

II. OVERVIEW: Historical Background

The following summarizes the looting agencies within the Reich, the looting agencies outside of the Reich, and restitution efforts after the war. Although the focus is Germany, other countries allied with Nazi-Germany that are not covered also implemented anti-Jewish laws that allowed for the confiscation of Jewish property.

1.1. Synopsis of Anti-Jewish Legislation⁶

The Nazis enacted a plethora of anti-Jewish decrees and laws: all of these decrees were aimed at slowly and methodically limiting and prohibiting Jews to continue living their civilian, professional and economic lives. At the end of this long path of constant humiliation and deprivation was total destruction and murder.

What follows is a brief overview of some of the Nazi laws that enabled and sanctioned not only the exclusion of Jews from their own society, but provided the legal framework for the looting and expropriation of individual, communal and commercial property. The list below can only provide a glimpse into the massive legal repercussions faced by Jews and other “enemies”, considering that during the first six years of Hitler’s dictatorship, from 1933 until the outbreak of war in 1939, Jews felt the effects of more than 400 decrees and regulations that restricted all aspects of their public and private lives.⁷

Moreover it should be noted that the list only focuses on Nazi-laws enacted within Nazi-Germany, including those territories it annexed. Other countries enacted similar restrictions, such as Vichy France.⁸

⁶ The text below will provide a very basic overview of the plethora of laws that were enacted with the aim of depriving Jews and other “enemies” of Nazi-Germany of their property. More in-depth discussions on the ‘legal’ confiscation and aryanization carried out by the Nazis can be found in the following studies: Dean, Martin. *Robbing the Jews. The Confiscation of Jewish Property in the Holocaust, 1933-1945*. Cambridge University Press in association of the United States Holocaust Memorial Museum, 2008; Edelheit, Abraham. Edelheit, Hershel. “Legislation, Anti-Jewish” In: *History of the Holocaust: A Handbook and Dictionary*, Boulder: Westview Press, 1994, pp 299-331. A fairly in-depth compilation of anti-Jewish laws can be found at: http://ns-quellen.at/gesetzesgruppe_anzeigen_detail.php?gesetzesgruppe_id=325&action=B_Read, last accessed on 1 October 2015.

For additional books and articles on the looting of cultural property please see the bibliography section of the Claims Conference’s art website: <http://art.claimscon.org/resources/resources-bibliography/>

⁷ “Anti-Jewish Legislation in Prewar Germany.” <http://www.ushmm.org/wlc/en/article.php?ModuleId=10005681>, last accessed 5 October 2015.

⁸ Karlsgott, Elizabeth. *Defending National Treasures. French Art and Heritage Under Vichy*. Stanford: Stanford University Press, 2011, p. 208: “The German art pillages prompted vehement and persistent protests from a wide range of French officials, all of whom had an interest in keeping the nations artistic patrimony on French soil. None, however, denounced the confiscation of Jewish-owned art in principle but instead argued that German looting violated French national sovereignty. (...)” Please note that Vichy had its own anti-Jewish legislations. On 3 October 1940 the Jewish Statute was enacted which excluded Jews from positions of influence in education, the arts, journalism, publishing and for example the upper ranks of civil service. In July 1941, a second statute was enacted that widened the restrictions in place for Jews. These decrees were only two among the 50 anti-Jewish measures that were implemented in 1940 and 1941.

1933

Law for the Restoration of the Professional Civil Service (*Gesetz zur Wiederherstellung des Berufsbeamtentums*, shortened to *Berufsbeamtengesetz*) – April 7, 1933

The law was enacted a week after the nation-wide boycott of Jewish businesses and excluded all racial and political “enemies” of the regime from the civil service.

1934

Law Concerning the Revision of the Specifications of the Reich Flight Tax (*Gesetz über Änderung der Vorschriften über die Reichsfluchtsteuer*) – 18 May 1934

Originally enacted in 1931 in order to prevent the wealthy from leaving impoverished Germany during the great depression, the Reichsfluchtsteuer became a punitive anti-Semitic tax.

1935

Reich Citizenship Law and Law for the Protection of German Blood and German Honor (Nuremberg Laws) (*Reichsbürgergesetz; Gesetz zum Schutz des Deutschen Blutes und der Deutschen Ehre*) – September 15, 1935

The Reich Citizenship Law declared those not of German blood to be *Staatsangehörige* (state subjects) while those classified as Aryans were *Reichsbürger* (citizens of the Reich).

Consequently, Jews were no longer citizens of Germany and instead were made dependents of the state. The second act, the Law for the Protection of German Blood and German Honor forbade marriage and sexual relations between Aryans and “non-Aryans”.⁹

1938

Decree on the Registration of Jewish Property (*Verordnung über die Anmeldung des Vermögens von Juden*) – April 26, 1938

The Decree on the Registration of Jewish Property ordered all Jews possessing more than 5,000 RM worth of assets to register their property. A similar process of property registration was repeated for Jews attempting to emigrate and those awaiting deportation.¹⁰

Law on the Confiscation of Products of Degenerate Art (*Gesetz über Einziehung von Erzeugnissen entarteter Kunst*) – May 31, 1938

The law stated that “degenerate art” in museums or collections open to the public before the law’s enactment could now be appropriated by the government without compensation.

Decree for the Elimination of Jews from German Economic Life (*Verordnung zur Ausschaltung der Juden aus dem deutschen Wirtschaftsleben*) – November 12, 1938

⁹ Between 1935 and the outbreak of the war in 1939, at least 121 further laws and ordinances were published. (see also Edelheit, Abraham. Edelheit, Hershel (ed.) “Legislation, Anti-Jewish.” *History of the Holocaust: A Handbook and Dictionary*. Bohlder: Westview Press, 1994, pp 299-331.

¹⁰ Germany was not the only country to implement decrees ordering Jews to register their property. Similar laws were issued in Vichy France, Romania, Bulgaria, Croatia, Slovakia, and Hungary.

The legislation successfully excluded Jews from participating in Germany's economic life and stipulated the immediate liquidation of businesses owned by Jews.

Decree on the Utilization of Jewish Property (*Verordnung über den Einsatz des jüdischen Vermögens*) – December 3, 1938

The decree made Aryanization of all Jewish businesses, regardless of the nationality of the Jewish owner, compulsory and imposed a deadline for the sale or liquidation of a Jewish firm.

1940

13. Decree on the Treatment of Enemy Property (*Verordnung über die Behandlung feindlichen Vermögens*) – January 15, 1940

This decree as well as three subsequent supplemental orders governed the treatment of property in Germany owned either directly ("enemy property") or indirectly ("under decisive enemy influence") by enemies of Germany. The decree blocked all enemy property in its existing ownership; no property could be transferred except by an Administrator appointed by the local Court of Appeal in an ex parte proceeding brought by the Reichskommissar for Enemy Property.

1941

Decree issued by the Führer and the Reichskanzler regarding the utilization of confiscated property from enemies of the Reich (*Erlaß des Führers und Reichskanzlers über die Verwertung des eingezogenen Vermögens von Reichsfeinden*) – May 29, 1941

This decree allowed for the legal confiscation of property by those declared enemies of the Reich.

The Eleventh Decree to the Reich Citizenship Law (*Elfte Verordnung zum Reichsbürgergesetz*) – November 25, 1941

The 11th decree to the Reich Citizenship Law legalized the automatic confiscation of property from German Jews deported to the East and deprived German Jews who resided abroad of their German nationality.

1943

The Thirteenth Decree to the Reich Citizenship Law (*Dreizehnte Verordnung zum Reichsbürgergesetz*) - July 1, 1943

The 13th decree to the Reich Citizenship Law stipulated that the Reich is the legal heir to all property of a deceased Jew.

1.2. Spoliation of Jewish Property

The spoliation of Jewish cultural and religious property was an official part of the Nazis' campaign against those labeled as "ideological enemies of the Reich." Aside from objets d'art, a myriad number of Jewish cultural and religious objects were also looted from 1933 to 1945, including various kinds of Judaica, such as ritual, sacred and/or everyday objects, books, and archives. Numerous looting agencies, both within the Reich (including those territories that were annexed to Nazi Germany such as Austria, Poland, Silesia, and former Czechoslovakia), as well as agencies operating outside of the Nazi-occupied territories were responsible for what can be called the greatest theft in the history of humanity.¹¹

Looting within the Reich commenced as early as with the Nazis' rise to power in 1933 and the ongoing and continuous expulsion of Jews from professional life. With the April 1938 decree *Verordnung über die Anmeldung des Vermögens der Juden* that ordered the registration of Jewish property and the November pogrom, the so-called *Reichskristallnacht* during the night of November 9th to November 10th, 1938¹², the Nazis' state-orchestrated looting significantly intensified.¹³ The December 3rd, 1938 decree entitled *Verordnung über den Einsatz des Jüdischen Vermögens* (Decree on the Mobilization of Jewish Property), issued by the Reich Economics Ministry (RWM) provided an additional legal basis permitting the spoliation of Jewish property during this early looting spree.¹⁴ This law was subsequently followed by several others, all of which increasingly limited the rights of Jews and other "enemies of the state" and provided the basis for the continuous expropriation of Jewish cultural and religious property.

a) Looting agencies within the Reich

Among agencies that were active within the Reich or in territories annexed to the Reich were the *Reichssicherheitshauptamt* (RSHA; The Reich Security Main Office) and its predecessors: the *Sicherheitsdienst* (SD), the *Sonderkommando Paulson* (Special Command Paulson) and the *GESTAPO* (*Geheime Staatspolizei*; Secret State Police).¹⁵ But at the end it was the cooperation

¹¹ Grimsted, Patricia Kennedy. "Tracing Patterns of European Library Plunder: Books Still Not Home from the War." *Jüdischer Buchbesitz als Raubgut*. Dehnel, Regine (ed.). Zweiter Hannoverisches Symposium. Frankfurt am Main: Vittorio Klostermann, 2006, p 143.

¹² On November 7, 1938, Herschel Grynszpan, a 17-year-old Jew, shot the German diplomat Ernst vom Rath in Paris in protest against the persecution of Jews. Vom Rath died of his injuries a couple of days later. As a response, the *Reichspropagandaminister*, Joseph Goebbels, orchestrated in the night from November 9 to 10, 1938, a pogrom across the entire "Reich" directed at the Jewish population as a "spontaneous" act of retaliation. As a consequence of *Reichskristallnacht*, more than 200 synagogues were destroyed and tens of thousands of Jewish businesses and homes were ransacked. In addition, 92 Jews were murdered and between 25,000 and 30,000 were arrested and deported to concentration camps.

¹³ Heuß, Anja. "Bücherraub in der Zeit des Nationalsozialismus – Akteure und Strukturen". *Jüdischer Buchbesitz als Beutegut. Eine Veranstaltung des Niedersächsischen Landtages und der Niedersächsischen Landesbibliothek*. Symposium im Niedersächsischen Landtag am 14. November 2002. Heft 50 der Schriftenreihe des Niedersächsischen Landtages. Der Präsident des Niedersächsischen Landtages, January 2003, p 28.

¹⁴ McQueen, Michael. "The Conversion of Looted Jewish Assets to Run the German War Machine". *Holocaust and Genocide Studies* 18.1 (2004), p 28.

