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Otto Dix's *Portrait of the Lawyer Hugo Simons*: German Art for a Canadian Museum

Darlene Caroline Cousins

A Thesis

in

The Department

of

Art History

Presented in Partial Fulfilment of the Requirements for the Degree of Master of Arts at Concordia University

Montreal, Quebec, Canada

August 2002

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ABSTRACT

Otto Dix's *Portrait of the Lawyer Hugo Simons*: German Art For a Canadian Museum

Darlene Caroline Cousins

Sometimes a work of art with no immediately apparent connection to political conflict can disguise a powerful statement relevant to the vicissitudes of war. This situation can arise in portraiture, which can be more than merely the record of a meeting between the artist and the sitter.

In 1925, while Adolf Hitler was still all but unknown to the German people, the artist Otto Dix (1891-1969) produced an image of a friend, the Jewish lawyer Hugo Simons (1892-1958). This thesis will examine the painting and how the harrowing story of racism, propaganda and censorship under the Nazi regime is embedded in the image.

Chapter One will look at the career of Dix and the developments in his life and artistic training, as well as his work as a founding member of the *neue Sachlichkeit* art movement. It was during his involvement with this group that the portrait was painted. Chapter Two will focus on the professional relationship that formed between Dix and Simons in 1920s Düsseldorf. Chapter Three will deal with the politics and social conditions of 1920s-1930s Germany, the rise of Nazism during this period and the implementation of discriminatory cultural laws and racist aesthetics. Chapter Four chronicles the Simons family's flight from Nazi Germany, and the long-standing friendship of the two men is shown through letters written to Hugo Simons from Otto Dix after the Simons family settled in Canada in 1939. Finally, Chapter Five looks at the portrait's 'rediscovery' by curators and art historians in 1991, and the saga of its acquisition by the MBAM.

Dedication

Dedicated to the memory of Dr. Hugo Simons and Otto Dix.

Acknowledgements

First and foremost I must extend my heartfelt gratitude to Jan Simons for his kindness and cooperation in making this thesis possible. I would also like to thank Ursus Dix, as well as Cass, Anna and George Simons for sharing their memories with me.

A debt of gratitude is owed to my supervisor Sandra Paikowsky for her editing, encouragement and support. I am grateful to my readers Dr. Olivier Asselin and Dr. Brian Foss for their insightful comments. Thank you also to Dr. Loren Lerner and Helaine Kliger.

At the MBAM I am grateful to: Éric Vanasse, Danielle Blanchette, Janet Brooke, Dr. Guy Cogeval, Joanne Déry, Dr. Hilliard Goldfarb, Gisèle Lachance, Paul Lavallée, Maryse Ménard, Rosalind Pepall, Elaine Tolmatch, and Olga Weyhaeghe.

I also wish to thank Charles C. Hill of the National Gallery of Canada, William Robinson of the Cleveland Museum of Art, and Janice Rosen of the Canadian Jewish Congress Archives.

A sincere thank you to Sylvie O'Halloran, Francine O'Halloran, Natalina Carpanzano-Parnow, Maria Torrents Sandberg and Debbie Dore for all their help, support and free therapy. I would also like to thank Dr. Claude Lacroix for introducing me to the subject of Nazi aesthetics and the writings of Walter Benjamin.

Last but not least, thank you to Wayne Larsen, my editor and husband for his patience and understanding above and beyond the call of duty. To my children Nikolas and Bryn-Vienna a big thank-you for never tiring of hearing the phrase, "Mumma has to finish her paper." Without the support of my husband and children, this thesis would not have been possible.

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Chapter One

The Artist, Otto Dix

A short account of early events in the career of Otto Dix, culminating in his persecution by the Nazi Party, provides the context for the circumstances surrounding his painting of the *Portrait of the Lawyer Hugo Simons* (*Bildnis Rechstanwalt Dr. Hugo Simons*) (oil and tempera on wood, 101.3 x 70.3 cm., Musée des beaux-arts de Montréal, Montreal) (Figure 1). This overview incorporates Nazi subjugation experienced by both the artist and the sitter.

Wilhelm Heinrich Otto Dix was born on 2 December 1891 to Franz Dix (1862-1942) and Louise (née Amann, 1864-1953) in the village of Untermhaus bei Gera in the Thuringian region of central Germany, which became part of East Germany in 1949. As a boy, he modeled for his cousin, Fritz Amann, a painter in Naumberg. He would later recall that: "The wonderful smell of the oil paints, together with the tobacco smoke from my cousin's pipe, instilled in me even as a little boy the desire to become an artist." The young Dix displayed an early talent for the arts and from 1905 to 1909 he apprenticed with a *Dekorationsmaler* (house painter and decorator). Early in 1910, at the age of 18, Dix enrolled at the *Kunstgewerbeschule* (School of Arts and Crafts) in Gera to begin his formal artistic training and was instructed in decorative arts and motifs, drawing mostly ornaments and flowers. Dix had a particular interest in the working methods and approaches of Hans Holbein, Jan van

¹ Otto Dix was the eldest son in a family that also consisted of two younger sisters and one brother. Fritz Löffler, Otto Dix: Life and Work, trans. R. J. Hollingdale (New York; London: Holmes and Meier Publishers, Inc., 1982), 7.

² Eva Karcher, Dix (New York: Crown Publishers Inc., 1987), 7.

³ Linda F. McGreevy, The Life and Works of Otto Dix: German Critical Realist (Ann Arbor: UMI Research Press, 1981), 10.

⁴ Dix lived on 40 marks per month until the second semester, then he accepted a janitorial job at the school to supplement this meager income. *Ibid.*, 11.

Eyck and, especially, Albrecht Dürer and Hans Baldung Grien.⁵ The influence of Northern Renaissance painting proved so strong that it would be seen in Dix's work throughout his career in terms of approach, subject matter and technique.⁶

Many of Dix's early works have much in common with the portraiture of Dürer (1471-1528). This is particularly evident in his *Selbstbildnis mit Nelke* (*Self Portrait with Carnation*) (1912, oil and tempera on panel, 73 x 50 cm., Detroit Institute of Arts) (Figure 2), which includes references to Dürer's self-portraits of the late 15th century.⁷ Dix adopted his three-quarter length pose, the direct gaze of the sitter, and a linear composition with a smooth, enamel-like finish, an effect achieved by the use of several layers of glazes. Dix would return to this glazing technique in his portraiture of the 1920s.

The importance of a Vincent van Gogh (1854-1890) exhibition in the fall of 1912 at the Galerie Arnold in Dresden also cannot be overlooked. The exhibition featured forty-one works from an earlier (May-September 1912) presentation mounted at the Sonderbund Galerie in Cologne, Germany.⁸ An obvious influence of the Dutch painter is seen in Dix's 1913 painting Sonnenaufgang (Sunrise, or Sun Setting Over Winter Landscape With Ravens) (oil on pasteboard, 51 x 66 cm., private collection, Germany) (Figure 3). Using thick brushstrokes Dix appropriates van Gogh's crows as a symbol of death and juxtaposes them against the distant sun's rays of life which break through the dark clouds, allowing light and warmth to come through into the bleak

⁵ Ibid.

⁶ As Dix himself would later attest, "My ideal was to paint like the masters of the early Renaissance." "Es war mein Ideal, so zu malen wie die Meister der Frührenaissance." Diether Schmidt, Otto Dix im Selbstbildnis (Berlin: Henschelverlag Kunst und Gesellschaft, DDR, 1978), 252. Also Keith Hartley and Sarah O'Brien Twohig, "Beginnings and Early Training: Gera 1891-Dresden 1914," in Otto Dix: 1891-1969, ed. Keith Hartley (London: Tate Gallery, 1992), 68.

⁷ Brigid S. Barton, Otto Dix and Die neue Sachlichkeit, 1918-1925 (Ann Arbor: UMI Research Press, 1981, [1977]), 14.

⁸ Hartley and Twohig, "Beginnings and Early Training," 71.

winter landscape. Van Gogh's work would be used by the Nazis as a prime example of 'degenerate' art, and such early works by Dix would be the first of his *oeuvre* seized by the Gestapo in 1933.

Dix also experimented with the allegory/vanitas theme popular with the Symbolist painters such as Gustave Moreau (1826-1898), Odilon Redon (1840-1916), Paul Gauguin (1848-1903) and Edvard Munch (1863-1944). Dix's exploration of the motif would be further enhanced by his introduction to the writings of German philosopher Friedrich Nietzsche (1844-1900) in 1911.9 A year later. Dix completed Bust of Nietzsche (1912, plaster tinted green, 58 x 48 cm., formerly Stadtmuseum, Dresden, seized and destroyed) (Figure 4), that was purchased for the Dresden City Art Collection. 10 Nietzsche's philosophical essays would prove to have a lifelong influence on Dix, although it is difficult, if not impossible, to ascertain what drew his attention to Nietzschean philosophy. It can be posited that Nietzsche's emphasis on realism and a more practical, self-reliant attitude toward life was an important inspiration. This may stem from the fact that the need for a regeneration of the life force—necessary if society was to be saved from decadence and decline—was one of Nietzsche's central ideas. This, he believed, could only be realized once people embraced life as a totality and did not separate things into categories of evil and good. This meant embracing death, because it could not exist without life.¹¹ Dix would later speak of Nietzsche as being the only true philosopher¹² despite the fact that many other artists felt the need to disassociate themselves from this thinking because the Nazis had appropriated Nietzsche's Superman philosophy to serve their own ends

Historian Linda McGreevy, suggests that it may have been Dix's Kunstgewerbeschule sculptor teacher and friend Richard Guhr who introduced him to Nietzsche's philosophy in 1911. McGreevy, 11.

¹⁰ The bust is now extant only in photographs. It was seized and destroyed by the Nazis in 1933 as part of their "cultural cleansing" programme.

¹¹ Hartley and Twohig, "Beginnings and Early Training," 71.

^{12 &}quot;Das war die einzig richtige Philosophie." Schmidt, 280.

prior to and during World War II.¹³ Dix, however, was adamant in his defense of the philosopher and never faltered in his beliefs, ¹⁴ although in a 1965 interview Dix would recall his anger at the Nazis' adoption of Nietzschean philosophy for their own use. ¹⁵

The finest example of his influence upon Dix is seen in the 1915 portrait Selbstbildnis als Mars (Self-Portrait as Mars) (oil on canvas, 81 x 66 cm., Städtische Kunstsammlung im Haus der Heimat, Freital) (Figure 5). Historian Diether Schmidt explains the predominant star motif in the image: "Both the notion of a cruel, Dionysian principle of chaos, destruction, and rebirth, and the notion of a dancing star, derive from Nietzsche. As Zarathustra said, one must have chaos within oneself to give birth to a dancing star." 16

This painting was instrumental in establishing Dix as a member of the German

¹³ In his 1891 book Also Sprach Zarathustra (Thus Spoke Zarathustra), a criticism of Christianity. Nietzsche questioned the existence of God and raised the theory of humankind being in charge of its own destiny, motivated by the "will to power." This "will to power" is the main motivation of the Superman. It is this passion, basing itself in the creativity of the Superman, that raises him above others. Unfortunately, it would be this same Nietzschean theory of superiority that would later be appropriated by the Nazi party to justify their theories of racial superiority and Aryan supremacy. Philippe Lacoue-Labarthe and Jean-Luc Nancy, Le Mythe Nazi (Paris: La Tour de L'Aigues, 1991), 28.

¹⁴ The influence of Nietzsche was felt by artists across Europe. Picasso in Barcelona, Apollinaire in Paris and Beardsley in London were just as inspired by his work as the German artists Munch, Klee, Beckmann and Dix. However, after World War II most European artists were to distance themselves from Nietzsche's philosophy due to its appropriation by German and Italian fascists. The die Brücke group borrowed its name from Also Sprach Zarathustra and its manifesto quotes directly from the book. "What is great in man is that he is a bridge and not a purpose...." Sarah O'Brien Twohig, "Dix and Nietzsche," in Otto Dix 1891-1969, ed. Keith Hartley (London: Tate Gallery, 1992), 42. Also Friedrich Nietzsche, Thus Spoke Zarathustra, trans. R. J. Hollingdale (Hammondsworth; Baltimore: Penguin Books, 1969), 44. Italian painter Amedeo Modigliani (1884-1920) was so enthralled with Nietzsche that he quoted him every chance that he could consequently his friends dubbed him 'il superuomo.' Twohig, "Dix and Nietzsche," 42.

^{15 &}quot;Schon 1911 habe ich Nietzsche gelesen und mich gründlich mit seinen Ansichen befaßt. Darum hat es mich auch so erboste, als die Nazis ihn für sich in Anspruch nahmen—, ihn mit ihrer totalitären Machttheorie völlig falsch verstanden... verstehen wollten." Maria Wetzel, Otto Dix: 1891-1969 (Munchen: Buchhandlung Hans Goltz KG, 1985), 286. When Dix died in 1969, his bookcase held at least four volumes of Nietzsche's philosophy. Twohig, "Dix and Nietzsche," 42.

¹⁶ William Robinson, "Otto Dix's Portrait of Josef May," The Bulletin of the Cleveland Museum of Art 74.8 (October 1987), 310.

Expressionist movement, ¹⁷ with which he would remain closely associated from 1915 to the early 1920s. The Expressionists sought to move away from the prescribed art of the day that was fraught with highly-romanticized images of nature. Instead they emphasized the canvas as a site for expressing subjective feelings and emotions as well as advocating political and social change. The artwork of the movement was characterized by an intense colour pallette and simplified forms.

With the outbreak of World War I in 1914, German society was thrown into chaos and its artists were no exception. Although biographical sources differ in opinion as to whether Dix volunteered for service or was drafted into the German army, his son Ursus states that his father was called up on 22 August 1914 and after training, volunteered to go to the front on 17 September 1915. He took with him to the front a volume of Nietzsche and the Bible. Dix later described his decision to fight in the war as a means of personal growth:

I had to experience how someone beside me suddenly falls over and is dead and the bullet has hit him squarely. I had to experience that quite directly. I wanted it. I'm therefore not a pacifist at all—or am I?—perhaps I was an inquisitive person. I had to see all that for myself. I'm such a realist, you know, I have to see everything with my own eyes in order to confirm that it's like that....I have to experience all the ghastly, bottomless depths of life for myself; it's for that reason that I went to war, and for that

¹⁷ Many small German artist groups would rise up out of the influence of late 19th-century European painting, such as die Brücke (The Bridge), which was founded in Dresden in 1905 by Erich Heckel, Karl Schmidt-Rottluff, Fritz Bleyl and Ernst Ludwig Kirchner. Meanwhile in Munich, der Blaue Reiter (The Blue Rider) had formed in 1911 under the leadership of Franz Marc, August Macke and Wassily Kandinsky.

¹⁸ Letter from Ursus Dix, France, to author, 13 June 2001.

¹⁹ Scholars dispute which volume of Nietzsche Dix brought to the front. While most agree it was *Thus Spoke Zarathustra*, art historian Otto Conzelmann, who knew Dix well, claims it was actually *The Gay Science*. Historian Linda McGreevy contends it was *Joyful Wisdom*.

reason that I volunteered. 20

Many German artists and intellectuals were enthusiastic about World War I, believing it would cleanse the German soul and make way for an idyllic future—which was also an aspiration of German Expressionist artists.²¹ Such optimism also echoes the Nietzschean theory of order emerging from chaos²² as the war was not seen as an essentially destructive force but as a necessity for positive social change.

Biographical accounts of Dix contend that he never expressed his political beliefs publicly, giving the impression that he was 'apolitical.' When asked by friends where he stood on contemporary issues, Dix's most common response was, "Leave me alone with your idiotic politics—I'm off to the brothel."²³ In a 1965 interview, Dix explained his aversion to committing to any particular political party: "I never got involved with any sort of political program, probably because I could not stand all the

²⁰ Frank Whitford, "The Revolutionary Reactionary," in *Otto Dix: 1891-1969*, ed. Keith Hartley (London: Tate Gallery, 1992), 17-18. Also Schmidt "Deswegen mußte ich in den Krieg gehen....Ich mußte auch erleben, wie neben mir einer plötzlich umfälltund, und weg, und die Kugel trifft ihn mitten. Das mußte ich alles ganz genau erleben. Das wollte ich. Also bin ich doch Pazifist. Oder vielleicht bin ich ein neugieriger Mensch gewesen. Ich mußte das alles selber sehen. Ich bin so Realist, wissen Sie, daß ich alles mit eignen Augen sehen muß, um das zu bestätigen, daßer so ist....aber eigentlich mußt du es selber erleben. Ganz selber mußt du es sehen. Und das ist ja richtig sehen." 255-256.

As a lance corporal, Dix served at the Western Front and suffered the horrendous conditions of trench warfare from Flanders to the Somme. He was wounded repeatedly, survived mustard gas attacks and spent time in a military hospital in France before being shipped to the Eastern Front in 1917, where he served as a sergeant in Russia. Ultimately Dix received the Iron Cross (2nd Class) for valour, the Friedrich-August medal and the S.V. medal with swords. Dennis Crockett, German Post-Expressionism: The Art of the Great Disorder 1918-1924 (Pennsylvania: The Pennsylvania State University Press, 1999), 64. Also Hartley and Twohig, "First World War 1914-1918," in Otto Dix: 1891-1969, ed. Keith Hartley (London: Tate Gallery, 1992), 77. Fellow artists such as Franz Marc and August Macke would die during World War I, thus altering the face of the art scene in Germany once the surviving painters reassembled after the Armistice.

The aestheticization of the war experience was not indigenous to Germany alone. Historian Paul Fussell explains the same type of phenomenon occurring in Britain during WWI where people looked to the writings of Alfred Lord Tennyson and G. A. Henty for inspiration: "an ennobling and medievilising diction....in which friends become 'comrades', horses become 'steeds' and blood 'the red / Sweet wine of youth'." Iian Boyd Whyte, "Otto Dix's Germany: from Wilhelmine Reich to East West Divide," in Otto Dix: 1891-1969, ed. Keith Hartley (London: Tate Gallery, 1992), 28. Also Paul Fussell, The Great War and Modern Memory (London: Oxford University Press, 1991), 21-22.

²³ Whyte, 27.

jargon. When they came along and started making speeches, I switched off at once. I did not want to get roped in."²⁴ This statement suggests that Dix may have been again drawing from the Nietzschean position that one should accept and enjoy life for what it is—whether that reality is war or peace.

