

Questions to committees - summary

Secretariat Dutch Restitutions Committee

13-11-2012

Introduction

The internationally felt need to find solutions for problems connected with the after-effects of the large-scale theft of cultural artefacts belonging to Jews which took place during the Nazi regime, resulted in 1998 in the acceptance of the Washington Principles on Nazi-confiscated Art. These guidelines, which were ratified by 44 countries, were based on the assumption that a 'just and fair solution' was to be the goal for art which had been stolen by the Nazis. In this connection, emphasis was given to alternative dispute resolution mechanisms which were not legal actions brought before the Courts. In compliance with this policy put forward by the international community, various countries have implemented measures since 1998 which concern what is termed as 'heirless art' within their national collections. In Europe, this has resulted among other things in the institution of various advisory committees which concern themselves with the problems surrounding art stolen by Nazis. To commemorate the tenth anniversary of the Dutch Restitution Committee, five European advisory committees will meet, for the first time, in The Peace Palace in The Hague. Delegates from committees from Austria, France, Germany, the United Kingdom and the Netherlands will have an opportunity to discuss the question as to which possibilities exist in their respective countries for former and current owners of Nazi-confiscated art, either by regular judicial procedures or by approaching the committees.

As the historical background and legal context differ from country to country, it goes without saying that the solutions opted for in resolving the problems surrounding art stolen by Nazis are not the same everywhere. To gain insight into what is the same and what differs from country to country, the Dutch Restitution Committee submitted a questionnaire to each of the committees. The responses provided by the committees give insights into the legal background which exercises an influence on the approach taken to the restitution issue in each country. Aside from this, information was provided about the mandate, the organization and the procedures applied by each committee and about the provisional results of their activities. The results of those questionnaires are described in brief below.

General legal background - question 1

A complicating factor in the issues surrounding art stolen by Nazis is that legal proceedings frequently fail to resolve ownership claims; the applicable statute of limitations under the law of various countries concerned prevents this. In response to the question as to whether or not, in their country, there is a realistic possibility of submitting claims about art stolen by Nazis to the Courts, four out of five of the advisory committees stated that there are obstacles which hamper such submissions:

- In the UK, Germany, Austria and the Netherlands, submitting such claims to the Courts is prevented due to the application in principle of the statute of limitations,

although the situation is often complex and depends strongly on the individual circumstances of the case.

- In France, there is no particular time-bar for all types of spoliated property. Whether the work is in a museum or gallery or appears on the art market, the victim or their heirs can refer to the courts, if an out-of-court solution cannot be found.

Establishment and organization - questions 2-7

The five advisory committees in question were established during the period 1998-2003 by their respective national governments:

- In 1998, the government of Austria enacted legislation, the Federal Art Restitution Act, and established the Austrian Art Restitution Committee. Between 2011 and 2013 survivors of National Socialist persecution and their heirs were eligible to file applications with the Allgemeiner Entschädigungsfonds (General Settlement Fund) for a lot of categories, e.g. moveable property, which means also art.
- In France, the findings of an official enquiry (the Mattéoli Commission) prompted the government to establish the Commission for the Compensation of Victims of Spoliation resulting from the anti-Semitic legislation in force during the Occupation (CIVS) which came into effect in 1999.
- The government of the UK established the Spoliation Advisory Panel in the year 2000 to consider claims for works in UK collections.
- The Dutch Restitution Committee was established in 2001 by the Secretary of State for Education, Culture and Science.
- In 2003, the German Federal Government took the initiative to establish the Beratende Kommission, in accordance with the German Laender and Germany's national associations of local authorities.

The UK government has set a time limit to the life-span of the Spoliation Advisory Panel. The Holocaust (Return of Cultural Objects) Act dating from 2009 contains a *sunset clause* which provides for the committee to continue to exist until the year 2020.

The committees function independently in terms of how their advice comes about. Their assessments are made by seven (the Netherlands), eight (Germany and Austria) or nine members (UK). In France, the committee consists of 60 people, 10 of whom have seats on a deliberation panel.

The members of all five committees are appointed by the government. Those appointments are made to ensure that there is a mixed and wide range of experience among committee members.

Terms of reference - questions 8-9

The committees were asked which terms of reference they apply when making their decisions. They were also asked whether this standard differentiated between various owners of the disputes art works, for example, if another standard applied to objects from a national collection than applied to art works owners by other public bodies, or, private individuals.

- In response to this, the French committee stated that it based its recommendation firstly by applying '*a general principle of fairness*'. When making assessments, no distinction is made between different owners of the disputed art objects.
- The UK committee responded by stating that its procedures form an alternative to litigation and that its decisions are based on '*the moral strength of the claimant's case*' and on the question as to '*whether any moral obligation rests on the institution*' concerned. In the terms of reference applied, no distinctions are applied in terms of the current owner of the claimed art work. There are however procedural differences: '*where an object is held in a national collection the Panel will automatically consider the claim. Where an object is held in a private collection, the consent of the owner is required before the Panel will advise on the claim*'. Aside from this, on the basis of the Holocaust (Return of Cultural Objects) Act dating from 2009, objects from national collections may only be returned to claimants if the Secretary of State for Culture, Media and Sport consents to a positive recommendation in that regard issued by the committee.
- The decisions reached by the German committee are based on the '*Gemeinsame Erklärung der Bundesregierung, der Länder und der kommunalen Spitzenverbände zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes, insbesondere aus jüdischem Besitz*' (Statement by the Federal Government, the Laender, and the national associations of local authorities on the tracing and return of Nazi-confiscated art, especially Jewish property) of December 1999, as well as its '*Handreichung*' (Guideline), dating from 2001 (revised in 2007). That Guideline provides a means for assessing individual cases. The '*Gemeinsame Erklärung*' is primarily focused on public bodies, but asks private parties to follow its aims as well.
- The norm of the Dutch Restitutions Committee has been defined in the Decree establishing the committee of 2001, which has been amended in 2012. Following this decree, the committee has been assigned two tasks: (1) the first task is to advice the Minister for Education, Culture and Science on applications for restitution of items of cultural value which are part of the Dutch State collection; (2) The second task of the Dutch Restitutions Committee is to advice parties who voluntarily choose to have their dispute researched and decided upon by the Committee. It regards works of art in possession of another party than the Dutch State. For both tasks assigned to the committee, it is the norm that claims are judged according to standards of reasonableness and fairness. In its regulations, this is further implemented in article 3, which reads: '*The Committee issues an opinion in accordance with the requirements of reasonableness and fairness, and may, in any event, take the following into consideration: / a. internationally and nationally accepted principles such as the Washington Principles and the government's line of policy concerning the restitution of stolen works of art in so far as they apply by analogy; / b. the circumstances in which possession of the work was lost; / c. the extent to which the applicant has endeavoured to trace the work; / d. the circumstances in which the owner acquired the work and the inquiries the owner made prior tot acquiring the work; / e. the significance of the work for the applicant; / f. the significance of the work for the owner; / g. the significance for the public art collection*'. There is a special provision for claims on objects in the so-called NK-collection, which are part of the Dutch State collection. This collection concerns a so-called 'heirless art' collection of works of art, mostly recuperated from Germany after WW II. Claims on items from the NK-collection are judged according to a restitution policy adopted by the government pursuant to the recommendations of the so-called Ekkart Committee. This, until 30

June 2015, after which they will be judged according to the same standards as other cases, which is according to the norm 'reasonableness and fairness'.

- The Austrian committee assesses cases on the basis of a law, the Art Restitution Law of 1998 (amended in 2009). This law makes reference to the Nullification Act of 1946, which states that all legal transactions caused by the Nazi-occupation are void. The Committee interprets this according to the jurisdiction of the Austrian Restitution Courts, which means that especially all transactions of persecuted people like Jews are to be seen as void. The Art Restitution Law applies only to moveable cultural objects, which are owned by the federal state. All nine Austrian provinces have similar regulations.

Limitation periods - questions 10-11

None of the five European advisory committees applies a deadline in terms of when claims must be submitted. Some remarks from the UK, Austrian and Dutch committees:

- The UK committee stated that the Holocaust (Return of Cultural Objects) Act dating from 2009 contains a sunset clause which allows Ministers to designate a Panel to consider claims until 2020. That is not an exact end date and it would be for the government of the time to consider whether to extend the committee's life.
- The Austrian committee stated that in fact there is no need to submit claims as decisions are reached on the basis of research findings obtained by the Commission for Provenance Research. That research is official and is submitted on a case for case basis in a dossier to the committee.
- The Dutch committee stated that in its recommendations, the Ekkart Committee specified that the favourable restitution policy for NK-cases should only be of a temporary nature. Initially, a deadline for applications was set for April 2007, but this was retracted by the government. In 2012, the government decided that claims issued after 30 June 2015 on items from the NK-collection shall, from then on, be judged according to the same standards of reasonableness and fairness as applied in other cases.

Procedure - questions 12-18

Research - question 12

To acquire greater insight into the procedures used by the European committees, they were asked if they conduct independent (historical/art historical/legal) factual investigations or if they solely assess claims as submitted by parties:

- The UK committee responded by stating that they primarily assess cases on the basis of written evidence submitted by the parties but that they do occasionally conduct research when this appears to be necessary.
- The German committee stated that one of its members is appointed as a '*rapporteur*' for a specific case. The '*rapporteur*' then decides if and what kind of additional information is necessary, e.g. needed from the parties concerned.
- Extensive investigations are conducted by the Austrian, French and Dutch committees. In France, claimants submit a power of attorney to the CIVS to carry out enquiries on their behalf. The committee has its own research teams in France and in Germany and

cooperates intensively with researchers employed by other bodies both at home and abroad. Use is also made of digital search engines. Research is focused on establishing the nature and scale of the theft, and is aimed to prevent compensation being given for property already returned or for which compensation has already been paid. Finally, the consultation of archives may lead to the discovery of other spoliations that have been forgotten by or are unknown to the claimants, and not mentioned in the questionnaires.

- The Austrian committee decides on the outcome of the investigations of the Commission for Provenance Research, which are done *ex officio*. If there is any kind of information provided by the families of the former owners, it will be taken into account.
- The Dutch Restitution Committee conducts extensive (art) historical and legal research in connection with each and every case. The relevant facts are laid down in a draft report which is sent to the parties concerned. These research reports are not published, however the relevant facts are summarised in the recommendation itself, which is published.

Outside experts - question 13

The committees in France, the UK and the Netherlands do sometimes consult with outside experts when dealing with claims:

- The French committee consults, if necessary, with the curators of museums; and claimants may also enlist the assistance of experts of their choice.
- The UK committee has consulted a number of outside experts including a number of government agencies, auction houses, art experts and academic institutions. Legal advice is provided to the committee by government lawyers.
- The Dutch Restitutions Committee sometimes consults outside experts, such as art-historians, art dealers, or, lawyers, in its research into the facts.
- The German committee stated that until the present it was not found necessary to consult with outside experts.
- As the committee in Austria is composed of experts from different fields and has the Commission for Provenance Research at its disposal, there is no need for third party experts in general. However, the rules of procedure of the committee foresee in the possibility of consulting with third party experts, if necessary.

Persons or entities entitled to submit a case - question 14

- In response to the question as to which persons or bodies are entitled to submit a case, the Austrian committee stated that Committee and the Commission for Provenance Research work *ex officio*; in only a few cases were the investigations initiated by the families of the former owners.
- The French committee is only empowered to receive claims submitted by individuals and not by legal entities. Any (descendant of a) person, having been the victim of material and/or bank-related spoliations resulting from the anti-Semitic laws in force in France during the period of the occupation, may contact the Commission, regardless of their present country of residence.
- For Germany, in principle, all kinds of public and private entities and persons claiming or possessing a cultural object are entitled to submit a case to the Beratende Kommission. Thereby, it is necessary that at least one party represents a public institution.

- The UK committee may consider a claim from anyone (or their representative) that lost possession of a cultural object during the Nazi era where the object is in a UK museum or gallery.
- In the Netherlands, anyone can submit a request for restitution in National Art Collection-cases. It will be a matter of research and consideration by the committee if there is a title to claim the objects on the base of inheritance law or otherwise. In Binding Opinion-claims, to submit a case, it is necessary that the parties involved, without restrictions to the capacity of the parties, agree to voluntarily call upon the committee.

Oral proceedings - question 15

- In response to the question as to whether oral proceedings are part of the committee's regular procedure the Austrian committee stated this was not the case.
- The German committee responded in the affirmative: *'parties have the possibility to explain their point of view directly and detailed to the Beratende Kommission'*.
- The other three committees do not apply a standard procedure but allow for the possibility of oral proceedings being held. The French committee stated in this connection that although it is not a jurisdiction, the CIVS follows the adversarial principle, both in investigation and in session.
- The Dutch Restitutions Committee stated that whether a hearing is organised or not is decided on a case-by-case basis.
- According to the UK committee, claimants may request an oral hearing but this will be subject to the agreement of the Chairman and will only be considered where they offer additional value over and above the written submissions. There have only been two oral hearings since 2000.

Kind of decisions - question 16

The committees were asked to state which possible decisions they may arrive at (restitution, financial compensation, and other resolutions):

- The Austrian committee stated that dealing with a case solely results in making a positive or a negative recommendation to return objects: *'The Committee decides to advise the relevant federal minister whether to return an item or not. There are no "compromising" solutions, like financial compensations'*.
- The other four committees do allow for other outcomes. In that connection, the French committee stated that during the deliberations, the Commission drafts recommendations either for dismissal, or for restitution, or for compensation by the State and the banks.
- The German committee stated that in its recommendations it seeks for 'fair and just solutions' according to the Washington Principles 1998 and Germany's 'Gemeinsame Erklärung'. Against this background, the Beratende Kommission has already made recommendations with regard to restitution, financial compensation, and other solutions (e.g. indexing, maintenance and exhibition of an artwork as part of the museum's responsibility in terms of conservation, specific presentation, documentation in general catalogues, clearly expressing its provenance).
- The UK committee may recommend the return of an object or an ex-gratia or compensation payment to the claimant. Where the claim is rejected it may recommend the display alongside the object of an account of its history and

provenance during and since the Nazi era, with special reference to the claimant's interest therein.