¹⁵ Schidorsky, Dov. "The Library of the Reich Security Main Office and Its Looted Jewish Book Collection". *Libraries & the Cultural Record* 42.1. (2007), pp 21-47; Grimsted, Patricia Kennedy. "'Twice Plundered' or

among these organizations, but in particular among the SD, the police and the Gestapo, that provided the framework for the extensive looting of Jewish cultural and religious property.¹⁶

The RSHA's predecessors: The SD, Sonderkommando Paulson, GESTAPO:

At the initiative of Henrich Himmler, the *Sicherheitsdienst des Reichsführers SS* (SD; German Security Service) was created in 1931 as the intelligence branch of Hitler's bodyguards. Yet the SD was also responsible for the security of the Third Reich, the National Socialist Party, and Hitler himself.¹⁷ From its inception, Reinhard Heydrich was appointed to head up the operation. After his death in 1942, he was succeeded by Ernst Kaltenbrunner, who not only directed the SD but also the *Reichssicherheitshauptamt* (RSHA).¹⁸ One of the SD's main tasks was the so-called *Gegnerforschung* or *Gegnerbeobachtung und –bekämpfung* (Enemy Research; Enemy Observation – and Enemy Abatement). This “enemy research” was not limited to Jews, but also targeted Freemasons, political churches, and followers of Marxism or Liberalism. As a result, literature of these ‘enemy groups’ was confiscated or outright looted and afterwards handed to the *SD-Referate* (SD-offices) for further analysis, followed by more research conducted by experts within the RSHA Amt VII. However, the SD did not only have to loot literature and other cultural property, it also gained a significant amount of material through cooperation with professors, librarians, archivists and other experts.¹⁹

In November 1934 the SD was relocated from Munich to Berlin, and in 1935, Heinrich Himmler ordered the establishment of a “central scientific library” within the SD. The SD's central library was designed to include political literature that was defined as “damaging and undesirable,” including literature dealing with Judaica, Hebraica, liberalism, pacifism, Marxism, psychoanalysis, sexology, anthroposophy, occultism, Masonic literature, political churches, sects, and critiques of Nazism.²⁰

The pogrom of November 9-10, 1938 and its inherent eruption of violence significantly increased the collection of the soon-to-be-established central library. Among confiscations that entered the SD's collection as a result of *Reichskristallnacht* were the holdings of the Berlin, Breslau, Hamburg, Dresden, Munich and Frankfurt rabbinical seminaries, amounting to about 70 collections. Soon thereafter the collection of the “Zentralvereins Deutscher Staatsbürger Jüdischen Glaubens” (Central Association of German Citizens of Jewish Faith) entered the library as well as collections from other Jewish organizations and individuals.²¹

‘Twice Saved’? Identifying Russia's ‘Trophy’ Archives and the Loot of the Reichssicherheitshauptamt”. *Holocaust and Genocide Studies* 15, no. 2 (Fall 2001), pp 191-244.

¹⁶ Botsch, Gideon. “Raub zum Zweck der Gegnerforschung.” *Raub und Restitution. Kulturgut aus jüdischem Besitz von 1933 bis heute*. Bertz, Inka and Michael Dormann. (ed.) Frankfurt am Main: Jüdisches Museum Berlin, 2008, p 91.

¹⁷ Schidorsky, p 21.

¹⁸ For more information on the SD see: Wildt, Michael. *Die Judenpolitik der SD 1935 bis 1938. Eine Dokumentation*. Munich: Oldenbourg, 1995; Aronson, Shlomo. *Reinhard Heydrich und die Frühgeschichte von Gestapo und SD*. Stuttgart: Deutsche Verlags-Anstalt, 1971; Browder, George C. *Foundations of the Nazi Police State. The Formation of Sipo and SD*. Kentucky: Lexington, 1990.

¹⁹ Botsch, p 93.

²⁰ Schidorsky, p 23.

²¹ Botsch, p. 95.

By 1939, the central library of “opposition collections” became operative after the various Jewish libraries were consolidated into one unit headed by Franz Alfred Six. By the time the RSHA was established in September 1939, the SD’s Jewish library had not only collected about 300,000 books,²² but Franz Alfred Six had also proposed that existing divisions within the central library should be given a new organizational structure.²³ After some time, Six’s suggestions were not only carried out, but he was also put in charge of the RSHA’s Amt VII and put in charge of the research on opponents of the regime and named head of Ideologies—Research and Evaluation. Among his responsibilities was the development of a library, a museum, and scientific research.²⁴ According to Dov Schidorsky, “What set this department aside from similar research institutions was the fact that its activities, both organizationally and conceptually, had a direct connection to the policy of extermination of the Jewish people.”²⁵

At the same time the RSHA was established, the *Sonderkommando Paulson* was tasked by the RSHA to confiscate cultural objects in Poland. Peter Paulson, the leader of this special unit, was a GESTAPO *Unterscharführer* (Lieutenant). He worked closely with Ernst Peterson, who provided him not only with necessary contacts within the SD and helped him gather intelligence but was also instrumental in the creation of the *Sonderkommando* itself.²⁶ The leading force behind the *Sonderkommando* was Heinrich Himmler’s *Ahnenerbe*,²⁷ which employed art historians and experts to draft lists of museums, noteworthy prehistoric material, and valuable art collections for confiscation. The research conducted by these experts was put at the disposal of Himmler’s forces and more specifically at the disposal of the *Sonderkommando Paulson*.²⁸

Between October and December 1939, the *Sonderkommando Paulson* was able to loot numerous cultural objects,²⁹ in addition to prehistoric, ethnographic and scientific collections, as well as various special libraries, mostly from the cities of Cracow, Sandomir, Warsaw and Lublin.³⁰ However, the *Sonderkommando*’s most significant looting prior to its dissolution took place in the summer of 1940 and involved the seizure of the altarpiece in the church of Maria in Krakow.³¹ Further looting sprees by the *Sonderkommando Paulson* were subsequently inhibited by Hans Frank, who had his own looting agenda in mind. In summary, the damage caused by the

²² As Grimsted noted, “Himmler’s patronage proved stronger than Rosenberg’s, and none of this Judaica was transferred to the IEJ.” Grimsted, Patricia Kennedy. “Roads to Ratibor: Library and Archival Plunder by the Einsatzstab Reichsleiter Rosenberg”. *Holocaust and Genocide Studies* 19.3 (2005), p 409.

²³ Schidorsky, p 24.

²⁴ Ibid, p 25.

²⁵ Ibid, p 25.

²⁶ Petropolous, Jonathan. *Art as Politics in the Third Reich*. Chapel Hill: University of North Carolina Press, 1996, p 102.

²⁷ The *Ahnenerbe* (Studiengesellschaft für Geistesurgeschichte, Deutsches Ahnenerbe e.V – Study Society for Primordial Intellectual History, German Ancestral Heritage [registered society], after 1937 renamed *Forschung- und Lehrgemeinschaft das Ahnenerbe e.V.* – Research and Teaching Community the Ancestral Heritage [registered society]), was founded in 1935 by Heinrich Himmler and had as its goal research on the anthropological and cultural history of the Aryan race. For more information see Kater, Michael. *Das “Ahnenerbe” der SS 1935–1945. Ein Beitrag zur Kulturpolitik des Dritten Reiches*. Studien zur Zeitgeschichte. Munich: Oldenbourg, 2001.

²⁸ Petropolous, p 102.

²⁹ Most cultural objects were looted in October 1939.

³⁰ For more information on the *Sonderkommando Paulson*, see for example: Mezynski, Andrzej. *Kommando Paulsen. Organisierter Kunstraub in Polen 1942–45*. Köln: Dittrich Verlag, 2000.

³¹ Petropolous, p 103.

Sonderkommando Paulson was limited, especially in comparison with the agencies of Himmler and Göring.³²

Before turning to the looting sprees directly organized by the *Reichssicherheitshauptamt* (Reich Security Head Office; RSHA), the looting carried out by the Gestapo should also be briefly described.³³ Founded on 26 April 1933 by Hermann Göring, then Prussian Minister of Interior, and headed by Reinhard Heydrich beginning in April 1934, the Gestapo developed into a secret *Gesinnungspolizei*. Its main responsibility was the systematic fight against people labeled as enemies of the NS-regime, in particular communists, socialists and Jews. Organizationally speaking, in 1941 the Gestapo took over Amt IV within the RSHA and entitled it *Gegnerforschung- und bekämpfung*.³⁴ The Gestapo was the main operational center for anti-Jewish persecution policy, with Adolf Eichman playing a central role in it. By 1944, it employed about 32,000 people.

Between 1938³⁵ and 1941, the Gestapo was largely responsible for the practical implementation of anti-Jewish policies. In doing so, it often dealt with Jewish communities and in the process confiscated their cultural and religious properties, including objects held by synagogues or Jewish museums.³⁶ As a result, Adolf Eichmann's Gestapo-Referat *Zentralstelle für Jüdische Auswanderung* (Central Office for Jewish Emigration) decided to establish a Jewish Central Museum in Prague. This museum, once established, was to hold cultural and religious objects looted from communities in Bohemia and Moravia, and Jewish experts in the field would be forced to work with the museum.³⁷

By 1941, the Gestapo started to liquidate its inventory of cultural objects. While many of Hitler's agents were given first choice, other cultural objects were sold by an agency called the *Vugesta* (an acronym for *Vermögens-Umzugsgut von der Gestapo* or Property Removed by the Gestapo) and headed by Karl Herber. The *Vugesta*'s proceeds for the years 1941 and 1944, accounted to 14 million Reichsmark, of which 10 million Reichsmark came from the Dorotheum auction house.³⁸ The revenues of these auctions went to the Reich (or the federal government) by way of the Finance Ministry.³⁹

Reichssicherheitshauptamt (Reich Security Head Office; RSHA):

In 1939 the RSHA was created by combining the SD, the secret police, and the criminal police, with Reinhard Heydrich heading the organization. The RSHA thus “became one of the more

³² Ibid, p 103.

³³ For more information on the Gestapo, see: Butler, Rupert. *The Gestapo: A History of Hitler's Secret Police 1933-45*. Barnsley: Leo Cooper, 2004.

³⁴ Botsch, p 97.

³⁵ The Gestapo's launch in confiscating Jewish-owned cultural property, mostly art, began in annexed Austria following the *Anschluss* in March 1938.

³⁶ Botsch, p 97.

³⁷ For more information on the Jewish Central Museum, see, for example: Rupnow, Dirk. *Täter-Gedächtnis-Opfer: Das 'Jüdische Zentralmuseum' in Prag 1942-1945*. Wien: Picus, 2000.

³⁸ Junz, Helen. *Das Vermögen der jüdischen Bevölkerung Österreichs. NS-Raub und Restitution nach 1945*. Wien, München: Oldenbourg, 2004, p 182.

³⁹ Petropolous, Jonathan. “For Germany and Themselves: The Motivation Behind the Nazi Leaders' Plundering and Collecting of Art”. Part II. http://spoils.libfl.ru/spoils/eng/spoil5_2.html

significant agents of the looting of Jewish public and private library collections under the Nazi regime.”⁴⁰

Within the RSHA, the main department responsible for the looting of Jewish cultural treasures (predominantly libraries and archives) was Department VII⁴¹ “*Kultur*” (culture),⁴² located in Berlin’s Emsertrasse 12/13.⁴³ The other principal building in Berlin that housed the RSHA library before evacuation in 1943 was the Eisenacherstrasse 11/13 depot (a former Masonic lodge), which held approximately 100,000 volumes.⁴⁴ And it was the RSHA’s staff itself, which included SS men, that was responsible for the looting in addition to making decisions as to what should happen to the looted material.⁴⁵

As early as 1937, officials of the RSHA planned to establish a library of looted Jewish books which was to be called simply the *Judenbibliothek*.⁴⁶ Generally speaking, most of the books looted for the RSHA library came from Jewish public and private libraries, such as books “secured” from the 150 libraries of B’nai B’rith’s offices. Additional loot came from various public and private libraries in Germany, as well as from Vienna and Warsaw. Among the libraries plundered were the collections of the rabbinical seminaries in Berlin and Breslau and the libraries of Jewish organizations, including those of the B’nai B’rith offices in Germany and Austria.⁴⁷ Another 3,600 books came from the *Leipzig Institutum Delitzschianum Judaicum*. In 1938, about 13 shipments arrived from Vienna of boxes full of books and archival material. These boxes held important collections of Austrian Jewish organizations, such as the *Israelitische Allianz*, *Hebräisches Pädagogium* and the *Union Österreichischer Juden*. In that year, the collection of the RSHA already encompassed 85,000 volumes, not including books and other treasures stolen during *Reichskristallnacht*,⁴⁸ which undoubtedly advanced the development of the central library.⁴⁹ After the invasion of Poland, in September 1939, the collections of Polish Jews, including most of the collections of the synagogues and the large Jewish libraries (e.g., the Great Synagogue on Tlomackie Street in Warsaw and the Borochof Library) were added to the RSHA library.

