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Reflections on Provenance Research: Values – Politics – Art Markets

ABSTRACT

Since the turn of the last century provenance research has developed and become professionalized in Europe and the United States as a field that enquires into the ownership history of art and cultural assets during the National Socialist period. While for considerable time the field received little acknowledgement by university faculties such as art history and historical science, provenance research is currently about to become – at least for the moment – institutionalized as an academic discipline at several universities in Germany and Switzerland. It remains to be seen which direction provenance

research will ultimately take as an academic field; however, an expansion above and beyond the NS-period as well as a connection with neighbouring research fields such as art market research are evidently being pursued. This article reflects on the links between provenance research and art market studies. On the one hand, it sketches the historical development of provenance research and its impact on the value of art objects – and thus on the art market. On the other hand, it reveals the additional benefit that the methodology of provenance research can offer in the field of art market studies, especially in contrast to social science approaches.

Since the turn of the last century provenance research has developed and become professionalized in Europe and the United States as a field that enquires into the ownership history of art and cultural assets during the National Socialist period. International news coverage brought further attention to the subject. The objective is the reconstruction of object biographies and translocation processes,¹ in order to identify Nazi-looted cultural

1 Valentine von Fellenberg/Harald Schoen, Externe Impulse und interne Imperative: Zur Bedeutung von Provenienzforschung und Kulturgutschutz in Deutschland für die Kunstgeschichte, in *Kunstchronik* 69/7 (2016), 322-327 (324).

objects and to be able “to achieve just and fair solutions” with the original owners or their heirs.² Supported by state funding, provenance research is primarily undertaken at museums, libraries, archives and art historical institutes. While for considerable time the field received little acknowledgement by university faculties such as art history and historical science,³ provenance research is now in the process of becoming – at least for the moment – institutionalized as an academic discipline at several universities in Germany and Switzerland. It remains to be seen which direction provenance research will ultimately take as an academic field; however, an expansion above and beyond the NS-period as well as a connection with neighbouring research fields such as art market research are evidently being pursued.

This article will establish a dual connection between provenance research and art market studies:⁴ firstly, outlining the dynamic functions that the provenance of cultural objects has in the art world and beyond. Since at least the Enlightenment, the heritage of artefacts advanced to be an important factor in establishing their aesthetic, artistic and economic value, and thus an important element of the art market. From the 1990s onwards, provenance research thus took on an additional moral and political dimension. Secondly, this article would like to propose that provenance research has considerable analytical potential for art market research, even when detached from its purpose-oriented focus, be it economical, ethical or political. In order to render this potential productive from a historian’s perspective, widening the enquiry is indicated rather more than expanding the methods.⁵

Provenance and the Value of Art

Long before the efforts to explore the transfer of art works during the Nazi period, the art world considered the biography of art works highly relevant. Since at least the eighteenth century, provenance played an important role in prosperous European market centres, supporting the orientation of collectors as well as the valuation of art.⁶ Backed by a culture of individualization at the time, an art critical discourse developed

2 Washington Conference Principles on Nazi-Confiscated Art, 3 December 1998, online: <http://www.lootedartcommission.com/Washington-principles> (31.5.2017).

3 Anja Heuss, Im Netz der Provenienz, in Alexandra Reininghaus, ed., *Recollecting. Raub und Restitution* (Wien: Passagen, 2009), 273-280 (273); Gilbert Lupfer, Provenienzforschung und ihre Parameter. Politik, Recht, Moral und Wissenschaft, in Ulrich Krempel et al., ed., *Erblickt, verpackt und mitgenommen – Herkunft der Dinge im Museum. Provenienzforschung im Spiegel der Zeit* (Hannover: Volkswagen-Stiftung, 2012) 41-48 (42); Berthold Unfried, *Vergangenes Unrecht. Entschädigung und Restitution in einer globalen Perspektive* (Göttingen: Wallstein, 2014), 458.

4 The article is thus confined to provenance research on works of fine art.

5 The article is written from the academic perspective of a historian specializing in provenance research.

6 This concerns a long-term development, which beginnings lie at the princely courts of the Early Modern period, where the esteem of an artist factored into the valuation of his or her artwork. See: Martin Warnke, *Hofkünstler. Zur Vorgeschichte des modernen Künstlers* (2nd edition, Köln: Dumont, 1996), 112-121, 177, 185-201.

which took critics' individual experiences and emotions as a benchmark, rather than normative academic art theory "in order to subjectivize formerly generally accepted standards".⁷ Art criticism now focused on the novel platform of art exhibitions publicity and became institutionalized in the nineteenth century in art magazines and the arts pages of major newspapers, discovering "both creative and interpretative subjectivity in parallel".⁸ Legally, this development led to the emergence of modern copyright laws in Europe from the eighteenth century onwards.⁹ Authenticity of art objects and individual evaluations of quality now took centre stage in determining the aesthetic and artistic merit of works of visual art. Provenance signalled two main factors: if an art work had been in a prestigious collection or exhibition, this was an indication of authenticity as well as elevated aesthetic quality. Both had a significant influence on economic value. The biography of an art work was closely connected to the art market, which was in the process of detaching itself from the constraints of the guilds and the courts, creating international networks mainly in the nineteenth century. In this context, catalogue raisonnés and sale catalogues were presented in an increasingly professional manner, listing information about artists, art works and provenance as a matter of course. These became major sources of information for the actors of the art world.¹⁰ It became a generally accepted fact that a renowned provenance held potential for an increase in value.¹¹ As part of this development, the contemporary term of "connoisseurship" gained in importance - the ability to attribute artefacts to a school or an artist, based on one's knowledge and the ownership history of the works.¹² Although academic art history,