- The Dutch Restitution Committee stated that results depend on the nature of the case. In National Art Collection cases, the committee can only recommend to either grant (if relevant on condition of repayment of the received purchase price) or reject a request for restitution. In Binding Opinion-cases, any option leading to a reasonable and fair solution is possible. In its regulations concerning Binding Opinion cases, some of the possible options are mentioned (a. the work is returned to the applicant; b. the work is returned by way of a set consideration from the applicant to the owner; c. the work is returned to the applicant subject of further provisions; d. settlement of a set consideration by the owner to the applicant, while the work remains in the owner's possession; e. the work be exhibited, stating its provenance and the part played by the (heirs of the) original owner; f. the application for restitution be denied, subject to further provisions, where applicable).

Mediation - question 17

In response to the question as to whether parties may make use of mediation to resolve the dispute, and apply to the committee as a mediator, the Austrian committee stated this was not the case: *'The Art Restitution Law does not foresee for a mediation procedure'*. The other committees responded to this question (in part) in the affirmative:

- The German committee stated that the main task of the Beratende Kommission is to act as a mediator in a non-judicial sense in disputes between the current owners of cultural property and the former owners or their heirs, in the case that both sides of the dispute seek such a mediation. The Beratende Kommission can then provide a recommendation to resolve the conflict. The fact that the committee has given recommendations in five cases since its establishment in 2003 shows that disputes in Germany can also be solved by the parties directly - without additional assistance of e.g. the Beratende Kommission, which acts in so far subsidiary.
- The French committee stated that the legal nature of the Commission and the flexibility given to it by its charter allows it to act in this respect as conciliator or mediator.
- The UK committee does not employ formal mediation procedures as may be used elsewhere to arrive at a decision.
- For the Netherlands, the answer to the question lies in the nature of the case presented. The National Art Collection cases submitted do not permit mediation. However, for Binding Opinion cases, this is one of the possibilities explicitly described in the abovementioned regulations.

Binding decisions and possibility to appeal - question 18

The committees were also asked the following question: Are the decisions of the committee binding upon the applicant and any other party (such as the owner), or do they have the status of a recommendation? If the decision is binding, is it possible to appeal? The responses show that, with the exception of Binding Opinion cases submitted to the Dutch Restitution Committee, all of the committees give non-binding advice:

- For Austria, the response given was that the Committee decisions are advice or recommendations given to the relevant Federal Ministers; the Federal Minister takes the final decision. However, since 1998 all decisions were implemented by the Federal

Ministers. The Art Restitution Law does not foresee for an appeal being lodged against the decisions of the Committee or of the Federal Ministers.

- The German committee stated that since the results of the work of the Beratende Kommission are recommendations, they are (legally) non-binding.
- The French committee stated that only a decision made by the Prime Minister is binding. For claimants who disagree with the results of their case(s), there are various options: any claimant may request the re-examination of their claim by the Commission (decree of 20 June 2001). Minimum conditions are required: new documents; new facts, or the claimant must demonstrate that the recommendation made contains a material error (error of calculation or assessment, for example). The claimant may also lodge an appeal with the Administrative Court.
- The UK committee stated that its decisions are not binding on the parties but that every recommendation so far has been accepted by the institution concerned. There are no formal appeal procedures but the Panel will always look at new evidence.
- For the Netherlands, the answer to the question once again relies on and depends on the nature of the case submitted: (1) In National Art Collection cases: When advising the Minister of Education, Culture and Science on items from the state collection, the decision of the committee has the status of a recommendation. All recommendations were followed by the Minister. Appeal is not possible, however it is possible to submit a request for renewed advice if new facts emerge that, had they been known earlier, could have resulted in a different recommendation or if there were procedural errors that harmed the applicant's fundamental interests; (2) In Binding Opinion cases: Binding. In order to submit a case for recommendation, the parties involved must sign an agreement they will consider the opinion as binding.

Numbers - questions 19-22

The results of activities conducted by the committees are difficult to compare numerically, partly because the cases dealt with differ widely and differ in complexity as well as a scale, have various procedural factors and require different quantities of necessary research and investigation.

A case might concern a single object or a large collection of hundred and art works. Notwithstanding this, the committees were asked to indicate how many cases concerning the theft of art works by Nazis were submitted to the committee in question up to 31 December 2011 and how many of them were decided, were withdrawn and were still pending. Information was also requested as to how many cases until 31 December 2011 did the committee decide on and grant claims and in how many cases did the committee decide that the claim be rejected. Information was also requested about an indication of how many new cases are expected to be submitted as of 1 January 2012 and an indication was requested for what the average time is required for a decision to be made after the application:

- The Austrian committee stated that until 2011 there have been 274 decisions issued by the Committee. In 29 decisions, the Committee recommended not to return the items, in the others the Committee did so. When the Commission has finished its investigations the case is presented to the Committee, which meets five to six times a year. In most cases, the Committee comes to its decision in one session, which means that the procedures of the Committee needs less than three months in most cases. In 2012, ten decisions were taken and about five more are to be expected.

- The French committee stated that claims regarding looted art are relatively limited. The vast majority of claims are for the compensation of losses resulting from the looting of homes; the loss of work-related property and the spoliation of assets held by financial institutions. According to the French committee in 3056 cases cultural personal property was claimed, and 2974 cases regarding cultural personal property were submitted to the committee. There were 877 cases of art works in the strict sense; 1980 other cases; 2 cases of restitution; 115 cases dismissed en 82 cases still pending (art works in the strict sense and other cases). The average time required for a decision to be made is between two and four years, depending on the complexity of the case.
- The UK committee has stated that in the period 2001-2012 it dealt with 11 cases (including one reconsideration of a claim previously handled by the committee). No cases were withdrawn and all were decided. As at 7 November 2012 there are a further three claims pending and a possible fourth. The cases dealt with by the Panel include the case of the Beneventan Missal, which did not involve looting by the Nazis or their allies. The average time required for a decision to be made varies from case to case but claims are normally determined within 6-8 months.
- The German committee stated that up to 31 December 2011, 12 cases had been submitted to the committee; 5 were decided; 0 were withdrawn and 6 were still pending. In four cases, the Beratende Kommission decided to grant the claims and in one case, the Beratende Kommission decided the claim was to be rejected. Since January 1st, 2012, three new cases have been submitted to the Beratende Kommission. The average time required for a decision to be made after the application depends on the complexity of the specific case.
- The Dutch committee dealt with 130 cases up to and including 2011. Of these cases, 103 cases were decided and 4 cases partly decided (107 recommendations in total); 6 cases were withdrawn and 18 cases are still pending. Of the decisions rendered, 56 were allowed; 34 were denied; and 17 were partially allowed and partially denied. From 2009 to 2012, Dutch museums researched the provenance of objects in their collection that were acquired from 1933 onwards. From the results of this research, an as yet unknown number of new claims are to be expected. The average time required for a decision to be made after the application is currently 100 weeks. The actual time varies highly on a case by case basis and depends on factors such as the number of art items involved, complexity, procedural delays and the nature of any research required.

Publication - question 23

In answer to the question as to whether the decisions reached by the committee are published, the responses, with the exception of the French committee, were affirmative from all the other respondents:

- The Austrian committee stated that all decisions of the Committee are published in full length on the internet and there is also an annual report issued by the Federal Minister for Education, the Arts and Culture to Parliament, which is also published in the internet.
- The German committee responded that all recommendations of the Beratende Kommission are published via press releases from Germany's Bundespresseamt and additionally online.

- Reports issued by the UK committee are published by The UK Stationery Office and are laid before Parliament. The reports are also available to view on the DCMS website.
- The recommendations from the Dutch Restitutions Committee are published on its website and in annual reports.
- The French committee stated that the recommendations made by the Commission are sent to the claimants but are not published because they are administrative documents which are covered by the laws on the protection of privacy.

Excerpt from a Speech by Secretary of State for Culture, Bernd Neumann, at the occasion of the opening of the conference „Culture and Identity – German-Jewish Cultural Heritage in Germany and Abroad“

Oct. 25, 2011-11-08

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Restitution means not to forget that the history of looted works of art always is the history of human beings as well who have been prosecuted, humiliated, expelled or murdered. This, ladies and gentlemen, leads to a moral obligation which can never become time-barred. Let me say it very clearly: Never will the final line be drawn in Germany with regard to the search for Nazi looted art and its restitution – let there be no uncertainty in this regard!

In the year 2008, I instituted the working group for provenance research which supports museums and archives with regard to the identification of cultural artefacts which were taken away from their lawful owners in the Nazi period. The working group receives one million Euro from my budget each year and another 200.000 Euro from the State's Foundation for Culture. So far, 87 research projects have been supported.

Whoever still avoids carrying out provenance research under the pretence of a lack of funds will have to expect that his moral sense of responsibility is questioned in the shorter or longer term – no one may tolerate cultural goods of unclear provenance in their collection with a clear conscience!

We are convinced, in this context, that the clarification of the origin of a work of art is only the first step of any restitution proceeding. The far more sensitive second step is the search for fair and just solutions. In my opinion this can only mean: Any kind of fair and just solution must be based on the willingness, in principle, to retribute. There cannot be prescription. And restraints of disposal are out of the question.

The majority of museums are within the realm and responsibility of the States and local authorities – these must also take on this responsibility.

I have no influence on any State institutions, but I think it is a good idea to appeal to the Advisory Commission in cases of doubt. After all, as I want to recall, we have set up the Commission in consultation with the States and the national associations of local authorities. On the basis of experience and conviction, I plead to involve the Commission in the quest for fair and just solutions whenever possible – and I will always insist on this whenever federal institutions are concerned.

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Art in the Time of War

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THE LOOTING of artifacts and cultural objects in times of war and violent political upheaval continues to arouse international concern in the twenty-first century just as it did in the twentieth. The plunder of archaeological sites in Egypt during the recent revolution (after they were abruptly abandoned by teams of archaeologists who were understandably concerned about their personal safety) is only the latest example. In Afghanistan and Iraq too, war was followed by the wholesale looting of

museums and other sites, and it was not long before plundered objects began to find their way into collections in the West.

What can be done about the trade in looted art? How has society dealt with it in the past and how should it deal with it now? The history of this practice goes back far indeed, beginning perhaps with Jason and the Argonauts looting the Golden Fleece; and it continued with the Romans' habit of looting art from conquered cities in order to parade it through the streets of Rome in the ceremonial procession of the Roman triumph before putting it on display in the Forum.

Cultural looting on a grand scale, with the stolen objects appropriated for public display in the conqueror's capital, was in the ancient world an act of state designed to advertise the supremacy of the victor and underline the humiliation of the defeated. Here, these displays said, was a great power whose generals could best rich and well-resourced rival powers; they advertised both to the victorious state's own citizens the rewards that could be gained from military conquest and to the rest of the world the inadvisability of coming into conflict with a state of such power and magnificence.

In Byzantium, the Hippodrome was adorned with looted art, and during the Fourth Crusade in 1204 the city itself was in turn looted by the crusaders, with large amounts of cultural booty taken back to Venice to adorn the Basilica of St. Mark—most notably, of course, the four gilded horses of the Apocalypse which can be seen in the city today. During the Thirty Years' War, Swedish troops looted book collections across Europe to stock the university library at Uppsala. In other examples, such as the sack of Magdeburg in 1631, when the army of the Catholic Holy Roman emperor massacred the inhabitants of the rebellious Protestant town, wanton destruction as well as the theft of riches was carried out by individual soldiers for their own personal enrichment. Magdeburg, in fact, caused widespread shock and dismay across Europe; while early modern lawyers such as Grotius conceded that, provided a war was being fought for a just cause, any property seized from the enemy became the property of the individual or state that took it, they also urged moderation and insisted that soldiers needed the express permission of their commanding officer before engaging in looting of any kind.

Private looting indeed has always gone on side by side with state-sponsored spoliation, but it has also aroused more disapproval. Most notorious of all was Thomas Bruce, seventh Earl of Elgin, British ambassador to the Ottoman court. He obtained permission from the sultan to take away old pieces of stone from the Parthenon in Athens, then under Turkish rule, which he and his team did with such enthusiasm—and carelessness, breaking a number of the sculptures in the process—that several shiploads returned with them to Britain, where he intended to use them to decorate his home.

These are only the best known of a vast series of acquisitions of ancient archaeological remains in the nineteenth century, many of which were taken from territory occupied by the Ottoman Empire by purchase or agreement with the Ottoman authorities, often achieved through the use of bribery. Even at the time, Elgin's action ran into widespread criticism, in England as well as from the nascent Greek independence movement—supported by Lord Byron with some of his most biting satirical verses. Defenders of such acquisitions argued above all that they would not be safe if they remained in situ, since local people were already quarrying many of these sites for building materials; critics argued that the remains were far

more seriously damaged by those who took them to pieces in order to carry off the most valuable parts.

