

**IMT School for Advanced Studies Lucca**

**Lucca, Italy**

**The power of victory  
Italy, Austria and the struggle for treasures  
of art and history after the First World War  
(1918-1923)**

**PhD Programme in Cognitive and Cultural Systems  
XXXIII Cycle**

**By  
Francesca Coccolo  
2021**



# CONTENTS

<b>THE AUTHOR</b> .....	iii
<b>ABSTRACT</b> .....	vi
<b>INTRODUCTION</b> .....	1
<b>1. "ITALIENISCHER KUNSTSCHUTZ IN WIEN. EIN SATYRSPIEL ALS NACHWORT"</b>	
Segre's art commission .....	8
The first retrievals .....	11
Viennese indignation .....	14
More lists and seizures .....	19
More protests .....	21
"Contro propaganda locale" .....	24
Towards the end of the Military Mission .....	26
<b>2. OBJECTS FROM INVADED AND CEDED TERRITORIES</b>	
Looting and safeguarding .....	30
Compromising evidence .....	34
Tracing the booty .....	37
Help from Vienna .....	39
Objects from public collections: Belluno .....	42
Other discoveries and restitutions .....	44
The case of the once-imperial cities .....	47
<b>3. AVENGING YEARS OF HABSBURG RULE</b>	
The power of victory .....	53
Venetian claims .....	54
The Mantuan tapestries .....	65
Estense manuscripts and collections .....	69
More manuscripts: Naples and Trento .....	74
<b>4. THE PEACE CLAUSES AND THEIR CONSEQUENCES</b>	
Negotiations begin .....	77
Italian lobbying .....	80
The Austro-Italian agreement .....	85
"Special Provisions" .....	91

## **5. THE REPARATION COMMISSION AND ARTWORKS FOR SALE**

The complex machinery of restitution.....	102
The fate of the imperial collections .....	107
Artworks for sale .....	112
The Entente's concerns .....	118
Artworks as collateral .....	123
A (French) survey of Austrian collections .....	125

## **6. FINAL SETTLEMENTS AND THE ITALIAN EXHIBITIONS**

The Austro-Italian agreement, again .....	135
A tricky start.....	142
The veto.....	148
Treasures in exile .....	152
The much-awaited consignments .....	157
Controversial exhibitions .....	165

## **CONCLUSIONS**

A summary .....	172
Heritage zeal and the karma of dispossession .....	177
Possible developments.....	183

## **REFERENCES**

Archives .....	188
Bibliography .....	194

## THE AUTHOR

### VITA

April 3 <sup>rd</sup> , 1989	Born, Udine, Italy
2008	High School Degree Liceo Scientifico “Niccolò Copernico”, Udine
2011	BA in Scienze e Tecniche del Turismo culturale University of Udine, Udine
2015	MA in Economia e Gestione delle Arti e delle Attività culturali University Ca’ Foscari, Venice
2017 -	PhD Student in Analysis and Management of Cultural Heritage IMT School for Advanced Studies, Lucca

### PUBLICATIONS

[forthcoming] Coccolo F., *Austrian and Italian Negotiations on First World War Art Transfers and Damages*, in Fuhrmeister C., Murovec B. (eds.), *Transfer of Cultural Objects in the Alpe Adria Region*, Wien-Köln-Weimar 2021 [expected].

[forthcoming] Coccolo F., *Struggling for Art: War Damages, Claims and Restitutions* [and record entries], in Levi D., Wedekind M. (eds.), *TransCultAA Online Source Edition*, Udine 2021 [expected].

Coccolo F., *I Capolavori e la Pace. La restituzione di opere d’arte all’Italia dopo la Seconda guerra mondiale*, Bari 2021.

Coccolo F., *Chiedere ai vinti. Ettore Modigliani e le restituzioni artistiche dopo la Prima guerra mondiale*, in Pellegrini E. (ed.), *Ettore Modigliani soprintendente. Dal primo Novecento alle leggi razziali*, Milano 2021, pp. 175-185.

Bernard E., Coccolo F., Kovalyova Ye., *Challenges of Temporary Organising in Cultural and Creative Industries: Theoretical Models and Practical Impacts*, in Tonga Uriarte Y., Catoni M. L. (eds.), *Temporary Organizing and Temporality: Stability and Change in Cultural and Creative Industries*, Lucca 2020 (Kindle Edition).

Coccolo F., *Dissemination for safeguarding. A Venezia un progetto sulla difesa del patrimonio e delle identità/diversità culturali nei conflitti armati*, Kermes, 114-115, XXXII, 2019-2020, pp. 8-10.

Coccolo F., *Rodolfo Siviero between Fascism and the Cold War: Negotiating Art Restitution and 'Exceptional Returns' to Italy after the Second World War*, Studi di Memofonte, 22, 2019, pp. 198-209.

Coccolo F., *Law No. 1089 of 1st June 1939: The origin and consequences of the Italian legislation on the protection of the national cultural heritage in the 20th century*, in Pinton S., Zagato L. (eds.), *Cultural Heritage. Scenarios 2015-2017*, volume IV of the series "Sapere L'Europa, Sapere d'Europa", Venezia 2017, pp. 195-209.

Coccolo F., *New Archaeological Discoveries and Cultural Ventures beyond War Threats: A Model of Excellence Stemming from Iraqi-Italian Cooperation*, The Journal of Art Crime, 13, 2015, pp. 99-100.

## CONFERENCE TALKS

*Peace treaties and disputed cultural property. Clashes and negotiations between Austria and Italy at the end of WWI*, Institut für Rechts- und Verfassungsgeschichte, Universität Wien, Wien, 29 October 2019.

*Venezia e il suo patrimonio culturale vanno in guerra. Gli effetti sul patrimonio culturale dei bombardamenti austriaci sulla città come emergono nei documenti ufficiali del primo dopoguerra*, in: *La protezione dei beni culturali in caso di conflitto armato a vent'anni dal secondo Protocollo alla Convenzione dell'Aja del 1954*, Fondazione Venezia per la Ricerca sulla Pace, Centro Studi sui Diritti Umani, Università Ca' Foscari, Venezia, 27 May 2019.

*Austrian and Italian Negotiations on First World War Art Transfers and Damages*, in: *TransCultAA International Conference of the HERA Project*, Zentralinstitut für Kunstgeschichte, München, 16-18 May 2019.

*Chiedere ai vinti: le restituzioni dopo la prima guerra mondiale*, in: *Fraternità artistica e solidarietà umana. Ettore Modigliani Soprintendente dal primo Novecento alle leggi razziali*, IMT School for Advanced Studies, Lucca, 18 December 2018.

*The Fate of Austrian and Italian artistic property at the end of WW1: when men of letters take the field*, in: *Cultural Heritage as Symbolic Capital: Transnational Archival Research*, TransCultAA Study Day, University of Udine, Udine, 11 December 2018.

*Temporary Organising and Temporality Workshop*, IMT Lucca School for Advanced Studies, Lucca, 4-5 October 2018. Scientific committee's member and session chair.

*Forced Seizure or Rightful Restitution? Italian Claims for Works of Art in Vienna After the First World War*, in: *Provenance, why does it matter? Provenance, Dispossession and Translocation Research*, TransCultAA Summer School, University of Zadar, Zadar, 27-31 August 2018.

*Rodolfo Siviero between Fascism and Cold War: Negotiating Art Restitution and 'Exceptional Returns' to Italy after the Second World War*, in: *The Transfer of Jewish-owned Cultural Objects in the Alpe Adria Region*, IMT Lucca School for Advanced Studies, Lucca, 18-19 September 2017.

## AWARDS

Special mention to the manuscript *I Capolavori e la Pace* at the Literary Award "Premio Renzo Ceglie", held by the Italian publishing house Edipuglia, Fourth Edition, 2020-2021.

## ABSTRACT

Stemming from the author's previous years of research into how peace settlements have changed the destiny of so many artistic treasures and entire historical collections in Europe, this work appears to have been only a matter of time. Despite there being a striking amount of records and first-hand accounts on artistic disputes between Austria and Italy at the end of the First World War, recent contributions, albeit precious, have so far remained quite circumscribed, often focused on either Italian or Austrian sources and perspectives, but seldom taking both into account in equal measure. The fact that no broader analysis had been undertaken yet is partly attributable to the perhaps less appealing and less fictional features of post-1918 claims and restitutions. Exactly because no big-scale, thoroughly organised looting campaigns directed by incredibly power-thirsty individuals preceded those events, it may have seemed somehow intimidating comparing them to the sensational retrievals of the Napoleonic loots in Paris in 1815 and the equally unprecedented and gigantic effort of the Allies, and the Americans in particular, towards the recovery and restitution of artworks displaced by Nazi and Fascist authorities. Yet, what happened less than thirty years before that is in a sense the unintentionally neglected link in a chain that seems worth appreciating in its entirety.

During the Congress of Vienna no official treaty ever acknowledged the restitutions extolled from France through the military intervention of Prussia and Austria and the mediation of the British in favour of Canova's requests. For reasons of international tact, relations with the restored French monarchy were not to be publicly compromised from the very onset. Conversely, the authority of the peace agreements and official restitution policies was to constitute the linchpin of post-1945 restitutions as administered mainly by the United States and their Army officials, particularly keen on abidance by the protocol and well-defined, ideally universal procedures. In 1919 and the years that followed, one interestingly witnesses a sort of liminal situation that borrows from previous instances of forced retrievals at the expenses of the vanquished but at the same time paves the way for a more regulated implementation of restitution demands through peace treaties, official protocols and bilateral agreements. This type of legal primary sources just mentioned, along with official and personal correspondence kept in so many archives, Italian but in particular Austrian newspaper articles and the accounts penned and published by all those who had a direct role in the events, constitute not only the heart of this work, but its very reason to be.