A remarkable six hundred drawings, as well as many small gouaches and oil sketches, date from the World War I period.²⁵ A fellow art student from the *Kunstwerbeschule*. Otto Griebel, has said that he had come across Dix in the trenches recording his war experiences through ink, chalk and tempera Expressionist drawings.²⁶ Many of these drawings are harsh caricatures, obviously influenced by the Dada work that Dix would have seen exhibited in Dresden prior to the war. The most famous of these works is his series of fifty etchings printed in 1924, titled *der Krieg (The War)*.²⁷ Often compared to Francisco de Goya's *Las desastres de la guerra (The Disasters of War)* (1810-1820), Dix's prints such as *Corpse Caught on Barbed Wire (Flanders), Wounded Soldier, Dance of Death Anno 17 (Dead Man Salient), Collapsed Trench* and *Wounded Soldier*, (1924, aquatint, 19 x 28.5 cm., Trustees of the British Museum, Figure 6) and *The Trench* (1923, oil on canvas, 227 x 250 cm., lost, presumed burned by the Nazis, Figure 7) leave nothing to the imagination in realizing the devastating horror and annihilation that is intrinsic to the battlefield. The series did not garner acclaim and was condemned by some critics.

Dix claimed that these works were not executed as a political statement: "I didn't paint war pictures in order to prevent war.... I would never have been so presumptuous. I painted them in order to exorcise war. All art is exorcism." In a

²⁴ Karcher, 29.

²⁵ Whyte, 25.

²⁶ Whitford, 16.

²⁷ Henry Grosshans, Hitler and the Artists (New York; London: Holmes & Meier, 1983), 49.

²⁸ *Ibid.* , 18.

1961 interview, Dix explained his war experience in relation to his artistic practice:

War is horrible: hunger, lice, mud, terrifying noises. It is all completely different. You see, before the early paintings, I had the feeling that there was a dimension of reality that had not been dealt with in art: the dimension of ugliness. The war was a dreadful thing, but there was something awe-inspiring about it. There was no question of me missing out on that! You have to have seen people out of control in that way to know anything about man.²⁹

Like many other artists at the time, Dix's statements about the war are often inconsistent, leading to discrepencies between his words, his actions and his artwork.

In July and August of 1920, Dix exhibited as a Dadaist (for the first and only time) at the *First International Fair* in Berlin.³⁰ Included in the presentation was his large painting *War Cripples* (oil on canvas, 150 x 200 cm., lost, presumed burned by the Nazis) (Figure 8) and several drawings, all of which were blatantly anti-military. *War Cripples* depicted four grotesquely mutilated and disabled soldiers marching along on crutches and artificial limbs—the very antithesis of the proud, healthy Aryan image later advocated by the Nazi Party. This was in keeping with much of the other Dadaist work in the exhibition, that bitterly condemned the state of social affairs in post-World War I Germany.³¹ While his friend, Dada artist George Grosz (1893-1959), eagerly admitted to using his work as a political platform, ³² Dix's repeated and

²⁹ Karcher, 16.

³⁰ The Dada Group of artists had formed in Zürich and New York between 1915-1916 and quickly spread to include movements in Paris and Berlin. The group aspired to break what they perceived as the fixed, rigid aesthetic preconceptions of the art world by experimenting with nonsense poetry. collage and ready-mades (everyday objects presented as artworks).

³¹ This is largely a result of Germany's reduced financial circumstances following World War I, according to the conditions specified by the Treaty of Versailles.

³² This aspect of Grosz's work is best described by William Robinson, Curator of Modern Art at the Cleveland Museum of Art, when he writes, "Grosz... was an ardent Communist who used his art as a weapon to assault the Weimar government and the capitalist system." Robinson, 316.

adamant assertions that he took no sides when it came to political commitment are thrown into question by his paintings and etchings from World War I, and their intensely critical view of the ravages of conflict brought about by governments.

Whether or not Dix chose to remain verbally silent about politics, his images spoke for him.

Following his military service, Dix returned to Dresden and enrolled in the state-sponsored *Dresdner Kunstakademie* (Dresden Art Academy) as a *Meisterschüler* (Master's Student).³³ It was during this period, from 1919 to 1922, that he emerged as a presence within the Dresden art milieu.³⁴ Dix and some of his contemporaries at the *Kunstakademie* were patronized by a number of important figures from business and the arts. The Director of the Dresdner Stadtmuseum, art historian Paul Ferdinand Schmidt, the printer Max John and the publisher Heinar Schilling were all part of Dix's immediate circle, and they often met at the home of attorney Dr. Fritz Glaser to discuss contemporary art.³⁵ During these years Dix's work displayed the concern for social realism that was the basis for the *neue Sachlichkeit* movement. Although he now painted portraits of the art dealers, doctors, lawyers and socialites of Dresden, vivid memories of war still haunted him. He also painted prostitutes, as brothels had been a common part of life in the city during World War I. In his portraiture, he strayed far from the classical template of the academy,

³³ He studied with the painter Max Feldbauer, and later with the decorative church painter Otto Gußmann. As a *Meisterschüler*, the *Akademie* provided Dix with a state-funded atelier on the Brühl Terrace in the Antonplatz, a section of Dresden. Karcher, 33.

³⁴ Barton, 14-15. Despite his classical training Dix was a founding member of the *Dresdner Sezession Gruppe* in 1919 (Dresden Secession Group), which became the "leading post-war Expressionist group in the city." Part of the ideology of the *Gruppe* was established in response to what was seen by the artists as a need for social changes following World War I. Conrad Felixmüller introduced Dix to the group, whose other members included Will Heckrott, Lazar Segall, Otto Schubert, Constantin Mitschke-Collande and Hugo Zehder. German Expressionist painter Oskar Kokoschka became a staff member at the *Kunstakademie* in 1919 and was made an honorary member of the *Gruppe* that same year. All artists in the group were professional—except for Dix, who was still a student. Felixmüller also introduced him to patrons and art dealers in Düsseldorf, which allowed him to earn a modest living. Karcher, 33.

tending to exaggerate his subjects' features—often to the point of caricature—although he did retain such traditional elements as the three-quarter-length pose.

Remaining true to Nietzschean philosophy, as defined in *The Will to Power*, Dix continued to espouse the belief that it was necessary to portray both the beauty and ugliness in life: "Beauty is necessarily false because it smothers the object, which gives rise to it with a charm....that is quite alien to the essence of the particular object." A text written by Keith Hartley and Sarah O'Brien Twohig in the Tate Gallery catalogue for the Dix centennial exhibition in 1992 best describes his use of exaggeration and contortion in his portraits, be the sitter a doctor, lawyer or prostitute of the 1920s: "[T]he ugliness, distortion and crass realism....must be seen as an intentional aesthetic device, designed to strip away what he saw as the false illusion of bourgeois ideals of beauty and love. Ugliness is used as a negative aesthetic to force the spectator to confront the reality of what is being presented." 37

While working in Dresden, Dix made an important contact with the Düsseldorf gallery owner Frau Johanna Ey (Johanna Ey, 1926, photograph) (Figure 9), affectionately known as Mutter Ey (Mother Egg) by local artists because of her devotion to advancing their careers (The Art Dealer Frau Johanna Ey of Düsseldorf, 1924, oil on canvas, 140 x 90 cm., private collection, Germany) (Figure 10). At Ey's request, Dix sent her some of his prints and drawings and she soon requested more, as they were selling well. Through fellow artist Conrad Felixmüller, Dix secured a commission to paint a portrait of the dermatologist Dr. Hans Koch,³⁸ an avid collector

³⁶ Hartley and Twohig, "Dresden 1919-1922," 110.

³⁷ *Ibid.* , 110-111.

³⁸ Dr. Hans Koch was married to Martha Lindner at the time when Dix painted his portrait. Finding that they shared several common interests, including a love of dancing, Dix and Martha Lindner Koch soon developed a relationship and were married in 1923, following Martha's divorce from Dr. Koch. Karcher, 36. "Hans Koch was my mother's first husband. After their divorce he married my mother's sister, Maria Elisabeth Lindner, hence the brother-in-law relationship." Letter from Ursus Dix, France, to author, 13 June 2001.

of modern art who also owned a gallery in Düsseldorf and sold works by Dix.³⁹ Having to relinquish his studio in Dresden's Antonplatz to incoming students, Dix was urged by Frau Ey and Dr. Koch to move from Dresden to Düsseldorf. Through exhibitions arranged by his two supporters, his reputation grew steadily and he quickly established himself in Düsseldorf.⁴⁰

By this time Germany was in the disastrous throes of the Weimar Republic government (1919-1933). Inflation was at an all-time high after World War I:

In January 1919, when Dix had returned from the Front to Dresden, one American dollar bought 8.9 marks. A year later, a dollar bought 64.8 marks, and by January 1922, the figure had reached 191 marks. When Dix married Martha Koch in February 1923, the exchange rate was one dollar to 17,972 marks, and by the time their daughter Nelly was born in mid-June 1923, it had reached 353,412 marks. The inflationary nightmare peaked in mid-November 1923, with the [American] dollar worth 14 billion marks....⁴¹

With the economic chaos of the period, bartering became a way of life for the German people and artists were no exception. Although Dix had been selling his work steadily since 1919 to art dealers in Dresden and Düsseldorf, as well as through private commissions, he remained poor and often resorted to trading his work for food in order to survive. 42

It was in this atmosphere of despair and poverty that *neue Sachlichkeit* evolved, adopting satire and irony to attack the Weimar government and the capitalist

³⁹ Hartley and Twohig, "Dresden 1919-1922." 113.

⁴⁰ McGreevy, 44.

⁴¹ Whyte, 31.

⁴² In 1924, a textile manufacturer supplied Dix with clothing in exchange for one of his paintings from a series of WWI scenes titled *War Cripples*. McGreevy, 44.

system.⁴³ The movement was officially named in 1923 by the director of the Mannheim Kunsthalle, Gustav Hartlaub, who was so impressed with the artists that he mounted an exhibition at the museum to showcase their work.⁴⁴ The main participants in this movement were Dix, George Grosz, Christian Schad (1894-1982). Max Beckmann (1884-1950) and Georg Schrimpf (1889-1938). Expressionism was not concerned with portraying objects accurately, but rather sought to express the inner state of the artist. Neue Sachlichkeit, on the other hand, was a renunciation of Expressionism where the artist captured contemporary events soberly and without sentiment—and above all, clearly. Neue Sachlichkeit was realism combined with a cynical, socially critical stance. Art critics were generally accepting of the emerging movement, seeing this 'new realism' as a political soapbox reflecting the everyday life which had grown increasingly unstable under the Weimar Republic.⁴⁵ The movement would end in 1933 with the Nazi Party's ascension to power, when its content was seen as being counter-productive to the rebuilding of Germany. Art historian Franz Roh details the characteristics that differentiate Expressionism from neue Sachlichkeit as follows:

Expressionism

ecstatic object object suppressed dynamic loud diagonals/acute angles monumental warm

neue Sachlichkeit

sober object
object clarified
static
quiet
rectangles parallel to frame
miniature
cool

^{43 &}quot;The word Sachlichkeit itself belonged to troubled semantic territory. In Hannah Arendt's Eichmann in Jerusalem (1963), the term objectivity (the German equivalent given in parentheses as "Sachlichkeit") appeared several times with reference to the national-socialist-backed mass murders in gas chambers. According to Arendt the murders were decriminalized in their time, and by Eichmann's defense lawyer, by being described as "objective" (sachlich) acts, "scientific" and "medical matters." Sanda Agalidi, "The Mannheim Exhibition of 1925 and the Idea of the New Objectivity," unpublished Ph. D. dissertation (Los Angeles: University of California, 1995), 4.

⁴⁴ Due to financial difficulties, the exhibition only took place in 1925. McGreevy, 59.

⁴⁵ The popular arts magazine Kunstblatt featured articles on neue Sachlichkeit in the early 1920s. Wieland Schmied, Neue Sachlichkeit and German Realism of the Twenties (London: Hayward Gallery, 1978), 8.

thick pigment summary execution

thin pigment careful execution 46

Dix became increasingly attracted to neue Sachlichkeit's realism or verism, as an approach to German post-war social conditions. Using the canvas as a mirror of German society under the Weimar government, he painted the horror that was quickly becoming a way of life in urban centres and extended the overt realism evident in the depiction of street life to his portraiture. This was caused by his need to engage and explore the moral content of German society in themes such as social injustice, middle-class poverty, militarism, prostitution and degenerate sexuality, crime and the dehumanizing effects of ever-expanding technology.⁴⁷ Dix's portraits of the bourgoisie also became a vehicle for neue Sachlichkeit expression as well as a more stable source of income. His academic training had not only provided him with an adroitness in portraiture; it also instilled in him a great love of the genre. According to Dix: "The moderns of today regard portrait-painting as a subordinate activity: nonetheless, it is one of the most exacting and difficult tasks a painter can undertake.... with us Germans everything we paint is a portrait in any case."48 His first foray into this new style of objective portraiture is evident in his Portrait of Dr. Hans Koch, (1921, oil on canvas, 100.5 x 90 cm., Museum Ludwig, Köln) (Figure 11). In the 1992 Tate Gallery catalogue, Keith Hartley described the painting as "Sparing neither the sitter, as he emphasizes his jowly, scarred face and maniacal look, nor the viewer, as he squeezes into the narrow, claustrophobic space a threatening array of gynaecological equipment."49

⁴⁶ McGreevy, 59.

⁴⁷ Robinson, 313.

⁴⁸ Löffler, 58.

⁴⁹ Keith Hartley and Sarah O'Brien Twohig, "Düsseldorf 1922-1925," in *Otto Dix: 1891-1969*, ed. Keith Hartley (London: Tate Gallery, 1992), 115.

In 1920 a rash of sex murders of destitute prostitutes occurred in brothels and on the streets of Düsseldorf, and these events were also reflected in Dix's canvases. On at least one occasion Dix incorporated his own likeness into these harrowing images—the 1920 *Lustmord-Selbtsbildnis* (*Sex Murderer-Self-Portrait*) (oil on canvas, 170 x 120 cm., missing and presumed destroyed by the Nazis) (Figure 12). Here, the full-length self-portrait occupies the central space of this ghastly scene. He gleefully holds up an amputated leg in his right hand and a large butcher knife in his left hand, while many female body parts are strewn around the room behind him—several of the discarded limbs bearing his bloody handprint.

It was mainly his participation in the controversial *neue Sachlichkeit* movement that caused Dix to be persecuted by the Nazi Party in the early 1930s.⁵¹ It may be posited that his images of the social catastrophe caused by the Weimar government would lead the Nazi Party to regard him as a danger to them—in that he might use his art as a platform to criticize the National Socialist government. It was exactly such paintings as *Lustmord-Selbtsbildnis* that the Third Reich would later deem a threat to the moral fabric of Germany. By including himself in the painting, Dix implicates himself in the decadence and corruption of the era. The macabre image seems to act as a mirror on society, which has become a chaotic setting for lawlessness and unreason. ⁵²

Despite Dix's enthusiastic experimentation with different contemporary approaches in German art, he never strayed far from the traditions of figurative painting. Dix went against the common belief, held by Grosz and several other left-

⁵⁰ George Grosz had similarly created several images of the popular *Lustmord* (Sex Death/Murder), perhaps influenced by reports of these crimes commonly appearing in sensationalized newspaper accounts. Robinson, 316.

⁵¹ Although his neue Sachlichkeit work was the main cause of Dix's degenerate status, the Nazis certainly would not have found his Expressionist work to be acceptable either.

⁵² Ibid.

wing contemporaries, that radical subjects had to be rendered in an equally radical manner. ⁵³ In fact, Grosz used to mockingly refer to his friend as 'Hans Baldung Dix' because of the extent to which he drew on the Old Masters—especially the Germans of the sixteenth century.⁵⁴

Dix's portraits are character studies—there is no emphasis on the backgrounds or other distractions to divert attention from the figure or to elaborate a narrative. Dr. Paul Ferdinand Schmidt, director of the Dresdner Stadtmuseum and well known for his promotion of young artists in Germany, wrote of Dix's artwork: "The freedom of being beyond the limitation of naturalistic imitation and expressionistic ecstasy gives Otto Dix an infallibly certain eye....He is ruled by a creative spirit which knows how to mould the human being...."55 Portrait of Dr. Paul Ferdinand Schmidt, (1921, oil and collage, 83 x 63 cm., Staatgalerie Stuttgart) (Figure 13) and Portrait of the Lawyer Dr. Fritz Glaser, (1921, oil on canvas, 105 x 80.5 cm., private collection) (Figure 14) are prime examples of his disregard for mimetic translation of outward appearance, Dix privileged the inner being of his sitter through his stark and sometimes exaggerated interpretation of their physical attributes, especially by an emphasis on the eyes and the extremities of the body. The three-quarter length portrait of Schmidt is a strong and confident representation of the director-curator. Seated with folded arms in a neo-classical high-backed wooden chair, his strength of character is reinforced by his prominent hands resting on crossed legs, while his widened eyes meet the viewer in an intrepid stare that intensifies his firm and resolute posture.

The Schmidt portrait stands in contrast to the *Portrait of the Lawyer Dr. Fritz*Glaser. Dr. Glaser was supportive of the burgeoning new art produced in Dresden and 53 Whitford, 12.

⁵⁴ George Grosz said: "Dix did all the painting in thin tempera, then went over it with thin mastic glazes in various cold and warm tones. He was the only Old Master I ever watched using this technique." Quoted after Whitford, 12-13. Although he used techniques of the Old Masters, the way in which Dix presented his subjects was untraditional.

⁵⁵ Hartley and Twohig, "Dresden 1919-1922," 108.

offered his home as a meeting place for young artists to discuss art. The years 1921-24 were also a time of high inflation for Germany and the generous Dr. Glaser is known to have taken in destitute artists and assisted others financially. Although Schmidt and Glaser shared an interest in the new art movement, there is a radical difference in their reaction to the way Dix portrayed them.

