

PROVENANCE RESEARCH AND THE ART TRADE

Ed. Peter Wehrle

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THE GAP BETWEEN THE ACADEMIC ART WORLD AND THE ART TRADE – ON THE STATUS QUO AND THE FUTURE OF AN UNEASY RELATIONSHIP

According to an etymological dictionary, a gap – an incision or a crevice – indicates “un-überbrückbarer Gegensatz, scharfe Trennung” (“unbridgeable differences, a sharp divide”).¹ Traditionally, such divides can be overcome by taking lengthy detours or by building bridges; bridges between scholarship and the art market in the operating system art are commonly built through ‘connoisseurship’ and ‘money’. After all, scholarship can both destroy as well as create value,² then again, the art trade can give direction to scholarship; as it seems to be the rule that most kinds of objects are initially prone to collecting and trading before they become the subject of academic attention or even research. A liaison is typically provided by, on the one hand, “öffentlich bestellten und vereidigten Sachverständigen” (“publicly appointed and sworn experts”) with a university degree (often a doctorate), who dispose of ‘comprehensive special knowledge’ as ‘certified experts’ to be valuers and advisors,³ and art historians who compile catalogues raisonnés on the other, as gatekeepers, funnels and validation authorities (such as Sibylle Groß/Lesser Ury or Werner Spies/Max Ernst). So far, so good, so general, so academic – with the term ‘academic’ also to be read in its sense of ‘removed from practicality’.⁴

The fundamental question raised in this article is not particularly original: Isn’t there a good reason for a strict division between art history and art trade? Or are they not from the outset in an osmosis, which would make any “fear of border guards” (Aby Warburg)⁵

Fig. previous page: Eugène Flandin (1809–1889), *Gorge of the mountain Kuh-e Pir Zan in Iran*, c. 1843/54, lithograph on clay, 58.6 cm x 41.7 cm.

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entirely inappropriate? Or is the idea of a peaceful coexistence itself nothing but an illusion, as the interests (intellectual versus material profit) are so obviously divergent, even incommensurable, and hence can never be linked and certainly never compared? Is the scholarship-trade-relationship best illustrated by the image of a DNS or DNA double helix (*fig. 1*), since the complementary chains are intertwined in many ways?

So how can the relationship – the gap – be explored, fathomed, differentiated and nuanced? This article is dedicated to the many aspects of this historical and present coexistence. The objective is to focus on the relationship in order to identify convergences and fundamental differences. Neither taxonomy nor an encyclopaedical course are at the forefront, rather a survey and a reflection aimed at developing a basis to set a future course.

In any case, the tense relationship of different perspectives, approaches and objectives ventilated here has a history that goes beyond the scope of this paper, yet must be mentioned: From the relationship between the art historian Wilhelm Bode and the artist/restorer/dealer Stefano Bardini⁶ to the collector/art historian Frits Lugt and the curator/expert Max J. Friedländer and the proximity of the museum director/private collector Hermann Voss to the trade,⁷ from the disputes of the early 1930s on expertise⁸ and the allegations against August Liebmann Mayer⁹ to the art forgery scandal around Wolfgang Beltracchi, who fooled both academic and market experts – there was always a whiff of something potentially unsavoury, about 'liminal processes' and hence ultimately about blurring the lines between the spheres of scholarship and trade – a process which was deemed to be problematic, at least temporarily and in part.

