

restitution claim to the Minister for Education, Culture and Science of the Netherlands (“Minister”) who in turn referred the case to the Restitutions Committee for advice.

In the case of the Ruysdael, the Restitutions Committee’s recommendations conceded that Rothstein owned the painting at the time of its sale to Miedl in 1940 and applied the Dutch national policy, articulated in the third recommendation of the Ekkart Committee mentioned above, of presuming that the sale was made under duress as it occurred after May 10, 1940. Based on these recommendations, the Minister honored the Rothstein heirs’ restitution request and returned the painting.

The Rothstein case demonstrates how a relaxed standard of proof combined with a formally established presumption of duress based on a “deemed date” could resolve claims without placing an undue burden on claimants.

As the preceding suggests, stated public policy strongly supports efforts to right the wrongs of the Holocaust and to provide restitution to victims of Nazi persecution, who not only suffered unspeakable acts of discrimination and brutality, but were also stripped of their livelihoods and property. Consequently, as seen by the use of relaxed standards of proof by numerous compensation organizations, public policy encourages measures that facilitate restitution of Holocaust-era looted assets.

In the case of art restitution, widespread adoption of relaxed standards of proof and presumptions could enable the resolution of claims where research cannot provide a complete ownership history. While a gap in provenance does not necessarily suggest that a painting was lost under duress, equally the same gap does not indicate that a painting was legitimately acquired.

The inevitability of provenance gaps coupled with the events of the Holocaust and the Second World War – during which many claimants lost everything and everyone, entire communities perished, cities were demolished, and both systematic and opportunistic looting were commonplace – require that inferences be drawn based on available information. The acceptance of relaxed standards of proof by all parties could enable the resolution of Holocaust-era looted art claims that are mired in disputes over fragmentary provenance information.

As seen from the experience of organizations handling claims for financial assets, universally accepted relaxed standards of proof and a presumption of duress could not only provide a missing piece of the puzzle but could ease the path for Holocaust victims and their heirs to resolve claims swiftly and amicably.

► **Miriam Friedman Morris**

DAVID FRIEDMANN ART, USA

ARTIST DAVID FRIEDMANN: A DAUGHTER’S SEARCH FOR LOST AND STOLEN ART

The media has publicized the enormous amount of art looted by the Deutsches Reich. Great attention has been focused on the loss and return of Old Masters and million-dollar lawsuits by heirs of prosperous art collectors and art dealers. Neglected are the obscure Jewish artists who achieved a measure of fame. They were stripped of the opportunity to become world renowned; their promising careers were cut short and their fates changed forever because of the Deutsches Reich. The Nazis did not necessarily destroy their art unless they

deemed it “degenerate,” but permitted works by Jewish artists to be sold or auctioned until at least 1942, although art dealers were prohibited from advertising these works.¹ This paper presents an example of the immense undocumented theft and possible hope of finding art of lesser-known artists; however, there is no support from European governments for this effort. After all there exist only the barest of details, no titles of artwork, nor records of the confiscation. A search entails considerable expense for the heirs and there is no significant market value if the art is returned to pay costs. My passionate quest is the chance to right a terrible wrong and to triumph against great odds. One such case is that of my father, David Friedmann, and my unrelenting pursuit to find his lost and stolen art: of the belief in justice.

David Friedmann was born in Mährisch Ostrau (Moravská Ostrava) in 1893 and moved to Berlin in 1911. He was a student of Lovis Corinth and Hermann Struck and established his studio in 1914, creating mostly portraits, nudes, and still lifes. With the onset of World War I, he volunteered for the Austro-Hungarian Army, serving from 1917–1918 as a battle artist. His commission entailed drawing battle scenes at the Russian Front and he was decorated for producing sketches very close to the actual fighting. Thereafter, he portrayed the distinguished generals and soldiers. Returning to Berlin, he resumed his career and achieved acclaim as a painter known for his live portraits. He exhibited at the Akademie der Künste, the Berliner Secession, and numerous galleries throughout Germany and Czechoslovakia.

¹ Source: N.N., Zur Entwicklung der Kunstversteigerungen während des Krieges, 30. 3. – 20. 7. 1942, pp. 3854–3856. In: Mitteilungen aus dem Reich 1938–1945, Bd. 10 Researcher, Angelika Görnandt.

Two surviving works were found published in the 1919 Jewish newspaper *Schlemiel*.² *Aus einer Folge “Pogrom”* depicts a terrified Jew, one of 12 etchings from this lost series reflecting his social commentary and deep compassion for his fellow human being. Outraged by the *pogrom*, the progression of violent attacks against Jews in Eastern Europe, he hoped to bring attention to this organized massacre. He never would have believed that his work would foreshadow the world’s worst *pogrom* and that he himself would become an eyewitness to this annihilation and mass destruction.

His quick sketching ability led to an additional career as a freelance artist for Berlin’s great newspapers associated with *Ullstein Verlag* and with the weekly radio program magazine for all German listeners, *Der Deutsche Rundfunk*. He produced hundreds of portraits of famous contemporary personalities, such as Albert Einstein, Arnold Schönberg, Szymon Goldberg, Yehudi Menuhin, Thomas Mann, Max Brod, Emanuel Lasker, and many others. My father’s talent for portraiture played a central role throughout his career and later saved his life during the Holocaust.