⁴⁰ Schidorsky, p. 21.

⁴¹ Originally Amt II (*Gegnerforschung*) was assigned to hold confiscated library collections as well as significant Judaica holdings. However, by 1941, it was Amt VII (*Weltanschauliche Forschung und Auswertung*) that held all the confiscated libraries and other cultural property. At the same time, the Gestapo took over Amt IV and entitled it *Gegnerforschung- und bekämpfung*. Botsch, p. 96

⁴² Lehmann, Klaus Dieter. “Restitution Jüdischer Kulturgüter als Aufgabe der Deutschen Kulturpolitik.” *Jüdischer Buchbesitz als Beutegut. Eine Veranstaltung des Niedersächsischen Landtages und der Niedersächsischen Landesbibliothek*. Symposium im Niedersächsischen Landtag am 14. November 2002. Heft 50 der Schriftenreihe des Niedersächsischen Landtages. Der Präsident des Niedersächsischen Landtages, January, 2003, p 19. For more information on Amt VII, see: Rudolph, Jörg. “’Sämtliche Sendungen sind zu richten an:...’ Das RSHA-Amt VII “Weltanschauliche Forschung und Auswertung” als Sammelstelle erbeuteter Archive und Bibliotheken.” Wildt, Michael (ed.). *Nachrichtendienst, politische Elite, Mordeinheit. Der Sicherheitsdienst des Reichsführers SS*. Hamburg: Hamburger Editionen, 2003, pp 204-240.

⁴³ Grimsted. “Tracing Patterns of European Library Plunder...”, p. 147.

⁴⁴ *Ibid*, p.148.

⁴⁵ Schidorsky, p. 21.

⁴⁶ *Ibid*, p 26.

⁴⁷ *Ibid*, p 21.

⁴⁸ *Ibid*, p 26.

⁴⁹ *Ibid*, p 26.

Organizationally, the library of Amt VII was divided into three groups, one of which was labeled “regime opponents,” that included Jewish books or books written by Jews (in addition to, for example, Masonic collections). Within this category, the books were organized according to the following:

Generalia, subdivided into Jewish and general reference books, Jewish periodicals, and Jewish works in series and commemorative volumes;

- 1) Hebraica;
- 2) Judaica, subdivided into the library of the Jewish Congregation of Berlin, the library of the Jewish Theological Seminary of Breslau, the libraries of the Central Association of German Citizens of Jewish Faith, and the private library of Professor Seligman of Amsterdam;
- 3) books on all non-Jewish subjects written by Jews;
- 4) Hebrew and Jewish manuscripts taken from all confiscated libraries; and
- 5) A collection of approximately 60,000 Jewish pamphlets, offprints, and reports.⁵⁰

Multiple copies were often given to other Nazi libraries, such as that of the Wannsee or the Gestapo library. Books that were classified as political and ideological literature of regime opponents were transferred to the Institute for Research into the Jewish Question in Frankfurt am Main.

During heavy Allied bombings in August 1943, an effort was made to bring the collection of Department VII to safe depositories. While over a million books of the RSHA’s book collection were evacuated to the Sudetenland (the library headquarters were in Niemes, now Czech Mimoň) from Berlin in the summer of 1943⁵¹, most of the Hebraica books were shipped to the Theresienstadt (Terezin) concentration camp, where Hebrew scholars were assigned to classify and catalogue them.⁵²

However, a number of books, including a number of Jewish collections, remained in various locations in Berlin. After the fall of Berlin, the Soviet Army was able to confiscate some of the books that were held in the Jewish department. Because the depository was not safely secured, a small part of the archives was looted by the city’s residents and especially by book dealers. Only in July 1945, through the efforts of the U.S. Army, were the remaining books secured and transferred to the Offenbach Archival Depot. Eventually Jewish Cultural Reconstruction received 77,603 books from the Offenbach depot and started to distribute them among Jewish communities and institutions but also sent many thousands of volumes to the Jewish National and University Library in Jerusalem.⁵³

⁵⁰ Ibid, p 29.

⁵¹ Please note that archives were evacuated to Silesia. Ibid. Grimsted. “The Road to Minsk.” p 370

⁵² Grimsted. “Tracing Patterns of European Library Plunder ...” p 146. (According to Grimsted, “There is now evidence that most of the Breslau materials were in Berlin by the spring of 1939, as confirmed by an RSHA May 1939 list which notes 28,000 volumes from the Breslau Rabbinical Seminary, along with another 10,000 from the Synagogue and over 8,000 from several other Breslau collections. That explains why Niemes was the source of the Hebrew manuscripts and incunabula from the Saraval Collection held by the Breslau Rabbinical Seminary recently returned from Prague to Breslau.”

⁵³ Schidorsky, p 38.

Overall, there are no concrete figures regarding the total number of books actually amassed. Estimates vary between 500,000 to one million, but also up to 2 to 3 million volumes. According to Schidorsky, the latter numbers seem more plausible, as not only Jewish collections were involved but also collections of Marxist literature and collections from Freemason orders and church sects.⁵⁴ After the RSHA took over the collections of its predecessors (the SD and GESTAPO), its cultural arm, RSHA Amt VII, specifically designated for “Ideological Research and Evaluation” (*Weltanschauliche Forschung und Auswertung*), amassed even more confiscated books than the ERR.⁵⁵ But generally speaking, it was not always clear which Nazi organization would loot which collection, and to quote Patricia Grimsted Kennedy, “On some occasions, library books and archives found in the same household or institution went to different Nazi agencies. For example, the ERR had to turn over most of the Jewish and Masonic archives plundered by the ERR in France and the Benelux countries to the RSHA Amt VII. But Amt VII generally separated out the books from the archives. While most of the Jewish books went to the Sudetenland, most of the Jewish and Masonic archives (together with those received from the ERR) were evacuated to Silesia.”⁵⁶

At the same time the RSHA’s book collections were evacuated, also in the summer of 1943, its archival materials, which included objects looted by the RSHA’s predecessors, namely the SD and Gestapo, were evacuated from Berlin and stored in the Castle Fürststein (now Polish Książ). In the beginning of May 1944, the RSHA’s archival collection was again moved, this time to Wölfelsdorf (now Polish Wilkanów), a remote Silesian village which soon thereafter “became the RSHA hideaway storage center for their vast archival plunder from all over Europe (RSHA Amt VII, C-1).”⁵⁷

The RSHA’s archival collection is of some significance, especially considering that while the *Hohe Schule* and other ERR destinations retained priority for the books seized by the ERR, the Rosenberg commandos were eventually asked to hand over their archival loot to the Amt VII.⁵⁸

⁵⁴ Ibid, p 27; In March 1939, Six proposed that the central library make use of six to eight Jewish forced laborers in order to handle the large quantities of books. He further recommended that these six to eight laborers would be paid by the Central Office for Jewish Emigration (*Reichszentrale für Jüdische Auswanderung*) and supervised by an SS command labeled *Bibliothekskommando*. However, Six’s plan was not put into practice on the grounds that, among other reasons, the RSHA personnel would refuse to work with a group of Jews and it would damage the image of the SD if the matter became known. As a result, during the library’s early years, it suffered from not only insufficient storage, but also from a lack of skilled workers. Consequently, in 1941 Six reintroduced his suggestion of employing skilled Jewish forced laborers to work in the RSHA’s library. The Federal Union of the Jews in Germany was subsequently tasked with providing eight skilled Jewish librarians. By October they started their work in the offices located in Eisenacher Strasse. In 1943, the group of Jewish librarians was increased and twenty-five more were enlisted to work in the library. (Schidorsky, p 28-29.)

⁵⁵ Grimsted. “Tracing Patterns of European Library Plunder...” p 145.

⁵⁶ Ibid, p 148.

⁵⁷ Grimsted. “Tracing Patterns of European Library Plunder...” p 149.

⁵⁸ Grimsted. “Roads to Ratibor,” p 409-410. (Grimsted pointed out that starting with 1939, Rosenberg and Himmler competed over each others loot and authority. In July 1940, for example, “Rosenberg complained that Himmler was abusing his authority and did not appreciate Rosenberg’s mission.”)

b) Looting agencies outside of the Reich

Outside of the Reich's borders, in addition to the RSHA and its predecessors, other looting agencies were also active. Among the most well-known of these were the Künsberg Special Command of the German Foreign Office (*Künsberg Sonderkommando des Auswärtigen Amtes*)⁵⁹ and starting in 1941 the *Reichsarchiv*, the *Heeresarchiv*, the *Ahnenerbe*⁶⁰, and especially the *Einsatzstab Reichsleiter Rosenberg* (ERR). It should be noted, however, that not all these looting agencies were involved in the looting of Judaica.

Because of the ERR's importance in the looting of Judaica, "and the fact that the ERR library commandos may have been responsible for the most extensive library plunder,"⁶¹ this overview will present a more detailed description of Rosenberg and the *Institut zur Erforschung der Judenfrage* (Institute for the Study of the Jewish Question, IEJ). In addition, it should also be noted that precisely because of the looting sprees of the ERR and specifically its ambition to study classified enemy groups, large Judaica libraries and archives as well as Torah scrolls and ritual silver (which were largely seized with libraries) were 'saved' from destruction. To quote Grimsted, "Ironically, many libraries and archives of the victims were 'saved' for the extensive ERR anti-Semitic research, library and propagandist operations."⁶²



Picture (1): Portrait of Reichsleiter Alfred Rosenberg.
[United States Holocaust Memorial Museum: Photograph #45232]

Einsatzstab Reichsleiter Rosenberg (ERR):

Alfred Rosenberg, born in Reval (Russia, today Estonia), after the Russian Revolution had a long and distinguished career with the Nazi party: Starting in 1923, he was the founding chief of the newspaper *Völkischer Beobachter*, in addition to serving as the editor of the anti-Semitic monthly *Der Weltkampf*. Furthermore, Rosenberg was instrumental in shaping the idea of a worldwide Judeo-Masonic-Bolshevik conspiracy, exemplified by the writing of his *Der Mythos des 20. Jahrhunderts*.

By January 1934, Hitler ordered Rosenberg to direct 'the Plenipotentiary of the Führer for the Supervision of the Entire Intellectual and Ideological Enlightenment of the Nazi Party' (*Dienststelle des Beauftragten des Führers für die Überwachung der gesamten geistigen und weltanschaulichen Schulung und Erziehung der NSDAP*; DBFU). Following Hitler's order,

⁵⁹ For more information on the Künsberg Special Command see: Grimsted, Patricia Kennedy. "Roads to Ratibor: Library and Archival Plunder by the Einsatzstab Reichsleiter Rosenberg". *Holocaust and Genocide Studies* 19.3 (2005) 390-458; Heuss, Anja. "Die 'Beuteorganisation' des Auswärtigen Amtes: Das Sonderkommando Künsberg und der Kulturgutraub in der Sowjetunion." *Vierteljahrshefte für Zeitgeschichte* 45, no. 4 (October 1997): 535-56; and Hartung, Ulrike. *Raubzüge in der Sowjetunion: Das Sonderkommando Künsberg 1941-1943*. Bremen: Edition Temmen, 1997.

