

# I

## THE QUESTIONS OF "DISPLACEMENT", "CONFISCATIONS", "LOOTS" AND "TROPHIES"

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It is wise of the organizers of this meeting to build the discussion on the basis of reciprocity of different "points of view". The problem itself consists in the existence of several "truths". They make a certain hierarchy, and almost each of them has the right to exist.

Works of art play three roles at least. They are art which belongs to the whole world. They are property which has its owner and its material value which can be expressed in figures. They are means of political manoeuvre. Different groups of people see different priorities here.

I am representing the experience of a very large museum and also giving my own point of view as a museum's director, archaeologist and orientalist. This combination of professions allows me easily to understand the spirit of nations which came to discover their own history and are willing and eager to regain their cultural heritage now. I understand the zeal of an archaeologist disclosing the unknown and presenting it to the world. I also know that an archaeologist often saves a monument of culture, and that sometimes he destroys it. And, above all, I know that museums are the terminal stop in the biography of a monument of art, its actual appearance to people. That is why I also understand well the sense of despair when paintings leave museum walls and appear at auctions. Or when paintings loaned for an exhibition are seized because of the bringing of a legal action.

I am worried by many things in the present approach to the problem of the post-war destinies of art. I am afraid that many of them are holding away rather than facilitating a decision acceptable to all. I do not like the words

"looted" and "spoils": they assume the criminal and illegal owning of property. Such a moral appraisal of the situation makes practically all the population of Russia an opponent to any compromise regarding the art which I prefer to name "displaced" (displaced as in "displaced persons"). I am worried by the persistent unwillingness to distinguish the things looted by the Nazis from those confiscated from the Nazis as compensation. One may debate the correctness of the Russian conception of "compensatory restitution", but one must see the difference between Russia, the victim of Nazism, and the Nazis Germany.

I am puzzled by the aggressiveness in dealing with these questions and in relation to today's keepers of works of art. The fact that restitution problems are turning into a profitable business for many, embarrasses me as well.

We must remember that the problem of the post-war destinies of art is closely connected with many historical precedents. Solving it for the present will have a great influence on the relations between peoples and countries in many aspects, from Lord Elgin's marbles in the British Museum to tribes' totems in all ethnological museums in the world.

The Hermitage is the museum of great life experience. It possesses enormous collections originating from different places of the world and historical territories of Russia. Many of them were acquired through archaeological excavations, others bought at different occasions. Disputes about ownership, usually with a political tinge, have been familiar to us since long ago.

In 1918 in Brest, the Soviet government had peace negotiations with Germany. One of the demands of the German side was to have back the paintings once seized by Napoleon in Kassel and then presented by him to Josephine, whose daughter later sold them to Emperor Alexander I. Russia then yielded to all the demands of Germany, ceding vast territories. The refusal to give the paintings to Germany was the only point which the Russian side did not concede.

The same year, representatives of Ukraine raised a claim for archaeological monuments originating from the Ukrainian territories. In 1921, over 10 thousand archaeological and art monuments (gold) were reassigned to the Ukrainian Socialist Republic, then part of the Soviet Union. None of them exist any longer, having been lost during the war. Later some objects from Polish territories, previously part of Russia in accordance with the Riga peace treaty, were given over to Poland. Meanwhile in Russia, all the industry was nationalized, and art collections

too. It was done by the government legally recognized in the world. That is why in 1993, a Court in Paris refused to make decision about the claims connected with the nationalization. It is worth mentioning that all works of art removed from Russia before the revolution were later sold out and lost for Russia. So, from the point of view of national interests, nationalization is not the greatest evil.

There is one more aspect to this question. If we recognize decisions of the Soviet government as being illegal, then numerous sales of works of art to the West - and sales of Hermitage masterpieces among them - will turn out to be illegal too.

Before the war, the Hermitage actively collected monuments of oriental art, including religious art, thus saving them from destruction during anti-religious campaigns. Thus the huge ritual cauldron of the Timor time from the mausoleum of Ahmad Yasewi was saved. It was taken to the Hermitage for a temporary exhibition and remained there for a long time. In the seventies, it was returned to the town of Turkestan. I would like to stress that today, it is no longer a monument available to the general public.

