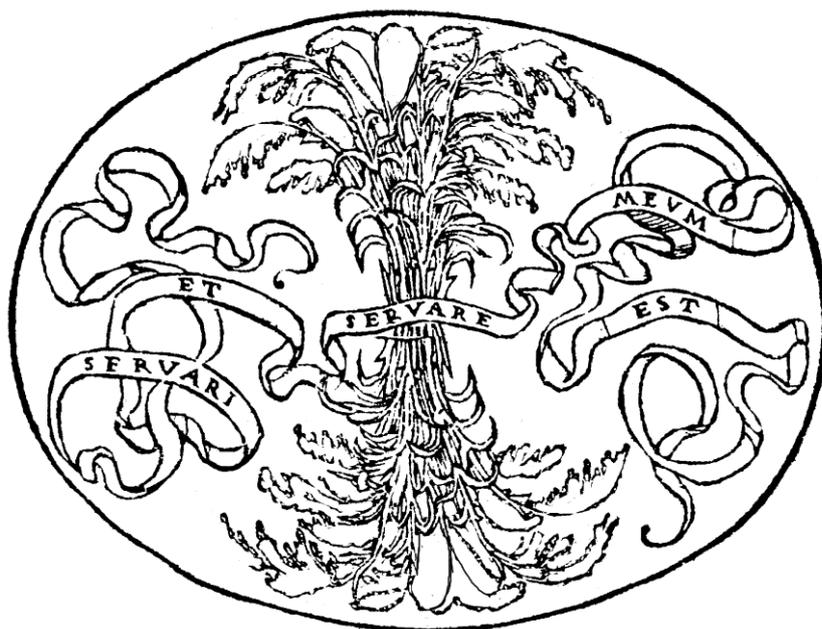


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RODOLFO SIVIERO BETWEEN FASCISM AND THE COLD WAR: NEGOTIATING ART RESTITUTION AND ‘EXCEPTIONAL RETURNS’ TO ITALY AFTER SECOND WORLD WAR¹

1. Thirty years of investigations into displaced artistic property

Very little can be accurately asserted about Rodolfo Siviero’s (1911-1983) alleged early enrolment in the Florence section of the Fascist party around 1936. This circumstance appears, based on recent contributions and on Siviero’s own accounts, to have served as a springboard for unspecified, brief intelligence missions in Nazi Germany, possibly in 1937-1938². Yet, with no clear-cut sources available, his historiography follows him by resurfacing alongside the Italian Resistance Movement in the early ‘40s. With no evidence as to his true *modus operandi*, he is said to have recruited people on a voluntary basis from both military and civil service (members of *Comitato di Liberazione Nazionale*, partisans, undercover agents, *Carabinieri* officers, civilians and religious personnel). Since the Monuments, Fine Arts, and Archives unit (MFAA) had yet to land on Italian soil, and before a new Italian army reorganized itself alongside the Allies after 1943, Siviero and his associates initially fell under the authority of the Allied High Command in the Mediterranean theatre. Their activities included following the routes taken by German lorries loaded with works of art, spying on enemy communications and reporting to Allied authorities and partisans, thus preventing new seizures and possible destruction of cultural property³. The Italian agency that had run the management and sale of Fascist-seized and confiscated property since 1938 (*Ente di gestione e liquidazione immobiliare, EGELI*) was also among the art unit’s targets. Most notably, all these activities resulted in the collection and production of documents bearing witness to displacements and dispossessions as well as to related military and governmental orders issued by Nazi and Fascist officials⁴. Papers were initially kept in Florence. It was there that Siviero had his first headquarters, located in the house of the Fine Arts official and member of the Recoveries office, Giorgio Castelfranco, of Jewish origin, who left his house to Siviero when he fled the city⁵. Since Siviero’s death in 1983, the house – which Giorgio Castelfranco sold him outright after the war – has become a museum run by the Regione Toscana. Nowadays some records and Siviero’s collection of newspapers and magazine excerpts are still kept there. And despite their limited extent they cast precious light on his undertakings⁶.

¹ This paper was featured in the programme of the international workshop on *The Transfer of Jewish-owned Cultural Objects in the Alpe Adria Region*, held on 18th and 19th September 2017 at the IMT School for Advanced Studies in Lucca. See <https://www.transcultaa.eu/2017/07/27/conf-the-transfer-of-jewish-owned-cultural-objects-lucca-18-19-sep-17>, <March, 2018>.

