

## Berlin museum seeks return of ancient gold tablet (Update 4)

October 14 2013, by Michael Virtanen

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Attorney Steven Schlesinger argues that a Holocaust survivor Riven Flamenbaum's family be able to keep an ancient gold tablet that their late father somehow obtained in Germany after World War II, on Tuesday, Oct. 15, 2013, at the New York State Court of Appeals in Albany, N.Y. Schlesinger argued that Flamenbaum's estate has a legal claim, whether he bought the relic from a Russian soldier whose government authorized pillaging or simply took it to compensate for losing his family at the Auschwitz concentration camp. (AP Photo/Mike Groll)

A Holocaust survivor's family urged New York's highest court Tuesday to let them keep an ancient gold tablet that their late father somehow obtained in Germany after World War II.

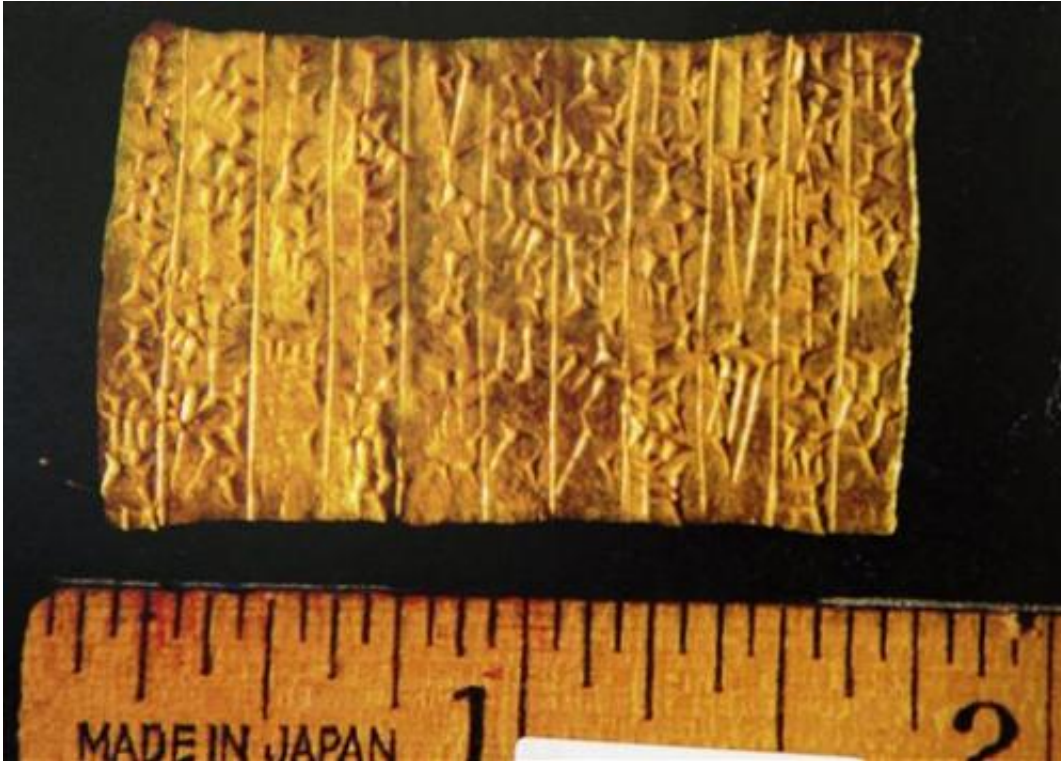
Attorney Steven Schlesinger argued that the estate of Riven Flamenbaum has a legal claim, whether the native of Poland bought the relic from a Russian soldier or simply took it to compensate for losing his family at Auschwitz, the concentration camp where he spent several years.

"Under the Soviet rules at the time, there was permission to pillage and plunder," Schlesinger said. "My client could have taken it in retribution."

The tablet was in the collection of the Vorderasiatisches Museum, a branch of the Pergamon Museum in Berlin, before the war. The family argued that the museum's failure to reclaim the tablet for 60 years was an unreasonable delay, undercutting its claim. Schlesinger said Flamenbaum had been told by Christie's in 1954 that the small tablet was a fake and kept it at home. It's now in a safety deposit box on Long Island.

Museum attorney Raymond Dowd said the absence of the 3,200-year-old relic was quickly noted by the museum, later reported by scholars and widely known.

"There's no such thing as a right of pillage," Dowd said. "Reparation has nothing to do with this case."



A handout photocopy from court records shows the 3,200-year-old gold tablet at the center of a court case between a Holocaust survivor's family and a Berlin museum on Tuesday, Oct. 15, 2013, in Albany, N.Y. Attorney Steven Schlesinger said Tuesday, Oct. 15, 2013 that the estate of Riven Flamenbaum has a legal claim, whether the Polish man bought the relic from a Russian soldier or simply took it to compensate for losing his family at Auschwitz. (AP Photo/New York State Court of Appeals)

Who gets it is up to New York's Court of Appeals, where the seven judges grilled both lawyers Tuesday. A ruling is expected next month.

The 9.5-gram (.34-ounce) tablet was excavated a century ago by German archaeologists from the Ishtar Temple in what is now northern Iraq. It went on display in Berlin in 1934, was put in storage as the war began and later disappeared.

"It could fit in the palm of your hand," said Hannah Flamenbaum. "We played with it as children."

Her father met her mother, another Holocaust survivor, at a relocation camp after the war. By his accounts he traded cigarettes or a salami for it. The couple came to the U.S., where her father went to work for a Manhattan liquor store and later bought the store, settling in Brooklyn, raising three children and later moving to Long Island, she said.

"He never tried to sell it. ... This was sort of the legacy of his suffering in the camps," she said. "The thought was if we're allowed to retain it, put it on display in one of the museums, whether down here in Battery Park City in Manhattan or even in Israel. Use it as a way to talk about the Holocaust ... and my parents' story."

According to court documents, the tablet dates to 1243 to 1207 B.C., the reign of King Tukulti-Ninurta I of Assyria. Placed in the foundation of the temple of a fertility goddess, its 21 lines call on those who find the temple to honor the king's name.



Attorney Raymond Dowd argues on behalf of a Berlin museum that an ancient gold tablet that a Holocaust survivor somehow obtained after World War II be returned to the museum, Tuesday, Oct. 15, 2013, at the New York State Court of Appeals in Albany, N.Y. Riven Flamenbaum's family is trying to keep the 3,200-year-old relic, arguing the museum forfeited any claim to ownership by waiting 60 years to seek its return. (AP Photo/Mike Groll)

The tablet was excavated by German archaeologists from about 1908 to 1914 in what was then the Ottoman Empire, with Germany giving half the found antiquities to Istanbul, Raymond Dowd, the museum's lawyer, said. The modern state of Iraq has declined to claim it, he said.

In 1945, the Berlin museum's premises were overrun, with many items taken by Russia, others by German troops and some pilfered by people who took shelter in the museum, Dowd said. The museum director was

not in a position to say who took it, only that it disappeared.

One recent estimate put its value at \$10 million, Schlesinger said.

Lower courts in New York were split on the decision, leading to the latest appeal.

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Citation: Berlin museum seeks return of ancient gold tablet (Update 4) (2013, October 14) retrieved 11 May 2024 from <https://phys.org/news/2013-10-dispute-ancient-gold-tablet-court.html>

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