David Friedmann writes to Yehudi Menuhin, December 6, 1962:

“... Besides painting and working in the art of etching, I also kept myself busy as a newspaper sketch artist between the years 1923 and 1933. My specialty was portraits drawn from life of famous personalities from the Arts, Music, Theater, Sports, Politics, etc. However, my greatest affection was for the violinists. I played the violin since I was seven years old, but only received my formal training when

² *Schlemiel, Jüdische Blätter für Humor und Kunst*, Berlin, June 1919 – July 1920. Edited by Max Jungmann and Menachem Birnbaum. Collection of the Leo Baeck Institute, New York.

I was twenty-seven and of course, only up to a certain point, since one cannot serve two arts at the same time.”

When Hitler came to power in 1933, David Friedmann's prewar career ended. In December 1938, he fled with his wife Mathilde and infant daughter Mirjam Helene to Prague, escaping with only his artistic talent as a means to survive. He intended to document the terrifying unfolding history for an album. He writes in 1973:¹

“... Between 1939 and 1941, I drew and painted almost everything in Prague, especially many portraits of prominent Jews and personalities, such as the president of all the Jewish Congregations in Czechoslovakia, [František] Weidmann,² the vice-president Jakob Edelstein,³ and many others. I also drew many portraits of officials from the Palestine Office. Some of these photo reproductions came into my possession once again in 1946. However, every artwork that was produced until 1938 in Germany, and later in Prague until 1941, was lost.”

Since childhood, I watched my father paint with intensity and passion. I was intrigued by his prewar life and the unknown fate of his art confiscated in 1941 by the Gestapo in Berlin and Prague under the auspices of the Deutsches Reich. There was little evidence of a collection that numbered 2,000 etchings, lithographs,

¹ *The Short, But True Story of the Artist David Friedman.*

² Weidmann, Dr. František (1910–1944) Chairman of the Jewish Religious Congregation of Prague. Deported to Ghetto Theresienstadt on Jan. 28, 1943, and then to Auschwitz-Birkenau, Oct. 28, 1944.

³ Edelstein, Dr. Jakob (1903–1944) Prominent Zionist and director of the Palestine Office, who became deputy chairman of the Jewish Religious Congregation of Prague. In Ghetto Theresienstadt, the Nazis appointed him “Elder of the Jews,” the first chairman of the Judenrat (Jewish Council). Deported to Auschwitz, Edelstein and his family were shot to death on June 20, 1944.

drawings, and paintings. I still recall the words he proudly said upon receiving photographs of a portfolio found in the Ostrava Museum. “You see Miri, I was really a famous artist before the war. I was known for these portraits of chess masters.” Together we viewed his photo album of works from Berlin and the captivating portraits of the officials of the Palestine Office and the Jewish Community of Prague. I felt sad that there was little to show for his past recognition. This fueled my passion to find these works and to rescue his reputation from oblivion. David Friedmann lost his works three times: before, during, and after World War II. Thus, my pursuit evolved into a simultaneous search for art created during his incarceration in the Łódź Ghetto, the Auschwitz sub-camp Gleiwitz I, and works lost when fleeing from communist Czechoslovakia to Israel.

My father fought for compensation for his art, the inventory of his apartment and studio, and other possessions plundered by the Gestapo “In the Restitution Case of the Artist David Friedmann versus Deutsches Reich” (*In der Rückerstattungssache des Kunstmalers David Friedmann gegen das Deutsche Reich*). The paltry sum of 1,300 DM (German Marks) was awarded by the “Regional Court” in Berlin just days after our arrival in America in November 1954. It took more than six years for “The International Supreme Restitution Court” in Berlin to adjudicate an upward adjustment. This was not much for some of his best works and, of course, the award did not take into account the damage inflicted on his professional growth as an artist and the persecution he endured because he was a Jew.

Announcements of the award appeared in several major German newspapers: *Der Tagesspiegel*, *Telegraf*, *Der Kurier*, and *Berliner Morgenpost*. The following translated article was published in *Der Tagesspiegel*, February 18, 1961:

"Berlin: The International Supreme Restitution Court in Berlin has adjudicated to the artist David Friedmann, now living in New York, compensation [in the amount of] 17,500 DM for the confiscation of his artwork during the Nazi-time by the "Gestapo". Friedmann, who was a resident in Berlin at that time, was persecuted as a Jewish citizen. He was a student of Lovis Corinth. Due to the confiscation, he lost his studio furniture and materials, a great amount of oil paintings, watercolors, drawings, etching prints, and lithographs. The whereabouts of the artwork[s] are unknown."

I remember the excitement of the day. It was not about the monetary award after an exhausting and bitter case. It was because David Friedmann had finally received recognition for his plundered artwork. He had proved his case. The compensation could not touch what was taken from him, but might help to vindicate to some extent the irreplaceable loss.

As an adult, I was fascinated with the court case and thus retrieved copies of his files from the *Wiedergutmachungsamt*. After liberation, survivors needed to provide evidence of their identity, prove ownership with detailed accounts of their property and its confiscation. Few survivors had documentation and the whole procedure of filing claims was frustrating and emotionally unsettling. My father found witnesses and obtained documents to recreate his past for the judge and jury, the German courts. An example of this complex process is the following document from Jakob Steinhardt, a famous artist and colleague from Berlin, who had escaped the Nazis by emigrating to Palestine.