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- 7 Stefan Germer/Hubertus Kohle, Spontanität und Rekonstruktion. Zur Rolle, Organisationsform und Leistung der Kunstkritik im Spannungsfeld von Kunsttheorie und Kunstgeschichte, in Peter Ganz, ed., *Kunst und Kunsttheorie 1400-1900* (Wiesbaden: Harrassowitz, 1991), 287-311 (290), author's translation.
- 8 Ibid., 298. Author's translation.
- 9 During the Renaissance, authors and artists enjoyed privileges, which could be perceived as the forerunners to modern copyright law. For the development of copyright law in general, see: Ludwig Gieseke, *Vom Privileg zum Urheberrecht. Die Entwicklung des Urheberrechts in Deutschland bis 1845* (Baden-Baden: Nomos, 1995).
- 10 See: Antoinette Friedenthal, John Smith, his Catalogue Raisonné of the Works of the Most Eminent Dutch, Flemish, and French Painters (1829-1842) and the Stigma of Picture Dealer, in *Journal of Art Historiography* 9 (2013), 1-20; Hans J. van Miegroet, The Market for Netherlandish Paintings in Paris 1750-1815, in Jeremy Warren/Adriana Turpin, ed., *Auctions, Agents and Dealers. The Mechanisms of the Art Market 1660-1830* (Oxford: Archaeopress, 2007), 41-51.
- 11 For example, art magazines reported on the auctioning of collections, which radiated "internationale Anziehungskraft" due to their "illustren Provenienz" and on artefacts, which had been valued, thanks to their "Provenienz mit dem dreifach, ja zehnfachen des sonst üblichen Marktpreises". Likewise one can find numerous commentaries, according to which the "Echtheit [der Werke Daumiers] durch die Provenienz aus dieser berühmten Sammlung außer Frage stand". It is hence not surprising that collectors (like Victor Hahn) payed attention "überhaupt immer auf die Provenienz" of their works. In [O.A.], Die Auktion der Sammlung Weber, in *Der Cicerone* 4 (1912), 187-193 (187); Adolph Donath, Sammlung Victor Hahn, in *Der Kunstwanderer* 9 (1927), 189-193 (189); Mussia Eisenstadt, Die Versteigerung A. v. Goldschmidt-Rothschild, in *Kunst und Künstler* 32 (1933), 158f. (158); J. Zarnowski, Die Daumier-Versteigerung in Paris, in *Der Kunstwanderer* 9 (1927), 464.
- 12 Thomas Ketelsen, "In Keeping with the Truth". The German Art Market and its Role in the Development of Connoisseurship in the Eighteenth Century, in Jeremy Warren/Adriana Turpin, ed., *Auctions, Agents*

which had spread across European universities during the nineteenth century, regarded “connoisseurs” as ancillary experts, they succeeded outside of academic institutions.¹³ Writing expertise reports confirming the authenticity of an artwork developed into a lucrative business within the art market, an industry designed to reassure dealers and collectors. In this context, the history of an artwork is primarily a factor for its aesthetic, artistic and economic value, whereas Nazi-era provenance research is much more concerned with the circumstances that lead to the transfer of art works, and with the moral and political context. However, it certainly retains its relevance for the economic evaluation of art objects.

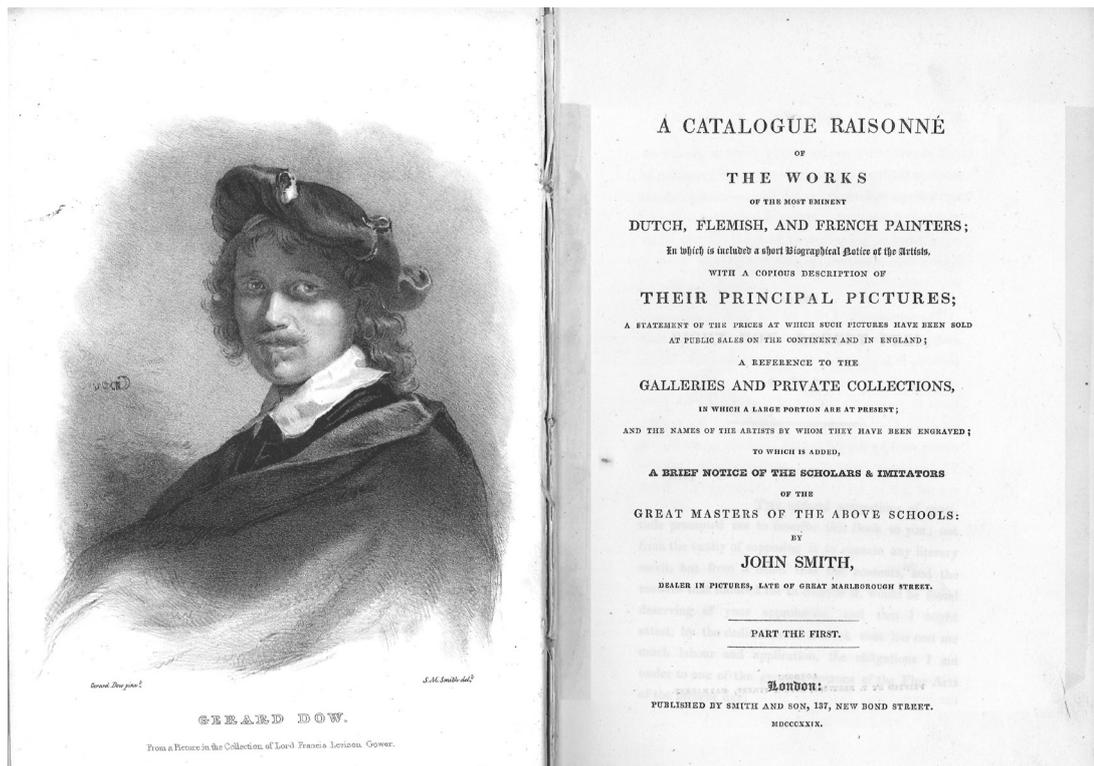


Fig. 1: John Smith provides in his Catalogue Raisonné of dutch, flemish, and french painters (here Volume 1, London 1929), among other things, ...

and Dealers. *The Mechanisms of the Art Market 1660-1830* (Oxford: Archaeopress, 2007), 151-160; Michael North, Auctions and the Emergence of an Art Market in Eighteenth-Century Germany, in Neil de Marchi/Hans J. van Miegroet, ed., *Mapping Markets for Paintings in Europe 1450-1750* (Turnhout: Brepols, 2006), 285-304.

