

The Binding Waiver

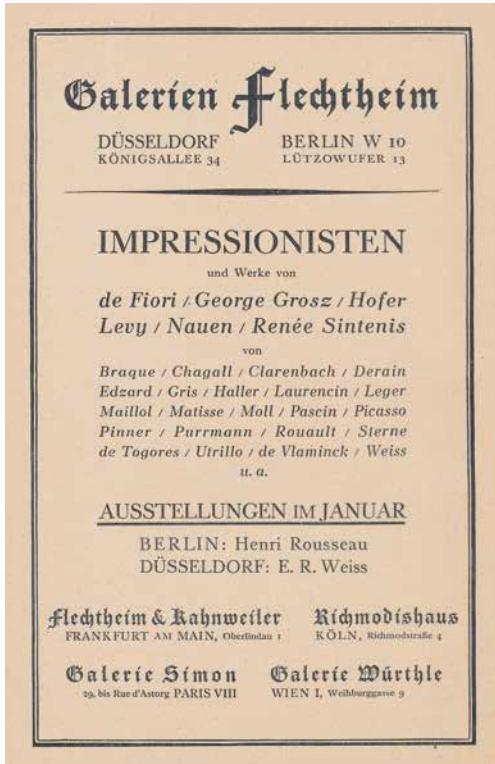
Georg Kolbe as a Creditor of Galerie Alfred Flechtheim GmbH

In January 1927, Galerie Alfred Flechtheim presented its first comprehensive exhibition of works by Georg Kolbe, marking the beginning of their business relationship.¹ By this time, Kolbe had developed from a young unknown artist into one of the most important German sculptors of the 1920s, supported by the constant encouragement of the art dealer Paul Cassirer.² The fact that Kolbe entered into an association with Galerie Alfred Flechtheim after Cassirer's tragic death in January 1926 may in turn be related to the latter's importance for Flechtheim.³ Knowledge of this development is crucial to understanding not only the beginning but also the end of the business relationship between the sculptor and his gallerist. Thanks to the newly discovered partial estate of Georg Kolbe⁴ in the holdings of the Georg Kolbe Museum and the correspondence it contains concerning Galerie Alfred Flechtheim GmbH, it is now possible for the first time to complete and concretize research into the history of the company, especially from 1933 onwards.

The Transformation into a Serious Art Dealer

"There are artists who are creators, but there are also creative art dealers."⁵ With this quotation, attributed to Pablo Picasso, Alfred Flechtheim began his obituary of his mentor Paul Cassirer, who had repeatedly provided essential impetus for his rise to become one of the most important gallerists of modern art in Germany. In retrospect, Flechtheim attributed the decision to open a gallery in Düsseldorf in 1913 to Cassirer's encouragement. On the occasion of the Sonderbund exhibition in Cologne in 1912, Cassirer had urged him to "finally [...] become a serious art dealer."⁶ However, the beginnings of Galerie Alfred Flechtheim were soon interrupted by the outbreak of the First World War. The gallery premises are said to have been converted into a military hospital during the war; in any case, the gallery's stock was auctioned off by Paul Cassirer and Hugo Helbing on June 5, 1917.⁷ At Easter 1919, the gallery was reopened at Königsallee 34 in Düsseldorf on the second floor of the banking house B. Simons & Co.⁸

Shortly thereafter, Cassirer supported Flechtheim's expansion plans, which included a second venue in Berlin in addition to the main gallery in Düsseldorf.⁹ Two additional investors, Max Lefson and Gustav Kahnweiler, were found to realize these plans.¹⁰ Max Lefson was co-owner of the publishing house Imberg & Lefson, where the Kunstsalon Paul Cassirer had most of its catalogs printed.¹¹ Gustav Kahnweiler was the younger brother of the Paris-based art dealer Daniel-Henry Kahnweiler, with whom Flechtheim had already been in contact at the time of the Cologne Sonderbund exhibitions.¹² The increase to three partners also made it possible to expand from two to three locations, so that the two additional galleries in Berlin and in Frankfurt am Main could be opened in October and November 1921, respectively.¹³ The latter was managed from the outset by Gustav Kahnweiler, who, however, like Max Lefson before him, left Galerie Alfred Flechtheim GmbH as a shareholder in November 1925 and was relieved of his duties as managing director. The gallery in Frankfurt am Main remained open for business, albeit no longer as part of the Flechtheim GmbH.¹⁴ Kahnweiler's shares were taken over by Flechtheim, who thus became the sole

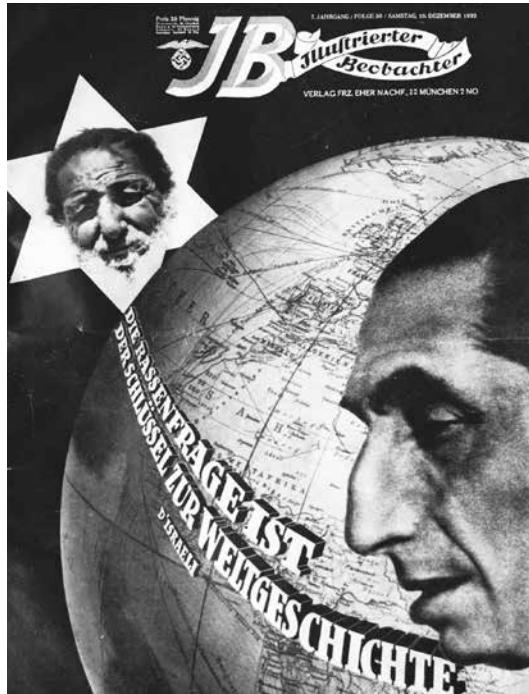


1 Advertisement of the Flechtheim galleries in the magazine *Der Querschnitt* 6, no. 1, January 1926

shareholder of the GmbH, which was now limited to the Düsseldorf and Berlin locations.¹⁵ After his formal departure from the company, Gustav Kahnweiler continued to run the gallery in Frankfurt, which now bore the name Galerie Flechtheim & Kahnweiler, until he fled the NS regime to London in 1933.¹⁶ What contractual format underlay the further connection to the Flechtheim company conveyed by the name is unknown, but the collaboration is evidenced by joint advertisements and the organization exhibitions (fig. 1).¹⁷ This is also reflected in a letter from Paul Alexander Vömel, known as Alex, to Georg Kolbe on the occasion of the sculptor's comprehensive exhibition in Düsseldorf in January 1927, when he asked "to send some of the sculptures to Galerie Flechtheim & Kahnweiler in Frankfurt am Main, as our exhibitions are usually shown there as well."¹⁸