² Siviero’s diaries n. 3-8, 1938-1943 (AADFi), BOTTARI 2013.

³ SIVIERO 1984, ARANGIO RUIZ–MOLÈ–LONGHI 1962.

⁴ Like those sent from the office of the SS Reichsführer Himmler to the various *Kunstschutz* personell in Italy, via the local SS Kommando (SIVIERO 1984).

⁵ Born in Venice in 1896, Castelfranco had been working in the Fine Arts administration since 1926. Among his appointments are those of chief of the *Soprintendenza medievale per la Toscana* and of director of the Pitti Museum in Florence. In late 1942 he was forced to sell his collection of paintings and drawings by Giorgio De Chirico (a close friend of his) and to flee Florence. In 1943 he was appointed Fine Arts official and then director general of the Badoglio government. He moved to Rome the following year and, among other things, worked with Siviero for the retrieval of displaced artworks. See for instance *GIORGIO CASTELFRANCO* 2015; *GIORGIO CASTELFRANCO DA LEONARDO A DE CHIRICO* 2014.

⁶ For a review of press clippings and other documents in the archive of Museo Casa Siviero see ZARU 2015-2016.

Soon after the liberation of Rome in June 1944, with the Kunstschutz personnel⁷ moving north and the MFAA now in charge of safeguarding initiatives⁸, Siviero ultimately moved his office to the capital. Meanwhile, he continued overseeing intelligence operations in occupied areas and exchanged information with the US Monuments unit. In order for his office to be properly accredited and to work with Allied authorities, the Italian government granted it institutional status in 1945 under the authority of the new Ministry of Public Education. This ran parallel to a short-lived attempt by the minister Vincenzo Arangio Ruiz to set up, in the spring of 1945, a commission for retrieving works of art taken by the Nazis. The art historian and professor Lionello Venturi, who fled to Paris in 1931 after refusing to swear allegiance to the Fascist party and lived in New York from 1939 to 1944, was deemed ideal for the role⁹. A note to the ministerial decree that, in June 1945, appointed him underscored the importance of a Venturi and Siviero collaboration¹⁰. Yet, the overall lack of coordination between Italian and American authorities with regard to the retrieval of works of art from depots in Northern Italy and Austria led to Venturi stepping down after only a few months, in July 1945¹¹. Thus, notwithstanding Siviero's early affiliation with the Fascist party and his alleged activity in Germany¹², he was eventually allowed by his government to keep running his office for recoveries. Indeed, the information collected during those years proved crucial to run investigations into displaced artworks and collections. Furthermore, an Italian mission for restitution was set up under the Ministry of Foreign Affairs as soon as the US military government in Germany started admitting national attachés to Central Collecting Points (1946 ca.).

From 1945 onwards, Siviero also made a point of reaching out to the Italian and Allied agencies dealing with dispossessed Jewish property¹³. They included EGELI (tasked after the war with processing restitution applications), ARAR (the agency set up in October 1945 for collecting and selling war remnants), the Allied CEM unit (Captured Enemy Material) and the Allied Jewish Property Control offices (active in the districts previously controlled by the Reich, the Operationszonen of Tyrol and Alpe-Adria). As a result, a good deal of Judaica, Jewish-owned objects and other valuables were spared from auction, which ARAR authorised as soon as 1946¹⁴. Furthermore, throughout the 1960s and the 1970s, Siviero's office offered support to Italian Jewish communities attempting to document the widespread destruction and looting of synagogues, libraries and Jewish private property. The 2001 Anselmi

⁷ The Kunstschutz section was set up in 1940 as the Wehrmacht's art protection branch. It was responsible for documenting and sparing monuments and other artistic material in occupied areas from war damage. Notwithstanding a general compliance with military and SS orders that resulted in several art lootings, it nonetheless assisted Italian officials with art transfers and other operations. FRANCHI 2012.

⁸ Apparently the first MFAA *Memorandum on German and Italian Activities with Regard to Works of Art in Italy* is dated 30th September 1944. See NARA, Holocaust Collection, Records of the American Commission for the Protection and Salvage of Artistic and Historical Monuments in War Areas (The Roberts Commission), 1943-1946/ MFAA Field Reports/ Report On German & Italian Activities In Italy Prior To Occupation Of Rome; Report On MFAA Officers In Normandy [AMG-49].

⁹ See for instance TAURASI 2011; LIONELLO VENTURI 2006.

¹⁰ ROVATI 2005, p. 270.