Acknowledging the potential of such a deep but partly untapped pool of information, this research has thus been intentionally and fundamentally archive-based. As it will become clear throughout the main text, the account has given a significant priority to primary sources over second-hand and late contributions. The main reason for that is the fact that many recent studies rely on and constitute an interpretation only of part of those records. A work built



too much on recent literature would have not left enough room and silence for the original voices to be heard, appreciated and contextualised in the historical events that framed and influenced them. The choice of proceeding along the lines drawn by the available yet greatly unpublished material has furthermore highlighted the need for a comprehensive chronological account of events only partially known to scholars and the public alike. Against the backdrop of those five years that, after 1918, slowly and painfully dragged collapsed empires, vanquished and victorious nations out of the cruelties of the war, the work traces the steps of those in Italy and Austria who kept fighting for objects and collections of art and history with undiminished urge. In what can be seen as a backlash of the real hostilities that had just subsumed, the presence of the Italian military in Vienna ushered in a period of recriminations and threats that resulted in the forced seizure of dozens of paintings and manuscripts from the major institutions of the Austrian capital. The reaction of local intellectuals and the public opinion contributed to making it an international affair with serious repercussions on the peace negotiations in Paris. And in this sense the upcoming treaties, agreements and the official directives of international bodies like the Reparation Commission ended up playing a paramount role in the destiny of national collections like the Austrian ones, under the persisting threat of claimant countries for years after the war. What ensues is thus the analysis of how pressing Italian demands had to translate into more accommodating and diplomatic attitudes, despite a race against time to avoid the entanglements and caveats of post-war diplomacy and regulations. In the end, the ultimate destiny of major public collections and unique objects of art and history had, like in the past, to be subjected to exceptional and unprecedented political circumstances and power struggles that more often than not go unnoticed in the general art-historical discourse.

After discovering how much had been left untold that was actually available through so many documents and writings on both sides of the Alps, the urgency to catch up and put together a comprehensive, transnational history of those years arose naturally. For this cannot be but a story told from the Austrian and the Italian side at the same time, especially after more than a century has passed. Such a multi-centred way of proceeding resorts to a wide, almost infinite range of connections between people, objects and places and thus automatically transcends political boundaries. In so doing, it also advocates an interpretation of the facts that wants to be as little biased as possible, an interpretation that won't intrude too much throughout the narration so as to let the reader appreciate first and foremost the events as they followed and triggered one another, leaving some food for thought only at the very end. Consistently, the choice was also that of trying not to fall into mainstream discourses of art looting and restitution. Comparisons with earlier and later examples will inevitably be drawn, but this specific chapter of the past and its characters will still retain their own historical dignity and autonomy. This automatically entails leaving behind binary interpretations along the lines of good and wrong, of customary and unlawful, compensation and punishment, both on an individual and on a collective level. Paradoxically though, what is provided here is no real alternative to existing narratives except a fresh look at something that still remains hopelessly complex but, for this very reason, ever enriching.



If we refuse to believe how badly art has made us behave,  
then we do not fully acknowledge its power.

—Anne Higonnet, *The Social Life of Provenance*



## INTRODUCTION

General Roberto Segre set foot in Vienna shortly before New Year's Eve of 1918. The Italian Supreme Command had appointed him chief of the Italian military mission for the armistice some weeks before. On December 28<sup>a</sup>, a platoon of Carabinieri, some Austrian government officials and groups of passers-by welcomed him upon his arrival at the Westbahnhof, Vienna's West railway station. There, a Fiat 3A was waiting to pick him up and drive him to the Imperial Hotel on the Ring.<sup>1</sup>

First World War's hostilities between the Austro-Hungarian army and that of the Allied and Associated Powers being brought to a halt on November 4<sup>a</sup>, 1918, Italy's centuries-long enemy and ruler had not just lost the war, but fallen under the weight of internal and external upheavals. The newly proclaimed Austrian Republic bore little or no resemblance to the imperial jaggeraut against whom – between 1848 and 1866 – leagues of Italian States first, and then the Italian Kingdom, had been fighting three wars of independence. After the 1918 Armistice, both prospective territorial annexations and recognition of a leading role for Italy in Central Europe depended upon the relationship the country would be able to establish, over just a few months, with its now deeply troubled former enemy. It is thus no surprise that, towards the end of WW1 and beyond, a great part of Italy's endeavours aimed at asserting its own military, political, economical agenda in Austria in competition with other Allied Powers and the successor States of the Austro-Hungarian monarchy.

Compared with the latter's population of 52 million, Austria had suffered now a dramatic downsizing that left it with roughly 6 million inhabitants, with Vienna disproportionately accounting for nearly one third of it.<sup>2</sup> The new country was struggling to keep the spreading bolscevism at bay amidst sudden commodities shortages that plunged the entirety of its population into utter poverty and starvation. Former internal providers of wheat and coal such as Hungary and Bohemia had cut off all supplies to and from Austria, making it extremely hard for the country to stand on its own. Many Austrians, the Social Democrats in particular, regarded the prospect of joining Germany in one great political and cultural entity as the only way out. An aspiration France, and to a varying extent the other Allied Powers, made a point of nippin in the bud.<sup>3</sup> This had left Austria broke, alone and in great need of advocates. Italy, on its part,

---

1 MAFFEI 1919; RAUSCHER 2007.

2 DI MICHELE 2014.

3 The future French representative in Vienna Henry Allizé wrote in his 1933 memoirs: "Quant à laisser l'Allemagne annexer les provinces allemandes d'Autriche, je considérerais qu'il serait désastreux pour la France de prêter les mains à des combinaisons qui provoqueraient la complète disparition de la monarchie autrichienne. En laissant l'Allemagne s'installer à Vienne, nous la mettrions en situation de dominer l'Europe, d'autant plus qu'elle ne considèrera jamais comme définitives les pertes qu'elle aura subies d'autre part, surtout s'il s'agit de territoires habités depuis longtemps par des Allemands. [...] C'était le commencement de la réalisation du programme pangermaniste préparé à Berlin dès avant la guerre comme étape vers l'hégémonie mondiale et, depuis la défaite, comme dédommagement aux sacrifices inévitables." (ALLIZÉ 1933, pp. 15, 25)

had soon detected the opportunity of asserting its direct influence in Austria and the former imperial territories with better chances of success than those the Italian government appeared to have in Paris, at the table with France, Britain and the United States.

The armistice agreement the Italian Supreme Command struck with that of Austria-Hungary in the outskirts of Padua on November 3<sup>rd</sup> 1918 on behalf of all the Allied and Associated Powers<sup>4</sup> granted Allied armies freedom of movement and occupation all over the Austro-Hungarian territory. Such a prerogative would enable the Allies to freely conduct military operations and “maintain order” in former enemy territory.<sup>5</sup> Most urgent issues included demobilisation of the Austro-Hungarian army and consignment to the Allies of all military and railway equipment, along with swift repatriation of all prisoners of war. The same armistice clauses empowered each allied commander in chief to appoint a special commission to those places deemed most suitable for them to verify and facilitate the implementation of the armistice provisions.<sup>6</sup> To this end, Italy had initially taken into consideration and discussed with the rest of its Allies the establishment in Vienna of a joint interallied military mission.<sup>7</sup> Around mid November 1918 the apostolic nuncio in Vienna is said to have informed Vatican’s Secretary of State Cardinal Gasparri about neutral attachés in the city deeming it particularly urgent for the Allies to occupy the Austrian capital and spare its country from anarchy and bolscevism.<sup>8</sup> Head of Italian Foreign Affairs Sonnino would follow up on the nuncio’s message by asking the opinion of the Supreme Command and the Italian ambassadors in London, Paris and Washington.<sup>9</sup> Yet, being the French and the British ultimately contrary to it, a joint coordinated initiative never came into being.<sup>10</sup>

It was thus up to each single Allied army to dispatch their officials to those locations they considered most strategic, in little or no coordination with other Allied governments. By the time the Italian Supreme Command started expressing its take on the matter, France’s Lieutenant-Colonel Vix of the French Army of the Orient was already running his own military mission for the armistice in Budapest, where he is said to have settled on November 26<sup>th</sup> 1918.<sup>11</sup> The initiative resulted from the separate cease-fire the French happened to negotiate in Belgrade on behalf of the Allies with Hungarian representatives starting November 1918. Hungary’s Prime Minister Károlyi’s thought it more suitable to hold talks with France’s General Franchet d’Espèrey rather than Italy’s Commander in Chief Diaz, in his attempt to avert an Allied occupation (i.e. also Serbian and Czechoslovak) of Hungary as contemplated in the Padua Armistice. Apparently though, the French government itself regarded the

---

4 *Armistice with Austria-Hungary. Protocol and supplement signed at Villa Giusti, near Serravalle, Italy, November 3, 1918. Entered into force November 4, 1918* (<https://www.loc.gov/law/help/us-treaties/bevans/m-ust000002-0001.pdf>).

