

Fluchtgut – Raubgut. Der Transfer von Kulturgütern in und über die Schweiz 1933–1945 und die Frage der Restitution

Flight Assets – Looted Assets. The Transfer of Cultural Assets to and through Switzerland from 1933 to 1945, and the Problem of Restitution

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Summary

This study deals with the role of Switzerland as an art dealing centre and conduit for cultural assets in the National Socialist period for one thing. For another it examines the events of the immediate post-war period and in particular the legal reappraisal made by the Swiss authorities in respect of the occurrences between 1933 and 1945. Attention focusses both on the owners of the assets as well as on those who exploited them, the dealers, museums and collectors. The study concentrates primarily on works of art; other categories of cultural assets are addressed in numerous places but could not be dealt with in detail.

Switzerland was a trade centre for looted assets and flight assets from Nazi Germany and the occupied territories. «Looted assets» are to be understood as cultural assets stolen, confiscated, or otherwise removed from their lawful owners by Nazi institutions. The new category, introduced in this treatise as «flight assets», refers to those cultural assets which were transferred to Switzerland by their lawful owners in an attempt to prevent them from being seized by the Nazi authorities. Also examined in this study is the group of «degenerate» art, art which was banned by the Nazi regime. This group comprises works that found their way into Switzerland either as looted assets or as flight assets.

The emigration of art historians, dealers and collectors from Nazi Germany to Switzerland is dealt with here for the first time. With these people, several collections – or at least parts of collections – found their way to Switzerland. This study puts some emphasis on the importance of about a dozen dealers who emigrated from Germany and then stayed in Switzerland. The flight and emigration of these specialists meant that a considerable amount of expertise entered Switzerland. Furthermore, the presence of these dealers on the Swiss art market resulted in close links being forged with Germany. In some cases it was ascertained that these art dealers, some of whom were Jews, played a very important role in the art trade of the time, as they simultaneously functioned as a link between the collections still remaining with or having already been taken from the owners in areas under Nazi occupation and the Swiss art trade (Chapters 2 and 3.2.2.3). Whereas it was mainly the Higher Regional Tax Authorities (*Oberfinanzpräsidien*), the museums and the Reich Chamber of Culture (*Reichskulturkammer*) that were responsible for the withdrawal of art and cultural assets in the Third Reich, removed goods were transferred not via official Nazi channels or civil servants, but almost exclusively through the art trade. There were hardly any legal provisions governing the art trade in Switzerland at the time, up until 1935, 1938 and 1944 when more restrictive controls were introduced. The latter, however, served more to protect Swiss artists rather than to provoke a thorough examination of the provenance of imported and exported works of art. The clearing transactions with Germany introduced in 1934 also brought about a certain degree of restriction, but the purchase and sale via the clearing system played a rather insignificant role compared with exchange transactions which, however, also had to be approved. In addition to these possibilities, cultural assets were also brought into Switzerland via bonded warehouses, diplomatic bags, the relocation of household goods and by smuggling (Chapter 3.1.2).

The following can be ascertained with regard to the conduct of the key players on the Swiss cultural assets market, i.e. the museums, collectors and dealers: when purchasing objects of dubious provenance, the museums generally adopted a cautious stance. However, they were significant as exploiters in terms of storage and subsequent utilization in exhibitions. Nevertheless, works of dubious origin found their way into their holdings via foundations and donations (Chapter 3.2.2.1). Compared with the museums, private collectors were considerably more eager to buy – and less critical – as can be seen in the case of the collector Emil G. Bührle (Chapter 3.2.2.2). The dealers are examined with regard to their scope for manoeuvre and, especially in the case of the Jewish immigrant Fritz Nathan, with regard to their predicament (Chapter 3.2.2.3). He not only helped victims of National Socialist persecution who wanted to remove their collections to a safe location, but also advised and gave support to German and Swiss museums in their purchasing and exchange activities.

Particular attention has been paid to the Fides fiduciary association, whose majority owner was Credit Suisse (*Schweizerische Kreditanstalt*) and whose role on the cultural assets market has so far not been examined, and to the Lucerne-based Galerie Fischer. Following the introduction of currency controls and the resulting frozen accounts, Fides became a player on the German art market and was able to export some of the frozen assets from Germany in the form of works of art and subsequently convert them into foreign currency, in particular on behalf of persons outside the Nazi-controlled territories (Chapter 3.2.3). Galerie Fischer, the largest auction house in Switzerland at the time, generated substantial turnover by barter deals in French impressionists, organising «emigrant auctions» and mediating the transfer of works to the Hermann Göring collection and the «Führermuseum» in Linz, Austria, all of which were features of the art trade specific to the Nazi period (Chapter 3.2.4). As regards the trade in «degenerate art», the study clearly shows that the well-respected auction held in Lucerne by Galerie Fischer in 1939 helped establish closer links between the Swiss art market and Nazi Germany. Overall, it should be pointed out that Fischer's role was of greater importance to Switzerland as an art-trading centre than has been assumed to date. However, the study also reveals that the importance of trade in «degenerate art» in Switzerland must be seen in context. Apart from the auction in Lucerne in 1939, which brought the Reich half a million Swiss francs in foreign currency, trade in «degenerate art» was only a peripheral activity in Switzerland, for reasons of market saturation (Chapter 4.3). This study has for the first time examined the holdings of the Federal Archive in Koblenz, Germany, to determine how many objects from the Swiss art trade found their way into the two biggest Nazi collections, those of Hitler and Göring (Chapter 4.4 and 4.5). The example of the links between Swiss art dealers and the Paris art market shows the route taken by individual «aryanized» objects into Switzerland (Chapter 5.2).

Finally, the study deals with Swiss policy on the restitution of works of art and cultural assets that had found their way into Switzerland (Chapter 6). It shows that the Swiss restitution legislation – heavily influenced by the British model – divided the persecuted into two classes: those who were robbed during the war in the occupied territories and those subjected to the various measures of the Nazi despoliation policy prior to 1939 and during the entire Nazi period in the «Old Reich». The major part of the looted works of art found in Switzerland by the Allies – all paintings and drawings but for two exceptions – were restituted after the war. However, the investigating authorities did not proceed to search intensively for additional looted objects. All the Swiss owners of looted paintings were compensated by the government as part of the legal proceedings conducted before the Chamber of Looted Goods (*Raubgutkammer*), as they were deemed to have acted in good faith; the Confederation, on the other hand, had itself reimbursed by the Federal Republic of Germany for all the costs incurred.

In conclusion, it should be pointed out that, owing to the limited sources available, it was possible to provide quantitative information only in certain areas. What can be ascertained, however, is that more flight assets than looted assets found their way into Switzerland. The study also determined that flight assets were acquired by both museums and individuals, but that looted assets were rather acquired by individuals. Switzerland functioned to a greater extent as a conduit for flight assets on their way to third countries, while looted assets often remained in Switzerland.

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