¹¹ ROVATI 2005, pp. 277-280.

¹² In a letter dated 26th September 1945 to the President of the Council of Ministries of the Kingdom of Italy, Ferruccio Parri, the then Sottosegretario alle Belle Arti Carlo Ludovico Ragghianti refers to Siviero as still a member of the Fascist Servizio Informazioni Militari (SIM). In another letter to the Italian President, Fernanda Wittgens, the then director of the Brera Academy, joins Ragghianti in dubbing Siviero «soldatuccio del SIM». See ROVATI 2005, pp. 280-282. See also RAGGHIANI 2010.

¹³ See for instance a note by Siviero of September 26, 1946 to the Ministries of Education and Foreign Affairs, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8).

¹⁴ This was indeed the case of the silverware belonging to the Milan Jewish Community, recovered in 1948 from an ARAR depot. See *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI] 2001, L'OPERA RITROVATA 1984*, <https://www.lootedart.com/MFEU4H81573>, <August, 2019>. See also below section 4.

Commission¹⁵ report mentions, for instance, the survey on the topic Luisella Mortara Ottolenghi¹⁶ sent to Siviero in November 1976 on behalf of the Italian Union of Jewish Communities (UCEI)¹⁷. Notwithstanding several detailed inventories, the draft catalogue specifically dedicated to missing Jewish property Siviero put together is still unpublished. Nevertheless, documentation of this kind can be found among the Commissione Anselmi's papers in the Central State Archive (ACS) as well as in the archive of the old Office for recoveries, both located in Rome. The latter maintains several folders documenting the fate of objects and furniture belonging to synagogues throughout Italy¹⁸.

With regards to the recovery of artworks amassed at the US-run Collecting Points in Munich, Wiesbaden and Offenbach, the fragile diplomacy of the second half of the 20th century and the multifaceted role of Italy in the conflict strongly affected Siviero's means of negotiation. As a matter of fact, the US military and civil authorities promptly handed back to Italy a great deal of what Nazis had looted and seized after the 1943 occupation of the country. Furthermore, Washington proved keen to also meet Siviero's demands for works that had been sold or given to Germany by Italian authorities beginning in the late '30s. Indeed, documents from the Munich CCP attest to a temporary US endorsement of the latter category¹⁹. These so-called 'exceptional returns' concerned artworks that ended up in Germany before 1943 partly as a result of Nazi-Fascist political ties²⁰. This is the reason why they did not easily fit into official Allied restitution policies²¹. Yet, the US allowed Italy to get back also these artworks, so as to shore up the pro-western results of the 1948 general election for the first republican parliament²². Afterwards, Washington grew progressively distrustful of Italian demands, fostering an escalating row between Siviero and the Munich personnel that ultimately brought him into severe disrepute within the US administration and at home. Nevertheless, throughout the '50s and the early '60s, he led negotiations with German and Yugoslav delegates in order to strike international agreements for the handing over of displaced cultural and historical items²³.

As he himself would state, the 1960s also meant for Siviero increasing political hostility from his own government and administration. This resulted in various attempts by the Italian Ministry of Foreign Affairs to shut down the international branch of the Office for recoveries, at a time when joint initiatives with German representatives were still ongoing²⁴. Furthermore, the launch of the Comando Tutela Patrimonio Culturale of the Carabinieri police in 1969 caused an overlap of the competencies and activities of the two bodies. Mounting tensions

¹⁵ The Anselmi Commission, so called by the name of its head, Tina Anselmi, was a parliamentary commission established on December 1st 1998, with the task of reconstructing the events concerning the acquisition of Jewish assets in Italy by both public and private bodies.

¹⁶ The art historian Luisella Mortara Ottolenghi (1930-2017) was a member of the Jewish Union's council and vice president of the Jewish Contemporary Documentation Centre in Milan.

¹⁷ The full document is currently missing. Only a few attachments referring to some Italian cities are to be found in the UCEI archive (*RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, p. 148, note 6).

¹⁸ As stated in *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, pp. 159-161.

¹⁹ See records concerning the Central Collecting Points (Ardelia Hall Collection) in NARA's Holocaust Collection freely available at <https://www.fold3.com/browse/115>, <April, 2018>.

²⁰ PELLEGRINI 2017; COCCOLO 2017.

²¹ FOCARELLI 1997; KURTZ 2006.

