Rethinking Memory: The Musées de France and Jewish Art Collections, 1940 to the Present

Elizabeth C. Karlsgodt
University of Colorado, Denver

Over the past twenty years, the notion of memory has become a widely used and, some would argue, an overused analytical tool. Historians of the Second World War and its aftermath in particular often find the concept irresistible in examining postwar interpretations and commemorations of the war’s tragic events. My own research focuses on the protection of the French patrimoine national during the German occupation. Like numerous other scholars who choose to study les années noires, I have been influenced by Pierre Nora and Henry Rousso’s memory studies and have written about "official memory" when analyzing postwar interpretations of the Occupation.

However, I am also acutely aware of methodological quandaries that accompany the use of memory as an

---

1 I would like to thank conference participants for their insightful comments and a lively discussion during our session. I have incorporated some of their suggestions in this version of my paper.

2 See Elizabeth Campbell Karlsgodt, "National Treasures: Cultural Heritage and the French State during the Second World War" (Ph.D. diss., New York University, 2002).

analytical tool. For example, historians often take for granted the notion of public or collective memory without thoroughly investigating competing interpretations of *les lieux de mémoire*. Moreover, we often fail to explain how we are using the term "memory" and why we believe it is fundamentally different from "interpretation" or "history." Alon Confino points out these pitfalls in memory studies in the December 1997 edition of the *American Historical Review*. Confino examines Rousso's *The Vichy Syndrome* among other works, urging historians to avoid equating "official memory" and "collective memory" and to question whether there even is such a thing as "collective memory." He emphasizes "the multiplicity of social experiences and representations" and ways in which popular memory, constructed from below rather than above, may either complement or contradict official accounts of the past. These concerns about the notion of "collective memory" have been voiced in other works, including Sarah Farmer's *Martyred Village* on commemorations of the 1944 massacre at Oradour-sur-Glane.

In my work on pillaged art collections in France, I have found that theoretical notions of memory and amnesia fail to convey strongly enough the injustices that have resulted from policies and statements issued by the French government. In this paper, I examine an ongoing effort by French authorities to construct an official account of the Nazi art pillages and the postwar aftermath, a period during which the French museum administration incorporated two

---


thousand unclaimed works into the public collections. The interpretation of these events offered by the Musées de France is designed to protect the agency's reputation and the legacy of its celebrated Resistance heroes, omitting potentially damaging information. The gravity of the agency's policy thus goes beyond a mere manipulation of memory. Facing intense competition from other buyers in an international and capitalist art market, the Musées de France sought to expand its collections at the expense of Jewish victims and their heirs who were the rightful owners of the unclaimed works, many of which were highly valuable.

Historical texts and memoirs published by the Musées de France are consistently misleading in two key ways. First, they distort the objectives of French museum officials during the Occupation as they struggled against the Germans to gain control over Jewish-owned art collections. These officials sought to assert French sovereignty over the works not in defense of Jewish collectors, as these accounts lead us to believe, but with the intention of permanently incorporating some of the works into the national collections. Second, publications by the Musées de France remain largely uncritical of the fact that French officials appropriated the two thousand unclaimed works after the war without using extensive provenance archives—to which they had access—to search for the works' rightful owners. Thus, the museum officials carried out a forty-year public relations effort spanning two Republics and a dozen administrations in an effort to protect the legacy of their predecessors and the reputation of the Musées de France.

My analysis focuses first on the museum administration's effort to acquire valuable works of art that had eluded the Nazi pillagers, then on the postwar management of works that were recuperated in Germany.
after the war and left unclaimed. In particular, I challenge the contribution of the Musées de France to the multi-volume Mattéoli commission report published in the spring of 2000. Although this report was intended to be a decisive step towards an official recognition of French participation in the exploitation and deportation of Jews during the Occupation, its account of the art pillages actually perpetuates misconceptions about French policy and the museum administration's own version of the Resistance myth.

