

remains. This is sometimes forgotten by researchers in some of the fields whose focus is traditionally quite narrow.

My last remark has to do with the profession of a researcher. In my opinion, the expert researcher or the provenance researcher should remain a researcher in the first place, and not become a politician, as we sometimes experience when listening to some of the speeches, because then the facts suddenly seem to disappear and objective views are influenced by a personal relation to the provenance. Likewise, the politicians should not be experts in research fields because then the issues will become more politically charged. We should all focus on what we are good at.

As for provenance, it will definitely retain its crucial importance for every form of collecting. In reality we sometimes tend to forget to look for the connections leading to every point in provenance research. Sometimes the remembrance of the people is forgotten or given only a short space of four or five lines.

If you looked up the materials on postwar restitutions in Belgium, there are some people who were deported and now are completely forgotten. The museums that have their works do not have any relevant materials, because art historians have the tendency not to use too many of the historical documents, and historians do not always look at the other materials. And it is difficult to find people from both sides of the aisle, people who speak four or five languages, who could create bridges among these issues. Nevertheless, it is important to be constantly aware of the complexity of the issues at hand and to find and establish the right lines of provenance, so we can come up with objective results not only in the area of restitutions, but also in the area of history.

To conclude, I believe that the provenance research is important and we need to continue. However, there is one thing I learned while working in Belgium with the different commissions. During the talks on the Belgium agreement, the Jewish community in Belgium cooperated very closely at every step we undertook over the last ten years. And it taught us a lesson in modesty – modesty and humility towards the history, the sense of it and the tragic events of the past.

I thank you for your attention.

► **Nancy Yeide**

NATIONAL GALLERY OF ART, USA

**PROVENANCE RESEARCH IN AMERICAN MUSEUMS**

There has been a lot of talk at this Conference about provenance research and archival access. However, with the notable exception of my colleagues on this panel and a few people in this room, very few people at the Conference have actually engaged in provenance research. Therefore, I am especially glad to give a voice to provenance researchers. I would like to make some comments about this research because in the end, it is the research that should be the foundation upon which ownership decisions are made. On this panel we are talking about art, fine arts, and increasingly applied arts, and even musical instruments.

Provenance research starts with identifying the object in question; it cannot start anywhere else. It is often noted that artists work in genre, repeat themes, and may create multiple versions of a composition. But the visual examples should bring this home.

The Virginia Museum of Fine Arts had to sort out the histories of eight versions of the same portrait, in order to resolve an ownership claim. A provenance researcher spends a significant amount of time determining whether the object at hand is the same as that referenced in the archival documents or scholarly literature. Another problem in identifying paintings can be measurements, which can be recorded with or without frames or pedestals, inaccurately recorded, or changed over time. One might think that a painting might be trimmed down and is unlikely to become larger. However, this example proves otherwise. One of multiple versions of the *Madame de Pompadour* owned by the Rothschilds was originally square and had over the centuries been enlarged by significant additions to the composition to form an oval.

Unlike contemporary cars or houses, art objects do not carry paperwork with them to prove each transaction. And while one might wish and believe this were not the case, the simple truth is that it is. Today's expectations for what a provenance researcher can achieve often exceed reality. The art trade was never a business for title transfer documents or standards, although invoices and correspondence may exist.

The goal of provenance research is to trace the ownership and location of an object from its creation to the present. Because of the manner in which the object might have changed hands, that valuable documentation for each transaction varies widely. Whether the object was transferred by sale, gift, trade, inheritance, or in some other manner, the issue of available documentation is critical. Even evidence of those kinds of transfers that are most likely to be documented such as sales, consignments, or public auctions, may not exist or may be inconclusive. Therefore, ownership must often be determined through art historical

sources, such as *catalogues résumés*, artistic monographs, exhibition catalogues, scholarly articles, annotated sales catalogues, published reports and dealer advertisements, to name just a few. These, however, must be critically considered and corroborated.