Sworn Testimony

With this oath I certify, that the artist Mr. David Friedmann exhibited a number of his watercolors and prints in the year 1925 in the Spring Exhibition at the Berliner Secession, of which I had been a member since 1917.

Jakob Steinhardt
 Director of Bezalel, School of Arts and Crafts
 Jerusalem¹

I was disappointed that the documents yielded no clues about the whereabouts of the artworks, but this I had expected. I was impressed with the defiant tone of my father's letters, his ability to write about painful and tragic experiences with conviction and dignity. He placed the blame for his losses squarely on the *Deutsches Reich*. The file revealed interesting new facts.

The court attempted to disparage David Friedmann, putting his fame on trial, clearly to award him less money. Thus, once again, German authorities – after having deprived him of his property, his livelihood, his family and nearly his very life – were now trying to deprive him of his reputation as an accomplished artist simply for the sake of reducing his restitution claim. Initially, they were only willing to compensate for the loss of his painted canvases and art materials. They sought to prove that David Friedmann was an artist of no consequence, although he exhibited at

¹ Author's translation.

the Berliner Secession and is listed in *Dresslers Kunsthandbuch* and *Allgemeines Lexikon der Bildenden Künstler*. In his defense, then-director of the Jewish Museum in Berlin, Dr. Karl Schwarz, testified that David Friedmann was a good representative of Lovis Corinth and his school. Dr. Schwarz's esteem signified great praise indeed, since he was a well-known art critic and art connoisseur in Germany.

Because he was a Jew, my father was prohibited from selling his art to anyone but another Jew after 1933, and certainly not for a "normal" price. From 1930–1933, he sold 70 to 80 works per year. To the Compensation Courts, he gave an estimate of the value of his property at 1938 prices, a time at which no one was permitted to buy from a Jew. David Friedmann was denied the opportunity to reach his earning and artistic potential. No one can say what price his art could have fetched or how famous he would have become.

The Friedmann family resided at Paderborner Strasse 9, Berlin W 15. His art studio for 19 years was located a few blocks away at Xantener Strasse 23, in the same house as Felix Nussbaum.¹ In 1933, he was forced to close his studio. Shortly after *Kristallnacht*, November 9, 1938, he made plans to flee. My father's brother Adolf was entrusted with the apartment, which included the artwork, for safekeeping. This was my father's life's work, all that he had created since 1911. Sixteen paintings and other valuables were brought to the Wielandstrasse 29 apartment of Mathilde's father, Prof. Dr. Maximilian Fuchs and his second wife, Frieda. Czech passports in hand, the family fled to Prague on December 26, 1938. He brought an album

¹ The memorial plaque posted on the apartment house on Xantener Strasse 23, the former studio of D. Friedmann, honors the memory of Felix Nussbaum (Osnabrück 1904–1944 Auschwitz).

of his sketches to show his work and find new commissions in a strange city.

Rent was paid through a bank in Prague in the hopes of returning to Berlin. When this proved impossible, he gave up the apartment in February 1940. Adolf was instructed to store the apartment contents in a *lift*² with the shipping firm Silberstein & Co., Kurfürstendamm, to follow him to Palestine. However, my father was unable to obtain the sought after immigration certificates. In the summer of 1941, he was forced by the Prague Gestapo to itemize all his property, including the inventory left behind in Berlin. On October 16, 1941, the family was deported on the first Prague Transport to the Łódź Ghetto with 1,000 people, some of "the best men in art, science, and music."³

The following translated excerpts are representative of a large correspondence between David Friedmann and the *Wiedergutmachungsamt*. They signify an important record of what a Jewish survivor of the Holocaust endured to win reparations from Germany. He survived Łódź, Auschwitz, Gleiwitz I, and Blechhammer, with nothing more than the prisoner uniform on his back. The Nazis had stolen all of his property and murdered his beloved wife and child. Nevertheless, a soulless bureaucracy placed the burden of proof regarding his former property on him.

² Lift – a large wooden container that held the property of D. Friedmann for shipping to Palestine.

³ Story of Mr. David Friedmann, by D. Friedmann. Undated, p. 2.

June 26, 1950

To the attention of Mssrs
Dr. Stockhard and Fenner
To the
Wiedergutmachungsamt
Berlin NW 40
Turmstrasse 91

... It seems to me that you doubt the existence of the *lift*. Later on in Prague, I was told that the firm was taken over by an Aryan administrator and that the owners were thrown out. I was busy working on my emigration to Palestine and the *lift* was supposed to follow me from Berlin. However, the Hitler government was planning on killing all of us Jews, but gradually, and so we were first transported to the Ghetto Litzmannstadt (Łódź). That meant: Hunger, Cold, Danger of Contagious Diseases, and Hard Work. The result: According to the statistics, of the 1000 people from the transport, only 24 returned to Czechoslovakia alive.

Until my deportation I was in contact with Berlin, the *lift* still remained in storage at the shipping firm. Only in December 1941 did I receive a postcard from Berlin with the news of the confiscation.

