

## Interview

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# “We are Working Against the Clock” – Interview with Pia Schölnberger, Director of the Austrian Commission for Provenance Research

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Pia Schölnberger has been the director of the Austrian Commission for Provenance Research and head of the office of the Art Restitution Advisory Board under the aegis of the Austrian Federal Ministry of Arts, Culture, Civil Service and Sport since 2019. While the former conducts research into the origins of cultural assets and tries to locate the heirs of such objects looted or confiscated from persons who were mainly persecuted by the Nazi regime because of their Jewish origin, the latter provides legal interpretations and adopts decisions based on the Commission's research, which are submitted as recommendations for restitution to the responsible federal minister. In her position, and during her former work, Dr Schölnberger has acquired extensive experience in a great variety of cases requiring provenance research; in this interview she talks about some of these, the difficulties of her work, and the complexity of restitution after 80 years.

– *What is your academic background and how did you get involved in provenance research/art restitution?*

From the beginning of my studies in German philology and history at the University of Vienna, I worked at various institutions dedicated to remembering and researching National Socialist crimes. In addition to the Hartheim and “*Am Spiegelgrund*” memorials to Nazi medical crimes,<sup>1</sup> as well as the Documentation

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<sup>1</sup> From 1940 to 1941, the Renaissance castle of Hartheim in Upper Austria was the site of “Aktion T4”, the planned murder of hospitalised mentally ill or mentally or physically impaired people by the Nazi state. After “Aktion T4” was cancelled in August 1941, prisoners from the Mauthausen and Dachau concentration camps had been murdered at Hartheim Castle until 1944.

More than three thousand psychiatric patients were deported from Vienna alone, from the hospital

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Centre of Austrian Resistance, this also included the General Settlement Fund for Victims of National Socialism, where I had my first concrete involvement with the documentation of National Socialist property spoliation. Subsequently, I took on the work at the Institute for Legal and Constitutional History at the University of Vienna in the research project on politically motivated property seizures under Austro-fascism. This being a dictatorial set of rule based on the ideas of the corporative state and fascism, with strong links to the dictatorship of Benito Mussolini in Italy set in motion by the elimination of parliament under the then Federal Chancellor Engelbert Dollfuß. He subsequently ruled with the help of government decrees after the *de facto* elimination of the Constitutional Court and largely repressed the political opposition. In addition to the Communist Party and later – as a result of the suppression of the February battles in 1934 – the Social Democratic Party, membership of the NSDAP was also banned. After members of *SS-Standarte 89* assassinated Dollfuß in July 1934, the regime nevertheless succeeded in defeating the attempted coup; nonetheless, a gradual rapprochement between Austria and Germany took place, particularly with the July Agreement of 1936. In the research project, I focused on the 1933 set up of detention camps for opponents of this regime, where members of the left-wing opposition, as well as National Socialists were detained – an extremely tense and momentous composition. The prisoners had to pay for their stay in the camp themselves, for which their few assets were confiscated as a substitute for money.

With my move to the Commission for Provenance Research in 2011, I finally arrived in applied research. At the Albertina museum in Vienna, which houses one of the largest graphic collections in the world, I worked on numerous cases that were discussed by the Art Restitution Advisory Board and resulted in many restitutions. These included the sensational and also controversial case of the restitution of five drawings by Egon Schiele to the legal successors of the Schiele collector, Karl Mayländer, who was murdered in the Nazi ghetto of Łódź/Litzmannstadt; this was followed by the examination of a small watercolour by the Austrian painter Anton Romako, which the Viennese journalist Armin Reichmann was forced to declare as

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then known as “Steinhof” (now Penzing Hospital) to Hartheim, where they were murdered immediately upon arrival. The so-called “*Spiegelgrund*” was also located on the grounds of the hospital – a youth welfare centre was set up there from 1940 to 1945. It was divided into a reformatory and the “*Nervenklinik für Kinder*” which included a so-called “*Kinderfachabteilung*” in which sick, disabled and “uneducable” children and adolescents were subjected to medical experiments and tortured. At least 789 of them were murdered.

The “technological knowledge” acquired during these crimes, known as “Nazi euthanasia”, for the mass murder of people at Hartheim Castle and other so-called “euthanasia centres” in the German Reich were subsequently further developed for the implementation of the Holocaust, particularly in the so-called *Generalgouvernement*.

his property in his declaration of assets enforced by the National Socialists. The Albertina acquired the piece in 1941 from an art dealer known to have been involved in the art loot. In the meantime, Armin Reichmann had tried to leave Austria through various channels – but all attempts failed. In June 1942, Armin and his wife, Rosa Reichmann were deported from Vienna to Minsk and murdered at Maly Trostinec, together with 997 other Viennese Jews. Just last year, the drawing was restituted to Armin Reichmann’s heiress, who now lives in Israel.