The beginning of Kolbe's regular participation in exhibitions at the Flechtheim galleries coincided with the beginning of 1927, a period in which the structures of the art dealerships were once again changing. Alex Vömel was promoted from procurator to managing director in mid-February 1927, so that from then on, he represented the company on an equal footing with Flechtheim.¹⁹ Vömel's promotion was accompanied by the decision to expand the gallery's Berlin operations, and not just in terms of space. In addition to Flechtheim's niece Rosa Hulisch, known as Rosi, Curt Valentin was soon hired as an employee.²⁰ Valentin's presence in the gallery was very important to Kolbe, as expressed in a letter to Valentin in which Kolbe wrote: "For me, you represented Flechtheim!"²¹

2 “Die Rassenfrage ist der Schlüssel zur Weltgeschichte” (The Question of Race is the Key to World History) on the cover of the magazine *Illustrierter Beobachter* 7, no. 12, December 1932



From Crisis to Boycott

After the comprehensive presentation of works by Georg Kolbe in the Düsseldorf gallery in January 1927, there was a solo exhibition in the Berlin space in the spring of 1930 and one at the end of 1931.²² In the months between these two exhibitions, the effects of the Great Depression had reached Germany in dramatic fashion: in June 1931, the entire German banking system had collapsed, international capital had been withdrawn, and Germany had switched to a forced foreign exchange economy.²³ There are many indications that, with the beginning of the Great Depression, Galerie Alfred Flechtheim GmbH fell into deep financial difficulties.²⁴ In addition to the material worries, however, anti-Semitic attacks on Alfred Flechtheim's person increased. For example, in December 1932 and January 1933, his likeness was used for racist campaigns in the weekly magazine *Illustrierter Beobachter* to evoke impending doom and to promote National Socialism (fig. 2).²⁵ During the critical months of the NS seizure of power, Kolbe was represented for the last time in an exhibition co-organized by Galerie Flechtheim and presented under the title *Lebendige Deutsche Kunst* (Living German Art) at the Kunstsalon Paul Cassirer.²⁶ The last known exhibition activity of the Flechtheim galleries can be dated to mid-March to early April, 1933.²⁷ In Düsseldorf, Vömel had his own company registered in his name in the commercial register at the end of March 1933, the address of which was identical to that of the former Galerie Flechtheim.²⁸ The founding of Galerie Alex Vömel and the end of the Flechtheim galleries' exhibition activities thus coincided with the empire-wide

boycott of Jewish businesses and the appearance of an inflammatory article in the National Socialist magazine *Die Volksparole* demanding that the entire art scam be brought to bankruptcy and “the Flechtheim–Waetzold–Kaesbach system be exterminated.”²⁹

To the Creditors of Galerie Alfred Flechtheim GmbH

These developments must have led Alfred Flechtheim to believe that it was no longer possible to continue his business.³⁰ When Thea Sternheim introduced him to the auditor Alfred Emil Schulte in early September 1933, the decision seems to have been made to entrust him with the liquidation of the company.³¹ Even before Schulte’s role became official, the works on consignment available in Berlin were returned to Georg Kolbe on October 21, 1933.³² At this time, Flechtheim himself was no longer in Berlin. On September 29, 1933, he had arrived in Paris with Daniel-Henry Kahnweiler, with whom he arranged to work for the Mayor Gallery in London by November 1933 at the latest.³³ To date, the last verifiable contact between Flechtheim and Kolbe was a letter Flechtheim sent from Paris in December 1933, in which he asked the sculptor for loans for a planned exhibition.³⁴ This document remains indicative of Flechtheim’s forced professional reorientation abroad, but it has now become apparent from the newly discovered partial estate that between 1933 and 1934 there was lively correspondence with Kolbe regarding the matter of Galerie Alfred Flechtheim GmbH, and that the company’s continued existence ultimately depended on his goodwill.

Schulte first contacted Kolbe on October 28, 1933, as the “authorized representative of Galerie Alfred Flechtheim GmbH, Düsseldorf/Berlin and of Mr. Alfred Flechtheim, Berlin,” to inform him that it had become impossible to continue the art gallery due to the circumstances that had arisen, “in particular, however, due to the changes in the art market of which you are aware.”³⁵ Under the circumstances, he explained, liquidation of the company was the only option; in any event, the company as such would have to be dissolved. However, during the attempt to resolve existing liabilities, it had become apparent that the freely available and non-pledged assets consisted of art objects that had been completely devalued, as well as uncollectible accounts receivable. Thus there was no possibility of settling the claim that Kolbe had against the gallery.³⁶ Schulte therefore asked him, as well as all creditors, to waive the claim, since the only other option would be “to have bankruptcy proceedings instituted against the assets of Galerie Flechtheim and Mr. Alfred Flechtheim.”³⁷ After three weeks had passed without a reply, Schulte again asked Kolbe for a waiver, convinced that they agreed that “there is no point in making an inconclusive bankruptcy” that would only cause inconvenience and costs.³⁸ Instead, Schulte proposed “an out-of-court liquidation settlement, i.e., a settlement in which all existing assets would be at the disposal of the creditors.”³⁹ The out-of-court settlement sought by Schulte was to be a private, voluntary agreement between the debtor and his creditors aimed at averting bankruptcy and keeping the company in business. Further advantages would be that a settlement ratio could be determined independently, and no court costs would be incurred.

As Schulte explained to the creditors on February 1, 1934, the galleries in Düsseldorf and Berlin had been closed, relinquished, and rented to other parties between October and November 1933, and all but one of the employees had left the company by November 1, 1933. Flechtheim had also no longer received any remuneration or been able to make any withdrawals. Thus, the assets established at the end of October 1933 would be at the disposal of the creditors. However, since a number of the gallery's claims against debtors abroad were difficult to collect, the possibility of a liquidation settlement would only be possible through the waiver of a large part of the creditors.⁴⁰ Schulte had been promised a waiver of an estimated 120,000 RM by these creditors, dated February 1, 1934, should this have the effect of avoiding bankruptcy. The "pre-entitled claims (salaries, taxes, and other levies)" amounting to approximately 4,500 RM were offset by the assets of the gallery amounting to a maximum of 4,500 RM. What remained were "other receivables" amounting to approximately 20,000 RM.⁴¹ In order to persuade the creditors of this remaining 20,000 RM to waive their claims, a friend of Flechtheim's had declared himself willing, "for purely personal reasons," to provide a cash sum that would enable the payment of a twenty percent quota in the event of a liquidation settlement.⁴²