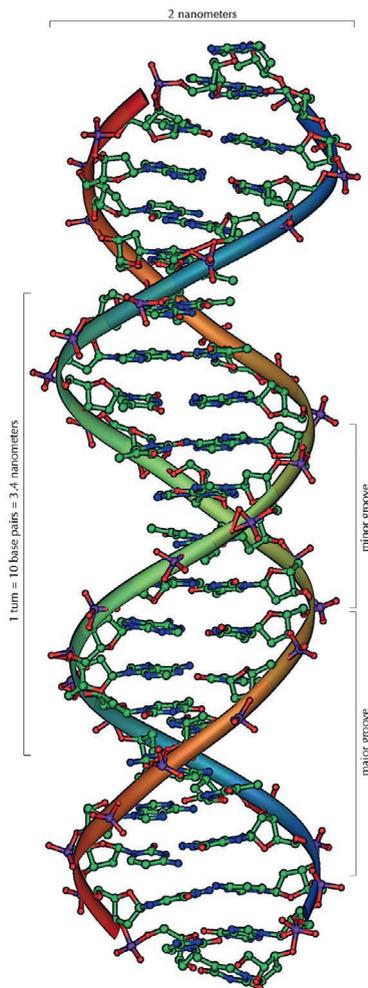
Indeed, overlapping and intersecting interests and needs of scholarship and the art trade, both historical and current¹⁰, must be diagnosed as well as accordances and cooperations. At the same time, determined separation efforts are apparent, also in both directions: the way that businesspeople and managers, dealers and auctioneers shake their heads in disbelief about the unworldliness of art historians in their ivory towers, who believe to acquire their universal wisdom through literature without a visual inspection of the originals, or indeed any practical experience with business procedures and trade conventions; conversely, art historians (be they civil servants or on permanent or fixed term contracts) turn up their noses when faced with expressed mercantile interests. Last, not least, there is arguably the most radical – since categorial – refusal of the academic world in the field of ancient art and archaeological artefacts to even consider objects on the market for an expert discourse or to establish contact with the respective dealers.

A forced alliance?

Particularly over the past two decades, all these concrete sensitivities – animosities, antipathies and aversions – in both fields, groups and spheres, have increasingly been driven into a sort of forced alliance, converging in the area of provenance research. As a consequence of deliberate political initiatives and guidelines (from the 'Joint Declaration' of 1999 to the 'Act on the Protection of Cultural Property' of 2016) the clarification of past changes in ownership has become a socio-political litmus test for both the art trade and the academic art world – and above all for those who work in collections and museums.

Fig. 1: Section of 20 base pairs from the DNA double helix (structural model of the dextrorotatory B-form)

Image credits: https://upload.wikimedia.org/wikipedia/commons/f/f0/DNA_Overview.png (last accessed on October 18, 2023). Created by Michael Ströck. Copied to Commons from en.wikipedia.org



After all, scholarship and the trade are equally affected by the moral-ethical accord arising from international politics of dealing with the past, as stipulated in the ‘soft law’ of the Washington Declaration.

Provenance research carried out by the trade is clearly commissioned research, and can in a best-case scenario clarify the conditions for the option of processing certain sales or even the tradability of art objects in general. Henrik R. Hanstein expressed this quite trivial fact in promotional terms as follows: “Mit der Provenienzforschung bietet das Auktionswesen Käufern und Verkäufern Sicherheit auf mehreren Ebenen” (“With provenance research, the auction system offers buyers and sellers security on several levels”)¹¹ – a statement which, however, smoothly turns a blind eye on the victims’ perspective.

In a museum context, the safekeeping or disposal of objects from state or municipal collections ultimately depends on results produced by government-imposed provenance

research. It should be emphasized that the politically defined social mandate of investigation and evaluation of legitimate or illegitimate changes of ownership, especially during the National Socialist era, also applies to the area of fundamental research at universities or research institutes, as well as archives and libraries. Provenance research is thus declared a civic duty for art history in general – and therefore for each researcher. However, this well-meant impetus for investigation can also cause problems: when, for example, issues of provenance and art market research become the subject of academic qualification papers presented in the course of university education. As the publication of the individual research achievements carried out in this context – as part of a bachelor's or master's exam – is solely at the discretion of the authors, a paradoxical situation arises: An exercise in cultivating personal research interests (be it the proverbial hobbyhorse or hard-won narrative control in a chosen field) generally considered unproblematic and perfectly legitimate in other (art) historical spheres, has a counterproductive effect in the case of provenance and art market research, because the burial of the research papers in the filing cabinets of examination offices is diametrically opposed to the ubiquitous credo of transparency.

Another difficult area is a disqualification of the research concepts of 'object biography' and 'loss due to Nazi persecution' as too particular and too narrow: from a perspective of academic and research 'freedom', the concrete application of provenance research results is an almost inexcusable original sin. Just like an – allegedly – 'free artist', who indulges in autochthonous creativity without ever allowing himself to be harnessed, acting completely autonomously and without requiring inspiration from the muses, a condescending view of traditional art history insinuates that provenance research is inferior precisely because it fulfils a non-scholarly but a political-moral mandate. At worst, the complex and knowledge-rich research into changes of ownership is thus considered a subordinate service that can never claim a place at the table of the *Septem Artes liberales*.