ELGIN'S ACTIONS reflected his belief that educated Englishmen were the true heirs of classical civilization, whose legacy permeated the minds of educated elites across Europe. This influence was nowhere greater than in revolutionary France, where Napoleon's victorious armies began concluding a series of treaties with conquered states across Europe, notably the Treaty of Tolentino, signed by the pope in 1797, that allowed them to appropriate artworks to stock the Louvre Museum, founded in 1793. The loot carried off to Paris from all over Italy included the four horses of the Apocalypse from St. Mark's in Venice and scores of ancient Greek statues, which entered the city in a Roman-style triumphal procession, accompanied by banners that read: "Greece relinquished them, Rome lost them, their fate has changed twice, it will never change again." They were joined by Renaissance paintings, live camels and lions, and the entire papal archive. All this underlined the claim of Paris to be the new Rome. Only the French, so the proclamation went, were civilized enough to appreciate such treasures.

During the French invasion of Egypt in 1798, large quantities of antiquities were collected by a team of 167 scientists, scholars and artists shipped over to Africa by Napoleon. When he was defeated, the British claimed the collection—including the famous Rosetta stone—as booty, validated by the Treaty of Alexandria, and put it in the British Museum, where it remains. No one seems to have objected.

Spoils (or the decision as to what to do with them) still went to the winner, and after Napoleon's defeat at the Battle of Waterloo, the Prussians took back the artworks and cultural objects stolen from them by force. However, at this point, attitudes were already beginning to change. The Duke of Wellington, commander of the allied armies, resisting pleas from Britain's prince regent to purchase some of the finer pieces for the royal collection, decided to arrange for the rest to be returned to the "countries from which," he wrote, "contrary to the practice of civilised warfare, they had been torn during the disastrous period of the French Revolution and the tyranny of Buonaparte." "The same feelings which induce the people of France to wish to retain the pictures and statues of other nations," he added, "would naturally induce other nations to wish, now that success is on their side, that the property should be returned to their rightful owners." In addition, he noted, returning it would underline to the French the scale and finality of their defeat, while keeping it in Paris might encourage them to believe that they were still the rightful masters of Europe.

In the event, only just over half of the looted objects were returned; the rest had been sent out to provincial museums in France, beyond the knowledge of the occupying allied armies. These events sparked widespread debate across Europe. Paradoxically, they led to a new determination by European states to found or expand museums and to send out expeditions to acquire ancient cultural artifacts, following the lead of Napoleon rather than that of Wellington. This new development, among others, led, for example, to the acquisition of the Elgin Marbles by the British Museum in 1816.

Nevertheless, Wellington's disapproval of military plunder did find an increasing number of supporters as the nineteenth century progressed. The duke himself thought that plunder distracted the troops from the military operations at hand and alienated the local population,

which, as his experience in expelling Napoleon's forces from Spain had shown, it was very important to keep on one's side (at the time, Wellington had won over the locals by keeping his soldiers well disciplined, and in return, *guerrilleros* had fought alongside the British and the Portuguese).

This latter consideration played a significant role in the American Civil War, in which the Union wanted to avoid lasting damage to universities, museums and their collections in the South and so ordered that:

Classical works of art, libraries, scientific collections, or precious instruments, such as astronomical telescopes, as well as hospitals, must be secured against all avoidable injury, even when they are contained in fortified places whilst besieged or bombarded.

This was the first formal recognition that cultural property was different from other kinds of property and formed the basis for subsequent international declarations on the issue.

THE RISE of the nation-state brought with it a growing consciousness of the need to preserve the national heritage. The idea that the looting of cultural objects in wartime should be outlawed thus gained strength. European nations began to catalog and protect their own artifacts and valuables, and to take steps to preserve what was increasingly regarded as the common European cultural heritage, above all in Greece and Italy. Even the destruction and looting of the Chinese emperor's Summer Palace in the Second Opium War in 1860 aroused widespread criticism in Europe. In 1874, the Brussels Declaration on the laws and customs of war outlawed the destruction of enemy property unless it was militarily required. These principles were elaborated at the first Hague Conference in 1899 and enshrined in the Hague Convention of 1907, to which Germany was a signatory (a significant point in view of events later in the century).

The Hague Convention explicitly banned what it called "pillage" and declared that an occupying country must act as the trustee of the property and possessions of the defeated state and its citizens. The problem was, however, that modern artillery warfare, high-explosive shells, and the sheer mass and weight of the military hardware then available made indiscriminate bombardment of towns and cities far easier than ever before. Meanwhile, the advent of democracy and mass nationalism had begun to transform the nature of warfare into a conflict not between professional armies but between whole nations and peoples, in which attacking the civilian population by means of economic blockade or, indeed, bombardment from the ground or air was becoming tacitly accepted, even though with the state of military technology at the time, accurate pinpointing of targets to avoid cultural monuments was more or less impossible.

In the First World War, zeppelins bombed London, and German and Austro-Hungarian shelling destroyed the Serbian National Museum in Belgrade. It proved impossible to stop actions such as the destruction of the Catholic University of Leuven's library by the German army in 1914 along with sundry other, less famous monuments. On the other hand, actual looting, and in particular the theft or removal of works of art, was carried out on a fairly limited scale during the First World War, at least in comparison to what came after. The stalemate on the western front ensured that there was little opportunity for the occupying Germans to

acquire works of art illicitly—Paris was well beyond the German zone, for instance—and few examples seem to be known of theft on the more mobile eastern front. The Hague Convention, signed so recently, still commanded some respect.

NOT FOR long. The Second World War saw the plunder, looting and spoliation of cultural objects in Europe to a degree that dwarfed anything seen even in the French revolutionary and Napoleonic periods. World War I may not have witnessed much state-sponsored theft, but the upheaval of the conflict opened up a new world of expropriation on a general scale. The Bolshevik Revolution in Russia was followed by the wholesale confiscation of private property. And in Germany, the Nazis believed they had a right to take what their enemies—notably the trade unions and the socialists—owned, without compensation, which they did as soon as they came to power, following this with the stage-by-stage expropriation of the property of Germany's Jews. In the struggle of all against all that social Darwinism (at least in the version the Nazis believed in) preached, might was right, and the defeated had no rights either to property or even ultimately to life.

In practice, of course, such beliefs legitimized not only formal practices of looting and expropriation by the Nazi Party and the German state but also random yet very widespread acts of individual theft, blackmail and extortion by ordinary party members, lower state officials, low-ranking storm troopers and, during the war, members of the armed forces. Not surprisingly, the Third Reich soon became a byword for corruption.

A few leading Nazis used their newly acquired fortunes to start building up large collections of art, both personal and institutional. Hermann Göring for instance owned ten houses, castles and hunting lodges, all provided and maintained at the taxpayers' expense. In all these locations, and particularly in his vast and ever-expanding principal hunting lodge at Carinhall, named after his first wife, Göring wanted to display artworks, tapestries, paintings, sculptures and much else besides to emphasize his status as the Reich's second man.

By contrast, the Reich's first man, Adolf Hitler, made a point of avoiding ostentatious displays of personal wealth, preferring instead to accumulate an art collection for public use. Hitler had long planned to turn his hometown of Linz, in Austria, into the cultural capital of the new Reich, even drawing sketches for the new public buildings and museums he hoped to construct there. Berlin, too, had to have art museums suitable for its new status as "Germania," the coming capital of the world. In 1939, Hitler engaged the services of an art historian, Hans Posse, a museum director in Dresden, to build the collection he needed for this purpose. Posse was provided with almost limitless funds, and by the middle of the war he was acquiring art objects (at manipulated prices and in defiance of individual countries' laws) from all over German-occupied Europe, amassing an almost incredible total of more than eight thousand by the time of his death.

In March 1938, the Nazis invaded Austria. While German soldiers and Austrian Nazis broke into the homes of Jews, stealing whatever they wanted, or stopped Jewish women on the streets and divested them on the spot of their fur coats and jewelry, the SS and Gestapo made straight for the homes of Vienna's most prominent Jewish families with orders to confiscate the contents.

Top of the list were the Rothschilds, whose collections were confiscated and then put up for

auction to meet alleged tax liabilities—a common practice in the 1930s, made easier by 1939 through the imposition of special taxes and levies on German and Austrian Jews. Further regulations required Jewish emigrants to leave their assets behind if they emigrated, for appropriation by the Reich. After the conquest of France in 1940, too, the property of citizens who had fled the country also fell to the German Reich; the same applied eventually to all Jews deported from every occupied country in Europe to Auschwitz and other extermination camps in the east.

Looting was also widespread in countries inhabited by people the Nazis regarded as “subhuman.” German culture to the Nazi mind was intrinsically superior to that of others, and inferior races were capable neither of sustaining their own heritage nor of properly safeguarding the products of other cultures. Thus, German cultural artifacts had to be repatriated. Such beliefs were reminiscent of the French view, under Napoleon, that only France had the right to safeguard European culture, but of course the Nazis took this credo much further, gave it a racial twist and applied it in an extreme version of the nationalist ideology of the nineteenth century to their own alleged heritage rather than that of the classical world.

Following the German takeover in March 1939 of what remained of the Czech state after the Munich Agreement of the previous September, the invaders began confiscating objects without compensation from both public and private collections, including not only allegedly German items from the Czech National Museum and the library of Charles University in Prague but also from the palaces of the Hapsburg, Schwarzenberg and Lobkowitz families.

However, Hitler’s treatment of Czechoslovakia was relatively mild compared to that meted out to the Poles, whose country he invaded in September 1939. Hitler vowed to wipe Polish culture and identity off the face of the earth. The German invaders carried off large quantities of cultural booty. Country houses along the invasion route were ransacked, and pressure was applied to their aristocratic owners to reveal the whereabouts of hidden treasures. On December 16, 1939, the German authorities ordered the compulsory registration of all artworks and cultural objects dating from before 1850, together with jewelry, musical instruments, coins, books, furniture and more from the same period, in the parts of Poland annexed to the Reich. These were duly confiscated, along with the vast majority of Polish property in these areas. The orders in effect constituted a license to Germans to loot what they wanted.

Nazi legal expert Hans Frank ruled the remainder of Poland, decorating his headquarters with stolen artworks and shipping trophies back to his home in Bavaria (when American troops arrived there in 1945, they found a Rembrandt, a Da Vinci, a fourteenth-century Madonna from Kraków, and looted vestments and chalices from Polish churches). Quarrels broke out as Hermann Göring tried to obtain pictures for himself, with Hans Frank objecting to the removal of prize finds from his headquarters. Perhaps this was not such a bad idea, however, since Frank had no idea how to display or preserve Old Masters, and was once reprimanded by Nazi art historian Kajetan Mühlmann for hanging a painting by Leonardo da Vinci above a radiator.

This process of looting and expropriation was repeated on an even-larger scale when Germany invaded the Soviet Union on June 22, 1941. Among the most famous of these items

was the celebrated Amber Room given to Peter the Great by King Friedrich Wilhelm I of Prussia and subsequently augmented by further gifts from his successor. The Soviets had taken away all the furniture and movable items but left the amber paneling in place, and the room, installed in the Catherine Palace in the town of Pushkin, was dismantled and returned to Königsberg in East Prussia where it was put on display; most of it was in all likelihood destroyed in the battle for Königsberg at the end of the war, and any items remaining in storage will by now have crumbled into dust. The Soviets of course had removed many cultural treasures out of reach of the invading armies. There were no great private collections left in the Soviet Union, since all had been confiscated by the Communist state, and the Germans never managed to conquer Moscow or St. Petersburg; but much still remained to be looted. Two hundred seventy-nine paintings were carried off from Kharkhov, then the third-largest city in the Soviet Union and the most populous the Nazis captured. Reichsführer Heinrich Himmler requisitioned considerable quantities to decorate and furnish the planned SS headquarters at Wewelsburg.

THE SCALE of looting and expropriation practiced by the Germans between 1938 and 1945 was thus unprecedented—and its legacy carried on far beyond the Nazi defeat. The Bolsheviks, who had used Communist ideology to justify the mass confiscation of private property after 1917, were not unfamiliar with the practice, and the Nazis' atrocities gave the opportunity, or excuse, for similar acts of plunder (both official and individual) by the incoming Red Army in the later stages of the war. In their hasty retreat, the Germans were forced to leave behind numerous collections, like others across Europe by this time placed for safekeeping in cellars, mines and other hiding places away from the heat of battle and the destructiveness of bombing raids. Special Soviet art-recovery units roamed the countryside searching for these hoards, and those they succeeded in finding were carried off to a special repository in Moscow. One and a half million cultural objects were eventually returned to East Germany with the establishment of the German Democratic Republic as an ally, or client state, of the Soviet Union after 1949.

But a good deal went astray. The mayor of the northwest German town of Bremen for example had sent the city's art collection for safekeeping to a castle not far from Berlin, where Red Army troops found it. Arriving to inspect the collection, Viktor Baldin, a Russian architect enlisted in the Red Army, found the valuable works scattered around the countryside and did his best to recover them, in one case trading a Russian soldier a pair of boots for an etching by Albrecht Dürer. While Baldin kept the hundreds of drawings he had found, waiting for an opportunity to return his hoard to Bremen, other items from the same collection began to turn up on the art market at intervals; one dealer gave a Berlin woman 150 marks and a pound of coffee in return for a Cranach in 1956.

Eventually, when Mikhail Gorbachev inaugurated a more liberal regime in Russia, Baldin was able to petition the government to start negotiations for the collection's return. The Bremen City Council offered a panel from the Amber Room taken by a German soldier who had been employed in packing it away, and a small number of other items were handed over, but this was not enough, and the Russians asked why they should give back looted art to Germany when so many of their own cultural treasures had disappeared or been destroyed as a result of the actions of the invading Nazi armies. Indeed, in 1998 the Russian Duma declared all the looted art state property, requiring an act of parliament to return it to the Germans. Controversy continues to rage in Russian political circles, and in the meantime, the bulk of the collection remains in the Hermitage; one thousand five hundred items from the Bremen state

museum are still reckoned to be missing.

