

Press Release

Berlin, January 27, 2009

**Recommendation by the Advisory Commission on the
Return of Cultural Objects Lost as a Result of Nazi
Persecution
- Professor Dr. Wolf Tegethoff named new Member of
Commission**

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The Advisory Commission for the return of cultural objects lost as a result of Nazi persecution, especially of items owned by Jews, issued another recommendation in Berlin today:

The current case concerns Wilhelm Leibl's painting of "Farm Girl without Hat and with White Scarf" (1897). The Advisory Commission recommended returning the picture to the community of heirs of Dr. Alexander Lewin.

The recommendation is based on the following facts:

Dr. Alexander Lewin (1879-1942) was until 1938 Chairman of the Board of Directors of Berlin-Gubener Hutfabrik AG, a hat manufacturer. Lewin's large art collection also included Leibl's "Farm Girl".

In summer 1938 Dr. Lewin, a so-called "Jew of mixed racial background 1st degree", having been subjected to persecution, emigrated to Switzerland. In early September 1938 he withdrew from the Board of Berlin-Gubener Hutfabrik AG. In early March 1939 Dr. Lewin announced that he would not return to Germany. In response access to all of his assets was suspended as part of a "security arrangement" on March 10, 1939. On August 4, 1941 the Reich's Minister for the Interior terminated Dr. Lewin's German citizenship and his assets were confiscated.

Dr. Lewin had owned the "Farm Girl" painting at least since 1930. In May 1938 he commissioned Litthauer, an agent in Berlin, to offer the picture to Galerie Heinemann in Munich. The offer was not accepted. In Spring 1939 at the latest, the painting was in the hands of the German Reich: It was now located in the "Fuehrerbau" [the Fuehrer's building], a collection point for the works of art intended for the projected "Fuehrer Museum" in Linz.

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To date it has not been possible to trace the route the painting took from ownership by Dr. Lewin to the "Fuehrer Museum" collection. Since 1966 the painting has been on permanent loan from the Federal Republic to the Kunsthalle Bremen. It is registered as an object remaining of the inventory of the Central Collecting Point on the www.lostart.de website.

The community of heirs requested restitution of the painting because it had been confiscated in the wake of persecution. Even assuming the possibility of a sale at a commensurate price, subject to the seller's free disposal, it would still have been a divestment due to persecution.

The responsible Federal Office for Central Services and Unresolved Claims denied the release of the painting. It was not convinced of the evidence pointing to an unjustified removal of the work of art by the ruling Nazi regime. Although it could be assumed that the owner of the picture wanted to sell on account of his impending emigration, assumptions do not suffice for a restitution decision.

Since the parties could not come to an understanding they agreed to submit the case to the Advisory Commission for a recommendation.

Even though the period between Dr. Lewin's loss of possession of the painting and its appearance in the inventory of the "Fuehrer Museum" collection has unexplained gaps, it is the opinion of the Advisory Commission that there are no reasonable arguments whatsoever to be made against a confiscation of the painting due to Nazi-induced persecution

At the meeting at the offices of the representative of the State of Saxony-Anhalt, Commission Chairman Professor Dr. Jutta Limbach welcomed Professor Dr. Wolf Tegethoff (Director in the Central Institute for Art History in Munich) as a new member of the Advisory Commission. Tegethoff succeeds Professor Dr. Dr. Thomas Gaehtgens, a member of the Commission from 2003 to 2007 and since then director of the Getty Research Institute in Los Angeles. In addition the Advisory Commission named Professor Dr. Ruerup its Deputy Chairman.

In response to mutual requests of the parties involved in differences of opinion between today's owners and former owners of cultural goods or their heirs the Advisory Commission will make a determination. The Commission can make its recommendations on moral grounds. Honorary

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members of the Commission are Dr. Richard von Weizsaecker, the former president of the Federal Republic; Professor Dr. Rita Suessmuth, former president of the German Bundestag; Professor Dr. Jutta Limbach, former president of the German Constitutional Court; Professor Dr. Guenther Patzig, Professor of Philosophy; Dr. Dr. Dietmar von der Pfordten, Professor of Law; Dr. Reinhard Ruerup, Professor of Art History, and Dr. Ursula Wolf, Professor of Philosophy. The Advisory Commission is based and accepts claims at the Coordination Office for Lost Cultural Objects in Magdeburg, Germany. (www.lostart.de).

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