An "invoice statement" from Galerie Alfred Flechtheim GmbH to Georg Kolbe shows that, as of September 30, 1933, the gallery owed the sculptor 1,828.35 RM (fig. 3).⁴³ The request for a waiver ultimately referred specifically to 1,815 RM.⁴⁴ Since Kolbe was one of the creditors for whom a quota of twenty percent was to be paid out, he could expect to receive 363 RM. In addition, in September 1933, he had already been assured that he would receive 1,340 RM, which the film director Josef von Sternberg still owed Galerie Flechtheim for the receipt of a bronze.⁴⁵ Kolbe had verbally promised to agree to the settlement, but made this conditional on the receipt of the promised 1,340 RM.⁴⁶ A letter from Rosi Hulisch from the beginning of March 1934 clearly shows the distress he caused all those involved at Galerie Flechtheim. She emphatically stressed to Kolbe her fear that the out-of-court settlement they were seeking might not come about because of him. Appealing to him that this could not be in his interest, she repeatedly asked for an early declaration of consent, not without referring to artists such as Paul Klee, Ernst Barlach, Hermann Haller, and Ernesto de Fiori, who had even waived their claims altogether.⁴⁷

By March 12, 1934, Schulte had succeeded in obtaining the agreement to a settlement from all creditors—with the exception of Kolbe.⁴⁸ After Kolbe had also declared the communication to be over by hanging up the telephone receiver, Schulte was only able to react irritably to the sculptor. Kolbe's view that Flechtheim had treated him immorally even provoked him to ask whether Kolbe's behavior could be called "morally right":

"If you want to throw moral principles into our conversation, then I would also ask you to look at the matter the other way around and consider whether you can justify the consequences of your behavior. If you persist in your refusal, bankruptcy procedures will have to be initiated. In this case, none of the creditors would get even a penny. Thus, by your behavior, you would harm all the others who need the money as much as you do, and there are certainly

GALERIE ALFRED FLECHTHEIM G. M.
DÜSSELDORF B. H.
BERLIN W. 10
Fürstenwalder 13

Königsallee 34

Lützowufer 13

Bankkonten: B. Simons & Co., Düsseldorf, von der Heydt's Bank A.-G. Berlin

Telegramme: **Galerie Flechtheim, Düsseldorf**
Fernsprecher: 16198
Postscheckkonto: Köln 82942

DÜSSELDORF, den 9. Oktober 1933

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Herrn Professor Dr. Georg Kolbe

Berlin-Charlottenburg

Wir beeihren uns Ihnen nachstehend

Rechnungs-Auszug pr. 30. September 1933

zu überreichen und halten uns Ihrem geneigten Wohlwollen bestens empfohlen.

Mit vorzüglicher Hochachtung

Galerie Alfred Flechtheim

G. M. B. H. C.

www.elsevier.com/locate/jqas

Um Irrtümern vorzubeugen, erteilen wir in der Regel halbjährliche Auszüge.

1933 =====			Soll	1933 =====			Haben
Juli	7	Am Zahlg. Berlin	78.90	Juli	1	Per Saldo vortrag	4170.15
	22	" " "	1462.90				
Aug.	8	Prov. Dickermann	800.-				
Sept.	30	" Saldo	1828.35				
			4170.15				4170.15
	---		---	---	---	Per Saldo vortrag	1828.35
				Okto.	1		

Zahlungen erbeten auf unser Konto:

³ "Statement of Account as of September 30, 1933," Galerie Alfred Flechtheim, Düsseldorf, to Georg Kolbe, October 9, 1933, Georg Kolbe Museum Archive, Berlin.

18/15 —
Ich habe eine Forderung von Reichsmark gegen die Galerie Alfred Flechtheim G.m.b.H. bzw. gegen Herrn Alfred Flechtheim. Ich bin damit einverstanden, dass einheitlich ein Liquidationsvergleich über das Vermögen der Galerie Alfred Flechtheim G.m.b.H. und des Herrn Alfred Flechtheim durchgeführt wird; zu einem solchen Liquidationsvergleich erkläre ich mein Einverständnis, unter der Bedingung, dass meine oben genannte Forderung in Höhe von 20 % garantiert, und dass die Garantiequote spätestens bis zum 1. April 1934 bar ausgezahlt wird.

Meine Zustimmung bezieht sich in erster Linie auf einen ausserechtlichen, evtl. auch auf einen gerichtlichen Liquidationsvergleich.

Ich bin damit einverstanden, dass die Durchführung des Liquidationsvergleichs durch den öffentlich bestellten Wirtschaftsprüfer Alfred E. Schulze in Berlin W 8, Leipzigerstrasse 123a, erfolgt.

An diese Zustimmung halte ich mich bis zum 1. April 1934 gebunden.

aner 19. III. unverzerrt

4 Copy of the declaration of consent to the liquidation settlement (handwritten note "signed on March 19"), Georg Kolbe Museum Archive, Berlin

ALFRED E. SCHULTE
Diplom-Kaufmann
Wirtschaftsprüfer
Steuersachverständiger

BERLIN NW 40,
Hindenburgstr. 4, am Reichstag 26.3.34
Fernruf: A 1 - Jäger Nr. 4285
Postcheckkonto: Berlin 10594
Neue Anschrift ab 1. Januar 1934
Berlin W 8, Leipziger Str. 123 a
Ecke Wilhelmstr.

Betr. Vergleichssache Flechtheim:

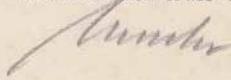
Es ist mir gelungen von sämtlichen am Liquidationsvergleich teilnehmenden Gläubigern die Zustimmung zu erhalten. Daraufhin habe ich beim Amtsgericht Düsseldorf den Antrag auf Eröffnung des gerichtlichen Vergleichsverfahrens zurückzunehmen gestellt. Das Amtsgericht hat diesem Antrag unter dem 23.3. entsprochen. Damit ist also der aussergerichtliche Liquidationsvergleich zustande gekommen.

Ihre Forderung betrug RM 1815.- Die darauf entfallende Quote von 20% beträgt RM 363.- Diesen Betrag lasse ich Ihnen durch Postscheck zugehen.

Ich danke Ihnen bei dieser Gelegenheit nochmals für Ihr Entgegenkommen.

Herrn
Prof. Georg Kolbe
Sensburgallee 25
Charlottenburg

Mit deutschem Gruss !



Beitrag ist ein geglückt.