The former accepted Dix's image, the latter was displeased with his portrait and although he paid the artist, he refused to a hang the work.⁵⁶ Glaser is posed in a three-quarter-length profile, seated by a gaping precipice that looks out onto a snowcovered, gabled building in the background. The vertical and horizontal brickwork in the background structure is so severe that art historian Sarah Twohig has pointed out that its repetitive pattern resembles swastikas—which had made their first appearance with inherent anti-Semitic overtones in Germany in March 1920 after the failed Kapp Putsch. Glaser's body is slightly slumped with rounded shoulders. His eyes are directed sideways to the viewer with a meditative expression. He appears lost within his own thoughts rather than focusing his attention on Dix or on anything one thing in particular. Glaser's posture clearly conveys the image of humility—in contrast to his clothes, which suggest sophistication. Even his hands, which are pulled toward his body, are indicative of timidity and certainly do not reflect the aura of power projected by Dix in Schmidt's portrait. Instead, we are confronted with a figure apparently less sure of himself, seeming to shy away from the viewer. Although Dix was commissioned by Glaser to paint the portrait from a drawing (Bildnis Dr. Fritz Glaser/Portrait of Dr. Fritz Glaser, 1921, pencil on paper, 59.4 x 42.5 cm., private collection) (Figure 15), it would seem that the reason Glaser was dissatisfied with the painting is the way in which Dix chose to depict his nose—enlarged and hooked to

⁵⁶ Ibid., 109.

the point of caricature. Dix's nickname for his friend was 'Tapir,'57 after the South-and Central-American animal, and this is how Glaser is portrayed. This image may indeed be an accurate depiction of Dix's friend, but he was also Jewish—and well aware of the growing anti-Semitism that was becoming all too commonplace in Germany. Anti-Semitic propaganda pamphlets had been circulating since the early 1910s and were becoming common throughout the country, particularly after the Kapp Putsch. Dix's perception and representation of Glaser as vulnerable and isolated may unfortunately be a truthful account of the atmosphere surrounding post-World War I Germany.⁵⁸

No matter how offended Glaser may have been by the portrait, it did not prevent him from commissioning a family portrait from Dix four years later (Familie Rechtsanwalt Dr. Fritz Glaser/Family of the Lawyer Dr. Fritz Glaser, tempera and oil on plywood, 100 x 79 cm., Staatliche Kunstsammlungen Dresden) (Figure 16). This painting was based on a precise charcoal drawing of the group and marked a major change in Dix's painting method, as it is the first portrait for which he employed the tempera on plywood medium of the German Renaissance portraitists whom he so admired. ⁵⁹

⁵⁷ The Tapir is a large mamal indigenous to South and Central America, described as being "shy and solitary by nature....often hunted in their native countries." http://www.nature.ca/notebooks/english/etapir.htm.

⁵⁸ Hartley and Twohig, "Dresden 1919-1922," 109.

⁵⁹ Hartley and Twohig, "Düsseldorf 1922-1925," 131.

Chapter Two

Dr. Hugo Simons and Otto Dix

The 1920s would be a tumultuous period in Dix's professional career. Because World War I was fresh in the German memory, the public did not welcome images of distraught and mutilated war veterans, nor were they any more receptive to imagery of brothels and prostitutes—common sights both on city streets and in Dix's neue Sachlichkeit canvases. Early in the decade his interpretations of city life would come under public scrutiny, and ultimately censorship for their seemingly unsuitable subject matter.

In 1921, Dix produced a full-length rear-view image of a young, vivacious and presumably attractive woman primping and posing herself in front of a mirror—but the reflection in the mirror reveals a withered and haggard old woman. *Mädchen vor dem Spiegel (Girl in Front of the Mirror)* (oil on canvas, measurements not known, believed destroyed during World War II) (Figure 17),¹ painted from an extant etching (*Mädchen am Spiegel/Girl Before a Mirror*, 1922, etching, 35.1 x 28 cm., Städtische Galerie Albstadt, Germany) (Figure 18), caused a public outrage.² The reflection of the woman reveals not the appealing young girl suggested by the back view but instead an almost emaciated figure with sagging breasts in an ill-fitting corset that opens to reveal her backside. When the painting was exhibited in Berlin in 1922, some visitors to the gallery declared the image pornography rather than art and filed complaints with the Berlin police. The work was removed from public display and in April of 1923³ Dix was prosecuted in Berlin on charges of "circulating obscene"

¹ According to Dix's son Ursus "the oil painting was destroyed during the war." Letter from Ursus Dix, France, to author, 13 June 2001.

² Karcher, 41.

³ Letter from Ursus Dix, France, to author, 13 June 2001. It is not known at which gallery it was exhibited.

pictorial matter."⁴ Artists such as Lovis Corinth, as well as several art critics, rallied to Dix's defense and testified on his behalf. While there seems to be no extant documentation regarding what was stated in Dix's defense, he was acquitted of the charges.⁵

By the end of 1923 Dix would once again have to defend himself in court. The case was tried in the city of Darmstadt and centered on a painting titled The Salon II (1921, oil on canvas, measurements unknown, presumed destroyed by the Nazis). This work, inspired by a trip to Hamburg in 1912, depicts four prostitutes unabashedly parading before a male client. The Salon II was part of a series of three paintings depicting prostitutes at work, of which only The Salon I survived the Nazi era. The Salon I (1921, oil on canvas, 86 x 120.5 cm., Galerie der Stadt, Stüttgart) (Figure 19) and The Salon II were purchased by Dix's old friend, the physician and art collector/dealer Dr. Hans Koch of Düsseldorf.6 The name of the litigant who brought Dix to court is unknown, but Dix was charged under the "obscene publications" law. At his trial the defense argued that these paintings did not glorify prostitution but rather portrayed the profession as repulsive. Dix's lawyer made the following statement: "The idea of the painting is to display the whole ghastly, dehumanizing effect of prostitution....The way the women are portrayed is intended to be revolting: to arouse exactly the opposite feeling to lust,"7 and Dix was acquitted of the charges. Two years later, he sought the assistance of a lawyer once again, but this time he was the plaintiff rather than the defendant.

This case set into motion a chain of events that began in Düsseldorf in 1925 and would end in Montreal in 1993. Dix had been commissioned by a Mr. Grünthal to

⁴ Ibid., Dix's lawyer in this case, according to the newspaper Vossiche Zeitung was a Mr. Obuch.

⁵ Ibid.

⁶ The gallery that Dr. Koch owned in Düsseldorf was called, Graphisches Kabinett von Bergh u. Co.

⁷ Hartley and Twohig, "Dresden 1919-1922," 110.

paint a portrait of his daughter, but when he completed the work the sitter's father refused to pay on the grounds that the portrait did not resemble his child.⁸ Outraged over the loss of this much-needed income, Dix sought legal counsel and brought his complaints to a Düsseldorf lawyer, Dr. Hugo Simons. Simons had been born in Nuess, Germany, on 25 November 1892 to Flora (Bachmann) (dates unknown) and Joseph Simons (d.1928) and had attended law school in Cologne before volunteering for service during World War I.⁹ He served with the Hussars cavalry unit of the German army and returned to Düsseldorf after the war to set up a civil and criminal law practice.¹⁰

In what has been considered a landmark decision for "freedom of artistic expression," Simons won the Grünthal case for Dix.¹¹ Research has not revealed any documentation attesting to the "freedom of artistic expression" argument and its legal definition, but relatives of both Dix and Simons confirm that this phrase was essential to the court case. Dr. Simons's wife, Madeleine, faithfully attended the proceedings and she later recalled how she had sat at the back of the courtroom every day and that the judge presiding over the case stared at her constantly. On one occasion when Dr. Simons was arguing for Dix, the judge abruptly interrupted to say that the woman in the court looked nothing like the young Miss Grünthal in the painting. The judge had obviously thought Madeleine Simons to be the daughter of the client and Dr. Simons had to explain her identity.¹² It was not long after this incident that he won the case,

⁸ Other details such as the name of the client, or the title of the painting, or specific physical details about the painting could not be found. It would seem that extensive research in Germany would be required to determine if records of the court case are extant.

⁹ Telephone interview: Jan Simons, 22 October 2000.

¹⁰ Interview: Jan Simons, Montreal, 29 August 2000.

¹¹ Ibid.

¹² Telephone interview: Cass Simons, 8 November 2001, who remembers his Aunt Madeleine recounting these events to him.

although the legal defeat did not sway the defendant—who was so distraught by Dix's image of his daughter that he destroyed the painting.¹³ Dix would write to Simons, "If I won this lawsuit it's thanks to you. I received the money!"¹⁴ Simons also won Dix's respect and gratitude, and a lifelong friendship grew between the two men, who had much in common—including a love of modern art. Several members of the Simons family recall Dix paying social calls to their home, as the relationship between the painter and the lawyer had grown beyond the merely professional.¹⁵

In 1925 Dix painted the portrait of Hugo Simons. Given the artist's modest circumstances at the time, as well as the fact that he was accustomed to bartering, it may be that the portrait was given in lieu of payment for Simons's legal services. Dix's eldest son Ursus states that "the portrait of Simons was most likely painted because my father was interested in the sitter. I do not know whether it was done for payment of fees." However an undated letter from Dix to Simons suggests that the portrait was indeed a commissioned work and also establishes that Simons arranged for other portrait commissions for the artist: "Received 800 Marks, sincere thanks....Your portrait will be varnished within a few days and will be on its way to Dresden. We will return it to you from there. In the case where this Dr.

Oppenheimer 18 of which you spoke to me about in your letter, intends a portrait, he could contact me. If I go to Düsseldorf, I would very much like to do a water colour of

¹³ Telephone interview: Jan Simons, 22 October 2000. Simons's wife Madeleine conveyed this to her son Jan.

^{14 &}quot;Also: Ein Mahl, besten dank für Progressgewinnung. Gelt habe erhalten!" Correspondence from Otto Dix, Berlin, to Dr. Hugo Simons, Düsseldorf, Circa 1925. MBAM Fond #1993.12.

¹⁵ Interview: Jan Simons, Montreal, 29 August 2000.

¹⁶ Letter from Ursus Dix, France, to author, 13 June 2001.

¹⁷ Dix kept a studio in Dresden from the early 1920s until his death in 1969. Presumably he did some work on the portrait in Dresden before sending it to Simons.

¹⁸ There is a study of German artist Joseph Oppenheimer's hands by Otto Dix in a private collection. Oppenheimer himself later resided in Montreal.

your children." However, it appears that this picture of the Simons children was never realized. Another letter from Dix to Simons, presumably also from the mid-1920s, alludes to other commissions being arranged by the lawyer: "Would you be so kind as to tell your ex-father-in-law with respect to your ex-mother-in-law that they must wait some more for the portrait because I have here important works to complete. I will write you soon with the exact dates." Simons had also arranged for Dix to paint portraits of his brother-in-law, *Portrait of Josef May*, (1926, mixed media on plywood, 84 x 68.3 cm.. Cleveland Museum of Art) (Figure 20) and his former mother-in-law, *Portrait of Anna Grünebaum-Wahl*, (1926, oil and tempera on wood, 79.95 x 59.95 cm., McMaster University Art Gallery, Hamilton, Ontario) (Figure 21). as well as a Simons family portrait of the lawyer, his wife Madeleine and children George, Jan and Ellyn. Between 1925 and 1933, Simons and Dix corresponded on a regular basis and while Dix intended to visit Düsseldorf for the group portrait, the painting was never done because the policies of the Nazi government forced the Simons family to flee Germany.

Dix, who had moved to Berlin in late November 1925, did make the trip to Düsseldorf to paint the portrait of Josef May, the manager of a grain company in

It is clear from the letter that follows from Dix to Simons that he was arranging commissions for the young artist: "a letter to Dr. Hesse left with the same courier I hope my request will be accepted....I only wrote to this Mr. Hesse because you insisted." There is no other mention of Hesse in later correspondence but he is referred to in the same vein as Oppenheimer whom Dix did sketch through Simon's help. "800 DM erhalten, besten dank, an Dr. Hesse geht mit gleicher Post einem Brief ab.Hoffentlich kommt der Antrag zu stande. Ihr Bild wird in den nächsten Tagen gefirnisst und geht dann mit nach Dresden. Von dort aus wird es dann ihnen wieder zugehen. Fals dieser Dr. Oppenheimer von dem sie schrieben auf ein portrait reflectiert wolle er sich an mich wenden. An Herrn Hesse habe ich nun geschrieben weil sie mich weiderholt darum haben. Wenn ich nach Düsseldorf komme will ich gern aquarellen von ihren Kindern machen. Viele Herzliche grüße, Ihr Dix und Frau." Correspondence from Otto Dix, Berlin, to Dr. Hugo Simons, Düsseldorf, November 1925. MBAM Fond #1993.12.

^{20 &}quot;Wollen sie bitte ihren ex-Schwieger Vater sagen repective [sic.] Mutter sagen man müße mit dem Konterfeien noch warten da ich hier wichtige Arbeiten zu machen habe. Genauen Zeitpunkt schreibe ich noch. Herzliche grüße, Ihr, DIX." Correspondence from Otto Dix, Berlin, to Dr. Hugo Simons, Düsseldorf, Circa 1925. MBAM Fond #1993.12

²¹ Simons had previously been married to Anna Grünebaum-Wahl's daughter Hedwig, who died in 1919 during childbirth. Her sister Mary was married to Josef May, hence the ex-in-law relationship.

Arnsberg.²² The Cleveland portrait is a three-quarter-length seated profile image with May's hands resting on his knees, the sitter stoically staring off into the distance. The overall demeanour of the sitter is formal as he seems static and objectified—both characteristics of the neue Sachlichkeit approach. The figure is seated in a lowbacked, rounded chair, allowing his head and shoulders to be projected against the stark wall. Dix portrays May without any major distortion or exaggeration but instead intricately details May's physical features and that of the chair through a fine linear definition of form that recalls Dix's admiration of Northern Renaissance painting. May would experience the consequences of the Nazi Party, and with the help of Hugo Simons fled Germany for Holland in 1933. He died of a heart attack five years later while on a train going to The Hague. Shortly after this Hugo Simons arranged for the remaining May family to emigrate to the United States.²³ The Portrait of Josef May was given to Hugo Simons by the May family after the war to show their appreciation for his having saved them from the Nazis.²⁴ Dr. Simons's widow, Madeleine, loaned it along with the Portrait of Anna Grünebaum-Wahl and the Portrait of the Lawyer Hugo Simons to The New Objectivists, a 1964 exhibition at Goëthe House in Montreal curated by Dr. Fritz Gensel. The Portrait of Josef May was described by the Montreal Star art critic Raymond Heard in a persuasive metaphor of the starkness and pallour of the image. "The curtains of the conservatory are green. The face is green. The whole personality is green. Dix's green is not the green of life but of death. It is the gangrene that the whole of Germany was to suffer from during the thirties and

²² Hugo Simons's daughter Ellyn Duschenes said in a 1987 interview with William Robinson that her mother Madeleine thought that Dix had gone to Düsseldorf to paint the portrait. Robinson, 325. Also, Simons's son George confirms this. Telephone interview: George Simons, 10 May 2002.

²³ Robinson, 329.

²⁴ The Cleveland Museum of Art cites the provenance of the painting as follows: Josef May and Family, Düsseldorf; Hugo Simons, Montreal; Ellyn Duschenes, Montreal; Ghitta Caiserman-Roth, Montreal; (1987-present) Cleveland Museum of Art, purchase from the J. H. Wade Fund. *Ibid.*, 330.

early forties."25

In Portrait of Anna Grünebaum-Wahl, Dix shows the sad but resolute woman who has borne much grief. She was the mother of Hugo Simons's first wife, Hedwig, who died in 1919 during the birth of their first child, George. Frau Grünebaum was a politically-active feminist who not only ran a soup kitchen during the Depression but was elected to the town council in Elberfeld in Wuppertal am Barmen. Her brother was a Cabinet minister in the Weimar government. At the time of the portrait, two of her grown children had died within six months—Hedwig and an adult son.

The three-quarter-length frontal portrait shows her looking weary as she sits in a chair, her head supported by her right hand. Her left hand is on her lap, holding a handkerchief. Her grandson George Simons has pointed out that the handkerchief is likely a prop to keep her hand steady for the portrait, as she suffered from Parkinson's Disease and this was the only way she could remain still for Dix. The pose of the hand supporting her head gives her a pensive look, but was also probably another device to help her through the process of sitting for her portrait. While it is feasible that the handkerchief was used to steady Frau Grünebaum for the portrait sitting, one has to remember that, as the artist, Dix had the power to portray her any way he chose. A cane could have easily served the same purpose and then been replaced by a handkerchief in the painting. A common prop used by Renaissance portrait artists, the handkerchief in Portrait of Anna Grünebaum-Wahl clearly accents the subject's hand in much the same way the lace detailing on the collar of her dress frames her face and draped material accentuates her chair. It also draws the viewer's eyes from her hands up to the lace on her collar, and then to her face, thus creating a vertical axis in the painting.

In 1937, Frau Grünebaum and her husband managed to escape Nazi Germany on the premise that they were taking a trip to California in order to celebrate their

²⁵ Raymond Heard, "The New Objectivists," The Montreal Star, 28 March 1964.

fortieth anniversary. In fact they had no plans to ever return to their homeland, and she died in California a few years later.²⁶

Such were the circumstances leading up to Dix's painting the Portrait of the Lawyer Hugo Simons. Certainly there are fewer distortions and caricature-like renderings of features in the Simons portrait than in much of his portrait work—the Portrait of the Lawyer Dr. Fritz Glaser immediately comes to mind. As he had done with the Glaser portrait, Dix worked from a drawing of Dr. Simons. In fact Dix once stated that this was his standard practice for portraiture: "I have learnt that, in front of a model, you see something else here and something there, this and that—and that gradually everything gets worse and much too complicated—, less and less simple and generous."27 There is extant a graphite drawing of Simons²⁸ that is very similar to the Glaser drawing (see Figure 15). The Simons drawing differs from the portrait in that it is a more realistic rendering of the subject, who is shown in a slightly profiled head-and-shoulders view. In the drawing, the most prominent features are Simons's eyes and mouth, which is an accurate depiction of the lawyer, as seen in a photograph taken at approximately the same time the portrait was painted (Dr. Hugo Simons, c1925, photograph, courtesy Jan Simons.) (Figure 22). In the painting, Dr. Simons's gaze suggests a friendly relationship between the artist and the sitter. He appears to be conversing with the artist as he sits; the subject's eyes and half-open mouth seem to imply a dialogue. The three-quarter-length picture shows the thirty-three-year-old lawyer dressed in a warm, maroon-coloured woolen suit, seated in a plain, straightbacked wooden chair, his legs crossed comfortably. The stylistic devices that Dix uses in this portrait recall the influence of the Northern Renaissance; the threequarter-length pose, the precise outline of the figure, the plain background setting, the

²⁶ Telephone interview: George Simons, 10 May 2002.

²⁷ Hartley and Twohig, "Dresden 1919-1922," 113.

²⁸ The drawing is held in a private collection.

fineness of details such as the blazer buttons, his gold wedding band, the wood grain in the light oak-coloured chair. The simple wall behind Simons is layered in a warm mahogany wash and light from an unseen source seems to illuminate the sitter and his chair.