⁶⁰ Grimsted. "Tracing Patterns of European Library Plunder..." p 143.

⁶¹ Ibid, p 143.

⁶² Ibid, p 144.

Rosenberg began to create a far-reaching organization that covered all fields of art, culture, and science.⁶³

Six years later, on January 29, 1940, Hitler appointed Alfred Rosenberg to head the *Hohe Schule*, which was to become the center for National Socialist ideological and educational research and an alternative to universities for Nazi elites – to be established after the war. The *Hohe Schule* was administered by the DBFU and the Rosenberg Dienststelle in Berlin.⁶⁴

After the invasions of France, Netherlands and Belgium (May to June 1940), on July 17, 1940, Alfred Rosenberg created the *Einsatzstab Reichsleiter Rosenberg* (ERR). The ERR was designed to be an operational unit that had emerged from the DBFU and consisted of several individual command forces, called *Sonderstäbe*. Over some time, each branch within the DBFU was assigned a corresponding *Sonderstab*, covering a wide range of fields such as visual arts, music, theatre, folklore, prehistory, churches, archives, science, genealogy, etc.⁶⁵ The ERR was thus authorized to ransack objects deemed of interest to its organization, and these also included Judaica, Jewish libraries and other cultural property that would contribute to the “ideological task of the NSDAP and the later scientific research work of the Hohe Schule.”⁶⁶

One of the advantages held by Rosenberg’s team was the fact that they were authorized to loot in both the western and eastern spheres. On the other hand, the ERR’s approach differed geographically: In Western Europe and the Balkans it concentrated on private and religious organizations – including Masonic lodges, socialist organizations, East European émigré groups, and a variety of other agencies – as well as on private individuals. But in Eastern Europe and particularly within the boundaries of the Soviet Union, the ERR’s cultural plunder was primarily directed at state repositories, since most private and religious collections in these areas had long before been nationalized.⁶⁷

The ERR’s Special Command Force for Occupied Western Territories started its operations in occupied France in June/July 1940 on the basis of the Führer’s authorization to seize major art collections of Jews who had fled the invasion. Its headquarters were first established in Berlin at Margarethenstrasse 17, Berlin W35. After France’s occupation, the ERR headquarters were temporarily transferred to Paris, but in 1941, they were again moved to Berlin, to the Haus am Knie (Bismarckstrasse 1, Berlin-Charlottenburg). Operations carried out by the ERR in Western Europe were based in Paris and directed by Baron Kurt von Behr (who started in March 1942)

⁶³ de Vries, Willem. “Special Reports: The ‘Sonderstab Musik’ of the ‘Einsatzstab Reichsleiter Rosenberg’ 1940-1945” <http://www.dhh-3.de/biblio/bremen/sow1/sonderstab.html>, last accessed on 28 October 2008.

⁶⁴ Yavnai, Elisabeth M. “Jewish Cultural Property and Its Postwar Recovery”. *Confiscation of Jewish Property in Europe, 1933-1945*. One Day Symposium at the Center for Advanced Holocaust Studies, USHMM, 22 March 2001, p 127. (<http://www.ushmm.org/research/center/symposia/symposium/2001-03-22>, last accessed on 13 July 2007); Saul Friedländer called Rosenberg’s *Hohe Schule* “the party university, Rosenberg’s pet project”. Friedländer, Saul. *Nazi Germany and the Jews 1939-1945. The Years of Extermination*. New York: Harper Perennial, 2007, p 162; Grimsted. “Roads to Ratibor,” p 403.

⁶⁵ de Vries, Willem. <http://www.dhh-3.de/biblio/bremen/sow1/sonderstab.html>

⁶⁶ Trial of the Major War Criminals before the International Military Tribunal: Nuremberg 14 November 1945-10 October 1946, vol. VI (Nuremberg, 1947), p 85; here cited after Yavnai, p 127.

⁶⁷ Grimsted. “Roads to Ratibor,” p 394; see also: Grimsted, Patricia Kennedy. *Documenting the Plunder of Judaica: Perspectives from Remaining Archives of the Einsatzstab Reichsleiter Rosenberg (ERR)*. Paper presented at the Holocaust Era Assets Conference, Prague, 26-30 June 2009.

and who also headed the Western Office (*Dienststelle* or *Amt Westen*) of the RMbO (the *Reichsministerium für die besetzten Ostgebiete*; Reichs Ministry for Occupied Eastern Territories).⁶⁸

Following a decision by Hitler and at the time that the deportations of Jews from Western occupied lands intensified in 1942, the ERR started also to link itself closely with the so-called *Möbel Aktion* (*M-Aktion* or Furniture Action), an organization responsible for the stripping of contents from Jewish homes. The *Möbel Aktion*, technically part of the RMbO, was supervised under Rosenberg's *Dienststelle Westen*, and its French part was run by Baron Kurt von Behr. Initially the *Möbel Aktion* was designed to provide household furnishings for bombed-out homes in the Reich, in addition to the RMbO and the ERR, but through its confiscations of Jewish household goods, even more cultural and religious items fell into the hands of the ERR. *Möbel Aktion* branches came into existence in countries such as France, Belgium, and the Netherlands.⁶⁹

Institut zur Erforschung der Judenfrage:

Books looted under the supervision of the ERR were sent to Rosenberg's *Institut zur Erforschung der Judenfrage* (Institute for the Study of the Jewish Question, IEJ),⁷⁰ which was founded in April 1939. The institute was originally located in Frankfurt but later, in the summer of 1943, was moved to Hungen.⁷¹ The official opening of the IEJ took place with a three-day conference on 25 March 1941. With the opening, the Institute for the Study of the Jewish Question could claim to be the first institute to be established under the auspices of Rosenberg's *Hohe Schule*,⁷² and apart from the Central Library of the *Hohe Schule* (*Zentralbibliothek der Hohen Schule*, ZBHS) it was also the only one of the planned *Hohe Schule* affiliates that was formally established during the war.⁷³

The IEJ was first directed by Dr. Wilhelm Grau and its repositories were established in eight different facilities. The IEJ's library was directed by Johannes Pohl, who earlier had studied Judaica at Jerusalem's Hebrew University from 1934 to 1936 at the Nazi Party's request.⁷⁴ The library was initially based on the Rothschild Library in Frankfurt along with other Frankfurt Judaica holdings.⁷⁵

By April 1943, the library could already claim that in theory it had a collection of about 550,000 volumes (which included books not yet received). Among these holdings were books that came from France's Alliance Israélite Universelle (about 40,000 books and manuscripts) as well as

⁶⁸ Grimsted. "Roads to Ratibor," p 395.

⁶⁹ Ibid, p 396.

⁷⁰ See also Weinreich, Max. *Hitler's Professors: The Part of Scholarship in Germany's Crimes Against the Jewish People*. New Haven: Yale University Press, 1999, pp 97-101.

⁷¹ Prior to that, Rosenberg had already founded the *Institut zur Erforschung der Judenfrage* in Munich in 1932. Lehmann, p 18.

⁷² Grimsted, Patricia Kennedy. "The Road to Minsk for Western "Trophy" Books: Twice Plundered but not Yet 'Home from the War'". *Libraries & Culture* 39.4 (2004), p 371.

⁷³ Grimsted. "Roads to Ratibor," p 403.

⁷⁴ For more information on Pohl, see: Kühn-Ludewig, Maria. *Johannes Pohl (1904-1960). Judaist und Bibliothekar im Dienste Rosenbergs. Eine biographische Dokumentation*. Hannover: Laurentius-Verlag Dehmlow, 2000.

⁷⁵ Friedländer. "Nazi Germany and the Jews 1939-1945," p 162.

from the École Rabbiniqque (about 20,000 volumes). In addition, the IEJ library also ‘acquired’ Jewish books from Amsterdam’s Rosenthaliana (20,000 volumes), in addition to the library of the Portuguese Jewish Seminary Ets Haim and the Sephardic Jewish Community (25,000 volumes), the oldest existing Jewish library in the world. And as a result of the ERR’s missions in Greece, another 10,000 volumes, mostly from Sephardic communities in Salonica, were included into the IEJ’s library.⁷⁶ In turn, the IEJ became one of “the finest Jewish” libraries on the continent.⁷⁷

The IEJ, however, also received loot from occupied Soviet territories, such as Hebraica from eastern Ukraine and Belorussia. More Judaica came from the Baltics, especially from Lithuania, but after some time, the RSHA started insisting that they needed stronger reference collections. By that time, however, many of the most important Jewish collections in the West had already been confiscated.⁷⁸

At the end, the ERR had amassed such an enormous amount of Judaica, including Torah scrolls, that in a report by the ERR on March 18, 1944 there is a note that “There are numbers of Torah rolls [sic: scrolls] lying here, in which the Frankfurt Institute no longer has an interest. Perhaps, however, the leather can still have some use for bookbinding. Please inform me whether I am to pack available Torah rolls or those which may arrive in the future for the central library.”⁷⁹

The Central Library of the Hohe Schule (ZBHS):

The *Zentralbibliothek der Hohen Schule* (Central Library of the Hohe Schule; ZBHS) was first established in Berlin at Behrenstrasse 49 in early 1939 and directed by Dr. Walther Grothe. In 1942, it moved to Tyrol, Austria, to the Grand Hotel Annenheim and later on to the remote Monastery of Tanzenberg, in Austria’s Carinthia.



Picture (2):

Boxes piled up in the Tanzenberg Cloister, May 1945.

Source: Austrian National Library, picture archive, Vienna (taken from:

<http://www.juedisches-museum-berlin.de/site/EN/07-Press/03-Photo-Download/07e-raub/raub.php>)

The ZBHS was designed to become the central research facility of the *Hohe Schule*. Soon after the invasion of France, ZBHS director Grothe and IEJ director Grau were sent to Paris to head up the special

⁷⁶ Grimsted. “Roads to Ratibor,” p 406.

⁷⁷ Ibid, p 406.

⁷⁸ Ibid, p 410.

⁷⁹ Starr, Joshua, “ Jewish Cultural Property under Nazi Control,” *Jewish Social Studies*, Vol. 12, No. 1, January 1950, p 42.

ERR unit “*Sonderstab Bibliothek der Hohen Schule*” (Special Unit Library of the Hohe Schule). Their mission was to target in particular Jewish institutional and private libraries, and by November 1940, the *Sonderstab* started to become active in Brussels and Amsterdam.⁸⁰ A year later, the *Sonderstab* started its activities in the occupied Soviet lands, particularly in Ukraine. But aside from its own loot, the ERR also received books previously looted by the Künsberg Commando of the Foreign Office, totaling more than 40,000 volumes.

By the time the war ended, over half a million books were collected in the monastery in Tanzenberg, which was then in British hands.⁸¹ But there were of course other institutions that equally received looted books, including the *Institut für Biologie und Rassenlehre* in Stuttgart, the *Institut für Religionswissenschaften*, and the *Institut für Deutsche Volkskunde*.⁸² An additional repository for looted books was Hitler’s planned super cultural center in Linz, Austria.⁸³

1.3. Restitution Efforts after World War II



Picture (3): Chaplain Samuel Blinder examining Torah scrolls stolen by the ERR and stored in the basement of the Institute for Research into the Jewish Question in Frankfurt am Main [Source: United States Holocaust Memorial Museum: Photograph #82978]

“... [M]any of the institutions have been swept away and will never be restored, while considerable numbers of Jews have been murdered and left no heirs... It should need no argument to prove that the property by crime rendered masterless should not be treated as bona vacantia and fall to the governments

which committed the crimes... It is submitted that the provisions for heirless property falling to the State were not designed to cover the case of mass murder of a people. Such properties belong to the victim, and the victim is the Jewish people as a whole. The true heir therefore is the Jewish

⁸⁰ Ibid, p 404. See also Grimsted, “Tracing Patterns of European Library Plunder...,” p 154.