5 Article 4 of the Military Clauses in the Armistice Protocol (*ibidem*).

6 Article 3 of the Military Clauses in the Supplement to the Armistice Protocol (*ibidem*).

7 DDI 1953, docs n. 439, 474, pp. 240, 255, 256; HOFFMANN 1974, pp. 253, 254.

8 DDI 1953, doc n. 171, p. 88.

9 DDI 1953, doc n. 228, P. 115.

10 DDI 1953, docs nn. 556, 557, 578, pp. 305, 316.

11 PASTOR 1970, DDI Sixth Series, Vol. I, docs nn. 359, 650, pp. 176, 354.

Padua agreement as the only official armistice with former Austria-Hungary,<sup>12</sup> and a further accord signed on December 3<sup>rd</sup> 1919 in London established that any military intervention in former imperial territories be arranged jointly by the Italian and French Commanders in Chief.<sup>13</sup> Notwithstanding these premises, the French move in Budapest had the effect of cementing France's grip on East Central Europe and its unexpectedly privileged relationship with the Hungarians.<sup>14</sup> Opportunities for a political and economical rearrangement of the Danube area stemming from the war outcome eventually saw Italy taking a more resolute stance, after failing to talk the Allies into creating a joint commission in Vienna. On December 20<sup>th</sup> 1918 General Diaz let head of Foreign Affairs Sonnino know about his orders for the deployment of an Italian mission to Vienna.<sup>15</sup> Both Sonnino's Ministry and the Italian Supreme Command seemed to approve of the initiative. On top of that, rumors had been already circulating among Allied troops and diplomats of a possible imminent dispatch of French divisions to Vienna in conjunction with the Budapest mission.<sup>16</sup>

When it came to appointing the head of its mission to Vienna, the Italian Supreme Command's choice fell on General Roberto Segre. His positive track record in the army and good knowledge of German explain but partially why he was dispatched to Vienna to take on such delicate a task.<sup>17</sup> Due to scant information available thereon, the present research won't be delving further into why his superiors ultimately deemed him suitable for the job. From a note General Scipione Scipioni sent to Italian Prime Minister Orlando on Christmas day of 1918 we learn that some staff had reached Vienna shortly beforehand to set the stage for Segre's arrival on December 28<sup>th</sup>.<sup>18</sup> The initial composition of the mission comprised about thirty army officers and roughly a hundred between privates and Carabinieri officers. Its staff reportedly reached a peak of some fivehundred around mid August 1919. Additionally, on its arrival, the mission immediately took over the Commission for repatriation of Italian prisoners of war and civilians, which had started its operations in the Austrian capital some weeks ahead of Segre's inception. He and his men were lodged at the Imperial Hotel (where the General had his room and office), the Grand Hotel and the Bristol on the Kärntnerring. The mission had its headquarters at the Majestic Hotel, beside the Imperial and right across Carovagasse, at house number 5. The elegant corner balcony facing the Ring sported the Italian flag Segre had his men hoist as soon as he reached the spot. To the General's satisfaction, these locations offered enough prestige and visibility as well as good proximity to

---

12 DDI 1953, doc n. 372, p. 183.

13 Mention of the London agreement can be found in HOFFMANN 1974, p. 253, even though at present I am still to locate the original text.

14 PASTOR 1970.

15 DDI 1953, doc n. 604, p. 331 as quoted in FREISE 1963.

16 DDI 1953, docs nn. 334, 359, pp. 163, 176. A message the Minister of Foreign Affairs Sonnino sent to the Italian ambasciatore in Paris on December 6th 1918 reads: "Prego chiedere al Governo francese se la informazione riferita dai giornali sia esatta; quale sia esattamente la attuale dislocazione delle forze francesi in Austria-Ungheria, avvertendo codesto Governo che l'opinione pubblica italiana risentirebbe fortemente il fatto di importanti occupazioni in Austria-Ungheria e specie di Vienna da parte di truppe francesi senza intervento di truppe italiane mentre alle truppe italiane si deve la disfatta dell'esercito austro-ungarico." (DDI, Sixth Series, Vol. I, doc n. 461, p. 249.)

17 ZARCONE 2014.

18 DDI 1953, doc n. 647, pp. 352, 353.

Schwarzenbergplatz, where the troop appears to have settled.<sup>19</sup> Initially tasked with making sure Austria abided by the military and naval clauses signed in Padua in November 1918, the Italian mission soon took on a range of functions typically incumbent upon Italian diplomatic and political delegates. There being still none in Austria in the first months after hostilities had ceased, Segre's men proved the only way for Italy to gather first-hand intelligence for its Paris representatives and monitor the political barometer of the newborn Republic. To this end, and with a view to making its role of victorious Power felt all over former Austria-Hungary, Italy dispatched mission attachés to Prague, Ljubljana, Marburg (now Maribor), Graz, Budapest, Lviv, Krakow and Stanislaw (Ivano-Frankivsk).

In Vienna the mission periodically drafted news digests, political and economical reports, liaised with the local press and kept an eye on the other allied delegates that little by little started pouring into the capital. Harvard professor Archibald Cary Coolidge is said to have reached Vienna as soon as January 5<sup>th</sup> 1919. Since the end of the war he was part to the Inquiry study group President Wilson put together in September 1917 in order to collect materials for the peace negotiations. Towards the end of 1918 the US government assigned him to the American Commission to Negotiate Peace and sent him to Vienna, where he had already worked in 1893 as secretary to the American legation. Now his government expected him and his small staff of officials and university professors to act as no more than detached observers of political conditions in former imperial territories and East Central Europe.<sup>20</sup> In a letter to Foreign Affairs' Sonnino, the Italian delegate to the Peace Conference Macchi di Cellere suggested that Italian officers in Austria did not impede the US delegates despite their intrusiveness as the best way to keep them in check.<sup>21</sup> The British attitude proved even more cautious than the American's when it came to dispatching representatives to Vienna, confirming the UK's lukewarm interest in meddling with East European, and more generally continental, politics like the French or the Italians.<sup>22</sup> The UK is said to have refused to take part in the military occupation of Budapest and Vienna along with Franchet d'Esperey, as it had been reportedly offered.<sup>23</sup> This had also to do with a new permeating influence of the US overseas, to which the British were now heavily indebted, making it counterproductive for them to embark in any sort of economic intervention in tattered Central and Eastern Europe.<sup>24</sup> It is then for the only purpose of monitoring events in former Austro-Hungarian territories, and with the clear yet not honoured imperative of political impartiality, that the UK

---

19 Militärkasino (<https://www.geschichtewiki.wien.gv.at/Schwarzenbergplatz>).

20 FRUS 1919, vol. II, p. 218; SCHMID 1971; FREISE 1963.

21 "V'è da presumere che, more solito, la Commissione americana tenda ad eccedere nei mezzi, se non nelle finalità. [...] Con ciò le nostre autorità civili e militari, mediante un opportuno affiatamento coi delegati americani, potrebbero esercitare in pari tempo un controllo efficace sull'azione loro, limitandone occorrendo avvedutamente le iniziative ed avviandone le indagini nel modo più consentaneo alle nostre vedute." (DDI, Sixth Series, Vol. II, doc n. 258, p. 173.)

22 A British Foreign Office memorandum of November 25- 1918 read: "As regards the continent of Europe, as contrasted with Asia and Africa, this country has no direct territorial interests and ambitions, nor has it special and peculiar commercial interests". (Memorandum on Europe, November 25- 1918, PRO, Foreign Office series 371, vol. 4353, file 23, PC 55, as quoted in HOFFMANN 1974, p. 254.)

23 HOFFMANN 1974, p. 253; DDI 1953, doc n. 350, p. 172.

24 SCHMIDT 1981; HOFFMANN 1974.



had Lieutenant-Colonel Sir Thomas Montgomery-Cuninghame settle in Vienna between December 1918 and January 1919. His activities there can be ultimately summed up as a wearisome and not excessively thought-out struggle to prevent both Bolshevik victory and union with Germany, as well as a diplomatic effort to ensure last emperor Karl's protection and safe relocation to Switzerland.<sup>25</sup> Openly vying with Italy for political influence and territorial expansion, France's Foreign Affairs eventually dispatched their own mission to Vienna.<sup>26</sup> Its chief, the senior French diplomat Henry Allizé, reached the Austrian capital on a Sunday morning of March 30<sup>th</sup>, 1919, and settled at the very Bristol Hotel where some of Segre's staff reportedly lodged. Predictably enough, Allizé's and France's number-one priority was to prevent unification with Germany at any cost. To this end, for instance, both him and Cuninghame made a point of discrediting, among the Austrians and internationally, one of the major advocates of the Anschluss, Social democrat and Minister of Foreign Affairs Otto Bauer.<sup>27</sup> The French mission apparently kicked off as an intelligence and inquiry one, even though it is said to have changed its name into French military mission as soon as personnel from the army, headed by General Hallier, outnumbered the diplomats. In this it can be compared more than any other Allied mission to the Segre-led one the Italians had put up only a couple of months before.

The presence of foreign diplomats like Allizé had also the effect of making the absence of Italian ones more noticeable. This is what the Italian army, through its Commander in Chief Diaz, lamented to the Foreign Affairs towards the end of May 1919. Diaz clearly stated that General Segre's role as praiseworthy yet sole representative of the Italian government in Vienna was somewhat diminished by the broader prerogatives the French senior attaché had probably been exercising since his arrival. The call was then coming from the Army itself for the dispatch to Vienna of an Italian diplomat of same when not higher rank so as to effectively confront the initiative of other allied representatives.<sup>28</sup> Predictably enough though, renewal of normal diplomatic relations between Austria and Italy would have had to wait till after the entry into force of the peace treaty following the exchange of ratifications on July 16<sup>th</sup>, 1920.<sup>29</sup> It is only after that date that the Italian ambassador Pietro Tomasi della Torretta could officially take office in Vienna. Up until then, it was ultimately for to the military to liaise with local authorities and foreign representatives in the city, which thing seldom took place in full communion of intent between the Italian Supreme Command, its government and Italian attachés at the Paris Conference. As an interim solution, around February 1919 the Foreign Affairs assigned a 'political commissioner' to Segre's staff who was expected to improve the mission's coordination with the Foreign Affairs. The most

---

25 HOFFMANN 1974.

26 "On sentait le vide que ferait, dans la politique d'équilibre, la disparition de la Monarchie Austro-Hongroise et on envisageait avec une certaine appréhension pour les rapports franco-italiens la liberté d'action dont jouirait dorénavant l'Italie pur tourner ses visées irrédentistes du côté du Tessin et d'autres terres, et pour inaugurer une politique méditerranéenne, dont la Tunisie formerait probablement le premier but à atteindre" (ALLIZÉ 1933, p. 27).