Dix's portrait of Simons shows a man who is steadfast and sure of himself—characteristics that would serve the sitter well during the turmoil which would soon became a way of life for the Jewish-German people. The gaze of Dr. Simons is inescapable —but it is his hands that instantly draw the viewer's attention. They appear contorted in an exaggerated gesture, twisting and coming together as if showing something to the viewer. The question arises as to why Dix would choose to represent his friend in such an overwhelmingly warm manner yet with hands that appear to be artificially contorted and exaggerated. One of the most common answers has been that they may signify his musical talent, as described in the commentary on the portrait in the Tate Gallery catalogue: "Dix shows him gesticulating with his hands, almost as if he were showing someone how to play a musical instrument. He positions his delicate fingers very preciously and turns as if speaking to a nearby person to explain a particular point."29 Another explanation comes from Hugo's son Jan, who suggests that Dix portrayed his father as being in the midst of explaining a point of law. Jan Simons recalls that his father tended to use his hands expressively as he spoke,³⁰ something Dix would have observed during their prior meetings.

However, another explanation of the gesture can be found in Japanese Buddhism.³¹ Although there has been no previous evidence of Dix's interest in Buddhism, he has placed Simons's hands in what appears to be the symbol of the *Dharmachakra-mudrā*, the representation of one who turns the wheel of justice. The ²⁹ Hartley and Twohig, "Düsseldorf 1922-1925," 134.

³⁰ Interview: Jan Simons, Montreal, 29 August 2000.

Information regarding Buddhism in the painting's MBAM curatorial file led me to investigate this explanation of the positioning of Dr. Simons's hands.

gesture, also called the *Temborin-in*, bears a striking resemblance to the positioning of Dr. Simons's hands:

The right hand is held at the level of the breast, palm facing outward, while the index and the thumb, joined at the tips to form the mystic circle, touch one of the fingers of the left hand, whose palm is turned inward.... dharmacakravartin, the one who causes the wheel of Law to turn, conquers the world for Buddhism by universalizing the Doctrine....he who puts the wheel in motion, the wheel that, as it passes through the world, crushes all evil, all error, all enemies of the Law.³²

Ursus Dix has stated that his father did have an interest in all types of mysticism, religion and philosophy. "He definitely had books on Buddhism at home," he has said, and for the purpose of this thesis he found books belonging to his father that exactly illustrate such Buddhist symbolism.³³ The texts date from 1922 and 1923—two years before the portrait of Simons was painted, thus greatly diminishing the chances of mere coincidence.

In the *Portrait of the Lawyer Hugo Simons*, Dix employed a complex, time-consuming technique that was becoming increasingly popular among artists in the 1920s. While he and most of his contemporaries worked in *alla prima* (wet on wet oil) on canvas, Dix often sought a more precise and traditional technique for his portraiture, which by 1925 had become his most lucrative means of support. In the

³² E. Dale Saunders, MUDRÃ: A Study of Symbolic Gestures in Japanese Buddhist Sculpture (London: Pantheon Books, 1960), 94-97.

³³ Telephone interview: Ursus Dix, 1 July 2001, who said that the books have no special notations or marks by his father. He also said that this was the first time that anyone had raised the possibility of this explanation concerning Portrait of the Lawyer, Hugo Simons. The books that Ursus Dix speaks of are: P. de Kat Angelino, Mudrās auf Bali (Hagen & Darmstadt: Folkwang Verlag, 1923), which is Volume 15 in a series entitled Kulturin der Erbe and Karl With, Java; brahmanische, buddhistische und eigenlebige Architektur und Plastik auf Java (Hagen & Darmstadt: Folkwang Verlag, [1920], 1922). It is also intersting to note that during his neue Sachlichkeit period Dix signed his paintings with an archery bow symbol above the year. In Buddhist iconography, this symbol is called the Cāpa. It is defined as "inflicts pain to the Māras or wicked beings."

spring of 1925, he travelled to Florence, where he was able to closely study the techniques of Italian Mannerist artists who in turn were highly influenced by the Northern Renaissance painters, and this led him to begin experimenting with oil and egg tempera as a possible medium for portraits.³⁴ It is interesting to note that the *Portrait of the Lawyer Hugo Simons* was one of the first of Dix's experiments with this technique, undertaken in November of 1925.

Close friend and biographer Fritz Löffler states that Dix "discovered the work of Angelo Bronzino and Jacopo Pontormo. From these great early Mannerists, who were in turn influenced by Dürer, Schongauer, and Bosch, he brought home a great deal; and he also found in them confirmation of his own perceptions: the vivid depiction of actuality, the courage to portray even ugly characteristics, the exposure of the strange and concealed while still maintaining complete clarity of expression." 35

The influence from Mannerism can be seen in the elongated figure and the emphasis on gesturing. Dix continues with the northern tradition of exactitude of form, linearity and shortness of form.

There is no question that Dix radically altered his working method in order to master the oil and tempera medium. Now, instead of working in oil, which allowed for constant overpainting and revision, Dix imposed upon himself a process that demanded patience and technical precision, and left little room for improvisation or last-minute changes. The lengthy procedure associated with this medium involves the application of layer upon layer of thin, transparent colour that results in a glowing, translucent surface. Dix began the process by taking an appropriately sized piece of plywood and applying a glue-and-water solution to both sides to prevent warping. Using canvas as a support for this technique was out of the question because its

³⁴ Musée des beaux-arts de Montréal Curatorial File #1993.12.

³⁵ Löffler, 57-58.

flexibility would quickly result in the cracking of the brittle medium.³⁶ Once the glue was dry, many (usually eight to sixteen) coats of gesso (slate plaster of Paris and glue) would be applied to both sides of the panel as a further precaution against warping. Dix would then smooth out the dried gesso ground with a flat knife, creating a painting surface which he described as being "as smooth and as white as possible and highly absorbent."³⁷

Once Dix was satisfied with a drawing of an image, he recopied it onto a larger piece of paper the same size as the panel, reworking it as he saw fit because this would be his final chance to make any alterations to the composition. After covering the reverse side of the paper with red chalk, he would place the paper onto the panel and trace over his drawing, leaving an outline and hatched shadows in red chalk on the gesso surface. Next, he fixed these red lines in either watercolour, pencil or ink, resulting in a permanent, bold outline. Examination of the *Portrait of the Lawyer Hugo Simons* reveals that Dix used a pencil, as some graphite lines are still clearly visible through the many layers of transparent pigment, especially at the bottom left of the composition around the legs and backrest of the wooden chair, as well as on the buttons of Simons's suit jacket, and on his fingernails and eyes. The surface was then covered with a transparent wash of colour that ensured the uniform absorbency of subsequent paint layers on the gesso ground. After this *imprimatura* wash had dried, Dix began the actual painting.

The oil and tempera medium requires a careful mixture of egg, varnish, thick stand oil and water, and various colours are obtained by grinding powdered pigment with the emulsion. Dix began applying greys to the shaded areas and built up the light areas with white tempera. This step firmly established the composition, ruling out the

³⁶ Bruce Miller, "Otto Dix and his Oil Tempera Technique," Bulletin of the Cleveland Museum of Art, 74.8 (October 1987), 336.

³⁷ *Ibid.*, 337.

possibility of even the slightest change if the desired result of a smooth surface was to be achieved.³⁸ From there, layer upon layer of transparent tempera was applied with small brushes. Due to the quick drying because of the water evaporation from the tempera emulsion, layers could be applied quickly. A typical tempera work would take Dix about three weeks to complete because of the elaboration of details.³⁹ The final step was the application of a coat of varnish to protect the painting and to enhance the glazed effect. Dix makes a direct reference to this last stage of work on the *Portrait of the Lawyer Hugo Simons* in a letter to the sitter in 1925: "Your portrait will be varnished within a few days and will be on its way to Dresden. We will return it to you from there."⁴⁰ As previously explained, Dix did not work extensively with his sitters, preferring to work alone in his studio with a drawing as his guide.⁴¹ This appears to have been the case with Dr. Simons. In fact, a letter from Dix to Simons from 1925 suggests that the portrait was completed in Berlin while Dr. Simons remained in Düsseldorf.

Although Dix worked in the painstaking oil and tempera medium for several years, he would abandon it during World War II and return permanently to the more convenient oil technique. As a result, the *Portrait of the Lawyer Hugo Simons* stands as not only one of the earliest examples of Dix's oil and tempera works, it is also one of his few surviving paintings in this medium. Adding to the rarity of the portrait is the fact that Dix made the frame as well—also a common practice of Renaissance artists such as Dürer. The three-inch single frame, with a gold one-inch inside border, was constructed in such a way that it acts as an integral part of the painting. This effect is

³⁸ Ibid., 338.

³⁹ *Ibid.*, 140

⁴⁰ Correspondence from Otto Dix, Berlin, to Dr. Hugo Simons, Düsseldorf, Circa 1925. MBAM Fond #1993.12.

⁴¹ Otto Dix: The Painter is the Eyes of the World, Reiner E. Moritz, Dir., Poorhouse Productions, 1989.

achieved primarily through Dix staining the wood of the frame a dark brown so that it appears as an extension of the predominant tonalities in the portrait.⁴²

⁴² Dix also made the frames for his portraits of Josef May and Anna Grünebaum-Wahl but it is not known if many of the other *neue Sachlichkeit* portraits that he painted were also framed in the same way.

Chapter Three

The Rise Of Nazism

The 1925 Portrait of the Lawyer Hugo Simons was painted by Dix in Düsseldorf during a tempestuous time in German history. Eight years later, the Nationalsozialistische Deutsche Arbeitpartei (NSDAP) or National Socialist Party, had taken control of the country. Under Hitler's leadership, the National Socialist or Nazi Party sought to purify Germany in an attempt to recoup the power lost through the unstable governing of the Weimar Republic, as well as the surrender of Germany to the Allies and the subsequent signing of the Treaty of Versailles, ending World War I. The Treaty of Versailles had sent Germany into a severe economic crisis, placing the country in the difficult position of taking sole responsibility for the war and forcing it to pay huge reparations to the Allies.²

In 1918, when the government had refused to end World War I, troops revolted and Kaiser Wilhelm II fled the country. A new government was formed and met in Weimar in Thuringia, taking the name 'Weimar Republic' as a result. This proved to be even more of a burden to the German people than the previous government. Three parties had the majority in the National Assembly—the Social Democrats, the German Democratic Party and the Catholic Centre. As a result, no one party had the balance of power. This was compounded by the fact that several other parties had also formed, and Weimar's democratic governing was soon under attack by right- and left-wing opposition. In 1924, an agreement was reached between Germany and the United States—the Dawes Plan—in which German Chancellor Gustav Stresemann

¹ Telephone interview: George Simons, 10 May 2002.

² Germany made the first payment of financial reparations to France in 1921, but failed to make the second installment the following year. As retribution, France invaded the Ruhr Valley, Germany's richest industrial area. This sent Germany into an economic crisis, bringing about hyperinflation. The best example of the degree of this inflation is evident in the price of a loaf of bread—half a mark in 1918, 163 marks in 1922 and 201 million marks by November of 1923.

requested financial aid to help ease his country's economic woes. This helped to some degree, but when the world economic crisis came about in 1929 with the crash of the stock market, Germany's case became hopeless.

One of the smaller parties formed during the Weimar period was the National Socialist Party, created early in 1919 in Munich with a membership of only 25 people, one of whom was Adolf Hitler. By 1920 Hitler was its leader and soon his fascist ideology, chronicled in his book *Mein Kampf* (1923), was the group's political doctrine. Regardless of what were regarded by many as cultural advances under the Weimar Republic, Hitler dismissed these as nothing more than the results of an overly-liberal government.³

Adolf Hitler was born on 20 April 1889 in Brannau am Inn, Austria, and aspired to a career in the arts, though he was a poor student and a high school drop-out. In 1907, he arrived in Vienna to pursue a formal education in the fine arts, but he did not pass the entrance examination at the General School of Painting at the Academy of Fine Arts, even after two consecutive attempts. In 1913, he moved to Munich, where many of his innate anti-Semitic sentiments were solidified and he enlisted in the army. He had been at first grateful for the outbreak of war, as he wrote in *Mein Kampf*: "I fell down on my knees and thanked Heaven for granting me the good

³ Many advances in culture were made during this period, including the innovative designs of the Bauhaus (1919-1928), Robert Wiene's <u>The Cabinet of Dr.Caligari</u>, (1919) and Fritz Lang's <u>M</u>, (1931) (Expressionistic film), George Grosz (painting), Dada (caricatures), Kurt Weill's <u>Threepenny Opera</u>, (1928) (music), Berthold Brecht's <u>A Man's a Man</u>, (1926) (theatre), Walter Benjamin (criticism and philosophy), and Carl Jung (psychology).

⁴ Alan Wykes, Hitler (New York: Ballantine Books, Inc., 1970), 9-11.

⁵ Wykes claims that Hitler had avoided conscription in Vienna, into the Austrian army in 1913 on the grounds that he refused to serve "with filthy Czech Jews and the dregs of the Hapsburg monarchy." He fled Vienna to avoid being drafted and the police caught up with him in Munich in 1914 and ordered him to report for active duty. However, Hitler failed the medical examination and was refused. In August 1914 he volunteered for service and was accepted into the German army. In 1938, Hitler ordered the Gestapo to destroy the medical records. Wykes, 23.

fortune of being permitted to live at this time."6

Hitler's racist views were evident in his aesthetic attitudes as well as his personal taste in art, and to a certain extent he succeeded in situating art in a community in such a way as to determine its culture. Coinciding with the rise of the Nazi party was the rise of criticism against modernism, which was regarded as a serious and direct threat to the re-birth (renaissance) of the German state. Accordingly, the Nazis attracted many opponents of modern art, which was defined as any work that did not support or promote the ideology of Aryan superiority. Hitler intended the 'good' Aryan people to identify themselves with the classical, idealized art of the past. Under the rule of the regime, art would serve very definite purposes: "Art must contribute to the Nazi society, must possess historical and racial authenticity, for, as he [Hitler] argued, every race has its ideal of beauty, and through reference to this ideal, Germans recognized themselves, historically and culturally."8 Hitler aspired to have all German art set a standard for the people and to be an inspiration to them. He made his stand on art clear during his speech at the Nuremberg rally on 11 September 1935: "Art has at all times been the expression of an idealogical and religious experience and at the same time the expression of a

⁶ Grosshans, 53. Also Adolf Hitler, *Mein Kampf*, trais Ralph Manheim (Boston: Houghton Mifflin, 1943), 161. The experiences of Dix and Hitler during World War I have remarkable parallels. Hitler served on the Western Front and was wounded several times, survived mustard gas attacks, and was awarded the Military Service Cross Third Class, the Iron Cross Second Class and the Iron Cross First Class. Despite these commendations, Hitler's superiors found him to be lacking in leadership qualities.

⁷ The fundamental racist policy of the Nazi Party had developed as an ideology many years before the inception of the party. Nationalism had played a significant role in the cultural history of Germany, but it gained fanatical proportions with the emergence in 1871 of the German Empire, which coincided with the publication of *The Descent of Man* by Charles Darwin. Darwin's survivalist theory, combined with the writings of a few European authors, such as Max Nordau and Paul Schultze-Naumberg would serve as the groundwork for Nazi cultural policy. Charles Darwin and his 'survival of the fittest' theory was appropriated by Paul Schultze-Naumberg to substantiate his hypothesis of Aryan superiority in *Kunst und Rasse (Art and Race)*. He juxtaposed examples of modern art and photographs of deformed or diseased people to suggest they were the models for the elongated faces of Amedeo Modigliani, the angular physiognomies of Karl Schmidt-Rottluff and the florid faces of Otto Dix. It was during this period that Germany took on an intense sense of nationalism which hinged on the belief that the Aryan people were naturally superior.

⁸ *Ibid.*, 82.

political will." The political will Hitler referred to is expressed in the prescribed völkisch art of the Nazi regime. This consisted of images of hearty peasants at work in the fields, landscapes symbolizing the Fatherland, domestic scenes of Aryan mothers with their children, highly-idealized renderings of the human body and of course images of the Führer. The mission of Aryan art was to prevail over the ruinous effects of the Weimar Republic "to create images which represent God's creatures. not miscarriages between man and monkey....Art must be the Prophetess of Sublimity and Beauty and thus sustain that which is at once natural and healthy. The cult of the primitive is not the expression of a naive unspoiled soul, but of utterly corrupt and diseased degeneracy." 10

The racist ideology of Aryan superiority had been promoted by writer Alfred Rosenberg (1893-1946), whom Hitler brought into the Nazi party as the head of Nazi cultural policy. In 1927 Rosenberg had founded the Kampfbund für Deutsche Kultur (Combat League for German Culture), that succeeded the underground Deutsche Kunstgesellschaft (German Art Association). It set its goals as a "common action against the corruption of art' and the promotion of an art 'that was pure German with the German soul reflecting art.' "12 Rosenberg was also the author of Der Mythus des 20. Jahrhunderts: Eine Wertung der seelisch-geistigen Gestaltenkämpfe (The Myth of the Twentieth Century: An Evaluation of the Spiritual-Intellectual Confrontations of

⁹ "Hitler at Nuremberg, September 11, 1935" Deutsche Allgemeine Zeitung 13 September, 1935.

¹⁰ *Ibid*.

¹¹ Grosshans, 82. Alfred Rosenberg, who was convicted and executed at Nuremberg for war crimes in 1946, was continually at odds with Josef Goebbels over the latter's acceptance in private life of modern art. Ernst Barlach's (1870-1938) sculpture *Man in the Storm* sat on Goebbels's desk until well into 1935, and he had three watercolors by Emil Nolde (1867-1956) in his home. Barlach and Nolde were two of the most persecuted artists by the Nazis in their cultural cleansing program. Not only was Goebbels accepting of degenerate art in his private life, but he himself was club-footed—hardly the perfect example of the superior Aryan race that Hitler sought to promote, but closer to the deformed degenerates that Hitler sought to eliminate from Germany.

¹² Ibid. Also Alfred Rosenberg, Race and Race History and Other Essays, ed. Robert Pois (New York: Harper and Row, 1970), 154.

Our Age), in which he denounced the Expressionist movement and modern art in general: "Creativity was broken because it had oriented itself, ideologically and artistically, toward a foreign standard and thus was no longer attuned to the demands of life." Although Expressionism was not a foreign movement, by equating it as such and denouncing it, Rosenberg in turn was condemning foreigners.

