

Who Owns Bruno Schulz?

The Changing Postwar Fortunes of Works of Art by Jewish Artists Murdered in Nazi-Occupied Poland¹

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The documentation of works of art and culture destroyed and looted in German-occupied Poland (1939-1945), as well as the active search for these works abroad and the restitution of recovered objects have ranked among the key priorities of the Polish Ministry of Culture and National Heritage since the early 1990s. In regard to questions of restitution, the Ministry of Culture is in constant competition with the Ministry of Foreign Affairs: every recovered item is widely presented as a great victory for justice, while at the same time it is presented as a victory for the ministry involved.

However, what is never mentioned is the fact that after the war, national institutions and private individuals often became the new owners of objects that had once belonged to private people or organizations persecuted by the Nazis. In the majority of cases, this affected Jewish individuals, Jewish communities and Jewish institutions. This attitude of silence contradicts the 1998 Washington Conference Principles, confirmed by the Terezín Declaration in 2009. It prevails despite the fact that Poland has signed both documents and benefits from them in cases of foreign restitutions.²

This double standard was blatantly evident during the international conference organized in November 2014 in Kraków entitled “Looted/Recovered. Cultural Goods - the Case of Poland”.³ The conference took place under the auspices and presence of the then Minister of Culture. The necessity for provenance research, supervision of the art market, and the implementation of restitution procedures were underlined within the context of the Polish authorities’ efforts to recover looted art taken out of the occupied country. However, as concerns collections in Polish institutions, the organizers attempted to avoid facing the same questions.⁴

The Ministry of Culture even self-censored by keeping silent about the official foundation of a special Group of Experts within its Department of Cultural Heritage which was created after the Prague Holocaust Era Conference in 2009.⁵ Its task was to prepare “the study of museum exhibits from the viewpoint of their possible origin as part of Jewish property”.⁶ The Group was secretly dissolved by the Ministry in 2011. The organizers of the Kraków conference also failed to provide information concerning the exceptional restitution of Gustave Courbet’s painting from the Warsaw

¹ This paper was presented at the International Conference organized by the Documentation Centre for Property Transfers of Cultural Assets of WWII in Prague 21-22 October 2015. For the previous eight years, the liberal-conservative coalition of the Platforma Obywatelska (Civic Platform) and Polskie Stronnictwo Ludowe (Polish People’s Party) governed Poland. Under the national-conservative government of the Prawo i Sprawiedliwość (Party Law and Justice) which rules Poland since November 2015, one cannot expect the slightest progress of the matters discussed.

² The most recent case is the Plocker Pontificale, restituted from the State Bavarian Library to the Plock diocese in April 2015.

³ International Cultural Centre in Kraków, 12-14 November 2014.

⁴ In the last session of the conference Agnes Peresztegi of the Commission for Art Recovery; Wesley A. Fisher, Director of Research for the Conference on Jewish Material Claims Against Germany; and the author of this paper confronted the organizers and conference audience on this topic.

⁵ Bandurska, Z. Kacprzak, D. Kosiewski, P. Romanowska-Zadrozna, M. Steinborn, B. Tarnowska, M. “Badania proveniencyjne muzealiów pod kątem ich ewentualnego pochodzenia z własności żydowskiej”. *Muzealnictwo*, Nr. 53 2002, p. 14-26. (online available at: http://muzealnictworocznik.com/abstracted.php?level=4&id_issue=871162)

⁶ Ibid, p. 26.

National Museum to the heirs of Hungarian Jewish collector Baron Lipot Herzog (which took place in 2011, after twelve years of efforts and negotiations).⁷ It is therefore not surprising that the Polish public was unaware of these developments.

The works of art in Polish public collections that were confiscated from Jews by the Nazis between 1933 and 1945 in the German Reich – as is the case with two collectors from Wrocław (Breslau), Max Silberberg (1878-1942) and Carl Sachs (1868-194?) – or from occupied countries, such as the Netherlands (the Goudstikker case), or Hungary (three more paintings from the Herzog collection) and Greece (Judaica from Thessaloniki and other places), are only sporadic cases. The situation is vastly different concerning the artefacts which were, or with great probability may have been, the property of Polish Jews, and which found their way into Polish museums, libraries, and private homes after the war.