27 MAFFEI 1922, pp. 86, 87; HOFFMANN 1974; ALLIZÉ 1933; GASTINEL-COURAL 2011, p. 232.

28 DDI 1980-2008, vol. III, doc. 564, p. 579.

29 McNAIR, LAUTERPACHT 1929, Case n. 256, p. 338.

apparent result, though, was an overlapping of functions and hierarchies leading almost immediately to mutual discontent. The replacement of the first political commissioner, Gino Macchioro Vivalba, with Livio Borghese in June 1919 ushered in a new phase of progressive downsizing of the Italian Army's authority and role in the handling of national affairs in Vienna and the rest of the former imperial territories. On his arrival in Vienna, Borghese reached out to his minister Sonnino right away, demanding full and highest authority in representing the Italian State in Vienna (expressly wishing to equal France's Allizé) and expecting Segre to cut all direct communications with the Foreign Affairs, to which he and nobody else – Borghese stated – should have been entitled.<sup>30</sup> Although this new course saw government officials take on all the civil matters previously dealt with by the military mission, the latter's personnel did not leave Vienna all at once and their relations with diplomatic representatives grew more tense day after day. This eventually added to a harsh defamatory campaign against Segre and his men that had been steadily brewing in Austria and at home, both within the Italian government and on the press. These events ultimately led to Segre's repatriation at the beginning of 1920 and a progressive dismissal of the military mission during that same year.<sup>31</sup> In his message however, Borghese did not fail to underline how the Italian military mission had till that moment enjoyed a mandate and authority way larger than those granted to other Allied military missions to Vienna.<sup>32</sup>

At a closer look, the high degree of freedom Segre and his staff seemingly enjoyed in Vienna was more the result of a lack of clear-cut directives than a token of undisputed authority. The failed opportunity for the Italian Supreme Command to issue detailed instructions and draw the boundaries of his future actions appears to stem also from the wish not to miss out on the chances of asserting Italy's influence in the country. It was ultimately for Segre to tailor the organisational chart of his mission to those functions he might decide to task himself and his subordinates with. He would later relate about how no further instructions came either from the Supreme Command or the government, apart from those pertaining the implementation of the armistice provisions. He had apparently been advised to seek his superiors' authorisation only for matters of particular sensitivity, and act on his own accord otherwise. Supplying foodstuffs to the Viennese population, arranging the journey of Austrian orphans to Italy, throwing small parties at the mission's headquarters,<sup>33</sup> along with attending in military uniform special events like the Opera concert on New Year's day all stemmed from his desire to make the Viennese feel at ease but at the same time obliged towards the Italians.<sup>34</sup> It was a more or less overt attempt at 'good neighbourhood' ahead of negotiations for the peace terms. Yet Sonnino would soon remind political commissioner Macchioro about how being in good terms with Austria shouldn't hinder Italy's bargaining power as

---

30 DDI 1980-2008, vol. III, doc. 881, pp. 889, 890.

31 After a brief incarceration, two inquiries and a trial, the General and his men would be ultimately acquitted. For more details thereon see SEGRE 1928, MAFFEI 1922, ZARCONI 2014.

32 DDI 1980-2008, vol. III, doc. 881, pp. 889, 890

33 SEGRE 1928, p. 20.

34 "Il generale Segre, dopo aver spiegato quello che siamo venuti a fare (è un po' difficile spiegarlo perché noi vogliamo fare tante cose, tutto quello che si potrà) ha trovato modo di far capire, con molto garbo, che noi abbiamo vinto" (MAFFEI 1922, p. 39).

a victor and his demands for economical and 'artistic' reparations.» Some vague solicitations actually reached him to gather political and economical intelligence and – as Segre recollects – 'look into' those war trophies and artworks taken by the Austrian during the last and past wars. This state of affairs contributed to the General's strong belief that he could and must make the most of his position in Vienna in those eventful months leading up to the peace agreement:

Il primo esame dei mandati assegnati alla Missione e, poi, il riflettere sulla ulteriore prescrizione fatta di «raccolgere tutti i dati militari, economici e sociali che risultassero utili; specialmente sulla produzione di carbone, legname e ferro», e di «verificare i cimeli di guerra, opere d'arte, ecc. catturati dagli Austriaci in questa e nelle passate guerre», e infine la naturalmente elastica autorizzazione che m'ebbi di ordinare ai componenti della Missione la esecuzione di qualsiasi incarico che ritenessi rispondente ai fini assegnatimi mi avevano presto persuaso che il compito della Missione poteva e doveva assurgere a una importanza e ad una estensione ben maggiori di quelle che Governo e Comando Supremo pareva ritenessero [...].<sup>36</sup>

---

35 DDI 1980-2008, vol. II, doc. 540, p.374.

36 SEGRE 1928, pp. 5, 6.

## Chapter 1

### “ITALIENISCHER KUNSTSCHUTZ IN WIEN. EIN SATYRSPIEL ALS NACHWORT”<sup>1</sup>

#### *Segre's art commission*

General Segre was not alone in his conviction that the outcome of the war and the political situation in central Europe offered a unique chance for Italy to get hold of those treasures lost to this war and past Habsburg dominations. Along with Minister of Foreign Affairs Sonnino, Director General of Antiquities and Fine Arts Corrado Ricci also made his view clear by writing in a letter that the Military Mission in Vienna must not lose any opportunity of taking everything they could.<sup>2</sup> It is true that the directives Segre received from his superiors at the Supreme Command requested simply a general ‘assessment’ (verifica) of such objects, in order for Italian representatives in Paris to better conduct the negotiations. Yet, Segre clearly stated that this fell short of what he – and several others – had in mind.<sup>3</sup> It is still somewhat striking to see with what energy and sense of commitment in 1919 a high-ranked military official set out to pursue a cause normally advocated by diplomats and prominent intellectuals, that of post-war claims for the objects of art and history.<sup>4</sup> The sometimes unfavourable arrangements for the transfer of scores of treasures to the Empire in those momentous years leading up to Italy's unification, and the vast destruction wreaked upon many cities and their monuments during 1915-18, played undoubtedly a major role on everyone's attitude towards the issue.

Thus, a few weeks after his arrival in the Austrian capital, the General must have asked permission to the Supreme Command (still undocumented) for selected art officers to be attached to the Mission as members of a special art commission. The initial lack of expertise though didn't prevent him from laying the foundation for all the work to come and personally using the excuse of visiting the Schönbrunn Palace in January 1919, for instance, to investigate the whereabouts of some precious tapestries shipped from Mantua in the previous century. The failed attempts by the Italians to create an interallied mission in Vienna towards the end of 1918, and the subsequent absence of any such authority in the city, cemented Segre's sense of unexpected freedom in administering Italian affairs in Vienna. His being overtly sceptical about what diplomats and politicians could ultimately achieve in Paris made the military presence in the weary Austrian capital look like a once-in-a-lifetime

---

1 TIETZE 1919b, p. 63.

2 Corrado Ricci to Gino Fogolari, February 18<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

3 SEGRE 1928, pp. 118-119.

4 Antonino Zarcone would dub it the very first example of artwork recovery by the Italian army. A statement that, in spite of no sufficient inquiries, appears quite likely not to be proven wrong, given that the Regio Esercito was at that time less than sixty years old. (ZARCONI 2014, p. 93.)

opportunity. Given that nobody really knew when negotiations over the peace treaty with Austria would officially kick off, the Italian mantra in Vienna was to (unilaterally) settle as many a pending claim for works of art as possible before plenipotentiaries in Paris could put down on paper and sign less favourable provisions.<sup>5</sup> It was Italy's race against time and against those third-party interests brewing among Allies and successor States. Meanwhile, the Austrian government resorted to any legal and bureaucratic caveats in order to thwart one-sided initiatives on the part of Italy and ultimately refer the matter to the Peace Conference.

Segre's art commission was thus swiftly conceived and put together in the first two weeks of January 1919. Its initial composition amounted to three members. The coordinator and liaison with the chief of the Military Mission was Lieutenant Paolo D'Ancona, professor of art history in Milan and only army officer in the Art Commission. No record has so far clarified who suggested D'Ancona for the role, and when exactly he reached the Mission in Austria, yet his military and art historical qualifications undoubtedly made him the ideal candidate. From various notes issued by the Supreme Command and the Ministry of Education, we learn that around January 15<sup>th</sup> and 16<sup>th</sup> the other two appointed members were on their way to Vienna. Gino Fogolari, director of Venice's Gallerie dell'Accademia, and Giulio Coggiola, director of the Biblioteca Marciana in the same city, finally joined the Military Mission on January 16<sup>th</sup> to assist Segre and D'Ancona with ongoing inquiries and future retrievals.<sup>6</sup> Over five hundred boxes of volumes from around Belluno, for instance, had already been located in the Vienna University Library and prepared for shipment, and the authorisation to seize the tapestries kept in Schönbrunn was requiring further lobbying on Italian authorities, in order for the Mission to get the green light for their retrieval.<sup>7</sup> To make sure Italian art officers could successfully carry out their inquiries, the Mission soon provided them with an authorisation for free entry into all public art institutions and libraries in Vienna. It furthermore asked the Austrian Ministry of Foreign Affairs (Staatsamt für Äußeres), Segre's main interlocutor in the country,<sup>8</sup> to validate such 'passes' so that the aforementioned institutions would let the art

---

5 "Tutto quello che dovevo, volevo ottenere, dovevo ottenerlo rapidamente. Nulla di meno che equo volevo assicurare all'Italia; ma l'equo non era poco, e le difficoltà da vincere sarebbero di certo state tanto maggiori quanto più tarda fosse stata la mia azione, sia perché lo stato di grande stordimento causato dalla catastrofe della Monarchia si sarebbe probabilmente smorzato col trascorrere del tempo sia perché sarebbe a mano a mano cresciuta la resistenza di interessi di terzi o non perfettamente collimanti coi nostri o addirittura antagonisti ai nostri. Ma, per operare con rapidità, prima necessità era specialmente per noi quella di imporre." (SEGRE 1928, p. 9.)

6 Secretary of Civil Affairs, Supreme Command, to ?, January 16<sup>th</sup>, 1919 (ASPMV, b. 14-55A, fasc. 19); Minister of Education Berenini to Director of Gallerie dell'Accademia, not dated (ASPMV, b. 14-55B, fasc. 1); Comando Supremo to III Corpo d'Armata in Innsbruck, January 15<sup>th</sup>, 1919 (ASPMV, b. 14-55A, fasc. 19); Gino Fogolari to Paolo D'Ancona, February 22<sup>nd</sup>, 1924 (ASPMV, b. 14-55A, fasc. 19); SEGRE 1928, p. 126.