On 30 January 1933, the Weimar Republic's constitution was suspended and Hitler assumed power. Soon after, the Führer's Council issued a manifesto outlining Hitler's intentions of ridding Germany of modern art and imposing a neo-classical renaissance in its place. The document What German Artists Expect from the New Government stated in no uncertain terms that modern art in any form would no longer be tolerated and called for the confiscation of such work from public collections, as well as the termination of museum personnel who supported the modernist movement.14 The actions described in the manifesto had been initiated as early as 1929, when Wilhelm Frick was elected a Nazi party representative for Thuringia. As the new Innenminister (Minister of the Interior), he immediately fired Walter Gropius and his twenty-nine member staff from the Bauhaus school in Weimar, now in his jurisdiction. 15 He then placed Paul Schultze-Naumberg, an architect and racial theorist held in high regard by the Nazis, at the helm of the new faculty. It can be argued that this action set a precedent for the cultural cleansing that would become synonymous with the Nazi party. In 1925 Schultze-Naumberg had published a strident attack on the Bauhaus, Das ABC des Bauens (The ABCs of Building), but of greater magnitude

¹³ Stephanie Barron, "1937: Modern Art and Politics in Prewar Germany," in "Degenerate Art": The Fate of the Avant-Garde in Nazi Germany, ed. Stephanie Barron (New York: Harry N. Abrams, Inc., 1991), 11. Also Rosenberg, 154.

¹⁴ Bruce Altschuler, The Avant Garde in Exhibition: New Art in the 20th Century (New York; Harry N. Abrams, Inc., 1994), 138.

¹⁵ Grosshans, 9.

was his 1928 publication, Kunst und Rasse (Art and Race). 16 He used an earlier German treatise, Entartung (Degeneration) (1892) written by Max Nordau as the starting point for his propaganda against modern art. Although Nordau was Jewish, his book was concerned with the presumed Entartung in the arts, which he attributed to a deterioration in the Germanic race.

In 1895 George Bernard Shaw wrote a review where he described the attempts of Nordau's "ponderous text vilifying the Pre-Raphaelites, Symbolism, Henrik Ibsen, and Emile Zola" to elevate German culture:

I have read Max Nordau's Degeneration... two hundred and sixty thousand mortal words, saying the same thing over and over again. That is the proper way to drive a thing into the mind of the world, though Nordau considers it a symptom of insane 'obsession' on the part of writers who do not share his own opinions. His message to the world is that all our characteristically modern works of art are symptoms of disease in the artists, and that these diseased artists are themselves symptoms of the nervous exhaustion of the race by overwork.¹⁸

The Nazis argued that photographs taken of psychiatric patients closely resembled the subjects of Expressionist and other modern art paintings, juxtaposing

¹⁶ *Ibid*.

¹⁷ Barron, 11.

¹⁸ George Bernard Shaw, The Sanity of Art: An Exposure of the Current Nonsense About Artists Being Degenerate (London: The New Age Press, 1908), 17. Shaw goes on to compare Nordau's methodology on the subject at hand to Lemuel Gulliver, the title character in the 1726 satirical novel Gulliver's Travels by Jonathan Swift, in which narrator Gulliver ridicules different aspects of human nature, customs, and politics. According to Shaw, "Dr. Nordau knew so little, and his technical handling of painting and music was so like Captain Lemuel Gulliver's nautical observations..."

images of the mentally incompetent against examples of modern art.¹⁹ The Nazi regime legitimized this theory of mental inferiority by using art as a propaganda tool for the justification of the extermination of those they deemed as detrimental to the German culture. Hitler's racist aesthetics was at the forefront of his political aspirations, as is made clear in a statement in 1942: "It's against my own inclinations that I have devoted myself to politics. I don't see anything in politics anyway, but a means to an end....Wars pass by. The only things that exist are the works of human genius. This is the explanation of my love of art."²⁰

Walter Benjamin has defined fascism as "the aestheticization of politics" and it was indeed Hitler's aesthetics that defined the Nazi party²¹ and his implementation of his 'Final Solution.' The distinguishing characteristics of aestheticized politics include the gathering of the masses into neat, geometrical formations, expressing the power of government and political parties through symbols, uniforms and insignias. The aethetics of party symbolism play a key role in most governments, but what differs in a Fascist state is the intensity and frequency of the utilization of this mass ornamentation.²²

Art and culture were not the main focus of the NSDAP, but they did play a far more important role in the overall structure of the party's governing than is generally

¹⁹ The fact that Nordau's book was published in 1892 reinforces the longevity of cultural racism and the belief in Aryan superiority. Unfortunately, the seeds of cultural racism had been planted and flourishing since the late 19th century. Racism was becoming commonplace in the medical profession as well as in the arts. German psychiatrists promoted the theory that Jews were "inherently degenerate and more susceptible than the non-Jew to insanity." This was one of the main ideas put forth by the Nazis' in their criticism of modern art. Barron, 11. See also Theodor Kirchoff, Handbook of Insanity for Practitioners and Students (New York: William Wood, 1893), and Richard M. Goodman, Genetic Disorders Among the Jewish People (Baltimore: John Hopkins University Press, 1979).

²⁰ Norman Cameron and R. H. Stevens, trans., Hitler's Table Talk, 1941-44: His Private Conversations (London: Weidenfeld and Nicolson, 1973), 250-51.

²¹ Toby Clark, Art and Propaganda in the Twentieth Century: The Political Image in the Age of Mass Culture (New York: Harry N. Abrams, Inc., Publishers, 1997), 52.

²² Brandon Taylor and Wilfried van der Will, *The Nazification of Art* (Winchester (UK): Winchester Press, 1990), 1.

seen in democratic states. As Hitler's Minister of Enlightenment and Propaganda Josef Goebbels said in 1933, "Politics too is an art, perhaps the highest and most comprehensive there is, and we who shape modern German policy feel ourselves in this to be artists who have been given the responsible task of forming, out of the raw material of the mass, the firm concrete structure of the people."23 After the fall of the Weimar Republic, the German people were not impressed with a democratic government and therefore more susceptible to a Fascist state under a dictator.²⁴ For the purposes of this thesis it is not plausible to undertake an in-depth study of the changes of attitude and political dynamics of the 1920s and the attempt by the NSDAP to refabricate cultural idealization of the Renaissance. It would suffice to say that Hitler's regime lauded the virtues of a collective culture, electing to speak and act on behalf of the 'masses,' or the united people. This theory is reflected in the Nazi slogans "Ein Volk, Ein Reich, Ein Führer" (One people, one government, one leader) and "Du bist nichts, dein Volk ist alles" (You are nothing, your people are everything). Hitler unified Germany through the need to regain its former strength, and he was able to do so through his use of the united front in every aspect of politics. including arts and culture.

In his 1921 essay "Critique of Violence," Benjamin divides law into the categories of natural and positive: the type of law enforcement implemented by Hitler would be defined as natural law—or the right to use violence to attain a goal.²⁵ It can be seen in the Nazis' attempts to justify the ends (of achieving a pure Aryan race) by their use of violent means (the Holocaust). Partly through aesthetics, Hitler incited

²³ Ibid.

²⁴ In 1933, Germany was still not accustomed to a democratic governing system, having been under a monarchy prior to the erratic Weimar government.

²⁵ Walter Benjamin, "A Critique on Violence," trans. Edmund Jephcott, Reflections: Essays, Aphorisms, Autobiographical Writings, ed. Peter Demetz (New York: Schocken Books, 1978), 277.

the masses to embrace what Benjamin describes as "divine violence" as an acceptable means to an end: "Mythic violence is bloody power over mere life for its own sake; divine violence is pure power over all life for the sake of the living. The first demands sacrifice, the second accepts it." Benjamin further states that "the logical result of Fascism is the introduction of aesthetics into political life." He advocated the use of aesthetics/artworks as a means to influence the masses in the hope that Fascism could be overthrown if the proletariat seized mass reproduction and used it as their own means. What Benjamin unfortunately failed to recognize is the fact that given the opportunity and the proper outlets, the masses have the potential to be equally dangerous as the government. 29

The culmination of Hitler and the Nazi Party's racist aestheticized ideology was manifested in a series of exhibitions denouncing modern art to promote an idealized neo-classical German art. Whether or not it was realized at the time, Hitler's 'purification war' on art was initiated as a means to prepare the nation for the acceptance of his 'purification war' against Jews. Although the process seemed to progress rapidly, it was actually carried out at a measured pace that allowed the German public to absorb and accept Hitler's policies in a way that would render them immune to the method of denunciation when it was implemented publicly against the Jewish population. Part of the Nazis' cultural cleansing programme was a confiscation of modern art from public collections. The first of these systematic attacks on modern

²⁶ Ibid., 250.

²⁷ Benjamin, "The Work of Art in the Age of Mechanical Reproduction," 241. Also Susan Buck-Morss, "Aesthetics and Anaesthetics: Benjamin's Artwork Essay Reconsidered," *October* (Fall 1992), 3.

²⁸ Benjamin, "The Work of Art in the Age of Mechanical Reproduction," 218.

Hitler did exactly what Benjamin advocates in "The Work of Art In the Age of Mechanical Reproduction"—he was one of the masses (a failed artist) who took the new technology into his own hands to promote himself and his ideologies against the ruling Weimar government. Hitler was the first world leader to use all available modern technology to campaign for power: aircraft; newsreels; and the newly developed 'talking films.'

art were carried out immediately after the National Socialists' seizure of power."30 The Schandausstellung31—or exhibitions of shame—that toured Germany in an attempt to promote Nazi cultural policy were comprised of works that had been purged from public galleries and museums across the country. Artists who produced these works were subject to severe censorship and fell victim to the cultural laws imposed by the Nazi government. In July of 1937 Munich would see the simultaneous mounting of Entartete Kunstausstellung (The Degenerate Art Exhibition) and Große Deutsche Kunstausstellung (The Great German Art Exhibition) under the direction of Hitler himself.32 The exhibitions and their accompanying catalogues would echo Schultze-Naumberg by juxtaposing photographs of diseased or deformed people with modern works of art by Dix and others. Schultze-Naumberg had attacked such work and described it as 'entartete,' which is actually a term defining a plant or an animal that has changed or deformed to the point that it no longer logically belongs to its own species.33 A moderate six hundred and fifty out of an estimated sixteen thousand confiscated works were chosen for the Entartete Kunstausstellung, all of them meant to serve as an example of the the product of sick, degenerate artists. The overall theme of the Entartete Kunstaustellung was anti-Semitism with artworks exhibited

³⁰ Christopher Zuschlag, "An Educational Exhibition," in "Degenerate Art": The Fate of the Avant-Garde in Nazi Germany, ed. Stephanie Barron (New York: Harry N. Abrams Inc., 1991), 83.

³¹ Ibid. These exhibitions were also collectively referred to as Schreckenskammern der Kunst (Chambers of Horrors of Art). The individual names of the exhibitions further "reveals their political character and ideological import" Kulturbolschewistische Bilder (Images of Cultural Bolshevism), Regierungkunst von 1918 bis 1933 (Government art 1918-1933), and Novembergeist: Kunst im Dienste der Zersetzung (November Spirit: Art in the Service of Subversion).

³² In all, nine hundred works were exhibited in the Große Deutsche Kunstausstellung while the Entartete Kunstausstellung featured six hundred and fifty works.

³³ Barron, 11.

under the collective title 'Jewish-Bolshevik' regardless of the artists' origins.³⁴ On the walls surrounding the exhibits were defamatory slogans that reiterated the Nazi Party's position on Modern art.35 Dix's The Trench and War Cripples were exhibited under the slogan "the deliberate sabotage of national defense." ³⁶ By contrasting the two exhibitions, Hitler was attemping to unfavourably compare the degenerate artists and their works with the racially pure painters and sculptors of the Große Deutsche Kunstausstellung who were producing what he saw as racially pure art. The elongated features and caricature-like qualities of Dix's work would lead directly to his being labeled 'degenerate' by the Nazis. Much to the dismay of German officials, the Entartete Kunstaustellung attracted five timesthe amount of people as the Große Deutsche Kunstausstellung. The former exhibition was scheduled to close at the end of September but a record number of visitors prompted organizers to extend it until the end of November.³⁷ Through these exhibitions Hitler was able to demonstrate that "Great German Art" was being overrun by Degenerate Art and from there he could easily draw the correlation between "Great German" people being overtaken by the 'degenerate' Jews. At the end of the 1937 Entartete Kunstausstellung, Hitler boasted that the works exhibited were to be used as fuel. Although one hundred twenty-five outstanding pieces were reserved for auction at the Galerie Fischer in Lucerne on 30 June 1939 to fund the Nazi war chest, many of the works deemed unworthy for auction

³⁴ Some of the controversies that arose from the Entartete Kunstaustellung centered around the inclusion of works by artists who were members of the NSDAP. One such artist, Emil Nolde, was an ardent anti-Semite who expressed his outrage at being included in the exhibition and personally wrote to Josef Goebbels to reaffirm his dedication to the Nazi Party. Of all the artists working in Germany during this period, the most persecuted was Nolde, who had more than a thousand works confiscated by the Nazis, twenty-seven of which were exhibited in the Entartete Kunstaustellung. Altschuler, 141.

³⁵ An example of some of the slogans were "Insolent mockery of the Divine under Center Party rule," which flanked Emil Nolde's altarpiece *The Life of Christ* and "Revelation of the Jewish racial soul" in a room that displayed the work of Jewish artists. Emily Braun, "Return of the Repressed," *Art in America* (October 1991), 118.

³⁶ Ibid.

³⁷ Barron, 9-20.

were publicly burned on 20 March 1939 in the yard of the Berlin fire brigade.³⁸

The Nazis had three methods of subduing their enemies in the arts: deprivation including *Lehrverbot*, by which the artist was forbidden to teach; the *Ausstellungsverbot*, by which the artist was forbidden to exhibit; and worst of all punishments the *Mahleverbot*, by which the artist was forbidden to paint. Artists who fell into any or all of these categories were labeled 'degenerate.' Such measures effectively prevented more than fifteen thousand artists from creating and blocked the possibility of their causing any more dissension while the Nazis were in power.³⁹

Dix did retain his right to paint in order to earn a living, a freedom removed from many of his contemporaries.⁴⁰

In order to be able to practise as an artist, to buy materials and to show one's work, one had to be a member of the *Reichskammer für Bildende Künste* (Imperial Chamber of Fine Arts). An old friend from his [Dix's] Dresden student days, Franz Lenk (1898-1968), became an adviser to the Chamber of Fine Arts, even though he was not a member of the Nazi Party. Dix immediately wrote to [Lenk] (5 December 1933), congratulating him on his job and incidentally letting him know that he was now painting landscapes. Lenk may have helped Dix to become a member of the Chamber of Fine Arts [his membership card is dated 1 January 1934].41

It is estimated that between 1933-1937 approximately 260 of his works—many from

³⁸ Altschuler, 147.

³⁹ McGreevy, 86.

⁴⁰ Ironically, German Expressionist artist Emil Nolde (1867-1956), an ardent supporter of the Nazi party, was prohibited from teaching, exhibiting or painting and was forced to use watercolours in his work so as to avoid calling attention to his illegal activity by the smell of oil paint. David Lee, "Supping with the Devil," ART XLVII (December January 1996), 38-43.

⁴¹ Hartley and Twohig, "Schloß Randegg and Hemmenhofen 1933-1945," 195. Dix exhibited with Franz Lenk at Galerie Nierendorf, Berlin in 1935. Löffler, 373.

the 1920s neue Sachlichkeit period—were confiscated from public collections and later destroyed or auctioned in Switzerland to fund the Nazi party.⁴² Although he had rarely done so in the past, Dix now produced one hundred and fifty landscapes as a means of survival from 1934 to 1945. Presumably Dix turned to landscapes rather than figure painting as it was less offensive to Nazi cultural taste. A common subject of these works was the area he chose to be his new home near Lake Constance. Dix biographer and close friend Fritz Löffler describes this secluded period in the artist's life as being "within the ivory tower of inner emigration" and argues that his paintings were not merely the products of any particular bleak winter scenes the artist had glimpsed, but were distant views of cold, barren landscapes that acted as a metaphor for the "spiritual numbness of the age." Dix referred to this period in his life as his emigration from Nazi Germany.

Notable German artists who were persecuted by the Nazis were Ernst Barlach (1870-1938), Max Beckmann (1884-1950), Lyonel Feinenger (1871-1956), Erich Heckel (1883-1970), Ernst Kirchner (1880-1938), Käthe Kollwitz (1867-1945), Emil Nolde (1867-1956), Max Pechstein (1881-1955) and Karl Schmidt-Rottluff (1884-1976), among many others. Because of the Simons family's escape from Germany, The Portrait of the Lawyer Hugo Simons was one of the few paintings from Dix's 1920s oeuvre to survive. Paul Ferdinand Schmidt, whose portrait has been mentioned above, saw the Gestapo seize his Dix works from the Dresdner Stadtmuseum (Dresden Municipal Museum), as well as from his home—some which were subsequently put on display in the 1937 Munich Entartete Kunstausstellung.⁴⁴ All of Schmidt's works were eventually destroyed by the Nazis.

⁴² Alfred Werner, "The Incorruptible Eye: Otto Dix," Auction III.3 (November 1969), 39.

⁴³ Löffler, 117.

⁴⁴ In all, Dix had eight works in the Degenerate Art Exhibition, all of which were destroyed.

Chapter Four

Dr. Simons and Canada

In 1927 Otto Dix returned to Dresden from Berlin to take up a faculty position at the *Kunstakademie*, which he held until 1933. Hugo Simons was living in Düsseldorf at this time and the two maintained contact. In one undated letter from Dix to Simons, traced to the summer of 1932 by Dix's son Ursus, he writes of his disatisfaction and distrust of Hitler's regime: "What do you think of the 3rd Reich? In this case there is more to stun us.... I'm ready to wait for the 4th Reich...." Later in the same year, he writes of his hopes to paint a family portrait for Simons:

I thank you for your letter and sincerely sympathize with you. You should have trained yourself for the escape(s). I am happy to hear that you are still allowing me to paint your children. I suggest to do a double portrait in oil.... oil is more resistant than water colour. In consideration of your love of [these] things I will make this painting for you at an exceptionally low price. Give me only 1500 marks for it.... I hope you will accept.²

It would appear from this letter that Simons had previously informed Dix that he wished to leave Germany because of the Nazi government. In a letter that follows in early 1933, a certain sense of optimism and naiveté can still be heard in Dix's words

^{1 &}quot;Lieber Herr Dr.... Wie denken sie über das dritte Reich? Falls wir davon überascht werden sollten.... bis zum vierten Reich zu warten. Ich grüße sie Herzlichst, Ihr, Dix." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Düsseldorf, (Summer 1932). MBAM Fond #1993.12.