**Art Pillages during the Occupation**

In the months leading up the outbreak of war, top officials in the fine arts took extraordinary measures to protect privately owned Jewish art collections. Anticipating the impending conflict as early as 1936, French authorities developed plans to evacuate public collections from Paris and other cities in northern France. When war was finally declared in September 1939, the massive evacuation plan was set into motion, transferring thousands of masterpieces from the museums to chateaux turned storage depots in central and southern France. The Direction des Musées Nationaux, under the leadership of Jacques Jaujard, also allowed several Jewish collectors to evacuate their works along with the public collections. As a safeguard, fine arts officials created documents that simulated acquisitions of some works in the private collections. These last-minute

---


7 Karlsgodt, 97-137.
phony donations were meant to prevent the works from being seized by enemy forces.\(^8\)

However, museum officials were operating in a very different context by the summer of 1940 in the wake of the German victory. The confiscations of Jewish collections began in August and were carried out first by agents of the German embassy in Paris and then by roaming bands of pillagers under the authority of Alfred Rosenberg and, ultimately, Reichsmarschall Hermann Göring. Antisemitic laws enacted by the Vichy regime had facilitated the Germans' task by stripping citizenship rights from Jews who had fled the country. The assets left behind by the Jewish émigrés—real estate, furniture, bank accounts, and art collections—were thus considered "abandoned." A power struggle between French and German authorities to control the assets ensued, the Vichy government asserting its sovereignty by claiming a right to control the seized art collections.\(^9\)

While a wide range of French officials held a common interest in keeping the works from Jewish-owned collections on French soil, they also had competing objectives. According to a French law promulgated on 23 July 1940, assets liquidated from Jews who had been stripped of their nationality were to be sold at public auction.


auction for the benefit of a national charity program called Secours National. Those who promoted the charity program shared the view of Lucien Humbert, a legal advisor to the French delegation for the occupied territories. Humbert called Secours National "a work of charity and social solidarity par excellence," and he argued that Jewish assets ought to be liquidated in the "most methodical and useful manner."

In contrast, French museum officials feared that the public auctions would lead to a sudden exodus of valuable works of art, as they would most likely be bought by Germans, who enjoyed a favorable exchange rate, or wealthy collectors in the United States and Switzerland. The museum administration offered another solution in which it would "buy" the confiscated works from the agency that administered the sale of seized assets, the Direction Générale de l'Enregistrement des Domaines et du Timbre. Due to the law that established the Secours National, the museum administration could not merely acquire the works outright. Rather, it was required to transfer funds from its budget to that of Secours National.

In order to carry out this plan, Jaujard and his colleagues created an organization called the Comité supérieur de séquestres et liquidations. The museum administration planned to search for valuable works of art

---


11 Letter from Lucien Hubert to the Militärbefehlshaber in Frankreich (MBF), 18 Dec. 1940, Centre de documentation juive contemporaine, Paris [hereafter CDJC], XXI-19.

in homes formerly owned by Jewish émigrés. Showing remarkable self-confidence and naïveté, they planned to do so with the permission of German authorities who already occupied many of the homes. The agents then would make a list of the most valuable works for which the museum administration would exercise a droit de préemption, or right of first refusal, regardless of the objects' estimated value. The division that managed the Secours National program would then provide trucks to transfer the selected works to museums or storage depots. The rest of the objects would be sold at public auction "as soon as possible," and the proceeds would benefit the charity program.¹³

Since the Direction des Musées would be forced to transfer funds to Secours National, the fine arts budget was greatly expanded, despite the French government's significant financial obligations to Germany.¹⁴ By January 1942, the Ministry of Finance had approved an acquisition credit of sixty million francs for the sequestered works, plus an additional six million francs to buy other pieces that were flooding the Parisian art market, for a total of sixty-six million francs. In comparison, the original fine arts acquisitions credit for 1941 had totaled a mere seven

¹³ "Extrait du Procès Verbal du Comité Supérieur de séquestres et liquidations," 8 Aug. 1941, Archives Nationales [hereafter AN], F/21/7095.

¹⁴ In accordance with the armistice agreements, France was forced to pay 400 million francs per day in occupation costs. By the fall of 1943, fifty to sixty percent of French agricultural and industrial production served the Germans. For occupation costs, see Robert Paxton, *Vichy France: Old Guard and New Order, 1940-1944* (New York: Columbia University Press, 1972), 53. Regarding French production for the Germans, see Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York: Knopf, 1999), 157.
Assuming the acquisitions credit for 1942 would have remained the same (at most), the total credit for 1941 and 1942 would have been around fourteen million francs. Thus, the new credit of sixty-six million francs was almost five times greater than the original acquisitions credit for 1941 and 1942—this during a wartime economic crisis. The Ministry of Finance approved this stunning budgetary increase due to the importance of "keeping these works in the national patrimony."\textsuperscript{16}

Despite the efficacy of the German pillages, the French Domaines agency succeeded in sequestering works from a few prestigious art collections. As a detailed analysis of the sequesters is beyond the scope of this brief paper,\textsuperscript{17} I will focus on works from two collections in particular: those owned by two members of the Rothschild family, Robert and Maurice. French authorities were able to seize only a part of these extensive collections, but they included highly valuable paintings by Rembrandt, Fragonard, Renoir, Degas, Cézanne, and Picasso. These works were masterpieces that the museum administration could not afford to buy on the open market. In their postwar memoirs, former museum officials such as Lucie Mazauric describe the sequesters as "simulated acquisitions" designed to keep the works out of German hands, similar to the "donations" offered by Jewish collectors just prior to the German