In my work as a provenance researcher, I was able to combine the knowledge I had previously acquired: provenance research does not work according to the same patterns in every case. However, it may seem like it should, at first glance, as the research questions are always the same: *Where does a museum object come from? What changes of ownership or possession has it undergone?* And, in relation to the Austrian Art Restitution Act: *Was it previously the subject of a legal transaction which, according to the Austrian Nullity Act of 1946, was carried out in the course “of the political or economic penetration of Austria by the German Reich in order to deprive natural or legal persons of property or property rights to which they were entitled on March 13, 1938”?* Due to the specifics of the individual cases, the ways of clarifying these questions prove to be just as varied as the fates and family histories that unfold behind them.

In the case of two watercolours by the famous Austrian portrait painter Josef Kriehuber for example, it turned out that both drawings had been taken from the same person: Josef Blauhorn, who managed to flee to London with his family at the beginning of 1939. The two works ultimately found their way into the Albertina’s inventory via very different and convoluted paths. We have established that after the confiscation from Josef Blauhorn a woman named Gabriele Gross sold the one drawing to Adolf Hitler’s “Special Mission Linz” (“*Sonderauftrag Linz*”) – the “*Führer Museum*,” which was never realised. Eventually it was allocated to the Albertina in 1963. The other watercolour was sold directly to the Albertina by another woman named Luise Winter, in 1943. The surprise when research into the biographical data of the two – otherwise completely unknown – women who sold two looted pieces revealed that they were in fact mother and daughter on the one hand, and lived together with an Albertina curator who had posed as an opponent of the regime for decades after 1945 on the other, was quite great.

In another case, that of the particularly touching so-called “*Mandlbogen*” – a collection of paper theatre sheets belonging to the lawyer and librarian Moriz Grünebaum, who was murdered in Theresienstadt – the path to finding these sheets began with a small, pale, violet stamp on the back of a Rembrandt-style chalk drawing. This stamp could be identified as Moriz Grünebaum’s collector’s sign. After reading in his forced declaration of assets, found in the Austrian State Archives, that the Nazis were particularly interested in his paper theatre collection, I set out in

search of these sheets, even though they were apparently not to be found in the Albertina. And, I found what I was looking for: in the Wien Museum, where my colleagues ultimately identified over 1500 sheets, all stamped with Moriz's collector's stamp. Not only was the Art Restitution Advisory Board subsequently able to recommend the restitution of the drawing from the Albertina and three prints from the Academy of Fine Arts, on the reverse of which the stamp could also be identified, but the Vienna Restitution Commission also recommended the return of the paper theatre sheets from the Wien Museum.

Equipped with this experience and research knowledge, which have always been based on interdisciplinary interaction with legal experts and scientists of related fields of research, it is a great honour to head the Commission for Provenance Research and the office of the Art Restitution Advisory Board, which I have held since 2019 within the Austrian Ministry of Culture.

- *What kind of legal framework does art restitution have in Austria? Is it still possible for Holocaust survivors to apply?*

Seven restitution laws were passed in Austria between 1946 and 1949. However, these did not conform to a consistent system, making it difficult for those affected to find out which law applied to their case and to which authority an application had to be submitted. With regard to art objects that had previously been seized as a result of Nazi persecution for example, it was necessary for the applicants to know where the objects were currently located, which they often did not know. The application deadlines of the restitution laws were extended by different periods of time until they finally expired between 1952 and 1956.

In addition, there was the Austrian specificity of the so-called “export dedications” – if art collections were restituted in these early years after the end of the war, in many cases, they were exported from Austria to the owners, many of whom now lived abroad due to Nazi persecution and expulsion, only if the families agreed to leave some of them here as “donations” or “forced exchanges” for Austrian museums. This was especially the case with particularly large and famous art collections such as those of Alphonse and Louis Rothschild, Erich Lederer or Oscar Bondy. Also, David Goldmann, who from a poor background had made a considerable fortune as an industrialist, in March 1938, managed to flee to Prague and ultimately to the USA. In the meantime, his assets left behind in Vienna were confiscated by the Gestapo. While the lesser valuable artworks were offered for auction by the Dorotheum directly in Goldmann's private apartment, the more valuable artworks were handed over to the “Central Depot for Confiscated Collections” and subsequently distributed among numerous Austrian museums and also the “Special Mission Linz.” Parts of the collection were returned to David Goldmann after 1945. An exception to this were five works that the museum directors of the Albertina and the Austrian Museum of

Applied Arts wanted to acquire for their collections; they obtained an export ban from the Monuments Authority. Such involuntary legal transactions came about by taking advantage of the legal export ban (which still exists today) and, above all, played on the fact that the former owners continued to live in exile due to Nazi persecution and could not simply take over the goods restituted to them on site.