- 13 “Die akademischen Kunstgelehrten [...] waren stets geneigt, von den Kennern abzurücken, sei es[,] dass sie Unwissenschaftlichkeit scheuten, sei es[,] dass sie das Bilderbestimmen als eine kleinliche und niedrige Beschäftigung verachteten. In Deutschland, wo sich die Kunstforschung sowohl an den Hochschulen wie an den Museen kräftig entwickelte, schieden sich zwei Lager, die einander fremd und zuweilen feindlich gegenüberstanden: die Theoretiker, die das Kunstwerk vom höheren Standpunkt, im historischen oder ästhetischen Zusammenhang betrachteten, die Praktiker, die im Museumsdienste die Autorbestimmung als das Ziel ihrer Arbeit ansahen. Die Praktiker nannten sich mit Stolz Kenner, die Theoretiker machten auf diesen Titel keinen Anspruch.” Max J. Friedländer, *Kennerchaft, Kunstgeschichte und Ästhetik*, in *Kunst und Künstler* 16/8 (1918), 289-291 (290). See also: Regine Prange, *Die Geburt der Kunstgeschichte. Philosophische Ästhetik und empirische Wissenschaft* (Köln: Deubner, 2004), 28.

14 GERARD DOW.

relief of boys at play adorns the under part of the sill of the window.

Collection of M. Valkenburg	<i>Rott.</i> 1781.	. . .	1350 <i>fl.</i>	1211.
_____	Loot Van Sanvoort . . .	1757.	2225 <i>fl.</i>	2001.
_____	Braamcamp	1771.	4000 <i>fl.</i>	3601.
_____	M. de Bruyn	<i>Amst.</i> 1798.	8000 <i>fl.</i>	7301.

Now in the collection of M. Six Van Winter, of Amsterdam.
 This picture is of superlative beauty and excellence.
 14½ in. by 12 in.—P.

41. A man, richly dressed in blue silk, sitting at a window, blowing a trumpet; in the back-ground is seen a company of smokers and drinkers enjoying themselves; a curtain, drawn on one side, is suspended from the upper part of the window, and a bas-relief of boys is under the sill.

Collection of M. Loot Van Sanvoort	1757.	. . .	1925 <i>fl.</i>	1731.
_____	Braamcamp	1771.	3120 <i>fl.</i>	2811.
_____	Mr. P. Loequet	1783.	7000 <i>fl.</i>	6301.

Valued by the Experts du Musée . . . 1816. 15,000 *fl.* 6001.
 Now in the Louvre.
 14½ in. by 12 in.—P.

42. The Interior of a cellar, with a man holding the candle for a young woman, whilst she draws some wine; in the back-ground is an old man warming himself. Engraved by Beauvarlet. This picture is cited by Descamps.

Collection of M. Grill	<i>Amst.</i> 1728.	. . .	810 <i>fl.</i>	731.
_____	Braamcamp	1771.	845 <i>fl.</i>	761.

Now in the collection of M. Six Van Winter.
 12 in. by 10 in.—P.

43. A pretty woman standing near a pump, cleaning a saucepan; she is seen through an arched-top window, at the side of which hangs a cage, and a brass pot stands on

GERARD DOW. 15

the sill in front. Engraved by Wille, under the title of *La Ménagère*.

Collection of M. Lempereur	1773.	. . .	3100 <i>fs.</i>	1241.
_____	Prince de Conti	1777.	3500 <i>fs.</i>	1401.
_____	Beaujon	2501 <i>fs.</i>	1001.
_____	Geldermeester	1800.	1950 <i>fl.</i>	1761.

Now in his Majesty's collection.
 Exhibited at the British Gallery, 1826–27.
 6½ in. by 5 in.—P.

44. The Poulterer's Shop. An old woman at an arched-top window, holding up a hare, which a young damsel seems to be cheapening; behind her is a man who has just entered the door, and near him is a woman; a dead pea-hen, a duck, and a fowl, are lying on the sill in front, near a white metal pail, on the handle of which the young woman is resting her hand; an old carpet is thrown over the window sill, below which is seen a beautiful bas-relief of boys playing, at the side of which stands a wicker cage with a cock in it; a bird-cage is hanging above; another is suspended from the ceiling; the under side of a winding staircase, and a shelf with poultry on it, are seen in the back of the room. Noticed by Descamps, in *La Vie des Peintres*; then in the collection of the Marquess de Voyer, 1754.

This capital picture was sold in the Choiseul collection, in 1772 (engraved, No. 50) for 17,300 *fs.* . . 6921.
 Collection of Prince de Conti, 1777. 20,000 *fs.* . . 8001.
 _____ Due de Chabot, 1787. 20,800 *fs.* . . 8321.
 _____ Coupry Dupré, 1801, 26,000 *fs.* (bought in) 10241.
 Again in the sale at Fonthill Abbey, 1823, by Mr. Phillips, (bought by the Writer) 1270 *gs.*
 Now in the collection of the Right Honourable Robert Peel.
 Exhibited in the British Gallery, 1818.
 22 in. by 17½ in.—P.

Fig. 2: ... informations on economic values and provenances. Smith's catalogs are seen as landmark in the development of academic forms of art research in the first half of the nineteenth century. Both photographs courtesy of J.Gramlich.