\textsuperscript{15} For the original acquisitions credit, see "Budget de 1941: Développement par chapitres des modifications apportées au budget de l'exercice 1941," (Paris: Imprimerie nationale, 1941), AN F/21/4723. For the new acquisitions credit, see letter from Jacques Jaujard to the Direction Générale de l'Enregistrement, des Domaines, et du Timbre, 21 Jan. 1942, AMN R20.4.2.


\textsuperscript{17} For a more detailed analysis, see Karlsgodt, chap. 4.
invasion. French authorities, according to these authors, intended to house the works in public museums only until the end of the war, and eventually to return them to their rightful owners.\textsuperscript{18}

Wartime correspondence among museum and finance officials, however, reveals that this was not a "simulated acquisition." Rather, funds were provided so that the Direction des Musées could permanently place these works in the public collections. On 4 July 1941, René Huyghe, Director of Paintings at the Louvre, wrote a letter to Jaujard explaining that highly valuable works such as those in the Robert and Maurice de Rothschild collections were becoming "more and more difficult for a museum like the Louvre to obtain." Over the past several years, he continued, the Louvre had been incapable of buying the high-quality works that would maintain its world-class collection. "Our credits," Huyghe argued, "have not kept pace with the increase in prices." If the Direction des Musées were able to obtain the sequestered works, the acquisition would not only substantially enrich museum collections, but also provide a much-needed "moral benefit" to the French people. Huyghe summarized his argument as follows: "The state's interest in maintaining a growth policy for the Louvre museum would be at once a sign that the defeat did not lead to French laxity, and that our country considers itself faithful to its civilizing mission."

Huyghe then analyzed the inventory of the Robert de


\textsuperscript{19} Letter from René Huyghe to Jacques Jaujard, 4 July 1941, AN F/21/4723.
Rothschild collection, noting the works that would best complement the Louvre's permanent collection. Of particular interest were two portraits by Rembrandt. "While the Louvre is among the top museums in Rembrandt pieces," Huyghe explained, "his early years as a portrait artist are unfortunately quite poorly represented; these two masterpieces," with an estimated value of five million francs, "would fill a gap in our collection." Another "gap would be filled" by the acquisition of a portrait by the English painter Gainsborough, estimated at two million francs. The Rothschild collection, moreover, contained three high-quality Renoirs that were "completely different from what we have already shown to the public." One was a still life, "a veritable masterpiece with striking lyricism," all the more valuable to the Louvre, according to Huyghe, since "we do not have any still life paintings by Renoir." The Bathers by Cézanne, estimated at half a million francs would also complement the museum's current holdings. In all, Huyghe estimated that nearly thirteen million francs would be necessary to acquire the desired works for the Robert de Rothschild collections alone, plus a similar amount for those of Maurice de Rothschild and Edouard Jonas. In concluding, Huyghe stressed the difficulty of giving accurate price estimates since currency values had shifted dramatically since the beginning of the war. Thus, he deliberately gave high estimates so that "no one would suspect the state of exploiting the situation to benefit from favorable conditions."  

In the end, the museum administration held the works until the Liberation, when they were returned to the Rothschild family.  

---

20 Ibid.  
21 Le Masne de Chermont and Schulmann, eds., 28-29.
its right of first refusal on several other collections, and in each case returned the works to their rightful owners after the war.\textsuperscript{22}

**The Postwar Aftermath**

According to the most recent figures published by the Musées de France, about sixty-one thousand works of art, pillaged from two hundred French families, were found in Germany after the Liberation and returned to France. Of these recuperated works of art, around forty-five thousand were returned to Jewish victims and their heirs who were able to provide proof of ownership. Other Jewish families, however, were either not aware the museum administration was holding works that were rightfully theirs, or did not have the required documentation. By the fall of 1949 around fifteen thousand works were still unclaimed. According to a decree instituted on 30 September,\textsuperscript{23} all unclaimed works were to be overseen by the Domaines agency, which would eventually sell them through public auctions.

