

Restitution of a floral still-life from the workshop of Jan Brueghel the Elder by the Bayerische Staatsgemäldesammlungen

Munich, 10.07.2012 | Restitution of the painting 'Bouquet of Flowers in a Clay Vase' from the workshop of Jan Brueghel the Elder by the Bayerische Staatsgemäldesammlungen to the heirs of the Viennese merchant Julius Kien.

'Bouquet of Flowers in a Clay Vase' is a workshop replica of the original by Jan Brueghel the Elder in the National Gallery in Prague. It has been in the possession of the Bayerische Staatsgemäldesammlungen since 1992 (Inv. No. 15280), having been acquired from the collection of Fritz Thyssen. During preparatory work for the major Brueghel exhibition in 2013, the painting in the Alte Pinakothek was thoroughly examined and exhibition labels discovered on the reverse which showed that Julius Kien had once been the owner of the painting.

Research carried out by the Referat für Provenienzforschung (Art Provenance Research) at the Bayerische Staatsgemäldesammlungen revealed that Julius Kien had been forced to sell the work as a result of the persecution of Jews in Austria and of injustice exercised by the Nazi regime in 1938. On July 10th, the picture has been returned to its rightful owner, Jennifer Kien (*1948), a professor of neurobiology from Tel Aviv, a granddaughter of Julius Kien, representing the heirs.

Julius Kien – Flight and Disappropriation

The Viennese merchant Julius Kien (*1868 in Ung. Ostra, Czechoslovakia, † 1949 in Sydney, Australia), was the proprietor of the trading company Julius Kien & Co of Vienna. He and his wife, Adele Kien, née Fischl, had three children – Hedwig Spiegel (1903–85), Walter Kien (*1900) and Josef Friedrich Kien (1904–98), the father of Jennifer Kien.

Julius Kien was the owner of the picture from at least 1930 onwards. According to records in the Bundesdenkmalamt (Federal, Antiquities and Monuments Office) in Vienna, Julius Kien wanted to send the painting and one other work to London in March 1938. The Annexation of Austria took place on 12 March, resulting in the cancellation of Kien's application. As a consequence, the pictures were not dispatched.

Julius Kien was forced to declare his assets. In the »Verzeichnis über das Vermögen von Juden« (Inventory of Assets owned by Jews) of 27 April, 1938, Julius Kien listed works of art and pictures. In August and September 1938 Kien reported to the respective authority that he had sold various works of art to the art dealer Hinrichsen in Berlin, including the picture 'Bouquet of Flowers in a Clay Vase', from where it was acquired by Fritz Thyssen.

On 20 March, 1939, Julius Kien was ordered to pay »Reichsfluchtsteuer« (Reich Flight Tax); three days later he emigrated to Australia via Switzerland and London. On 30 July, 1942, the Nazis declared him stateless and confiscated his remaining assets which were forfeited to the Reich.

The Thyssen Collection

The National Socialists confiscated Fritz Thyssen's collection in October 1939 and stored the works – which included the floral still-life – the following year in the Rheinisches Landesmuseum Bonn and the Museum Folkwang in Essen. Fritz Thyssen and his wife were arrested on 21 December, 1940, in France and extradited to Germany where they were detained in various concentration camps by the Nazis. The couple were liberated by American troops in May 1945

on a march in the Alps. Fritz Thyssen was accused of being a supporter of the NSDAP and was imprisoned. His denazification case was opened in 1948 and a settlement was reached in 1950. Fritz Thyssen died in Buenos Aires in 1951.

The restitution of artworks to his wife, Amelie, and daughter, Anita, did not take place until after his death. In 1987, the Free State of Bavaria signed a contract of sale with Anita Amélie, Countess Zichy-Thyssen, for the acquisition of the Fritz Thyssen art collection. In 1992, 21 paintings from the collection were added to the inventory and collection of the Bayerische Staatsgemäldesammlungen, one of which is the picture 'Bouquet of Flowers in a Clay Vase'.

The Washington Declaration

On the basis of the Washington Principles of 3.12.1998, and the »Common declaration made by the government of the Federal Republic of Germany, the Länder states and central communal associations in December 1999 regarding the location and restitution of cultural artefacts dispossessed as a result of persecution by the National Socialists, especially from Jewish ownership«, German institutions are called upon to search through their holdings for Nazi plunder. The restitution is based on the recognition of the morally binding principles and policies to locate and return artworks and cultural goods illegally acquired during the Nazi period.

The Staatsgemäldesammlungen would like to thank the Abteilung Restitutionsangelegenheiten (IV/1) (Dept. of Restitutorial Affairs) at the Bundesministerium für Unterricht, Kunst und Kultur (Federal Ministry for Education, Arts and Culture) for its support in research on Julius Kien and Fritz Thyssen, as well as the Büro der Kommission für Provenienzforschung in Vienna, the Historisches Seminar at Ludwig-Maximilians-Universität, Munich, the Museum Folkwang in Essen and the National Library of Australia, Canberra.

As a result of this mutual declaration, the restitution of 9 works since 1999 from former Jewish collections has been made by the Bayerische Staatsgemäldesammlungen through its own department of provenance research, which is also closely associated with additional projects, funded by third parties, researching into the history of Jewish art dealers and collectors.



Workshop of Jan Brueghel the Elder; Bouquet of Flowers in a Clay Vase; beginning of 17th century
70 x 52 cm, oil on oak panel

Further information:

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