I have written elsewhere about the various fates of prewar Jewish art and cultural property in Poland.⁸ However, it is important to remember that more than three million Polish Jews were murdered in the Shoah (90% of Polish Jews). Among these victims were a large number of well-known, but also anonymous, collectors of art and Judaica, owners of valuable private libraries, and nearly all Jewish antique dealers, booksellers and editors. The same tragic fate befell Jewish writers and artists, many of whom lived before the war in Warsaw, Kraków, Lwów (Lviv), Wilno (Vilnius), Łódź, Białystok and other towns in Poland.

The list of several hundred names of Jewish artists (or students completing their art studies) in Poland before the outbreak of the war in 1939 reads like an honor roll.

This artistic heritage was seriously damaged or dispersed, and in some cases it was totally lost. This is particularly the case since the artists' families or their Jewish friends, who could have safeguarded and preserved their works, often also were victims of the Holocaust. The works of those murdered artists – paintings, drawings, etchings, and manuscripts (literary, musical or scholarly) – had a better chance of survival if they were given, for safekeeping, to Polish friends (which, in Nazi terminology meant Aryan, albeit of inferior status).

Works of art were also found during searches carried out by SS units and special Jewish *Räumungskommandos* in liquidated ghettos. They were later often sold by the Germans to the local population, having been deemed worthless. And last but not least, they were collected – usually somewhat later – by the people who entered the empty ghettos and then settled in the abandoned Jewish apartments and houses.

Polish Jews returning to liberated Poland from the Soviet Union and those who had survived the war in Poland immediately attempted to find works of art and crafts hidden in the ghettos or held for safekeeping by Poles. Such searches were sometimes conducted individually and occasionally in an organized manner under the auspices of the Central Committee of Jews in Poland (Centralny Komitet Żydów Polskich, CKŻP), established in July 1944 in Lublin.⁹ This organization immediately created the Central Jewish Historical Commission (Centralna Żydowska Komisja

⁷ Akinsha, K. "Reclaiming Lost Treasures. The vast Herzog art collection, seized in Budapest in 1944, has been dispersed from North Carolina to Warsaw. The family is trying to recover its heritage". *Art News*, June 2012, p. 84.

⁸ See i.e. my article: "The History of Judaica and Judaica Collections in Poland Before, During and After the Second World War: An Overview". Cohen, Julie-Marthe. Heimann-Jelinek, Felicitas. (ed) *Neglected Witnesses. The Fate of Jewish Ceremonial Objects during the Second World War and After*. Crickadarn: Institute of Art and Law, 2011, p. 129-182.

⁹ The CKŻP was founded on 12 November 1944, as the successor to the Committee of Polish Jews (Komitet Żydów Polskich) and existed until 1950. It was a secular organization built on the basis of local committees created earlier, and it represented several Jewish political parties (i.e. the prewar non-confessional parties), but it was dominated by the Polish Communist Party (PPR). The CKŻP was responsible for practically all Jewish matters. From 1946 onwards it was mainly financed by the American Jewish Joint Distribution Committee and, to a lesser degree, by other Jewish organizations.

Historyczna, CZKH) with branches in many cities, including in all the cities that had relatively large ghettos during the Nazi occupation.¹⁰

In late 1946, surviving Jewish artists revived the prewar Jewish Society for the Promotion of the Fine Arts (Żydowskie Towarzystwo Krzewienia Sztuk Pięknych, ŻTKSP). They firmly believed that it was “necessary to mobilize all those with knowledge of the rich heritage of the Polish Jews’ creativity, in order to gather and preserve whatever has been salvaged, and that the recovery of Jewish cultural treasures that remain hidden in the ruins must be stubbornly fought for”.¹¹

In the spring of 1948, in the restored building of the Warsaw community on Tłomackie Street, the first exhibition was held of “the work of Jewish visual artists, victims of the German occupation”.¹² This exhibition was jointly organized by the ŻTKSP and the Jewish Historical Institute (Żydowski Instytut Historyczny; ŻIH), which was established in 1947 as a result of the aforementioned CZKH. The exhibition presented 105 paintings by 58 artists that were “accidentally saved” (as Josef Sandel put it in the catalogue).¹³ The catalogue identified the owners of the paintings in the exhibition as follows: the ŻTKP (16); the ŻIH (16+5); the CKŻP (14); the Joint Distribution Committee (9); the National Museum in Warsaw (10); private persons (33); others (2).

