

## Berlin Court Rules in Favor of Heir in Nazi-Looted Poster Suit

By Catherine Hickley - Feb 10, 2009

Feb. 10 (Bloomberg) -- A Berlin court ordered the [Deutsches Historisches Museum](#) to return a poster looted by the Gestapo to Peter Sachs, the son of a dentist who was forced to flee Germany before World War II, paving the way for Sachs to claim about 4,250 posters from his father's collection.

Sachs, a retired airline pilot from Sarasota, Florida, filed a lawsuit last year after a German government panel rebuffed his claim in January 2007. The Deutsches Historisches Museum estimates the value of his father's posters at more than 4.4 million euros (\$5.7 million).

Though the decision only orders the return of one poster -- "Die Dogge" by the artist Thomas Theodor Heine -- it establishes Sachs as the rightful owner of the collection, Judge Norbert Stobbe said today. The court rejected a request by the Deutsches Historisches Museum to declare the museum the owner.

"It would be better to have talks aimed at reaching a sensible and fair solution than to continue the court case," Matthias Druba, Peter Sachs's Berlin lawyer, said today in a telephone interview. "We hope that the government is wise enough to realize that the longer this drags on, the worse the damage to Germany's image."

The Deutsches Historisches Museum, located on Berlin's Unter den Linden boulevard, is owned by the federal government and the state of Berlin. A government panel led by former Constitutional Court Judge Jutta Limbach rebuffed Sachs's claim in 2007, saying that his father had accepted compensation and never tried to get the posters back.

### Museum Archives

"A court has said that the recommendation made by the advisory commission was wrong," Druba said. "What we want is for the poster collection to be accessible and viewable at all times -- not to be in the archives of the Deutsches Historisches Museum and only on view every three years."

Dieter Vorsteher, the vice-president of the museum, said after the judges' announcement that he

expects the decision will be contested.

“It will certainly go further,” Vorsteher said.

The court rejected Sachs’s claim for another poster, “Die Blonde Venus” (The Blond Venus), saying there was not enough evidence it belonged to his father. The 4,250 posters that definitely came from his collection are clearly stamped.

The Nazis stole about 650,000 artworks, the New York-based [Jewish Claims Conference](#) estimates. International restitution guidelines agreed in 1998 -- known as the Washington Principles -- have paved the way for a number of high-profile claims for art in museums by Nazi victims and their heirs.

### Goebbels’s Plans

Hans Sachs was an industrious collector, beginning in his school days. He published a poster magazine called “Das Plakat,” founded a society, held exhibitions and gave lectures. His collection, which included works by [Henri de Toulouse-Lautrec](#), Ludwig Hohlwein, Lucian Bernhard and Jules Cheret, contained 12,500 posters and was at the time the biggest in the world.

The collection was seized in 1938, and when Gestapo officers carted it off, they told Sachs that [Joseph Goebbels](#) wanted his posters for a new museum wing dedicated to “business” art.

Sachs was arrested on Nov. 9, 1938, the night of the pogrom against Jews known as Kristallnacht, and sent to Sachsenhausen concentration camp. His wife’s efforts got him freed after three weeks and they fled to the U.S., with Peter, who was then 14 months old.

### Compensation

The father had smuggled out some Toulouse-Lautrec posters, which he sold to feed his family as they began a new life. He never saw his collection again. Presuming it hadn’t survived the war, he accepted compensation of 225,000 deutsche marks (about \$50,000 at the time) from the West German government in 1961.

After discovering in 1966 that part of his collection was still intact in East Berlin, the elder Sachs made contact with the communist regime’s authorities to try to get the posters loaned abroad for exhibitions. He didn’t succeed before his death.

In a letter to the museum, Hans Sachs said he felt compensated for his loss by the West German authorities and was happy to learn that the surviving posters were housed together in the museum. He added, though, that nothing could take away the sense of emotional loss which “won’t heal for

the rest of my life.”

Peter Sachs, who is 71, said he didn’t find out about the collection’s survival until 2005 while doing research to trace copies of his father’s magazine.

The case is LG Berlin, 19 O 116/08.

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