In the chaos and destruction of the last months of the war, many valuable cultural objects of all kinds were lost or destroyed. The Western Allies, not least as the result of pressure on the military authorities by concerned art experts in Britain and the United States, were acutely aware of the need to preserve the cultural heritage of Europe in the final phase of fighting—even before the D-day landings in 1944. Eisenhower's supreme headquarters established a Monuments, Fine Arts and Archives section, or MFAA, charged with locating and safeguarding cultural objects and preventing looting by Allied troops. U.S. officials everywhere began compiling lists of stolen art to prevent Nazis from keeping the works hidden and profiting on the art market once the memory of the war had faded. MFAA units followed the army into liberated towns, scoured castles and mines, and began storing artworks preparatory to returning them to their original owners.

Looted art found in Germany was stored at the Munich Central Collecting Point. A major operation soon began to return the works, and lorries and trains carried many thousands of paintings, drawings, sculptures, altarpieces and other objects across Europe back to their places of origin. The collecting points were finally closed down in 1951, when the remaining objects were handed over to a West German agency, which returned another million finds to their owners, three-quarters of them outside Germany, over the next ten years. The rest, some three thousand five hundred lots, were then distributed to German museums and other institutions from which they could, and can still, be claimed on presentation of the proper documentation.

Inevitably, a large number of pieces remained unaccounted for—at least twenty thousand of them according to one estimate. Most of these are small items—silver, jewelry, crockery and the like—or paintings and drawings by minor artists that are obscure enough to have escaped the attention of art experts. It may not have been simple to conceal well-known paintings by celebrated artists, but such items as these were far easier to hide away until the opportunity presented itself to bring them to sale. During the 1950s, art dealers were not particularly concerned about the provenance of the items they were asked to put up for auction: most of their effort went into establishing their authenticity. Large numbers of artworks were brought onto the market by people who had acquired them in a variety of dubious ways during the war, and then sold them on to institutions that in many cases bought them without knowing where they had come from.

Following the return of so much looted art to its owners in the aftermath of the war, the number of restitution actions and claims fell sharply during the 1950s. Furthermore, time limits on legal claims to the return of stolen goods existed, and still exist, in almost all European countries (Germany, thirty years; England, six years). Only two countries in Europe do not have such legislation: Poland, because of the sheer scale of the spoliation to which Polish collections were subjected during the war, and Greece, because of the Elgin Marbles. In essence, it became very difficult for former owners to obtain legal redress against the misappropriation of their possessions during a war that ended as long ago as 1945. The interest in restitution more or less died in the face of all these obstacles.

THEN, IN 1989–90, came the fall of the Berlin Wall and the collapse of Communism. As court cases for the restitution of houses and businesses seized by the Communists from 1949

onward grew in number, compensation actions for loss and damage caused by the Nazi regime were launched, especially by former slave laborers. In the United States, and to some extent elsewhere as well, historical memory of the Holocaust moved to the mainstream of national culture, with memorial museums being founded in many cities, and increased attention in the mass media, reaching perhaps a high point with Steven Spielberg's film *Schindler's List*. The 1990s saw the renewal of war-crimes trials in some countries (although few in number and not uniformly successful). And Eastern European archives were opened for investigation, allowing many missing works to be traced.

Thus the art world reawakened to the problem of looted art after decades of treating it as a low priority. In December 1998, the new tone was set by the Washington Conference on Holocaust-Era Assets, hosted by the U.S. Department of State with over forty national governments and numerous NGOs invited. The meeting built on the experience of the previous year's international conference set up to deal with the question of Nazi gold, including that taken from the dental fillings of extermination-camp victims, much of which had found its way into the vaults of Swiss banks by the end of the war. The 1998 conference demanded the identification of all art confiscated by the Nazis, with a view to restoring it to its former owners on moral grounds even if they were not entitled to it legally. The commitments forged at the Washington Conference were followed up by similar agreements made by art-gallery and museum directors. There have been resolutions by international bodies such as the Council of Europe to similar effect. In this climate, the chances of claimants successfully securing the return of looted art were dramatically increased.

Considering the favorable environment for looted art's return, many expected museums and galleries in the UK and elsewhere to be inundated with claims. But this has not happened. In many cases, the trail has gone cold, and evidence is almost by definition hard to obtain, since the cases in which claims were clear were often settled in the immediate aftermath of the war. Often the original owners are dead, and sometimes their heirs had been killed by the Nazis as well. Entire families perished in very large numbers in Auschwitz and the other death camps, and while institutions, museums and galleries possessed the knowledge, the resources and the evidence to mount actions to try and regain what they had lost, the same was seldom true of individuals. So only a small fraction of the artworks identified by museums and other bodies as of uncertain provenance during the years 1933 to 1945 have actually attracted claims. The UK Spoliation Advisory Panel set up in 2000 by the Department for Culture, Media and Sport has dealt with little more than one case a year since then, though the steady trickle of claims shows no sign of drying up. In view of this trend, other countries such as the United States have been reluctant to follow suit and set up similar public bodies.

WHAT IS the future of preservation and restitution, then? As far as art taken from one country by another is concerned, as a general principle there is clearly a clash between any nation's need to preserve and display its own cultural heritage and the global community's need to learn about other cultures through universal museums like the Metropolitan or the British Museum. The way forward is surely to accept the validity of the universal museum, but to make exceptions where an object has been stolen relatively recently, or where it is of overwhelming cultural and historical importance to the nation or region from which it has been, whether legally or illicitly, removed.

In the process of righting the wrongs of the past, it is clearly not possible to achieve anything

like adequate restitution on a global scale. The major thrust of the restitution effort has been directed toward reparation for the crimes committed by the Nazis, not least because the survivors and their immediate heirs are still among us. As professor Michael Marrus remarked in his recent study of the subject, "the Holocaust restitution campaign arose in highly unusual circumstances, unlikely to be replicated and unlikely therefore to affect other campaigns for justice for historic wrongs." In the end, as he says:

Restitution is more about the present than about the past: it speaks to the survivors who are still among us . . . to the society at large for which such issues may be said to matter . . . and to a world in which injustice and wrongdoing are still too common—but for which, at the very least, we should have mechanisms available, when the carnage ends, to seek some measure of justice.

While there is a sincere and to some degree effective worldwide effort to restore art looted in the Nazi period, however, the international community has been signally unsuccessful in preventing looting and destruction from occurring during and immediately after new military conflicts. While there is now a mass of international legislation in place to preserve cultural artifacts in times of war, it is still very difficult to enforce it effectively. International intervention in conflicts like the Balkan wars of the 1990s is obviously difficult to organize and slow to implement. By the time it takes place, it may be too late. In the wake of the disintegration of Yugoslavia, Serbian forces deliberately shelled the public library in Sarajevo in an attempt to obliterate the cultural and historical memory of Bosnia, while Croatian gunners knocked down the historic and symbolic bridge at Mostar and vandalized Serbian Orthodox churches in the places they conquered.

In the chaos following the invasion of Iraq by U.S. and allied troops in the early twenty-first century, the motivation for looting and destruction was not cultural genocide but private gain, coupled with military indifference. As the reporter Robert Fisk noted:

I was among the first to enter the looted Baghdad archaeological museum, crunching my way through piles of smashed Babylonian pots and broken Greek statues. I watched the Islamic library of Baghdad consumed by fire—14th and 15th century Korans embraced by flames so bright that it hurt my eyes to look into the inferno. And I have spent days trudging through the looters' pits and tunnels of Samaria, vast cities dug up, their precious remains smashed open—thousands upon thousands of magnificent clay jars, their necks as graceful as a heron's, all broken open for gold or hurled to one side as the hunters burrowed ever deeper for ever older treasures.

As Fisk explains: "Of 4,000 artefacts discovered by 2005 from the 15,000 objects looted from the Baghdad Museum two years earlier, a thousand were found in the United States . . . 600 in Italy," many of them pillaged by order from private collectors and their agents. Greed, he noted, had been globalized. It is hard to resist the comparison with 1945, when the careful preparations made by the MFAA ensured that European cultural heritage was largely preserved and its looted assets returned to their rightful owners.

It is vital to learn the lessons of the Second World War and put effective arrangements in place in advance of future fighting to rescue and restore cultural objects and prevent looting.

Such arrangements were not made in Iraq in 2003, and the devastation was vast. The international community cannot prevent looting and destruction in the course of civil unrest, but it can take steps to minimize it in cases of interstate conflicts. Above all, the art and museum world needs to be more vigilant in monitoring the trade in looted goods in the wake of conflicts such as those in Iraq or Afghanistan, and law-enforcement agencies need to step in with sanctions against those who encourage—or benefit—from it. In a globalized world, every state has, as the Hague Convention urged more than a century ago, a duty to act as the trustee of the culture of all nations, not just its own.

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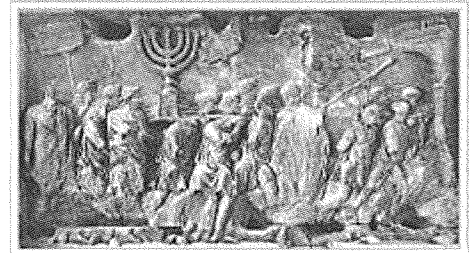
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Looted art

From Wikipedia, the free encyclopedia

Looted art has been a consequence of looting during war, natural disaster and riot for centuries. Looting of art, archaeology and other cultural property may be an opportunistic criminal act or may be a more organized case of unlawful or unethical pillage by the victor of a conflict.

Looted art is a term often reduced to refer to artwork plundered by the Germans during World War II in Europe.^{[1][2][3]} However, the Nazis were neither the first nor the last to loot art on a large scale. The United States Holocaust Memorial Museum is on record with the following quote:



The sack of Jerusalem, from the inside wall of the Arch of Titus, Rome

“ The plunder and looting of art and other treasures was not limited to the Third Reich.... The Soviet^[4] and American^[5] armies also participated, the former more thoroughly and systematically, the latter at the level of individuals stealing for personal gain.”^[6] ”

The Herald-Times even claims: "Napoleon was a model for Hitler in terms of art looting."^[7] Bloomberg Radio also makes it clear that many of the world's greatest artworks were taken from their rightful owners.^[8]

Plunder, *booty*, *appropriation* and *spoliation* are related terms that have been used for several hundred years^[9] to describe the process of looting. Many references still associate the term *looted art* with the World War II period; recent legal frameworks and treaties use the term *spoliation* in connection with the "large number of cultural objects and works of art looted by the Nazis and others during the Second World War and the Holocaust Era from 1933–1945".^[10] The term *trophy art* is used for the cultural objects that were taken by the Red Army and the Soviet Trophy Brigades from occupied Germany to the Soviet Union after World War II. It is a translation from the Russian *Трофейное искусство*.

Related terms include *art theft* (the stealing of valuable artifacts, mostly because of commercial reasons), *illicit antiquities* (covertly traded antiquities or artifacts of archaeological interest, found in illegal or unregulated excavations), *provenance* (the origin or source of a piece of art), and *art repatriation* (the process of returning artworks and antiques to their rightful owners).

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History

Art looting has a long history, the winning party of armed conflicts often plundering the loser, and in the absence of social order, the local population often joining in. The contents of nearly all the tombs of the Pharaohs were already completely looted by grave robbers before the invasion of Egypt by Alexander the Great in 332 BCE. There have been a total of seven sackings of Rome. The Old Testament includes several references to looting and to the looting of art and treasures; in the Book of Chronicles it is said: "King Shishak of Egypt attacked Jerusalem and took away the treasures of the Lord's temple and of the royal palace; he took everything, including the gold shields that Solomon had made",^[14] and in the Book of Jeremiah 15:11 the Lord says: "Jerusalem, I will surely send you away for your own good. I will surely bring the enemy upon you in a time of trouble and distress ... I will give away your wealth and your treasures as plunder. I will give it away free of charge for the sins you have committed throughout your land."^[15] Other famous examples include the sack of Constantinople by the Fourth Crusade, the Sack of Baghdad in 1258, Hernán Cortés and the looting of the Aztec gold. In only some of these was the removal of artworks for their own sake (rather than the value of their materials for example) a primary motivation.



Virgin and Child with St. John the Baptist and St. Stanislaw by Palma il Giovane was looted by Napoleon^[11] and returned to Warsaw in the 1820s. It was later destroyed by the Germans during the Warsaw Uprising.^{[12][13]}

Since the rise of an art market for monumental sculpture, abandoned monuments all over the world have been at risk, notably in Iran, the old territories of Mesoamerican culture and Cambodia.^[16]

After the looting of Europe by Napoleon, others copied the institutionalized model of systematic plunder and looting. During the American Civil War, legal frameworks and guidelines emerged that justified and legalized the plunder and looting of opposing parties and nations. Henry Wager Halleck, a United States Army officer, scholar, and lawyer argued: "No belligerent would be justifiable in destroying temples, tombs, statues [sic], paintings, or other works of art (except so far as their destruction may be the accidental or necessary result of military operations.) But, may he not seize and appropriate to his own use such works of genius and taste as belong to the hostile state, and are of a moveable character?"^[17]

In July 1862, Francis Lieber, a professor at Columbia College, who had worked with Halleck on guidelines for guerrilla warfare, was asked by Halleck, now General-in-Chief of armies of the Union, to develop a code of conduct for the armed forces. The code of conduct, published as General Orders No. 100 on April 24, 1863, signed by United States President Abraham Lincoln, later became known as the Lieber Code^[9] and specifically authorized the Armies of the United States to plunder and loot the enemy – a mindset that Hitler's armies copied one century later. The Lieber Code said in Article 36: "If such works of art, libraries, collections, or instruments belonging to a hostile nation or government, can be removed without injury, the ruler of the conquering state or nation may order them to be seized and removed for the benefit of the said nation. The ultimate ownership is to be settled by the ensuing treaty of peace."^{[18][19]} Russian and American forces relied on similar frameworks when they plundered Germany after the defeat of the Nazis.^[6]

The Lieber Code further defined the conditions of looting and the relationship between private plunder and booty and institutionalized looting "All captures and booty belong, according to the modern law of war, primarily to the government of the captor." (Article 45), "Neither officers nor soldiers are allowed to make use of their position or power in the hostile country for private gain, not even for commercial transactions otherwise legitimate." (Article 46) and "... [I]f large sums are found upon the persons of prisoners, or in their possession, they shall be taken from them, and the surplus, after providing for their own support, appropriated for the use of the army, under the direction of the commander, unless otherwise ordered by the government." (Article 72)^[9]

Massive art looting occurred during World War II; see art theft during World War II.