The emergence and function of Nazi-era provenance research

In December 1984 the American art magazine *ARTnews* published the article “A legacy of Shame”. Its author Andrew Decker accused Austria of treating National Socialist “looted art” with negligence and a lack of commitment.¹⁴ After the end of World War II, the majority of those works of art recovered from high-ranking Nazi officials which had initially been placed in Austrian storage facilities were later consigned to the Austrian Republic. Austria subsequently restituted only part of these works to their original owners. This was the starting point for a series of articles in which *ARTnews* also reminded Germany of its obligations. In 1988 the magazine reported that German museums and diplomatic missions were holding over 1,500 objects from the collections of Adolf Hitler

14 Andrew Decker, A Legacy of Shame, in *ARTnews* 83/10 (1984), 54-76, available online: <http://www.artnews.com/2007/11/01/top-ten-artnews-stories-making-a-difference/> (28.3.2017). The terms “Raubkunst” and respectively “Kunstraub” (looted art) are rather diffuse in describing the phenomena. So-called looting not only entails the direct withdrawal of artworks and artefacts through the NS state or the NSDAP – already here one should differentiate various methods and (pseudo-)legalizing principals –, but also all other kinds of asset exchanges, which may root from the pressured circumstances. See also: Berthold Unfried, *Vergangenes Unrecht. Entschädigung und Restitution in einer globalen Perspektive* (Göttingen: Wallstein, 2014), 276.

and Hermann Göring that had been stolen from their previous Jewish owners or had been acquired under pressure.¹⁵ In this context the publisher Milton Esterow even wrote an open letter to the German Chancellor at the time, Helmut Kohl, calling for an investigation into artworks in public collections that had been seized by the Nazis.¹⁶

Beyond Germany and Austria, “looted art and restitution” became an international issue.¹⁷ In connection with the so-called “external restitution”, the American Allies in particular had returned art works to several European states that had been brought into the German Reich after 1938, when the Nazi sphere of influence had expanded.¹⁸ Hence both the American and European press continued to argue that the post-War restitution efforts by these states had been insufficient and needed to resume. In Germany the same criticism was directed towards “internal restitution” during the post-war period in particular. Extensive documentation and research results that were accumulated during the Allies’ investigation into the National Socialist art theft and became available in archives during the 1970s, supported the newfound interest in the so-called Nazi war loot.¹⁹ On the basis of these sources, comprehensive research from the 1980s onwards reconstructed the transfer of artefacts in regions under German occupancy during the Second World War. These studies could both rely on and increase the growing public interest in the subject.²⁰

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- 15 John Dornberg, The Mounting Embarrassment of Germany’s Art Treasures, in ARTnews 87/7 (1988), 130-131.
- 16 Friedrich Newel, In deutschen Museen hängen Hitlers und Görings Bilder, in *Deutsche Wochenzeitung/ Weekly German Newspaper* (5.9.1988), 1, 19. Since the 1950s, art objects from the collections of high-ranking NS functionaries such as Hitler and Goering had become the property of the Federal Republic of Germany and its federal states. These works had, however, been largely examined by the American allies before they were handed over to Germany. Nevertheless, these collections are a complex and delicate legacy, which is currently the subject of research projects by the Federal Republic and the Free State of Bavaria.
- 17 For this process see: Unfried, *Vergangenes Unrecht*, 395-460.
- 18 Iris Lauterbach, *Der Central Collecting Point in München. Kunstschutz, Restitution, Neubeginn* (Berlin and München: Deutscher Kunstverlag, 2015), 93-143.
- 19 Those documents can mainly be found in the National Archives in Washington (a larger proportion of those documents is available under www.fold3.com) as well as in the Bundesarchiv in Koblenz (primarily under Signature B 323).
- 20 Already in 1964, an early study by David Roxan and Ken Wanstall concerned itself with Adolf Hitler’s art collection, referring to a research report from the Allies, which was not accessible to the public. Since the end of the 1980s further publications deployed an international socio-political impact. See, especially: Hector Feliciano, *Le Musée Disparu. Enquête sur le Pillage des Oeuvres d’Art en France par les Nazis* (Paris: Austral, 1995); Jakob Kurz, *Kunstraub in Europa 1938-1945* (Hamburg: Facta Oblita, 1989); Lynn Nicholas, *The Rape of Europa. The Fate of Europe’s Treasures in the Third Reich and the Second World War* (New York: Vintage Books, 1994); Jonathan Petropoulos, *Art as Politics in the Third Reich* (Chapel Hill and London: The University of North Carolina Press, 1996); David Roxan/Ken Wanstall, *The Jackdaw of Linz. The Story of Hitler’s Art Thefts* (London: Cassell, 1964); David Roxan/Ken Wanstall, *The Rape of Art. The Story of Hitler’s Plunder of the Great Masterpieces of Europe* (New York: Coward-McCann, 1965). The fact that these studies at least partially miss an academic reflection level, criticizes amongst others Unfried, *Vergangenes Unrecht*, 274, 398-400.