Yet many of the unclaimed works were valuable pieces worthy of the national museum collections. As a result, a special commission was created to select works that would remain under the guardianship of the museum administration. Jacques Jaujard, who was now Director of Arts and Letters in the Fourth Republic, headed this commission. In all, about two thousand works were chosen for public museums, and the rest were auctioned off discreetly between 1950 and 1953.\textsuperscript{24} The unclaimed works,

\textsuperscript{22} Ibid. The authors point out one exception: a case of lost porcelain pieces for which the owner was compensated.


\textsuperscript{24} Le Masne de Chermont and Schulmann, eds., 40-42.
known as the "MNRs" (musées nationaux récupération) remained in the hands of the museum administration for the next forty years. Surprisingly, no research was conducted to try to locate the rightful owners of the unclaimed works, despite the government's access to extensive provenance archives. Moreover, there was no significant challenge to the museum administration's guardianship over the unclaimed works.

Several memoirs of former museum officials were published after the war, focusing on the extraordinary evacuation effort of 1939 and the challenges faced by museum officials who managed the storage depots. Together, these accounts elevated Jaujard to legendary status, making him the most celebrated Resistance hero of the Musées de France.\(^{25}\) This perspective even appears in more recent books, such as Lynn Nicholas' *The Rape of Europa* (1995).\(^ {26}\) It was the first book on the art pillages to receive widespread media and public attention in France. Nicholas, a journalist by trade, examined the impact of the Nazi pillages across Europe based on public archives in Washington, D.C. and Paris, as well as numerous interviews and secondary sources. In the case of France, Nicholas did not have access to key archives that have only recently been declassified. Thus, she relied heavily on postwar memoirs by former museum officials such as Lucie Mazauric,\(^ {27}\) who presents an impeccable image of French administrators during and after the war. Not surprisingly,


\(^{26}\) See full citation in note eighteen.

\(^{27}\) Mazauric, *Le Louvre en voyage*.
the Musées de France in recent years has commended Nicholas' work and even sought her guidance while compiling its contribution to the Mattéoli commission report.\textsuperscript{28}

In contrast, Hector Feliciano, an American journalist and former cultural writer for the \textit{Washington Post} and the \textit{Los Angeles Times}, created controversy in 1995 when he published \textit{Le Musée disparu} (English translation \textit{The Lost Museum}, 1997). Feliciano was much more critical of the Musées de France than Nicholas, emphasizing the agency's lack of initiative in trying to locate the rightful owners of the MNRs. Using copies of recuperation archives held in Washington, D.C., Feliciano was able to trace probable owners of a few paintings, illustrating that the French government could use its own copies of the same archives to find additional owners of the unclaimed works. The Mattéoli report, later published in 2000, described Feliciano's conclusions as "sometimes premature," but acknowledged that his work "reawakened public consciousness" and "affirmed that restitution is possible."\textsuperscript{29}

The publication of Nicholas and Feliciano's books in the mid-1990s coincided with demands by the World Jewish Congress and other organizations for the compensation of Jewish victims and their heirs to redress their material and emotional hardships. As the MNRs increasingly became a public relations problem, the Musées de France organized a conference in November 1996 entitled "Pillages and Restitutions: The Fate of Artworks Taken from France during the Second World War." Nicholas and Feliciano both presented papers at the conference along with the Baron Elie de Rothschild and

\textsuperscript{28} Le Masne de Chermont and Schulmann, eds., 3.
\textsuperscript{29} Ibid., 10.
several museum officials. In addition, the Musées de France also published a catalogue listing all the MNRs and created an Internet site to facilitate public access.\(^{30}\) Over the next two years, however, few additional works were returned to their rightful owners. The Musées de France continued to avoid the key step that would have facilitated this process—actively pursuing research itself to trace the Jewish owners using provenance archives that had been transferred to the Ministry of Foreign Affairs.

In a major setback to the museum administration's public relations effort, on 28 January 1997 the French daily *Le Monde* ran a damaging front-page headline: "Museums Hold 1,955 Works of Art Stolen from Jews during the Occupation."\(^{31}\) The newspaper had gained access to a confidential report issued in January 1996 by the Cours des Comptes, the French equivalent of the General Accounting Office, and sent to the Musées de France, the budget office, and the Ministries of Justice and Culture. The report declared that since the end of the war, the museum administration had "failed to meet its obligation to publicize" the status of the unclaimed works and had not sufficiently pursued research to find the rightful owners. The issue of the Jewish works, the report noted, "illustrates how a troubling situation could continue for almost fifty years without alarming anyone, including the Direction des Musées de France."\(^{32}\)

The same week Prime Minister Alain Juppé announced

the creation of the Mattéoli commission, which would investigate the confiscation of Jewish assets during the war. The commission's final report was to be a collective catharsis and, in Juppé's words, a way to "fully inform public officials and our compatriots of this painful chapter in our history." With so much public attention focused on Jewish assets, the Musées de France could no longer avoid pursuing provenance research on the unclaimed works. This important research finally began at the end of 1998 and has greatly increased the restitution rate. For example, between 1951 and 1998 an average of less than one work was restituted each year. Once the provenance research was underway, nineteen works were restituted in 1999 alone.