5 Letter from Alfred Emil Schulte to Georg Kolbe, March 28, 1934, Georg Kolbe Museum Archive, Berlin

creditors who need the money much more than you do. If you consider this fact and then still stick to your—from a purely commercial point of view—incomprehensible line of action, then I may once again raise the question of what is morally right.”⁴⁹

Only a few days later, Schulte was forced to apologize for his words and reiterated that he had in no way wanted to coerce or pressure Kolbe:

“I also realize, dear Professor, that the agreement of the other artists, like yours, which I still hope for, means a great concession, for which I have to thank each and every one in the name of Mr. Flechtheim. Thus, if—I repeat—I have used a tone here and there that is out of place toward an artist, I hope you will excuse it.”⁵⁰

To legally secure the promised cession, Schulte enclosed a statement assuring that Galerie Alfred Flechtheim had waived its claims against Josef von Sternberg in favor of Kolbe.⁵¹ Only now did Kolbe give his consent to the liquidation settlement, and Schulte was able to announce on March 28, 1934 that the approval of all creditors had made it possible to withdraw the opening of judicial settlement proceedings in time, and that the out-of-court settlement had been successful (figs. 4 and 5).⁵² Galerie Alfred Flechtheim GmbH was thus free of debt and could continue to exist for the time being.

The Aftermath of the Sternberg Case

Although Georg Kolbe had been able to note the receipt of the quota of twenty percent in the amount of 363 RM in the “Flechtheim settlement case,”⁵³ he continued to wait in vain for the claim against Josef von Sternberg that had been transferred to him. The Hollywood director’s debt to Galerie Alfred Flechtheim was based on the transfer of the bronze *Ruf der Erde* (Call of the Earth) by Curt Valentin in March 1933, payment for which had been made only in part. Even before the auditor appeared officially on the scene, Valentin had asked Sternberg to transfer the outstanding 1,340.10 RM directly to Kolbe.⁵⁴ The “Invoice Statement per September 30, 1933”⁵⁵ accordingly already reduced Kolbe’s credit balance by the expected transfer from Sternberg.⁵⁶ Since Kolbe did not want to give his consent to the settlement procedure until the payment had actually been received, the urgency to persuade Sternberg to act was extremely high. Accordingly, requests for assistance from Valentin and Hulisch were regularly addressed to him;⁵⁷ Schulte even seemed to threaten legal action.⁵⁸ After Kolbe had finally agreed to the settlement procedure despite the outstanding receipt of payment and this had come to a successful conclusion, Valentin had to revise his assessment of Sternberg as an “absolutely secure customer”⁵⁹ and admit that the latter was not even thinking of paying Kolbe what he still owed Flechtheim.⁶⁰ Instead, Sternberg took the view that he owed Kolbe nothing, “but rather to the Flechtheim company, which, as far as I know, no longer exists.”⁶¹ Moreover, he even had no recollection of the sum in question.⁶² Valentin, who had closed the deal in March 1933, found himself in an awkward situation: “[...] I am liable—along with Galerie Flechtheim, which, as the present representative, Miss Hulisch, will inform you in parallel, does indeed still exist—for the receipt of the justly existing claim.”⁶³

Valentin’s request to Kolbe to once again contact “Galerie Flechtheim, Attn: R. Hulisch” regarding the assigned claim⁶⁴ was commented on by the latter with an exasperated “Damnation!”⁶⁵ He was outraged by the whole affair and subsequently saw his doubts about the debt forfeiture confirmed. Disappointed, he informed Valentin:

“I cultivated our business relationship because I was in need of protection against the business practices of the art trade—your cluelessness, for I cannot assume otherwise, is, however, frightening to me. [...] Please consider what the obligations of a producer, a buyer, and his intermediary are. I have honored mine.”⁶⁶

Valentin, who had lost his employment with Flechtheim in the fall of 1933 and had since attempted to engage in art dealing on his own before finally joining Karl Buchholz in the fall of 1934,⁶⁷ was visibly anxious not to jeopardize the relationship, assuring the sculptor “that I always strive to and will represent your interests in connection with the art trade.”⁶⁸ Whether and how the tangled affair was finally resolved cannot be reconstructed. A payment deadline set by Hulisch for Sternberg of August 20, 1934 apparently passed, because as late as December 1934, the Düsseldorf branch of the Reichsbank

asked Kolbe about the current status.⁶⁹ Although Kolbe explained the hopelessness of the levy,⁷⁰ it can be assumed that, at least between Valentin and himself, an amicable solution could be found, because the connection between the two remained even after Valentin fled to New York at the end of 1936 due to NS persecution.⁷¹

The Liquidation of Galerie Alfred Flechtheim GmbH

The end of Galerie Alfred Flechtheim in Düsseldorf is commonly seen in the founding of Galerie Alex Vömel in late March 1933. However, this was not a takeover, but rather the creation of a separate company based in the former premises of Galerie Flechtheim.⁷² From April 1933 onward, Galerie Alfred Flechtheim, Düsseldorf, and Galerie Alex Vömel, Düsseldorf, officially shared the same business address, and Hans Maassen, who had been an employee of Galerie Flechtheim in Düsseldorf since November 1922, was still verifiably working there in his capacity until October 1933, for it was he who underwrote the invoice statements to Georg Kolbe and dated them "Düsseldorf, April 25, 1933" and "Düsseldorf, October 9, 1933," respectively.⁷³ It was not until October 21, 1933 that the Düsseldorf business was deregistered with the commercial tax office;⁷⁴ a week later, the auditor Alfred E. Schulte introduced himself to Georg Kolbe as the general representative of "Galerie Alfred Flechtheim GmbH, Düsseldorf/Berlin" and expressly noted "that the liquidation of the company has already progressed to such an extent that, as of November 1 of this year, no costs whatsoever will be incurred except for those for one employee."⁷⁵ The "one employee" mentioned must have been Rosi Hulisch, who assisted Schulte and under whose private residential address the company's office was temporarily registered after the abandonment of the Berlin gallery space.⁷⁶

The fact that Schulte succeeded in averting the dissolution of Galerie Alfred Flechtheim GmbH was already evident from the commercial register,⁷⁷ but the newly discovered partial estate of Georg Kolbe can further substantiate the events. The documents testify to close cooperation between Schulte, Hulisch, and Valentin, with the goal of reaching an out-of-court settlement, which was actually concluded by the end of March 1934 at the latest, because all creditors had agreed to waive their claims.⁷⁸ Galerie Alfred Flechtheim GmbH could therefore continue to exist. Since July 1934, its address had been the new home address of Alfred Flechtheim and his wife Bertha, known as Betti, at Düsseldorfer Strasse 44/45, Berlin:⁷⁹

"The company Galerie Flechtheim GmbH continues to exist after the settlement proceedings have been concluded. However, no more exhibitions etc. will be organized. Mr. Flechtheim as managing director works closely together with art dealers in Paris and London."⁸⁰