In this overview, a recent and very concrete example of the insistence on categorial differences should not go unmentioned: the heated discussion as to whether art dealers should be able to become members of the *Arbeitskreis Provenienzforschung e. V.*¹² The discussions were ambivalent in so far as bridges were built on the one hand, and the irreconcilability and incompatibility of private sector and state or municipal perspectives was insisted upon on the other. The art trade, it seems, views membership in the research group primarily in terms of networking with researchers and participating in research discourse. Yet the chasm between the interests of trade and scholarship widens precisely at the point where (research data) infrastructures come into play. In a recent article published in the *Süddeutsche Zeitung*, Cana Hastik, an expert on research data at the Technische Universität Darmstadt, addressed the problem in categorical terms: "Das Prinzip der Forschungsfreiheit fordert, dass niemand mit kommerziellem Interesse Zugriff auf die Daten haben darf." ("The principle of freedom of research demands that no one with a commercial interest may have access to the data.")¹³ But who owns research data? Who sets up barriers and why, who benefits from Open Access?

Who does what, and why?

Either way, provenance research is thus to be situated in the tense relationship between art history and the art trade, and at the same time amid concepts and conceptualisations that must be described as bipolar and dichotomous. The gap between academia and the art trade is certainly clearly expressed in the demands for clarification, transparency and disclosure on the one hand, and discretion and the protection of trade secrets on the other. For the field of public collections, Gilbert Lupfer explicitly confirmed a specific objective in the history of ownership, that it is “kein Selbstzweck, sie ist keine Forschung im wissenschaftlichen Reinraum. Vielmehr ist sie im engen Zusammenhang mit den ‘Washingtonter Prinzipien’ von 1998 zu verstehen: Sie soll zu ‘gerechten und fairen Lösungen’ beitragen und den Nachfahren der vom NS-Regime Verfolgten zu ihrem Recht verhelfen.” (“not an end in itself, it is not research in a detached scholarly sphere. Rather, it is to be understood in close connection with the ‘Washington Principles’ of 1998: It should contribute to reaching ‘just and fair solutions’ and to help the descendants of those persecuted by the Nazi regime to obtain justice.”).¹⁴

With regard to art history, it can be said that the discipline was not necessarily prepared for the direct social impact associated with the politically induced cognitive interests of provenance research. To this day, the discipline is still at odds with the urgency of an encroachment of real life and memory politics.¹⁵ At least, a somewhat infrastructural upgrade of art history becomes apparent in preparation of this research, i.e. in the field of published art trade sources – as in the shape of ‘German Sales’ at the Heidelberg University Library. In addition, a short-lived bloom of junior professorships of different denominations and focal points in research and teaching could be observed as of 2017 – short-lived, because only two of formerly four posts currently persist (at Technische Universität Berlin and at Rheinische Friedrich-Wilhelms-Universität Bonn). The Hamburg post was liquidated some time ago, the one in Munich in winter 2023/24. Hence, it does not really require prophetic competence to predict the imminent end of university-based provenance research – notwithstanding a *nota bene* unbroken interest among students and the Bonn Research Centre for Provenance Research, Art and Cultural Property Protection Law.

Against this background, the question as to ‘Who does what and why?’ is not a rhetorical one. Instead, it is actually a social and pragmatic necessity to render an account of tasks, resources and objectives that is free from any bias.

In any case, both factually and technically, state institutions and the art trade are likewise obliged to adhere to the same basic moral and ethical disposition. For the trade, this is stipulated in section 42 of the Cultural Property Protection Act (2016), the “Sorgfaltspflichten beim gewerblichen Inverkehrbringen” (“Due diligence in establishing commercial circulation”), paragraph 1, item 3, which specifies the task of “die Provenienz des Kulturgutes zu prüfen” (“checking the provenance of cultural property”).¹⁶ According to the corresponding commentary, “erhöhte Sorgfaltspflichten” (“increased due diligence”) must be exercised pursuant to § 44, especially in the case of cultural property seized as a result of Nazi persecution; in that case, there is “grundsätzlich ein erhöhter Recherchebedarf zur Herkunftsgeschichte und Provenienz. Es kommt daher nicht auf die wirtschaftliche Zumutbarkeit des Aufwandes der Recherchen an.” (“always an increased need for research into the history