What happened further to the *lift*? How could I, a simple prisoner, find out? Nevertheless, the place of the property forfeiture was Berlin, but I cannot provide any information about the date, street or street number of the confiscation. I assume that you know as well as I who profited from these confiscated valuables. In any case, I will state again

precisely and clearly: A Jew was fair game during the Hitler Regime and so Jewish property went over to the state. The Deutsche Reich of 1941 is responsible for all the damage that I suffered unrightfully, the Reich forced me to flee Berlin with my family, the Reich forced me into the Ghetto to lose everything in the end. Fact is that the *lift* existed, you will not change that! ...

Regarding Studio-Interior/Equipment

It is of course not possible for me today to name every single painting with topic and dimensions. I painted a great deal and in a diligent manner, landscapes, flowers and fruit still life, genre interior scenes with or without figures, all kinds of nudes and portraits. In the frame of 25 years no artist can sell everything he paints, draws or etches. And for whatever I produced between 1932 and 1938, certainly I could not find more buyers. Since the Jews, who were normally interested in my work, had other troubles instead of buying paintings.

- ▷ 200 large and small Oil Paintings with simple frames:
Size of paintings circa 27 × 34.2 cm or 30.30 × 40 cm on canvas
- ▷ 100 Oil Paintings, unframed:
Partially on canvas or masonite, mostly studies, similar motifs as above
- ▷ 100 Watercolors, until 30 × 45 cm, similar motifs as above

▷ 300 Drawings:

Portrait Sketches of current personalities such as singers, actors, conductors, musicians, sportsmen, politicians, and high state officials

▷ 500 Prints:

Out of these 375 original etchings from my copperplates until 24 × 30 cm

125 Sheets were lithographs (landscapes, portraits of famous contemporary individuals)

* * *

August 16, 1950

To the
Magistrate of Greater Berlin
Department of the Legal System
Wiedergutmachungsamt
Berlin NW 40
Turmstrasse 91

Regarding Oil Paintings

With regard to this I told you in the above mentioned letter that I am not able to give a detailed description of each

painting in terms of topic, dimensions, and value or proper estimate considering the large number of pictures. I have therefore, only given you an average price, a give-away price so to speak, that every art gallery would have loved to pay in 1938, if I had only had the opportunity to sell...

... Already in other letters I clearly expressed my rightful claim for these confiscated valuables. I would not allow myself to claim anything in any possible way if that claim was not actually valid. How easy would it be to say, that in my *lift* there were also plenty of other beautiful things, like for example, some genuine Persian carpets, old Meissen porcelain, vases, crystal bowls, and glasses. But this was the property of my father-in-law and was in his apartment. I, however, can only claim the valuables that belonged to me and that I had acquired through work with my hands or that were brought into our marriage through my wife.

Hence I ask the *Wiedergutmachungsamt* to replace somehow, what was taken from me. If it really wants to make reparations, then my case is definitely worthy, even if my case cannot be proven. However, this is not my fault!

I could have still been living in Berlin! However, a government came into power that preached racial hatred and so I lost my nice apartment, my studio, a good existence, my *lift*, and the things in the apartment at Wielandstrasse 29.

The *lift* with all its contents could not remain at the shipping firm forever. It was forcefully abandoned Jewish property and so the responsible authority that was in charge came and confiscated it. And the same thing happened to the apartment at Wielandstrasse 29.

It can be proven that I had a 3½ room apartment in Paderborner Strasse 9, a studio, that the *lift* existed, that the claimed goods were inside of it, and that I enjoyed a good reputation. My sister-in-law as well as the doorman at Paderborner Strasse 9, if he is still alive, can testify that part of my belongings were also brought over to Wielandstrasse 29.

I therefore ask the *Wiedergutmachungamt*, to approve my restitution claim to the fullest extent. The loss of wife and child however, it cannot replace!

In this sense signs
Respectfully,
David Friedmann

Sometimes things happen as if they were predestined. All that is necessary is to appear at the right place at the right time. Thus, the idea that I could succeed in finding lost art formed during my first trip to Berlin in 1970, when I met Käthe Friedmann, my father's non-Jewish sister-in-law. She had been married to his brother Adolf, who died under suspicious circumstances in June 1941 at a Catholic hospital in Berlin.¹ My father believed that Adolf received a lethal injection because he was a Jew.

¹ Käthe Friedmann, nee Niesler (Berlin 1897–1978 Pegnitz). Adolf Friedmann, born Dec. 10, 1895 in Mährisch Ostrau (Moravská Ostrava). According to the Nuremberg Laws, marriage between Jews and citizens of Germany (Aryans) were prohibited. D. Friedman believed this was the reason for his brother's death on June 29, 1941. The Weissensee Cemetery record states that Adolf died of a duodenal ulcer. He is buried in Section A4, Row 7, Grave No. 105972.

I visited the apartment of Aunt Käthe and her life partner, Alfred Eichenfeldt. My first remarks were about my father's paintings hanging on the walls. I was astonished that they were dated before the war! There were four paintings: a landscape of a lake surrounded by mountains (*Berglandschaft mit See*), the *Berliner Dom*, a small portrait of Adolf, and a portrait of his murdered wife Mathilde. I wondered why my father had never mentioned these works. Innocently I photographed the art thinking that perhaps he did not know of their existence!