7 *Prima relazione della Sottocommissione per il recupero di oggetti d'arte ecc.*, January 20<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

8 Especially in the person of Johann Baron von Eichhoff, from February 1919 head of the Political Department at the Austrian Ministry of Foreign Affairs. Many of the papers coming from that ministry and referring to Italian demands for works of art bear in fact his signature. In that same year Von Eichhoff became also member and president of the Austrian Delegation in St. Germain. He then stayed in Paris as Austrian plenipotentiary. (AGSTNER 2015, p. 380; BROUCEK 1980, p. 237, footnote 345.)

officers in and assist them with all their requests. Despite the questionable procedure, Austrians deemed it advisable to comply.<sup>9</sup>

What took place in the weeks following the arrival of Italian art officers in Vienna is an intense exchange of long lists of objects and lengthy arguments over each party's property rights over them. Details about the Italian demands for works of art and other precious objects from Austrian collections had already been circulating in the local press starting January 1919. On Tuesday 14<sup>th</sup> *Il Corriere della Sera* published an interview with the director of the Brera Gallery in Milan, Ettore Modigliani. It was titled "Le rivendicazioni artistiche italiane alla Conferenza"<sup>10</sup> and it came in those days in which a Royal Commission for the assessment of war damages in Italy had been working on a report regarding destruction and pillaging of monuments and works of art.<sup>11</sup> Having been asked his take on the matter, Modigliani diplomatically but firmly advocated Italy's rights to request and obtain several paintings and other valuables from Austria and Germany. For the Brera Director, his country was not only entitled to what the enemy had been looting in the Italian territories invaded in 1917. Annexed provinces in the North-East and those Italian cities once under Habsburg rule must get back what during the XIX century left churches, convents, museums, libraries and archives and found its way to the Austrian Empire and its capital. So this was definitely not a vision that General Segre alone had in mind, but one that resonated with a large swathe of experts and the public opinion in Italy. In his interview, Modigliani expressly mentioned some of the objects and paintings involved in the upcoming disputes. He further added that also those artworks by Italian artists legally owned by German and Austrian museums should be handed over to Italy in compensation for all the losses suffered – sometimes for no compelling military reasons – by historical buildings, churches and monuments during the war. "Allora, l'arte compensi l'arte", art compensate for art, was his scathing verdict. After having apparently discussed the issue with Venice's Gino Fogolari, Modigliani also ventured to say that illegally exported artworks now located in Austria and Germany (not just those smuggled during the war) should have been included in the Italian demands. Still, no documents testify to Italian authorities ever taking this last scenario into real consideration.

Predictably enough, news of this interview and of Modigliani's 'lists' of objects reached Austria after a few days. Sometimes with almost identical wording, the *Fremden-Blatt*, the *Neues Wiener Tagblatt* and the *Salzburger Chronik* reported on his bold statements over what Italy was planning on taking away from Austrian and German museums.<sup>12</sup> Overseas, in the United States, the New

---

9 Staatsamt für Äußeres to the Staatsnotar, January 29<sup>th</sup>, 1919 (AdR, K. 257); Staatsamt für Äußeres to the Italian Military Mission (AdR, K. 257).

10 "Le rivendicazioni artistiche italiane alla Conferenza. Un colloquio col Direttore della Pinacoteca di Brera", *Il Corriere della Sera*, January 14<sup>th</sup>, 1919, p. 2.

11 Relazioni 1920-1921.

12 "Was Italien aus unseren Kunstmuseen haben will", *Fremden-Blatt*, January 22<sup>nd</sup>, 1919, p. 7; "Die Italiener verlangen Wiener Kunstschatze", *Neues Wiener Tagblatt*, January 22<sup>nd</sup>, 1919, p. 6; "Italien fordert Auslieferung von den Wiener Museen", *Salzburger Chronik*, January 23<sup>rd</sup>, 1919, p. 5.

York Times translated almost the entire interview and published it a couple of months later, in its April 13<sup>th</sup> issue.<sup>13</sup>

### *The first retrievals*

In those very days of February 1919, dense reports, requests for clarifications and aide-memoires started circulating in Vienna among the Austrian Foreign Affairs, the Army, the Ministry of Education and the Office for Monuments, the Home Secretary and the Administration of the private and public imperial property, only for the Italian Mission to be repeatedly told that any final decision regarding the fate of parts of Austrian public property was ultimately up to the Allied representatives in Paris. This was exactly what Segre feared would happen and what he made a point of avoiding at any cost. To this end, on February 10<sup>th</sup>, 1919 a letter from the General reached the Austrian Foreign Affairs requesting that the Ministry give clear orders to the directions of all museums, libraries and archives for the consignment of the claimed objects to the Mission's art officers. The attached instructions did not leave any room for doubt over how that was to be carried out:

Per il giorno 12 febbraio:

Alla Direzione della Galleria Imperiale (Hofmuseum): Ritiro nella mattinata (ore 9) dei quadri della Galleria seconda nella Hofburg e dei quadri del deposito. Consegna da effettuarsi al tenente prof. D'Ancona e al dott. Gino Fogolari.

Alla Direzione della Galleria Imperiale (Hofmuseum): Ritiro nel pomeriggio (ore 14) dei quadri della Galleria principale nell'Hofmuseum. Consegna da effettuarsi al tenente D'Ancona e al dott. Gino Fogolari.

Alla Direzione della Hofbibliothek (nella Hofburg): Ritiro nella mattinata (ore 9) e nel pomeriggio (ore 14) dei volumi asportati da Udine durante la Guerra e dei volumi a stampa e manoscritti asportati da Venezia, da Modena, da Napoli prima del 1866. Da consegnarsi al dott. Giulio Coggiola.

Per il giorno 13 febbraio:

Alla Direzione della Accademia delle Belle Arti (Schillerplatz): Ritiro nella mattinata (ore 9) dei quadri asportati da Venezia nel 1838. Da consegnarsi al Tenente d'Ancona e al Dott. Fogolari.

Alla Direzione dello Staatsarchiv: Ritiro nella mattinata (ore 9) dei volume della Biblioteca Marciana (Diari del Sanudo, ecc.) asportati nel 1876. Consegna da effettuarsi al Dott. Giulio Coggiola.

Alla Direzione del Museo Industriale di Vienna: Ritiro nel pomeriggio (ore 14) degli oggetti appartenenti alle terre occupate dall'Italia sia di enti pubblici sia di privati e depositati nel Museo stesso. Da consegnarsi a uno dei tre commissari italiani [...].

---

13 "Art seizures by Italy. Armistice Commission begins taking masterpieces from Vienna, and may demand others, including Sistine Madonna", *The New York Times*, April 13<sup>th</sup>, 1919, p. 1, 6.

Al Ministero dell'Istruzione (più precisamente al Regierungsrat Neidel): Ritiro nel pomeriggio (ore 14) degli oggetti del Museo di Aquileia ivi depositati. Da consegnarsi a uno dei tre commissari italiani indicati sopra.

Per il giorno 14 febbraio

Alla Direzione delle Sammlungen der Waffen etc. (Dr. Schlosser): Ritiro nella mattinata (ore 9) del busto in marmo di Antonio Canova rappresentante Francesco II. Da consegnarsi a uno dei tre commissari indicati sopra.

Alla Direzione del Dorotheum di Vienna: Ritiro nel pomeriggio ore 14 delle casse della Biblioteca di Trieste e dell'Archivio di Pola ivi depositate.<sup>14</sup>

A veiled threat of likely yet unspecified repercussions on the part of the Mission in case of failure to comply, resulted in the message being rightly interpreted as a short-term ultimatum, which many believed to be hinting at the possibility of cutting food supplies to the city. The Austrian press also reported about how Segre apparently did not rule out the "brutal" use of armed force in case of refusal.<sup>15</sup> The General himself would admit to having purposely spread the rumour around that not giving the Italians what they were asking for could come across as rather ungrateful given all their efforts towards delivering foodstuff to Vienna. He nevertheless stressed that such statements were far from becoming reality.<sup>16</sup> In order to actually counter those very rumours, the Mission released an official statement that the *Salzburger Wacht* published on its February 18<sup>th</sup> issue.<sup>17</sup> After saying that the Mission considered itself obliged to deny the accusations of blackmailing Vienna through food supplies in order to get the paintings they requested, the communiqué reminded the Viennese about the continued and personal interest of General Segre in the distribution of foodstuff, along with the well being and repatriation of Austrian prisoners of war. The efforts of the General towards the retrievals of works of art – the statement went on – were thus justified and no threats had been ever spelled out.<sup>18</sup>

So it was that on February 12<sup>th</sup> to 14<sup>th</sup> Paolo D'Ancona, Gino Fogolari and Giulio Coggiola convened at the appointed places and times. Some unarmed soldiers escorted them in order to assist with the removals. D'Ancona apparently put on his military uniform for the occasion.<sup>19</sup> He later recalled, not without a certain sense of complacency, how in those days he and his two colleagues became

---

14 Roberto Segre to Staatsamt für Äußeres, February 10<sup>th</sup>, 1919 (AdR, K. 13).

15 "Im Weigerungsfalle der Auslieferung drohte [Segre] in wenig ritterlicher Weise mit der Sperrung der Lebensmittelzufuhr und brutaler Waffengewalt innerhalb Wiens." ("Italianische Bilderrequisition in Wien", *Wiener Illustrierte Zeitung*, February 23<sup>rd</sup>, 1919, pp. 380-1.)

16 SEGRE 1928, p. 139. In a later note to the Italian Supreme Command Segre wrote: "A dire il vero, in vista della resistenza che il Governo AT stave frapponendo alle mie richieste, avevo fatto ventilare dai miei fiduciari, non la minaccia, bensì possibili preoccupazioni per il regolare rifornimento dei viveri; ma mi sarei ben guardato, per ovvie ragioni, di ricorrere io stesso a tale espediente." (Roberto Segre to Comando Supremo, February 22<sup>nd</sup>, 1919, ASPMV, b. 14-55B, fasc. 1).