²² NARA, Holocaust Collection, Records Concerning the Central Collecting Points (Ardelia Hall Collection) - Munich Central Collecting Point, 1945-1951/ Restitution Claim Records/ Italy Claims – Correspondence, pp. 36, 54.

²³ See for instance the Agreement between the Italian Republic and the Socialist Federal Republic of Yugoslavia for the restitution of cultural property to Yugoslavia, Rome, 15th September 1961. Its Italian version is attached to the Italian Presidential Decree of 22nd December 1961, n. 1667 providing for its implementation. The Decree n. 1667 is available at www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.del.presidente.della.repubblica:1961-12-22:1667:vig=, <April, 2018>.

²⁴ SIVIERO 1984.

with Siviero's office eventually led to the end of the latter as the main reference point in the search for and recovery of displaced cultural property in Italy. On top of that, the retrieval by Siviero of an illegally exported portrait, attributed to Raphael, from the Boston Museum of Fine Arts in 1971, and its worldwide echo, seriously hindered diplomatic relations between Italy and the US²⁵.

In 1987, four years after Siviero's death, the Office and the Delegation for recoveries officially ceased to operate. Yet, all the documentation produced and collected during its thirty years of activity remained in the very same building where a Commission for recovery ran anew for about a decade (1995-2006). The rooms in Palazzo Venezia where Siviero lived and worked, and where all his records were still kept when I last consulted them in 2017, hosted a conservation unit (the Siviero Archive) under the Italian Minister of Foreign Affairs. In 2019 these rooms were reportedly emptied of all the documents, whose current whereabouts I am yet to verify. Nevertheless, the archive always provided support to the Carabinieri Comando Tutela and still does.

2. *The Adriatisches Küstenland report*

Even if Siviero's grasp of the situation within the Operationszonen was not as thorough as his grip on the rest of Italy, he was nonetheless able to collect useful documents. Additional information came from inquiries and interrogation reports by the US MFAA and ALIU (Art Looting Investigation Unit), as a result of a collaboration during which both sides shared their field data going back to before the end of the war. This resulted in a fairly detailed survey Siviero compiled of the activities of the German art and monuments protection (Kunstschutz) unit in 1943-1945 in the *Operationszone Adriatisches Küstenland*²⁶.

Here, Siviero starts by giving two chief reasons for missing information. First, key Nazi players were not available for questioning. Among them, he specifically singled out Erika Hanfstaengl, who in 1943-1945 assisted the head of the Kunstschutz office Walter Frodl in Italy, and who after the war served as aide to the Munich CCP's American director Herbert Leonard²⁷. Secondly, Siviero laments the widespread displacements and dispersal of official records caused by the political turmoil in the Venezia-Giulia region. Despite this, he was determined to deliver as clear an idea as possible on the Denkmalschutz office's major operations and summed them up as follows: protecting monuments and collections from war damage (mostly in the form of assistance to the Italian Fine Arts personnel); a thorough photographic campaign reportedly run by Ms. Hanfstaengl herself with the technical support of, among others, the Udine photographer Brisighelli; and managing dispossessed Jewish property. With regards to the latter, Siviero underscores the stark difference in treatment between Italian and Austrian Jewish property. The latter was indeed administered as full

²⁵ As a direct consequence, the Boston leg of the visit to the US by the Italian prime minister Colombo and his minister of Foreign Affairs Moro was cancelled. See RATHBONE 2014, pp. 154-230, AADFi.

²⁶ *Relazione sulle attività dei tedeschi nel periodo 1943/1945 nella zona d'operazioni costiera dell'Adriatico, nel campo delle belle arti, biblioteche e archivi*, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8).

²⁷ See the section dedicated to Ms Hanfstaengl by Maria Tischner (Zentralinstitut für Kunstgeschichte, Munich) in FUHRMEISTER-WEDEKIND-TISCHNER 2017, pp. 44, 45. Maria Tischner further analysed Erika's role through a talk titled *Erika Hanfstaengl's Activities in Udine and Trieste from 1943 to 1945*, at the TransCultAA conference *Dispossessions of Cultural Objects between 1914 and 1989/1991. The Alpe Adria Region in Comparative Perspectives*, held in Ljubljana on 19th-21st March 2018 (from now on referred to as the TransCultAA Ljubljana Conference). The full programme of the conference is available at <https://www.transcultaa.eu/2018/02/27/programme-international-conference-in-ljubljana-march-2018>, <April, 2018>.

property of the Reich, seized at the free port of Trieste and either sold or, in the case of some works of art, earmarked by Kunstschutz's staff for museums in the Reich²⁸.

