IDENTIFYING AND LOCATING
LOOTED ARTWORKS FROM CUBA

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Cuba’s revolutionaries reviled all things associated with the island’s bourgeoisie including art. Early in 1959, the revolutionaries swiftly ransacked the homes and offices of all those they accused of the crime of being affiliated with the regime of Fulgencio Batista. Soon thereafter they looted the properties of many who fled into exile. The new Cuban State transferred many artworks to the Museo de Bellas Artes and many of the remaining pieces it sold at auction to foreigners. Some dubious sales continue to be made to individuals today.

TRADE IN LOOTED ARTWORKS

The terminology associated with looting is often used interchangeably: loot, steal, and confiscate. In order to understand precisely what looting entails, particularly in the case of Cuba’s artworks, it is necessary to explain the terminology in some detail. According to Random House College Dictionary, loot is [my emphasis added]: spoils or plunder taken by pillaging, as in war [including revolutionary war]; anything taken by dishonesty, force, stealth, etc; to despoil, plunder or pillage, as in war [including revolutionary war]; and to rob, as by burglary, corrupt practice in public office, etc. Steal is defined as: to take (the property of another or others) without permission or right, especially secretly or by force; to appropriate (ideas, credit, words, etc.) without right or acknowledgment [as in fakes and forgeries]; to take, get, or win artfully or surreptitiously; and to move, bring, convey or put secretly or quietly; smugg-
posed to the accuracy of their listed provenance. In theory, those employed by the art world ought to research well-known databases of stolen and missing art before proceeding with any transaction. However, in “the greatest unregulated industry,” this is not always the case and items with unclear titles are routinely sold and purchased.

Art collectors are driven to purchase art for a variety of reasons. Some acquire art because of their true passion and expertise, others because they would like to possess the trappings of what they perceive to be the high-society. If collectors do not purchase art with full knowledge of their dubious origins, it is possible that there has been negligence or no due diligence. If collectors consult with experts before purchasing their art, they place their confidence in the expert’s knowledge. This leads to good faith purchases where it was not the intent of the purchaser to deal with stolen art. Art collectors often keep their works in private residences or offices, neither in public view nor loaned for exhibits, particularly when the collector is aware of the tainted history.

The quest for museums to gain prestige drives the competition among them to increase the value and size of their collections. There are many cases where museums claim they have acquired in good faith artworks that turn out to have been stolen and are either reluctant or outright refuse to return items to rightful owners or their heirs. Museum representatives blame art dealers for selling the stolen artworks to them, thereby delaying restitution through lengthy legal action against dealers and galleries. Legal representation expenses for the original owners and their heirs can be so prohibitive that upon restitution, the art may have to be sold to cover legal costs. Insensitive to the looting victims’ search for justice and healing, the Guggenheim’s European Representative lamented, “I always think it’s a shame when works of art are taken away from museums and land in auctions, depriving the public of seeing these paintings in the future.”

Journalists looking for the next big story can create awareness about looted artworks and perhaps help to locate their whereabouts. The disciplined investigative research of New York Times reporter William H. Honan along with professional art sleuth Willi Korte and others helped to discover missing medieval treasures being stored in Texas. Corruption, deception, and greed all played roles in the case that was turned into a book called Treasure Hunt.

When stolen art is not used for viewing pleasure it may be stored in safe deposit boxes and vaults in banks all over the world. Switzerland is reportedly notorious for accepting claims of ownership with little to no evidence. Swiss collectors evidently acquired — and even facilitated — sales of many works stolen by Nazis during World War II. The unsavory attitude of some members of the United States government towards Nazi theft, such as Treasury Department official James F. Scanlon, is evidenced in one of his reports stating, “The term ‘looting’ is hardly applicable to German practice of acquiring art objects in France. It was quasi-legal acquisition.”

Those persons most adversely affected by the looting of artworks are logically the original owners and their heirs. Homes and offices were ransacked when owners fled — known in Communist parlance as “abandonment” — from the Nazi, Communist, and revolutionary regimes.

RECOVERING Looted Artworks

The process to recover stolen artworks is expensive and lengthy. There are generally finders’ fees and other commissions charged for locating and recovering art. In addition to the monetary and emotional burden on the victims, they are faced with public charges of extortion and lying. An attorney in a famous restitution case complained about the claim on his client’s art-

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2. The most commonly-used databases are The Art Loss Register and Swiftfind.
3. Ibid.
6. Ibid.
work asking, “how many generations will be permitted to reclaim works stolen by the Nazis?”