⁸¹ For more information on Tanzenberg, see: Adunka, Evelyn. *Der Raub der Bücher. Plünderungen in der NS-Zeit und Restitution nach 1945*. Wien: Czernin Verlag, 2002.

⁸² Grimsted Kennedy, Patricia. “New Clues in the Records of Archival and Library Plunder: the ERR and the RSHA VII AMT Operations in Silesia”. Hoogewoud, F.J. (ed.) *The Return of Looted Collections (1946-1996): An Unfinished Chapter*. The Symposium, Amsterdam, 1997, p 54.

⁸³ For more information see Murray Hall’s research on the *Führerbibliothek*: Hall, Murray, and Christina Köstner *allerlei für die Nationalbibliothek zu ergattern. Eine österreichische Institution in der NS-Zeit*. Wien: Böhlau, 2006; Hall, Murray. Köstner, Christina and Margot Werner. *Geraubte Bücher. Die Österreichische Nationalbibliothek stellt sich ihrer NS-Vergangenheit*. Wien: Österreichische Nationalbibliothek, 2004.

people, and those properties should be transferred to the representative of the Jewish people, to be employed in the material, spiritual and cultural rehabilitation of the Jews.”⁸⁴



Picture (4): Display of silver Hanukkah menorahs, torah crowns and other ritual articles confiscated by the Nazis. [United States Holocaust Memorial Museum: Photograph #48732]

In 1943 in anticipation of the huge amount of Nazi war loot, the United States appointed the Roberts Commission, which established the Monuments, Fine Arts, and

Archives (MFA&A) program. The MFA&A was subsequently charged with protecting cultural treasures in Europe,⁸⁵ dealing with the handling of incoming claims from individuals and with managing so-called lost-and-found warehouses of stolen European cultural property. These temporary collecting points in Munich, Wiesbaden, Marburg and Offenbach soon became known as the Allied collecting points or depots.⁸⁶



Picture (5):

American GIs, supervised by MFA&A officer James Rorimer, carrying paintings from Einsatzstab Reichsleiter Rosenberg's depot for looted cultural artifacts at Neuschwanstein Castle, May 1945

© National Archives, Washington

Download from: <http://www.jmberlin.de/raub-und-restitution/en/konferenz.php>, last accessed on 13 September 2009.

⁸⁴ Speech by Chaim Weitzmann. *Foreign Relations of the United States, 1945*. Vol. III, p 130; here cited after: Heuberger, Georg. “Zur Rolle der ‘Jewish Cultural Reconstruction’ nach 1945”. *Was übrig blieb. Das Museum Jüdischer Altertümer in Frankfurt, 1922-1938*. Ausstellungskatalog, pp 97-104.

⁸⁵ For more information please see: Nicholas, Lynn. *The Rape of Europa*. New York: Alfred A. Knopf, 1994; see also: Preiss, Kathy. “Cultural Policy in a Time of War: The American Response to Endangered Books in World War II”. *Library Trends* 55.3 (2007), p 372.

⁸⁶ Rothfeld, Anne. “Returning Looted European Library Collections: An Historical Analysis of the Offenbach Archival Depot, 1945-1948.” *RBM: A Journal of Rare Books, Manuscripts, and Cultural Heritage*, vol. 6, No. 1, Spring 2005, p 17; Please note that collecting points also existed in the British as well as in the French occupation zones, for example in Celle.

The Wiesbaden⁸⁷ and Munich collecting points have been researched in more detail, in large part due to the fact that they were the largest collecting points in the American zone and because they held looted art. But it is the Offenbach Archival Depot that is of most interest to this historical overview in regard to Judaica.

The Offenbach Archival Depot (OAD), located in a five-story building that had formerly housed the I.G. Farben factory, “served a unique role in postwar American efforts of book and archival restitution, not just with regard to Jewish property, but to important state and institutional libraries that were successfully returned to the European countries from which they came.”⁸⁸ Officially established on 2 March 1946 under an order by the director of the office of military government for greater Hessen (OMGGH),⁸⁹ it ceased to exist about three years later when it was closed in April of 1949.

Because of the sheer number of objects held at the OAD, identifiable or not – more than 3,000,000 looted cultural items⁹⁰ - it was commonly called “the biggest book restitution operation in library history.”⁹¹

Colonel Seymour J. Pomrenze served as the OAD’s first director (March-May 1946), followed by Captain Isaac Bencowitz (May-November, 1946); Theodore Heinrich (November, 1946-January, 1947); Joseph Horne (1947-48); and James Kimball (February-April 1949).⁹² According to Dana Herman, by 1947 alone, members of the Offenbach archival depot distributed 1,300,000 books of which 650,000 were Jewish,⁹³ most commonly to the country from which they had been taken. Subsequently, 628,259 items remained at Offenbach, mostly books. Of these, 328,903 were classified as identifiable and 299,356 were unidentifiable. Of the identifiable books, 123,641 were non-Jewish and needed to be returned to their countries of origin; 126,137 were Jewish books identified as belonging to YIVO and other owners; 51,414 were Jewish books once owned by German Jewish communities now extinct; and 27,711 were Jewish books identified as coming from the Baltic States, Poland, and former Czechoslovakia. Of the unidentifiable books 222,768 were Jewish and 76,588 were non-Jewish.⁹⁴

⁸⁷ The Wiesbaden collecting point was located in the *Landesmuseum* Wiesbaden. By 1948 it took over the tasks originally carried out in the Offenbach archival depot.

Rauschenberger, Katharina. "The Restitution of Jewish Cultural Objects and the Activities of Jewish Cultural Objects and the Activities of Jewish Cultural Reconstruction, Inc." *Leo Baeck Institute Yearbook* 53 (2008), p 205.

⁸⁸ Herman, Dana. *Hashavat Avedah: A History of Jewish Cultural Reconstruction, Inc.* PhD thesis, Department of History, McGill University, Montreal, October 2008, p 153.

⁸⁹ Pomrenze, Colonel S.J. *The Restitution of Jewish Cultural Treasures after the Holocaust: The Offenbach Archival Depot's Role in the Fulfillment of U.S. International and Moral Obligations (A First Hand Account)*. Proceedings of the 37th Annual Convention of the Association of Jewish Libraries (Denver, CO – June 23-26, 2002), p 2. For more information on Offenbach, see: Hoogewoud, Fritz J. “The Nazi Looting of Books and its American ‘Antithesis’.” *Studia Rosenthaliana* 26 (1992), pp 158-192.

⁹⁰ Herman, pp 4-5.

⁹¹ Grimsted, Patricia Kennedy. “The Postwar Fate of Einsatzstab Reichsleiter Rosenberg Archival and Library Plunder, and the Dispersal of ERR Records”. *Holocaust and Genocide Studies* 20.2 (2006), p 279.

⁹² Herman, pp 152-3.

⁹³ Either Hebrew or Yiddish books, or their content was Jewish.

⁹⁴ Jerome Michael to Salo Baron, 15 February 1947, P3/2058, CAHJP, Jerusalem, page 153-4; information taken from Herman, p 154; see also: Waite, Robert. “Returning Jewish Cultural Property: The Handling of Books Looted by the Nazis in the American Zone of Occupation, 1945 to 1952”. *Libraries and Culture* Vol. 37, No. 3, Summer 2002, p 215.

The Offenbach collecting point did not only hold looted books, but also manuscripts, ceremonial and ritual silver⁹⁵, as well as 600 Torah scrolls in addition to Torah pointers and, for example, Torah curtains.⁹⁶ According to Seymour J. Pomrenze, the Nazis had looted 375 archives, 957 libraries, 531 research and educational institutes, and 402 museums in Eastern Europe alone⁹⁷, in addition to synagogues and other Jewish religious and non-religious institutions, from which objects had been placed in the OAD. Captain Isaac Bencowitz called the OAD the antithesis to the Einsatzstab Reichsleiter Rosenberg,⁹⁸ and between April and December 1946 created an album originally entitled "The Einsatzstab Reichsleiter Rosenberg (ERR) of which the Offenbach Archival Depot has become the antithesis."⁹⁹

In addition to the Offenbach archival depot, the Wiesbaden collecting point also served as a depository for Jewish cultural and religious property, including books and ceremonial objects as well as artworks. However, compared to Offenbach, most objects stored at Wiesbaden proved to be identifiable, such as artworks and Judaica that had belonged to German-Jewish institutions (i.e. the Hermann Cohen Collection or the so-called "Baltic collection"). Nonetheless, about 1,000 rare volumes whose Jewish ownership was questionable and a handful of reference books were also stored in Wiesbaden, in addition to some ceremonial objects that were originally placed in Offenbach but were later transferred to the Wiesbaden depot.¹⁰⁰

In order to make use of the ceremonial items left in the Wiesbaden collecting point, Joshua Starr, who had served as Executive Secretary of Jewish Cultural Reconstruction (JCR), suggested that a representative from the Bezalel Museum in Israel be sent to Wiesbaden to select ceremonial objects suitable for its museum and for the Tel Aviv Museum, and to choose objects for distribution to various synagogues across the country. Subsequently, Bezalel's director, Mordecai Narkiss, traveled to Wiesbaden towards the end of April 1949. Upon arrival, Narkiss found 5,713 classified and numbered objects that had been photographed and catalogued under the following categories:

Seder Plates, Torah Shields: 76
 Goblets: 224
 Collections Boxes: 59
 Spice Boxes: 1,244
 Menorahs: 1,285
 Hanukkah Lamps: 550

⁹⁵ Grimsted. "Postwar Fate of Einsatzstab..." p 279.

⁹⁶ Rauschenberger, "The Restitution of Jewish Cultural Objects," p 198.

⁹⁷ S.J. Pomrenze, "'Operation Offenbach'—the Salvaging of Jewish Cultural Treasures in Germany," (Yiddish) *YIVO Bleter* 29 (1947): 283; here cited after Herman, p 10.

⁹⁸ Hauschke-Wicklaus, Gabriele. Amborn-Morgenstern, Angelika and Erika Jacobs. *Fast vergessen: Das amerikanische Bücherdepot in Offenbach am Main von 1945 bis 1949*. Offenbach am Main: Geschichtswerkstatt Offenbach, 2011, p 23.

⁹⁹ The album can be accessed at Yad Vashem's online photo archive:
<http://collections.yadvashem.org/photosarchive/en-us/75060-container.html>

¹⁰⁰ Herman, p 195. See also Kurtz, Michael. *America and the Return of Nazi-Contraband. The Recovery of Europe's Cultural Treasures*. Cambridge: Cambridge University Press, 2006, p 162.