The decision to dissolve the company was finally made by Alfred Flechtheim on January 18, 1936.⁸¹ Rosi Hulisch was appointed as liquidator; on February 20, 1937, she notified



6 Betti Flechtheim and Rosi Hulisch, photographed by Thea Sternheim in the summer of 1931, Deutsches Literaturarchiv, Marbach am Neckar, Heinrich Enrique Beck Foundation, Basel, historical photograph

*Betti Flechtheim
geb. Goldschmidt
Rosi Hulisch.
Berlin, Sommer 1931*

the district court that the liquidation had been completed. Four days later, the company was deleted from the commercial register.⁸² Shortly thereafter, Alfred Flechtheim died as a result of severe blood poisoning in his right leg, which he had contracted in the winter of 1936.⁸³ The international obituaries testify to the esteem in which his work was held, while in Germany he was attacked as a “grain Jew from Odessa” and held jointly responsible for “degenerate” art.⁸⁴ In contrast, his former business partner Alex Vömel managed to continue his business in Düsseldorf and—after initial disagreements—established a business relationship with Georg Kolbe.⁸⁵ As a result, works by Kolbe were regularly on display at Galerie Vömel until the 1940s and enjoyed high demand: “There are visitors in my showrooms from morning to night, and hardly a day goes by without people asking for works by you.”⁸⁶

Rosi Hulisch, who had remained in Berlin, received her deportation order on November 4, 1942, and took her own life together with her mother Klara.⁸⁷ Betti Flechtheim had suffered the same harrowing fate a year earlier (fig. 6).⁸⁸

Concluding Remarks

In conclusion, two aspects remain to be noted for research. First, it is once again evident that the history of Galerie Alfred Flechtheim is much more complex and multifaceted than commonly described and, as a consequence, that it had a financial impact on other players in the art market, especially the company's creditors. Second, Rosi Hulisch's activities on behalf of Alfred Flechtheim should receive more attention in the future. In particular, the period after the successful settlement proceedings beginning in April 1934 and the application for liquidation in January 1936 has so far gone largely unnoticed, although isolated activities testify to the fact that operations in Berlin did not cease completely.⁸⁹

Notes

- 1 See: Jan Giebel, "Und jetzt hat ihn Flechtheim." Georg Kolbe in der Galerie Alfred Flechtheim," in: Ottfried Dascher (ed.): *Sprung in den Raum. Skulpturen bei Alfred Flechtheim* [Quellenstudien zur Kunst, vol. 11] (Wädenswil 2017), pp. 389–410, here pp. 394 and 396.
- 2 See: *ibid.*, pp. 389 and 393.
- 3 Paul Cassirer died of a self-inflicted gunshot wound on January 7, 1926. The fact that Georg Kolbe both took Cassirer's death mask and designed his grave is a direct expression of the close connection between the two. Alfred Flechtheim had also received substantial support from his dealer colleague and paid posthumous homage to him by donating Kolbe's portrait head *Paul Cassirer*, created in 1925, to the Nationalgalerie in Berlin on the occasion of the fiftieth birthday of its director Ludwig Justi in March 1926. See: *ibid.*, pp. 393 and 394; <https://id.smb.museum/object/965130/portr%C3%A4t-paul-cassirer> [last accessed March 17, 2023].
- 4 This partial estate comes from the estate of Maria von Tiesenhausen, née Maria von Keudell, Georg Kolbe's granddaughter, who directed the Georg Kolbe Museum from 1969 to 1977 and published an edition of his letters in 1987. After her death, the estate came to the Georg Kolbe Museum and with it many previously unknown documents, especially letters, which have since been reviewed, catalogued, and researched.
- 5 Alfred Flechtheim, "In Memoriam Paul Cassirer," in: *Der Querschnitt*, vol. 6, no. 2, February 1926, pp. 94f., here p. 94 [translated].
- 6 Alfred Flechtheim, "Zehn Jahre Kunsthändler," in: *Der Querschnitt*, vol. 3, nos. 3/4, Fall 1923, pp. 151–156, here p. 151 [translated].
- 7 See: Christian Zervos, "Gespräch mit Alfred Flechtheim" [1927], quoted in: Rudolf Schmitt-Föller (ed.), *Alfred Flechtheim. Nun mal Schluß mit den blauen Picassos!*, *Gesammelte Schriften* (Bonn 2010), p. 57; Kunstsalon Paul Cassirer and Hugo Helbing (eds.), *Galerie Flechtheim. Moderne Gemälde* [auction catalog], Berlin, June 5, 1917.
- 8 See: Monika Flacke-Knoch and Stephan von Wiese, "Der Lebensfilm von Alfred Flechtheim," in: Hans Albert Peters, Stephan von Wiese, Monika Flacke-Knoch, and Gerhard Leistner (eds.), *Alfred Flechtheim. Sammler. Kunsthändler. Verleger*, exh. cat. Kunstmuseum Düsseldorf and Westfälisches Landesmuseum für Kunst und Kulturgeschichte, Münster (Düsseldorf 1987), pp. 153–213, here p. 163.
- 9 In order for Alfred Flechtheim to find a suitable space in Berlin without having to interrupt his business activities, Paul Cassirer temporarily made two rooms in his Kunstsalon available to him. See: Stephan von Wiese, "Der Kunsthändler als Überzeugungstäter. Daniel-Henry Kahnweiler and Alfred Flechtheim," in: exh. cat. Düsseldorf/Münster 1987 (see note 8), pp. 45–57, here p. 51; Flacke-Knoch/ von Wiese 1987 (see note 8), p. 167.
- 10 Flechtheim's wife Bertha, known as Betti, left the company as a partner and sold half of her shares to Gustav Kahnweiler and half to Max Lefson. At the same time, the share capital was increased from 20,000 M (*Papiermark*) to 30,000 M, which was divided equally among the three partners at 10,000 M each. Gustav Kahnweiler and Alfred Flechtheim were registered as managing directors of the GmbH (limited liability company). See the notarized minutes of the shareholders' meeting on April 16, 1921 in the Berlin State Archives, Charlottenburg District Court – Commercial Register, commercial register files of Galerie Alfred Flechtheim GmbH, Berlin, A Rep. 342-02, no. 66607.
- 11 For more on Max Lefson, see: Fritz Homeyer, *Deutsche Juden als Bibliophilen und Antiquare* (Tübingen 1963), p. 122; <https://www.stolpersteine-berlin.de/de/biografie/9595> [last accessed March 17, 2023].
- 12 For more on Gustav Kahnweiler, see: Gerhard Leistner, "Interview mit Gustav Kahnweiler (London, November 1986)," in: exh. cat. Düsseldorf/Münster 1987 (see note 8), pp. 23–24.
- 13 On April 16, 1921, the two additional galleries were established by the three partners Alfred Flechtheim, Gustav Kahnweiler, and Max Lefson in a shareholders' agreement. See the notarized minutes of the shareholders' meeting on April 16, 1921 (see note 10). The Frankfurt gallery was entered in the commercial register on August 9, 1921, followed by the Berlin gallery on August 16, 1921; see: *ibid.* For more on the openings, see: Rudolf Schmitt-Föller, "Veröffentlichungen der Galerie Alfred Flechtheim," in: Ottfried Dascher, "Es ist was Wahnsinniges mit der Kunst." *Alfred Flechtheim. Sammler, Kunsthändler, Verleger* [Quellenstudien zur Kunst, vol. 6] (Wädenswil 2011), pp. 461–477, here p. 464.
- 14 See the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10). Max Lefson had already left the company in April 1923. In September 1924, a Cologne branch was set up for a short time, but was deleted from the commercial register in September 1925; see: *ibid.*