Locating missing or stolen art is a difficult task and often requires the help of art experts and investigators. Two of the most renowned investigators are Willi Korte and Clemens Toussaint. Dr. Korte is a German attorney and art historian. He specializes in World War II military archives and founded the Holocaust Art Restitution Project (HARP). Two of his nicknames are “No Shit Sherlock” and “Indiana Jones.” Among the many works he has helped to locate is “Olevano” by Alexander Kanoldt. In an ideal resolution to this case, the National Gallery in Berlin accepted that “Olevano” had been sold under duress in 1935. They returned the piece to the original owner’s heirs. Clemens Toussaint is also German and an art historian. His approach to stolen art is similar to that of genealogical research. His obsession is unraveling the lives of the looting victims as well as that of the thieves. Toussaint cuts no deals with families of Nazi background.

Sadly, even art investigators are not immune to corruption. Jonathan Petropoulos, John V. Croul Professor of History at Claremont McKenna College, was disgraced when his shady deals became public knowledge. As an academic and researcher, he maintained an odd long-term relationship with Bruno Lohse, the German art dealer appointed by Nazi Hermann Göring to acquire looted art. Petropoulos and his partner Peter Griebert informed Gisela Fisher that they had located her looted art but would not tell her where it was until she agreed to sign a contract paying them a finder’s fee. Fischer, heiress to looted Camille Pissarro’s “Le Quai Malaquais et L’Institut,” sued Griebert for “demanding with menaces.” Authorities intercepted communications to Griebert where Petropoulos asserts, “She simply cannot recover the painting without us. ... She needs us ... we hold all the cards right now.” Interestingly, authorities located the painting during a raid on Bruno Lohse’s bank vault as a consequence of a Liechtenstein trust’s connections to money laundering and tax evasion.

**LOOTED CUBAN ARTWORKS**

Art looted in Cuba is as enmeshed in a tangled world of corruption and greed as Europe’s. The increased interest in pre-1959 Cuban artists has created an industry of fakes and forgeries. Some of the most commonly falsified and forged works are by Wilfredo Lam, Tomás Sánchez, Mario Carreño, and Amelia Peláez. The number of pieces involved suggests that “the traffic in forged Cuban works is now the domain of organized networks, operating on an international scale.” Fakes and forgeries decrease the confidence of potential buyers and consequently lower Cuban art values. This affects looting victims who may recover their artworks, but need to sell them to pay their bills. The costs of locating and recovering the art may exceed the monetary value.

One of the best known confiscated art collections in Cuba belongs to the Fanjul family (see Appendix). Like thousands of families, the revolutionaries forced the Fanjuls to flee the island leaving behind all their belongings. The family’s art largely landed in the Museo de Bellas Artes in Havana.

Other pieces have surfaced in auctions and museums, however. The Fanjuls owned several works by Joaquín Sorolla y Bastida one of which, “Castillo de Málaga,” was the target of a United States Department of State Helms-Burton investigation early in 2009. Sotheby’s asked Sorolla’s great-granddaughter to authenticate the painting and she, in turn, alerted the Fanjul family. Although the family registered the piece with The Art Loss Register and wrote letters to Sotheby’s, the auction house continued to hold the painting. The painting’s possessor is reportedly Bruno Scaioli, who is rumored to provide Sotheby’s with works of dubious

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7. In the documentary *Making a Killing* by Anne Webber.
10. Ibid.
It is possible that those in possession of looted art from Cuba will either take heed of the Fanjul family’s actions or keep the art in hiding so as not to draw attention to their corrupt practices. However, if and when looting victims hire savvy investigators and take necessary steps to protect their property, possessors should beware. It seems likely that lobby groups, public relations campaigns and other organized activities will play a role in bringing attention to this issue. The best part about this being the only type of recoverable property while the Castro regime remains in power is: there is no need to wait.

APPENDIX

**Fanjul Confiscated Art Collection**

**PAINTINGS AND OTHER WORKS BY JOAQUÍN SOROLLA Y BASTIDA**

1. Estudio para “Vuelta de la Pesca” (Sketch for “Back from Fishing”)
   Dated: 1894; Signed: J. Sorolla B.; 67.5 x 47 cm.