² "Ich danke ihnen sehr für ihren Brief und bedaure sie aufrichtig. Sie hätten die Schwünge besser traineren müssen. Ich freue mich das sie wieder auf die Idee zurückkommen ihre Kinder mahlen zu lassen. Ich schlage ihnen vor, doch ein Doppelbildnis in öhl Ich wurde ihnen in Anbetracht ihrer Libe für die Dinge das Bild auserordentlich billig mahlen. Geben sie nur 1500 Mark Ich hoffe das sie es machen können. Ich käme dan baldigst nach Düsseldorf. Mit besten Grüßen auch von meiner Frau. Ihr Dix." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Düsseldorf (approx. Fall 1932). MBAM Fond #1993.12.

to Simons as he writes: "Now the 3rd Reich is a reality, the other time, I went lightly with my promise....Where are we with the family portrait? I suppose that you have other concerns right now, but maybe you shouldn't take things in such a tragic manner. Write me, I beg of you to tell me if you think that I should come to start the painting or not."

Within three months of seizing power in Germany, Hitler began implementing a series of anti-Semitic laws that would culminate in the 'Final Solution.' On 7 April 1933,4 the first of what would eventually total four hundred anti-Jewish laws were issued, eliminating Jewish workers from all civil service positions, no matter how menial. Jewish lawyers were disbarred and teachers—including university professors—were dismissed. Jan Simons recalls that his father had "the good foresight to see how dangerous Hitler could be." By 1933, Dr. Simons had been disbarred and he and his family were stripped of their German citizenship, leaving them stateless. He arranged for his family and himself to leave Germany and they were in fact forced to flee their home on very short notice. Late one night Simons received a phone call from a cousin in Düsseldorf alerting him to the fact that the Gestapo had just been to his house and had seized the family's passports and other valuables. Dr. Simons acted immediately by waking his children and gathering his personal possessions, including his *Portrait of the Lawyer Hugo Simons*. The family made their way to the nearest train station in the middle of the night and boarded the

^{3 &}quot;Lieber Herr Dr. Nun ist das dritte Reich doch gekommen, ich war damals mit meinem Versprechen sehr leichtsinnig. Wie steht es nun mit dem Familien Portrait? Ich nehme an das sie haben jetzt andere Sorgen aber veileicht nehmen sie doch Sache garnicht so tragisch. Schreiben sie mir bitte mahl wie sie darüber denken ob ich kommen und anfragen soll oder nicht. Mit bessen Grüßen, Ihr Dix." Correspondence from Otto Dix, Dresden, to Dr. Hugo Simons, Düsseldorf (early 1933). MBAM Fond #1993.12.

⁴ Irving Abella and Harold Troper, None is Too Many: Canada and the Jews of Europe, 1933-1948, (Toronto: Lester & Orpen Dennys, Publishers, 1983), 3.

⁵ Interview: Jan Simons, Montreal, 29 August 2000.

⁶ Ibid., 29 June 2001.

next train bound for The Hague.7

Dix chose to remain in Germany and would ultimately become a target of the Nazis' 'cultural cleansing' programme. In 1927 he had been appointed Professor of Art at the Dresdner Kunstakademie and by 1931 was elected to the Prussian Academy of Art in Berlin.⁸ These years appear to have been some of the happiest times for Dix and his young family, now consisting of wife Martha, daughter Nelly (1923-1955), and two sons Ursus (b. 1927) and Jan (b. 1928). But all of this would change on 8 April 1933—just one day after laws against Jews and so-called degenerates were passed by the Nazis—when Dix was fired from the Kunstakademie on the grounds that "apart from the fact that some of your paintings are a gross offence to moral feelings and therefore a danger to moral regeneration, you have also painted pictures that are liable to impair the will to defend oneself."9 Dix was also forced to resign his membership in the Prussian Academy. By 1934 he was not only forbidden to teach but also barred from exhibiting because "among his pictures are some that are most deeply wounding to the moral feeling of the German people, while others are calculated to sap the people's will for defense."10 Fearing the worst after his dismissal from the Kunstakademie, Dix had moved his family first to Randegg and then by 1936 to Hemmenhoffen on Lake Constance near the Swiss border in the southwest of Germany.

Dix was arrested and implicated in an assassination attempt on Hitler in November of 1939 in Munich. He was subsequently imprisoned and interrogated by the Gestapo for two weeks. However, Dix's model Käthe König worked at the Telephone interview: Cass Simons, 8 November 2001.

⁸ McGreevy, 134.

⁹ Hartley and Twohig, "Schloß Randegg and Hemmenhofen 1933-1945," in *Otto Dix: 1891-1969*, ed. Keith Hartley (London: Tate Gallery, 1992), 197.

¹⁰ McGreevy, 86

¹¹ Karcher, 74.

Dresden courthouse and in a skillful but dangerous act, purposely misplaced Dix's court file and he was subsequently released by the Gestapo.¹² Dix's studio was ransacked by the Gestapo during his interment, and much damage was inflicted on his possessions, including the destruction of photographs and other documentary material.¹³

Meanwhile in Düsseldorf, according to Dr. Simons's son Jan, the lawyer had repeatedly warned both Jew and Gentile alike of the threat posed by the Third Reich. Unfortunately few heeded his advice and many of his friends and acquaintances eventually perished under Nazi rule.¹⁴ With their possessions and artworks, the family settled in The Hague in 1933. Although having been disbarred by the Nazis and not having taken the Dutch bar exams, Simons could not practice law. Instead, he devoted himself to assisting his fellow Jews escape Germany and settle in Holland. As a man of comfortable financial means, Simons was able to bribe German farmers along the border to allow Jews to cross their fields to safety. The refugees' personal belongings would later follow on a train, accompanied by a German in Simons's employ; often their money was skillfully hidden behind lavatory tanks on the train. The German escort would disembark before the train reached the Dutch border, and upon its arrival in Holland, Madeleine Simons would go aboard, recover the money in the lavatory, and claim the Jews' belongings as her own. This was of course an extremely dangerous undertaking for the Simons as capture by the Nazis would have been tantamount to a death sentence. While in Holland, Simons was also able to secure the safe export of refugees' funds by taking advantage of an obscure loophole in German law that decreed that any amount of money leaving the country must be

¹² Otto Dix: The Painter is the Eyes of the World. Reiner E.Moritz, Dir., Poorhouse Productions. 1989.

¹³ Alfred Werner, "The Incorruptible Eye: Otto Dix," Auction III.3 (November 1969), 39.

¹⁴ Interview: Jan Simons, Montreal, 29 August 2000.

replaced by an equal amount coming into the country. By establishing a substantial 'float' fund, Simons and his operatives were able to repeatedly remove and replace large sums of money from German banks, thus preserving the life savings of many Jewish families. In order for the refugees to claim their money once in Holland, the 'torn postcard' method was used. This was a popular system employed by resistance fighters, in which a blank ordinary postcard was torn in half, one part given to the refugee and the other retained by Simons. Once safely in Holland, the two halves of the postcard would be reunited, as would the escaping Germans and their money. 15

Jan Simons remembers the years in Holland as nothing out of the ordinary for a young boy—except the many evenings when the living room was thick with cigar smoke and strangers' voices, as his parents met with friends to plot their strategies. 16 Simons modestly (but truthfully) contends that his parents only did what many others were doing to help Jews during this harrowing period. With his family safely in Holland, Dr. Simons frequently risked his own life by briefly returning to Germany on several occasions to continue his clandestine work. On one such occasion he was at the Düsseldorf courthouse when he received a call from a neighbour informing him that the Nazis had just been to his house and that it was not safe to return. Knowing that he would likely be captured en route to Holland, he fled Germany by making a detour to Brussels. 17 The family later learned that the Nazis had discovered Dr. Simons's method of getting money out of Germany by exploiting the bank laws and he had become a marked target for the Nazis, who would refer to that particular legal point as "the Simons loophole." 18

¹⁵ Telephone interview: Cass Simons, 8 November 2001.

¹⁶ Jan Simons recalls another instance where his father, having "saved the lives of an entire family" who would have otherwise perished under the Nazis, was forced to take one of the family's few remaining possessions— a Leica camera—as a token of their deep appreciation. Interview: Jan Simons, Montreal, 29 June 2001.

¹⁷ Telephone interview: Cass Simons, 8 November 2001.

¹⁸ *Ibid*.

In 1939 Simons decided to flee even further—this time to the safety of Canada. Just prior to the family's emigration, Canada had been under the Conservative government of R.B. Bennett (1930-1935), which had won the election on promises of restoring the failing economy, a situation brought about by the Great Depression of 1929. One element of Bennett's economic programme was restrictive immigration laws, which would prove to be devastating to those fleeing Nazi Europe. In March 1931 a new Order-in-Council, P. C. 659 was passed, prohibiting the admission to Canada of all immigrants, in all classes and occupations, with the exception of the following categories, as written in the document:

- a. British subjects from Great Britain, Northern Ireland, Irish Free State, Australia, Union of South Africa and New Zealand, provided that they had means to maintain themselves until employment was secured.
- **b.** Citizens of the United States with means to support themselves;
- c. The wife and unmarried children under eighteen years of age of a Canadian resident who could receive and care for his dependents;
- **d.** Agriculturists having sufficient means to farm in Canada;
- e. The fiancée of any adult male, a legal resident of Canada, who was in position to marry and care for his intended wife. ¹⁹

With one-third of its people unemployed in 1931, Canada did not wish to accept any immigrants who could be seen as competition in the job market, regardless of whether or not they were Jewish.²⁰ However, the fact that a zealous anti-Semite—Deputy Minister Frederick Charles Blair (1874-1946)—was at the helm of immigration in Canada did not facilitate matters for those European Jews hoping to find safety and

¹⁹ Kage, 93-96.

²⁰ *Ibid.*, 5.

security in a new homeland a decade before the official declaration of World War II.

Chaim Weizmann, a leading Zionist and later first President of the State of Israel, stated the dilemma facing Jewish refugees: "The world seemed to be divided into two parts—those places where the Jew could not live, and those where they could not enter."

Canada, at this time, would have fallen into the latter category.

Immigration to Canada was the responsibility of the Department of Mines and Resources, headed by Minister Thomas Alexander Crerar (1876-1975). However, all immigration matters were handled by Deputy Minister Blair, a "supporter of immigration restriction and particularly hostile to Jewish immigration." In a letter to an unidentified, mutual opponent of Jewish immigration, Blair makes clear his anti-Semitic sentiments:

I suggested recently to three Jewish gentleman with whom I am well acquainted, that it might be a very good thing if they would call a conference and have a day of humiliation and prayer, which might profitably be extended for a week or more, where they would honestly try to answer the question of why they are so unpopular almost everywhere....I often think that instead of persecution it would be far better if we more often told them frankly why many of them are unpopular....Just because Jewish people would not understand the frank kind of statements I have made in this letter to you, I have marked it confidential.²³

Blair regarded his actions as being for the benefit of Jewish people: "To keep Jews out of Canada, [Blair] would often argue, did Jews a favour, even if they could not see it. The arrival of Jews would create anti-Semitism in Canada, undermining the security

²¹ *Ibid.* , 4.

²² Paula Draper and Harold Troper, eds., Archives of the Holocaust: An International Collection of Selected Documents (New York & London [England]: Garland Publishing Inc., 1991), xv-xvi.

²³ *Ibid.* , 9.

of the existing Canadian Jewish community and little benefiting the new arrival."24

It was in this air of hostility and contempt that Dr. Simons began the process of bringing his family to Canada. In 1919 the Jewish Immigration Aid Society (JIAS) had been founded by the Canadian Jewish Congress as a community service to assist individuals in matters of immigration. Records show that by spring of 1938, Dr. Simons had made contact with JIAS through a Montreal resident acting on his behalf. A letter dated 3 May 1938 from the JIAS Executive Director, M. A. Solkin answers inquiries made by Dr. Simons regarding citizenship, the practice of occupations, climate conditions and the political situation in Canada. Some of the responses are well worth citing as they reflect the difficulties that faced a family leaving Europe. Any person legally admitted to and residing in Canada could apply for citizenship after having resided in the country not less than five years. The law governing naturalization of aliens was not subject to individual interpretation by local authorities. One could not become a citizen automatically and any application had to be submitted to the proper authorities and a naturalization paper would be issued after the application was approved. The cost was \$8.00 (application fee) regardless of the size of the family.²⁵ Jan Simons explains that his family regarded their having been stripped of German citizenship as "wonderful, the best thing that could have happened—that way we were free to apply for citizenship" without the worries and complications that could result from holding citizenship in a European country at the time.26 Furthermore Solkin writes in his letter to Simons that "the political situation is normal. There is an undercurrent of anti-Semitism which however is so insignificant as to deserve no attention whatsoever. The Government officials are definitely not discriminating against any person on grounds of race or religion. Our Parliament

²⁴ *Ibid*., 8-9.

²⁵ Canadian Jewish Congress Archives, Montreal, File #21324.

²⁶ Interview: Jan Simons, Montreal, 29 August 2000.

comprises only representatives of democratic parties." While this statement may express the general attitude toward Jews in 1938 in Canada, it does not represent the actual anti-Semitic position of Canada's immigration policies.

Correspondence to facilitate the immigration of the Simons family continued throughout 1938. The question of how a family of five (Hugo and Madeleine Simons, two of their three children²⁷—Jan and Ellyn—and Madeleine's mother, Betty Lehmann) could be admitted to Canada as refugees at a time when so many were turned away is particular to the Simons' situation. Because Dr. Simons had dedicated his life in Holland to helping people escape Nazi oppression, he was highly knowledgeable about the strategies necessary to find sanctuary on foreign soil. Secondly, even though he had often used his own funds to help Jews cross over into Holland, he had sufficient capital to be considered worthy of immigration to Canada.²⁸ In the correspondence that followed the initial letter of 3 May 1938, the Canadian Department of Mines and Resources, Immigration Branch, focused on the ability of the Simons family to provide proof of their financial situation, and noted that Dr. Simons had to establish his future means of support. In a letter dated 16 October 1938 from The Hague, Dr. Simons wrote to JIAS: "I hereby beg you to hand in an application for immigration to Canada to the Government on behalf of my family and of myself.... I intend to start a manufacture of handkerchiefs, ties or other similar articles probably with the assistance of a friend who is a capitalist and a specialist in manufacturing similar articles. I can not give further specifications before having investigated into local conditions. To begin with we plan to invest about \$ 15,000...." This letter prompted Solkin to write on 2 November 1938 to A. L. Joliffe, Commissioner of Immigration, Department of Mines and Resources, stating the family had sufficient capital resources to provide for themselves and that "the case impressed us as very

²⁷ Ibid., Dr. Simons's eldest son, George, age nineteen at the time, was attending school in England.

²⁸ *Ibid.*, 29 June 2001.

deserving and the people concerned seem to be of a highly desirable type."29

"When it is established Dr. Hugo Simons has transferred and has to his credit on deposit in a Canadian bank capital to the approximate amount of \$35,000 the Department will be prepared to submit a recommendation to Council providing for the relaxation of the regulations in [sic] their behalf subject, of course, to their complying with the usual requirements...."30 On 31 January 1939, Solkin received a further letter from Joliffe with positive news: "I have your letter of the 25th instant.... with which you have transmitted statements from the Royal Bank of Canada in Montreal indicating that the required amount of capital has been transferred to Canada in the case of Mrs. Betty Lehmann and Dr. Hugo Simons and family. Under the circumstances, the Department is now arranging to issue a provisional letter of entry in favour of these proposed immigrants and the same will be transmitted today to the Head Office in Montreal of the Canadian Pacific Steamship Line."31 On 9 March 1939, Solkin replied:

Mrs. Betty Lehmann whose case is dealt with on [sic] your file has sent us an appeal on behalf of her brother Gustav Wolff, who appears to have some serious difficulties with the authorities in Germany. The man is reported to have been taken to a concentration camp some time ago and would [sic] not be released unless he can leave the country.... We have been asked to plead with the Department for the admission of Mr. Wolff and submit the assurance that he will not engage in any occupation whatsoever but will merely live together with his relatives.³²

²⁹ CJC Archives, Montreal, File #21324.

³⁰ Ibid.

³¹ *Ibid*.

³² *Ibid*.

Within six days he was informed: "I think we have done extremely well in the case of this man's sister and her family, and I regret there are no grounds on which we could favourably consider the present application." Although it is evident from the exchange of letters that disposable money played a decisive role in securing the Simons family's entry into Canada, and even though Dr. Simons had saved countless people fleeing Nazi Germany into Holland, neither he nor wealth could save a close family member.

The Simons family arrived in Quebec City from Holland in May of 1939 aboard the French liner Mont Claire with all their worldly possessions packed into a freight container.³⁴ The ship continued on to Montreal, and the family eventually settled in Fabreville, Laval. As was the case in Holland, Simons was unable to practice law; instead took a job with the Wartime Prices and Trade Board. Employment by the government allowed Canadian officials to "keep an eye" on the refugee, a standard practice at the time to "make sure that he wasn't a Nazi."³⁵ In 1944, Simons and his family were granted Canadian citizenship.

By February 1945, realizing that defeat by the Allied forces was imminent, the Nazis conscripted both the elderly and the young into the *Volksstrum*—a defence league established in a last-ditch effort to win the war. Dix and Simons had lost contact during these chaotic times, but Simons wrote to him in 1946 to tell him of his new home north of Montreal. Dix subsequently corresponded with Simons on 33 Ibid.

³⁴ Originally the family had planned to set sail on the liner The Empress of Australia but had to make other arrangements. 1939 marked the year of King George VI and Queen Elizabeth's Royal Visit to Canada and the liner The Empress of Australia was reserved for them. Interview: Jan Simons, Montreal, 29 June 2001.

³⁵ Jan Simons also explained that when the family wanted to purchase a house, the real estate agent, Mr. Beaupré, who helped them became a close friend of the family. It was only years later that the salesman admitted to the family that he was working for the R.C.M.P and was actually 'tailing' them to ensure that they were not Nazis. After the war, Hugo Simons could only find work as a refrigerator salesman to support his young family. Telephone interview: Jan Simons, 22 October 2000.

numerous occasions, describing the horrendous circumstances that had overtaken the once-thriving art milieu in Germany. In a letter of 6 June 1946 from Hemmenhofen, Dix exclaims: "It was a great pleasure to hear from you again. Above all I am glad that you have escaped the Nazis' filthy tricks. Perhaps you have heard that in these last twelve years I was constantly being harassed—house searches, arrests by the Gestapo, and to top it all off, conscription into the Volksstrum and a year as a French prisoner of war."36 Dix then describes what has happened to his career under the Nazi regime: "You probably know that I was unable to exhibit all this time. But these pigs considered my artwork worthy to be removed from the museums and be sold at auctions in Switzerland. Now, we have finished with this 1000 year circus and at least we can work again as we wish."37 Dix also tells Dr. Simons of the devastating affect World War II had on his personal life: "Naturally we lack of everything. With food it's a real catastrophe. Even if I live in the country, the farmers won't give food without an exchange of something like shoes, clothes and linen—of which no one has. Anyway, you made a good decision."38 He goes on to describe his internment in a prisoner of war camp in Colmar, France: "My eldest son is a prisoner of war on the south coast of England. He eats better than we do. During my incarceration at Colmar, I painted for people. Even though I did not receive anything for my work, I was well taken care of. In the meantime [since returning to Germany] I have lost

^{36 &}quot;Lieber Herr Dr. Simons, Ich habe mich sehr gefreut wieder von ihnen zu hören. Von allenfeue ich mich das sie der Nazischweinerei entkommen sind. Villeicht habensie gehört das ich dauernd werend dieser zwölf Jahre schikaniert wurde, Haus untersuchengen verhaftungen durch die Gestapo zu guter letzt noch zum Volksturm [sic] eingezogen und ein Jahrin Französischer Kriegsgefangenschaft." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Montreal (6 June 1946). MBAM Fond #1993.12.

