

## The Mauerbach Scandal

An exhibition in Vienna brings to light new evidence of Austria's reluctance to return art looted by the Nazis

by Konstantin Akinsha

The exhibition "Recollecting: Looted Art and Restitution," on view at the Museum of Applied Arts (MAK) in Vienna through the 15th of this month, is dedicated to the cultural property of Austrian Jewry "between robbery and restitution." The organizers believe that artworks constitute an important element of memory. They are witnesses to the lives and the fates of those who were persecuted, robbed, and in many cases murdered by the Nazis.

The exhibition, curated by critic and TV arts journalist Alexandra Reininghaus, includes not only restituted cultural property but also installations by Viennese artists dealing with the subject of looted art. Since the show's opening on December 2, most of the public's attention has been focused on the installation by the artist Arye Wachsmuth, produced in cooperation with his wife, Sophie Lillie. One of Austria's most prominent provenance researchers, Lillie is the author of the book *Was einmal war* (What Once Was), an account of the plundered Jewish collections of Vienna. (She has also written for *ARTnews*.)

The installation not only addresses the moral aspects of Nazi art looting but also reveals a disturbing secret connected to the Mauerbach Benefit Sale of 1996. At the time the Mauerbach auction was considered to be the triumphant conclusion of a long story—the story of thousands of artworks and objets d'art confiscated from Austrian Jews by the Nazis and kept in the custody of the Austrian government through the postwar years.

The works in question—the remnants of Nazi seizures—were found by U.S. forces after the war and transferred to the Republic of Austria in 1952. The Austrian government made no effort to find the rightful owners of the objects until 1969, when, under pressure from the late Nazi hunter Simon Wiesenthal, who lived in Vienna, officials published a list of 8,423 objects grouped into 1,231 lots—657 oil paintings, 84 watercolors, and 250 pastels, as well as drawings, prints, sculptures, books, coins, and medals—in the possession of the Federal Office of Monuments. Wiesenthal bitterly called it a "gallery of tears." Yet, though 543 claims were filed after the list's publication in an obscure newspaper, a mere 33 paintings were returned. The deadline for claims was December 31, 1972.

For years the remaining treasures gathered dust in a monastery in Mauerbach, near Vienna, their existence forgotten. Then, in 1984, *ARTnews* published "A Legacy of Shame," an article by Andrew Decker, which reopened the discussion about the looted art treasures not only in Austria but internationally. In response to the article, which later won three journalism awards, members of the U.S. Congress visiting Vienna on other business confronted Austrian officials about the situation, and the Jewish Restitution Successor Organization negotiated a new claims process, which began in 1986. The Austrian government agreed to relinquish all title to the artworks not restituted at the end of the process.

As a result, 77 paintings and 236 other objects were returned to people who had lost them during the war, or to their heirs. In 1995 Austria transferred the remaining objects to the Federation of Jewish Communities of Austria (generally referred to as the Jewish Community), and in 1996 Christie's auctioned them at the Mauerbach Benefit Sale, which took place at MAK, where "Recollecting" is now installed. The proceeds, totaling \$14.6 million, went to the Jewish Community and other representatives of Holocaust victims.

The Mauerbach auction was a victory for the victims. An international committee cochaired by prominent businessmen and philanthropists Ronald Lauder, a former U.S. ambassador to Austria, and Edgar Bronfman Sr., then president of the World Jewish Congress, oversaw the sale. Robert Liska, the Jewish Community vice president, said that the transfer of the artworks demonstrated "not awareness of collective guilt, but awareness of responsibility."

Austrian officials assured the Jewish Community that the transferred art valuables were ownerless; all possible efforts to establish and to locate their rightful owners had been made and had failed. But the evidence revealed in the Wachsmuth-Lillie installation tells a different story. The heart of the installation is a slide projection of photos of the backs of paintings auctioned at the sale. Clearly visible are numbers and labels, many of which have the names of the former owners.

A TV monitor installed near the plywood booth that houses the projector also shows a continuous stream of images: thousands of photographs of the confiscated objects, some made by the Nazis in the apartments in which the seizures were carried out and others made in the Federal Office of Monuments, where the loot was delivered.