After returning to our home in St. Louis, I gave the photos to my father who was quite bewildered about my comments on what I had seen. Stunned at first, he became outraged that Käthe had never told him that Adolf left paintings in his apartment. Unwittingly, Adolf had saved several from the claws of the Gestapo. (A document states that in 1946, Käthe was living in his apartment at Paderborner Strasse 9.) He wrote to Käthe requesting his artwork. She refused until he offered her new paintings in exchanges, and only agreed to return one – the portrait of his beloved Mathilde. This was the only recovered work from my father's prewar collection until that time.

Käthe died in 1978. My mother, Hildegard, tried to convince Alfred that the paintings should be returned to our family. Alfred died by 1982, at which time my mother learned that the paintings were not mentioned in his will. Like the confiscated art, the paintings in the apartment have vanished without a trace. However, these paintings could be found with publicity and the help of good detective work authorized by the German government.

This experience made a lasting impression on me. However, I did not know how to proceed to find more artwork. After all, my father believed that his works had been destroyed and this chapter

was finally closed. Following his death in 1980, I felt compelled to ensure the legacy of David Friedmann. Hidden clues in his diaries and memoirs increased my determination to find the lost art. I embarked on a writing campaign to museums and institutions in Germany and later, the Czech Republic, in the hopes of finding new details. This was unproductive and I decided that I must find something myself. The results of several searching trips were amazing.

After having been lost for a second time, the 14 portrait lithographs of Portfolio No. 4, *Das Schachmeister Turnier in Mährisch Ostrau, Juli 1923*, were found again in the Ostrava Museum. Three portfolios of *Köpfe berühmter Schachmeister* surfaced, including Portfolio No. 28 in the Koninklijke Bibliotheek-National Library of the Netherlands. Several oil paintings materialized and 330 published portraits were discovered in the *Berliner Zeitung am Mittag*, *Berliner Morgenpost*, *8-Uhr-Abendblatt*, *Vossische Zeitung*, and *Der Deutsche Rundfunk*, wonderful confirmation of his brilliant and prolific career. This was an extraordinary view of my father's rich cultural life in Berlin before the Nazi Regime.

I was privileged to meet the historian Detlef Lorenz who joined my search and found a large number of published portraits. I was delighted to contribute to his book published in 2008, *David Friedmann, Ein Berliner Pressezeichner der 1920er Jahre*. My father was a member of the Freemason Lodge, *Germania zur Einigkeit*, and it was heartwarming that his beloved organization sponsored the book in his memory. The volume represents a small selection of sketches portraying musicians, authors, and actors, among other luminaries. Portraits were signed by the artist and autographed by the subjects. Some were later deported to Theresienstadt: Royal Opera singer Therese Rothauser, musicologist James Simon, actress Mathilde Sussin, and conductor Alexander Weinbaum.

David Friedmann writes in his *Tagebuch*, September 23, 1945:¹

"... Not until Prague in 1939 did I plan to work as an artist again. However, the agitation of the time, the worries about my family – after all I was only married for two years and had a three-month old baby – and there was the anxiety of how to get out of this hell! For the longest time this held me back from working until I understood the unbelievable, never to get out of here. Everything was already too late. Hitler was on our tail, the borders were closed, and the oppression began. The suffering of the Jews and their circumstances became worse from month to month, year to year – until the final evacuation. As I too acknowledged the impossibility of emigration, I began to work artistically again. Naturally, one always begins where one has left off. I sketched or painted portraits, landscapes and still life. I improved quickly – again I applied myself eagerly – and certainly if it had been a normal life I would have found success and recognition here in Prague, as had been the case in Berlin. However, Hitler had other plans for us."

He writes in his story, *Das Krafft Quartett*, May 8, 1973:²

"... As it once was in Berlin in my profession as newspaper sketch artist, so now, too, wherever there was something going on, the painter, sketcher, and graphic artist 'David Friedmann' was present to capture something interesting. Since my escape from Berlin to Prague, I was trying to get acquainted with the members of its Jewish Community to call

¹ *Tagebuchnotizen von David Friedmann*, 1945. Collection of the Leo Baeck Institute, New York. Author's translation.

² *Das Krafft Quartett*, May 8, 1973. Author's translation.

their attention to my ability as a portraitist. Once I made it known that I had the intention of putting together an album of portraits, the orders came in abundance. Since I arrived in Prague with little means, except for my dear wife Mathilde and our three-month old baby daughter Mirjam, I was glad to have a little income from the portraits.”

Miraculously, this historically significant album survived. The portraits are evidence of a dynamic Jewish community that was destroyed. Following the portrait pages, my father displayed postwar art depicting his experiences in the Łódź Ghetto and the concentration camps. This precious album was entrusted to me at the age of 23 and continues to be a valuable resource and an inspiration. Among the 60 recovered photos and reproductions are portraits of the governing officials of the Palestine Office and Jewish Community of Prague, such as Friedrich Prossnitz, Hanna Steiner, Oskar Singer, František Zelenka, and Fredy Hirsch.¹

