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## Tyrolean State Museum Ferdinandeum

### Common information

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### Provenance research

#### Provenance researcher

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The Tyrolean State Museum Ferdinandeum has also received art and cultural property from Jewish ownership, which had been seized by the National Socialist Regime. From 1938, the former "Institute for the Preservation of Monuments" in Vienna circulated object lists, with the help of which it was possible to compile "wish lists". This led to conflicts of interest between the individual museums.

Essentially, three methods of acquisition can be differentiated between:

1. Seized cultural assets, which were presented to the museums free of charge ("assigned"), on the basis of their registered interests therein and in accordance with their (local or regionally orientated) fields of collection.
2. Seized cultural assets, which were offered to the museums of the "Ostmark" at preferential prices, above all for the completion of their collections. These purchases were financed through the "Gauleitung" (National Socialist regional administration) by means of a purchase fund saved by the Institute for the Preservation of Monuments in Vienna.
3. The Ferdinandeum however also acquired objects from Jewish collections through purchase or exchange. In the Reitlinger case, the entire household seized by the "Gauleitung" was stored in the Ferdinandeum.

During the war, these holdings - just as the museum's own - were placed and further cared for in various safe havens, due to the danger of being bombed.

After the war, the lawyer Dr. Ernst Durig, retired president of the Constitutional Court, was voted chairman of the association „Verein Tiroler Landesmuseum Ferdinandeum“. His presence certainly guaranteed a correct procedural method in connection with the imminent restitutions according to the laws valid at the time, it does not however satisfy present day moral demands – or actually even those of the time. Besides the "registration of confiscated property" by the Ferdinandeum, demanded by law, the aggrieved persons themselves laid claim to their seized property. On the basis of the association status of the Ferdinandeum, the Third Restitution Act (restitution of confiscated property in private ownership) was applicable, though often the claims were settled by agreement.

The association did however ask for compensation in the form of "donations" for the costs which came about during the rescue, that is to say donations of formerly confiscated objects or sums of money. The aggrieved persons, who were only able to use their collections under the condition that they leave certain works of art to Austrian museums, generally consented to these "requests" for donations and dedications.

In a few cases, it seems that objects were not restituted due to missing information and documents or also due to the legal situation at the time.

After the Second World War, the restitution of art and cultural assets which had been confiscated from Jewish ownership took place in the Tyrolean State Museum Ferdinandeum according to the laws valid at the time. The historical research regarding the restitutions which has been carried out up to now shows however, that the Austrian State had a general tendency of retaining as many artworks as possible in Austrian museums, through a rigorous and strict interpretation of the pertinent laws regarding the aggrieved persons, as well as through the often short deadlines granted etc. Also in the case of the Tyrolean State Museum, the relevant statutory provisions were repeatedly made the most of.

Additionally, “help” from the Federal Office for the Protection of Monuments was happily accepted by the Ferdinandeum, which in many cases put the former owners under pressure by its power to impose a ban on exports. This resulted in the problem of the “donations”, which the Ferdinandeum had “requested” in connection with the restitution of former Jewish property and which are still to be found in the museum’s collections today.

In the course of its provenance research, the museum devoted particular attention to the “property of the Supreme Commissioner”, the “Gauleiter” (head of the regional administration) Franz Hofer: As late as 1945, three chests with paintings from the “property of the Supreme Commissioner for the Operations Zone Alpenvorland” were recovered from the Friedberg castle. These were not opened until 15 June 1951. In one chest, the painting “Schwur der Tiroler Bundesgenossen” (Oath of the Tyrolean Confederates) by Albin Egger-Lienz was found, the whereabouts of which the owner Erwin Kreibitz had been researching since 1950. The painting was restituted to Kreibitz. The other two chests contained a further 15 pictures, the majority of them by Albin Egger-Lienz. As the owners were unknown, it was decided to leave them “in the safekeeping of the Ferdinandeum”. On the corresponding index cards, it was noted that they came from the “property of the Supreme Commissioner”. The paintings are still kept by the museum today and their former owners are sought by - among other means - publishing the objects in the Art Data Base of the National Fund.