Torah Shields: 492¹⁰¹
 Rimmonim: 932
 Torah Crowns: 74
 Pointers: 741
 Eternal Lights: 36¹⁰²

American civilian and military leaders had determined that the restitution of cultural property would be made to the nations from where the property had originally come; consequently there would be no returning of moveable property to individual owners. While this procedure worked relatively smoothly and well for most art objects, a problem arose with Judaica. Many of these objects were stateless, which implied that the previously conceived restitution process could not be carried out.¹⁰³

Consequently, under the leadership of Dr. Bernard Heller, millions of books were returned to their country of origin. However, by the summer of 1946 the Offenbach collection point was not only holding on to book collections waiting to be returned, but also to about 1,000 Torah scrolls and 17,000 ceremonial objects. For all of these objects, no claims had been received, and “no identification of prior ownership (could) be reasonably established.”¹⁰⁴

Most of the Jewish cultural and religious objects stored in the Offenbach collecting point were subsequently divided into the following categories:

1. Torah scrolls and other synagogue/church vestments, altar covers, prayer shawls, etc.;
2. Jewish ritual objects of precious metals; and including precious stones;
3. Jewish paintings and furnishings; and
4. Such other Jewish cultural properties as the JCR and the military government agree to transfer to the custody of various institutions.¹⁰⁵

Many groups laid claim to these objects, including the Hebrew University of Jerusalem; YIVO, which had relocated its headquarters from Vilnius to New York in 1940; the Commission on European Jewish Cultural Reconstruction, for which Hannah Arendt was the scientific director; as well as the Polish government, which had called for the repatriation of books stolen from Polish Jews, the majority of whom had been murdered.¹⁰⁶

¹⁰¹ “The reason for ‘Torah shields’ appearing twice on the list likely has to do with the fact that a number of Torah shields were found among boxes of seder plates and thus listed together while the majority of other Torah shields were found and listed separately. Field Report #7, 11 April 1949, JRSO 923a, CAHJP, Jerusalem” Herman, p 188.

¹⁰² Ibid, p 188.

¹⁰³ Preiss, Kathy. “Cultural Policy in a Time of War: The American Response to Endangered Books in World War II”. *Library Trends* 55.3 (2007), p 381.

¹⁰⁴ *Plunder and Restitution: The U.S. and Holocaust Victims’ Assets: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the U.S. and Staff Report*. “Chapter VI. Heirless Assets and the Role of Jewish Cultural Reconstruction, Inc.” Washington D.C.: U.S. Government Printing Office, 2000. <http://www.pcha.gov/PlunderRestitution.html/html/StaffChapter5.html#anchor2702685>, last accessed on 16 June 2008.

¹⁰⁵ Pomrenze, p 7.

¹⁰⁶ Preiss, p 381.

Jewish Restitution Agencies



Picture (6):
Group portrait of members of the Jewish Restitution Successor Organization (JRSO) at a staff conference in Nuremberg, Germany, ca. 1949. [United States Holocaust Memorial Museum: Photograph #41624]

Jewish Cultural Reconstruction (JCR) and the Jewish Restitution Successor Organization (JRSO):

Even before World War II had ended, the need to correctly distribute heirless religious artifacts in Western Europe was approached by Jewish leaders. In January 1945 for example, Arie Tartakower noted concerning the need to distribute sacred and ritual objects in Europe that “(t)here are no Hebrew or Yiddish books in European countries. Efforts are now being made on the part of the Yiddish and Scientific Institute and the Hebrew Cultural Organization, and perhaps other organizations also, to prepare shipments of books to be sent to liberated Europe at the first opportunity. The same must be done with regard to prayer books, textbooks, and equipment for schools and other educational and cultural institutions.”¹⁰⁷

Shortly before and after World War II had ended, the Jewish Restitution Successor Organization (JRSO) and the Jewish Cultural Reconstruction (JCR) organization were created to represent Jewish communities from Europe, the USA, and in Israel and to distribute heirless and unclaimed property.¹⁰⁸ While the JRSO served as a trustee for recovering property of economic value, the JCR set its sights on recovering property of cultural value. However, this distinction was not always apparent as not only the work of these two organizations overlapped, but so did their members. In August 1947, in an attempt to clarify matters, the relationship between the JRSO and the JCR was defined by signing an agreement in which the JCR agreed to act as an agent of the JRSO in tracing, restituting and allocating Jewish books, Jewish ceremonial objects, and other Jewish cultural property found in the U.S. Zone in Germany.¹⁰⁹

Jewish Restitution Successor Organization (JRSO):

The foundations for what later was to become the Jewish Restitution Successor Organization (JRSO) emerged in the summer of 1945, when five American-based Jewish groups formed a committee to represent Jewish interests in reparations and restitution negotiations. Another impetus for the creation of the JRSO was the founding of the Commission on European Jewish

¹⁰⁷ Tartakower, Arie. “Problems with Jewish Cultural Reconstruction in Europe”. *Journal of Educational Sociology*, “The Jew in the Postwar World”. Vol. 18, No. 5, January 1945, pp 275-276.

¹⁰⁸ <http://www.imj.org.il/Imagine/irso/>, last accessed on 14 June 2008.

¹⁰⁹ *Plunder and Restitution: Chapter VI. Heirless Assets and the Role of Jewish Cultural Reconstruction*

Reconstruction – an organization created by U.S. Jewish religious leaders, scholars, and teachers.¹¹⁰ The Commission was headed by Professor Salo Baron of Columbia University. One of its most important publications was entitled, “Tentative List of Jewish Cultural Treasures in Axis-Occupied Countries”:¹¹¹ The Tentative List provides information on institutions, books, and documents looted by the Nazis. It was originally prepared by the staff of the Jewish National and University Library in Jerusalem (JNUL), under the directorship of Hannah Arendt. The List covered fifteen Nazi institutions, most of which had absorbed parts of what had been taken by the Nazi looting, 430 Jewish institutions, among them libraries, archives, and museums located in 20 countries, in addition to 264 non-Jewish institutions, and 474 Jewish publishers. According to Dov Schidorsky, the “Lists” have served and can still serve as the basis for the submission of claims for damage and for restitution.¹¹² The first initial list was followed by two more: “Tentative List of Jewish Periodicals in Axis-Occupied Countries” in *Jewish Social Studies* (1947) and “Addenda and Corrigenda to Tentative List of Jewish Cultural Treasures in Axis-Occupied Countries” in *Jewish Social Studies* (1948).

In the fall of 1946, General Clay met with representatives of the JRSO and the Commission on European Jewish Reconstruction and agreed to support their idea of creating an organization that had as its aim the claiming of heirless Jewish property and assets.¹¹³ Consequently, in May 1947, “The Jewish Restitution Commission” – serving as an umbrella for seven organizations – was incorporated as a charitable organization in New York.¹¹⁴ The group of seven organizations was soon expanded by including the Central Committee of Liberated Jews in Germany and the Agudat Israel World Organization; all in an attempt to broaden its representation.¹¹⁵ At the request of the American military authorities, the Jewish Restitution Commission changed its name to the Jewish Restitution Successor Organization¹¹⁶ and actively began implementing the Military Government Law No. 59 as stipulated on 10 November 1947, which provided for property restitution of identifiable property confiscated by the Nazis within Germany between 1933 and 1945.¹¹⁷

¹¹⁰ *Plunder and Restitution: The U.S. and Holocaust Victims’ Assets: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the U.S. and Staff Report.* “Chapter V. Restitution of Victims’ Assets.” Inc. Washington D.C.: U.S. Government Printing Office, 2000.

<http://www.pcha.gov/PlunderRestitution.html/html/StaffChapter5.html#anchor2702685>, last accessed on 16 June 2008.

¹¹¹ The list was originally published in 1946 as a supplement to *Jewish Social Studies*, vol. 8, No. 1; See also: “Addenda and Corrigenda to Tentative List of Jewish Cultural Treasures in Axis-Occupied Countries”, vol. 10, No. 1, 1948. [The list appears as an Appendix to the Descriptive Catalogue.]

¹¹² Schidorsky, Dov. “Hannah Arendt’s Dedication to Salvaging Jewish Culture.” *Leo Baeck Yearbook*, Vol. 59, pg 190, 2014..

¹¹³ Goschler, Constantin. *Wiedergutmachung: Westdeutschland und die Verfolgten der Nationalsozialismus 1945 - 1954*. Munich: Oldenbourg, 1992, p 111.

¹¹⁴ These seven organizations were the Jewish Agency for Palestine, the American Jewish Joint Distribution Committee, the American Jewish Conference, the American Jewish Committee, the World Jewish Congress, the Board of Deputies of British Jews, and the Commission on European Jewish Cultural Reconstruction. For more information see: *Plunder and Restitution*: Chapter V. “Restitution of Victims’ Assets.”

¹¹⁵ Goschler, p 172.

¹¹⁶ *Ibid*, p 173.

¹¹⁷ As Michael Kurtz has noted, “The law was designed to provide for restitution of identifiable property confiscated by the Nazis within Germany between 1933 and 1945.” (Kurtz, Michael. *America and the Return of Nazi Contraband. The Recovery of Europe’s Cultural Treasures*. Cambridge, New York: Cambridge University Press, 2006, p 149.)

Due to the objection of Major General Daniel Noce, the Chief of Civil Administration of the War Department, to accepting the JRSO request for appointment in 1947, its official recognition only followed on June 23, 1948, when OMGUS appointed the JRSO.¹¹⁸

“THE TASK of locating heirless properties left by Jews who died in Germany under Nazi oppression, and of turning the proceeds from these properties into charity use has been delegated by OMGUS directive AG 010.6 (PD) of Aug. 18 and attached Authorization No. 1 to the Jewish Restitution Successor Organization, (JRSO), a New York corporation.”¹¹⁹

One major difficulty for the JRSO was the fact that it only had three months to discover more than a hundred thousand unclaimed properties and to comb through land registers, notaries' files, tax rolls, patent rosters and several other types of records due to the fact that the law of indemnity had made December 31, 1948, the deadline to register all property. In order to meet the deadline, the JRSO increased its staff to about 300 people who worked in eight-hour shifts. That way, about 2,000 applications a day could be filed. In doing so, the JRSO operated in the belief that heirless Jewish property should not be restituted to those countries that had lost their Jewish communities due to state terror but should be made available to world Jewry. Consequently the decision was made to transfer these heirless cultural and religious Jewish objects to private organizations by applying Law No. 59 rather than leave them in the respective European country.

Part III of Law No. 59 addressed the issue of heirless property by stating that:

“A successor organization to be appointed by Military Government, shall, instead of the State, be entitled to the entire estate of any persecuted person in the case provided... Neither the state nor any of its subdivisions nor a political self-governing body will be appointed as successor organization.”¹²⁰

As a practical matter, this law meant that the JRSO would represent the victims as a whole and act on their behalf.

A few years later, in 1950, the British Occupation Authorities followed suit and founded the Jewish Trust Cooperation (JTC) under the chairmanship of Mr. Barnett Janner,¹²¹ and the French established the *Branche Francaise*, which too, functioned as the legal heir to heirless and public Jewish property. In December 1951, the JTC took over the French zone.¹²²

¹¹⁸ Brenner, Michael. *After the Holocaust: Rebuilding Jewish Lives in Postwar Germany*. Princeton: Princeton University Press, 1997, p 62; see also: *Plunder and Restitution*: Chapter V. “Restitution of Victims' Assets.”

¹¹⁹ “Omgus gives JRSO the go-ahead.” *Information Bulletin* No. 144 (September 1948), p 26

<http://digioll.library.wisc.edu/cgi-bin/History/History-idx?type=div&did=HISTORY.OMG1948N144.I0015&isize=text>, last accessed on 14 June 2008.

¹²⁰ Military Government – Germany United States Area of Control, Law No. 59, Restitution of Identifiable Property. Here cited after: Lipman, Rena. “Jewish Cultural Reconstruction Reconsidered”. Bischof, Ulf (ed.) *Kunst und Recht. Journal für Kunstrecht, Urheberrecht und Kulturpolitik*. No. 4, 2006, p 90.

¹²¹ Kapralik, Charles I. *Reclaiming the Nazi Loot: The History of the Work of the Jewish Trust Corporation for Germany*. London: The Corporation, 1962, p 10.