During the next few decades the ŻIH increased its collection of rescued works of art by buying them and in some cases through donations. The works were sometimes sold or donated (not always voluntarily) by family members of the murdered artists, who left Poland in the late 1940s and in the following waves of Jewish emigration. Sometimes Poles who had kept their Jewish acquaintances’ artworks on the “Aryan side” handed them over: they considered the ŻIH to be the best home for “orphaned” artworks. Most often, however, and with the passing of time nearly exclusively, these objects were bought in antique shops as well as from private people who had become their owners under circumstances that were not entirely clear.

Together with the steadily growing interest in certain Jewish artists, and more broadly in the history of Jews in Poland, a number of museums began to acquire examples of Jewish art that turned up on the domestic market (between 1950 and 1989 only the state one and museums were guaranteed priority).¹⁴ In the late 1970s and 1980s a new breed of private collectors appeared. They were also active in the international art market, searching especially for the Polish-Jewish artists of the École de Paris, the Young Yiddish group, the avant-garde and the new realism of the 1930s. Since the 1990s the interest in such works has increased even more. The list of previously known Jewish painters has been expanded to include those who until recently remained unknown.

The overwhelming majority of works by Jewish artists acquired in these ways by postwar Polish museums and other institutions, as well as works still available on the Polish art market, are characterized by one common denominator: their unknown or highly dubious provenance before 1945.¹⁵

¹⁰ The Commission had the dual task of collecting Holocaust survivors’ testimonies and salvaging Jewish cultural heritage. The CZKH was headquartered in Łódź. From its inception it planned to create a Jewish museum; see Grüss, N. *Rok pracy Centralnej Komisji Historycznej*, Łódź, 1946, p. 49.

¹¹ Piątkowska, R. “Żydowskie Towarzystwo Krzewienia Sztuk Pięknych (Jidisze Gezelschaft cu Farszprojtn Kunst). Próba kontynuowania żydowskiego życia artystycznego w latach 1946–49”. Ruta, M. (ed.) *Nusech Pojln Studia z dziejów kultury jidysz w Polsce*, Kraków, 2008, p. 67.

¹² *Wystawa dzieł żydowskich artystów plastyków, męczenników niemieckiej okupacji 1939–1945. Kwiecień–maj 1948*, ŻIH, Warszawa 1948 [Exhibition Catalogue].

¹³ Sandel, J. *In Memoriam*. op. cit. p. 3.

¹⁴ See Footnote No 7.

¹⁵ Sellers to the museums usually make declarations such as “This is my property acquired in 1943 as a remnant from the ghetto”; “This is my property bought on the street or at a flea market”; “This is a gift to my mother, given by a Jewish acquaintance”, etc.

This, however, has not stopped museums in any way from considering themselves the rightful owners of these objects.¹⁶

They perceive themselves – no doubt correctly – as the proper place where the decimated (and indeed almost annihilated) Jewish material cultural heritage can be safely preserved. However, they also consider them as good-faith acquisitions. An excellent example is a recent exhibition in the Warsaw ŻIH entitled “Ocalale / Salvaged” (October 2014 – October 2015).¹⁷

This exhibition was organized nearly half a century after the aforementioned first exhibition in 1948. This time, the collected works of nearly 500 Jewish artists were taken into account, including several who died before 1939 and some who survived the Shoah – almost nine times as many artists than in 1948. The works gathered in the ŻIH are – as we can read on its website – “frequently the only trace of the artists themselves, the only thing by which they can be remembered”.¹⁸ Items reproduced in the exhibition catalogue are described without the slightest comment on their provenance.¹⁹ This shows that a serious investigation, an attempt to find surviving members of an artist’s family, or potential heirs, was never in the interest of the ŻIH, let alone of other Polish museums – and it still, unfortunately, remains of no importance to these institutions.