For example, I found this little picture<sup>1</sup> by the artist Gerrit Dou called *Rembrandt's Mother Peeling Apples* listed in a postwar report on Göring's collection as having been sold to him by a private collector in the Netherlands. Eventually, I found the painting had been lent by the Dutch collector to a 1938 exhibit in the Netherlands, and in that catalogue, the provenance was traced to an important 1928 sale in Berlin. Meanwhile, I found that the painting was now at the Gemäldegalerie in Berlin, who had bought it at the 1928 sale. So how could it have been lent by a private collector in 1938, while owned by the Berlin museum? To make a long story short, the 1938 catalogue was in error and the Göring picture from the Dutch collector is a previously unknown version of the Berlin painting. Göring traded his Dou back to Alvan Meedle, who fled with it to Spain in 1945. It was discovered there after the war, but eventually released, and has never been seen since. I only found this out by reviewing as many documents as possible, consulting a Dou specialist and the family of the Dutch collector.

While working with archival documents, which rarely include images, one must be particularly careful to not jump to conclusions or create misconnections. The nature of the archival record is such that it may be incomplete or inaccurate. One has to realize that although the archival documentation is extensive, the records are often vague, and it is not always possible to conclusively connect the documents with a particular object.

---

<sup>1</sup> This speech was accompanied by the PowerPoint presentation.

For example, Makart's *Beautiful Falconer* is one of the most recognized paintings in Göring's collection. It was a 1938 birthday gift from Hitler, the occasion itself captured in a widely reproduced photograph. First known from an important Romanian collection, the picture is well documented within the records of Göring's collection that were available to postwar investigators. Nonetheless, when it was recovered with Göring's collection, it was catalogued as a painting depicting Brunhilda, a topic with which she has never been associated before or since.

Most importantly, I think, the lack of documentation should not be taken to mean that a transaction did not occur. One must recognize the possibility that relevant documents created during the time of great upheaval and subject to a significant amount of relocation may no longer exist. One must weigh whether such a document ever would have existed, and if so, how it may have been lost or destroyed. And if one locates documentation, one must always attempt to corroborate the contents.

If the object is the beginning of provenance research, it is placed within a context of art collecting, and art dealing must also be understood. It is simply inaccurate to move a single transaction from the surrounding circumstances. Why did the collector collect, out of investment, passion, social or familial influences? Did he or she routinely put objects on consignment, where and how were the objects displayed? It is only within the context of the individual collector and the place and time in which he or she lived that one can understand the movement of art. Collectors move in the same social circles and are often related by marriage. And while these connections may sometimes complicate tracing an individual picture, they also provide a different avenue of research that may prove fruitful.

Collectors often have an ongoing relationship with a given dealer, buying and selling regularly to shape their collections. Relationships with important collectors were highly guarded business secrets of dealers and auction houses, whose records may be couched in attempts to protect their interests. For example, cable correspondence between the Devin Galleries in New York and its European branches routinely employed code names for collections for fear of rival dealers. Code names do not necessarily imply anything nefarious, but were normal practice.

Provenance research is interdisciplinary. It requires knowledge of art history, history, the assembly of collections and the locations of archival materials. It is like the proverb of the blind men touching different parts of the elephant and each coming to a different conclusion. I come to this area as an art historian, and I tend to concentrate on the object, while historians view the larger picture, often neglecting the specifics.

Provenance research challenges us to contact experts in a wide range of fields. For example, the larger context of the turbulent German economic situation after WW I and the world financial crisis resulting from the stock market crash set in motion several liquidation proceedings of art collections. The best research results from combined effort utilizing the expert knowledge of not just art historians and historians, but economists and legal experts as well.

Similarly, the archival research, the archival resources documenting Nazi confiscations and postwar restitution were until recently outside the scope of traditional provenance research. The wealth of Nazi era-related information that has appeared in the last ten years is remarkable. A community of scholars has discovered new resources, new methodologies, and a greater

understanding of the interconnections between documents scattered worldwide.

Previously lesser known resources include complicated texts, estate, property, import, export, and other European records that are necessary to support ownership history prior to the ascent of the Nazi regime. Even in the United States archives, I found new sources that shed light on the complexity of the movement of art during the war and in the postwar period. There is an ever-expanding circle of the types of archival documents that need to be consulted. However, as the types of materials being consulted expand, so does the possible misuse of archival documents by accidental misunderstanding of their meaning in context. For example, the US Office of Censorship routinely censored wartime correspondence between the USA and Europe, including that of dealers and collectors. These people knew they were being censored and wrote accordingly to avoid their correspondence being intercepted and lost. Consequently, you cannot take every word at its face value; you must read between the lines.