of origin and provenance. It is therefore not a question of the economic reasonability of the research effort.“).¹⁷ For museums, libraries and archives, as well as other institutions on a national, state or local level, the general commitment to the ‘Washington Principles’ and the principles of the ‘Joint Declaration’¹⁸ provide the guidelines for research. The fact that trade and scholarship should align in this regard seems to make some representatives of both groups uneasy. To put it bluntly, one might hazard that the academic guild of art history invented art market research – or at least attempted to revive it with considerable effort – in order to avoid this unwanted alliance.

For these investigations and studies are rarely, if ever, about individual objects, but much more often about structures, frameworks, networks and tendencies, often also about individual collector personalities and their ‘exquisite taste in art’¹⁹. In order to reconstruct company histories, the ‘art detectives’, as provenance researchers were occasionally called from a popular educational perspective in the early 2010s, swapped Sherlock Holmes’s magnifying glass for a bird’s-eye view and the abstracting construction of models, something traditionally within the domain of art history.

All in all, this conflict situation can be described as confusing, complex and partly contradictory. For example, a 2023 ‘explanatory film’ made by the Deutsches Zentrum Kultur-gutverluste (DZK, German Lost Art Foundation) entitled “Was ist Provenienzforschung?” (“What is provenance research?”) asserts that it is carried out “von Museen, Bibliotheken, Archiven, Auktionshäusern oder Personen betrieben, die Kulturgüter besitzen oder mit ihnen handeln” (“by museums, libraries, archives, auction houses or persons who own or trade in cultural property”).²⁰ However, academic art history at universities and research institutes is not included here. So which definition is taken as a basis, what exactly are we talking about? When we talk about provenance research at museums, does this include fundamental and contextual research, too? Are collection history and institutional historiography at all interested in ownership changes of artefacts? And how circular is research into the history of collection and art market research if they merely reiterate the canon without critically questioning it?

What is particularly difficult?

In view of a present situation characterised by fear of contact and friction losses, as well as by best practice models, win-win constellations and fruitful dialogue, addressing specific problem areas in concrete terms seems a sensible thing to do.

The fact that the Art Historical Institute in Florence recently removed more than 20,000 auction catalogues from its reference library to the effect that they will no longer be accessible for the foreseeable future seems to be characteristic of ‘academia’s’ above-mentioned contempt for market affairs. This decision by the Max Planck Institute, a measure certainly taken for pragmatic reasons, is even more regrettable as the holding also includes unique copies. Perhaps the removal is also owed to the different status of such transaction documentation in Italy.

Looking at it that way, the intensive use of a similar collection stored in the northern sister institute in Munich for decades, virtually represents a bridging of the ‘gap’ discussed

here. As is well known, art historians working in the art trade as well as museums and universities use auction catalogues for reference, as they rely on various other art trade resources, which also becomes evident in the high number of inquiries received about past changes of ownership.²¹ Dealing with these questions is laborious because the sources are complex.²² As far as can be seen, responses are provided irrespective of status and constitution: public museums, independent freelance provenance researchers, lawyers, authors of catalogues raisonnés and international auction houses are provided with answers to the best of the institute staff's knowledge, in the same way as the State Criminal Police Office or the Holocaust Claims Processing Office are.²³ However, feedback on the actual use of the information communicated or supplied is only given in exceptional cases.

This (information) asymmetry, which varies in intensity but is always present, fundamentally characterises everyday life. For in the trade, especially the auction market, provenance research plays a significant role today; many objects are efficiently scrutinised in short periods of time and at a high cadence. However, this is always about specific individual pieces or the genesis and dissolution of a certain collection; the research results enter the business of monetization and are possibly used internally, but they are not published independently of the concrete utilisation contexts and are certainly not made available as raw research data. The data, which is often compiled with great effort and an immense degree of expertise, reaches its final purpose in the transaction on the scheduled auction date, and a small part of these results is published as a provenance chain in the analogue or digital auction catalogue. All other data is not researchable by the public. This prevents sustainability, because there are no overarching structures. In other words: duplication is inevitable, because the status of a lost work of art must be researched again and again from scratch, including the reconstruction of a collector's or dealer's fate and including the elucidation of a history of loss. It is unclear why the innovative power of Germany's small and medium-sized enterprises, and the creativity of the liberal market economy have not yet found ways to develop other models of generating and distributing information: Must the door of one's office become a barrier to provenance research in a globalised art market?