It seems as if the respective museums have assumed that no one survived the Shoah, and that all close relatives of the artists were without exception murdered, therefore leaving no heirs. And that for the last twenty years, on the international scene, the spectacular wave of restitutions of art works that belonged to Jewish owners persecuted and exterminated by Nazi Germany had no resonance with Polish public collections.

The real situation is different: Polish museums and other public institutions have a historic and moral obligation to undertake provenance research in accordance with the Washington Principles. This is for example the case with three artists who perished in the Shoah: Ralf Immergluck (1892-1939/1944), Mosze Rynecki (1881-1943), and Bruno Schulz (1892-1942).

Ralf Immergluck lived in Kraków. He painted mainly landscapes and portraits of local Jews. His son Richard came to Poland from Australia in 1992, hoping to find any surviving works by his father. He discovered a few works in Kraków museums and in the ŻIH. He believed, at the very least, that the ŻIH would understand his humble request to give him back at least one of his father’s paintings. The painting in question was the only surviving image of Richard’s younger brother, who together with his father and other family members was murdered either in the Kraków ghetto or in the extermination camp at Belżec. In 2007 the ŻIH categorically rejected Richard’s restitution claim for the painting. It argued that Ralf Immergluck had made a living from selling his paintings before the war, and that the portrait of Richard’s brother titled “Portrait of a young Jew” was given to the CŻKH (formerly ŻIH) as early as in 1946 by a Polish woman from Kraków.²⁰

It is worth mentioning that the ŻIH (as well as the Historical Museum in Kraków and the National Museum there) owns other works by Immergluck. All of them portray Jewish life, which basically means that there were very few (in fact almost no) buyers amongst non-Jewish Poles before 1939. All those paintings were acquired without any note on their provenance before 1945.

Unlike Immergluck, the Warsaw artist Mosze Rynecki managed to hide nearly 800 of his works (mainly on paper) at a few locations in the city. One package of 120 watercolors and drawings

¹⁶ According to Polish law, if there are no heirs, the property belongs legally to the state of which the owner was the citizen.

¹⁷ *Ocalale/ Salvaged. A collection of paintings, drawings and sculpture from the holdings of the Jewish Historical Institute*. Żydowski Instytut Historyczny, Warszawa 2014. [Exhibition Catalogue].

¹⁸ <http://www.jhi.pl/en/exhibitions/7> [accessed 8.30.2015]

¹⁹ This lack of provenance information is also common within the majority of newly published books on Polish Jewish art and artists.

²⁰ Letter by Eleonora Bergman, Director of the ŻIH to the granddaughter of Ralf and daughter of Richard Immergluck dated 7.20.2007.

was found after the war by his widow. The family, which later emigrated to the USA, was for many years convinced that nothing else from the oeuvre of their husband, father or grandfather had survived. That remained the case until the great-granddaughter of Mosze, Elisabeth Rynecki, began stubbornly hunting for the missing oeuvre of her great-grandfather. Elisabeth documents all her current activities online, on a special website devoted to Moshe Rynecki.²¹ For quite a few years, and to no avail, she tried to contact the ŻIH and the National Museum in Warsaw merely to obtain some information concerning Rynecki's works in their collections. It was not until 2014, when she decided to make a film on this subject, that she received the first positive feedback from Warsaw.²² When she arrived there with a film crew in October 2014, both institutions allowed her to view the works of her great-grandfather and film them. There was, however, no mention of any potential restitution of Rynecki's works to the family.

The third case concerns Bruno Schulz and his artistic heritage, mainly as a draughtsman.

Bruno Schulz is well known in Poland and internationally mainly through his writing. He is the author of *The Street of Crocodiles* and *The Sanatorium under the Sign of the Hourglass*.