As for Italian Jewish collections, Frodl to some extent succeeded in keeping them on Italian soil by handing them over to local museums. For instance, the Udine City Museum is said to have received items belonging to five Jewish collections: Filippo Brunner²⁹, Oscar Luzzatto, the Jerusum family, Enrico Morpurgo and an owner whose identity is unknown. The Trieste City Museum reportedly received part of the collections of Mario Morpurgo and Pollitzer³⁰. More often than not, as was the case with part of Enrico Morpurgo's collection in Udine, SS squads and the Reich's Finance office acted without regard to the intention of the Kunstschutz to keep local collections in situ. Furthermore, Frodl himself provided for some items to be transferred to Carinthia at the request of the Supreme Commissioner for the *Adriatisches Küstenland* Friedrich Rainer. More specifically, these items came from the above-mentioned collections of Mario Morpurgo, Brunner³¹ and Pollitzer. From a note by Erika Hanfstaengl, which Siviero attached to his report along with several other German documents, one learns that she personally selected several of Pollitzer's paintings for the Klagenfurt Landesmuseum³². In another instance, a deposition by Palma il Giovane, said to belong to Edmondo Pollach, is reported as having been turned over to the bishop of Rijeka. Nevertheless, Siviero points out the generally low quality of objects involved, since private works of art listed in State registries had been pre-emptively stored elsewhere by Italian Fine Arts officials. Parallel to this, the spoil of Jewish and other libraries took place under the auspices of the Supreme Commissioner with the advice of personnel from the Viennese State Library. Principles of territoriality were apparently taken less into account compared to works of art, and a good deal of bibliographic material made its way to the Reich. Among them, the report mentions 700 volumes from a private Jewish library of regional relevance in Gorizia, those taken from the library of the Duino Castle, and other volumes belonging to a military library located in Pula³³.

3. Records on the Pincherle Collection³⁴ in the Siviero Archive

In 1947, Gino Pincherle, a lawyer from Trieste, brought his claim for lost artworks before the Direzione generale Antichità e Belle Arti. Paintings, etchings and other items were taken from his family villa on Via Giulia 55 soon after September 1943. Fine Arts officials

²⁸ See the essay by Anneliese Schallmeiner and Gabriele Anderl published in this «Studi di Memofonte» issue. The fate of the Austrian Jewish property taken from the free port in Trieste (dubbed Masse Adria) and later consigned to the auction house Dorotheum was also the focus of Katja Zirnsack's (Dorotheum Vienna) and Felicitas Thurn-Valsassina's (Dorotheum Vienna) talk at the TransCultAA Ljubljana Conference. This was titled *The Vienna Auction House Dorotheum and the 'Masse Adria': What We Know and What We Don't*. For a detailed insight into assets amassed at the Trieste free port see Anneliese Schallmeiner's (Bundesdenkmalamt, Vienna), Daria Brasca's (HERA) and Alben Zlatanova's (Nationalfonds, Vienna) work, presented at the Ljubljana Conference with the title: *Distribution of Shipments in a Transnational Perspective*.

²⁹ On recent developments in the research on the Brunner collection see the work of Margherita Colusso (University of Udine). Her research featured in the TransCultAA Ljubljana Conference programme with the title *Paintings from a Jewish Residence: New Findings*.

³⁰ *Relazione sulle attività dei tedeschi nel periodo 1943/1945 nella zona d'operazioni costiera dell'Adriatico, nel campo delle belle arti, biblioteche e archivi*, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8), p. 7.

³¹ *Ivi*, pp. 8, 28, 29.

³² *Ivi*, pp. 8, 30, 31.

³³ *Ivi*, pp. 9-11.

³⁴ For a more in-depth analysis of this case see the article by Cristina Cudicio published in this «Studi di Memofonte» issue. The research carried out by Cudicio was also part of the TransCultAA Ljubljana Conference programme, with the title *The Dissolution of a Jewish Collection: The Pincherle Family in Trieste*.

consequently advised him to reach out to Siviero's office, which he did in a letter dated the 8th of October 1947³⁵. At that time, Siviero was quite likely to have had no prior knowledge of this case, as suggested by the lack of reference to it within his 1946 report on the *Adriatisches Küstenland*.