Looting of countries

Looting of Afghanistan

Many art pieces and artifacts from Afghanistan were looted during several wars; scores of artworks were smuggled to Britain and sold to wealthy collectors. "There are also fears that the bulk of the collection once in Kabul Museum, ... is now in smugglers' or collectors' hands. The most famous exhibits were the Begram ivories, a series of exquisite Indian panels nearly 2,000 years old, excavated by French archaeologists in the Thirties."^[20] In November 2004, much of the missing collection numbering 22,513 items was found safely hidden. Over 200 crates had been moved downtown for storage at the end of the Soviet occupation including the Bactrian gold and Bagram Ivories.^[21] Some 228 of these treasures, including pieces of Bactrian Gold and many of the Bagram Ivories, were exhibited at the National Gallery of Art in Washington, D.C., from May 25 to September 7, 2008.^[22]

Looting of Cyprus

Following the invasion of Cyprus in 1974 by Turkey and the occupation of the northern part of the island, churches belonging to the Cypriot Orthodox Church have been looted in what is described as "...one of the most systematic examples of the looting of art since World War II".^[23] Several-high-profile cases have made headline news on the international scene. Most notable was the case of the Kanakaria mosaics, 6th century AD frescos that were removed from the original church, trafficked to the USA and offered for sale to a museum for the sum of US\$20,000,000.^[24] These were subsequently recovered by the Orthodox Church following a court case in Indianapolis.^[25]

History of the Cyprus Conflict

Ever since the Ottoman conquest of Cyprus, Turkish-Cypriots and Christian Greek-Cypriot populations have been living together on the island.^[26] Starting around 1954, terrorist groups for both Greek and Turkish Cyprus citizens began to emerge, and these groups led to the beginning of the bloodshed on the island. The conflict between the terrorist groups created a reason for a national constitution to be drafted, which could offer greater independence and protection of Cyprus' citizens rights.^{[26][27]} After the constitution was created the Greek-Cypriot leaders suggested around 10 constitutional amendments; these amendments were determined by the Turkish-Cypriots to be detrimental to their rights, and this caused the Turkish-Cypriots to ask mainland Turkey for help.^[26]

Starting in 1967, the Greek mainland was ruled by a military junta that was not satisfied with Cyprus' new ideas of making their country independent. The Greek junta created a coup that would take out the acting Cypriot leader and place Nicos Sampson, a puppet of Athens, in charge on the island of Cyprus. Turkey, however, was not satisfied with their citizens on Cyprus being under Greek military rule, so they decided to advance on Cyprus to restore constitutional order because no other countries were offering to help.^[28] During the first phase of the Turkish advancement, the Turks only held about 8% of the island, but after the second phase of the advancement, the Turks occupied 38% of Cyprus.^{[26][28][29]} This invasion triggered the process of "ethnic cleansing", and the southern part of the country became mostly Greek-Cypriot while the northern part became mostly Turkish-Cypriot; about 142,000 Greek-Cypriot citizens were displaced from the north, which moved about 1/4 of the existing population of Cyprus into the southern part of the country.^{[27][28][30]}

With Turkey and the Turkish-Cypriots in charge of the northern part of Cyprus, they started to rename streets, cities, and villages in Arabic because they wanted to take away any associations with the previous Greek culture that had occupied the area. This part of the conquest was a part of the process to make the Turkish regime more legitimate, and by doing this, they created an area that was a better fit for their national Turkish needs.^{[26][28]} A short time after the invasion, the Turkish north had built an airport and an access road because these two items had been lost to the north with the division of the island. These projects were built on large scales with the idea that someday people will be touring the northern part of Cyprus, and Turkish-Cypriot government has constructed a memorial of their invasion on the northern coast where the Turkish forces initially landed.^[26] The northern part of the island is where the church and art looting was concentrated.^[27] It is rumored that the Turkish-Cypriot leaders did not feel an obligation to preserve the artifacts and monuments in the north because they felt that the Greek-Cypriot government had oppressed them for too long.^[30]

In the southern part of the island, there have been many more extensive building projects under way because of the massive amounts of people who were displaced from the north. These refugees needed housing and support, so the southern part of the country needed to start large housing projects to help their citizens have homes.^[26] No monuments have been built in the southern part of the country because this situation is considered a national disaster and not a call for patriotism; the Greek-Cypriots want to believe that this situation will only be temporary but the northern government is working hard to stay.^[26]

Cyprus Looting Overview

The looting of northern Cyprus by the Turkish forces has been described as “one of the most systematic examples of the looting of art since World War II”.^{[31][30]} Archaeological sites, museums, churches, monasteries, castles, libraries, and private art collections have all been affected by the looting of the northern area of Cyprus; icons, frescoes, archaeological artifacts, and cultural heritage have been stripped from areas around the island and have been taken to places all over the world or simply destroyed.^[32] Some believe that this has been done to ‘Turkify’ the northern region of the country and erase the characteristics of the Cypriot predecessors, while people like Aydin Dikmen have been working to make money off of cultural heritage artifacts by selling them in international markets.^{[28][32]} The amount of destruction of Islamic sites and artifacts in the south is not even comparable to the looting and destruction of the north; previous Christian sites in the north have been destroyed or transformed for other uses, while the icons and mosaics have been dismantled into smaller pieces, helping them to deteriorate at a fast pace and eventually be lost forever.^{[31][33]}

Non-Christian Places of Importance

Many non-Christian sites have been affected by the looting and destruction of northern Cyprus. During the time of the invasion, work on archaeological sites was halted. While the projects on the Greek-Cypriot southern area were started again after a short period of delay, the projects in the Turkish north were never started again. Many of the houses and workshops associated with archaeological projects in the north were looted, so the work that had been done was lost to the researchers.^[34] Many areas on the island of Cyprus were damaged by bombing and machine gun fire, and because of these issues, the pavement mosaics of the House of Dionysos in Paphos suffered extensive damage. The fighting not only was destroying Byzantine and Christian cultural heritage, but it was even destroying culture that had been in existence for far longer. There have been appeals filed with UNESCO, ICOM, and ICOMOS to help with the preservation of the remaining cultural heritage on the island, and a representative of UNESCO was appointed to help by 1976.^[34]

Looted Religious Sites and Icons

On the island of Cyprus before the invasion, the majority of the inhabitants were Greek-Cypriots, and for these citizens, the Greek Orthodox Church was and continues today to be central to their identity and faith.^[31] In the north, there is a fear that Christianity is dying out because the churches and monasteries have been destroyed, transformed, or are falling into ruin. The northern Turkish inhabitants have transformed some former religious sites into mosques, army barracks, stables, night clubs, and hotels, and it has been documented that only 3 churches and 1 monastery are currently in a dignified state out of the 520 churches and monasteries that were in the northern area of the country before the Turkish invasion.^{[35][36]} At least 55 churches have been converted into mosques, while another 50 churches and

monasteries have been converted into other structures to serve the Turkish-Cypriots'.^[28] A spokesman for the Turkish Republic of Northern Cyprus stated that the transformations of buildings happened because the buildings were falling into ruin, and he also stated that it is an Ottoman custom to transform buildings attributed to other religions into mosques; this idea can be linked to other Islamic sites, like the Dome of the Rock in Jerusalem, Israel.^[36]

Yannis Eliades, the director of the Byzantine Museum of Nicosia, has estimated that 25,000 icons have disappeared since the Turkish military initially invaded the island in 1974, while others estimate that between 15,000 and 20,000 icons are missing, along with dozens of frescoes and mosaics dating between the 6th and 15th centuries, thousands of chalices, wood carvings, crucifixes, and Bibles.^{[33][36]} However, there have been some case in which the Church of Cyprus was able to reclaim icons or mosaics, and this is a great step forward for the reformation of their cultural heritage.^[31]

The transformations of religious sites have also spurred lawsuits from the few hundred Greek-Cypriots that are still living in the northern area. The Greek Orthodox Church has taken Turkey to the European Court of Human Rights because they were preventing practicing Christians from worshipping at previously religious, but currently transformed buildings. Even though the buildings have been destroyed or converted, the Greek-Cypriot citizens still want to be able to worship at these places to keep continuity with their faith without regard to the destruction.^[35]

For more examples of the transformations of the Christian sites in the north see: Magister, Sandro. "Cyprus: Portrait of a Christianity Obliterated". Chiesa News. Gruppo Editoriale L'Espresso Spa. 3 September 2006. Web. 9 February 2012. <<http://chiesa.espresso.repubblica.it/articolo/46544?eng=y>>.

Aydin Dikmen Considered a Key Suspect

Aydin Dikmen is a 60-year-old man who has been arrested in relation to the looting and selling of looted goods from the island of Cyprus. He had been suspected of being involved in the selling of looted art since 1982, but he kept a low profile and fell off the radar for some time.^[33] His involvement was cemented when Peg Goldberg was sued by the Church of Cyprus in 1989 because she knew that she bought the mosaics from Dikmen; he claimed that he found the remains in the rubble of a church that had been forgotten and basically destroyed while he was working as an archaeologist in the northern part of Cyprus.^{[33][37]} We also have documentation of another transaction where Dikmen worked with art collectors in the United States; Dominique de Menil, of the Menil Collection in Houston, Texas, bought two 13th century frescoes from Dikmen on behalf of the Church of Cyprus in 1983.^[33]

Those two previous cases are only two cases in which Dikmen's presence has been suggested; he has been implicated in many more transactions, but those accusations have yet to be proven. However, in 1997, former colleagues of Dikmen helped the authorities arrest Dikmen and raid his many apartments. In these apartments, some of which Dikmen rented under false names and used as storage space, the authorities found a surplus of icons, frescoes, early Bibles, ancient pottery, statues, and coins from Cyprus. After learning of another residence of Dikmen's, the authorities found 30 to 40 more crates filled with icons, frescoes, mosaics, and artifacts.^[33] Also in one of the residences, the authorities found drawings containing information on how to cut out mosaics to keep the faces of the religious figures intact, while still taking the piece away from the original space; this shows how systematic and planned out the looting of the churches and monasteries was for Dikmen and his associates in the northern part of Cyprus.^{[30][33]} The organization and the intense planning involved brings up the issue of possible aid

coming from Turkish authorities in the northern part of Cyprus; there are rumors that the government and military knew about the looting and chose to not do anything about it. This discomfoting idea is continually straining the ties between Greece, Turkey, and Cyprus.^[30]

Since Dikmen's arrest in 1998, the Antiphonitis frescoes and the Kanakarian mosaics have been returned to Cyprus, and soon the 13th century frescoes currently housed by the Menil Collection in Houston will be returned to the island, as well.^{[33][38]} The search for the looted art of Cyprus continues, and there seems to be more and more evidence of Dikmen's presence in other transactions of international looted art. Many think that Dikmen is just a middle man who is working on behalf of more knowledgeable and rich patrons, but the mystery is still not solved. Hopefully the truth will be discovered in the future, and these beautiful artifacts, icons, mosaics, and frescoes can be returned to Cyprus to enhance their cultural heritage and identity.^[33]

Cases of Repatriation

The Menil Collection and 13th Century Frescoes

One case of repatriation for the Church of Cyprus is associated with the Menil Collection, based in Houston, Texas.^[39] This particular collection is one of the most important collections of icons, which have originated in areas such as Greece, the Balkans, and Russia and span a diverse range of times from the 6th to 18th centuries.^[40] Dominique de Menil, the founder of the Menil Collection, found the three thirteenth-century Byzantine frescoes for sale in 1983, by which time they had been separated into 38 different pieces.^{[38][41][42]} De Menil bought the frescoes on behalf of the Church of Cyprus, with whom she made an agreement to exhibit the frescoes in a purpose-built chapel until 2012; the collection offered to keep the frescoes longer, but the Archbishop of Cyprus has instead agreed to have an iconographer recreate the frescoes on the Houston chapel's dome and apse and give the Houston chapel a 19th and a 20th century icon in return for the safekeeping of the 13th century icons.^[39]

The original Cypriot chapel in the Ayios Themomianos Church in the northern part of Cyprus was a small limestone structure, with a central dome and pointed barrel vaults; the original was mostly used for prayer because of its small size.^[43] When the de Menil collection was granted temporary possession of the frescoes, they constructed a chapel to house the frescoes and keep them safe. This specially built chapel was designed by De Menil's husband, François de Menil, who studied traditional Byzantine architecture and spatial arrangement from the original chapel at Lysi; the layout and the placement of the mosaics mirrors the arrangement from the original chapel.^[44] The interior of the chapel has black walls which are illuminated to create a sense of vastness and infinity; the black walls help to focus the attention of the viewer on the frescoes and create a divine experience for the viewer.^[44]