17 "Bilder und Lebensmittel", *Salzburger Wacht*, February 19<sup>th</sup>, 1919, pp. 3, 4.

18 "Der Wunsch des Generals Segre nach Entgegenkommen bei der praktischen Durchführung der Bilderbeschlagnahme hatte also eine gewisse Berechtigung, insofern er sich auf sein Entgegenkommen bei der Behandlung der Lebensmittelfrage berief. Von einer Drohung war keine Rede." *Ivi*, p. 4.

19 "Italianische Bilderrequisition in Wien", *Wiener Illustrierte Zeitung*, February 23<sup>rd</sup>, 1919, pp. 380-1.



known in the city as ‘the three robbers’.<sup>20</sup> The directors of the various museums and institutions had already agreed with them on how the retrievals should be carried out: the Italian representatives were to wait outside the building and receive the paintings the museum staff had taken down under the supervision of the curators. This is how things went, for instance, at the Hofmuseum and the Akademie der bildenden Künste. There, the respective directors, art historian Gustav Glück and sculptor Edmund von Hellmer, presented the Italians with a formal protest before handing the paintings over to them. Director of the city’s National Library (former Hofbibliothek), Josef Donabaum, received Giulio Coggiola by means of the same ceremony.<sup>21</sup> In this case though, Donabaum refused to hand over the requested manuscript, autographs and prints (nearly a hundred items). As a result, armed Italian soldiers reportedly showed up, yet it seems that the Austrian director temporarily managed to delay the consignment.<sup>22</sup> Every time a consignment from an Austrian institution took place, both parties would sign a short receipt or ‘protocol’ confirming what had been removed and in the presence of whom.<sup>23</sup> Receipts regarding these first retrievals (February 12<sup>a</sup> to 14<sup>a</sup>) were apparently drafted in Italian and information was limited to the type and quantity of objects taken away. Home to the Italian Embassy in Vienna since 1908, the Metternich Palace on the Rennweg served as temporary storage for the 160 paintings removed from the two renowned galleries, and many others. Carabinieri officers were to guard them until their shipment to Italy, and to that end qualified staff from Venice’s Gallerie dell’Accademia travelled all the way to Vienna and back to Italy again. Although the procedure was very formal and both parties would sign official papers, the Austrians always maintained that these initiatives were nothing but military (i.e. forcedly imposed) measures by an occupying Power, against which they were not in the political and financial position of taking any counteraction whatsoever. Following governmental instructions, the directors of the Austrian institutes started using this very wording in all later protocols for the consignment of new objects to the Italian Mission.<sup>24</sup> In some cases Italian art officers signed only their receipts and refused to give their approval to the Austrian version. The deep frustration of local directors and curators took also the form of tombstones reading: “Von der italienischen Waffenstillstandskommission widerrechtlich weggeschafft”, removed

---

20 “Dicono che le nostre tre figure fossero divenute un po’ leggendarie nella metropoli esausta e sonnolenta, e che il nomignolo di ‘tre ladroni’ ci sia stato affibbiato contemporaneamente, sebbene in senso diverso, da amici e nemici.” (D’ANCONA 1922, p. 4.)

21 Roberto Segre, Italian Military Mission for the Armistice, to Comando Supremo, February 22<sup>a</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

22 “Italienische Bilderrequisition in Wien”, *Wiener Illustrierte Zeitung*, February 23<sup>a</sup>, 1919, pp. 380-1.

23 Plenty of these receipts and protocols, originals and copies, are found both in Italy and Austria. A receipt with a list of 60 paintings taken by D’Ancona and Fogolari from the Imperial Gallery on February 13<sup>a</sup> and a 90-entry protocol drafted by the Austrian personnel of the Academy of Fine Arts on the same day, are for instance kept in AdR, K. 258.

24 “Da ein gewaltsamer Widerstand unsererseits mit unserer politischen und wirtschaftlichen Lage gegenüber Italien unvereinbar war und mit unseren militärischen Machtmitteln auch tatsächlich nicht geleistet werden konnte, währenddem italienischerseits an uns keine Frage gestellt, sondern nur das faktische Vorgehen angekündigt wurde, erübrigte uns nichts, als die Leitungen der betreffenden Anstalten von dem Eintreffen der Italiener mit dem Ersuchen zu verständigen, die Übergabe im Wege eines Protokolls ausdrücklich als eine militärische Maßnahme der okkupierenden Macht zu erklären und jede Verantwortung der Verwahren und der zuständigen Aufsichtsbehörde unbedingt abzulehnen.” (Staatsamt für Äußeres to Staatsratsdirektorium, February 20<sup>a</sup>, 1919, AdR, K. 257.)

unlawfully by the Italian Mission for the Armistice. Director Gustav Glück hung them in his gallery for all Vienna to see, within those frames the Italians had just left empty.<sup>25</sup>

### *Viennese indignation*

The aggressive stance Segre suddenly assumed towards places of art, history and education and the violation of Austrian public collections housed therein, triggered a harsh response also from the Viennese public opinion. The General secretly hoped that the upcoming elections for the Constituent National Assembly, scheduled on February 16<sup>th</sup>, would have stolen the limelight and let his museum incursions go nearly unnoticed.<sup>26</sup> However, starting from the first day of the retrievals, Wednesday, February 12<sup>th</sup>, the newspaper *Neue Freie Presse* published a sore article under the dramatic title of “Hungerkrieg für Kunstwerke. Ein italienisches Ultimatum an Deutschösterreich”.<sup>27</sup> As the title suggests, the author made a point of describing his country’s dire situation and depicting it as a powerless and agonising victim of the vanquisher’s abuses. The abuses had in this case taken the form of an unexpected and disproportionate quarrel over artistic objects, which had more to do with war than with peace, a “blatant incongruity” when compared with territorial and other more urgent disputes.<sup>28</sup> In those same days the *Wiener Allgemeine Zeitung* and the *Fremden-Blatt* coined the term “Bilderkrieg”.<sup>29</sup> As the first newspaper rightly observed in its February 12<sup>th</sup>’s issue, Italians did not really need to compromise their position before the Peace Conference by calling into question food supplies. Austria’s unprecedented state of defencelessness would have even allowed for them to tear down St. Stephan’s tower or divert the Donaukanal, they said. It would have been enough if the Italian art officers had simply declared that they wanted to pick up the pictures the next day. “Wer sollt sie daran hindern, wenn es nicht das eigene Rechtsgefühl tut”, the piece read.<sup>30</sup> The *Fremden-Blatt*’s article “Der italienische Bilderkrieg” published the

---

25 ASPMV, b. 14-55B, fasc. 1; DEITERS 2016, pp. 19-24; HAUPT 1991, p. 66; „Kunstraub“ 1919. *Als Wiens Museen in Bedrängnis gerieten*, 20. Jänner 2019 (<https://orf.at/stories/3104818>).

26 “Com’è noto, il mio ultimatum che se giunse improvviso al pubblico, concludeva però più di un mese di inutili miei passi, pervenne al Governo AT e quindi si sparse in città, qualche giorno prima delle elezioni generali politiche [...]. Io ritenevo per fermo che popolazione e stampa, assorto com’erano nella lotta elettorale [...] non avrebbero dato soverchio peso alla mia intimazione [...]. Ma questo popolo [...] venne ad occuparsi in modo assai appassionato di quella intimazione.” (Roberto Segre to Comando Supremo, February 22<sup>nd</sup>, 1919, ASPMV, b. 14-55B, fasc. 1.)

27 “Hungerkrieg für Kunstwerke. Ein italienisches Ultimatum an Deutschösterreich.”, *Neue Freie Presse*, February 12<sup>th</sup>, 1919, p. 2.

28 “Man droht uns mit der Einstellung aller Lebensmittelzüge. Ein Ultimatum wird gestellt und Carpaccio und Tintoretto müssen zurücktreten, da die Notdurft des Lebens mit zwingender Gewalt herantritt. [...] Neben Bozen und Meran, neben den Plätzen unserer Alpen, neben den Fragen des Gebietes mögen Bilder und Kunstwerke geringer scheinen. Aber der ganze Vorgang, das Plötzliche, das Unverhältnismäßige der Drohung wirken verstimmend. [...] Eine Hungerdrohung, um Kunstwerke zu erlangen, die armselige Brot- und Mehlquote als Gegengabe für Carpaccio und Tintoretto, dieser schreiende Mißklang gehört noch zum Kriege.” (*Ibidem*.)

29 “Der Bilderkrieg”, *Wiener Allgemeine Zeitung*, February 12<sup>th</sup>, 1919, p. 1; “Der italienische Bilderkrieg”, *Fremden-Blatt*, February 13<sup>th</sup>, 1919, p. 3.