The rising media attention led to political debate, which also became public. In Austria this was already the case after the 1984 article.²¹ Furthermore, the reunification of Germany and the fall of the “Iron Curtain” marked a starting point for political discussion. Compensation and restitution issues, that had been partly postponed in the 1950s, now returned to the political agenda and went beyond the restitution of artworks, which still occupied a prominent place in the coverage.²² In addition, in the Soviet occupation zone and in the GDR no increased efforts had been made to reconstitute private ownership by restituting assets confiscated during Nazi persecution. There was now an increased political necessity to re-address the subject of compensation for Nazi injustice.²³ The United States were the main driver in this development. Since the 1970s, the American open public discourse about the Holocaust had led to a powerful culture of remembrance, which became internationalized and developed into the “focal point of a combative political and moral strategy of the United States government”, which hoped to reach a “closing report of the Second World War”.²⁴ Although this course of action was motivated by politics of remembrance, contemporaneous political motivations were the spread of human rights, democracy and the concept of private property. Hence the political intentions also had an inevitable ideological flavour, especially with regard to the societies of the former Soviet Union.²⁵

As a result of this development, the middle of the 1990s saw sporadic governmental restitutions of artworks to organisations as well as individuals, culminating in 1998 in the *Washington Principles*. Forty-four states now committed to examine their collections in regards to works of art that had been confiscated as a result of Nazi persecution, in order to achieve just and fair solutions with persons prosecuted by the Nazi regime or their heirs. This international agreement led to the development and professionalization of provenance research in museums, libraries, archives, research institutes and as a private enterprise. Its focus is first and foremost the documentation of ownership structures

21 Kurt Haslinger, Mauerbach und der lange Weg bis zur Auktion 1966-1996, in Theodor Brückler, ed., *Kunstraub, Kunstbergung und Restitution in Österreich 1938 bis heute* (Wien et al.: Böhlau, 1999), 39-52; Unfried, *Vergangenes Unrecht*, 407-417.

22 For example, the restitution of “Nazi gold” and supposedly ownerless bank accounts was publicly debated and politically negotiated since the 1990s.

23 Other reasons for the impulse of the debate during the 1980s are a change of generation and a change of values, research finds. Furthermore, the issue of “vergessene Opfergruppen“ (forgotten victims), such as homosexuals, “Asoziale“ (anti-socials) and Sinti and Roma, which had received little attention after the end of the Second World War, is now being addressed. See: Hans Günter Hockerts, Wiedergutmachung in Deutschland 1945-2000, in *Vierteljahrshefte für Zeitgeschichte* 49 (2001), 167-214 (199-202).

24 Hans Günter Hockerts, Die Entschädigung für NS-Verfolgte in West- und Osteuropa. Eine einführende Skizze, in Hans Günter Hockerts et al., ed., *Grenzen der Wiedergutmachung. Die Entschädigung für NS-Verfolgte in West- und Osteuropa 1945-2000* (Göttingen: Wallstein, 2006), 7-58 (53).

25 For the general development see Constantin Goschler, Kunstrestitution zwischen Gerechtigkeit, Ökonomie und Identität, in Andrea Bambi/Axel Drecoll, ed., *Alfred Flechtheim. Raubkunst und Restitution* (Berlin and Boston: De Gruyter Oldenbourg, 2015), 47-53; Hockerts, Entschädigung, 50-58; Michael R. Marrus, *Some Measure of Justice. The Holocaust Era Restitution Campaign of the 1990s* (Madison: University of Wisconsin Press, 2009); Jan Surmann, *Shoa-Erinnerung und Restitution. Die US-Geschichtspolitik am Ende des 20. Jahrhunderts* (Stuttgart: Steiner, 2012); Unfried, *Vergangenes Unrecht*, 115-161, 236-281.

during the Nazi era.²⁶ More recently, property transfers in the Soviet occupation zone/ GDR and in colonial times have also come under scrutiny. The history of Nazi-related provenance research shows that it initially represented a tool of remembrance politics. As such it is primarily legitimized in ethical terms and remains dependent on media attention, public opinion and political will until today. At the same time, it continues to be relevant for the art market: art works suspected of having been seized as a result of Nazi prosecution are hardly tradable and lose their economic value accordingly.²⁷ Conversely, works of art where just and fair solutions were achieved with the original owners or their heirs have the potential to significantly increase their economic value.²⁸

Academic art history has criticized this purpose-orientated research interest, asserting that provenance research follows primarily a “rather positivistic direction in art historical research” and neglects the “theoretical reflection and analysis of the specific aesthetic content of art”.²⁹ In order to consider its establishment within academic art history a “expanded methodical repertory” would be “indispensable”, otherwise “certain aspects relating to the object as such, in particular the context of its creation (identifying its creator, geographical and chronological positioning, accurate dating, and establishing the medium” would need to be included.³⁰ At the same time, provenance research has been praised for providing important impulses, especially for *museum studies* and the history of collecting.³¹

From a historian’s perspective however, provenance research needs to expand its research focus. With its research tools and its subject of interest it can also generate fresh insights at the intersection of historical and art historical research. Art market research is a relevant example.³² While history and art history kept their distance from the art

26 Important development steps for provenance research in Germany were, as a result of the Washington Principles of 1998: the “Erklärung der Bundesregierung, der Länder und der kommunalen Spitzenverbände zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes, insbesondere aus jüdischem Besitz” in 1999, corresponding instructions to the latter in 2001, and the establishment of important institutions for financial support and coordination of provenance research (in particular the “Arbeitskreis Provenienzforschung” in 2001, the “Arbeitsstelle für Provenienzforschung” in 2006 and the “Deutsche Zentrum Kulturgutverluste” in 2015).

27 Andreas Rumbler/Stephanie Tasch, Provenienzforschung aus der Perspektive des internationalen Kunsthandels, in Koordinierungsstelle für Kulturgutverluste Magdeburg, ed., *Museen im Zwielflicht. Ankaufspolitik 1933-1954* (Magdeburg: Koordinierungsstelle für Kulturgutverluste, 2002), 195-201.

28 Dorothee Baer-Bogenschütz, Nachschub von Gurlitt, in *Jüdische Allgemeine* (5.12.2013), available online: <http://www.juedische-allgemeine.de/article/view/id/17777> .

29 von Fellenberg/Schoen, *Impulse*, 325f. Author’s translation.

30 *Ibid.*, 326.

31 *Ibid.*, 325.