2. Gitana (Gypsy Girl)
   Dated: 1899; Signed: J. Sorolla y Bastida; 107 x 77 cm.

3. Barcas en un Canal (Boats in a Channel, in the Albufera)
   Dated: (probably painted between 1895 and 1900); Signed: J. Sorolla Bastida (lower left angle);
   on lower right angle: “A mi querido amigo Blasco, recuerdo de mi exposición — J. Sorolla B.”

4. Verano (Summer)
   (When bought by Mr. Gómez Mena from Lock Galleries, New York, in January 1952, title was “Al Agua” (To the Water)).
   Dated: 1904; Signed: J. Sorolla Bastida; 149 x 252 cm.

5. La Niña de las Uvas (Girl with Grapes)
   Dated: 1905; Signed: J. Sorolla y Bastida; 111 x 64.5 cm.

6. Clotilde Paseando en los Jardines de La Granja (Clotilde taking a walk in La Granja Gardens; Clotilde was Sorolla’s Wife)
   Dated: 1907; Signed: J. Sorolla Bastida; 170 x 100 cm.

7. Valenciana Recogiendo Naranjas (Valencia Girl Picking Up Oranges)
   Dated: 1908; Signed: J. Sorolla; 106 x 157 cm.

8. Regatas (Regattas; appeared in the Gómez Mena collection as “Regatta Day, San Sebastián”)
   Dated: 1908; Signed: J. Sorolla Bastida; 121 x 201 cm.

9. Generalife (Granada; appeared in the Gómez Mena collection as “Fuente de Generalife” Generalife Fountain)
   Date: 1910; Signed: J. Sorolla; 105 x 81.5 cm.

10. Habitaciones de los Reyes Católicos en la Alhambra, Granada (Room of the Catholic Kings in the Alhambra, Granada; appeared in the Gómez Mena collection as “Generalife Door” (Puerta del Generalife))
    Dated: 1910; Signed: J. Sorolla; 109 x 86 cm.

11. Castillo de Málaga (Málaga Castle; formerly titled
"Rincón de la Victoria, Málaga" (“Victory Corner,
Málaga”); appeared in the Gómez Mena collec-
tion as “Málaga Port” (Puerto de Málaga))
Dated: 1910; Signed: Málaga, J. Sorolla; 63 x 95
cm.
12. San Sebastián (Paleta) (San Sebastian—Palette)
Dated: 1911; Signed: A Carmen de Artal, J. Sorol-
la; 34.5 x 59.5 cm.
13. Isabelita
15 ½ x 12 ½ “
14. En la Playa, Valencia ((At the Beach, Valencia);
this painting was bought by Mr. Gómez Mena
from Lock Galleries, New York, on November 15,
1950)
Signed and dated: 1898; 22 ½ x 33 ½ “
15. Ceramic round plate, 9 ½” diameter, oil painting
of a woman’s face — Rome.
16. Mujeres Pintando y Cosiendo (Women Painting
and Sewing)
A sketch
17. Pescador Cosiendo la Vela (Fisherman Sewing a
Sail)
A sketch
18. Mujeres Comprando Pescado (Women Buying
Fish)
A sketch

PAINTINGS BY PAUL CHABAS
19. Aurora (Dawn)
Large painting, misty subject, with nude figures.
20. Retrato de Niña ((Girl Portrait); portrait of Lil-
lian Gómez Mena, Mr. José Gómez Mena’s
daughter, as a child)
30 3/8 x 39 3/8”

PAINTING BY MANUEL BENEDITO Y VIVES
21. Escena Mitológica (Mythological Scene)
Small painting depicting women in a cart with oxen

PAINTING BY GIOVANNI BOLDONI
22. Mujer Andaluza (Andalusian Woman)

PAINTINGS BY ANTONIO CASANOVA Y
ESTORACH
23. Figuras — Board (Figures)
Small painting

24. Cabeza de Fraile — Board (Friar’s Head)
Small painting

PAINTING BY RAMÓN CASAS Y CARBÓ
25. Flora con Claveles Rojos (Flora with Red Carna-
tions)
Large painting

PAINTING BY JEAN BARIEL DOMERQUE
26. Desnudo (Nude)

PAINTINGS BY FRANCISCO DOMINGO Y
MARQUÉS
27. El Peligro Amarillo (The Yellow Peril)
Medium sized painting
28. Meriendas y Cacerías — Board (Picnic and Hunt-
ing)
Small painting
29. Cabeza de Personaje Antiguo (Head of an Old
Character)
Small painting

PAINTINGS BY ROBERTO DOMINGO Y
FALLOLA
30. Una Capea — Gouache (Waving a Cape)
31. Fortuna en un Molinete — Gouache (Fortuna, a
Famous Matador, in a Flourish)

PAINTINGS BY MARIANO FORTUNY Y
MARSAL
32. Papagayos — Board (Parrots)
Oil on board
33. Caballero Español, Siglo XVIII (Spanish Cavalier,
XVIII Century)
Small watercolor
34. Parque del Buen Retiro ((Buen Retiro Park, Ma-
drid); title in the Gómez Mena collection: Parque
del Retiro, Madrid; has name Fortuny in a circle)
30.5 x 46 cm.