Schulz spent all his life in Drohobych (now in Ukraine), where he worked as a teacher for drawing and handcraft in local schools. He never managed to give up teaching, since neither his writing, nor his graphic art and paintings provided him with sufficient income. Especially his drawings, with erotic and masochistic themes, found few buyers. But Schulz never seriously intended to sell these drawings. On occasion he would give signed drawings to his friends and acquaintances, usually with a personal dedication.

When the Germans took over Drohobych in the summer of 1941, Bruno Schulz was forced to move to the ghetto. Because of his artistic talent he was placed under the "protection" of the SS member Felix Landau. Landau was the head of the local SS Jewish Department and commissioned Schulz to paint frescoes in his villa.²³ On 19 November 1942, shortly before his planned escape from the ghetto, Schulz was shot dead in a Drohobych street during a so-called "wild action" of the local Gestapo.

Bruno Schulz had no wife or children. Only two grown-up children of his elder brother Izydor (1881-1935) – his nephew Jakub Schulz (1915-1997) and his niece Ella Schulz-Podstolski (1914-1996) – survived the war and the German occupation.

The outbreak of World War II in 1939 found Jakub in the south of France; from there, via Portugal, he managed to reach Britain, where he joined the Polish Army. After the war he settled in London.

Ella lived with her husband Józef in Lwów (today Lviv, Ukraine). When the Germans took over Lwów in 1941 she could no longer visit her uncle in Drohobych. She was ill with tuberculosis and was looked after by her mother-in-law. She, as well as her husband, never put on the Star of David armbands. In January 1942, when Jews were forced to move to the Lwów ghetto, the Podstolskis left the town illegally and with false documents survived the war, hiding mainly in the mountain region of Zakopane.²⁴

After the war they lived with their son Marek in Zakopane. In 1963 they decided to emigrate. First, Ella and her son left for London, but they eventually moved to Düsseldorf. After a certain time the communist authorities permitted her husband Józef to leave Poland. However, he was forced to

²¹ *Moshe Rynecki - Portrait of a Life in Art.*: www.rynecki.org

²² Title of the film project: *Chasing Portraits*. See www.rynecki.org

²³ In 2001 the German film producer Benjamin Geissler discovered the wall paintings in a former children's bedroom at the Landau villa in Drohobych. Soon afterwards these "frescoes" were removed from the walls and illegally transported to Yad Vashem in Jerusalem, which provoked an international outcry. A few years ago their legal status was settled, and they are now classified as a temporary deposit from Ukraine in the Yad Vashem exhibition.

²⁴ Ella Schulz-Podstolski left personal memoirs. I would like to thank Mr Marek Podstolski for giving me access to them.

sell several works by Bruno Schulz, especially the graphic series “Book of Idolatry” (“Xiega Balwochwalcza”) to the National Museum in Kraków.

It was Jerzy Ficowski (1924-2006) who, undoubtedly more than anyone else, promoted awareness and recognition of all of Bruno Schulz’s work in Poland and abroad. Even as a teenager the future poet and translator was fascinated by Schulz’s literary and artistic output. In 1942 Ficowski wrote Schulz a letter; this fascination never left him.

From the early postwar years onwards Ficowski searched tirelessly and with all possible means for any material evidence and information regarding Schulz and his work. He managed to make contact with Schulz’s Drohobych students, colleagues, friends, acquaintances, and former correspondents. He maintained a long-lasting correspondence with Schulz’s niece (from 1948) and nephew. Ficowski’s efforts culminated in the first full edition of Schulz’s prose; he also discovered and published the artist’s extensive correspondence. Ficowski became the leading author and authority on Bruno Schulz’s life and artistic output.

From the late 1980s Ficowski co-organized numerous exhibitions of Schulz’s graphic art and drawings in and outside of Poland, and he was also the co-author of the exhibition catalogues. The main organizer of these exhibitions was usually the Museum of Literature in Warsaw, which – thanks to Ficowski’s mediation – became the possessor of the world’s largest collection of Schulziana, including nearly two hundred drawings and sketches.

