly late, these pieces were revealed as looted art. They belong to the heirs of the legendary publisher Mosse family, who are claiming back hundreds of more pieces.

These three paintings, all three of great power, all three once stolen by the Nazis tell about German history in their own way. The fact that these shall now be auctioned is a sensation. It is possible because restitution has been achieved, because the pieces have been returned to the heirs of their true owners. However, not everybody will appreciate the sale, the auction will even divide the art community.

These are paintings by Adolph Menzel, Wilhelm Leibl and Ludwig von Hofmann, leading artists of the 19<sup>th</sup> century. The portrayals – two paintings, one drawing – have been displayed in museums in Germany and Switzerland for many years, and nobody expected that they would ever be available on the market again. In the past one, two years though, it was found that they were looted art; by now they have been returned to the heirs of the Jewish family, which purchased these over a hundred years ago – and the Berlin auction house “Villa Grisebach” will auction the objects on behalf of the heirs on June 1<sup>st</sup>.

And this is only the first highlight of a gigantic looted art case, which will occupy the country for a long time yet. A wave of restitution claims could follow. Because the Californian law firm Bartko Zankel Bunzel, who represents the heirs, is searching for hundreds of more pieces from the family’s estate. The Americans are in touch with several German museums and not everybody wants that this gets public. Such negotiations re difficult, a lot could fall through.

These pieces, also the three paintings, which shall now be auctioned, once belonged to the legendary Jewish, Berlin newspaper mogul Rudolf Mosse. Theodor Wolff, one of the famous journalists of the Weimar Republic, a democratic and uncompromising mind, was chief editor of Mosse’s renowned capital city newspaper “Berliner Tageblatt” for many years. A total of 130 newspapers and magazines established Mosse’s publishing group, including the “Berliner Morgen-Zeitung,” the “Berlin Volks-Zeitung,” and the satire magazine “Ulk,” which inter alia was managed by Kurt Tucholsky. Publisher Mosse had acquired influence and wealth, he was one of the richest Prussians, owned a palace in the capital at Leipziger Platz and turned into a passionate art collector. He died of a hear failure at his summer residence in 1920, his heirs – his illegitimate, then adopted daughter Felicia Lachmann-Mosse and the son-in-law Hans Lachmann-Mosse – continued his empire later on. Then the Nazis came. Upon their pressure, the Jewish journalist Wolff was fired, the hated Mosse publishing group was destroyed, at least in Germany, and all other types of

assets in Germany were confiscated. A selection of the confiscated art and furniture of the Rudolf Mosse estate was auctioned at the auction house

“Rudolph Lepke” in Berlin in May of 1934; all organized by art dealer Karl Haberstock, who would continue his career as an art dealer for the Nazis. A week later, an auction house called “Union” auctioned additional paintings and furnishings of the son-in-law’s and (already expelled) company director Hans Lachmann-Mosse’s estate. At least he, his wife Felicia, and their three kids survived abroad.

At the time, the auctions were supposed to appear legal; the auction catalogue of the first auction named the “Rudolf Mosse Treuhandverwaltung” [trust management] as principal, even the title of this sales book was: “The Rudolf Mosse Art Collection.” Advertisements included the name of the great, ceased collector, the name of a father, whose daughter was simultaneously threatened, expelled and robbed. The prefix text solemnly highlighted individual paintings; also the now restituted painting by Ludwig von Hofmann. Two women walk along a naked young man along the seashore. The sellers enthuse: “This fanfare of joy of youth and joy of love has never been reached again by the painter.” The painter Hofmann is from Darmstadt, and this painting exemplary of the era of art nouveau made it to the city’s museum, the Matildenhöhe, already in 1914. It was purchased from a collector, Trapp, from Baden-Baden, and was henceforth one of the centerpieces of the museum for many decades. However, in June 2014 the U.S. lawyers reached out. The evidence was unambiguous. Likewise in other cases. Wilhelm Leibels “male portrait” with the title “Appellationsrat Stengelein” was sold to Switzerland in 1934 and in the mid eighties offered on the art market again. The city of Sindelfingen purchased it with financial support of the Daimler-Group. Also in this case, a letter from the U.S. reached the municipal museum in the summer of 2014; the painting was soon restituted, the heirs – an elderly lady in the U.S. and two institutional beneficiaries – agreed to a loan agreement, which was soon terminated again.