Icons are important because they depict images of greater significance, and they are used to instruct and inspire worship.^{[45][38][41][44]} These particular Cypriot frescoes have been identified with three different religious images: Christ Pantocrator surrounded by a frieze of angels, the Preparation of the Throne attended by the Virgin Mary and Saint John the Baptist, and the Virgin Mary flanked by Archangels Michael and Gabriel.^[39] The collection announced that March 4, 2012 would be the last day to see the frescoes in their place in Houston after being on long-term exhibit for 15 years.^{[38][41][46]} The frescoes in this collection are the largest intact Byzantine frescoes that can be seen in the Western Hemisphere.^[40]

Boy George and the Gold Icon of Christ

One Cypriot artifact that has been found was in the home of pop singer Boy George, also known as George O'Dowd.^[47] The artifact, a golden icon of Christ, had been hanging above the singer's fireplace for 26 years, until the piece was recognized by a patron watching a TV interview of O'Dowd, which was taped in the singer's living room.^{[48][47][49][50]} The icon is thought to have been stolen around 1974, during the chaotic time of the Turkish invasion of the Northern part of Cyprus, and there is documentation to believe that the icon was once housed in The Church of St. Charalambos in Neo Chorio-Kythrea^{[47][48][49][50]}. O'Dowd was unaware that the icon had been stolen because he bought the artifact "with good faith" from an art dealer in 1985.^{[48][49][50]} The singer is glad that the piece is going back to its original home because he wants everyone to see it on display in its rightful place. However, it will not be going back to the original Church in the northern part of Cyprus; it is being held in Brussels, Belgium, and it will return to Cyprus at a later date when The Church of Cyprus has an appreciate space in which it can be stored.^{[47][48][49][50]} This case has contributed to the Church of Cyprus and their efforts to repatriate "stolen spiritual treasures" that have come from their homeland of Cyprus.^[47]

Peg Goldberg and the Kankarian Mosaics

This case study outlines the events that occurred in 1989 between Peg Goldberg, a local art dealer in Indianapolis, Indiana, and the Church of Cyprus when Goldberg gained "ownership" and then tried to sell Cypriot mosaics from the 6th century. These mosaics have been looted from the Church of the Virgin of Kankaria in the village of Lythrangomi in Northern Cyprus after surviving the 8th and 9th century.^{[28][32]} These mosaics had survived the 8th and 9th century iconoclasm in the Byzantine world and were considered to be finer than other mosaics, even the mosaics found in Ravenna, Italy and the mosaics in St. Catherine's monastery in Sinai.^[32] The Kankarian mosaics were cut into pieces when they were looted from the original church, and Peg Goldberg was able to purchase 4 segments of these early mosaics from Aydin Dikmen. These mosaics are important to the cultural, artistic, and religious heritage of Cyprus because they are some of the few remaining Byzantine mosaics from the island; when and how these mosaics were taken from Cyprus is unknown because there is documentation to show that they were still intact in 1976, two years after the initial invasion by the Turkish troops.^{[32][37]}

These mosaics first came into the view of the Church of Cyprus when Goldberg approached the Getty Museum to purchase the mosaic pieces. The Getty Museum recognized them as the lost Kankarian mosaics and informed Cyprus that they were in the United States. Shortly afterward, the Church of Cyprus filed a claim at the district court to try to reclaim the mosaics.^[37] The federal court in Indiana made a verdict in favor of the Church of Cyprus, and the mosaics were returned in 1991 to the Byzantine Museum in Nicosia, Cyprus.^[33] The verdict showed that Goldberg could not own the pieces because Dikmen had stolen the mosaics and had no right to pass on the ownership of the stolen mosaics. Goldberg stated that the pieces had been bought "in good faith" from a "Turkish antiquities dealer" who found the mosaics in an abandoned church, but the judge ruled that not looking into the background and workings of the dealer was unacceptable because it was her responsibility to look into the people she was working with.^{[32][37]} This case called in the multilateral treaty of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, which calls for all available parties to help recover and return items that have been requested by the country of origin; using this international decree helped to show the importance of these artifacts which

needed to be sent to their home land of Cyprus.^[37] People have been happy with this verdict for the Kankarian case because they want others to realize that cultural heritage of the world is not for sale, and hopefully discourage further selling of looted art in the international market.^[51]

The mosaic pieces that were involved in the Kankarian case have four different religious images. They depict Jesus as a young boy, the archangel Michael, Matthew, and James; the final two are images of apostles from the time of Christ.^{[33][37]} The mosaics were named after the Church in which they were placed originally around 530 AD.^[51] These mosaics have fallen into destruction because of the damage that they experienced through the process of removal from the church, shipping around the world, and during the restoration work that Goldberg commissioned. It is unlikely that these mosaics will ever be reinstalled in their original home, even if there are changes in the political situation on Cyprus, because they would most likely not make it through the re-installation process in the state that they are currently in.^[33]

Looting of Germany

After World War II, Germany was looted by Allied and Soviet forces; the systematic pillaging and looting by the Allies (particularly the Soviet Union) is still causing disputes and conflicts between Germany, Russia and the United States, as many of the objects have never been returned to Germany.

The Soviet plunder of Europe's art treasures^[4] constituted institutionalized revenge, while the American military's role in the stealing of Europe's treasures^[5] mostly involved individuals looting for personal gain.^[6]

The looting of Germany by the Soviet Union was not limited to official Trophy Brigades, but included many ordinary soldiers and officials who plundered for personal reasons. At least 2.5 million artworks and 10 million books and manuscripts^[52] disappeared in the Soviet Union and later in Russia, including but not limited to Gutenberg Bibles and Impressionist paintings once in German private collections. According to *Time* magazine, the Soviets created special "hit lists ... of what the Soviet Union wanted"^[52] and followed the historical "examples" given by Napoleon, Hitler, British and American armies. Other estimates focus on German artworks and cultural treasures supposedly secured against bombing in safe places that were looted after World War II, detailing 200,000 works of art, three kilometers of archival material and three million books.^{[53][54]}

Germany's collections lost 180,000 artworks, which, according to cultural experts are "being held in secret depots in Russia and Poland". The stolen artworks include sculptures by Nicola Pisano, reliefs by Donatello, Gothic Madonnas, paintings by Botticelli and Van Dyck and Baroque works rendered in stone and wood. In 2007, Germany published a catalog of missing artworks to document the extent, prevent the resale, and speed up the return of the war booty.^[55] Berlin's State Museum alone lost around 400 artworks during World War II. The German state (Land) of Saxony-Anhalt still maintains a list entitled *Beutekunst* ("Looted Art") of more than 1000 missing paintings and books believed confiscated by the US or the Soviet Union.

Poland is also in possession of some collections that Germany evacuated to remote places in Eastern Germany (occupied Poland or Regained Territories). Among those there is a large collection from Berlin, which in Polish referred to as *Berlinka*. Another notable collection in Polish possession is Hermann Göring's collection of 25 historic airplanes (*Deutsche Luftfahrt Sammlung*) – ironically, it contains two

Polish planes captured by Germans during their invasion of Poland (including a PZL P-11c of Army Kraków).^[56] Poland refuses to return those collections to Germany unless Germany returns some of the collections looted in Poland and still in its possession in exchange.^[56]

Entire libraries and archives with files from all over Europe were looted and their files taken to Russia by the Soviet Trophy Brigades. The Russian State Military Archive (Rossiiskii Gosudarstvenni Voennyi Arkhiv- RGVA) still contains a large number of files of foreign origin, including papers relating to Jewish organisations.^[57]

Berlin's Gemäldegalerie at Friedrichshain lost 441 major paintings, among them seven works by Peter Paul Rubens, three Caravaggios and three Van Dycks. The looted artworks might still be in "secret depositories ... in Moscow and St Petersburg".^[58] Veteran BBC foreign correspondent Charles Wheeler, then Berlin correspondent of the BBC's German Service, received a small painting as a wedding present in 1952 from an East German farmer, given in return for some potatoes. The portrait of Eleonora of Toledo (1522–1562), the daughter of the Neapolitan viceroy and wife of the first Duke of Florence, Cosimo di Medici I, which he found from the Commission for Looted Art in Europe, had been looted from the Gemäldegalerie. The gallery had photographed the picture by Alessandro Allori (1535–1607) before closing down and, in 1939, putting its collection in secure storage areas, which Soviet troops broke into at the war's end. Wheeler covered the process in *It's My Story: Looted Art* for BBC Radio 4, contacting the Commission for Looted Art, the identification of the painting's rightful owner in Germany and the hand-over in Berlin. On May 31, 2006, the commission, the Prussian Cultural Heritage Foundation, representing the Berlin state museums, announced the return of the painting.^{[58][59]}

The Eberswalde Gold Treasures and German Merovingian Art Treasures were taken from Berlin to Soviet Russia.

British troops and the Naval War Trophies Committee also looted artworks from Germany, including several pictures by marine artist Claus Bergen ("Wreath in the North Sea in Memory of the Battle of Jutland", "The Commander U-boat", "Admiral Hipper's Battle Cruiser at Jutland" and "The German Pocket Battleship Admiral Von Scheer Bombarding the Spanish Coast"), Carl Saltzmann ("German Fleet Manoeuvres on the High Seas") and Ehrhard ("Before the Hurricane at Apia Samoa" and "During the Hurricane at Apia").^[60] The pictures were looted from the Mürwik Naval Academy at Flensburg, as documented by a 1965–66 Ministry of defense file in the UK National Archives. The trophies were sent to British museums, five remain in the National Maritime Museum in London (NMM),^[61] and one picture ("Before the Hurricane at Apia") was lent to HMS Calliope in 1959, lost, and formally written off in 1979. The National Maritime Museum admitted in January 2007 that "the documentation at the NMM and the National Archives is not complete"; according to spoliation guidelines, the pictures should be regarded as having been "wrongly taken".^{[8][60]}

On 25 August 1955, the Soviet functionaries handed over to the representatives of East Germany 1240 paintings from the Dresden Gallery, including the *Sistine Madonna* and *Sleeping Venus*, which had been "saved and restored" by the Soviets after the Battle of Berlin.^[63] According to Irina Antonova, "a cultural bureaucrat in the traditional Soviet style"^[52] and Director of the Pushkin Museum, more than 1,500,000 items of cultural value (including the frieze reliefs of the Pergamon Altar and the Grünes Gewölbe treasures) were restituted to German museums at the behest of the Soviet government in the 1950s and 1960s. "We have not received anything in return," Antonova observed in 1999.^[64]

The reasons for the Soviet looting of Germany and the subsequent Russian attempts are revealed in an interview that Irina Antonova gave to the German *Die Welt* newspaper; the interview specifically focuses on the Russian notion of looting, using the historical example of Napoleon as a direct reference for the Russian justification of the Plunder of Germany: "Three quarters of all the Italian art in the Louvre came to Paris with Napoleon. We all know this, yet the works remain in the Louvre. I know the place where Veronese's large painting used to hang in the monastery of Vicenza. Now it's in the Louvre where it will stay. It's the same with the Elgin Marbles in London. That's just the way it is."^[65]

At the 1998 conference, Eizenstat was "impressed ... almost overwhelmed" when Boris Yeltsin's government promised "to identify and return art that was looted by the Nazis and then plundered by Stalin's troops as 'reparations' for Germany's wartime assault."^[66] Alarmed by these negotiations, the State Duma of the Russian Federation promulgated a law (15 April 1998) whereby "the cultural valuables translocated to the USSR after World War II" were declared national patrimony of the Russian Federation and each occasion of their alienation was to be sanctioned by the Russian parliament.^[67] The preamble to the law classifies the remaining valuables, such as Priam's Treasure, as a compensation for "the unprecedented nature of Germany's war crimes" and irreparable damage inflicted by the German invaders on Russian cultural heritage during the war.^[68]

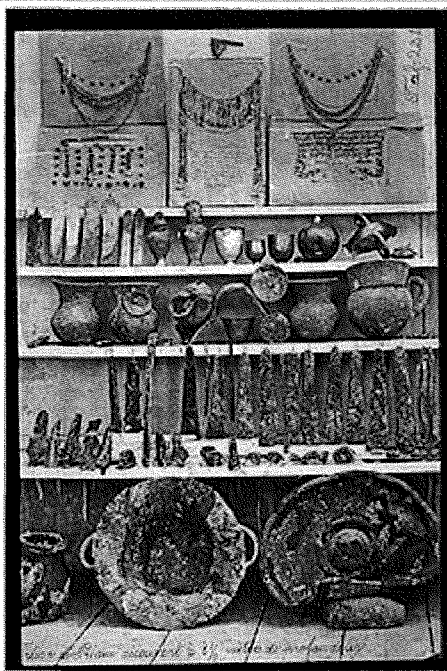


The *Sistine Madonna* by Raphael, looted by the Soviets^[62] after World War II and returned to the Dresden Gallery (Gemäldegalerie Alte Meister) in East Germany in 1955.