By the time the Mattéoli commission report was published in the spring of 2000, the Musées de France were effectively working to resolve the issue of the MNRs. Overall, the commission praised the Musées de France for undertaking "extensive research of the history of the recuperated works of art" in the prior few years. The Musées de France created its own contribution to the commission report on the art pillages, edited by Isabelle Le Masne de Chermont, the head of libraries and archives for the Musées de France, and Didier Schulmann, head of documentation for the national museum of modern art in the Georges Pompidou center. Drawing on this text, the commission's Rapport général confidently declares, "The

---


34 Le Masne de Chermont and Schulmann, eds., 100.

pillages are a German affair." This assertion inaccurately removes French authorities entirely from the confiscation of Jewish art collections. Moreover, the text by the Musées de France treats the complicated issue of the sequesters in less than one page, describing it as "the plan created by French museum officials to protect key elements of the patrimoine national from Nazi appetites." Thus, the report's section on the art pillages does not accurately reflect information found in the national museum system's own archives.

The staying power of this skewed perspective in postwar memoirs and even more recent works, such as Lynn Nicholas' book, is due in part to a lack of access to key documents. While carrying out my research, I applied for and received authorization to use archives that had been declassified in the late 1990s. The contributors to the Mattéoli commission report, however, actually oversee these archive collections. Thus, their account leaves us to wonder whether researchers under their purview are misinterpreting information in the archives or, more plausibly, that administrators in the Musées de France are deliberately constructing a favorable interpretation of the agency's actions and inaction since the Occupation.

In the case of the sequestered collections, the perspective of Jaujard and Huyghe in July of 1941—before the war had turned decisively against the Germans—is significant. Even though the works were eventually returned to the Rothschild family after the Liberation, Jaujard and Huyghe intended to incorporate them into French public collections permanently at a time when

---

36 Mission d'étude sur la spoliation, Rapport Général, 79.
37 Le Masne de Chermont and Schulmann, eds., 28.
38 On several occasions, I have spoken to Mlle. Le Masne de Chermont in person about the archive collections.
valuable pieces were streaming to other countries through the art market. Historical texts and memoirs published by the Musées de France fail to acknowledge this wartime objective, which calls into question the postwar binary categories of Collaboration and Resistance. In this Manichaean view of French leadership, resistance figures by definition eschewed opportunism, particularly when it came at the expense of Jews.

However, a distinction must be made between the objectives of Jaujard and Huyghe during the Occupation, and those of Nazi ideologues such as Alfred Rosenberg, who sought the elimination of Jews from public life and personal profit from their assets. The museum administration sought to acquire the works only after other officials in the Vichy regime had stripped the émigrés of their citizenship rights. Once the works had no legal owner, the museum administration sought to prevent them from flowing abroad and to benefit from the unforeseen acquisitions. What mattered most to Jaujard and Huyghe was maintaining the nation's cultural heritage, regardless of the previous owners' ethnic or religious background. 39

Today, the Musées de France face two challenges: restitution and transparency. While the agency is taking belated steps to return the MNRs to their rightful owners, it

39 The Direction des Musées implemented similar measures to acquire an "abandoned" collection of archeological artifacts owned by an American citizen. The owner, a Mr. Kelley, worked at the Musée de l'Homme before the war and returned to United States when the conflict began, leaving his collection of 35,000 prehistoric artifacts at the museum. Under the Vichy regime, the fine arts administration succeeded in placing the collection on the national registry of protected works. The postwar French government then sought a voluntary agreement from Mr. Kelley to keep the collection on the national registry. See documents in the archives of the Médiathèque du Patrimoine, Paris, 80.6.10, folder six.
appears unwilling to recognize that its former leaders succumbed to a kind of institutional opportunism, in which unclaimed works were held for public use. To scrutinize the actions of Resistance heroes would mean revising a carefully constructed memory of the Occupation, in which the Germans pillaged, and the French (as opposed to "Vichy") resisted and unfailingly defended the interests of Jewish collectors. Yet the actions–and inaction–of the Musées de France go beyond a manipulation of memory or public perception. It constitutes the exploitation of people who held neither the power nor influence to challenge the agency's expropriation of assets that were rightfully theirs.