Some months later, in June 1948, Pincherle himself was able to provide Siviero with relevant documentation³⁶. This comprised a copy of a valuation receipt for the German Finance department (Finanzabteilung) issued by the Trieste antiques dealer Umberto Michelazzi, who was in charge of cataloguing Pincherle's artworks and who the lawyer himself personally knew. The etchings, which a lawyer's previous notification attributes to Rembrandt and Dürer, do not feature in the Michelazzi list. Nonetheless, Pincherle himself apparently retrieved three wooden sculptures mentioned in the valuation receipt from the Trieste synagogue. Indeed, this is where the Reich's authorities amassed the majority of seized Jewish properties. Furthermore, among the ten oil paintings valued by the Italian dealer, some hints of subsequent investigations by the Siviero office can be found in its archive that refer to a *Tantalo* reportedly by Antonio Zanchi, a *Resurrection* by Palma il Giovane and a Venetian *Venus* (XVI-XVIII century). Along with Michelazzi's valuations, Pincherle also sent a copy of a sales receipt referring to five paintings allegedly belonging to the Trieste lawyer. The antiques dealer is again the estimator of the items, which the paper states as having been sold to the Adria Company³⁷ on behalf of the Niederdonau Supreme Commander Hugo Jury via a contract, dated 30th June 1944. Notwithstanding the clues these documents offered and despite investigative support provided by the Udine Carabinieri police, along with their Austrian counterparts³⁸, none of the above works were tracked down.

The correspondence between Pincherle and Siviero's office that has been found in the Rome archive ends in 1978. Siviero had already written to the lawyer in 1976, bitterly regretting that he had not been able to locate any of the lost paintings, while putting the blame on both his government and Austrian authorities³⁹. Indeed, two years before, in 1974, Siviero was granted access to the Mauerbach Kartause in the outskirts of Vienna by the Austrian judge Fellner. This was part of a 1970s governmental initiative through which Austria aimed at swiftly resolving all outstanding private claims for artworks the Munich Collecting Point eventually handed back to Austria. Siviero reports on the judge describing thousands of items stored in the Kartause. Yet, Vienna had resolved to set strict requirements for proof of ownership and to set a specific deadline for restitution requests (seemingly based on a 1969 Austrian law I am still trying to locate/identify). The list brought by the Italians before Austrian authorities in Mauerbach also featured Pincherle's painting. Still, there was no clear match between Pincherle's pieces and the few unidentified paintings Siviero was shown. Nevertheless, the labels on two of these Mauerbach paintings clearly proved that Italy had been their previous location. Due to the lack of documentation, though, in 1978 Austria ultimately rejected Italian demands⁴⁰.

³⁵ ARCHIVIO SIVIERO, folder n. 154, prot. 3/91, Coll. Pincherle.

³⁶ *Ibidem*.

³⁷ The company was created in 1943 by the Reich's authorities in order to manage and sell confiscated Jewish assets in the Alpe Adria Region (proceedings of sales in Italy ended up in the Supreme Commissioner's bank account). A great deal of this property was to be sent to Austria, and there mainly sold via the Dorotheum auction house or, as for some select artworks and books, distributed among regional museums, libraries and institutions (*RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001*; BRASCA 2017).

³⁸ ARCHIVIO SIVIERO, folder n. 281, prot. 3/91, Dipinto di Jacopo Palma il Giovane, *Resurrezione*.

³⁹ *Ibidem*.

⁴⁰ ARCHIVIO SIVIERO, folder n. 154, prot. 3/91, Coll. Pincherle.

4. *Closing remarks. What Fascist-Era provenance research?*

The most documented inquiries Siviero and his office carried out, starting in the 1940s, concern Nazi acquisitions before 1943 and the Nazi pillaging of artwork depots and private residences undertaken under military occupation, particularly in central Italy⁴¹. Targeted artworks were generally publicly-owned masterpieces and pieces from important private collections earmarked for or transferred to the Reich⁴². The fate of artistic property displaced within Italy is, to some extent, less well-documented. As noted above, the assistance Siviero gave to Italian Jewish communities in tracing Judaica and lost private property is attested to by various documentation. Indeed, along with Ms. Ottolenghi's report of 1976, the survey carried out in 2001 by the Anselmi Commission also mentions exchanges of letters between Siviero and the Chief Rabbi of the Rome Jewish community, Mr. Toaff, in 1966. Other letters cited by the Anselmi Commission show the appreciation of the Italian Union of Jewish Communities for his catalogue specifically dedicated to missing Judaica⁴³. Predictably, individual claims (i.e. Jewish or private claims brought directly) are not as well accounted for compared to claims presented through the intervention of Jewish communities. And as a matter of fact, Siviero's recoveries provide evidence of this issue.

