

arts

‘Nazi hoard’ or a son’s rightful inheritance?

An independent expert has come out in defence of Munich collector Cornelius Gurlitt. David Charter investigates

It is hard not to feel some sympathy for Cornelius Gurlitt. For two years the reclusive 81-year-old has been living in limbo after the German authorities seized his sensational collection of art, containing works by Picasso, Matisse and Chagall among others, bequeathed to him by his father, the Third Reich art dealer Hildebrand Gurlitt. Gurlitt’s lawyers now claim that at most 3 per cent of the 1,280 canvases were possibly looted from Jewish owners despite banner headlines of a “Nazi

treasure trove” when the story of the discovery broke in November.

Following a few brief appearances when he seemed confused, Gurlitt went to ground and a legal custodian was appointed in December on health grounds as the strain proved too much. *The Times* has now learnt that he is recovering from heart surgery.

Gurlitt’s lawyers also say that, unlike some museums and other private collectors, he stands ready to find agreement over any claim that his father acquired a painting illegally during the Nazi era. On the one



known occasion, shortly before his collection was seized, when he took a painting to auction (*The Lion Tamer* by Max Beckmann) Gurlitt did a deal to split the proceeds with the heirs of the painting’s Jewish former owner.

Germany has been left wondering who the real Cornelius Gurlitt is: blameless art lover or grasping hoarder?

One of the few independent experts to have seen the collection has now decided to speak out in Gurlitt’s defence. “Cornelius Gurlitt has not done anything wrong,” says Dr Sibylle Ehringhaus, an expert in 19th-century art based in Berlin. She reflects a view that the sins of the father should not be visited on the son. “The pictures belong to him — the entire collection must be returned to him. The State has made a big mistake and it must admit it — and make up for it.”

Ehringhaus was one of three experts who received a telephone call in March 2012 from the authorities in Bavaria asking them to participate in a top-secret mission. A private collection



of artworks had been discovered in the Schwabing district of Munich by tax inspectors investigating a routine VAT case. Would she take a look?

The trio was given just 48 hours to look though the lot. “It was very well kept,” Dr Ehringhaus says. “The quality is brilliant and fresh because it was in this private collection for 60 years.” This contradicts the image presented by *Focus*, the German news magazine that broke the story, of a collection stashed alongside tins of food in a run-down apartment.

The works are varied, ranging from sketches and prints to paintings from many eras, including an Otto Dix self-portrait with a cigar. They fall into three main groups: about 330 works said to have been acquired by Hildebrand Gurlitt before 1933 when the Nazi era began, and therefore likely to be returned to Gurlitt soon; about 380 examples of so-called Degenerate Art, the modernist works detested by the Nazis which they seized from public museums and Gurlitt senior acquired from the regime by cash or trade; and 590 other items from Hildebrand’s wheeler-dealing during the war and up until his death in 1956.

While 458 works of questionable provenance have so far been put on the website lostart.de, Gurlitt’s lawyers say that just four restitution claims have been received and two more are being discussed. The contested works include a Matisse that once belonged to the art dealer Paul Rosenberg and is being claimed by his grand-daughter Anne Sinclair, the former wife of Dominique Strauss-Kahn.

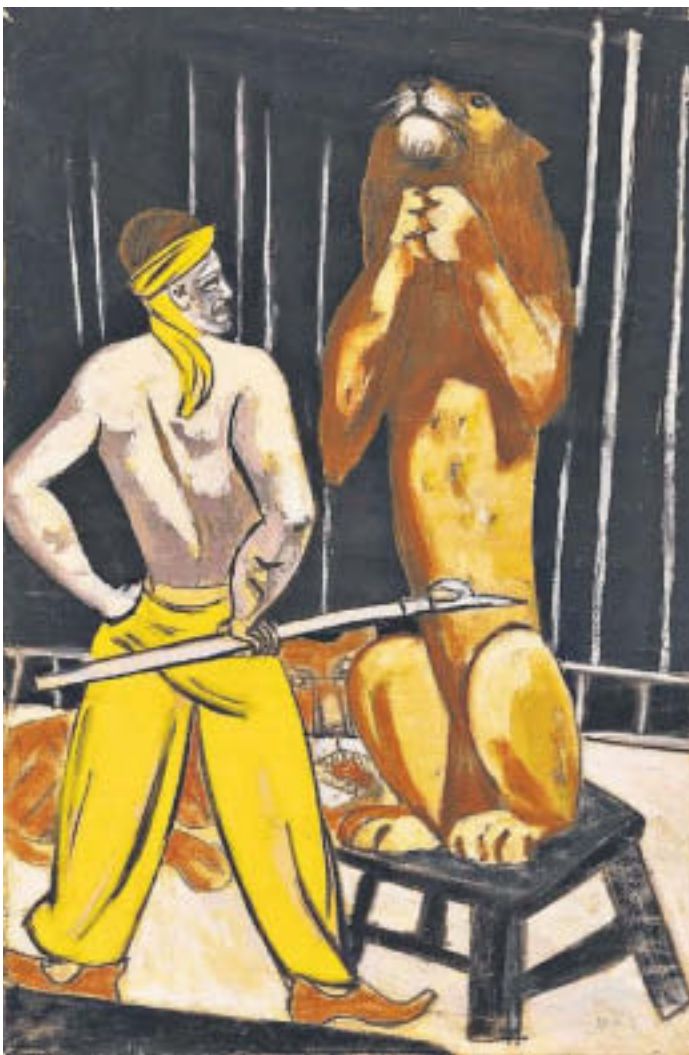
“At most 35 of the 1,280 works seized by the German authorities are critical works that could have a background of being Nazi-looted art from former Jewish property,” claims the website gurlitt.info, set up by Gurlitt’s lawyers.