Following the law adopted by the State Duma on 17 April 2002, the Hermitage Museum returned to Frankfurt an der Oder the looted medieval stained-glass windows of the Marienkirche; six of the 117 individual pieces, however, still remain missing. Andrei Vorobiev, the former Academic Secretary of the Museum, confirmed in 2005 the assumption that they are still in Russia (in the Pushkin Museum.)^[69] According to the Hermitage, "As a gesture in return, the German company Wintershall paid for the restoration of a church destroyed during the Second World War, Novgorod's Church of the Assumption on Volotovoe Pole".^[69] In addition, the Hermitage did demand and receive a compensation of USD 400,000 for "restoring and exhibiting the windows".^[69]

A Silver collection consisting of 18 pieces was plundered from the NKVD after World War II from the German Prince of Anhalt, who suffered under both the Nazis and Bolsheviks alike, before he was posthumously rehabilitated. In a so-called "good will gesture", the collection was returned to the descendants of the Prince by the Ministry of Culture even though the Russian prosecutor originally refused the request of the children of the rehabilitated prince.^[72]

Lev Bezymenski, a Russian officer and translator who became a controversial historian and professor at Moscow's military academy,^[73] died on June 26, 2007, at age 86 in Moscow. He was a military intelligence officer of the 1st Belorussian Front under Marshal Georgy Zhukov, participated in the interrogation of German Generalfeldmarschall Friedrich Paulus, and translated the message confirming Adolf Hitler's death for Stalin. After the Red Army captured Berlin in 1945, he investigated Adolf Hitler's



The so-called Priam's Treasure, discovered at and illegally taken from Troy by the German archaeologist Heinrich Schliemann.^{[70][71]} It disappeared in 1945 from a protective bunker in Berlin to which it had been transferred from the Berlin State Museums and reappeared in September 1993 at the Pushkin Museum in Moscow.

death and headquarters. In his many articles and books (Bezymenski, L. Stalin and Hitler (2002), Bezymenski, L. (1968). *The Death of Adolf Hitler: Unknown Documents from Soviet Archives*. Harcourt Brace. ISBN 978-0-7181-0634-8), he failed to mention that he looted several containers filled with around 100 gramophone records from the Reich Chancellery, recordings performed by the best orchestras of Europe and Germany with the best soloists of the age.^{[74][75][76]} The collection stolen by Bezymenski, who himself was Jewish,^[73] included many Russian and Jewish artists. Bezymenski brought the looted collection of the Führer's favourite discs to Moscow, where he felt "guilty about his larceny and hid the records in an attic, where his daughter, Alexandra Besymenskaja, discovered them by accident in 1991."^{[73][77]} Bezymenski understood the political implications of his actions and "kept quiet about the records during his lifetime for fear that he would be accused of looting."^[78] The collection still remains in Russia.

Baldin Collection

Main article: Baldin Collection

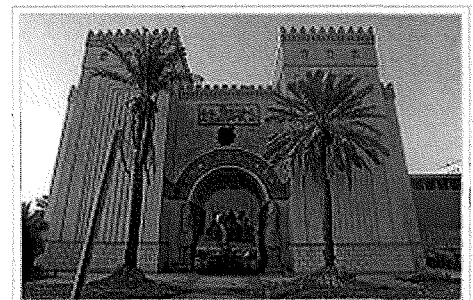
In another high-profile case, Viktor Baldin, a Soviet army captain in World War II and later directed the Shchusev State Scientific Research Museum of Architecture in Moscow, took 362 drawings and two small paintings on May 29, 1945, from Karnzow Castle in Brandenburg which had been stored there by the Kunsthalle Bremen.^[79] Russian Culture Minister Mikhail Shvydkoi estimates the worth of the Baldin Collection at USD 1.5 billion.^{[80][81]} From the entire collection of the Kunsthalle, more than 1,500 artworks

are still missing,^[82] in 1991 and 1997, the Kunsthalle published printed catalogues of the works of art from the lost during the evacuation in the Second World War.^[83]

Looting of Iraq

Main article: Archaeological looting in Iraq

More recently, the term is used to describe the looting in Iraq after the American-led invasion,^[84] including, but not limited to, the National Museum of Iraq.^[85] Following the looting during the chaos of war, the British and American troops were accused^[85] of not preventing the pillaging of Iraq's heritage. Furthermore, many U.S. military and civilian personnel were subsequently caught in U.S. airports trying to bring in stolen artifacts. The occupying forces failed to protect the National Museum and Library in Baghdad from thieves.^[84] While the Iraqi Ministry of Oil building was quickly and famously secured in the hours following the



invasion for its reported wealth of geological maps, U.S. troops stood idle as museums, national archives and government offices were vandalized. The troops were criticized by archeologists: "American officials came under sharp criticism from archaeologists and others for not securing the museum, a vast storehouse of artifacts from some of civilization's first cities."^[86]^[87]

The National Museum of Iraq after the 2003 invasion of Iraq. A hole caused by a shell can be seen in the wall above the tank. The museum was looted after the invasion, and many antiquities were missing or destroyed.

After the U.S. troops entered Baghdad on April 9, 2003, at least 13,000 artifacts were stolen during the looting,^[88] including many moved from other sites into the National Museum for safekeeping. U.S. troops and tanks were stationed in that area but, without orders to stop the looting, "watched for several days before moving against the thieves."^[88] Sergeant Jackson of the 1st Marine Battalion explained that "...our orders were to avoid engaging religious Muslims who were unarmed. So when groups of Imams demanded to remove religious items to prevent them from being defiled by the infidels, how were we supposed to know that they were thieves? Our captain didn't want to create an international incident by arresting religious leaders."

The Boston Globe writes: "Armies not of fighters but of looters, capitalizing on a security vacuum after war, have pillaged Babylon." Donny George, the curator of Iraq's National Museum says about the art looting:

“ "It's the crime of the century because it affects the heritage of all mankind." ^[89] ”

George's comments followed widespread reporting that 100 percent of the museum's 170,000 inventoried lots (about 501,000 pieces) had been removed by looters. In fact, about 95 percent of the museum's contents never left the museum. According to investigators of the thefts, about two percent of the museum pieces were stored elsewhere for safekeeping. Another two percent were stolen, in an apparent "inside job", just before U.S. troops arrived; about one percent, or about 5,000 items, were taken by outside looters. Most of the looted items were tiny beads and amulets.

The horror of art looting in general is made clear by Hashem Hama Abdoulah, director of the museum of antiquities in Sulaymaniyah, in the Kurdish-controlled zone of northern Iraq.

“ "When your history is stolen from you, you lose your sense of that history. Not just the Iraqi people, but all of civilization that can trace its roots back to this area." ^[89] ”

Many other looted art objects ended up in black markets with rich art collectors and art dealers, mostly in the United States, Great Britain,^[87] Italy^[87] and Syria,^[87] in 2006, the Netherlands returned to Iraqi authorities three clay tablets that it believed had been stolen from the museum.^[87] One of the most valuable artifacts looted during the plunder of the National Museum of Iraq, a headless stone statue of the Sumerian king Entemena of Lagash, was recovered in the United States with the help of Hicham Aboutaam, an art dealer in New York. Thousands of smaller pieces have remained in Iraq or been returned by other countries, including Italy and the Netherlands.

Some of the artifacts have been recovered,^[90] custom officials in the United States intercepted at least 1,000 pieces, but many are still advertised on eBay or are available through known collectors and black markets. "U.S. troops, journalists and contractors returning from Iraq are among those who have been caught with forbidden souvenirs."^[91] The U.S. Department of State, Bureau of Educational and Cultural Affairs maintains a list and image gallery of looted artworks from Iraq at the Iraq Cultural Property Image Collection.^[92]

Despite public announcements and temporary efforts by the Iraqi and American administrations, the situation in Iraqi Museums and archaeological sites did not improve. Donny George, the curator of Iraq's National Museum, the first person who raised his voice and alarmed the world about the looting in Iraq after the American invasion and publicly stated his opinion about the "ongoing failure of Iraqi leaders and the American military to protect the sites",^[88] left the country and resigned in August 2006. Before he left, he closed and sealed the museum and plugged the doors with concrete.^[88] In an article in *Newsweek*, he even said that the stolen items should not be returned to Iraq under the given circumstances: "We believe this is not the right time now to have them back. Since we know all about them and are promised them back whenever we want them, it is better to keep them in these countries."^[93]

Looting of Italy

The looting of Italian art was not limited to Napoleon alone; Italian criminals have long been, and remain, extremely active in the field, and Italy's battle to recover the antiquities it says were looted from the country and sold to museums and art collectors worldwide is still ongoing. The Italian government and the Art Squad of the Carabinieri, Italy's national police force, made special efforts to "[crack] the network of looters, smugglers, and dealers supplying American museums," collecting "mountains of evidence—thousands of antiquities, photographs, and documents—seized from looters and dealers in a series of dramatic raids." According to the BBC, Italian authorities have for several years insisted on the return of stolen or looted artworks from wealthy museums and collectors, particularly in America.^[94] Italy is demanding the return of the looted art and antiquities from many famous American institutions, including the Cleveland Museum of Art, the Minneapolis Institute of Arts, the Princeton Museum of Art, the Toledo Museum of Art, and the private collection of the Leon Levy and his wife, Shelby White.^[95]

In an interview with *Archaeology*, a publication of the Archaeological Institute of America, investigative journalist Peter Watson wrote in June 2006 that according to the Italian public prosecutor Paolo Ferri, 100,000 tombs have been looted in Italy alone, representing a value of US\$500 million. He estimates that the overall monetary value of looted art, including Greece, Turkey, Iraq, Jordan, Syria, Egypt, Cyprus, West Africa, Central America, Peru, and China, is at least four times the Italian figure.^[96] Peter Watson and Cecilia Todeschini authored *The Medici Conspiracy*, a book that uncovers the connection between looted art, the art and antiquities markets, auction houses, and museums.^[96]

In 2007, the Los Angeles J. Paul Getty Museum, at the center of allegations by Italian officials about the pillaging of cultural artifacts from the country and other controversies,^[97] was forced to return 40 artifacts, including a 5th-century BC statue of the goddess Aphrodite, which was looted from Morgantina, an ancient Greek settlement in Sicily.^{[98][99]} The Getty acquired the statue in 1988 for \$18 million USD^[99] from an anonymous collector fully aware about the controversy focusing on the unclear provenance and origin.^{[100][101][102][103]} The Getty Museum resisted the requests of the Italian government for nearly two decades, only to admit later that "there might be 'problems' attached to the acquisition."^[104] In 2006, Italian senior cultural official Giuseppe Proietti said: "The negotiations haven't made a single step

forward", only after he suggested the Italian government "to take cultural sanctions against the Getty, suspending all cultural cooperation,"^[105] did the J. Paul Getty Museum return the antiquities. According to the *New York Times*, the Getty Museum confirmed in May 2007 that the statue "most likely comes from Italy."^[99]

Similar disputes about stolen and looted art have also involved the Metropolitan Museum of Art in New York, which was forced to return a set of 16 silver pieces from the 3rd century BC, illegally excavated from Morgantina, Italy.^[104] In 2006, the Metropolitan Museum of Art relinquished ownership of a 2,500-year-old Greek vase known as the Euphronios krater, a krater painted by Euphronios, stolen from an Etruscan tomb and smuggled from Italy, 15 pieces of Sicilian silver and four ancient vessels in exchange for long-term loans of other prized antiquities.

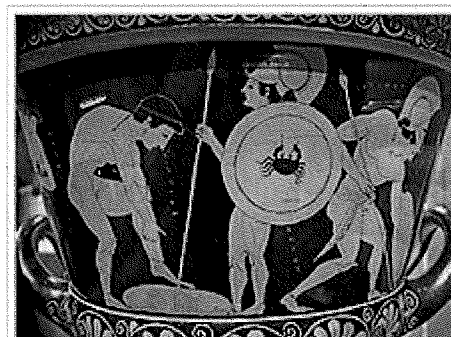
According to the *New York Times*, the case, "of its kind, perhaps second only to the dispute between Greece and Great Britain over the Elgin marbles," "became emblematic of the ethical questions surrounding the acquisition of ancient art by major museums."^[106]

The Museum of Fine Arts in Boston was forced to return 34 stolen artifacts – including Hellenistic silverware, Etruscan vases and Roman statues. The aforementioned institutions have agreed to hand over the artworks in exchange for loans of other treasures. Former curator of the Getty Museum Marion True and art dealer Robert E. Hecht are currently on trial in Rome; Italy accuses them of buying and trafficking stolen and illicit artworks (including the Aphrodite statue).^{[98][99][107]} Evidence against both emerged in a 1995 raid of a Geneva, Switzerland, warehouse that contained many stolen artifacts.