32 Provenance research is of high importance to, for example, research into the history of science concerning economic asset elimination of Jewish life in Germany, which it has rarely investigated. On the other hand, provenance research can guide focus on the importance of art for the national socialist regime. See: Birgit Schwarz, *Geniewahn. Hitler und die Kunst* (Wien et al.: Böhlau, 2009). Based on this study, the historian Wolfram Pyta takes Adolf Hitler as “Künstler, Kunstliebhaber, Kunsttheoretiker” in focus. He shows that Hitler could mobilise the “ästhetischen Ressourcen” of the idea of genius for “genuin poli-

market for a long time, leaving it to sociological and economical study,³³ recent years have seen an increased interest in art market research from a humanities' perspective.³⁴ This is partly due to the efforts of modern provenance research and its public reception and endorsement.

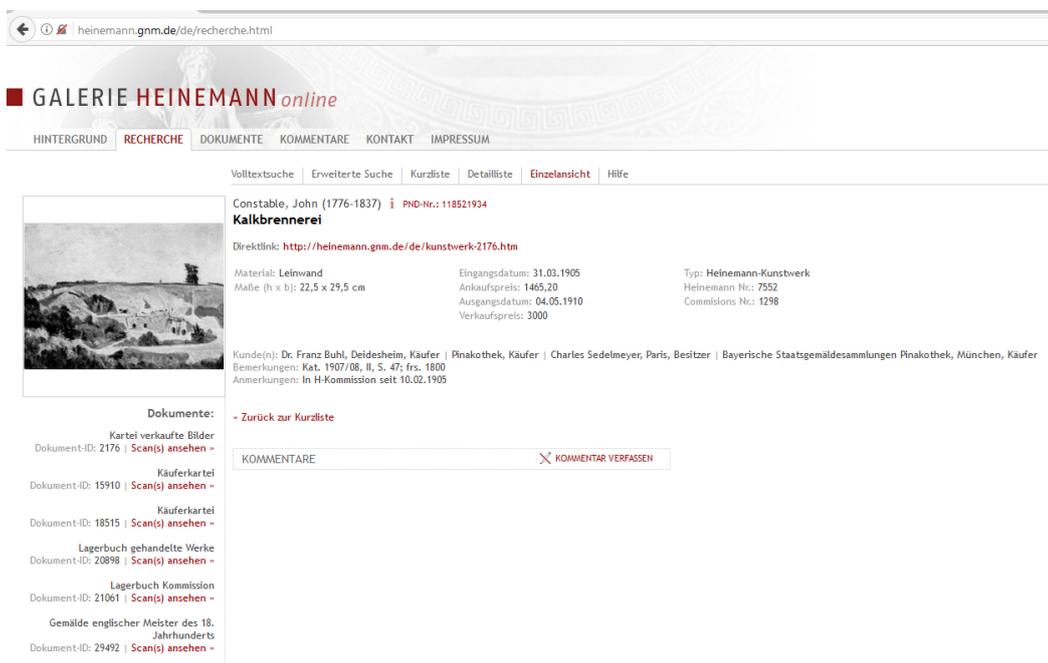
The methodology of provenance research and its benefit for art market research

Provenance research often starts with the object. Its aim is to identify previous owners of an art work. The work itself can often already deliver important information, as labels, inscriptions, tags and stamps on the reverse can point to previous owners. Furthermore, consulting art historical literature is standard practice, especially catalogue raisonnés and exhibition, collection, and auction catalogues. On the basis of the collected information archives will be consulted, which hold material on relevant protagonists. At the same time, research can also take persecuted collectors and dealers as a starting point, in order to seek clarification on their fate and that of their collections. Provenance research is intensely source-oriented, and one of its central tasks consequently lies in exploring and accessing historical sources.³⁵ Numerous documents and information primarily concerning the international art market in the twentieth century were fed into databases and are now digitally available.³⁶ The wealth of information and data available online is overall beneficial for research into the art market and fosters it; economic studies, for example, use it to analyse pricing of artefacts over a greater period of time.³⁷

tische Zwecke", particularly for the "Okkupation der militärischen Führerschaft von 1939 an", vgl.: *Hitler. Der Künstler als Politiker und Feldherr. Eine Herrschaftsanalyse* (München: Siedler, 2015), 48f., 230.

- 33 Academic science of art has struggled for a long time "mit dem Thema Kunst und Geld beziehungsweise Kunst und Markt, wohl nicht zuletzt deshalb, weil die materielle Bewertung von Kunst nicht so recht zu einem idealistischen Kunstbegriff passen will", Christoph Zuschlag, Vorwort, in Gesa Jeuthe, *Kunstwerte im Wandel. Die Preisentwicklung der deutschen Moderne im nationalen und internationalen Kunstmarkt 1925 bis 1955* (Berlin: Akademie, 2011), VII-IX (VII). German history studies generally are uncomfortable to cross over into the visual arts as a research field and mainly treat it as a relevant part of civic culture and bourgeois patronage.
- 34 Several academic platforms reflect the interdisciplinary nature of research into the art market. They have been established since the turn of the century, for example Groupe de recherche sur le marché de l'art (Paris), Collecting and display (London), Center for the History of Collecting (New York), Forum Kunst und Markt/Centre for Art Market Studies (Berlin) and as first periodical, which explicitly dedicated itself to the research into the art market, the *Journal for Art Market Studies*.
- 35 The development and publication of information from museums, archives and library was demanded shortly after the Washington Principles by the Federal Government of Germany, the Länder and municipal umbrella organisations. See: Erklärung zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes insbesondere aus jüdischem Besitz (1999), available online: http://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/1999/1999_12_09-Auffindung-Rueckgabe-Kulturgutes.pdf (30.3.2017).
- 36 A partial overview may be found online: <http://www.lostart.de/Webs/DE/Provenienz/Index.html> (20.4.2017).
- 37 See, amongst others: Thomas M. Bayer/John R. Page, *The Development of the Art Market in England. Money as Muse 1730-1900* (London: Pickering & Chatto, 2011); Jeroen Euwe/Kim Oosterlinck, *Art Price Econom-*