Similarly, the Office of Alien Property tasked with monitoring currency transactions between the USA and Europe as a part of economic warfare required foreign firms and individuals in the United States to register their assets and routinely investigated currency movement. The mere existence of such a report is not proof of the person having been investigated. And finally, the Art Looting Investigation Unit list of red-flag names is routinely misused despite the cautions written in the document itself. So I think that just as much, if not more care has to be taken in interpreting documents as in locating them.

Finally, since the title of my talk is Provenance Research in American Museums, I am going to mention the effort of American

museums to provide provenance training, exchange results, and make museum provenance information available. In 2001, we published the AAM Guide to Provenance Research. In 2001 and 2003, we sponsored two seminars hosting almost two hundred US museum professionals to train them in provenance research. Sessions on provenance research are held every year at the annual meetings of the American Association of Museums, and in 2001, the AAM consolidated a Best Practice Brochure for museums' guidance. The AAM also maintains tools for US museum professionals currently working on the World War Two era in provenance research field. And in 2004, we hosted the international Provenance Research Colloquium in Washington, and published the papers under the title of Vitalizing Memory. And we have all heard several times already about the Nazi internet portal.

Returning to the research itself, I have a few closing points. One concerns the need for cooperative research efforts. Working in isolation is not efficient, and can be counter-productive. In the United States, the collegial sharing of information has been successfully conducted on a fairly informal level. For example, recently I was looking into the provenance of a Manet painting at the National Gallery, and I found a document that showed it had been in a Swiss collection and next appeared in the USA in 1940. The next document I found from the United States Treasury revealed its history. It left Switzerland in 1937 for exhibition in France, and then came to the United States in 1941, where it was shortly sold and the funds deposited to the accounts of the collector's family. However, it did not travel alone. In a consultation with a colleague at Harvard, we determined that a Monet listed on a document is the *Gare St. Lazare* at the Fogg Museum, further that a Villard is now in the Museum of Fine Arts in Boston, and a Cézanne in Toledo. Through our cooperative efforts,

the uncertain provenances of four separate paintings have been clarified.

I also think that there is a need for pure research that makes the contribution to the field as a whole, in addition to the results of specific individual investigations. Sophie Lillie's book on the Viennese collections is an example of publication that made previously inaccessible documents available to a wide audience. Likewise, Burkert Schwarze's book on the Linz Collection provides not only a basic understanding of historic documents, in this case Hitler's albums, but also a record of the objects contained therein.

Finally, my work on Göring is an attempt to do the same thing. My initial intention was to help colleagues who did not have the same access to archival documents that I did by researching Göring's collection as a whole and making the results available as a foundation for further scholarship. More independent research grounded in archival documents would benefit the entire field.

To conclude, I just want to say that I am concerned about the tone of some of the conversations that took place at this Conference and with the press. I think unnecessary antagonism between sides does not benefit anyone. When the first contact is made with a museum or a private owner via a law firm, the result is that all subsequent correspondence is limited to the legal representatives of the claimant and the other party, setting up an adversarial relationship, establishing a mentality of defensiveness, and anticipation of potential litigation. This also creates an administrative layer between the provenance researchers on each side of the case, which is an impediment to the true sharing of information and documentation and its ultimate goal, the

unearthing of a true history of the object and its previous owners. As cooperative research among museums shows, the whole is greater than some of its parts.

► **Sophie Lillie**

INDEPENDENT SCHOLAR, AUSTRIA

**THE BACKLASH AGAINST CLAIMANTS**

"The world should let go of the past and live in the present." This uplifting advice comes from Sir Norman Rosenthal whose sweeping judgment on the invalidity of restitution claims reverberated through the art world last fall. In an op ed piece published in December 2008 by *The Art Newspaper*, the former exhibitions secretary of the Royal Academy of Arts provocatively called for a unilateral statute of limitations to inhibit Holocaust-era restitution claims, arguing that "each person should invent him or herself creatively in the present, and not on the back of the lost wealth of ancestors." According to Rosenthal, artworks are inherently better off in public collections than returned to claimants "distanced by two or more generations from their original owners." In an usual display of twisted logic, Rosenthal argued that the stain of Nazism could not be cleansed by the restitution of masterworks from museums since "neither Rembrandt nor Klimt were responsible for those political crimes."

Rosenthal's position was enthusiastically seconded by Jonathan Jones of *The Guardian* in January 2009. In a lengthy art blog, Jones argues that "nothing in today's art world is more absurd or insidiously destructive" than the return of artworks looted by the Nazis. Why? Because such works, according to Jones, are invariably