The warehouses were registered to a Swiss company called Editions Services, which police traced to an Italian art dealer, Giacomo Medici. The Carabinieri stated that the warehouses contained 10,000 artifacts worth 50 billion lire (about \$35 million).^[108] In 1997, Giacomo Medici was arrested; his operation is believed to be "one of the largest and most sophisticated antiquities networks in the world, responsible for illegally digging up and spiriting away thousands of top-drawer pieces and passing them on to the most elite end of the international art market."^[109] Medici was sentenced in 2004 by a Rome court to ten years in prison and a fine of 10 million euros, "the largest penalty ever meted out for antiquities crime in Italy."^[109]

In another, unrelated case in 1999, the Getty Museum had to hand over three antiquities to Italy after determining they were stolen. The objects included a Greek red-figure kylix from the 5th century BC signed by the painter, Onesimos, and the potter, Euphronios, looted from the Etruscan site of Cerveteri; a torso of the god Mithra from the 2nd century AD; and the head of a youth by the Greek sculptor Polykleitos.^[110] According to the *New York Times*, the Getty Museum refused for several years to return the antiquities to their rightful owners.^{[94][111]}

Yet another case emerged in 2007, when Italy's art-theft investigation squad discovered a hidden cache of ancient marble carvings depicting early gladiators, the lower portion of a marble statue of a man in a toga and a piece of a column. Italian Culture Minister Francesco Rutelli used the case to underline the importance of these artifacts for Italy.^[112]



Euphronios krater, a 2,500-year-old Greek vase, stolen from an Etruscan tomb and smuggled from Italy, returned to Italy by the Metropolitan Museum of Art in 2006

Looting of Poland

The Załuski Library, the first public library in Poland, was founded by two brothers, Józef Andrzej Załuski, crown referendary and bishop of Kiev, and Andrzej Stanisław Załuski, crown chancellor and bishop of Cracow. The library was considered one of the most important libraries of the world, featuring a collection of about 400,000 printed items, manuscripts, artworks, scientific instruments, and plant and animal specimens. Located in Warsaw's Daniłowiczowski Palace, it was looted in the aftermath of the second Partition of Poland and Kościuszko Uprising in 1794 by Russian troops on orders from Russian Czarina Catherine II; the stolen artworks were transported to St. Petersburg and became part of the Russian Imperial Library, which was founded one year later. Although some pieces were returned by the Soviet Union in 1921 and were burned during the Warsaw Uprising against German forces, other parts of the collection have still not been returned by Russia. Polish scientists have been allowed to access and study the objects.^[116]

Polish Crown Jewels were removed by the Prussians in 1795 after the Third Partition of the Polish-Lithuanian Commonwealth.^[117]

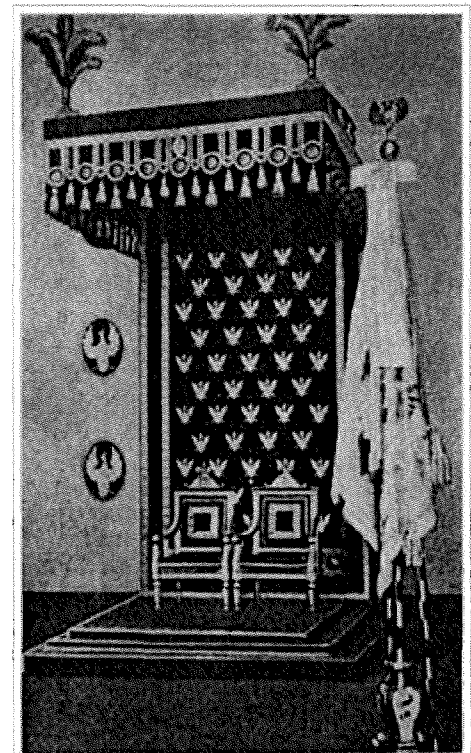
After the collapse of the November Uprising, literary and art treasures were removed from Poland.^[118] Poland regained some of the artefacts after the Treaty of Riga, comprising the furnishings of the Warsaw Castle and the Wawel Castle.^{[119][120]}

During the Second World War, Germany tried to destroy Poland completely and exterminate its population as well as culture. Countless art objects were looted, as Germany systematically carried out a plan of looting prepared even before the start of hostilities (see also Nazi plunder).^[121] Twenty-five museums and many other facilities were destroyed.^[121] The total cost of German theft and destruction of Polish art is estimated at 20 billion dollars,^[56] or an estimated 43% of Polish cultural heritage; over 516,000 individual art pieces were looted (including 2,800 paintings by European painters; 11,000 paintings by Polish painters; 1,400 sculptures, 75,000 manuscripts, 25,000 maps, 90,000 books including over 20,000 printed before 1800, and hundreds of thousands of other items of artistic and historical value).^[121] Soviet troops afterward contributed to the plunder as well.^[122]

Looting by perpetrator

Looting by the British Empire

The transformation of theft and plunder as an incentive for troops to institutionalized, indiscriminate looting following military conflict can be observed in the wake of British conquest in Asia, Africa and India. The looting of artifacts for "both personal and institutional reasons" became "increasingly



Throne of Stanisław August Poniatowski displayed in the Moscow Kremlin. The throne was looted after collapse of the November Uprising in the 1830s. In the 1920s, the Soviet Union government returned it to Poland, yet it was deliberately destroyed by the Germans during World War II.^{[113][114][115]}

important in the process of "othering" Oriental and African societies and was exemplified in the professionalism of exploration and the growth of ethnographic departments in museums, the new 'temples of Empire.'" Looting, not necessarily of art, became a vital instrument for the projection of power and the British imperial desire to gather and provide information about the "exotic" cultures and primitive tribes. [123][124]

Looting by Napoleon

Napoleon's conquests in Europe were followed by a systematic attempt, later more tentatively echoed by Hitler, to take the finest works of art of conquered nations back to the Louvre in Paris for a grand central museum of all Europe. Napoleon boasted:

“ We will now have all that is beautiful in Italy except for a few objects in Turin and Naples.” [125]

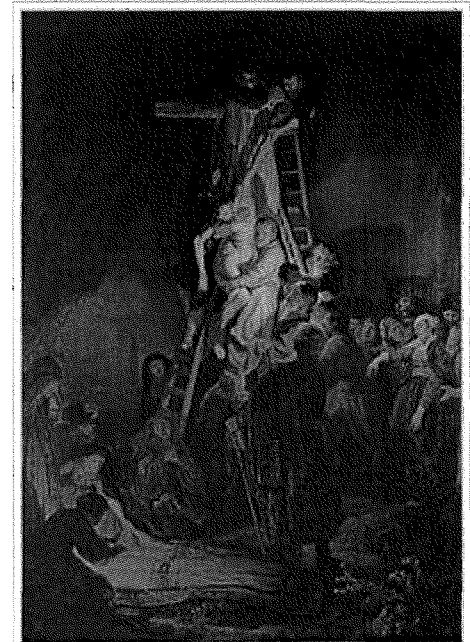
Many works were returned after his fall, but many others were not, and remain in France. Many works confiscated from religious institutions under the French occupation now form the backbone of national museums: "Napoleon's art-loot depots became the foundation of Venice's Accademia, Milan's Brera galleries. His brother Louis founded Amsterdam's Rijksmuseum; brother Joseph started Madrid's Prado" (for the Spanish royal collection). [125]

Napoleonic commander and Marechal Nicolas Jean-de-Dieu Soult stole in 1810 six large pictures painted by Murillo in 1668 for the Hospital de la Caridad in Seville. One painting, *The Return of the Prodigal Son*, is now in the National Gallery of Art, Washington; a second looted painting, *The Healing of the Paralytic*, is in the National Gallery in London; only two of the original paintings have returned to Seville. [8]

Another French general looted several pictures, including four Claudes and Rembrandt's *Descent from the Cross*, from the Landgrave of Hesse-Kassel in 1806. The stolen goods were later bought by the Empress Josephine and subsequently by the tsar. Since 1918, when the Bolshevik government signed a peace treaty with Germany and Austria, have German negotiators demanded the return of the paintings. Russia refused to return the stolen goods; the pictures still remain in the Hermitage. [8]

Looting by the Union and Confederate Armies during the American Civil War

On November 7, 1863, Edward D. Townsend of the Union army wrote General Order No. 360: "Satisfactory evidence having been produced to the War Department that a bronze equestrian statue, unlawfully taken from a private house in Fredericksburg, at the time of the capture of that place by the Union forces, was the private property of Mr. Douglas Gordon, of that city, it is— .Ordered: That it be restored to Mrs. Annie C. Thomas, the sister of Mr. Gordon, who has made application therefor." [126] Some of Gordon's works of art were recovered through Lafayette C. Baker, chief of the Union secret police. [127]



Rembrandt's *Descent from the Cross* was looted in 1806 by French soldiers from the Landgrave of Hesse-Kassel, Germany; current location: Hermitage, St. Petersburg.

The United States Congress enacted legislation allowing for claims to be filed for property losses on July 4, 1864. Claims were restricted to loyal citizens.

Looting by Nazi Germany

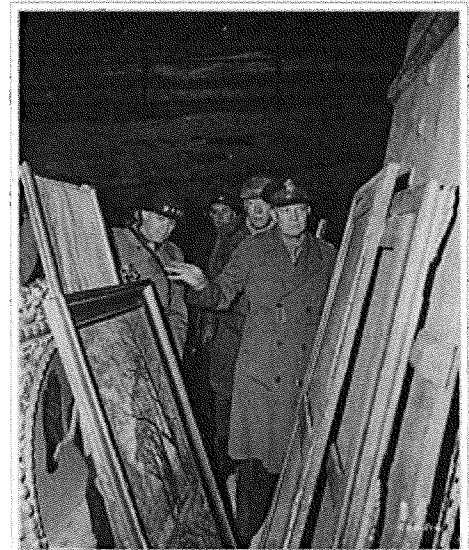
Main article: Nazi plunder

During World War II, the Nazis set up special departments "for a limited time for the seizure and securing of objects of cultural value",^[128] especially in the Occupied Eastern Territories, including the Baltic states, Ukraine, Hungary and Greece. The Russian imperial residences around St. Petersburg were thoroughly looted and deliberately blown up, so that their restoration is still under way. The Catherine Palace and Peterhof were reduced to smoldering ruins; among the innumerable trophies was the world-famous Amber Room.^[129] Medieval churches of Novgorod and Pskov, with their unique 12th-century frescoes, were systematically plundered and reduced to piles of rubble. Major museums around Moscow, including Yasnaya Polyana, Joseph-Volokolamsk Monastery, and New Jerusalem, faced a similar fate, with their architectural integrity irrevocably impaired.

The legal framework and the language of the instructions used by Germany resembles the Lieber Code, but in the Nuremberg Trial proceedings, the victorious Allied armies applied different standards and sentenced the Nazis involved as war criminals. Article 6 of the Charter of the International Military Tribunal of Nuremberg, detailing the Jurisdiction and General Principles, declares the "plunder of public or private property" a war crime,^[130] while the Lieber Code and the actions of the Allied armies in the aftermath of World War II allowed or tolerated the looting. The main objective of the looting is made clear by Dr. Muhlmann, responsible for the securing of all Polish art treasures: "I confirm that the art treasures ... would not have remained in Poland in case of a German victory, but they would have been used to complement German artistic property."^[131]

One inventory of 39 volumes featuring the looted art and antiques, prepared by the Nazis and discussed during the Nuremberg trials, lists "21,903 Works of Art: 5,281 paintings, pastels, water colors, drawings; 684 miniatures, glass and enamel paintings, illuminated books and manuscripts; 583 sculptures, terra cottas, medallions, and plaques; 2,477 articles of furniture of art historical value; 583 textiles (tapestries, rugs, embroideries, Coptic textiles); 5,825 objects of decorative art (porcelains, bronzes, faience, majolica, ceramics, jewelry, coins, art objects with precious stones); 1,286 East Asiatic art works (bronzes, sculpture, porcelains, paintings, folding screens, weapons); 259 art works of antiquity (sculptures, bronzes, vases, jewelry, bowls, engraved gems, terracottas)."^[131]

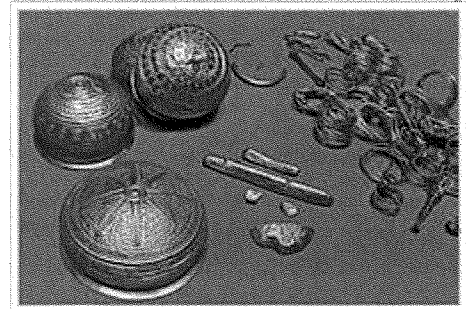
When Allied forces bombed Germany's cities and historic institutions, Germany "began storing the artworks in salt mines and caves for protection from Allied bombing raids. These mines and caves offered the appropriate humidity and temperature conditions for artworks."^[132]



General Dwight D. Eisenhower, Supreme Allied Commander, accompanied by General Omar N. Bradley and Lieutenant General George S. Patton, Jr., inspects art treasures hidden in a salt mine in Germany.

Looting by the Soviet Union

The Soviet Union engaged in systematic looting during World War II, particularly of Germany – seeing this as reparations for damage and looting done by Germany in the Soviet Union.^{[53][133]} The Soviets also looted other occupied territories; for example, looting by Soviets was common on the territories theoretically assigned to its ally, communist Poland.^{[134][135]} Even Polish Communists were uneasy, as in 1945, the future Chairman of the Polish Council of State, Aleksander Zawadzki, worried that "raping and looting of the Soviet army would provoke a civil war."^[136] Soviet forces had engaged in plunder on the former eastern territories of Germany that were to be transferred to Poland, stripping it of anything of value.^{[137][138]} A recently recovered masterwork is Gustave Courbet's *Femme nue couchée*, looted in Budapest, Hungary, in 1945.



The Eberswalde Hoard from Germany disappeared in 1945 from Berlin and was located in 2004 in a secret depot within Moscow's Pushkin Museum.

Looting by the Spanish Empire and others

The conquistadors looting Latin and South America became one of the most commonly recognized plunders in the world.

Roger Atwood writes in *Stealing History: Tomb Raiders, Smugglers, and the Looting of the Ancient World*: "Mayan stonework became one of those things that good art museums in America just had to have, and looters in the jungles of southern Mexico and Guatemala worked overtime to meet the demand."^{[139][140] [141][142]}

Looting in Mesoamerica has a long tradition and history, many graves are looted before the archaeologists could reach them, and the artifacts are then sold to wealthy collectors in the United States, Japan or Europe. Guillermo Cock, a Lima-based archaeologist, says about a recent find of dozens of exquisitely preserved Inca mummies on the outskirts of Peru's capital city, Lima: "The true problem is the looters," he said. "If we leave the cemetery it is going to be destroyed in a few weeks."^[143]

See also

- Antiquities trade
- Art theft
- Interpol
- List of artworks with contested provenance
- Royal Casket
- Polish Crown Jewels
- War loot
- List of missing treasure
- United States restitution to the Soviet Union

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- Commission for Looted Art in Europe (<http://www.lootedartcommission.com/>)
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