Comprehensive research into each individual object is not only necessary in order to identify previous owners. The circumstances under which an object was transferred are equally important, since the increasing pressure of the social and political circumstances from 1933 onwards not only led to direct confiscation through the Nazi state and the Nazi party, but also had a bearing on private transactions. An appropriate evaluation therefore requires insights into the complex conditions of those asset transactions as well as their historical context. In parallel to research relating to the object as such, provenance research therefore undertakes fundamental research focusing on National Socialist politics on art, the economic development of the German art market at the time as well as important art dealers, collectors, experts and Nazi functionaries. This method essentially follows a historical approach based on the critical analysis of sources, while placing past events and acts in the context of their time.



The screenshot shows the website 'GALERIE HEINEMANN online' with a search result for a painting by John Constable. The page includes a navigation menu, search options, and detailed information about the artwork 'Kalkbrennerei'.

GALERIE HEINEMANN online

HINTERGRUND RECHERCHE DOKUMENTE KOMMENTARE KONTAKT IMPRESSUM

Volltextsuche Erweiterte Suche Kurzliste Detailliste Einzelsicht Hilfe

Constable, John (1776-1837) | PND-Nr.: 118521934
Kalkbrennerei
Direktlink: <http://heinemann.gnm.de/de/kunstwerk-2176.htm>

Material: Leinwand	Eingangsdatum: 31.03.1905	Typ: Heinemann-Kunstwerk
Maße (h x b): 22,5 x 29,5 cm	Ankaufspreis: 1465,20	Heinemann Nr.: 7552
	Ausgangsdatum: 04.05.1910	Commissions Nr.: 1298
	Verkaufspreis: 3000	

Kunde(n): Dr. Franz Buhl, Deidesheim, Käufer | Pinakothek, Käufer | Charles Sedelmeyer, Paris, Besitzer | Bayerische Staatsgemäldesammlungen Pinakothek, München, Käufer
Bemerkungen: Kat. 1907/08, II, S. 47; frs. 1800
Anmerkungen: In H-Kommission seit 10.02.1905

Dokumente: - Zurück zur Kurzliste

- Kartei verkaufte Bilder
Dokument-ID: 2176 | [Scan\(s\) ansehen](#) -
- Käuferkartei
Dokument-ID: 15910 | [Scan\(s\) ansehen](#) -
- Käuferkartei
Dokument-ID: 18515 | [Scan\(s\) ansehen](#) -
- Lagerbuch gehandelte Werke
Dokument-ID: 20898 | [Scan\(s\) ansehen](#) -
- Lagerbuch Kommission
Dokument-ID: 21061 | [Scan\(s\) ansehen](#) -
- Gemälde englischer Meister des 18. Jahrhunderts
Dokument-ID: 29492 | [Scan\(s\) ansehen](#) -

KOMMENTARE

Fig. 3: The database for the Munich Gallery Heinemann was released in 2010. It contains information about more than 43.500 paintings. This database was the first project on the art trade, which was funded by the German "Arbeitsstelle für Provenienzforschung" (<http://heinemann.gnm.de/>).

Through fundamental research and contextualisation, provenance research contributes to art market research, even though its interest is still focussed on supporting the identification of looted art. However, this approach enables additional and beneficial insights, for example in comparison with a socio-economic perspective on the international art market of this period. The *New Economic Sociology*, that has devoted increasing interest to the art market since the turn of this century, typically adopts quantitative methods to arrive at general statements about social structure and mechanisms of the art market. Consequentially, it remains fairly abstract and focusses primarily on contemporary art

markets.³⁸ In contrast, provenance research works with historical sources to focus on the actual protagonists of the art market, outlining individual manoeuvring space, motives and strategies. At the same time, networks formed by the various players allow for a wider perspective of the art market as a dynamic web of relationships. In this approach, the art markets (concrete) mechanisms, functions, (personal) structure and spatial expansion can be analysed empirically while taking historical changes into account. The “web of relationships created by individual protagonists” is not only “of absolutely crucial importance for any research about the translocation of objects”,³⁹ but also en-

Records retrieved:

match all words match any word

(Optional) Refine your search using the fields below.

Artist Name (browse): (e.g., Jacob Jordaens or Cuyp or Seghers; Albani)
Artist Nationality: (e.g., German)
Lot Title/Description: (e.g., Venus or batailles)
Object Type:
Lot Sale Date or Range: through (e.g., 1751 04 23 or 1839 10* or 1930 through 1932)
Buyer or Seller Name: (e.g., Pembroke)
Restrict name to: Buyers and Sellers Buyers only Sellers only
Transaction Type:
Auction House: (e.g., Christie's or Lebrun)
City of Sale: (e.g., Berlin)
Country of Sale:
Lugt #: (e.g., 6410)
Catalog #: (e.g., D-108)
Lot #: (e.g., 0002)

Subject searches will further limit your results to British 18th-c. and German 20th-c. sales only:

Subjects:
Allegory/Allegorie
Animals/Tiere

Fig. 4: The Getty Provenance Index Databases of the Getty Research Institute contain, among other things, data from more than 16.000 sales catalogs (<http://www.getty.edu/research/tools/provenance/search.html>).