30 “Wenn die italienische Kommission etwa beschließen sollte, den Stephansturm abzutragen oder den Donaukanal abzuleiten, sie würde ebenso wenig Widerstand finden, denn der Zustand der Wehrlosigkeit, in den unser neuer Staat geraten ist, weist wohl keinen historischen oder

following day, February 13<sup>a</sup>, reported in detail on all the Italian 'raids' in those Viennese institutions Segre had listed in his letter only three days before. An almost mocking description of the operations related about how the Italians hurriedly loaded the unframed canvases on their car without even bothering to pack them. "Die Italiener verlangen immer mehr!", the Italians always ask for more, continued the article, which listed all the institutions where the Italian art officers had been taking away the objects from. One of the protocols signed in the museums, in this case the Hofmuseum's Gemäldegalerie, was copied in the article, along with the formal protests of the Direction of the imperial private and family assets and the Austrian government. And on February 14<sup>a</sup> the Neue Freie Presse gave another overview of the Italian "Rechtfertigungsversuch", the attempted justification, for their artwork demands.<sup>31</sup>

A more official attempt at inciting indignation and gathering support abroad, especially in Paris, came from the very Foreign Affairs, headed in those months by the Social Democrat Otto Bauer. Between February 11<sup>a</sup> and 12<sup>a</sup> the Ministry issued a formal protest through Note I-1447. A document in the Austrian State Archive spells out instructions for its delivery to the following embassies and consulates in Vienna, and Austrian attachés abroad:

Deutsche Botschaft Wien; Sächsische Gesandtschaft Wien; Bayerische Gesandtschaft Wien; Nuntiature Apostolique Vienne; Ambassade Rle. D'Espagne Vienne; Ambassade de Turquie Vienne; Légation Argentine Vienne; Légation des EU du Brésil Vienne; Légation du Bulgarie Vienne; Légation du Chili Vienne; Légation du Danemark Vienne; Légation des EU du Mexique Vienne; Légation des Pays-Bas Vienne; Légation Rle. De Norvège (Berlin); Légation Jle.d. Perse Vienne; Légation du Pérou Vienne; Légation Rle. De Suède Vienne; Légation de Suisse Vienne; Légation d'Uruguay Vienne; Engl. General Cuninghame, Wien, Englische Botschaft; Präsident der amerikanischen politischen Kommission Prof. Coolidge Wien [...]; Baron Haupt, Bern; Dr. Ludo Hartmann, Berlin; Graf Calice, Haag; Graf Des Fours, Stockholm; Graf Deym, Kopenhagen; Graf Bruselle, München; Graf Palfy, Bern; Graf Hoyos, Dresden; Baron Seidler, Stuttgart; Baron Cnobloch, Budapest; Dr. Marek, Prag.<sup>32</sup>

The note was however conceived first and foremost for the leaders of United States, Great Britain and France, along with their representative in Vienna. Even though the Big Four never really pursued a fully coordinated intervention in post-war Central Europe, any attempt at exploiting the political and economical situation of a former enemy to a single country's own advantage couldn't be tolerated, even less so ahead of the peace treaties. This is why the

---

zeitgeschichtlichen Parallellfall auf [...]. [...] Es hätte ja völlig genügt, wenn die drei italienischen Herren einfach erklärt hätten, am nächsten Tag die Bilder abholen zu wollen. Wer sollte sie daran hindern, wenn es nicht das eigene Rechtsgefühl tut." ("Der Bilderkrieg", *Wiener Allgemeine Zeitung*, February 12, 1919, p. 1.)

31 "Ein italienischer Rechtfertigungsversuch in der Bilderangelegenheit", *Neue Freie Presse*, February 14, 1919, p. 12.

32 Staatsamt für Äußeres to foreign embassies in Vienna, Austrian diplomats and the Apostolic Nuncio, February 11<sup>a</sup>, 1919 (AdR, K. 13).

Austrian government was very keen to seek the help, among others, of Archibald Coolidge and Thomas Cuninghame (also in the above list of recipients), especially in the case of a blatantly unilateral initiative such as the Italian seizure of scores of objects belonging to Austrian public collections. As pointed out earlier though, the American and British presence in the former imperial capital was mostly limited to gathering intelligence for their respective negotiators in Paris, whom Coolidge himself would later join. Both men did not fail to underscore this fact on occasions such as this one, and, even though in June 1919 Cuninghame eventually asked for detailed documentation on the works of art, manuscripts and other valuables taken away by Segre's Mission, he nevertheless specifically requested for his intervention not to be regarded as an official one.<sup>33</sup> Through Note I-1447,<sup>34</sup> Austrian authorities clearly spelled out their sense of helplessness over what was going on in their museums and libraries and hoped that foreign governments would feel compelled to prevent further Italian aggressions. The text of the formal protest started by stressing how the protocol to the Padua armistice expressly confined the Mission's activities to retrieving war materials and exercising "general control".<sup>35</sup> Despite such directives – the note went on – the Italian Military Mission had from its very onset been urging consignment, by means of sudden ultimatums, of records, objects of art and history belonging to the Imperial family or the new Austrian state. Despite hostilities being brought to a halt by the armistice agreement, the first and most authoritative legal instruments on which Austria had been basing its accusations were the Regulations concerning the Laws and Customs of War on Land to the Hague Conventions of July 1899 and October 1907. They applied to situations of military occupation by one Party of another Party's territory, and their article 56 read:

The property of the communes, that of religious, charitable, and educational institutions, and those of arts and science, even when State property, shall be treated as private property.

All seizure of and destruction, or intentional damage done to such institutions, to historical monuments, works of art or science, is prohibited, and should be made the subject of proceedings.\*

---

33 "Oberstleutnant Sir Cuninghame wünscht in Angelegenheit des Bilderraubes durch die italienische Regierung seiner Regierung Bericht zu erstatten und bittet um allerräscheste Bekanntgabe folgender Daten: [...]. Oberstleutnant Cuninghame betont die Wichtigkeit der Angelegenheit im Interesse Deutschösterreichs, bittet aber seine Intervention als eine nicht offizielle zu betrachten." (Transcript of Cuninghame's telephone dispatch to Staatsamt für Äußeres, June 16, 1919, AdR, K. 258.) On the same subject see also: Staatsamt für Äußeres to Austrian Delegation at the Peace Conference, June 10, 1919, (AdR, K. 13).

34 Protest gegen den gewaltsamen Abtransport von Kunst und Wertgegenständen durch die Italiener. Entnommen für die Pariser Akten, February 11- / 12, 1919 (AdR, K. 257).

35 *Armistice with Austria-Hungary. Protocol and supplement signed at Villa Giusti, near Serravalle, Italy, November 3, 1918. Entered into force November 4, 1918*, Article 10 of the Military Clauses in the Supplement to the Armistice Protoc (<https://www.loc.gov/law/help/us-treaties/bevans/m-must000002-0001.pdf>).

36 Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 29 July 1899, art. 56; Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907, art. 56.

As the Austrian government declared in Note I-1447 and scores of other documents, what Italians were doing to public collections in Vienna was thus an overt breach of the laws of war. On top of that, previous agreements such as the 1866 peace treaty between Austria-Hungary and the new Italian State, and a related 1868 convention, had apparently already settled some of the issues over artistic property now insistently contested by the members of Segre's Mission. Also in this case, innumerable documents produced by both parties tried to appeal to or against these texts, at a stage where it was also not exactly clear who should have been entitled to judge the matter. The only thing left to do for Austria ahead of peace negotiations was to declare itself not accountable for the violation of possible third-party rights over what fell so abruptly into Italian hands. In this case the rights at stake were those of successor States and of all the States entitled to war reparations following the still-to-be peace provisions, reparations that in principle could also be paid through public assets such as artistic and historical collections. Note I-1447 would thus remain one of Austria's most important expressions of dissent and frustration at Italy's way of settling disputes over artistic property. Nonetheless, some in Vienna would regard it more as a token of helplessness on the part of Austria, and one of neglect from the Big Four in Paris, whose sense of justice was not obviously living up to the Austrians' expectations.<sup>37</sup> However, having the rule of law on their part meant everything for Austria, also in order to confront those States that could have taken the example of Segre and his men. In that same month of February 1919, for instance, the Austrian attaché in Budapest had warned his government about a local newspaper article calling on the Hungarian government to embark on the same crusade for retrievals of national artworks and other treasures transferred to Vienna over the past centuries.<sup>38</sup> Actually, as the Austrian representatives pointed out, this appeared to be an isolated opinion, which contrasted with the widespread outrage at the Italian seizures among Budapest's official and private circles.<sup>39</sup> On another front, the Yugoslavian representative to the Liquidation Committee of the Ministry of Education,<sup>40</sup> seeing that the Italians were already taking with them part of the Imperial collections, warned the Austrian government that the other successor States would have drawn their own consequences too.<sup>41</sup>

---

37 "Wir sehen also wieder einmal an dieser italienischen Erpressung, daß bei der Entente Macht vor Recht geht und bedauern es lebhaft, daß unsere Regierung Deutschösterreich so machtlos hat werden lassen, daß jeder Übergriff nur mit schwächlichen, wirkungslosen Protesten beantwortet werden kann." ("Italienische Bilderrequisition in Wien", *Wiener Illustrierte Zeitung*, February 23<sup>r</sup>, 1919, pp. 380-1.)

38 "Magyar műkincsek Bécsben" (Hungarian art treasures in Vienna), *Az Est*, February 16<sup>r</sup>, 1919, p. 7 (<https://adtplus.arcanum.hu/hu/collection/AzEst>). A German translation of the article is found in AdR, K. 257: "[...] Jetzt hat die kaiserliche Glorie ein Ende, wir sind endlich frei. Wie die Italiener, verlangen wir auch das zurück, was uns gehört: die berühmten Kelche, Waffen, Kodexe, Bilder, mit einem Wort, alles, was uns geraubt wurde. Wenn unsere Vergangenheit schon dem Kaiser gehörte, sollen die Andenken der Vergangenheit uns gehören. Wir machen die Regierung hierauf aufmerksam, die nötigen Schritte zu unternehmen, damit die gesuchten Schätze nicht etwa verschwinden."