In 1984, on the 40th anniversary of the Resistance movement, the City of Florence put on temporary display a part of the objects Siviero recovered that were still kept in Florence. The exhibition came one year after his death and was meant to commemorate his contribution to the retrieval of such masterpieces. *L'Opera ritrovata. Omaggio a Rodolfo Siviero* is the title of the exhibition catalogue. This was made up of 141 entries, out of which 24 read no provenance, whereas about 90 among the remainder refer to private collections⁴⁴. Notably, a majority of these 90 items consist in artworks either sold or presented to Germany before the military occupation of Italy (among them, some of the 'exceptional returns' of 1948). Nevertheless, under Italian law n. 77 of 1950⁴⁵, all items of artistic, historical or bibliographical relevance sold or otherwise transferred to Nazi authorities and German citizens between 1936 and 1945 and later returned to Italy became state property (art. 1). The law did not allow for any claims from previous owners who had sold artworks to Germany, be they private individuals, organisations or public institutions (art. 2). Yet, it is not clear whether these artworks ever underwent any provenance assessments once officially part of Italy's national heritage. The same considerations apply to possible (though unaccounted for) inquiries into unidentified property Siviero brought back from Germany, also in order to ascertain their Jewish ownership.

Apparently, these works were still on display in February 1987, when the Ministry of Culture (at the time, the Ministero per i Beni Culturali e Ambientali) set up a commission of

⁴¹ *L'OPERA DA RITROVARE* 1995.

⁴² Major masterpieces and collections transferred to Germany or left in Alto Adige came for the most part from Tuscan locations such as Montagnana (Florence), where pieces from the Uffizi and Pitti museums were, Poggio a Caiano (Prato), Dicomano (Florence), Poppi (Arezzo), Soci (Arezzo). Additionally, the Contini-Bonacossi collection was taken by German troops from an estate in Trefiano (Prato), whereas the Finally collection was found in a Florence house (NARA; SIVIERO 1984; FASOLA 1945). Outside Tuscany, one of the most famous German lootings occurred in the Montecassino monastery (Frosinone), soon before its bombing by Allied troops (on this topic see *Monte Cassino: The Story Of The Most Controversial Battle Of World War II*, by David Hapgood and David Richardson, 2002).

⁴³ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI] 2001*.

⁴⁴ *L'OPERA RITROVATA* 1984.

⁴⁵ Law 14th January 1950, n. 77, *Avocazione allo Stato del materiale artistico, storico e bibliografico recuperato in Germania e restituito allo Stato italiano dal Governo militare alleato*. Available in Italian at www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1950-01-14:77!vig=, <April, 2018>.

experts and tasked it with assigning these pieces to Italian museums and institutions⁴⁶. One year later, in 1988, a new ministerial decree ruled that the 141 items were to be assigned to various Soprintendenze, based on the final assessment of the commission⁴⁷. Minutes of the experts' work have yet to be located. They would nonetheless be key for assessing whether any considerations on doubtful provenances ever took place. Ultimately, the Soprintendenza in Florence was allotted a large part of the 106 works. Rome received 21 pieces, split between the Fine Arts and the Archaeology departments (13 and 8 respectively). The Soprintendenza in Venice also received eight artworks, Milan six, Genoa two and Naples one. The remaining two were presumably handed back to Germany, although this has yet to be verified.

To date, details have yet to be found that might clarify to what extent some of these items' provenance was researched while they were in State hands. Apparently, in only one instance did the original owner file a claim for restitution. This was the case of the Milan Jewish Community. Possibly in 1991, they filed a claim against the 1988 ministerial decree, claiming the return of some silverware taken from an ARAR depot in 1948⁴⁸. These are the 1984 cat. entries n. 120-123, which mentioned the Milan Jewish Community in the items' provenance. Despite this, the 1988 ministerial decree assigned them to the Milan Fine Arts department and it was eventually by the Jewish Community's own initiative that these pieces were handed back. Based on the Anselmi Commission report, the court deemed that these items did not fall under the category mentioned in the n. 77/1950 law. Indeed, the silverware had been in no way sold or transferred to German citizens, but rather reportedly seized by the Nazis themselves and thus not eligible to become State property in 1988. The ruling appears to have been based on a 1946 Italian law that, for the first time after the war, addressed the issue of the retrieval and restitution of artistic property taken by Germany during the war⁴⁹. To the author's knowledge, no other Italian judgment or resolution has ever referred to the 1946 law, which was eventually repealed in 2008. Indeed, this case testifies to the lack of initiatives towards controversial provenance/ownership history in Italy⁵⁰. Here, possibly more than anywhere else, recovered property happens to be as deep a gap as missing objects are. Yet, all the information Siviero was able to collect and preserve is surely a valuable foundation for new inquiries into transferred and dispossessed artistic property.