¹ Fixler, Abraham (1911–1944) Community liaison with the Zentralstelle; Emigration Department.
Freiberger, Dr. Ing. Rudolf (1906–1978) Responsible for vocational training.
Herbert, Langer (1914–1944) Secretary Deputy of the Jewish Community.
Hirsch, Fredy (1916–1944) Beloved teacher and head of physical education for the youth movement. Deported to Ghetto Theresienstadt and sent to Auschwitz-Birkenau Sep. 6, 1943. According to testimony, Fredy committed suicide Mar. 7, 1944; however, the circumstances of his death remain controversial.
Prossnitz, Friedrich (1896–1944) Finance director of the Jewish Community. Selected for “Special Treatment” because of his knowledge about the robbery of Jewish bank accounts by the Deutsches Reich. Murdered on arrival in Auschwitz-Birkenau on Oct. 29, 1944.
Singer, Dr. Oskar (1893–1944) Writer, journalist, and chief director of the *Jüdisches Nachrichtenblatt*. Deported to the Łódź Ghetto Oct. 26, 1941. Became director of the Statistics Department and chief editor of *The Chronicle of the Łódź Ghetto 1940–1944*. Deported to Auschwitz in Aug. 1944.
Steiner, Dr. Hanna (1894–1944) Director of the department for the encouragement of emigration. She was a dedicated Zionist leader and social worker. Deported to Ghetto Theresienstadt, July 13, 1943, and then to Auschwitz-Birkenau, Oct. 16, 1944.
Zelenka, František (1904–1944) Gifted stage designer, artist, and architect. Produced the children’s opera *Brundibár*, performed 55 times in Ghetto Theresienstadt. He was sent to Auschwitz-Birkenau Oct. 19, 1944.

Most of the portraits were signed by the subjects, although the identities of several are unknown. The best commission he received was painting Fräulein L. Winter, the daughter of a wealthy businessman. The work was life-size and like all David Friedmann portraits, was painted from life. He also painted still lifes and scenes of the “old city.” I have endeavored to identify the unknown portrait subjects to honor their memories in history.

In 1994, I met Dr. Arno Pařík, who directed me to the theater department of the National Museum, where he had seen the portrait of František Zelenka by David Friedmann. In fact, the National Museum has three identical portraits exactly like the one displayed in my father’s album. It is evident that he produced multiple postcard-sized reproductions. Could there be others? What happened to all the drawings and paintings produced from 1939–1941? What happened to my father’s art that stayed behind in his apartment atelier on Dušni 10? These were my questions and those that preoccupied my father.

I had seen several published photos of the stacked looted art in storage. Did his art end up among the Jewish property looted by the Germans? He left with his family on the first transport on October 16, 1941. They were notified of their deportation order just three days earlier – the same day that the Nazi authorities established the *Treuhandstelle*, the Trustee Office in Prague, whose purpose was to collect and hoard all movable property from the evacuated apartments of the deportees.

One would expect that if anyone should know about this matter it would be the staff of the renowned institution that holds the greatest collection of Jewish art in the world, the Jewish Museum in Prague. I received a signed typewritten page, an

autobiography entitled, *Lebenslauf des Akademischen Malers D. Friedmann*. Here was a document demonstrating that he had already contacted the Museum in 1946. I could envision him with his portfolio to show his new sketches and to inquire, as I did now 48 years later, about what happened to his art after his deportation.

In 2003, I saw eight Friedmann works created in the years 1914–1940 found in the collection of confiscated art held by the Jewish Museum in Prague. A list had been carefully prepared with the titles and details of the works, each accompanied by this statement:

“Provenance: received through the *Treuhandstelle* Office between 1942–1945; original owner unknown.”

The artist was not considered to be the “original owner” by the Jewish Museum! This implies that the daughter is not the heir.

Among the art was a painting of a peasant that did not appear to be a work by my father in his usual fine academic technique. Nor could I confirm the first letter of the signature. I was quite familiar with the variances of his artistic style and signature. He signed his name D. Friedmann, Dav. Friedmann, DaFrie, DF, Fried or just Friedmann.

I was delighted with the 1914 etching from my father’s student years in Berlin dedicated to his patron, director Mr. Silbiger. It was exciting to connect the 1918 lithograph of the boys in a Jewish school in Petrikau, Poland, with the description he wrote in his album:

“During World War I, I was a commissioned army artist by the K.u.K Infantry-Regiment No. 100, and was also permitted to draw and paint for myself and produce lithographs.”¹

Two lithographs depicting scenes of the iron and mining industries in Ostrava were additional discoveries. These works were confiscated from Dr. Berthold Lang, who was deported from Prague and perished in Theresienstadt. There was a painting of the Old Jewish Cemetery, the Spiro grave of father and son dated 1630. However, nothing short of a revelation was the surprise of two large pen and ink drawings on tracing paper mounted on paper. I recognized the portrait of František Weidmann displayed in my father’s album. The Museum entitled this work, “Portrait of an Unknown Man.” I told the curator the name of the prominent personality we were viewing. The curator said that my father’s reproduction is not proof of ownership, although I owned the copyright. For the first time, I saw the portrait of Elly Eisinger. I felt sure the portraits were my father’s commissioned works that had been left behind in his atelier on Dušný 10.2 I learned a hard lesson: finding lost art is not enough.

The works of David Friedmann entered the collection of the Jewish Museum as a result of Nazi confiscation from the artist and other victims. These titles have not been publicized. Are they not worthy of restitution to the heirs? Why has not the Jewish Museum searched for the heirs of Berthold Lang, Mr. Silbiger, František Weidmann, Elly Eisinger, as it did for the heirs of Dr. Emil Freund whose collection of famous artist’s works sold for millions? Is there any publicity to be gained for restituting the works of an obscure artist? Will the few surviving works of David Friedmann be forgotten in the archives? There is not even

¹ Author’s translation.