The Deutsches Zentrum Kulturgutverluste funds research in public museums, but the results can only be accessed through its Proveana database, with some delay and not yet very conveniently; the trade sometimes forgoes in-house examinations of objects and instead commissions the Art Loss Register in London, a commercial enterprise which for its part neither discloses its sources nor provides insight into how the results were produced. Here, too, are no sustainable structures that may even be used by the public in future. Other than for the former Soviet occupation zone (SBZ) and the GDR, where the Deutsches Zentrum Kulturgutverluste carries out indisputable fundamental research expressly as a service to the community, the modus operandi in the field of racially motivated National Socialist confiscation of cultural property – that was indeed deemed crucial to 'fight the enemy' – is far less structured, in the shape of the Proveana database which is being fed with information. Which authority assumes responsibility for fundamental or contextual research on National Socialism that is unanimously required by provenance research in museums and in the trade?

What remains? The gap? "Es waren zwei Königskinder, die hatten einander so lieb, sie konnten beisammen nicht kommen" ("There once were two royal children, whose love was

like none ever seen, but they couldn't come together, there was too much water between")? Objectively speaking, the basic parameters of the relationship between scholarship and commerce will (or can) hardly undergo any decisive modifications in the short or medium term, due to the high momentum of their respective internal logic. However, through and with provenance research, a perspective of common interests opens up – even if the goals ultimately remain different. It may therefore be time to both carefully and energetically modernise the 'circle of friends' model²⁴ and to reassess the scope for reshaping it, especially in the area of resource allocation (who invests how much for what?). This would create a resonance space in which the state funding provided by the German Lost Art Foundation for the reconstruction of lost Jewish collections and art trading companies could develop the momentum needed to bridge the gap.

However, a lasting connection could only be established if the trade continued to provide resource materials and, perhaps for the first time, made funds available to ensure the continuity and intersubjective re-usability of the research results generated in different places and for different tasks. For part of the nature of the divide is that it had better not be bridged single-handedly.

ANNOTATIONS

- 1 "Kluft", in: Pfeifer, Wolfgang et al.: *Etymologisches Wörterbuch des Deutschen* (1993), digitalized version revised by Wolfgang Pfeifer in *Digitales Wörterbuch der deutschen Sprache*, <https://www.dwds.de/wb/etymwb/Kluft> (last access on July 10, 2023).
- 2 Here are just two examples of such mercantile implications of academic work: When the Rijksbureau voor Kunsthistorische Documentatie (RKD) at The Hague downgraded a painting previously classified as from "Ruben's workshop" to "Rubens circle", the market value went down by more than tenfold, that was from 1.5 million to only 120,000 euros. In contrast, research has brought about a significant price increase for Lotte Laserstein (1898-1993): First exhibitions in the 1980s were followed by Anna-Carola Krause's dissertation in 2002 (published in 2003), and by major exhibitions at the Städel Museum, Frankfurt a. M., and the Berlinische Galerie, Berlin in 2018/19 - a 2018 appeal for donations states quite succinctly "Laserstein ist viel wert" ("Laserstein is worth a lot"), https://berlinischegalerie.de/assets/downloads/presse/Presstexte/Pressearchive/2018/PM_Lotte-Laserstein__Spendenaufwurf_10.12.18_Berlinische-Galerie.pdf (last access on July 10, 2023).
- 3 <https://www.ihk-muenchen.de/de/Service/Sachverst%C3%A4ndige/> (last access on July 10, 2023); for a list of nationwide certified experts in the field of 'art and antiques' visit: <https://svv.ihk.de/svw-suche/4931566/suche-extern?sachgebietsnummern=4950&suchbegriffe=Kunst%20und%20Antiquit%C3%A4ten> (last access on July 10, 2023).
- 4 "akademisch" in German, provided by the *Digitales Wörterbuch der deutschen Sprache*, <https://www.dwds.de/wb/akademisch> (last access on July 10, 2023).