³⁷ *lbid.*, "Sie wissen wahrscheinlich auch das ich nicht austellen durfte die ganze Zeit. Das aber die Schweine es nicht für unter ihre Würde hielten meine Arbeiten aus Museen in der Schweiz zu versteigern. Nun ist dieser 1000 Jährige Rummel entlich vorbei und man kan [sic] wenigstens wieder arbeiten wie manwill."

³⁸ *Ibid.*, "Natürlich fehlt's an allem. Die Ernährung grade zu katastophahl. Trotzdem ich auf dem Lande wohne die Bauern geben nur gegen Tausch etwas zu Essen herraus soviele Schue, Ansüge und Wäsche hat man gar selbst nicht. Jedenfalls haben sie in dieser Beziehung das bessere Teil erwählt."

more weight... I would like to hear news from you and I send you greetings with all my heart."39

Dix's imprisonment at Colmar was made easier when a French officer approached him carrying a copy of the final volume of the *Propyläen Kunstgesichte (A History of Art)* denounced by the Nazis and asked if he were the same person whose picture appeared in the book and was referred to as a celebrated artist. Dix replied that he was indeed that painter and the officer had him removed to the artists' section of the camp where his food rations were improved and he received better treatment.⁴⁰ Upon his release from the prisoner of war camp in February of 1946, Dix returned home to hunger and was reduced to bartering his works for food and provisions.

In a letter dated 7 February 1947, Dix voices his concern that he has not heard from Dr. Simons: "I wrote to you in June of last year. I hope that my letter arrived, or else I hope you receive this one.... Unfortunately, I cannot work right now because I cannot heat my studio. During the last 3 months I've been sitting, doing nothing and I'm bored." In closing, Dix asks his old friend point-blank for help: "If you could send me something to eat, I would greatly appreciate it, seeing as here it is often pitiful. I hope that you are well and that you have found a better homeland than

³⁹ Ibid., "Mein eltester Sohn ist in Englischer Kriegesgefangenschaft an der Südküste Englands er hat besser zu Essen wie wir. Ich habe werend meiner Gefangenschaft zum Teil bei Privatleuten in Colmar gemahlt. Wenn ich auch nichts für meine Arbeit bekam, wahre ich doch sehr gut ferpflegt. Nun bin ich unterdessen wieder abgemägert. Ich wurde mich freuen wieder von ihnen zo hören und grüße sie Hertzlichst. Ihr Otto Dix"

⁴⁰ Löffler, 112. Dix painted images of General de Gaulle that were used for banners and then was commissioned to paint a devotional image for the prisoners' chapel. According to Ursus Dix, the resulting triptych, *Madonna Behind Barbed Wire* is now in Berlin after being lost for a period after the war. Letter from Ursus Dix, France, to author, 13 June 2001.

^{41 &}quot;Im Juni vorigem Jahres schrieb ich ihnen. Höffentlich ist mein Brief angekommen, wenn nichts, so hoffe ich das Sie noch dieser Brief erreicht.... Leider kan ich jetzt nicht mehr arbeiten, weil mein Atelier nicht heitzen kann. So sitze ich nun schon seit drei Monaten langweilig herum." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Montreal (7 February 1947). MBAM Fond #1993.12.

Germany."⁴² In fact, Dr. Simons sent money in addition to the food parcel, and Dix replied: "Thank you for your letter dated January 21st. I am happy to learn that you have sent me a parcel and will let you know without delay, when it arrives."⁴³

Simon's son Jan recalls that his father did not accept any works of art by Dix as payment for provisions, although Dix mentioned in a letter:

I gladly accept your offer to take works of mine in exchange for food parcels.... Tea, coffee, cocoa and cooking fat are requested in the parcels, also meat of course, but unfortunately it disappears so quickly and a pound of coffee lasts a long time. After a meager meal, always consisting of potatoes and vegetables, a coffee is enough to reconcile you with life. You are probably surprised that I'm requesting luxurious commodities, but the food is so tasteless.... I am even more grateful, my adorable Mr. Simons, if you can send me something [money] even if, as you put it, it removes the art from the sale.44

This statement verifies Jan Simons' contention that his father refused artworks as payment for aiding his friend.⁴⁵ The devastating effects of war are clearly evident in the same letter, which ends: "And yet, I have exhibited for years at the Carnegie Institute, I have pictures in the Museum of Modern Art in N. Y., but apparently it

⁴² *Ibid.*, "Wenn sie mir mahl etwas zu essen schicken könten, währe ich ihnen dankbar denn ist oft kümmerlich. Ich hoffe das es Ihnen gut geht und das sie eine bessere Heimat gefunden haben als Deutschland. Ihnen und Ihrer Frau die herzlichsten Grüße. Ihr Dix."

^{43 &}quot;Vielen dank für ihnem Brief vom 21. Ich höre mit Freude das ein Paket von ihnen unterwegs ist und gebe ihnen sofort Nachricht wenn es eigetroffen ist." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Montreal (22 February 1947). MBAM Fond #1993.12.

⁴⁴ *Ibid.*, "Ihrem Vorschlag arbeiten von mir gegen Pakäte zu tauschennehme ich gern an In den Paketen ist Tee. Kaffee, Kakau und Fett erwünscht, natürlich auch Fleisch, aber das geht leider so schnell weg und ein pfund Kaffee reicht lange. Nach einem Kümmerlichen Essen (es immer aus Kartoffeln und Gemüse) ist ein Kaffee wie ein Versöhnung mit Leben. Vielicht wundern sie sich darüber das ich an ersterr Stelle SOG (so genante) genuss Mittel nenne aber das Essen ist derart langweilig Ich muß es ihnen, verehrter Herr Simons, umso höher anrechen das sie mir etwas senden obgleich, wie sie schrieben, noch zu den Kunst verkaufenden gehören."

⁴⁵ Interview: Jan Simons, Montreal, 29 August 2000.

doesn't occur to anyone there to help in any way. It is indeed a rather sorry thing that one has to turn like this to one's friends in the West with such requests."46

Simons and Dix continued their correspondence over the years; in a letter dated 30 December 1952, Dix wishes Simons "a good and Happy New Year with all my heart," and humorously relays his astonishment at Simons's new line of work: "I am surprised that you are selling refrigerator appliances. I thought it was cold enough, that it would be more profitable to sell central heating systems." Simons supported his family in Canada by a series of jobs, including selling refrigerators, but he steadfastly refused to consider returning to his lucrative law practice in Düsseldorf. Even an offer to serve as a judge in the German court could not entice him back to Germany. 48

In late 1957, Simons wrote what would be his final letter to Dix, telling him how he had been bedridden for several months with what he believed to be arthritis, and how he took comfort in the sight of the *Portrait of the Lawyer Hugo Simons* hanging on the wall at the foot of his bed. What Simons believed to be arthritis was in fact terminal cancer and he passed away shortly thereafter, on 8 March 1958.⁴⁹ The two families continued to correspond after the passing of Dr. Simons, as one letter to Madeleine Simons of 5 March 1966 attests: "Whatever could have happened to our Hugo Simons? He was younger than I. In October my son [Ursus] moved to Canada

⁴⁶ Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Montreal (22 February 1947). MBAM Fond #1993.12.

⁴⁷ "Ich erwierdere ihre freundlichen Neujahr's grüße aufs Herzlichste....Erstaunt bin ich das sie kühlanlagen verkaufen ich dachte es ist doch ohne hin kalt so das es günstiger ist centrale Heizungen zu verkaufen." Correspondence from Otto Dix, Hemmenhofen, to Dr. Hugo Simons, Montreal (30 December 1952). MBAM Fond #1993.12.

⁴⁸ Telephone interview: Cass Simons, 8 November 2001.

⁴⁹ Correspondence from Dr. Hugo Simons, Montreal, to Otto Dix, Hemmenhofen (2 December 1957). MBAM Fond #1993.12.

with his family. He is a restorer at the National Gallery over there."50 This is the last known letter between Otto Dix and the Simons family. Otto Dix would die in Hemmenhofen three years later.

^{50 &}quot;Sehr geerte Frau Simons.... Was hat dem Hugo Simons gefehlt? Er war doch jüger wie ich. Viele Herzlich Grüße auch von meiner Frau. Ihr Dix." Correspondence from Otto Dix, Hemmenhofen, to Frau Madeleine Simons, Montreal (5 March 1966). MBAM Fond #1993.12

Chapter Five

German Art for a Canadian Museum

Following Dr. Simons's death in 1958, the portrait remained in the family home in Laval. In March of 1964 the Goëthe House (now Institute) in Montreal presented an exhibition titled *The New Objectivists* curated by Dr. Fritz Gensel, consisting of the collection of the late Dr. Simons.¹ The exhibition marked the first occasion that the portrait was ever displayed publicly. It would not be exhibited again for over twenty-five years.

In 1991 the Stuttgart Museum in Germany asked to borrow the work for an exhibition celebrating the centennial of Otto Dix, to take place at the Galerie der Stadt Stuttgart (4 September to 3 November 1991), Nationalgalerie Berlin (23 November 1991 to 16 February 1992) and the Tate Gallery in London (11 March to 17 May 1992). Dr. Simons's son Jan accompanied the painting to Stuttgart where he was greeted at the airport by the exhibition's curator, Andrea Hollmann. She asked to see the painting immediately and broke into tears when the work was unwrapped. Hollmann explained to Simons that she had heard rumours that the *Portrait of the Lawyer Hugo Simons* had survived but had not believed that the painting still existed because the majority of Dix's works from this period had been destroyed by the Nazis.² The painting travelled in a specially designed wooden crate, but upon examination in Germany it was discovered that some minor damage had occurred. Ursus Dix explained that his father had placed a piece of felt between the frame and

I Madeleine Simons gave a lecture at the opening of the exhibition. The Goëthe Institute does not have the facilities to retain documents beyond a five-year period so this lecture is no longer available. It is unknown how many works were exhibited from the collection of Dr. Simons, however they included oils, watercolours, lithographs and woodcuts. Artists represented in the exhibition included Emile Nolde, Erich Heckel, Oskar Kokoschka, Max Pechstein, Paul Seehaus and Walter Ophey. Works included Kokoschka's Portrait of Max Reinhardt, seven woodcuts of a village by Pechstein as well as Portrait of the Lawyer Hugo Simons, Portrait of Anna Grünebaum-Wahl and Portrait of Josef May by Dix.

² Interview: Jan Simons, Montreal, 29 August 2000.

the painting for protection but during transit from Montreal to Stuttgart a small, quarter-inch portion of paint in the upper left-hand corner, under the frame, had been chipped.³

By March of 1992, the Tate Gallery in London and a private art collector in New York, Serge Sabarsky, both expressed their desire to purchase this rarity in Dix's oeuvre. But according to Jan Simons, the family hoped that the painting would remain in Montreal for two reasons: "My father would have wanted it kept in Montreal, and we would like to have it near the family."

The interest generated by the Dix centennial exhibition prompted the Simons family to loan the painting to the Musée des beaux-arts de Montréal in June of that year. The family then made the decision to offer the painting for sale to the MBAM and it was placed on display in the Jean-Noël Desmarais Pavilion while a decision about the purchase was pending. The inevitable sale of the painting became a reality for the Hugo's children—Jan, George and Ellyn-when they were informed that they would be obliged to pay a large capitalgains tax on the appreciated value of the portrait between 1972 and 1992.5 Also of concern to the Simons family was the proper care of the painting. In 1992, at 67 years, the painting was in excellent condition—a fact which contributed to its value. However in order for the painting to be properly conserved in the future, it required the controlled temperature and humidity conditions offered by an institution like the

³ The painting received minor restoration work by Ursus Dix, who had emigrated to Canada with his family in 1965 and became a conservator at the National Gallery of Canada, as mentioned earlier. Telephone interview: Ursus Dix, 6 June 2001. Ursus Dix remained at the National Gallery of Canada until the mid-eighties, when he moved to the south of France to care for his mother, Frau Martha Dix. While in Canada, he was also instrumental in setting up the regional laboratory of the Canadian Conservation Institute in Vancouver. Telephone interview: Charles C. Hill, 18 October 2000.

⁴ Kelly Wilton, "Ottawa won't spend \$765,000 to buy portrait," The Montreal Gazette 9 January 1993, A3.

⁵ Ann Duncan, "Lost art: It looks like another valuable painting is leaving town," *The Montreal Gazette* 16 January 1993, J5. Many media articles concerning the sale of the painting cited the illness of Madeleine Simons, who passed away in 1992, as a factor in the family's decision to sell the painting.

MBAM. Its director, Pierre Théberge, had made it clear to the family that he wished to purchase the portrait for the permanent collection.⁶

It is at this point that the Canadian laws regarding the sale of major artworks came into play. In 1977 the Cultural Property Export and Import Act was established under the Department of Communications to protect major heritage works of art from leaving the country. The 1990-1991 *Annual Report* of Communications Canada defines the Act as follows:

The primary function of the Cultural Property Export and Import Act, proclaimed in September 1977, is to preserve in Canada significant examples of Canadian heritage in movable cultural property. This is accomplished through a system of export controls, tax incentives for private individuals who donate or sell cultural objects to public institutions, and grants to assist institutions in purchasing cultural objects under certain circumstances.⁷

The portrait was evaluated at a market value of \$1,650,000 (U.S.) in 1992. Art dealer Serge Sabarsky had offered \$50,000 (U.S.) less, but the family preferred to keep the portrait in Montreal. However, with the problem of capital gain taxes the family applied for a permit from the Canadian Cultural Review Board to sell the painting abroad—the procedure necessary for an important work that had been in Canada for more than thirty years to be considered a heritage object. Under this regulation, the work would then be assessed by the Review Board to determine its national importance. In a unanimous vote, the board members agreed to the cultural and historical value of the painting and recommended that funds for the purchase of the Simons portrait be provided to the MBAM from the Department of Communications under the Canadian Cultural Export and Import Act.

⁸ Telephone interview: Jan Simons, 10 May 2002.

⁷ Communications Canada, Annual Report 1990-1991: Cultural Property Export and Import Act, (Ottawa: Communications Canada, 1992), 33.

Consequently, on 16 July 1992 the permit to sell the Simons portrait abroad was suspended for a six-month period in order to allow Canadian art institutions sufficient time to bid on the painting, a standard practice for important works might leave the country. Pierre Théberge reached an agreement with the family to purchase the painting for \$900,000—slightly over half of Sabarsky's offer. Théberge applied for a grant under the Cultural Export and Import Act, and considering the painting's status, it was hoped that the MBAM would have little difficulty in receiving funding from the Federal Department of Communications for the purchase—but this would not be the case. Under the provisions of the Export and Import Act, an institution could apply for up to 85 per cent of the purchase price. Théberge asked for \$765,000 in funding, but in December received notice from federal Communications Minister Perrin Beatty that the request was denied. He was informed by Beatty's assistant and adviser, Marie-Diane Faucher, that their budget for 1992 had been depleted and that, as well, the amount requested was considerably higher than the largest amount the Department had allotted to any Canadian museum up until that time—including \$400,000 to the MBAM for the purchase of a minor Renoir work in 1983.8

The refusal by the federal government to aid the museum in its acquisition must have been doubly frustrating for Théberge in light of the fact that the institution had recently lost a rare Gustav Klimt painting, *Portrait of Eugenie Primavesi* (1913-14, oil on canvas, 140 x 85 cm., Toyota Municipal Museum of Art, [Japan]), that, like the Dix, had been on loan to the MBAM—but the museum was unable to obtain government funding when the opportunity to purchase arose. The circumstances surrounding the loss of the Klimt portrait are strikingly similar to the Simons case. The *Portrait of Eugenia Primavesi* was presumed by scholars to have been lost but was in the possession of the sitter's daughter Mäda, who had emigrated to Montreal after World War II. The portrait had remained in Primavesi's Montreal apartment

⁸ Ibid.

until 1987 when she could no longer afford to keep it. Primavesi loaned her Klimt to the MBAM and offered the museum a purchase price of \$3,500,000. Like the Simons portrait, the Primavesi had been declared a heritage object by the Canadian Cultural Property Review Board, which recommended that the Federal Department of Communications assist the MBAM in its purchase. Théberge applied for the maximum funding available—85 per cent of the Klimt asking price or \$2,800,000. However, the then Minister of Communications, Flora MacDonald, never ruled on the case and allowed to elapse the six-month suspension of the permit to sell abroad.9 Consequently, the Klimt portrait was sold at Sotheby's in New York in 1987 for \$3.9 million (U.S.) to the Toyota Municipal Museum of Art and then resold four years later in 1991 for \$13.8 million (U.S.) to the Sezon Museum of Art in Japan. 10

Undeterred by the government's refusal of funding for the Dix portrait.

Théberge asked the Minister of Communications to consider spreading the monies over three years at \$250,000 per year. At the same time, the Simons heirs—who feared they would have to resort to selling abroad—offered to contribute \$30,000 per year over the next three years to help fund the purchase of the painting. This generous offer by the Simons family now brought down the actual price of the portrait to \$810,000 (Canadian)—half of the amount offered by Sabarsky. The Simons family said that they would consider the difference as a donation, as "a thank-you to Canada for taking them in." Still, the federal government refused to aid in the acquisition of the painting.

In January of 1993, after six months of negotiations with the Department of Communications and Minister Perrin Beatty, Théberge made public the plight of the

⁹ Ann Duncan, "Lost art," The Montreal Gazette 16 January 1993, J5.

¹⁰ *Ibid.*, Duncan wrote that the Klimt "reportedly resold for upward of \$16 million and is now in Austria." It now hangs in the Toyota Municipal Museum of Art.