² *Tagebuchnotizen von David Friedmann*, Mar. 28, 1945; p. 38.

the slightest interest in an exhibition that could possibly help bring forward some lost paintings.

Was it his fault that his major works are lost without a trace and only remnants survived? After all, they represent just a small portion of the 2,000 artworks looted under the auspices of the Deutsches Reich or displaced as a consequence of war.

The Holocaust Claims Processing Office, New York State Bank Department (HCPO) contacted the Jewish Museum on my behalf. In a letter dated July 9, 2003, from the Director of the Jewish Museum Prague, Dr. Leo Pavlát refers to the Museum's official website and the requirements of their restitution policy, Chapter 5 / Paragraph 5:

"In order to deal with an application it is essential that the applicant should furnish credible proof showing that he was the owner of the object in question, or, alternatively, that the owner of this object was his/her spouse, ancestor, parents, brother or sister, or the testator who bequeathed the property to the applicant."

Dr. Pavlát summarizes in his last paragraph:

"... there is no evidence at all that they were confiscated [from] Mr. David Friedmann. As this is so, the leadership of the Jewish Museum in Prague has to insist [that] Ms. Morris's submission of her claim be accompanied by other credible evidence that the works of art under discussion were confiscated [from] her father. Her claim would then be examined by the Restitution Committee of the Jewish Museum in Prague and submitted to the Board of Directors for the final decision. I would like to point out once

again that, although I do understand how sensitive a matter this could be for Ms. Morris, the Jewish Museum [in] Prague is not entitled to give out any items which could be a subject of other potential claims filed by other claimants."

If David Friedmann were alive today, what would be asked of him to prove his case? Could he have taken his inventory list to Auschwitz? He would have replied with choice words learned from the murderous Nazis in the camps as proof!

The leadership of the Jewish Museum in Prague believes there could be other claimants. Where are they? What has been done to find them? What credible evidence does the Jewish Museum have that proves that these works did not belong to David Friedmann? The answer: As a refugee, he sold his works under duress to feed and support his family. There is a near total absence of records detailing the confiscation of assets in the former Protectorate of Bohemia and Moravia. The Jewish Museum cannot prove that David Friedmann is not the original and rightful owner of his works. It is impossible to do justice to the past and hold onto this art. There is no justice for the legacy of David Friedmann, which should be honored and valued because of what it represents – the surviving works of an accomplished artist who was denied the opportunity to become world renowned because of the criminal policies of the Deutsches Reich.

Two years later, in 2005, while I was on a searching trip to Israel, a portrait reproduction of Elly Eisinger surfaced in the archive of Beit Theresienstadt. Here was more confirmation that the pen and ink drawings on tracing paper were used to produce the multiple prints. Furthermore, six of the portraits were identical to those displayed in my father's album. In all, there were

36 postcard-sized reproductions, such as Franz Khan, Secretary General of the Czechoslovak Zionist Federation, Leo Janowitz, Josef Lichtenstern, and Otto Zucker.¹ Some have dedications handwritten to Leo Kraus on the reverse side; however, he was not the donor. Dr. Kraus was head of the law department of the Prague Palestine Office.² It is a mystery how the portraits arrived in Israel and who donated them to Beit Theresienstadt.

My main question is: Where is the artwork of David Friedmann? Fleeing the Nazi Regime, some Jewish refugees took along their art, thus saving a few pieces from obliteration. This was true for works brought to Palestine from Berlin by the Wolff, Sadger, Pokorny, Roth, and Rothstein families, all friends of my father. However, the present location of these works is unknown.

The artwork of David Friedmann could appear anywhere in the world. In the course of the persecution of the Jews in Europe, emigrants fleeing Hitler often found it necessary to sell their art. Works were also systematically confiscated and sold at auction by the Nazi Regime. Among the discoveries were several auctioned works in Germany, but the auction houses refused my request for information about the owners. However, one painting dated 1932, a scene of Strausberg near Berlin, was available for sale. I felt it was important that the painting remain in the city

¹ Khan, JUDr. Franz (1895–1944) Leading Zionist personality, responsible to the Zionist Federation.
Lichtenstern, Josef (1915–1945) Responsible for workers' transports (illegal immigration).
Janowitz, Dr. Leo (1911–1944) Secretary, Palestine Office; director of the certificates department.
Zucker, Eng. Otto (1892–1944) Zionist organization leader, later vice-chairman of the Council of Jews.

² Kraus, Dr. Leo (1907–) Deported to Ghetto Theresienstadt July 13, 1943, and then to Auschwitz-Birkenau, Oct. 23, 1944. Liberated in Dachau in May 1945. Immigrated to Israel. Two identical portraits of Leo Kraus survive in the album of D. Friedmann.

that David Friedmann called home for 27 years. I donated the work to the Stiftung Neue Synagoge Berlin-Centrum Judaicum, in memory of *all* of the forgotten Jewish artists.