On one side of the booth, copies of glass negatives of the confiscated artworks are displayed. Next to them are copies of the envelopes in which the negatives were stored in the state archives, and on every envelope is the name of the owner of the work. On the other side of the booth, the complete provenances of some of the works auctioned in 1996 are exhibited. They demonstrate that state officials knew who owned the so-called ownerless works.

Lillie told *ARTnews* that she became interested in the fate of the Mauerbach paintings in 1995, when she was working as a secretary for the Jewish Community. A recent art-history graduate, she witnessed the transfer of the artworks and noticed the numbers and labels on the backs of many of the paintings. She says that she didn't know what they meant, but she understood that they were significant.

Lillie was granted permission by Paul Grosz, president of the Jewish Community, to make photographs of the marks and labels on the backs of the canvases at her own expense. At the time, she says, the Austrian archives were partly classified and closed to researchers. Only in 1998, after the Federal restitution law was adopted by the Austrian parliament, did archival documents become accessible, and her own research, along with that of others, enabled Lillie to put the pieces of the puzzle together. Last year, when her husband was asked to participate in the MAK exhibition, she decided to return to the photographs she had made in 1995–96. Within a few months, she says, she succeeded in establishing the identities of the rightful owners of about 50 paintings that had been auctioned as ownerless.

Erika Jakobovitz, executive director of the Jewish Community, told *ARTnews* that in 1996 the organization had no information about the provenance of the auctioned paintings. "The Austrian government convinced us that the artworks were heirless. At that time serious provenance research was impossible; the archives were not available."

Jakubovitz added, “I believe the Mauerbach auction was a very important and positive event, which played an extremely important role in the development of restitution. Because of it we have today serious provenance research and much higher transparency in the Austrian museums. It had an international impact too. Without Mauerbach we couldn’t be today on that level of knowledge of the problem, and the process of restitution would be much slower.”

Lillie says she found proof that the Austrian state was aware of who the owners were long before the artworks were transferred to the Jewish organization. Among the auctioned works, for example, were a Dutch painting, a wing from a Gothic triptych, and three wood sculptures that had all belonged to Arthur Lourié, a prominent Viennese manufacturer. Austrian officials closed his restitution file in 1960.

Lourié was indeed deceased: he died on September 3, 1939, when the British ocean liner SS *Athenia*, on which he was a passenger, was torpedoed by a German U-boat. His widow died in the United States in 1960. They were childless, but their nephew returned to Austria from exile in Canada at the end of the 1950s to reclaim the family business. It is not known if he was aware of the artworks. The state, which had documented evidence of ownership, didn’t inform him. Complicating the situation, the claims procedure established later demanded more detailed proofs of ownership than many heirs of former owners could provide.

The Austrian state had evidence but never revealed to the Jewish Community that two highlights of the auction, a portrait of a lady by Hans Canon and a canvas by Friedrich von Amerling, had belonged to Wilhelm Freund, from whose collection they were confiscated in 1938. Freund died in Auschwitz.

Another problem of the 1960s and ’70s was the refusal of Austrian authorities to recognize forced sales as plunder. For example, two paintings from the collection of Philipp Pulsator—a portrait of a young gentleman with a dog by Edouard von Engerth and a portrait of a lady in a blue dress by Johann Baptist Reiter—were sold under duress to the proposed Hitler museum in Linz in 1943. Pulsator, a political enemy of the Nazis who was imprisoned in 1944 for treason, attempted after the war to prove that he had parted with the paintings unwillingly, but to no avail. The Reiter portrait was transferred in 1963 to the Galerie Belvedere in Vienna, and the von Engerth painting sent to Mauerbach to be auctioned as ownerless property.

Lillie says that neither the Jewish Community nor Christie’s was aware that some of the paintings put up for auction had known owners. She believes that the responsibility for concealing information about their ownership rests with the Austrian state. Ingrid Oberleiter of the Austrian Ministry of Finance, which had jurisdiction over the artworks for years, did not return phone calls from *ARTnews*.

The revelations bring up the question of how Austria will deal with ownerless cultural property of Holocaust victims that may be identified in the country’s museums in the future. Such works are held by museums in other countries as well, including France, the Netherlands, and Germany.

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