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Commission pour l'indemnisation des victimes  
de spoliations intervenues du fait des législations  
antisémites en vigueur pendant l'Occupation

# **Vingt ans de réparation des spoliations antisémites pendant l'Occupation : entre indemnisation et restitution**

Colloque organisé par  
la Commission pour l'indemnisation des victimes de spoliations intervenues  
du fait des législations antisémites en vigueur pendant l'Occupation (CIVS)  
le 15 novembre 2019 à Paris

**A European network – The traces of Art under control of Nazi Germany in World War II (by Lea Grüter and Leonhard Weidinger to the symposium organized by the CIVS in Paris, on November 15, 2019)**

*(seul le prononcé fait foi)<sup>1</sup>*

**The development of control. A Nazi spoliation network in Europe**

We want to start our presentation with a short slideshow to show how the German Reich expanded over Europe from 1938 on. In all countries and regions it got under its control, the German Reich set up its regime and started the persecution of the persons the National Socialism defined as public enemies because of their origin, their religion, their politics, their sexual orientation, their social position. We stop in 1942, when the Wehrmacht reached Stalingrad. The battle of Stalingrad was the turning point of World War II in Europe and the beginning of the end of the Third Reich. But it still took another two year and millions of deaths until the National Socialist regime was finally defeated. In these two years the Wehrmacht took over control over Italy, Greece, Hungary and Slovakia.

But let us go back to March 1938 – to the so called Anschluss of Austria. Austria's capital Vienna was the second biggest city of the German Reich – after Berlin and before Hamburg. 1.8 million people lived in Vienna in 1938 and over 10 percent of them were Jewish or so called *Mischlinge* according to the Nuremberg laws.

Four persons, all Austrians, built up a network in the bureaucracy of the Nazi regime in Austria. Arthur Seyß-Inquart, born 1892, was a jurist and National Socialist politician. He became chancellor of Austria on the 11<sup>th</sup> of March 1938 for just three days. Then the Anschluss took place and Seyß-Inquart became *Reichsstatthalter* of Austria.

Hans Fischböck was born 1895. He was also a jurist and a manager in the field of banks and insurances. On the 11<sup>th</sup> of March 1938 he became Austrian minister for trade and transport, later for trade and economy. He invented the so-called *Vermögensanmeldungen*. All Jews had to declare their property over 5,000 Reichsmark. These declarations had to be sent to the *Vermögensverkehrsstelle* that Fischböck had established in his ministry.

So the regime had a basis for the following expropriation of Jews – Kajetan Mühlmann, born 1898, was an art historian and worked for Max Reinhardt and the Salzburg Festival. Acquainted to prominent Nazis since the 1920s, he became Secretary of State in the government of Arthur Seyß-Inquart in 1938. He was in charge of art affairs in the Ministry of Interior and Cultural Affairs – and this included administration and exploitation of the property of so-called public enemies.

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<sup>1</sup> La vidéo de cette intervention est consultable à l'adresse : <https://www.documentation-administrative.gouv.fr/adm-01859464>

Franz Kieslinger was born in 1891. He was an art historian and specialist in glass paintings and mediaeval sculpture. As an expert, he inventoried and estimated many art collections of Jewish owners after the Anschluss

When the Munich auctioneer Adolf Weinmüller aryanized the Viennese auction house S.Kende in fall 1938, Kieslinger became the manager. And Franz Kieslinger worked for and together with Kajetan Mühlman. These four men covered the chain of efficient looting – from Franz Kieslinger who knew in detail about collections of persecuted persons up to the top of the Nazi regime in Austria to Arthur Seyß-Inquart. In October 1939 Seyß-Inquart went to Poland and became the deputy of Generalgouverneur Hans Frank. Kajetan Mühlmann followed him and started to organize the looting of art in the Generalgouvernement part of Poland that the Wehrmacht occupied but was not annexed to the German Reich.

Seven months later, on the 15<sup>th</sup> of May 1940 the Netherlands capitulated, the German Reich set up its occupation system, and we find again the four persons we have met in Austria: Arthur Seyß-Inquart became Reichskommissar for the Netherlands and Hans Fischböck Generalkommissar for Economy and Finance. Kajetan Mühlmann established the so-called “Dienststelle Mühlmann”. Supported by Franz Kieslinger and others, he did what he had started in Austria and professionalized in Poland: the looting of art.