38 Among others, see: Jens Beckert/Jörg Rössel, Kunst und Preise. Reputation als Mechanismus der Reduktion von Ungewissheit am Kunstmarkt, in *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 56 (2004), 32-50; Beckert/Rössel, The Price of Art. Uncertainty and Institutions in the Art Market, in *European Societies* 15 (2013), 178-195; Jörg Rössel, Ästhetisierung, Unsicherheit und die Entwicklung von Märkten, in Jens Beckert et al., ed., *Märkte als soziale Strukturen* (Frankfurt/Main: Campus, 2007), 167-181; Jörg Rössel, Der Kunstmarkt. Die Perspektiven der Kunstsoziologie, in Andrea Hausmann, ed., *Handbuch Kunstmarkt. Akteure, Management und Vermittlung* (Bielefeld: Transcript, 2014), 57-74; Olav Velthuis, Symbolic Meanings of Prices. Constructing the Value of Contemporary Art in Amsterdam and New York Galleries, in *Theory and Society* 32 (2003), 181-215; Olav Velthuis, *Talking Prices, Symbolic Meanings of Prices on the Market for Contemporary Art* (Princeton et al.: New Jersey Univ. Press, 2005); Tamar Yorgev, The Social Construction of Quality. Status Dynamics in the Market for Contemporary Art, in *Socio-Economic Review* 8 (2010), 511-536.

39 Christian Fuhrmeister, Hans Posse im Kontext. Forschungsstrategische Anmerkungen aus dem Zentralinstitut für Kunstgeschichte, in Gilbert Lupfer/Thomas Rudert, ed., *Kennerschaft zwischen Macht und Moral. Annäherungen an Hans Posse (1879-1942)* (Köln et al.: Böhlau, 2015), 13-15 (14), author's translation.

ables us to trace information exchanges, analyse the calibration of power structures, and observe the establishment of aesthetic values.⁴⁰ In addition, the in-depth study of archival sources in provenance research also provides the opportunity to analyze the influence of the changing economic and legal framework on the social structure of the art market and the actions of its protagonists.

Even though sources for both national and international art markets are limited, some archives from important dealers are preserved and have been made accessible to researchers in archives. Of particular relevance in these documents is the fact that art dealers made considerable efforts to trace the activity of rivals, partners, potential clients, acclaimed experts and the movement of important art works. The importance of these archival estates therefore by far exceeds their original purpose.

This is exemplified in the documents of the internationally acclaimed art dealer Duveen Brothers with galleries in London, New York and Paris.⁴¹ Joseph Duveen and his staff painstakingly traced developments in the major trading centres during the twentieth century. The art dealer was actively involved in generating value increases for his stock, as well as build close relationships based on mutual trust with important competitors, art historians and collectors alike. Major as well as peripheral centres of the art market become visible through the international web of relationships of this dealer and the competing networks of information by rival protagonists. For example, Duveen Brothers observed with some suspicion the sharing of information and contacts between a loosely connected group of smaller as well as larger dealers, in order to stay relevant in as many major art trade centres as possible, but most of all, to exclude mighty competitors like Duveen from their activities and their knowledge.

As a consequence, such estates allow for a measuring of a scope of activity running across borders and changing over time. It becomes possible to analyse the effects of seismic shifts such as the Great Depression and National Socialist rule on the structure of the international art market, but also to explore different strategies of coping adopted by respective protagonists. During the Second World War, Duveen Brothers made surprisingly early efforts to persuade other dealers not to trade in Nazi-looted art. For example it would be interesting to investigate whether American and British dealers, who faced a weak market in their own countries at the time, were really avoiding the booming art trade centres in the German sphere of influence, or whether they found ways, means and contacts to circumvent these barriers.⁴²

These are only a few examples of the possibilities offered by detailed analyses of the sources on individual art market protagonists. To summarize, provenance research

40 Johannes Gramlich, *Die Thyssens als Kunstsammler. Investition und symbolisches Kapital (1900-1970)* (Paderborn: Schöningh, 2015), 51.

41 The Duveen Brothers Records are available at the Getty Research Institute in Los Angeles (http://www.getty.edu/research/tools/guides_bibliographies/duveen/).

42 See: Gramlich, *Thyssens*, 227f., 267-273.

firstly provides crucial impulses for art market studies by opening up important archival sources relating to art dealers, collectors and exhibitions and making them accessible via

The screenshot displays the Archives of American Art website interface. At the top, there is a navigation bar with 'Archives of American Art' and search options. Below this, a menu lists various collection categories: 'Explore the Collections', 'Research & Reference', 'Exhibitions', 'Publications', 'The Primary Source', and 'Support'. The main content area features a search bar and a list of collections. The selected collection is 'Jacques Seligmann & Co. records, 1904-1978, bulk 1913-1974'. A sub-section is titled 'Box 153, Folder 1: Paris to New York, 1921 December-1922 May'. Below this, there is a detailed view of the collection, including a 'CONTENTS' table with columns for 'Contents' and 'Request'. The table lists various correspondence items, such as 'Paris to New York, 1921 December-1922 May'. To the right, there is a preview of a document titled 'Jacques Seligmann & Co.' with a list of items and a 'Full screen version' button. At the bottom, there are buttons for 'Overview', 'More Information', and 'How to Use This Collection'.

Fig. 5: In addition to the Duveen records, the papers of the international art dealer Seligmann & Co. are professionally prepared and accessible by the Archives of American Art (<https://www.aaa.si.edu/collections/jacques-seligmann-co-records-9936>).

databases. It allows, for example, to investigate the (long-term) price development of works of art and particular genres. Secondly, fundamental research on important actors in the art trade enables qualitative analysis of personal networks within the art world, which essentially constitute the art market, as they evolve in changing historical circumstances. Thirdly, taking into account the general context of transactions, provenance research can also elucidate the influence of economic and political factors and developments on the art trade. This approach would not only favourably complement an economic-sociological perspective to art market research. Further potential lies in cooperation with other disciplines such as legal studies. The imminent academisation of provenance research should reveal the directions where its interests will develop further.⁴³

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43 At least temporarily there will be professorships and junior-professorships for provenance research at the universities in Bern, Bonn, Hamburg and Munich.