Ficowski was able to establish and confirm from various sources that in 1942 Bruno Schulz “decided to protect his manuscripts and drawings by giving them in safekeeping to some trustworthy acquaintances from outside the ghetto. For this purpose he acquired some cardboard boxes and placed in them his literary manuscripts, drawings, graphics as well as his enormous correspondence which he had been collecting for years”.²⁵ In 1992 Ficowski added to this information a commentary that: “The names of those depositaries are not known”.²⁶

This statement was repeated in a publication that was printed six years after his death: *Bruno Schulz. Księga Obrazów* [Bruno Schulz. A Book of Images]. The book contains almost one hundred reproductions of drawings that came from private anonymous collections, of which only a small number had previously been known.²⁷

Nevertheless Ficowski was aware and in contact with at least two depositaries of Schulz’s artworks. In the American edition of Schulz’s drawings (1990) he confessed: “My search of more than four decades was able to locate, apart from individual drawings, two such deposits – one of them as early as 1948, the other in 1988. They were both still in the hands of the people to whom Schulz had delivered them, and they included over a hundred works. I managed to persuade both depositaries to sell them to the Museum of Literature”.²⁸

One of them was Schulz’s former high school student in Drohobych, a young musician named Emil Górski, to whom Schulz presented more than a hundred drawings. “The circumstances in which Górski came into the possession of these drawings have been described in a beautiful *Wspomnienie* (Reminiscence) devoted to his teacher and friend, published in 1982. Górski received the drawings directly from Schulz in 1942, just a few months before the artist died, with the following words: “I am giving you those drawings. Perhaps you will be able to save them... if you survive the war you may sell them (and here Schulz added with a smile) – and please buy yourself a decent violin

²⁵ Schulz, Bruno. *Die Wirklichkeit ist Schatten des Wortes*. Aufsätze und Briefe. Carl Hanser Verlag: Wien & München (vol 2. *Der Gesamten Werken in Lebens- und Werkchronik, 1942*), 1992, p. 368.

²⁶ Ibid.

²⁷ Schulz, Bruno. *Księga Obrazów*. Zabrał, opracował i komentarzami opatrzył J. Ficowski [Collected, elaborated and commented by J. Ficowski], Słowo, obraz, terytoria, Gdańsk, 2012, p. 554.

²⁸ Ficowski, J. *The Drawings of Bruno Schulz*. Evanston, Illinois: Northwestern University Press, 1990, p. 4.

with the money”.²⁹ In 1965, thanks to the mediation of Jerzy Ficowski, the Museum of Literature in Warsaw bought those 117 drawings together with a few photographs and other documentary materials from Emil Górski (a resident of Wrocław, where he worked as a violin teacher at the conservatory) – “all at a relatively low price”.³⁰

Twenty years later, the same museum – again thanks to the mediation of Jerzy Ficowski – bought another 70 drawings and an early sketchbook by the artist. A witness to this transaction was Wojciech Chmurzyński, the long-time curator at the Museum of Literature and an authority on the subject, who wrote the following words:

“Then [in 1986] the heirs of late Zbigniew Moroń, a teacher of mathematics at the Drohobych high school, and after the war a professor at the Gdańsk Polytechnic, made an unusual discovery when they found among their inherited papers a portfolio of Bruno Schulz. For many years it had been known that Zbigniew Moroń was, along with Emil Górski, a second recipient [depozytariusz] of Schulz’s drawings (sic!). The peculiarity of this lay in the fact that Moroń himself, a long time before his death, insisted that the drawings entrusted [powierzone] to him by the artist had been lost. They had supposedly disappeared in 1945 when the Nazi troops plundered his house in Maków Podhalański, where he lived temporarily after leaving Drohobych. The question whether the drawings recovered in 1986 are a part of this deposit or the entire deposit will always remain a mystery”.³¹

Today it is known that not all the works entrusted to Moroń were disclosed. Quite a significant part of this collection had been kept by Moroń’s heirs for themselves, and another part of it was acquired from them by Jerzy Ficowski.³²