15 As a result of the currency reform, on January 22, 1925, the share capital of 30,000 M was converted to 500 RM (*Reichsmark*), so that Alfred Flechtheim paid 250 RM to Gustav Kahnweiler. See the shareholders' resolution of January 22, 1925 and register entry dated February 5, 1925 in the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

16 See the advertisement of the Flechtheim galleries in: *Der Querschnitt*, vol. 6, no 1, January 1926.

17 See the various advertisements of the Flechtheim galleries, in: *Der Querschnitt*, vols. 5–8, 1925–1928.

18 Letter from Alex Vömel, Galerie Alfred Flechtheim, to Georg Kolbe, January 11, 1927, MvT Estate, GKM Archive, Berlin. For more on the exhibition, see: Georg Kolbe: *Bronzen. Frans Masereel: Aquarelle. Erna Pinner: Tiergraphik*, exh. cat Galerie Alfred Flechtheim, Düsseldorf, January 1927; Giebel 2017 (see note 1), p. 394.

19 See the shareholders' resolution of February 18, 1927 and the register entry dated March 21, 1927 in the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

20 See: Flacke-Knoch/von Wiese 1987 (see note 8), p. 163.

21 Letter from Georg Kolbe to Curt Valentin, June 27, 1934, MvT Estate, GKM Archive, Berlin [translated].

22 See: Georg Kolbe, exh. cat. Galerie Alfred Flechtheim, Berlin, March 1930; Georg Kolbe, exh. cat. Galerie Alfred Flechtheim, Berlin, November 15–December 10, 1931.

23 See: Jan-Otmar Hesse, Roman Köster, and Werner Plumpe, *Die Große Depression. Die Weltwirtschaftskrise 1929–1939* (Frankfurt am Main 2014), pp. 54–55 and 77.

24 See: Dascher 2011 (see note 13), pp. 274–290.

25 See: "Die Rassenfrage ist der Schlüssel zur Weltgeschichte," in: *Illustrierter Beobachter*, vol. 7, no. 12, December 10, 1932, front cover; "So? oder so? Das neue Jahr – Wegscheide der Zukunft!" in: *Illustrierter Beobachter*, vol. 8, no. 1, January 7, 1933.

26 See: *Lebendige Deutsche Kunst, Ausstellungsfolge in drei Abteilungen*, Kunstsalon Paul Cassirer, Berlin, and Galerie Alfred Flechtheim, Berlin, December 10, 1932–mid-January 1933 (part 1), January 14–mid-February 1933 (part 2), February 25–late March 1933 (part 3). Works by Kolbe were shown in part two of the exhibition series.

27 See: *Theo Champion, Werner Gilles, E. W. Nay und Lilly Steiner*, exh. cat. Galerie Alfred Flechtheim, Berlin, March 15–early April 1933.

28 See: commercial register of Galerie Alex Vömel, Düsseldorf, Düsseldorf District Court, HRA 955; announcement of Galerie Alex Vömel, Düsseldorf, March 30, 1933, University and State Library Düsseldorf, KW 1527: "I have the honor to inform you that I have established an art gallery under the name Galerie Alex Vömel in the former premises of Galerie Flechtheim in Düsseldorf." [translated]

29 At the beginning of May 1933, Alex Vömel also resigned as managing director of Galerie Alfred Flechtheim GmbH. See the register entry dated May 4, 1933 in the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

30 Hendrik [Theodor Reismann-Grone], "Abgetakeltes Mäzenatentum. Wie Flechtheim und Kaesbach deutsche Kunst machten," in: *Die Volksparole*, April 1, 1933, illustrated in: exh. cat. Düsseldorf/Münster 1987 (see note 8), p. 196 [translated].

31 In addition, Flechtheim's father, Emil Flechtheim, had died in May 1933, leaving no assets but rather debts, so that bankruptcy proceedings had to be opened against his father's company. See: Dascher 2011 (see note 13), p. 302.

32 See: Thea Sternheim, diary entry of September 8, 1933, quoted in: Thomas Ehrsam and Regula Wyss (eds.), *Thea Sternheim. Tagebücher 1903–1971* (Göttingen 2002). She then notes several lunches with Schulte at Flechtheim's home, suggesting a consensual discussion about how to proceed. Schulte even visited Flechtheim in Paris in mid-December. See: Thea Sternheim, diary entries of September 14, 16 and 19 and December 15, 1933, quoted in: *ibid.*

33 See: letter from Curt Valentin, Galerie Alfred Flechtheim, to Georg Kolbe, October 19, 1933 (handwritten note "21.X.33"), MvT Estate, GKM Archive, Berlin. The works on consignment in Düsseldorf remained there for the time being but were viewed by Curt Valentin in December 1933 and documented in handwriting in a letter from Alex Vömel to Georg Kolbe. See: letter from Alex Vömel, Galerie Alex Vömel, to Georg Kolbe, December 7, 1933, MvT Estate, GKM Archive, Berlin.

34 See: Thea Sternheim, diary entry of September 29, 1933, quoted in Ehrsam/Wyss 2002 (see note 31); Flacke-Knoch/von Wiese 1987 (see note 8), p. 197.

35 See: Giebel 2017 (see note 1), p. 407.

36 Letter from Alfred E. Schulte to Georg Kolbe, October 28, 1933, MvT Estate, GKM Archive, Berlin [translated].

37 See: ibid.

38 Letter from Alfred E. Schulte to Georg Kolbe, October 28, 1933, MvT Estate, GKM Archive, Berlin [translated]. The fact that Schulte was desperately trying to avert bankruptcy is clear from the repetition of the request: "In consideration of Mr. Alfred

Flechtheim, who has got into this situation through no personal fault of his own, and for whom you would only cause personal inconvenience through bankruptcy, while you would have no advantages whatsoever; may I ask you to comply with my request"; *ibid.* [translated].