After the war, the Hermitage, like many other museums in Russia, acquired works of art from storages of the Nazi Germany in the Soviet zone of occupation. They were brought to Russia as compensation for stolen and destroyed property of Russia (churches of Novgorod, suburb palaces of Saint Petersburg, ...). An agreement between the Allies about such a compensation existed originally. In the fifties, most of the displaced monuments were returned to Germany (to the Soviet zone of occupation, from which they had been brought out). The Hermitage gave over about one million works of art, among them such masterpieces as the Pergamon Altar, the collections of the Egyptian museum, of the National Gallery and others. They were shown to the Russian public only once, just before the transfer. It was supposed that efforts would be made to return the Soviet collections not found immediately after the war. However, not a single item was returned by Germany. I must remind that more than six thousand icons had been brought away from the Novgorod churches, completely ruined by the Nazis. Only five hundred of them were found in Germany by a special detachment after the war.

A relatively small part of the monuments remained in special storages. After the fall of the Soviet power and the establishment of new principles of international openness, it became possible to fulfill the long-standing wish of the Hermitage and to take off the veil of secrecy from these collections.

Essentially, the Hermitage was the first in the world to begin a calm talk, without hysteria and condemnation, about "art trophies", based on the fact that confiscation of them after the war was a natural thing.

The Russians whose cultural heritage had not just been stolen (as it was in the West), but had been purposely ruined, cannot consider these actions either immoral or illegal.

The position of the Hermitage is based on the fact that in the new conditions these objects could become the subject of friendly negotiations. First of all they should be presented to the world's public in the tradition of general scholarly exhibition and publication. The State museum cannot decide the destiny of such objects. But it can and it must show it to society. In 1992, drawings from the collection of the Bremer Kunsthalle were exhibited and published. In 1995, the paintings and in 1996, the drawings from German private collections were shown. Detailed scholarly catalogues were published. A thorough scientific research of the works of art was made, their provenance was also investigated. Museums, collectors, lawyers and politicians have the documents for further work and wonderful works of art thus returned to public. We should stress that the question is about German collections. Only in one case connected with a drawing was there an application by the descendants of the Jewish owner from whom the drawing entered the Aryan collection in 1935.

In the exhibition "Schliemann, Troy, Petersburg" the archaeological materials from Schliemann's excavations in Troy were shown. The exhibition was organized in collaboration with our German colleagues. Among other things objects already returned to Germany in the seventies were shown in this exhibition. As the result of this scientific collaboration a scientific publication of the material kept in the Hermitage appeared. At present work on the next mutual exhibition - about the monuments of the great migration period - is being done. The displaced works of art are being included on the internet.

The museum is fulfilling its first duty - not to hide, but show and document. But it does it in a scholarly manner, without political hysteria as an example of calm discussion of the problems. Unofficially, the Hermitage also suggests various ways for a possible compromise. In Russia, after several years of discussion and the introduction of corrections by the Constitutional court the law on displaced works of art was adopted. With certain shortcomings, this law gave for the first time these works a legal status. After that negotiations and decisions became possible. It is known that the first steps, which give hope, have already been made by the Russian

and the German sides. As to the Hermitage, we started negotiations long ago with private persons and officials about the possible fate of stained-glass windows from Marienkirk in Frankfurt an der Oder. It is not our privilege to decide, but we have a recipe - mutual restoration (the leaden grating has become worthless), exhibition in Russia, return of the monument to the church. According to the new law there are no obstacles for giving over the exhibits, which belonged to the church before the war.

The more serious problem is connected with the religious objects. The question is about property relations between museums and the Orthodox church. Museums, the Hermitage in particular, have rescued numerous religious works from melting and from being sold abroad. These objects were put into general artistic use. Giving them over to the church will deprive them of their artistic function, leaving only the ritual one. The problem is very dangerous, because it brings into opposition the two main institutions, which keep the spiritual tradition of Russia - the cultural institutions and the religious institutions. The inability to solve this problem for their mutual benefit can have very bad after-effects for our society. That is why we continue to hold a dialogue with the church. This dialogue is based on patience and mutual respect. It gives certain results.

Our initiative of calm discussion of unsolved problems connected with the War has opened the "Pandora's box". From the first sight the problem seemed to be exclusively a Russian one. All of a sudden it turned out that everybody has many "forgotten" problems in the sphere of art. Essays, books and accusations poured down. As well as the gold in Swiss banks, pictures and ancient manuscripts in French and American museums and private collections. It turned out that there are still unsolved problems, property plundered by the Nazis from their victims (among them there are Russians). We think that the satisfaction of the claims of the victims of the Nazis has priority over the issue of the property of Germany and of German collectors.

We have all kinds of recipes, we are open for negotiations in equal rights and respect, and we have been holding a normal dialogue. We are sure that there is no universal solution. It is necessary to find solutions for each separate case, and each one is based on compromise. Some American museums have made progress in this field.

All this will take time, but we deal with art which exists for eternity. It is continuously necessary to do something and to find new solutions. We are building our relations for the future. We must not give ground to future hostility.