¹²² For more information, see, for example, Kurtz, Michael. “Resolving a Dilemma: The Inheritance of Jewish Property,” *Cardozo Law Review* 20, no. 2 (1998-1999), p 64.

In sharp contrast to the archival depots managed by the American Occupation Authorities, the number of cultural and religious objects discovered in the British zone of Germany was small. This was largely due to the fact that the bulk of such objects were stored in the U.S. zone.¹²³

Also, different from the United States handling of looted property, the British Occupation Authorities decided at the suggestion of the Advisory Council on the Question of Jewish Cultural and Religious Objects, established by the Jewish Trust Cooperation, that the communities in the British Zone of Germany should select for themselves those ceremonial objects, books and Hebraica which they might need for their own purposes. In addition, the decision was made to give the remainder to the Hebrew University in Jerusalem. Accordingly, a committee was established by the Association of Jewish Communities in North-West Germany which examined the list of objects and decided on their disposal. Moreover, the decision was made that archives dating back to 1875 and earlier were to be sent to the Jewish Historical General Archive in Jerusalem, which today is the Central Archives for the History of the Jewish People (CAHJP – now merging with the National Library of Israel).¹²⁴ Lastly, the resolution was made to donate books to the Wiener Library in London as well as to the Teachers' Library, and some were given – following special requests – to the Jewish community in Sao Paulo, Brazil.¹²⁵

Jewish Cultural Reconstruction (JCR):

Until Jewish Cultural Reconstruction was formally established in April 1947, there were competing Jewish organizations working to salvage heirless Jewish cultural property in Europe. They were not succeeding, in large part due to the fact that they could not agree on a best way how to proceed. At the same time, the American military forces insisted that they would only deal with unified organizations and only those that would also include Jewish groups from Austria and Germany.¹²⁶

Jewish Cultural Reconstruction, or JCR for short, grew out of the Commission on European Jewish Cultural Reconstruction, which had been founded in 1944 to serve as a central research and coordinating body for all American activities concerning European Jewish cultural reconstruction. The Commission's structure led to a close cooperation with the Hebrew University as well as with the Committee on Restoration of Continental Jewish Museums, Libraries and Archives of the Jewish Historical Society in England, and other international organizations. However, the organization's aim was to eventually serve as an advisory council to the United Nations with regard to cultural aspects of European Jewish life, as well as to take charge of administering Jewish cultural institutions in Allied occupied Europe whose former leadership had either fled or perished.¹²⁷

The French implemented their own restitution law, ordinance 120, but according to experts, it served to be rather useless. One particular problem was that the law did not provide for heirless property to go to the surviving Jewish victims. Similarly, the British military authority did not pass a restitution law. However, compared to the French, the British at least completed the first draft of a restitution law in 1949. Herman, p 151.

¹²³ Kapralik, p 88.

¹²⁴ For more information, please see: <http://sites.huji.ac.il/cahjp/>

¹²⁵ Kapralik, p 88.

¹²⁶ Herman, p 32.

¹²⁷ Herman, p 4.

The establishment of the JCR three years later did not lead to the dissolution of the Commission on European Jewish Cultural Reconstruction, but with the establishment of the JCR, the JRSO was able to slowly wind down until the JCR was firmly in place.¹²⁸

A certificate of incorporation, filed on 30 April 1947, not only marked the official start of the JCR but also laid out its five main principles:

1. To locate, identify, salvage, acquire by gift or purchase or any other lawful means, hold, preserve, repair, protect, catalogue and determine the disposition of, Jewish books and manuscripts and, generally, Jewish religious and cultural objects and property of every sort whatsoever anywhere in the world.
2. As successor organization, to institute and prosecute claims for the recovery of, or compensation for, Jewish religious and cultural objects and property of every sort.
3. To distribute the property in such a way as to best serve and promote the spiritual and cultural needs and interests of the Jewish people in particular and of mankind in general, and especially the spiritual and cultural needs of the victims of Nazi or Fascist persecution.
4. To abide by the law in accomplishing such functions.
5. The Corporation shall operate in accordance with those policies established by the United States.¹²⁹

The JCR was comprised of nine organizations, including the World Jewish Congress, the American Jewish Committee, the American Jewish Conference, the Commission on European Jewish Cultural Reconstruction, the Council for the Protection of the Rights and Interests of Jews from Germany, the Hebrew University, the Synagogue Council of America, the American Joint Distribution Committee and the Jewish Agency for Palestine. The latter two provided its operating funds.¹³⁰

In May 1947, at its first meeting, Professor Salo Baron became President. Members of the JCR also included Joshua Starr, who served as Executive Secretary until his death in 1949; Hannah Arendt, who replaced him; as well as Rabbi Leo Baeck and Professor Gershon Scholem, both of whom served as Vice Presidents.¹³¹

The JCR was eventually recognized as the trustee of heirless cultural property, both within the Jewish communities and organizations as well as within the United States government and

¹²⁸ Ibid, p 130.

¹²⁹ Ibid, p 129.

¹³⁰ Ibid.

¹³¹ Ibid.

occupation authorities.¹³² As a result, by April 1947, it started to work out of the Offenbach and Wiesbaden collecting points,¹³³ and began requesting Judaica from German Museums.

In doing so, the JCR obligated itself to return identifiable properties to the military government, while at the same time discussing what should be done with heirless property, such as the thousands of ceremonial or ritual objects or the thousands of unidentified books. It was agreed upon – consistent with its agreement with OMGUS – that heirless property should be used to “benefit the Jewish people,” and therefore to distribute property to existing and feasible Jewish communities and to institutions that could best use and care for them. Particular Jewish institutions, such as the Bezalel Museum and Hebrew University in Israel, were given first selection rights.¹³⁴ Within the United States, the Jewish Museum in New York and Cincinnati were given first priority in choosing cultural and ceremonial objects, followed by Yeshiva University and, after 1950, other colleges and institutions. Most objects distributed were spice boxes, Torah shields, Hanukah lamps, and pointers.¹³⁵

In February 1949, the JCR was officially recognized by the American military government as the trustee of heirless Jewish property found in the German zone, comprising 350,000 cultural items. To that effect Bernard Heller, the JCR’s field director, as well as Shlomo Shunami, the JCR’s assistant field director, were sent to remove heirless Jewish cultural property from the Offenbach archival depot.¹³⁶ Consequently, the JCR received custody of over 1,000 unclaimed Torah scrolls. Some of these Torah scrolls originated from the Western sector of Berlin, which was in part due to Hannah Arendt’s negotiation.¹³⁷ Fifteen percent of these scrolls were to be returned and repaired so that they could be redistributed in Germany.¹³⁸

Also in 1949, an agreement was reached that established the transfer of Jewish cultural properties originating in the Baltic area to the JCR.

Because Torah scrolls require a different kind of treatment than other cultural and religious objects, in that according to Jewish law destroyed scrolls have to be buried, the JCR’s initial task was to carefully examine them. The preliminary sorting was carried out by the American Joint Distribution Committee (AJDC). In the end, of the 1,151 Torah scrolls distributed by 1952, the overwhelming majority went to Israel (931), followed by the United States (110), Western Europe (98) and Great Britain (12). In addition, 127 Torah scrolls were sent to Israel to be buried.¹³⁹

In addition to Torah scrolls, the Offenbach archival depot also held about 17,000 other cultural and religious objects in its “Torah Room.” The JCR and JRSO in addition to OMGUS agreed for

¹³² Ibid.

¹³³ Pomrenze, p 7.

¹³⁴ *Plunder and Restitution*: Chapter VI. “Heirless Assets and the Role of Jewish Cultural Reconstruction.”

¹³⁵ Ibid.

¹³⁶ Herman, p 187.

¹³⁷ Hannah Arendt was also responsible for the transfer of 18 Torah scrolls held at the University of Marburg along with 80-100 rabbinic volumes. Her work was equally instrumental in the transfer of ceremonial and other silver objects originating from the former “Museum Jüdischer Altertümer” (Rothschild Museum) in Frankfurt am Main. Herman, p 204.

¹³⁸ Ibid, p 207.

¹³⁹ Ibid; see also: *Encyclopaedia Judaica*, “JCR” (online edition, accessed through the New York Public Library); see also: Heuberger, p 101.

these objects to be utilized, as they all originated from synagogues and homes ransacked during the Holocaust. While the majority of objects were sent to synagogues, some objects, if considered suitable, were sent to museums. Between 1949 and 1952, 7,867 ceremonial objects were distributed, with most of these objects going to Israel and the United States.¹⁴⁰

This distribution scheme followed a decision by the JCR Board of Directors, which agreed in October 1949 to a 40:40:20 split of Jewish cultural and religious objects, whereby 40 percent would go to Israel, 40 percent to the Western Hemisphere, which included the United States, and 20 percent would go to all other countries. In Israel, the JCR decided to give priority to the Bezalel Museum in Jerusalem. All told, 61 cases worth of museum material were sent to Israel. The Bezalel Museum, like all other museums that received objects, was asked to clearly label these items and to furnish itemized receipts.¹⁴¹ In addition, all institutions were asked to return any objects at the request of the JCR.¹⁴²

Responsible for the distribution in Israel was the Ministry of Religious Affairs, in the Americas the JCR, and everywhere else the JDC. However, the Synagogue Council of America soon took over the JCR's responsibilities in the Americas.¹⁴³

According to a JCR document labeled "World Distribution of Ceremonial Objects and Torah Scrolls" dated July 1949, the following countries were recipients¹⁴⁴:

World Distribution of Ceremonial Objects and Torah Scrolls:

Country	Museum Piece	Synagogue Piece	Scrolls
Israel	2,285	976	804 (including 87 fragments and 127 buried scrolls)
United States	1,326	1,824	110 (including an unknown number of scrolls that had to be buried)
Great Britain	245	66	12
France	125	219	
Germany	31	89	
Western Europe	129		

¹⁴⁰ Ibid.

¹⁴¹ Objects that the Bezalel museum refused to take were split between other established Jewish Museums such as the museums in Tel Aviv, Prague, Budapest, London, New York and Cincinnati. (Herman, Dana. "A Brand Plucked Out of Fire": The Distribution of Heirless Jewish Cultural Property by Jewish Cultural Reconstruction, Inc., 1947-1952." *Neglected Witnesses. The Fate of Ceremonial Objects During the Second World War and After*. Heimann-Jelinek, Felicitas. Cohen, Julie-Marthe. (ed.). Built Wells: Institute of Art And Law, 2011. p. 36.)

¹⁴² Ibid. See also: Lipman, p 91.

¹⁴³ Herman, p 252.

¹⁴⁴ JCR, Inc., World Distribution of Ceremonial Objects and Torah Scrolls, July 1, 1949 to January 31, 1952, S35/88, CZA, Jerusalem; Herman, p 226.