I sent letters via the *Koordinierungsstelle für Kulturgutverluste* to the auction houses asking that my mail be forwarded to the owners of David Friedmann works. I introduced myself and requested a photo and the provenance of the painting. None of the auction houses replied. Therefore, I was surprised to receive a letter after three years from an owner that included photos of an oil painting dated 1916, a portrait of a man reading. The collector was interested in selling at a high price. Thus, I have created a market for my father's works that I cannot afford.

I do not have the finances or the resources of museums and institutes to search for hundreds of David Friedmann works that remain undocumented and may be in private hands. European governments should help identify and track these works and provide expertise. After years of exhaustive research efforts, I would welcome help. To make matters more complicated, how does one differentiate between works that my father sold during his successful career and those that were stolen from him? Here is an interesting example:

Three prewar paintings signed by David Friedmann have surfaced in France, each with the number "6198" (written in red), suggesting a possible auction sale reference number. The paintings are not related in subject matter or style and were sold by different vendors. I am at a loss as to which specific sale this marking may reference or what other significance the marking may have. These numbers alone do not confirm whether the works were from my father's confiscated art collection in Berlin. Circa 2000, there was a sighting of four nude paintings in a Paris auction shop that later

burned down. My father never was in France. Help from experts is needed to reconstruct the provenance history of these works. Perhaps a clue will lead to more artwork.

Art theft continues to be a problem today. In 2004, Ing. Pavel Beran, the director of the Sokolov Regional Museum, planned to purchase a 1947 painting of a coal-mining scene from the Habartov City Hall, Czech Republic. However, the painting disappeared. He gave me a black-and-white photocopy of the work. In 2005, I came across a painting with the title, *Tagebau mit Abraumbagger*, posted on an auction site.¹ I sensed at once that this was the stolen painting. I tracked the work to Auktionshaus Mehlis in Plauen, Germany, conveniently located near the Czech border not far from Habartov. Thanks to the cooperation of the auction house, soon I had a color photograph, an exact match to the copy. The painting was bought by an agent of Eckhart G. Grohmann for a museum that bears his name at the Milwaukee School of Engineering, in Wisconsin, United States. I contacted Mr. Grohmann hoping he would consider returning the art because of the dubious circumstances. He said he needed proof of the theft. However, officials from the Habartov City Hall refused to file a police report and denied the theft. Nevertheless, Mr. Grohmann, a *Sudetendeutscher*, said he had “no interest to return the painting because of the way his family was treated by the Czechs.” He asked if I was familiar with the *Beneš Decrees*. So here was something new that I never thought to encounter: the loss of my father’s painting as a result of ignorance, indifference, and political hatred.

The “Holocaust Era Assets Conference,” held on June 26–30, 2009, hosted by the Czech Republic, is a fortuitous opportunity to remind European governments that works created by Jewish artists

¹ See: <http://www.artprice.com>.

were also methodically plundered and lost. I believe all art looted by the Nazis should be identified, not just works by famous artists found in prominent collections and galleries. Art of an obscure artist is more likely to hang on the wall of a private home than in a museum. I implore the European governments to publicize and help the heirs trace the undocumented and documented art theft.

David Friedmann made important contributions both in the realms of 20th century art and in the creation of materials that play a powerful humanitarian role in educating people about the reality of the Holocaust. Despite his many losses and injustices, and the numerous interruptions in his career, David Friedmann triumphed to survive the evils perpetrated against him. As each of his options narrowed, he continued to produce art illustrating the events and personal experiences of his time. His art could not be silenced. He depicted human fate as a refugee in Prague, as a prisoner in the Łódź Ghetto and Auschwitz, and as a survivor. He created the powerful art series entitled “*Because They Were Jews!*” He never stopped painting throughout his complex postwar journey from Czechoslovakia to Israel and the United States.

In 1948, David Friedmann married fellow survivor Hildegard Taussig in Prague. A year later, they fled Stalinism to Israel, where I was born, and in 1954 immigrated to the United States. The family became United States citizens in 1960, and dropped the double “n” spelling of their surname.

David Friedman has been recognized internationally as materials continue to surface. His memoirs are in the collection of the Leo Baeck Institute, New York. Art collections include the *Stiftung Neue Synagoge Berlin-Centrum Judaicum*; Yad Vashem Art Museum, Jerusalem; the State Museum Auschwitz-Birkenau, Poland; and the United States Holocaust Memorial Museum,

Washington DC Works can be seen in the permanent displays of the Holocaust History Museum, Yad Vashem, and the St. Louis Holocaust Museum and Learning Center, which held a major exhibition in 2005. The United Nations Headquarters in New York, the Terezín Memorial, and the Berliner Philharmonie, have also hosted significant exhibitions of his works.

History has a curious way of confirming itself. After 30 years and monumental odds, I have found astonishing evidence of my father's lost years and art. His works have surfaced in the Netherlands, England, France, Germany, China, Czech Republic, Poland, Israel, and the United States. David Friedman died in 1980 in St. Louis, Missouri. My search continues to be an impassioned and justice-seeking journey. *I appeal to the public to join my search and preserve the legacy of this remarkable artist.*

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¹ For more information, please see the websites:
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– Portraits of Famous Chess Masters 1923, <http://www.kb.nl/vak/schaak/portretten/friedmann/index-en.html>;
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Das Schachmeister Tourmier in Mährisch Ostrau, Juli 1923
Köpfe berühmter Schachmeister. Copyright©1999 Miriam Friedman Morris.

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