- 5 Warburg, Aby M.: *Italienische Kunst und internationale Astrologie im Palazzo Schiffanoja zu Ferrara. 1912/1922* [Vortrag Kunsthistorikerkongress Rom 1912], published in: Venturi, Adolfo (ed.): *L'Italia e l'arte straniera: atti del X Congresso Internazionale di Storia dell'Arte in Roma (1912)*. Rome 1922 (reprint from 1978), pp. 179–193, plates XXXVII–XLVII, online: https://archiv.ub.uni-heidelberg.de/artdok/1628/1/Warburg_Italienische_Kunst_und_internationale_Astrologie_1922.pdf (last access on July 10, 2023), here p. 191 (*The Renewal of Pagan Antiquity: Contributions to the Cultural History of the European Renaissance*, Getty Publications, 1999, p. 585). It should be noted that Warburg does not mean the boundaries between scholarly disciplines (as his phrase is often understood and quoted), rather, he criticises the strict division of historical processes into “Antiquity, the Middle Ages and Modern Age”.
- 6 In greater detail: Catterson, Lynn (ed.): *Florence, Berlin and Beyond. Late Nineteenth-Century Art Markets and their Social Networks*. Leiden & Boston 2020; idem, *Stefano Bardini and Wilhelm von Bode: A Case of Collaborative Contamination of the Canon and the Scholarly Literature?* Lecture via Zoom on April 28, 2021, available on <https://www.zikg.eu/aktuelles/veranstaltungen/2021/the-hugo-helbing-lecture-2021> (last access on July 10, 2023); see also https://www.handelsblatt.com/arts_und_style/kunstmarkt/geschichte-des-kunstmarkts-renaissance-haendler-stefano-bardini-hoch-kompetent-aber-skrupellos/28971422.html (last access on July 10, 2023).
- 7 Iselt, Kathrin: “Sonderbeauftragter des Führers“. *Der Kunsthistoriker und Museumsmann Hermann Voss (1884–1969)*. Cologne/Weimar/Vienna 2010, pp. 26, 42, 61, 127, 202 and passim.
- 8 Gramlich, Johannes: “Jedem der Experten einen Judenhut aufstülpen“: Der “Expertisenkrieg“ und die “Sammlung Schloss Rohoncz“ in der Neuen Pinakothek 1930, in: *Jahresbericht der Bayerischen Staatsgemäldesammlungen 2017*. Munich 2018, pp. 182–192.
- 9 Posada Kubissa, Teresa: *August L. Mayer y la pintura española: Ribera, Goya, El Greco, Velázquez*. [Madrid] 2010; Fuhrmeister, Christian / Kienlechner, Susanne: *August Liebmann Mayer (1885–1944). Success, failure, emigration, deportation and murder*, in: Rotermund-Reynard, Ines (ed.): *Echoes of exile. Moscow archives and the arts in Paris 1933–1945*. Berlin 2015, pp. 139–159.
- 10 Cf. Hubertus Butin: *Uneinsichtig*, *Frankfurter Allgemeine Zeitung* on October 14, 2023, p. 13.
- 11 Hanstein, Henrik R.: *Geschichte muss nicht auf Treu und Glauben angenommen werden* [insert], in: *LEMPERTZ Bulletin 2/2023*, unpaginated; online: https://www.lempertz.com/fileadmin/user_upload/bulletin/Lempertz-Einhefter-deutsch-Einzelseiten-Doppelseiten-150dpi.pdf (last access on July 10, 2023). See also [p. 3] this consideration: “Der Staat gibt gemäß der Washingtoner Prinzipien die in Staatsbesitz befindlichen Kunstwerke zurück, so es sich um Raubkunst handelt. Müsste er nicht auf haften für die nach dem Kriege auf öffentlichen Auktionen und Kunstmessen gutgläubig erworbenen Kunstwerk?“ (“According to the Washington Principles, the state returns works of art in state ownership if they are looted art. Shouldn't it also be liable for works of art acquired in good faith at public auctions and art fairs after the war?“).
- 12 Thum, Agnes: *Kunsthandel, Kommerz, Provenienzforschung: Washington und die Folgen*, in: *Kunstchronik*, volume 76, July 2023, issue 7 (Special issue ‘Provenienzforschung und Kunstgeschichte – eine Autopsie’), pp. 357–362, here p. 360: “The membership of the trade in the Provenance Research Association – that is the very professional group legally obliged to conduct provenance research – which is not yet possible, would be just as important a signal as an increased and deliberate cooperation at conferences, publications or teaching courses. [...] Because (provenance) researchers also work in the trade, and many colleagues who occupy key posts in the public sector have previously also worked for or in the art trade. Permeation, moreover, is not only a matter of staff, but also a matter of structure: Academic quality is possible within the free market economy, and conversely, the rules of the free-market economy determine scholarship in many places. Perhaps the dividing gap is not that big after all?“ (translated from German. In the fall of 2024, the Provenance Research Association decided to amend its statutes. The trade will now have the opportunity to apply for membership).
- 13 Quoted from Meier, Christian J.: “Wir ertrinken in Daten“. *Forschungsdaten sollen besser zugänglich werden*, in: *Süddeutsche Zeitung*, no. 157, July 11, 2023, p. 12.
- 14 Lupfer, Gilbert: *Zum Geleit*, in: *Provenienz & Forschung*, 1/2018, pp. 1–3, here p. 1.