(excluding France and Germany)			
Western Europe (including France and Germany)	98		
South Africa	150	66	
Canada	151 (Museum and Synagogue pieces)		
Argentina	150 (Museum and Synagogue pieces)		
Peru	35 (Museum and Synagogue pieces)		

The restitution of books, similar to the restitution of ceremonial objects, was more difficult than the restitution of looted paintings and sculptures. Only in very rare cases did a looted book or a collection of specific books carry significant markings that indicated by which Nazi agency they had been initially spoliated. Such markings could come from, for example, the Gestapo Berlin, from the so-called *Judenauktionen* (Jewish auctions), or from the *Oberbefehlshaber Ost – Litzmannstadt*. However, even a clear lead did not necessarily imply that the original owner or his/her heir could be located.¹⁴⁵

Generally speaking, the books transferred to the JCR were placed into various categories, including those that were unidentifiable and of Jewish content in the German language; books that were identifiable and other archival materials belonging to private owners and Jewish institutions in Germany; unidentifiable books and partially identifiable books in languages other than German; identifiable books from the Baltic states.¹⁴⁶ After some difficulties sorting through these book collections, the JCR decided to adopt the same principle for distribution with books as they did with ceremonial objects: the 40:40:20 model.¹⁴⁷ In Israel, the Hebrew University was given first priority. However, books were also sent to Jewish institutions in Antwerp, Brussels, Paris, Teheran, Rome, Strasbourg, Algiers and, for example, Amsterdam, receiving between 4 and 528 books each. About 10,000 books went to survivors of Jewish communities in Germany.¹⁴⁸ Moreover, OAD officials also gave the JDC permission to distribute some 25,000 books in Displaced Persons camps (DP-camps) between 1946 and 1947. However, since the JDC was soon unable to reconcile how many books had been borrowed and where, a second and similar request for book distribution by the JDC was denied.¹⁴⁹

¹⁴⁵ Lehmann, p 23.

¹⁴⁶ *Plunder and Restitution*: Chapter VI. “Heirless Assets and the Role of Jewish Cultural Reconstruction.”

¹⁴⁷ Already in 1949, an allocations committee was formed which decided on a place for book distribution: 1) books would go to the Jewish National and University Library, 2) to major Jewish communities remaining in Western Germany (for immediate use consisting primarily of German Judaica, 3) to European institutions outside of Germany subsidized by the JDC, and 4) to countries to be determined. While the JCR oversaw the book distribution in a number of places, the JDC was responsible for the book distribution in Western Europe. Herman, p 137.

¹⁴⁸ Herman, pp 274, 276.

¹⁴⁹ *Ibid*, pp 164, 167.

According to the Commission on European Jewish Cultural Reconstruction, heirless books were distributed as follows¹⁵⁰:

World Distribution of Books 1 July 1949 to 31 January 1952:

Country	Number of Books
Israel	191,423
United States	160,886
Canada	2,031
Belgium	824
France	8,193
Germany	11,814
Great Britain	19,082
Holland	1,813
Sweden	696
Switzerland	7,843
South Africa	7,269
Morocco	378
Australia	3,307
Argentina	5,053
Bolivia	1,281
Brazil	2,463
Chile	1,219
Costa Rica	442
Ecuador	225
Mexico	804
Peru	529
Uruguay	1,670
Venezuela	456
Others	2,044
TOTAL	431,745

Within the United States, as mentioned previously, 160,886 books were distributed. The distribution favored Jewish institutions, such as the Jewish Theological Seminary (which received 13,320 books and periodicals), Brandeis University (which received 11,288 books and periodicals), and the Yiddish Scientific Institute (YIVO, which received 12,360 books and periodicals), especially in regard to rare books.¹⁵¹

But the decision was soon made to also send books, including rare volumes, to the Library of Congress, Harvard University, the New York Public Library, Columbia University, Yale University, and others. By the time book distribution ended in 1952, the JCR had distributed 160,886 books to 48 libraries and institutions in the United States.¹⁵²

¹⁵⁰ Commission on European Jewish Cultural Reconstruction, "Introductory Statement of Tentative List of Jewish Cultural Treasures in Axis-Occupied Countries," *Jewish Social Studies* 8, no. 1 (1946): 5; Herman, p 225.

¹⁵¹ Herman, pp 164, 167. Please see also the section on the United States for more detailed information.

¹⁵² Ibid

Each receiving institution was required to sign an agreement with the JCR that stated, “Each library is asked to adhere to the following procedure, so that all books will be treated as part of the cultural heritage of European Jewry.” The terms of the agreement were:

1. No books received may be sold, nor may any be exchanged for other books without the permission of Jewish Cultural Reconstruction obtained prior to the exchange.
2. The recipient will furnish Jewish Cultural Reconstruction with an itemized receipt, listing authors and their titles, within six months after the delivery of each shipment.
3. The recipient places at the disposal of Jewish Cultural Reconstruction all duplicates of publications already in its library unless Jewish Cultural Reconstruction authorizes the recipient in writing to retain them specifically.
4. Any books identified by a claimant as his property to the satisfaction of Jewish Cultural Reconstruction within two years of its delivery to the recipient shall be returned promptly to the claimant or to Jewish Cultural Reconstruction upon the latter’s request.
5. Any book which Jewish Cultural Reconstruction may desire to re-allocate to another library within two years of its delivery to the recipient shall likewise be promptly returned to Jewish Cultural Reconstruction upon its request. However, the total number of items requested for re-allocation shall not exceed 10% of the number of items allocated to the recipient.¹⁵³

After the institutions agreed to these terms and signed the agreement letter, they received special bookplates and the following request:

“[W]e feel that it will be of great importance to have each volume marked, so that present and future readers may be reminded of those who once cherished them before they became victims of the great Jewish catastrophe.

Without such distinctive mark it will also be impossible for present and future scholars to retrace the history and the whereabouts of the great cultural treasures of European Jewry which once were the pride of scholars, institutions and private collections.

We therefore are sending you today bookplates which should be pasted into each of the volumes which you received from us. We trust that you will understand the historic significance of this request and will gladly comply with it.”¹⁵⁴

Book Distribution to DP-camps:

Libraries at Displaced Persons Camps (DP camps) were established soon after the opening of DP camps, such as the library at the DP-camp Landsberg, which opened in January 1946.¹⁵⁵ It held

¹⁵³ direct quote from “JCR, Inc., "Memorandum to Libraries Co-operating with JCR," June 20, 1949, Dept. of Special Collections and Univ. Archives, Stanford Univ. Libs., Salo Baron Papers, Box 232, Folder 10 [123234]; "Agreement Between Jewish Cultural Reconstruction, Inc., and Recipient Libraries," NACP, RG 260, Ardelia Hall Collection, Box 66, JRSO [311758]. See also, memo from JCR, "Memorandum to Libraries Co-operating with JCR," June 20, 1949, Dept. of Special Collections & Univ. Archives, Stanford Univ. Libs., Salo Baron Papers, Box 32, Folder 10 [123234]." *Plunder and Restitution*: Chapter VI. “Heirless Assets and the Role of Jewish Cultural Reconstruction.”

¹⁵⁴ Letter from Hannah Arendt, Exe. Secy., JCR, to "Dear Friends", Sept. 1949, Harvard Univ. Lib., Correspondence between the Harvard Lib. & the JCR Org. [122325]. *Plunder and Restitution*: Chapter VI. “Heirless Assets and the Role of Jewish Cultural Reconstruction.”

¹⁵⁵ Zur Entstehungsgeschichte der Bibliotheken in den jüdischen Displaced Persons (DP) Camps, http://www.nurinst.org/nurinst_org/proj_dpbiblio.htm, last accessed on 9 October 2014.

around 900 volumes, all of which were donated by various Jewish organizations. However, some 20,000 volumes were transferred from the Offenbach Archival Depot to various DP camps. The final push for this book transfer came from Simon Rifkind, who held the position as Advisor on Jewish Affairs to the American Command in Germany between November 1945 and May 1946. By June 1946, the DP-camp Belsen received 3,000 books; the DP-camps Lansberg, Feldafing and Zeilshiem between 1,100 and 1,200 volumes. Camps such as Fürth, Bamberg, Stuttgart and München-Neu-Freimann received around 700 volumes each. Among those books were prayer books and rabbinical literature as well as Hebrew and Yiddish novels. In September 1946, around the Jewish New Year celebrations, some 51 Torah scrolls were sent to various German-Jewish communities as well as to DP-camps.

In the fall of 1946, after some further requests, an additional 4,000 to 5,000 books were sent from the OAD to various DP-camps. The last such book transfer from the OAD took place in March 1948, with approximately 5,000 volumes.¹⁵⁶

Books loaned to the DP Camps all carried the stamp "AJDC LIBRARY--NOT TO BE REMOVED FROM PREMISES." Though the books were sent to the camps as a loan, the JCR staff advised early on that "the possibility of their being returned is quite remote." The often uncoordinated distribution caused a MFA&A investigation in February 1947 which revealed that some of the DP camps that had already received books had since been dismantled, and several, including Belsen, were not even in the U.S. Zone. In addition, no lists of books were prepared at the DP camps, nor did the AJDC offices work on such preparation. Subsequently, on July 15, 1947, OMGUS terminated its agreement with the AJDC to distribute books to DP camps, explaining to the AJDC that, "it apparently was not possible to discover the whereabouts of approximately 4,300 out of the total of more than 19,000."¹⁵⁷

It is unclear what happened to these books after the DP-camps were closed and most survivors found new homes. Unlike book restitutions to Jewish institutions worldwide, no clear inventory was made.¹⁵⁸ However, it is presumed that some books found their way to Israel, while others were sent to various U.S.- based institutions and libraries.¹⁵⁹

Archival Collections:

In addition to books, the JCR was also responsible for spoliated archival collections. Along with fine arts and Judaica, the Nazis or their regional collaborationists also purposefully looted archival material. As a consequence enormous Jewish archival holdings were lost during the Holocaust, either deliberately or as an outcome of hostilities, looting or simply negligence. The

¹⁵⁶ More books were donated by various Jewish organizations such as the Jewish Labor Committee, the World Jewish Congress, and the Yivo Institute.

¹⁵⁷ Presidential Advisory Commission on Holocaust Assets: "Plunder and Restitution: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report" (December 2000) - Chapter VI: Heirless Assets and the Role of Jewish Cultural Reconstruction, Inc. [<http://govinfo.library.unt.edu/pcha/PlunderRestitution.html/html/StaffChapter6.html>]

¹⁵⁸ Gallas, Elisabeth. "Das Leichenhaus der Bücher." *Kulturrestitution und jüdisches Geschichtsdenken nach 1945*. Schriften des Simon-Dubnow-Instituts Band 19. Göttingen: Vandenhoeck & Ruprecht, 2013, p. 53.

¹⁵⁹ For more information see also Tobias, Jim. "Volk des Buches bewahre deine Bücher! Zur Geschichte der Bibliotheken in den jüdischen Displaced Persons (DP) Camps nach 1945". Dehnel, Regine (ed.), *NS-Raubgut in Bibliotheken: Suche, Ergebnisse und Perspektiven*. Frankfurt am Main : Vittorio Klostermann, 2008; as well as Gallas, Elisabeth. "Das Leichenhaus der Bücher." pp 49-53.

worst situation was in Poland, where hardly any documents survived the Nazi regime.¹⁶⁰ If after the war, the origin of the archives, or the appropriate heirs, were known, these archival records were restituted. In the case that the archival records were deemed heirless, which often meant that they originated from German Jewish communities, the decision was made to send them to Jewish organizations in New York and Jerusalem,¹⁶¹ particularly to the Israel Historical Society.¹⁶²

By the time that the JCR operation officially closed on 31 January 1951, it had asked that all pending claims, shipments, and incoming information be handled through the JRSO office in Nuremberg.¹⁶³

¹⁶⁰ Mayorek, Yoram. "The Fate of Jewish Archives During and After the Holocaust". Kuperminc, Jean-Claude. Arditti, Rafaële (ed.). *Preserving Jewish Archives as Part of the European Cultural Heritage: Proceedings of the Conference on Judaica Archives in Europe for Archivists and Librarians*. Potsdam, 1999, 11-13 July, Paris: Editions du Nadir de l'Alliance israélite universelle, 2001, p 33.

¹⁶¹ Heuß, p 38.

¹⁶² *Encyclopaedia Judaica*, "JCR" (online edition, accessed through the New York Public Library).

¹⁶³ Herman, p 222.