### **Traces of Franz and Margarethe Oppenheimer**

The title of our presentation refers to *the traces of art under control of Nazi Germany in World War II*, and we just heard how systematically organized and widespread this control became throughout Europe at the end of the 1930s and the beginning 1940s. While European network of crime was more and more bureaucratically established and documented, the traces of persecuted people, who previously could more or less sovereignly dispose of their actions, belongings documentation and thus their societal traces left today – became more and more splintered, fragmented and eradicated throughout Europe.

One of those traces is a case containing a coffee and tea set today present at the Rijksmuseum Amsterdam. It is one trace of Franz and Margarethe Oppenheimer from Berlin, and of their flight throughout Europe between 1936 and 1941.

Franz Oppenheimer, a lawyer working for the coal company Emmanuel Friedlander, originally from Hamburg, and his wife Margarethe Oppenheimer originally from Vienna, collected in Berlin's 1920s and 1930s one of the most significant collections of porcelain (chiefly Meissen porcelain) of their times. Nevertheless not much is publicly known about the couple.

Although the couple in 1936 converted to Catholicism, they felt the urge to flee Germany and the rising Nazi regime the same year, as they both were Jewish. After having payed 1 Million RM flight taxes in cash (as a sort of first partial expropriation), they managed to escape to Vienna, where they lived in an apartment for one year until the Anschluss. It is documented that their Berlin apartment and the belongings left behind were confiscated by the SS. However, documents in the BDA archive in Vienna testify to the fact that the couple managed to bring at least parts of their belongings and porcelain to Vienna. The

*Bundesdenkmalamt* Vienna on this list documents that Franz Oppenheimer in April 1937 registered parts of his collection at the BDA (then preserved in a customs sealed warehouse) to preempt possible future export bans. The document lists objects (26 positions), which Oppenheimer only four months later, in September 1937 removed from customs seal.

A correspondence between the *Zentralstelle für Denkmalschutz* (Central Office for the Preservation of Historical Monuments, today BDA archive) and Nazi officials on the seizure of collection Oppenheimer in Vienna from 1939 concerns the fact that during the later confiscation of the Oppenheimer's apartment at *Reisnerstrasse 48* in Vienna, only parts of their valuable collection were located. It states: *"The latter objects have not yet been identified, his apartment contained a number of extremely valuable items. It is not assumed that he took them abroad with him..."*

Position 13 on the document almost certainly refers to BK-17421 Multicolored coffee and tea set painted with chinoiserie and coat of arms of the Venetian Morosini family. The description of the coat of arms (and further description of the set) gives the porcelain, which is usually manufactured in large numbers, a recognition value. Thus, at least this object removed by Franz Oppenheimer in September 1937 from the customs bonded warehouse and searched by the Nazis during the confiscation of their Viennese apartment shortly after the Anschluss (March 1938) can almost certainly be identified as the same set present at the Rijksmuseum, Amsterdam today.

Furthermore, one month after having removed the objects (Sept. 1937), Frank Oppenheimer writes a letter to the Director of the Federal monuments authority. In this letter, he asks if Dr. Seiberl (head of the Vienna Office for the Preservation of Historical Monuments) had the kindness to talk to the museum director Dr. Ernst (probably Dr. Richard Ernst, director of museum of applied arts, specialized in silver and porcelain) about his interest in a loan of an Aubusson carpet. Oppenheimer continues: *"I have to decide what to do with the carpet..."* Oppenheimer further states: *"May I also take this opportunity to ask you to send me back photographs of the porcelain during the week. There will be a friend visiting me this week and I would like to show him these pictures."*

So, who is this friend?

We know that the coffee/tea set appears between 1936 and 1939 in the well-known collection of the German internationally networked Jewish banker Fritz Mannheimer in Amsterdam, who since the 1920s worked for the Amsterdam branch of the Berlin based investment bank Mendelssohn & Co. His collection after the War was recuperated to the Netherlands and to a large extent handed over to the Rijksmuseum Amsterdam. Franz Oppenheimer and Fritz Mannheimer stayed in the Cottage Sanatorium in Vienna in September 1937.

It is therefore likely that Franz Oppenheimer sold his collection or at least this coffee case to Mannheimer after having removed it from customs seal in September 1937. The circumstances of this sale or attempt to bring parts of their collection out of the country cannot be specified at this moment. Either way the probable transaction took place in context of the Oppenheimer's flight / persecution.