PAINTING BY JOSÉ GARCÍA Y RAMOS
35. Peregrinos en Santiago de Compostela — Board
(Pilgrims in Santiago de Compostela)
Small painting with figures and the famous cathe-
dral in the background
Painting by Manuel García y Rodriguez
36. Sevilla (Seville)
Small painting depicting a place in Seville
Painting by Antonio Gomar y Gomar
37. Huerta de Valencia (Valencia Vegetable Garden)  
   Good sized elongated painting  
   Paintings by Daniel Hernández y Morillo
38. Frilleuse — Oil on board (Chilly)  
   13 5/8 x 21 5/8”

PAINTING BY HULDHAH
39. La Modistilla (The Little Seamstress)  
   Painting by Ricardo López Cabrera
40. Muchacha Regando Flores — Board (Girl Watering Flowers)

PAINTING BY JOSÉ LLANECES
41. El Libro Verde (The Green Book)  
   Painting by Raimundo de Madrazo y Garreta
42. Aurora (a medium-sized portrait of a blonde woman with tilted head)  
   65.4 x 54.8 cm.

PAINTING BY SALVADOR MARTÍNEZ Y CUBELS
43. Hórreo (Granary or Barn on Pillars)  
   A large painting

PAINTING BY JOAQUÍN MIR Y TRINXET
44. Paisaje de Palma de Mallorca (Palma de Mallorca landscape)  
   62.5 x 79.5 cm.

PAINTINGS BY JOSÉ MONGRELL Y TORRENT
45. El Requiebro (Flirtation)  
   A large painting
46. A Vender Pescado (To Sell Fish)  
   A large painting

PAINTINGS BY IGNACIO PINAZO Y CAMARLENCH
47. Niños (Children)  
48. Niños (Children)
49. Cabeza Infantil (A Child’s Head)

PAINTINGS BY FRANCISCO PRADILLA Y ORTIZ
50. Triste Vida — Board (Sad Life)  
   A small painting; 24 x 37.3 cm.
51. Antiguas Torres y Murallas Árabes de Granada —  
   Board (Ancient Arab Walls and Towers in Granada)

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A small painting

PAINTING BY RAMÓN RIBERA Y CIRERA
52. Escena Parisiense — Board (Parisian Scene)  
   20 x 21 5/8”

PAINTINGS BY SANTIAGO RUSIÑOL Y PRATS
53. Jardines de Aranjuez (Aranjuez Gardens)  
   A large painting; 108.8 x 134.7 cm
54. Jardines de Aranjuez (Aranjuez Gardens)  
   A large painting; 97.7 x 77.3 cm
55. Almendros en Flor en Mallorca (Flowered Almond Trees, Mallorca)  
   No date; Signed: S. Rusiñol; 118 x 137.5 cm

PAINTINGS BY SALVADOR SÁNCHEZ BARBUDO
56. Fiesta en Venecia (Feast in Venice)  
   Large painting
57. Húsares y Mujeres en un Café de París — Board  
   (Hussars and Women in a Paris Café)  
   Small painting

PAINTINGS BY SCEVOLA
58. Flores (Flowers)

59. PASTEL PAINTING (NO INFORMATION)  
   Painting by Maurice Utrillo
60. Montmartre (urban landscape)

PAINTING BY JOSÉ VILLEGAS Y CORDERO
61. Mímosa (Pampered)

PAINTING BY IGNACIO ZULOAGA Y ZABALETÁ
62. Retrato de Mlle. Marcelle Souty ((Portrait of  
   Mlle. Marcelle Souty); this painting was bought  
   by Mr. Gómez Mena from Lock Galleries, New  
   York, on November 5, 1957)  
   77 x 52”

PALETES
The Fanjul family collection in Havana included 32 palettes with oil paintings by Spanish artists, among them: Zuloaga, Sorolla, Anglada Camarasa, Domingo Marqués, Pradilla, Casanova, Benedito, Sánchez Barbudo, Sotomayor, Chicharro, Martínez Cubelles, García Ramos, López Mequita, Rusiñol, Ricardo Madra-
zo, Raimundo Madrazo, José Benlliure, Mariano Benlliure, Vila Prades, Mongrell, etc. In addition to the above collection of palettes with paintings by Spanish artists, there were two palettes, one by Scevola and another by Jacques Marie.