Other regulations, such as the two Art and Cultural Property Consolidation Acts of 1969 and 1986, also remained piecemeal. It was only with the Art Restitution Act, enacted on December 4, 1998, that a set of regulations was created that enables the return of museum objects from collections of the Republic of Austria if they had been seized from their former owners in the course of, or as a result of Nazi persecution. The aforementioned “export dedications” can also be reorganised by means of this law and the objects ultimately restituted. This is not an application-based procedure, but rather the Republic is acting *ex officio* here, i.e. proactively conducting research in its own collections. Once the Commission for Provenance Research set up for this purpose has identified a potentially confiscated object, the Art Restitution Advisory Board advises the responsible federal minister on whether it should be restituted. If a family makes a claim for restitution, the case is dealt with as part of the official research. This was most recently the case with regard to a single printed work, the restitution of which was requested by the representative of the legal successor of Hélène van Zuylen van Nyevelt de Haar. Based on the subsequent research carried out by the Commission for Provenance Research, the Art Restitution Advisory Board came to the conclusion that the volume belonged to the huge confiscated holdings of Hélène van Zuylen van Nyevelt de Haar from the French branch of the Rothschild family and recommended its restitution.

In the vast majority of cases, however, (potential) art restitution cases are found as a result of the Commission’s proactive research, which means that there are also no deadlines for filing a claim. However, the export ban on objects of artistic or historical significance within the framework of monument protection is suspended for 25 years from the date of restitution.

- *What position does provenance research have within the compensation system? Could you describe the work of the Commission for Provenance Research over which you preside?*

Provenance research is the key parameter within Austrian art restitution. Every artwork or cultural object acquired from 1933 to the present is qualitatively examined with regard to its provenance and acquisition and if there is any suspicion of Nazi spoliation, an in-depth analysis is carried out, with the results being cross-checked within a multi-stage quality assurance procedure within the Commission for Provenance Research. The Art Restitution Advisory Board gives its legal interpretation in accordance with the Art Restitution Act on the basis of the historical facts

compiled by the Commission, currently consisting of more than 15 researchers – both in the office of the Commission for Provenance Research as the central point of contact and research, and in the various federal collections, nine of whom conduct full-time provenance and heritage research. In addition, there is the management at the central office in the Federal Ministry, consisting of three people, as well as a number of so-called provenance officers at the various federal collections and associated colleagues.

As provenance researchers always work on numerous cases and various tasks at the same time – enquiries from outside, systematic collection research, priority research based on external submissions or an upcoming exhibition abroad, for which the museums require provenance information in advance, etc., – it is difficult to give precise figures on how long it takes for a case to be written or finalised. Sometimes, once a restitution has been decided, the heir research, which often spans the entire globe, takes longer than the provenance research on which the restitution is based. Thus, cases can take 10 or 15 years from their discovery as potentially questionable to their physical restitution. However, the basic principle is that we are working against the clock. Because it is not only the generation of those directly affected that has fallen silent in the meantime; it is naturally the case that heirs also die. And with every change in succession, the conclusion of a case is delayed, because then we have to wait again until the new legal successors are determined, the succession is recalculated and cross-checked, consensus is found between the heirs, etc. I am therefore under constant stress.

- *What is the success rate of the cases the committee works on? Could you elaborate on what kind of objects are restituted to the owners/heirs within the framework of the commission's work (apart from the very obvious, such as artworks: paintings/ sculptures)?*

Since this is an *ex officio* procedure, on the basis of which the Commission for Provenance Research is now permanently active in the federal collections, it is difficult to speak of a “success rate” here; all acquisitions owned by the Republic of Austria are examined systematically and, of course, in accordance with good scientific practice as an open-ended investigation. If a suspicious case arises – i.e. usually when a previous owner of an object turns out to have been persecuted by the Nazi regime – the research is deepened, and the resulting report is submitted to the Art Restitution Advisory Board for review. This is also always the case when a restitution request has been submitted by a third party, so that the applicants are officially informed of the result, since every recommendation by the Advisory Board is published on our website.