The third piece: a pastel drawing by art genius Adolph Menzel from the mid nineteenth hundreds, which portrays his sister Emilie in warm tones. In 1934, it came into Fritz Nathan’s possession, a Munich based dealer who had soon to emigrate himself. He had been able to sell the Menzel drawing to Oskar Reinhart in Winterthur when he was still in Germany, which was in the museum named after him until recently. Now, the paper will ensure particular interest of prospective buyers. “Never is Menzel more French than in his pastels of the late 40ies, never more personal than in the portraits of his sister,” says Florian Illies, author, art expert, and one of the directors of the auction house “Villa Grisebach.” The estimated auction price for the pastel is 300,000 Euros, which is the most expensive of the three paintings. Apparently none of the museums, who had to return the paintings, were aware of the fact that these pieces were looted art. And so it becomes clear, many years after the end of the war, how much of history has not been researched yet, and how much justice is yet to be restored. In 1998, Germany signed the “Washington Principles.” It committed, late enough, to search for looted art in public possession, to retribute such pieces or to find comparable “fair and just solutions.” Ronald Lauder, president of the World Jewish Congress, recently reminded the SPIEGEL that Germany has done too little so far. He is probably right. The Mosse case concerns further institutions, for instance the Wallraf-Richartz-Museum in Cologne, which had

received a flower still-life as a donation, which has now been discovered as belonging to the Mosse family. The city's council will discuss this matter in May. The case is difficult, because the painting had been sold to a Jewish dealer at the auction in 1934, who was persecuted himself later on. Another example, controversial in a different way: The Staatliche Kunsthalle Karlsruhe has an impressive piece by landscape painter Carl Blechen, another iconic name of the 19<sup>th</sup> century for art historians. This piece has already been restituted to the Mosse family, but is still kept in Karlsruhe for the moment. Karlsruhe would surely like to keep it there, but has not given any further comments. In contrast, Eric Bartko, who leads a separate unit at the California law firm, which is also dedicated to the research of looted art, made a clear statement against this idea. He says that sales negotiations with Karlsruhe are being lead, and that the requirements have to be simply met on their side in a "reasonable period of time."

But how come that all this is just happening now, the restitution claims, the negotiations? Who exactly belongs to the circle of heirs? Two of the three kids of publishing house heir Felicia Lachmann-Mosse remained childless: daughter Hilde L. Mosse, a child psychiatrist, and son George L. Mosse, a historian. However, both named as beneficiaries a Foundation and a University. Felicia's oldest son, who died of cancer at a young age, left a daughter behind. She is the third heir.

History is confusing, and so are family relationships: Felicia and her husband Hans Lachmann-Mosse divorced in the late 30ies, he re-married his longtime friend, widow Karola Strauch; her son, who she brought into the marriage became a famous physicist. One of his sons is the director of the Mosse Foundation, which is one of the Mosse heirs.

In 2012, originating from this foundation, the Mosse-Art-Project was founded to research the whereabouts of the collection. Two years later, expert Bartko, who is in charge of the investigations, had over 400 art objects and hundreds of more objects, for instance furniture, porcelain, and clocks added to the "Lost Art" website, which is supported by the German government; a total of more than 1000 items. This process probably already alarmed museum directors; the auction must make them probably even more nervous.

Many might reproach the heirs of not donating or loaning the object to the museums. Heirs of Jewish collectors have often been reproached for claiming painting just to monetize them. But what would be wrong with this? At most, it is scandalous that they have been deprived of their property for so long. Art investigator Bartko is full of praise for the Staatlichen Museen Berlin, where he had asked for one object and got the answer that they had already attributed 8 objects to the Mosse collection: including a Roman sarcophagus and an ancient Egyptian sacrifice font.

The auction of the paintings will be exciting in other respects. Soon, the controversial Act to Protect German Cultural Property against Removal will come into force, which will make it difficult to bring important art objects out of the country. This will make many collectors hesitate to buy art since they cannot be sure to be able to sell their pieces in the international art market in the future. Consequently, the top-class art pieces, just like museum pieces, might directly be purchased from foreign buyers.