¹¹ Cass Simons, "Portrait of a Man," Toastmasters speech, 15 February 1993.

MBAM and the *Portrait of the Lawyer Hugo Simons* through local and national media. *Montreal Gazette* columnist and art critic Ann Duncan rallied behind the museum's efforts to keep the painting in Montreal but at the same time raised valid questions regarding the handling of the situation by the museum's director. Why, Duncan asked, had Théberge asked for the maximum allowable funding in both cases rather than campaign to raise public and private funding toward the sale price? Also, why did Théberge in both cases publicize the situation only when the suspension of the permit to sell abroad was about to expire? Lastly, given the previous experience of Klimt's *Primavesi*, why did Théberge not try to buy the Simons portrait from the museum's acquisition funds rather than go to the government for assistance?¹²

In response, Théberge attributed the federal government's refusal to fund the purchase to political motives, stating that the Cultural Property Export and Import Fund had allotted a mere \$528,000—roughly six per cent of its \$8,000,000 budget—to Quebec museums over the last five years. Beatty's adviser Marie-Diane Faucher countered Théberge's accusation of political prejudice by stating that the federal Department of Communications had in fact granted the MBAM \$42,000,000 (44 per cent of the Department's budget for museums) from the period of 1987-1992, of which \$33,000,000 comprised one-third of the cost of the construction of the Museum's new Jean-Noël Desmarais Pavilion. In reply to the question of the MBAM obtaining the Simons portrait directly through its acquisition fund, Théberge explained that the annual acquisitions budget for the MBAM was \$300,000. The museum had managed to raise \$27,500,000 from the private sector for its acquisition fund over the past years although by January 1993 none of the money raised had been spent on acquisitions; instead the funds were diverted to the construction of the Desmarais Pavilion.

Théberge defended these actions by stating that "we've had to pay for the bricks and

¹² *Ibid*.

¹³ Celina Bell, "Montreal may lose rare Dix," The Financial Post 16 January 1993, C3.

the mortar and the salaries first."¹⁴ He believed that going to the public for money again would be a fruitless effort, perhaps because of the questionable use of prior private funds. Jan Simons felt that it would be embarrassing to have to set up a type of charity to save the painting but was adamant that the family would sell the work abroad if the museum was unable to raise the \$810,000 asking price.¹⁵ Equally determined to acquire the portrait for the MBAM, Théberge stated publicly: "It'll be a great tragedy if we lose it. The family are giving us a great price in recognition of Canada's generosity in welcoming them as refugees. It is a great painting by a great artist about a great subject."¹⁶ Théberge also emphasized the rarity of Dix's neue Sachlichkeit work in Canada and abroad, as well as its desirability on the art market.¹⁷

Public outcry over the possible loss of this painting was instrumental in keeping the painting in Canada. Ann Duncan closely followed the developments of the ongoing battle in her *Gazette* column, and Jan Simons rallied a number of influential Canadians—including Naomi Jackson Groves, niece of A. Y. Jackson—in an attempt to persuade the federal government to financially acknowledge the importance of keeping the painting in Canada. On 28 May 1993, Perrin Beatty announced that \$300,000 would be given to the MBAM toward the purchase of the *Portrait of the Lawyer Hugo Simons* through the Cultural Property Export and Import Act Fund, stating: "The Government of Canada is pleased to have participated in the

¹⁴ Duncan, "Lost art," The Montreal Gazette 16 January 1993, J5.

¹⁵ Ray Conlogue, "Museum Struggles to keep painting in Canada," *The Globe and Mail* 22 January 1993, C2.

¹⁶ Wilton, A3.

¹⁷ Nelson Wyatt, "Canadians may lose a 'masterpiece'," The Globe and Mail 9 January 1993, C2.

¹⁸ Ibid.

safeguarding of a work of such importance to our artistic heritage." 19 As a result of Duncan's lobbying in the newspaper, a sum of \$510,000 was raised in the community, with donations still being received at the time of Beatty's announcement. Théberge explained the sudden reversal in the government's decision by saying: "He [Beatty] felt that the strong support from the community made it possible for him to come in on the deal. It would have been very discouraging for the private sector if the government hadn't come in as a partner." 20 The purchase of the *Portrait of the Lawyer Hugo Simons* was the result of funds provided by the Government of Canada, as well as the Succession J. A. DeSève, Gifts from Charles and Andrea Bronfman, Mr. Nahum and Dr. Sheila Gelber, Phyllis Lambert, the Simons Family, the Volunteer Association and the Junior Associates of the Montreal Museum of Fine Arts, Louise L. Lamarre, Pierre Théberge, and the Horsley and Annie Townsend Bequest, which was part of the museum's permanent acquisitions funding.

Not long after the painting became part of the MBAM's permanent collection, requests came in from museums around the world to borrow the rare portrait for various exhibitions, including *Neue Sachlichkeit* at the Kunsthalle Mannheim, Germany from 9 October 1994 to 29 January 1995, and *L'Anima e il Volto—Ritratto e Fisiognomica da Leonardo ai Giorni Nostri* at the Palazzo Reale, Rome from 30 October 1998 to 14 March 1999. The painting was loaned to these institutions for their exhibitions and regained its rightful place in public presentations of modern German art.

Dr. Simons's grandson Cass Simons compares the *Portrait of the Lawyer Hugo Simons* remaining in Montreal to the "two pieces of the postcard coming together at last," referring to the clandestine system that Hugo and Madeleine Simons had often employed to reunite Jewish refugees with their money during those

¹⁹ Pierre Théberge, "The Museum makes an important acquisition," Collage (September 1993), 2.

²⁰ Ray Conlogue, "Otto Dix painting to stay," The Globe and Mail 29 May 1993, C1.

harrowing years preceding World War II. Jan Simons described his father Hugo as a man "strong in conviction—when he took a project on he stuck with it, even if it was against all odds." This is a lesson Dr. Simons obviously passed on to his children who came to the defense of both their father and Otto Dix, just as Dr. Simons had come to the artist's aid almost eighty years earlier in Düsseldorf.

²¹ Interview: Jan Simons, Montreal, 29 June 2001.

Conclusion

The Portrait of the Lawyer Hugo Simons records for posterity the coming together in Düsseldorf of two extraordinary men, both of whom fought against adversity and persecution during the bleakest period of the 20th century. One was a pioneering creative artist who was persecuted for his work, only to triumph in the end by becoming one of the world's most venerated painters. The other was a scholar and humanitarian who was persecuted for his religion and gave freely of himself to aid others facing the same adversity.

Only survivors can write history. Not only did Otto Dix and Hugo Simons survive Nazi persecution, so did the Portrait of the Lawyer Hugo Simons. In her 1951 book The Origins of Totalitarianism, Hannah Arendt contends that one of the main components in establishing a totalitarian state is to treat people as if they never existed, taking away their individuality and thus rendering them one of the 'masses.' The Nazis sought to accomplish this displacement of people through racist aesthetics. By their dictating what was to be considered 'modern,' 'impure,' or 'entartung,' art became politicized to the extent of being instrumental in advancing Hitler's 'Final Solution.' Identifying works of art with a certain artist or the sitter with a particular religion enabled the Nazis to advance their Renaissance of the Germanic/Aryan race. Contrary to Nazi aesthetics, Otto Dix succeeded in putting faces and individual identities to those he painted. Dix proved the power that can lay in the hands of the artist when he wrote in 1958: "Artists shouldn't try to improve and convert. They're far too insignificant for that. They must only bear witness." By painting the image of Hugo Simons, Dix not only perpetuated the identity of the lawyer but also laid the groundwork for a narrative to be told. It may be posited that portraits, after a few

Whittford, 22,

generations, may have a tendency to lose their role as a symbol of the particular association between the sitter and the subject that portraiture demands. Clearly this is not the case with Dix's portrait of Simons. Certainly the image survives as a rare example of his *neue Sachlichkeit* work, but its subject matter takes the painting well beyond its definition as another element in the *oeuvre* of Otto Dix.

Through the events that have unraveled around the two men, the portrait itself attained the ability to write history and certainly gained what Walter Benjamin has defined as the 'aura.' This unique existence of the work of art determined the history to which it was subject throughout the time of its existence. The history of the *Portrait of the Lawyer Hugo Simons* is embedded in every crack of paint and every pencil mark visible on the panel, and it has taken its rightful place as a unique part of Canadian culture. The long and eventful history behind *Portrait of the Lawyer Hugo Simons*, from its creation in 1925 as a testimony to the friendship between Dix and Simons through to Canada's Cultural Property Export and Import Review Board acknowledging the work as having important historical value to this country. The portrait's unique biography provides the work with an essential narrative that we do not expect to discover in a quick visit to a museum or a glance at a work on the wall of a private collector.

The telling of the story of Otto Dix's Portrait of the Lawyer Hugo Simons raises a plethora of issues to be addressed by art historians. Without every denying the aesthetic significance of the object and the accomplishment of its maker, works of art do not exist in isolation. This thesis has attempted to investigate the Benjamian aura which surrounds the portrait by investigating, not only the work itself but the political situation surrounding its production, the historical circumstances which effected its journey from Germany to Canada and its eventual acceptance as a Canadian cultural object. Such an examination and the necessity of relating art to the role played by patrons and, collectors, as well as the business of art are all essential

ingredients to understanding the wider context of any individual visual art object. Merely surviving does not automatically constitute the telling of a history of an artwork.

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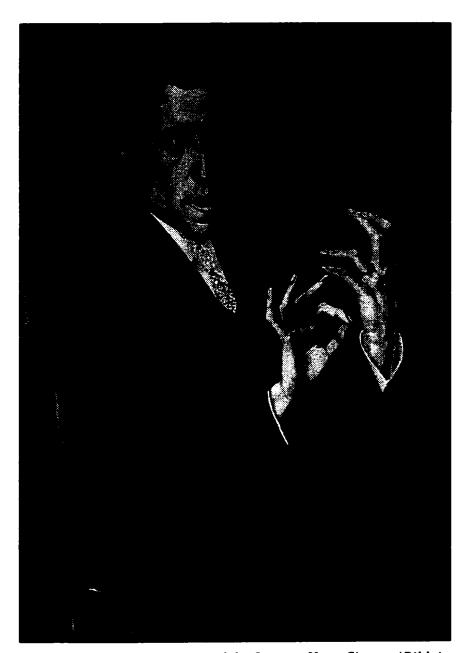


Figure 1. Otto Dix. Portrait of the Lawyer Hugo Simons (Bildnis Rechstanwalt Dr. Hugo Simons), 1925, oil and tempera on wood, 101.3 x 70.3 cm., MBAM, Montreal.

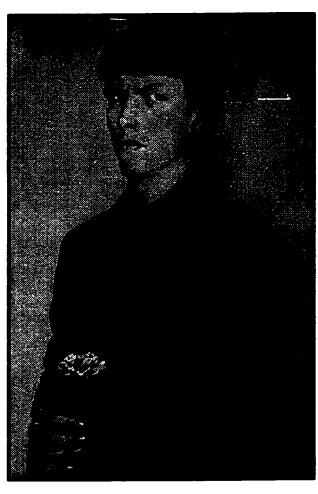


Figure 2. Otto Dix.

Selbstbildnis mit Nelke (Self
Portrait with Carnation), 1912,
oil and tempera
on panel, 73 x 50 cm.

Detroit Institute of Arts.



Figure 3. Otto Dix.

Sonnenaufgang (Sunrise),
1913, oil on pasteboard,
51 x 66 cm., private
collection, Germany.



Figure 4. Otto Dix.

Bust of Nietzsche, 1912,
plaster tinted green, 58 x 48
cm., formerly
Stadtmuseum, Dresden,
seized and destroyed.

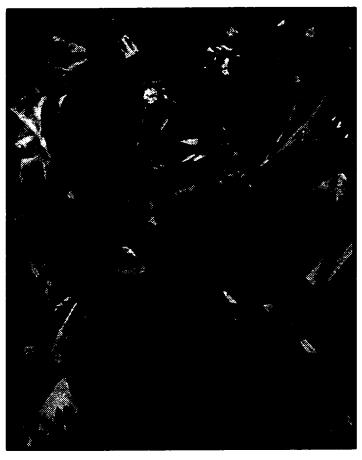


Figure 5. Otto Dix. Selbstbildnis als Mars (Self-Portrait as Mars), 1915, oil on canvas, 81 x 66 cm., Städtische Kunstsammlung im Haus der Heimat, Freital.



Figure 6. Otto Dix. Wounded Soldier, 1924, aquatint, 19 x 28.5 cm., Trustees of the British Museum.

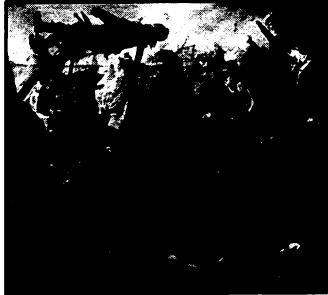


Figure 7. Otto Dix.

The Trench,
1923, oil on canvas,
227 x 250 cm.,
lost, presumed burned by
the Nazis.

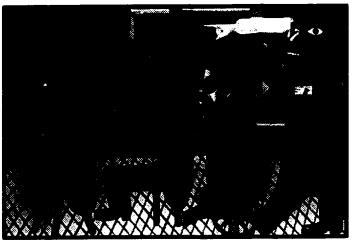


Figure 8. Otto Dix. War Cripples, 1920, oil on canvas, 150 x 200 cm., lost, presumed burned by the Nazis.

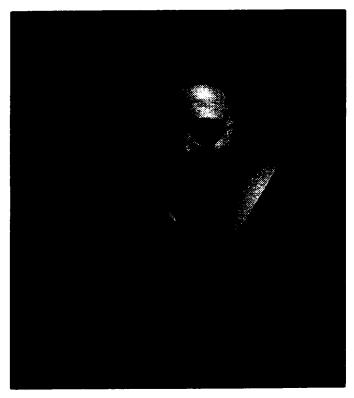


Figure 9. *Johanna Ey*, 1926, photograph.



Figure 10. Otto Dix. The Art Dealer Frau Johanna Ey of Düsseldorf, 1924, oil on canvas, 140 x 90 cm., private collection, Germany.



Figure 11. Otto Dix. Portrait of Dr. Hans Koch, 1921, oil on canvas, 100.5 x 90 cm., Museum Ludwig, Köln.



Figure 12. Otto Dix. Lustmord-Selbtsbildnis (Sex Murderer-Self-Portrait), 1920, oil on canvas, 170 x 120 cm., missing and presumed destroyed by the Nazis.



Figure 13. Otto Dix.

Portrait of Dr. Paul

Ferdinand Schmidt, 1921,
oil and collage, 83 x 63
cm., Staatgalerie Stuttgart..

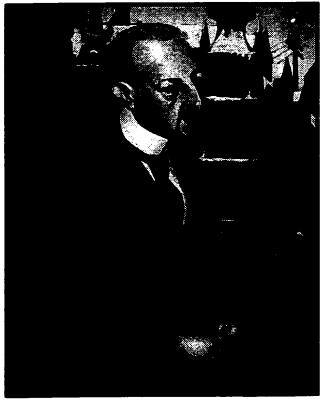


Figure 14. Otto Dix.

Portrait of the Lawyer

Dr. Fritz Glaser, 1921,
oil on canvas, 105 x

80.5 cm., private
collection.

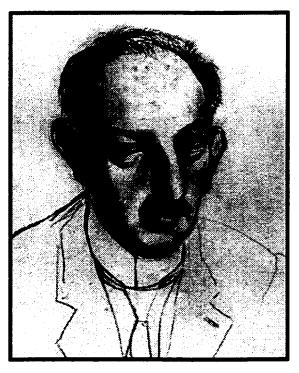


Figure 15. Otto Dix. Bildnis Dr. Fritz Glaser (Portrait of Dr. Fritz Glaser), 1921, pencil on paper, 59.4 x 42.5 cm., private collection.



Figure 16. Otto Dix. Familie Rechtsanwalt Dr. Fritz Glaser (Family of the Lawyer Dr. Fritz Glaser), tempera and oil on plywood, 100 x 79 cm., Staatliche Kunstsammlungen Dresden.

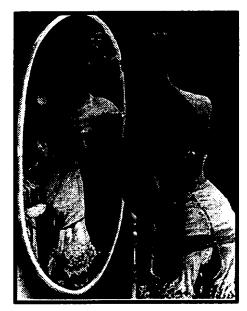


Figure 17. Otto Dix. Mädchen vor dem Spiegel (Girl in Front of the Mirror), 1921, oil on canvas, measurements not known, believed destroyed during World War II.

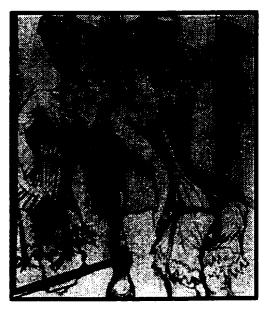


Figure 18. Otto Dix. Mädchen am Spiegel (Girl Before a Mirror), 1922, etching, 35.1 x 28 cm., Städtische Galerie Albstadt, Germany.



Figure 19. Otto Dix. *The Salon I*, 1921, oil on canvas, 86 x 120.5 cm., Galerie der Stadt, Stüttgart.

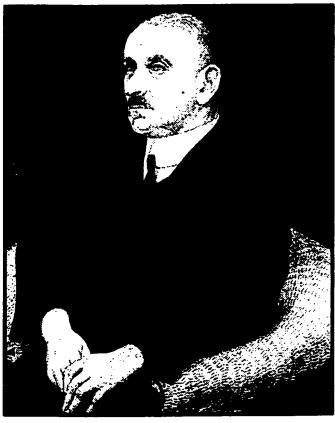


Figure 20. Otto Dix.

Portrait of Josef May,
1926, mixed media on
plywood, 84 x 68.3 cm.,
Cleveland Museum of
Art, Ohio.

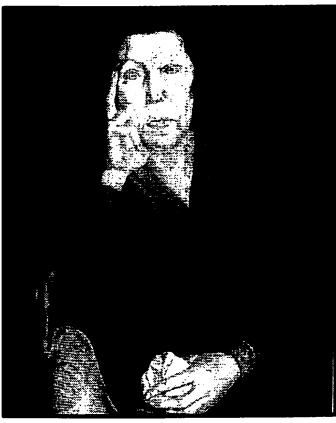


Figure 21. Otto Dix.

Portrait of Anna
Grünebaum-Wahl,
1926, oil and tempera
on wood, 79.95 x
59.95 cm., McMaster
University Art Gallery,
Hamilton, Ontario.



Figure 22. Dr. Hugo Simons, c1925, photograph, courtesy Jan Simons.