38 Letter from Alfred E. Schulte to Georg Kolbe, November 18, 1933, MvT Estate, GKM Archive, Berlin [translated].

39 Letter from Alfred E. Schulte to the creditors of Galerie Alfred Flechtheim GmbH and Mr. Alfred Flechtheim, February 1, 1934, MvT Estate, GKM Archive, Berlin [translated].

40 *Ibid.*

41 *Ibid.* [translated].

42 *Ibid.* [translated].

43 See: "Rechnungs-Auszug pr 30. September 1933," letter from Galerie Alfred Flechtheim to Georg Kolbe, October 9, 1933, MvT Estate, GKM Archive, Berlin. As of April 1, 1933, Georg Kolbe's credit balance still amounted to 3,786.85 RM, so that the gallery's debts could be reduced by October 1933. See: "Rechnungs-Auszug pr 31 March 1933," letter from Galerie Alfred Flechtheim to Georg Kolbe, April 25, 1933, MvT Estate, GKM Archive, Berlin.

44 See: letter from Alfred E. Schulte to Georg Kolbe, March 12, 1934, MvT Estate, GKM Archive, Berlin.

45 See: letters from Curt Valentin, Galerie Alfred Flechtheim, to Georg Kolbe, September 16, 1933 and October 10, 1933, MvT Estate, GKM Archive, Berlin.

46 See: letter from Alfred E. Schulte to Georg Kolbe, February 3, 1934; letter from Rosi Hulisch, Galerie Alfred Flechtheim, to Georg Kolbe, March 2, 1934 (incl. a copy of the letter from Rosi Hulisch to Josef von Sternberg, March 1, 1934), MvT Estate, GKM Archive, Berlin.

47 See: letter from Rosi Hulisch, Galerie Alfred Flechtheim, to Georg Kolbe, March 2, 1934 (including a copy of the letter from Rosi Hulisch to Josef von Sternberg, March 1, 1934), MvT Estate, GKM Archive, Berlin.

48 See: letter from Alfred E. Schulte to Georg Kolbe, March 12, 1934, MvT Estate, GKM Archive, Berlin.

49 *Ibid.* [translated].

50 Letter from Alfred E. Schulte to Georg Kolbe, March 17, 1934, MvT Estate, GKM Archive, Berlin [translated].

51 See: declaration of assignment, letter from Alfred E. Schulte to Georg Kolbe, March 17, 1934, MvT Estate, GKM Archive, Berlin.

52 See: letter from Rosi Hulisch to Georg Kolbe, March 19, 1934, copy of the declaration of consent to the liquidation settlement (handwritten note "am 19.III unterzeichnet"); letter from Alfred E. Schulte to Georg Kolbe, March 28, 1934, MvT Estate, GKM Archive, Berlin.

53 See the handwritten note: "Betrag ist eingegangen," letter from Alfred E. Schulte to Georg Kolbe, March 28, 1934, MvT Estate, GKM Archive, Berlin.

54 See: letters from Curt Valentin, Galerie Alfred Flechtheim, to Georg Kolbe, September 16, 1933 and October 10, 1933, MvT Estate, GKM Archive, Berlin.

55 See: letter from Curt Valentin, Galerie Alfred Flechtheim, to Georg Kolbe, March 10, 1933, MvT Estate, GKM Archive, Berlin [translated].

56 See the handwritten notes: "Saldo 1828,35 – Sternberg 1340,10 / Ø 488,25," and "Rechnungs-Auszug pr 30 September 1933," letter from Galerie Alfred Flechtheim to Georg Kolbe, October 9, 1933, MvT Estate, GKM Archive, Berlin.

57 See: letter from Alfred E. Schulte to Georg Kolbe, February 3, 1934; letter from Rosi Hulisch to Josef von Sternberg, March 1, 1934 (copy as enclosure to the letter from Rosi Hulisch to Georg Kolbe, March 2, 1934), MvT Estate, GKM Archive, Berlin.

58 See: letter from Josef von Sternberg to Curt Valentin, June 11, 1934 (copy as enclosure to the letter from Curt Valentin to Georg Kolbe, June 25, 1934), MvT Estate, GKM Archive, Berlin.

59 Letter from Alfred E. Schulte to Georg Kolbe, March 12, 1934, MvT Estate, GKM Archive, Berlin [translated].

60 See: letter from Josef von Sternberg to Curt Valentin, June 11, 1934 (copy as enclosure to the letter from Curt Valentin to Georg Kolbe, June 25, 1934), MvT Estate, GKM Archive, Berlin.

61 *Ibid.* [translated].

62 See: *ibid.*

63 Letter from Curt Valentin to Josef von Sternberg, June 13, 1934 (copy as enclosure to the letter from Curt Valentin to Georg Kolbe, June 25, 1934), MvT Estate, GKM Archive, Berlin [translated].

64 Letter from Curt Valentin to Georg Kolbe, June 25, 1934, MvT Estate, GKM Archive, Berlin.

65 "Pfui Teufel!" letter from Georg Kolbe to Curt Valentin, June 27, 1934, MvT Estate, GKM Archive, Berlin [translated].

66 *Ibid.* [translated].

67 See: Anja Tiedemann, *Die "entartete" Moderne und ihr amerikanischer Markt. Karl Buchholz und Curt Valentin als Händler verfehlter Kunst [Schriften der Forschungsstelle "Entartete Kunst," vol. 8]* (Berlin 2013), pp. 41 and 189.

68 Letter from Curt Valentin to Georg Kolbe, June 28, 1934, MvT Estate, GKM Archive, Berlin [translated].

69 See: letter from the Düsseldorf branch of the Reichsbank to Georg Kolbe, December 18, 1934, MvT Estate, GKM Archive, Berlin.

70 See: letter from Georg Kolbe to the Düsseldorf branch of the Reichsbank, January 2, 1936 (perhaps actually 1935, since it refers to the letter from December 18, 1934), MvT Estate, GKM Archive, Berlin.