It is this undisclosed part of Moroń’s Schulz collection that makes up a large proportion of the drawings catalogued in Ficowski’s aforementioned posthumous publication *Bruno Schulz. Księga Obrazów* (2012) as being owned by anonymous private collectors.³³

Some of those drawings have surfaced recently on the art market, for example in 2014 at Sotheby’s in New York (with provenance information that makes one wonder),³⁴ and then again in June 2015 at an auction in Warsaw. For the first time this work in Warsaw was specified as coming from the collection of Jerzy Ficowski.³⁵

Returning to the part of Schulz’s deposit acquired from Moroń’s heirs by the Warsaw Museum of Literature in 1986: it is not known if Zbigniew Moroń was entirely honest when he claimed that he had lost Schulz’s drawings or if he preferred not to admit that they were still in his possession (which would mean possession in bad faith, i.e. without legal grounds). However, his heirs, as well as the Museum, must have known – owing to Jerzy Ficowski, acting as the intermediary

²⁹ Chmurzyński, W. “Schulziana in the Collection of the Muzeum Literatury in Warsaw. Shaping the collection: an attempt to describe Schulz’s visual work”. Ibid. (Concept and text by) *Bruno Schulz 1892-1942. Drawings and Documents from the Collection of the Muzeum Literatury im. Adama Mickiewicza in Warsaw*. Warszawa, 1992, p. 13.

³⁰ Ibid. According to Chmurzyński, this set of drawings is characterized by an especially high level of workmanship which indicates that the items were carefully selected by the artist himself.

³¹ Ibid, p. 8.

³² Ficowski mentioned only once that some original works by Bruno Schulz remained in his private collection, as well as in the collections of other people in Poland and abroad; see Footnote 28.

³³ Some of them were already reproduced in Ficowski’s book published in the USA in 1990, see Footnote 28.

³⁴ “Acquired by the original owner in Poland before 1939. Thence by descent to the present owner”: Sotheby’s Israeli & International Art. 4 December 2014, New York, Lot No. 68.

³⁵ No 12: Bruno Schulz: Ex Libris Ella i Kubaś, cca 1926. Drawing on paper, 13 x 8 cm. On the reverse another drawing. On the binding a sketch for the Exlibris sticker with a handwritten description of the drawing and Ficowski’s signature [In:] Maria i Andrzej Ochalczy. Dom Aukcyjne OKNA SZTUKI, Aukcja 40 (190). Malarstwo, grafika, rysunek 16. Czerwiec 2015, p. 14 -15. Several months earlier, in February 2015, the National Library in Warsaw acquired from the Jerzy Ficowski archive a manuscript of Schulz’s short story “Druga Jesień” and 25 letters written by him; see information from 2.2.2015 “Rękopisy Brunona Schulza w Bibliotece Narodowej” <http://www.bn.org.pl/index.php/aktualnosci/840-rekopisy-brunona-schulza-w-bibliotece-narodowej.html> [accessed 9.11.2015].

in this transaction – the provenance of those items.³⁶ They also must have known about both surviving heirs of the artist, with whom Ficowski was in close contact. It will suffice to quote a personal dedication by Ficowski in his book *Bruno Schulz: Letters, fragments. Reminiscences about the author*, sent to Schulz's niece in Düsseldorf: "For Ella Podstolska, Co-author of this book. With greetings, Jerzy Ficowski, Warszawa 15 XII 1984".³⁷

Despite these circumstances, the transaction was concluded. Ella and Jakub Schulz – the lawful heirs of Bruno Schulz – were not only completely passed over, they were also never even informed. Similarly, until the end of their lives they never knew about the existence of the undisclosed part of the collection entrusted to Moroń. These works included a sketch of an ex libris by their uncle: "Exlibris, Ella i Kubuś Schulz".³⁸ It was sold 2015 at the aforementioned auction in Warsaw as an object owned by the widow of Jerzy Ficowski.