**OTHER PAINTINGS**

1. One album with watercolors by Roberto Domingo
2. One album with watercolors by Francisco Domingo Marqués
3. A large collection of painted postcards (Oils, gouaches and drawings) by Spanish painters, over 200 postcards, many of them framed as miniature pictures.

**DRAWINGS**

1. Octavio Amiconi, St. Elizabeth kneeling before virgin and child
2. Bartolomé Murillo
3. Giulio Romano, Rape of Proserpine
4. Americhi Michelangelo
5. B. Castiglione, Driving home the flock
6. Raimond de la Page, John the Baptist
7. A. Castiglione, Landscape
8. Carlo Marratti, Vision of St. Anthony
9. F. Solineri
10. Caravaggio
11. Guido Reni
12. Luca Giordano, Ascension of the Blessed Lord
13. Giuseppe Baldini, A saint distributing alms
14. Francisco Zurbaran
15. Bartolomé Murillo, A saint, infant Christ and Cherubs
16. Raffaele Sanzio d’Urbino
17. Michelangelo, Frontispiece with pencil sketch
18. Also a collection of 13 old prints depicting the capture of Havana by a British fleet in 1762.

Drawings and paintings formerly part of the Countess of Camargo’s collection, half of which were left to Lillian Gómez Mena (Mrs. Fanjul), and half to a cousin of Lillian Gómez Mena, Francisco Vivez Gómez

**HUBERT ROBERT (1733–1808)**

1. El Columpio (The Swing)
2. La Gran Cascada de Tivoli (The Great Waterfall at Tivoli)

**LOUIS TOCQUE (1696–1772)**

3. Retrato de Dama (Lady’s Portrait)

**J.M. NATTIER (1685–1766)**

4. María Lezzinska
5. Retrato de Dama (Lady’s Portrait)

**J.F. BOUCHER (1704–1770)**

6. Alegoria (Allegory)
7. Motivo Galante (Gallant Scene)
8. Motivo Galante (Gallant Scene)

**ESCUELA FRANCESA S. XVII**

9. El Barón de Rym (Baron Rym)
10. La Baronesa de Rym (Baroness Rym)

**CHARLES LEBRUN (1619–1690)**

11. Luis XIV (Louis XIV)

**NICOLAS DE LARGILLIERE (1656–1746)**

12. Retrato de Dama (Lady’s Portrait)

**VIGEE LEBRUN (1755–1842)**

13. Retrato de Jovencita (Young Lady’s Portrait)

**JOHN HOPPNER (1748–1810)**

14. Mrs. Cholmondeley

**GIOVANNI B. PIAZZETTA (1582–1754)**

15. La Hilandera (The Spinner)

**MELCHOR DE HODECOETER (1636–1695)**

16. Gallo y Gallinas (Cock and Hens)

**ESCUELA HOLANDESA S. XVII**

17. Naturaleza Muerta (Still Life)

**ESCUELA FLAMENCA S. XVII**

18. Retrato de Dama (Lady’s Portrait)

**BARTOLOMÉ E. MURILLO (1618–1683)**

19. Virgen con el Niño (Virgin with Child)

**JAN VAN HUYFUMS (1737)**

20. Primavera de la Vida (Spring of Life)

**JEAN PILLEMENT (1728–1808)**

21–27. Paisajes (Landscapes)
28–33. Diseños de Flores para Telas (Flower Designs for Fabrics)
GILES DEMARTAU (1722–1803)
34. Amorcillo (Little Cupid)

GIOVANNI BOLDINI
35. Portrait of María Luisa Gómez Mena de Cagiga, Countess of Revilla de Camargo
   A three quarters portrait

IGNACIO ZULOAGA Y ZABALETa
36. Portrait of Eugenia Vila de Gómez Mena (Mother of Mr. José Gómez Mena and of Countess Camargo)
   A full-length portrait
Colección de Grabados Europeos siglos XVIII y XIX
(Collection of European engravings, 18th and 19th centuries)