71 See: Tiedemann 2013 (see note 67), pp. 41 and 190–194.

72 See: Axel Drecoll and Anja Deutsch, "Fragen, Probleme, Perspektiven – zur 'Arisierung' der Kunsthändlung Alfred Flechtheim," in: Andrea Bambi and Axel Drecoll (eds.), *Alfred Flechtheim. Raubkunst und Restitution [Schriftenreihe der Vierteljahrshefte für Zeitgeschichte, vol. 110]* (Berlin and Boston 2015), pp. 83–100. In a 2010 expert appraisal on the takeover of Galerie Flechtheim Düsseldorf by Alex Vömel, Axel Drecoll comes to the conclusion "that the transition of the gallery from Flechtheim to Vömel cannot be described as 'Aryanization,' and that Vömel cannot be described in a historical sense as the 'Aryanizer' of the gallery's entire stock of pictures" [translated]. See: Project ID KU04-2010 – "Untersuchung und Bewertung der Übernahme der Galerie Flechtheim, Düsseldorf, durch Alexander Vömel im März 1933," <https://www.proveana.de/de/link/pro10000064> [last accessed March 20, 2023].

73 See: "Rechnungs-Auszug pr 31 March 1933," letter from Galerie Alfred Flechtheim to Georg Kolbe, April 25, 1933; "Rechnungs-Auszug pr 30 September 1933," letter from Galerie Alfred Flechtheim to Georg Kolbe, October 9, 1933, MvT Estate, GKM Archive, Berlin.

74 Since the Düsseldorf gallery had been deregistered with the commercial tax office on October 21, 1933, the Chamber of Industry and Commerce issued a reminder in January 1935 to move the company's headquarters to Berlin. By resolution of July 9, 1935, the head office of Galerie Alfred Flechtheim GmbH was therefore moved to the private residence of Alfred and Betti Flechtheim in Berlin-Wilmersdorf, Düsseldorfer Str. 44/45, on July 12, 1935, and it was decided to dissolve the Düsseldorf branch. See the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

75 Letter from Alfred E. Schulte to Georg Kolbe, October 28, 1933, MvT Estate, GKM Archive, Berlin [translated].

76 After the gallery's Berlin premises were abandoned, the gallery's office was temporarily located at Rosi Hulisch's private address at Eisenzahnstrasse 66 in Berlin-Halensee. See the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10). For more on the role of Hulisch, see: letter from Rosi Hulisch, Berlin, to Josef von Sternberg, Hollywood, March 1, 1934 (copy as enclosure to the letter from Rosi Hulisch to Georg Kolbe, March 2, 1934), MvT Estate, GKM Archive, Berlin.

77 The fact that Schulte was able to meet the deadline and conclude the proceedings by April 1, 1934, at the latest, can be seen in the minutes of the shareholders' meeting of April 25, 1935, which reads as follows: "The out-of-court settlement was carried out last year by the auditor, Mr. Alfred E. Schulte." Minutes of the shareholders' meeting of Galerie Alfred Flechtheim GmbH, April 25, 1935 in the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10) [translated]. Nevertheless, there has been erroneous talk of dissolution or liquidation in this context to date. See: Project ID KU04-2010 (see note 72); Dascher 2011 (see note 13), p. 319.

78 See: letter from Alfred E. Schulte to Georg Kolbe, March 28, 1934, MvT Estate, GKM Archive, Berlin.

79 After the move with Betti in June 1934 from Bleibtreustrasse to Düsseldorfer Strasse 44/45 in Berlin-Wilmersdorf, this new address was registered as the company's office address in December 1934, and the company's headquarters were moved here in July 1935. See the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

80 Letter from Rosi Hulisch, Galerie Alfred Flechtheim, to Josef von Sternberg, July 10, 1934, MvT Estate, GKM Archive, Berlin [translated].

81 See the registration of the liquidation of the company dated January 18, 1936 in the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

82 See the commercial register files of Galerie Alfred Flechtheim GmbH, Berlin (see note 10).

83 See: Flacke-Knoch/von Wiese 1987 (see note 8), p. 163; Dascher 2011 (see note 13), pp. 380–389.

84 International obituaries were published in the *Times* on March 10 and 11, and Paul Westheim reported on Flechtheim's death in the *Pariser Tageszeitung*, noting that he had returned to art life as a partner in a London gallery. *Die neue Weltbühne* in Prague also published a three-page article about Flechtheim. See: Alex Vömel, "Alfred Flechtheim, Kunsthändler und Verleger," in: *Imprimatur. Ein Jahrbuch für Bücherfreunde*, vol. V (Frankfurt am Main 1967), pp. 90–109, here p. 107; Paul Westheim, "Alfred Flechtheim gestorben," in: *Pariser*

Tageszeitung, November 3, 1937; Dascher 2011 (see note 13), p. 289. For more on Alfred Flechtheim's defamation in Germany, see: Gesa Jeuthe Vietzen, "Verfolgte und Verführte. Die Aktion 'Entartete Kunst' als propagandistisches Kapital," in: Nikola Doll, Uwe Fleckner, and Gesa Jeuthe Vietzen (eds.), *Kunst, Konflikt Kollaboration. Hildebrand Gurlitt und die Moderne* [Schriften der Forschungsstelle "Entartete Kunst," vol. 14] (Berlin 2023), pp. 95–122, here pp. 109–114.

85 See: MvT Estate, GKM Archive, Berlin. From 2013 to 2016, a research project on the activities of Galerie Alex Vömel, Düsseldorf, was also conducted in the Art History Department of the University of Hamburg. See: Project ID LA07-II2012: "Die Liquidation der Galerie Alfred Flechtheim GmbH und ihre Folgen. Grundlagenforschung zum Handel mit NS-verfolgungsbedingt entzogener Kunst durch die Galerie Alex Vömel, Düsseldorf, und die Galerie Buchholz, Berlin," <https://www.proveana.de/de/link/> pro10000179 [last accessed March 20, 2023]. A publication on Galerie Alex Vömel under National Socialism is in preparation by the author of this essay: Gesa Jeuthe Vietzen, *Auf schmalem Grat. Alex Vömel und der Kunsthandel im Nationalsozialismus [Schriften der Forschungsstelle "Entartete Kunst"]* (Berlin, in preparation).

86 Letter from Alex Vömel, Galerie Alex Vömel, to Georg Kolbe, March 12, 1940, MvT Estate, GKM Archive, Berlin [translated].

87 See: Dascher 2011 (see note 13), p. 411.

88 See: *ibid.*, p. 409.

89 See: "Solomon R. Guggenheim Foundation Restitutes Ernst Ludwig Kirchner's Artillerymen to Heirs of Alfred Flechtheim," press release, October 4, 2018, <https://www.guggenheim.org/press-release/solomon-r-guggenheim-foundation-restitutes-ernst-ludwig-kirchners-artillerymen-to-heirs-of-alfred-flechtheim> [last accessed March 20, 2023].