⁴⁶ Ministerial Decree 23rd February 1987, Ministero per i Beni Culturali e Ambientali. This was most kindly located in the Anselmi Commission's folder in the Central State Archive (ACS) by Marina Turchetti (ACS Library, Rome). As of 2017, when I was sent a copy of above decree, the folder with all the documents the Anselmi Commission was able to gather on dispossessions of Jewish property was reported to be still neither sorted nor inventoried.

⁴⁷ Ministerial Decree 1st August 1988, Ministero per i Beni Culturali e Ambientali. This was sent over by Ms Turchetti along with the previous document, as stated in the above footnote.

⁴⁸ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, pp. 160, 161.

⁴⁹ Lieutenant's Decree 5th May 1946, n. 601, *Norme per il recupero delle opere d'arte sottratte dalla Germania durante la guerra*. Available in Italian at www.gazzettaufficiale.it/eli/id/1946/07/27/046U0601/sg, <April, 2018>.

⁵⁰ PAVAN 2015.

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ASD MAECI

Archivio Storico Diplomatico, Ministero per gli Affari Esteri e la Cooperazione Internazionale

ACS

Archivio Centrale di Stato

MUSEO CASA SIVIERO

Museo Casa Siviero, Regione Toscana

AADFi

Accademia delle Arti del Disegno di Firenze

NARA

National Archives and Records Administration

Fold3.com

ABSTRACT

In line with the attention the TransCultAA project is drawing on archival sources, this contribution on Rodolfo Siviero (1911-1983) underscores the importance of all those documents resulting from his 30 years of activity in art restitution. An overview of his career as chief of the Italian office for recoveries since before the end of WWII is aimed at testifying to the vast amount of information he was able to collect. Reference is made to his efforts towards tracing both Jewish property and pieces from public and private Italian collections. Bearing in mind TransCultAA's focus on the Alpe Adria region, this contribution highlights through some examples what type of information is to be found in Siviero's papers that could potentially contribute to on-going inquiries. Still, a great part of this material (mostly kept in Rome) is yet to be properly inventoried and systematically followed up on. This also comprises many ownership histories still to be investigated. They refer to some of those artworks Siviero recovered both in Germany and Italy that in 1950 eventually became State property. In this sense, the way Italy partially neglected the potential of Siviero's documents and the controversial past they bear witness to is nowadays to be inscribed among those 'competing national narratives' this HERA project aims to critically contextualise and interpret.

In linea con l'attenzione che TransCultAA ha finora dedicato alle fonti archivistiche, questo contributo dedicato a Rodolfo Siviero (1911-1983) ricorda l'importanza di tutti i documenti da lui prodotti in 30 anni di impegno per la restituzione delle opere d'arte. Ripercorrendo la sua carriera a capo dell'Ufficio Recuperi a partire dalla fine del Secondo conflitto mondiale si vuole infatti rendere conto della grande quantità di informazioni che Siviero è stato in grado di raccogliere sulla dispersione di proprietà ebraiche, opere d'arte private e collezioni pubbliche. Tenendo poi conto del focus di TransCultAA sulla regione dell'Alpe Adria, il contributo fa particolare riferimento ad alcuni documenti in possesso di Siviero che possono significativamente contribuire a tali ricerche. Ciononostante, molte di queste carte, che si conservano in gran parte a Roma, sono tutt'ora in attesa di un'adeguata inventariazione e riordino, che potrebbero certo beneficiare vecchie e nuove indagini sulla provenienza degli oggetti rimossi, parte dei quali è entrata infine a far parte delle collezioni statali nel 1950. Il difficile e finora poco battuto sentiero della provenance research in Italia, testimoniato dalla scarsa attenzione alle carte Siviero, rientra quindi tra quelle 'contraddittorie eredità nazionali' che questo progetto HERA si propone di contestualizzare e interpretare.