Given that an Advisory Board decision is drawn up in the event of a questionable acquisition, the rate of positive restitution recommendations is correspondingly

high: since 1998, the Art Restitution Advisory Board has dealt with 401 cases in 103 meetings, and restitution has been recommended in 342 cases. In total, the restitution of more than 15,800 paintings, drawings, prints, sculptures, objects of applied art, ethnographic, ethnological, technical and natural history objects, coins and medals, as well as more than 52,000 books, autographs, manuscripts and sheet music prints have been recommended.

This immense range of restituted objects shows that the National Socialist regime quite literally took a totalitarian approach to its confiscation of possessions and property; not only was an outstanding robbery of the upper classes committed here, but these crimes also had an impact on middle-class households: everyday objects, masses of private libraries and furniture, and even collections of fossilised fish or hiking maps. No collection that we have analysed so far has not contained items seized as a result of Nazi persecution, and very few of these were paintings by Egon Schiele and Gustav Klimt, as the media would have us believe.

In accordance with the Art Restitution Act, restitutions have been and are being made from all federal museums – Albertina, Kunsthistorisches Museum Vienna with Theatre Museum and Weltmuseum Wien, Österreichische Galerie Belvedere, MAK – Museum für Angewandte Kunst/Gegenwartskunst, Museum Moderner Kunst Stiftung Ludwig Wien – mumok, Natural History Museum Vienna, Technical Museum Vienna, Austrian National Library; but also other collections that are owned by the Republic of Austria, such as the “*Bundesmobilienverwaltung*” (Federal Property Administration) and the Museum of Military History/Vienna Military History Institute. In addition, the Austrian Museum of Folk Life and Folk Art, whose collections are not owned by the Republic but by the Association for Folk Life, has decided to voluntarily research its holdings and return them in accordance with the Art Restitution Act; the Leopold Museum, whose collection belongs to their private foundation, has found its own mechanism and is working together with the Commission for Provenance Research. From time to time, other museums, such as the Salzburg Museum recently, approach the Commission and the Advisory Board with a request for a corresponding assessment. The resulting restitutions can be, or are as varied as the nature of all their collections.

So far, in those cases in which federally owned property is affected and the law is applicable, each of these recommendations have been followed by the responsible federal minister. Since the research and recommendations for restitution are generally carried out proactively, following a positive recommendation it must also be determined to whom the objects in question are to be returned: heir research as the next step in the restitution process comes into play. As mentioned, this can often be very time-consuming due to the length of time, which has elapsed since the end of the war.

– *Is the committee in touch with Jewish organisations?*

We are of course in contact with various institutions, in particular with the Jewish Community of Vienna, which has provided us with substantial support in the search for heirs in recent decades, as well as with other organisations representing victims, such as the National Fund of the Republic of Austria for Victims of National Socialism. Constructive cooperation, especially in terms of raising awareness in times of rapidly rising antisemitism, is essential in order to give the work of the Commission for Provenance Research the necessary moral framework in a problematic present, with reference back to our specific responsibility for the crimes against humanity committed in the past.

– *I am curious: What is the popular opinion concerning Holocaust compensation in Austria?*

The call for the much-cited “final stroke” under the examination of Nazi crimes, under compensation and restitution, is heard again and again. This is particularly evident in the uninhibited area of social media. The ownership factor also loses importance in these arguments, just think of the recurring grief of “losing” an object to the heirs of the private owner from whom it had been taken from public view (it is doubtful that the spokespeople for this argument are just as generous to society when it comes to their own private holdings). However, after the thesis of Austria being the first victim of Adolf Hitler prevailed in the first four decades after 1945, this is now countered by the unequivocal and clear commitment of Austria to taking responsibility, remembrance and – especially in the area of state-owned art – to restitution.

*The resolutions of the cases mentioned in the interview as well as all other recommendations of the Art Restitution Advisory Board can be found here:*

<https://provenienzforschung.gv.at/en/empfehlungen-des-beirats/beschluesse/>.

*In addition to the publication series of the Commission for Provenance Research, which most recently published the anniversary volume “Restituted. 25 Years of Art Restitution Act in Austria”, edited by Birgit Kirchmayr and Pia Schölnberger, the Commission also regularly publishes articles in its online “Lexicon of Austrian Provenance Research.”*

<https://www.lexikon-provenienzforschung.org/en>.