Franz and Margarethe Oppenheimer furthermore had already applied for Liechtenstein citizenship in 1937, and were admitted to the Liechtenstein State Association by decree of 3 February 1938. Since February 9, 1938, the couple possessed the citizenship of Liechtenstein. This was associated with high annual taxes and an enormous purchasing sum. A correspondence from 1944 by Oppenheimer's lawyer documents that the couple deposited CHF 30,000 with the *Sparkasse für das Fürstentum Liechtenstein* in Vaduz, from the proceeds of which the annual taxes could be paid.

Nonetheless, the Oppenheimers never had residency in Liechtenstein. On March 11, 1938, Franz and Margarethe Oppenheimer left for Hungary, Budapest, and later emigrated to Sweden, Stockholm. Franz Oppenheimer's lawyer further states that during the Anschluss of Austria Franz Oppenheimer happened to be visiting relatives in Budapest. He did not return to Vienna but emigrated to Stockholm (probably Margarethe's sister Anna Vas, born Knapp).

In 1941 their names are indicated on a passenger report of a ship from Columbia to New York (the list mentions Stockholm as last residency). The last thing we know about them is that Margarethe and Franz Oppenheimer died in New York shortly after the War, in 1949 and 1950.

The passenger list gives good final overview of how the traces of Margarethe and Franz Oppenheimer were splintered in Europe, from Berlin, Austria, Liechtenstein, Switzerland, Budapest and Stockholm (where we might still find traces in archives) to Columbia and the US as well as to our starting point: the Rijksmuseum in Amsterdam. It shows how research into those traces can bring back fragments of political contexts, control, questions as well as traces of societal presence and escape, silently connected to a coffee set.

### **A European Network of Provenance Research**

In the last year of the War, the members of the Monuments, Fine Arts, and Archives Section of the US Army – the Monuments Men – tried to detect art depots all over Europe. After the War paintings, drawings, sculptures, porcelain, silver, books... were brought from the depots to the Central Collecting Points. They were registered and given back to the States in order for them to reconstitute the objects to the former owners.

In 1998 – as we already heard – 44 States signed the Washington Principles, an international kick-off to refocus on Nazi-Looted Art. It was also the beginning of Provenance Research. From 1998, European countries established commissions to implement the Washington Principles. Countries started Provenance Research, such as the Czech Republic, where last summer a conference on the occasion of 10 years Terezin Declaration took place related to an exhibition on the subject of Provenance Research.

Soon it was clear that publications, conferences, project cooperation, and above all personal exchange were needed. Especially that latter led to the establishment of the most relevant network of Provenance Researchers, the "Arbeitskreis Provenienzforschung e.V." In 2000 four Provenance Researchers in Germany – Ute Haug, Laurie A. Stein, Katja Terlau and Ilse von zur Mühlen – founded the Arbeitskreis Provenienzforschung. 2014 the Arbeitskreis became an association, starting with 69 members. Today – five years later – the Arbeitskreis has over

300 members from Germany, France, the Netherlands, Austria, Switzerland, the United Kingdom and the USA. However, there is still a lot to do:

- **“Information Exchange”.** Every researcher acquires knowledge about the specific local, regional and national “specialities” of the place where he or she is working: about the history before, during and after the Nazi era, about the important players, the involved institutions – Museums, Libraries, Archives, Universities, etc. – and about the art market. Researchers know the archives too and where you have to look to find relevant sources. So if a Provenance Researcher from Vienna has a case which requires archival research for instance in Amsterdam, it is the best way to know a Provenance Researcher in Amsterdam who can help.
- **Standards to exchange information.** Of course, we have to learn how to use (digital) exchange platforms. But to be able to exchange data, first we have to develop scientific and technical standards. We should have a look at existing models in other disciplines and learn from them. You might think that these standards are already defined. Some models exist, but there is quite a way to go to connect the different international models.
- **Preserving knowledge.** Finding ways to preserve knowledge is a topic not only for Provenance Researchers, but also for all sciences. Many projects produced on CD-ROM, DVD-ROM or published on websites in the last 15 or 20 years are lost as today's computers are not able to read them. We have to be aware of that, and plan our projects well.
- **“Overcoming Language Barriers” is essential for an international network.** Translating relevant books and texts, for example, will help Provenance Research.
- **Expanding the network.** For Provenance Researchers, Europe is not only the Western Europe, but also Central and Eastern Europe, and Europe is not just the European Union. We must try to include all these countries in our research. Furthermore we have to expand our network to the United States, Canada, Israel, ... Nazi looted art was spread all over the world. Provenance Research is a task that can be solved only in international co-operations.