The son of Ella Schulz-Podstolska, Marek Podstolski (now aged 70), is the last living heir of Bruno Schulz. For over ten years now he has been trying to solve the case of the drawings entrusted by the artist to Zbigniew Moroń, which now make up parts of the collection in the Museum of Literature.³⁹ Similarly to early statements by Maria Altmann regarding her famous claim for Bloch-Bauer's Klimt paintings in Vienna, he would prefer that they remain in Polish public collections.⁴⁰ But he expects fair treatment, an acknowledgement of his claim, and the lawful conclusion of this case by the Museum of Literature and the appropriate Polish authorities. Up until now, the Museum continues to ignore his claim.

In 2012, Podstolski officially approached the Ministry of Culture and National Heritage with a request for help in clearing up the matter. The official answer he received stated that: "...on the grounds of the Polish legal system the Adam Mickiewicz Museum of Literature in Warsaw effectively acquired the aforementioned collection of drawings by Bruno Schulz acting in good faith... There is an equally important fact, that for the time being, one cannot explicitly confirm the identity of drawings deposited by Bruno Schulz with Moroń (...) and those that are part of the collection bought by the Museum".⁴¹

As one can clearly see, it is not only the Museum of Literature but also the Ministry of Culture and National Heritage that refuses to acknowledge the legal contradictions of the transaction in 1986 (*mala fide*). Moreover, this attitude ignores a fact already established by various authors, including by Ficowski himself: the fact that Moroń was merely a repository for artworks entrusted to him by Bruno Schulz. Never in any publications on Schulz has there been the slightest hint that Moroń either bought or was offered some drawings as a gift by Schulz, let alone such a large number of items, including many done in a preparatory manner (studio sketches, unfinished works, drawn on both sides of paper, without signature or dedications).

In view of this situation, the conclusion of the ministerial letter with the assurance that "... the unchanging wish of the Ministry of Culture [is] to solve the above-mentioned case in an amicable

³⁶ The heirs of Zbigniew Moroń, encouraged by the lawyer Andrzej Kretowicz, made contact with Jerzy Ficowski, who again indicated the Museum of Literature as the most appropriate place to deposit the drawings; see Chmurzyński W., op. cit., p. 8. For details on this transaction see also: Bolecki, Włodzimierz. Jarzębski, Jerzy. Rosiek, Stanisław. *Słownik Schulzowski*. Gdańsk, 2004, p. 224.

³⁷ Pani Elli Podstolskiej, Współautorce tej książeczki – z pozdrowieniem Jerzy Ficowski, Warszawa 15.XII. 1984. This dedication is written in a copy of the book: Ficowski, Jerzy. *Bruno Schulz: Listy, fragmenty. Wspomnienia o pisarzu*. Kraków: Wydawnictwo Literackie, 1984. (copy in the author's archive).

³⁸ See Footnote No 34.

³⁹ Podstolski, who lives in Cologne, decided to file a suit after discovering the circumstances of the transaction between Moroń's heirs and the Muzeum Literatury. See Footnote No. 36 in *Słownik Schulzowski*, published 2004.

⁴⁰ It was only the arrogance of the Austrian government that made Altmann change her position and decide to sell the paintings in the USA.

⁴¹ Letter of the Undersecretary of State Małgorzata Omilanowska DDK/561/2013/M to Marek W. Podstolski, dated March 8th 2013 (copy in the author's archive).

[polubowny] manner. Especially in the case of an eventual discovery of new documents, circumstances or related information” sounds rather cynical.⁴²

It is astonishing that this letter, signed by the then Minister of Culture and National Heritage Prof. Malgorzata Omilanowska, remains totally silent on the subject of the Washington Conference Principles. Let me conclude with a question, hopefully not a rhetorical one: How much time will it take for Polish authorities and Polish museums to stop perceiving themselves solely as the greatest victims of Nazi cultural destruction and plunder? And how long will it take them to act in accordance with the obligations agreed in Washington (1998) and in Prague (2009)? The works of Polish Jewish artists in national collections and on the art market demand it. Their provenance and fate belong to the history of the Shoah and its living memory.

⁴² Ibid.