- 15 Detailed: Fuhrmeister, Christian: *Auf einmal spielt die Welt eine Rolle? Zum Verhältnis von Kunstgeschichte und Provenienzforschung*, in: *Kunstchronik*, vol. 76, July 2023, issue 7 (special issue 'Provenienzforschung und Kunstgeschichte – eine Autopsie'), pp. 330–336.
- 16 <https://www.gesetze-im-internet.de/kgsg/BJNR191410016.html> (last access on July 10, 2023).
- 17 The Federal Government Commissioner for Culture and the Media (ed.): *Das neue Kulturgutschutzgesetz. Handreichung für die Praxis*. Frankfurt a. M. 2017, p. 213 (online on https://www.kulturgutschutz-deutschland.de/SharedDocs/Downloads/DE/HandreichungKGSG.pdf?__blob=publicationFile&v=3, last access on July 10, 2023).
- 18 <https://kulturgutverluste.de/sites/default/files/2023-04/Gemeinsame-Erklaerung.pdf> (last access on July 10, 2023).
- 19 As an example, we refer to Herzog, Katharina Christiane: *Mythologische Kleinplastik in Meißener Porzellan 1710–1775*. Dissertation University of Passau 2008, pp. 152f. (online on https://opus4.kobv.de/opus4-uni-passau/frontdoor/deliver/index/docId/168/file/herzog_katharina.pdf, last access on July 10, 2023).
- 20 <https://kulturgutverluste.de/mediathek/erklaerfilme>, 0:14 to 0:21 (last access on July 10, 2023).
- 21 As stated in *Jahresbericht des Zentralinstituts für Kunstgeschichte 2022*. Munich 2023, pp. 12f.
- 22 As is the assessment of Fuhrmeister, Christian/Jooss, Birgit /Klingen, Stephan: *Was braucht die Provenienzforschung? Worin besteht der Auftrag für bestandshaltende Institutionen?*, in: *Der Archivar. Zeitschrift für Archivwesen*, vol. 75., February 2022 (special issue *Provenienzforschung*, for the Arbeitskreis Provenienzforschung e. V., ed. by Meike Hopp and Sven Haase), pp. 13–15.
- 23 Cf. Fuhrmeister, Christian/Klingen, Stephan: *Immer noch prekär – Provenienzforschung am ZI*, in: Augustyn, Wolfgang/Lauterbach, Iris/Pfisterer, Ulrich with the assistance of Krista Profanter (ed.): *ZI 75 – Das Zentralinstitut für Kunstgeschichte in München: Zum 75-jährigen Bestehen*. Munich 2022, pp. 283–301, here pp. 293f. and 296f.
- 24 In the 'Verein der Freunde des Zentralinstituts für Kunstgeschichte e. V.' CONIVNCTA FLORESCIT (Association of Friends of the Central Institute for Art History), founded in 1983, the trade is historically prominently represented, also and especially on the board, cf. <https://www.zikg.eu/institut/foerderverein> (last access on July 10, 2023).



Fig. 2: Wilhelm Morgner (1891–1917), *Landschaft mit kleiner Brücke bei Soest*, 1910, oil on canvas, 75 x 85 cm.
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PROVENANCE RESEARCH AND THE ART TRADE

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