It names the four confirmed claimants as the Rosenberg, Friedmann, Glaser and Littmann heirs. “The authorities who made the case public placed the entire collection under suspicion of being looted art without any compelling evidence,” his lawyers say.

So was Gurlitt more sinned against than sinning? Ehringhaus says that the case has become a political football, one that is being kicked by Berlin firmly towards the goal of new legislation. Under Germany’s 30-year statute of limitations, the dispossessed had until 1975 at the latest to reclaim their property, unless claimants could prove bad faith by the owner. But last month a new law was presented to the Bundesrat, the German upper house, proposing to lift the statute of limitations for items stolen under the Nazi regime — a move Ehringhaus fervently opposes. “In 2014, neither Cornelius Gurlitt nor any owner of looted art has himself or herself done anything wrong. That is the statute; you cannot take something away from people who have not done anything.

“There are private collections all over the world where there is looted art. If I was to work on a collection and find a piece of looted artwork I would first of all talk to the owner and they would decide what to do with it. Gurlitt was caught up in a political debate that does not have anything to do with him. He is a sort of victim.”

Gurlitt’s lawyers highlight the can of worms waiting to be opened by the new law, since it would implicate museums in Germany as well as private owners. In his only media interview, with *Der Spiegel* last November, Gurlitt remained defiant. “I won’t speak with them and I won’t voluntarily give back anything, no. The public prosecutor has enough that exonerates me,” he was quoted as saying. His lawyers have since finessed



his thoughts. “Mr Gurlitt has explained several times . . . that he is interested in finding amicable solutions with private claimants about contested artworks, even though the legal situation would not require this.”

Hildebrand’s image is also getting a polish. His “avid acquisition activities” were “among other things motivated

Cornelius Gurlitt, opposite. His art collection includes *Two Riders on a Beach* by Max Liebermann, top. He sold *The Lion Tamer* by Max Beckmann, above, at auction

by the desire to save art labelled as degenerate from its destruction”, gurlitt.info states. On February 14, Gurlitt’s team filed an appeal with the court in Augsburg, the seat of the Bavarian prosecutor, against the search warrant and seizure order it issued for the raid on his Munich apartment. Many of those in the German art world think much of it will be returned sooner or later.

Campaigners for the dispossessed fear that the focus on Gurlitt’s rights is obscuring the real victims of the looted art story, the Jewish families deprived of their treasures. One of them is Anne Webber, co-chairman of the Commission for Looted Art in Europe. “Mr Gurlitt’s lawyers say only 3 per cent [of the works] were looted but it is hard to know on what basis they can say that,” she says, accusing the authorities of holding back vital evidence from the Gurlitt record books, which provide more detail on where, when and from whom Hildebrand bought his collection. “If they are entitled to publish these paintings on the grounds that they are investigating a criminal offence, they are surely also entitled to publish this information which may clarify if a criminal offence has been committed.”

Hildebrand was far from blameless. Not only did he thrive as an approved dealer tasked with acquiring works for Adolf Hitler’s never-realised Führermuseum, but documents prove that he lied to the “Monuments Men” who were trying to restore art to the dispossessed during the last years of the Second World War. The

“The pictures belong to him — the collection must be returned

Friedmann heirs have a letter from 1939 showing that a Nazi official had his eyes on *Two Riders on a Beach* by Max Liebermann, which was then still hanging in David Friedmann’s home in Breslau. Friedmann’s two grand nephews have been looking for the painting for years. They were astounded to see it among the first dozen works made public in the Gurlitt collection. Documents show that in 1950 Hildebrand filled in a form claiming that he acquired the painting before 1930, a lie that allowed him to keep it.

Gurlitt’s team refuses to comment on whether the other items seized from his flat include Hildebrand’s record books. Nor has Gurlitt’s newfound commitment to openness so far stretched to a second batch of more than 60 paintings recovered on his behalf from his other home in Salzburg on February 10. Gurlitt “has asked experts to examine these pieces, partly to determine whether they might be stolen art”, his lawyers said in a statement. “Their initial assessment — based on a preliminary inspection — is that there is no evidence to suggest that they may be stolen.”

The Salzburg paintings, according to Gurlitt’s lawyers, have been taken to a safe place “to prevent any theft or burglary”. The irony of that statement will not be lost on those still battling to right the wrongs of the Nazi era and reach the truth about the elusive Cornelius Gurlitt.