39 Austrian Legation in Budapest (Baron Cnobloch) to Staatsamt für Äußeres, February 19<sup>r</sup>, 1919 (AdR, K. 257).

40 Tasked with the redistribution of some Imperial public assets, the Hofärar.

41 Staatsamt für Äußeres to Italian Military Mission for the Armistice, March 17<sup>r</sup>, 1919 (AdR, K. 257).

Threats came not only from the outside though. In the Austrian parliament, opposition parties did not lose the chance to criticise the social-democratic-led government over the loss of priceless national treasures. On February 20<sup>th</sup> 1919 former members of the Constituent National Assembly Oskar Teufel and August Maria Kemetter from the German National Party (Deutsche Nationalpartei) filed a protest note with the Regierungsdirektorium, a governmental office. They lamented a purported lack of transparency in the handling of the affair, on which the Staatsrat (State Council) should have been duly informed and consulted but was not. According to the accusers, it would have been actually possible to counter what they dubbed Italian extortions, although no further specification on their part clarifies how. Lastly, they blamed the competent authorities for having disclosed information about the loss of the artworks only belatedly and somehow deceitfully.<sup>42</sup> Pressure on the government started also coming from the main artist associations and cultural institutions in Vienna. On Saturday, February 22<sup>nd</sup>, 1919, artists, art experts and intellectuals gathered in the Auditorium at the Academy of Fine Arts on Schillerplatz. President of the Academy Edmund von Hellmer had called on them to come together and raise a joint protest against the Italian seizures. In the invitation he sent to the (Belvedere) Staatsgalerie one day ahead of the event, for instance, he wrote that the Academy's executive committee was expecting a large turnout and requested furthermore the recipients to circulate the invitation.<sup>43</sup> From the same letter one also learns that Viennese artists resolved to display black flags outside their residencies for three days in sign of grief and disdain at the sudden loss of art treasures to the Italians, and invited the population to follow suit. Some newspapers also covered the event, relating of how, after Von Hellmer's opening remarks, art historian and public officer at the Staatsdenkmalamt<sup>44</sup> Hans Tietze<sup>45</sup> addressed the packed hall with a heartfelt speech. He praised the formative and enriching role Italian painters, and the Venetians in particular, always played for Austrian arts and Vienna's intellectual life.<sup>46</sup> It was also likely – he went on – that all the paintings once admired and studied in the Austrian galleries would draw less or no attention at all back in Venice, among scores of other treasures. What Italians were doing

---

42 "Die Nationaldemokratische Partei (Pantz-Partei) protestiert auf das Entschiedenste gegen die Preisgabe unermesslicher Kulturwerte (Gemälde, Gobelins, Archivalien, darunter eine Tasso-Handschrift und unschätzbare Bibliothekswerte) an die Italiener. Sie erhebt im besonderen Protest dagegen, daß nicht einmal der Versuch gemacht wurde, die Angelegenheit dem einzig dazu kompetenten Staatsrat vorzulegen. [...] Es hätten sich gewiß genug Mittel und Wege finden lassen, um der räuberischen Erpressung der Italiener zu begegnen. Als äusserst bedenklich muß es angesehen werden, daß die Bekanntgabe der unerhörten Tatsache an das Publikum verspätet und in durchaus verschleierte, di ungeheure Schwere des Verlustes nicht klar kennzeichnender Weise erfolgt ist." (AdR, K. 257.)

43 Edmund von Hellmer to Staatsgalerie, February 21<sup>st</sup>, 1919 (AdB, 1919-79).

44 Before 1919, the name of the Austrian office for monument conservation was k.k. Zentralkommission für Denkmalpflege. It had been established in 1850 as k.k. Central-Commission zur Erforschung und Erhaltung der Baudenkmale following Franz Joseph I's imperial resolution and since 1859 had been placed under the Ministry of Cult and Education. Today the office operates as part of the federal government under the name Bundesdenkmalamt. (<https://bda.gv.at/de/ueber-uns/geschichte-der-denkmalpflege-in-oesterreich>)

45 LOEHR 1954; KRAPF-WEILER 1986; SCHEURMANN 2019.

46 "Die Wiener Künstler gegen die italienischen Bilderentnahmen", *Neue Freie Presse*, February 23<sup>rd</sup>, 1919, p. 12; "Die Bilderverschleppung der Italiener", *Deutsches Volksblatt*, February 23<sup>rd</sup>, 1919, p. 7; "Das geistige Wien gegen den italienischen Bilderraub", *Teplitz-Schönauer Anzeiger*, February 26<sup>th</sup>, 1919, p. 3.

to the city's museums and libraries in those days was the result of sheer arbitrariness and lacked any legal basis, Tietze remarked. Thus, it behoved the new Austrian government to do whatever was in its power to nullify Segre's artwork retrievals and prevent new ones. This became also the subject of an official resolution addressed to the government and drafted at the suggestion of the Austrian painter and then president of the Künstlerhaus Wien Hans Ranzoni, among the speakers of that Saturday's meeting.<sup>47</sup> He himself told the audience: "Wir bedauern, daß wir nicht imstande waren, Gewalt gegen Gewalt zu setzen und fordern daher die Regierung auf, bei den Friedenverhandlungen alles zu unternehmen, um den an uns begangenen Raub wieder gutzumachen."<sup>48</sup>

### *More lists and seizures*

Back then as in the years that followed, the Italian press did not seem to put much effort into countering attacks to the Mission coming from the Austrian government, cultural circles and local newspapers. The then director of Mantua's Palazzo Ducale, Guglielmo Pacchioni later lamented the odd silence in the Italian news about artwork claims in Vienna and at the Peace Conference. Based on what he wrote for *Emporium* in 1922, restrictions on discussing the issue publicly in Italy came from the very Foreign Affairs, who were likely not to want to further undermine their bargaining power in Paris. "Ma trionfava allora tra noi quella politica del silenzio e del riserbo diplomatico ad ogni costo", Pacchioni noticed.<sup>49</sup> Given his job post in Mantua, the Military Mission sent for him around mid February, requesting his presence in Vienna so that he could supervise the packing and shipment of the Mantua tapestries seized from Schönbrunn in January, and of other valuables originally transferred to Vienna from the Estense city. Along with him went Angelo Pagan and Luigi Dalla Barba, custodians at Venice's Gallerie dell'Accademia tasked with preparing the objects for the journey.<sup>50</sup> Thus, the first shipments of objects retrieved from Viennese museums and libraries took place in the second half of February 1919. Furthermore, after those taking place on February 12<sup>th</sup> to 14<sup>th</sup>, D'Ancona and Fogolari appear to have carried out new retrievals between February 20<sup>th</sup> and 26<sup>th</sup>, as receipts attest to.<sup>51</sup> Everything had seemingly been first sent to Venice, where objects pertaining to other cities awaited to reach their final destination. With a note for Director General Corrado Ricci dated February 16<sup>th</sup>, Pacchioni (who was still in Venice at that date) reported to his Ministry on the upcoming arrivals. He also went further and suggested to his superiors that an exhibition of the artworks taken away from Vienna be set up

---

47 A copy of the resolution was attached to the invitations Von Hellmer had been sending out ahead of the reunion.

48 "Die Wiener Künstler gegen die italienischen Bilderentnahmen", *Neue Freie Presse*, February 23-, 1919, p. 12.

49 PACCHIONI 1922, p. 226.

50 Guglielmo Pacchioni to Comando Supremo, Affari Civili (Padua), February 15-, 1919 (ASPMV, b. 14-55B, fasc. 1).

51 Receipt dated February 20- of consignment of 4 paintings to Gino Fogolari; Receipt dated February 24- of consignment of 1 painting to Paolo D'Ancona and Gino Fogolari; Receipt dated February 26- of consignment of 1 sculpture to Italian officers (AdR, K. 258).

right away. Fogolari would have certainly approved of it, he added.<sup>52</sup> Ten days later, Minister of Public Education Berenini urgently notified the Director General about his deeming such an initiative not appropriate yet.<sup>53</sup> Eventually though, the Ministry granted permission for a small exhibition to be hosted at the Gallerie dell'Accademia in Venice. As soon as the rumour spread about the coming of the objects, institutions in Venice had been offering their sponsorship for its set-up.<sup>54</sup> It seems that the city's civil assistance committee (Comitato di assistenza civile) was the first to support the initiative and to consequently obtain the government's authorisation to arrange the show,<sup>55</sup> given also that its revenues had been earmarked for charity. Considering the fact that having the paintings back to Italy was mostly being carried out thanks to the Italian military, Fogolari thought it advisable to ask the Supreme Command for the ultimate *nulla osta*.<sup>56</sup> This must have been eventually granted, and the exhibition took place as planned. Hans Tietze accused Fogolari of having purposely omitted, in the preface to the catalogue, those documents and information that the Austrian art historian believed proved the unlawful removal of the objects from Vienna. "[D]er Katalog bringt in seiner Einleitung – Tietze wrote in those months – alle hochtrabenden Phrasen und böswilligen Beschuldigungen, die wir in diesem Zusammenhang schon gehört haben, verschweigt aber sorgfältig das einzige Dokument, auf das es ankommt, den feierlichen und ausdrücklichen Verzicht auf diese Bilder im Jahre 1868."<sup>57</sup> It is probably in order to take care of the exhibition and the following artwork shipments that Fogolari got back to Venice in March 1919. He appears not to have been back to the Mission in Vienna on a permanent basis ever again.<sup>58</sup> This might have provided one more reason for Pacchioni to stay in the Austrian capital and assist his colleagues and General Segre with drafting new lists and arranging the next consignments. A few weeks after his arrival, he reported to Fogolari in Venice on his and D'Ancona's getting new intelligence from their Ministry and preparing longer and more detailed lists of objects to be claimed back before the Austrian government.<sup>59</sup> Apparently D'Ancona was to stay in Vienna for some more time, there still being work left to do, as Pacchioni wrote on April 4<sup>th</sup>. He also noticed how it was no longer time for feats of strength such as those of February, but rather the moment to rely on the representatives in Paris, to

---

52 "Tra pochi giorni si crede potranno cominciare a giungere a Venezia parte delle opera d'arte che illegittimamente trattenute dal governo austriaco in seguito alle spogliazioni della prima metà del secolo scorso, vengono ora restituite. Interpreto senza dubbio il pensiero del Soprintendente Fogolari [...] proponendo all'on. Ministero che di queste opere [...] sia fatta subito una esposizione [...]" (Guglielmo Pacchioni to Direttore Generale AA.BB.AA., February 16<sup>th</sup>, 1919, ASPMV, b. 14-55B, fasc. 1)  
 53 Agostino Berenini to Direzione Generale AA.BB.AA., February 26<sup>th</sup>, 1919, (ASPMV, b. 14-55B, fasc. 1).

54 Like the San Marco Association, whose president Pellegrini proposed Fogolari to launch the exhibition with the association's sponsorship during the Festa della Sensa's celebrations due to start on May 29<sup>th</sup> that year. (Pellegrini (Associazione San Marco) to Gino Fogolari, April 3<sup>rd</sup>, 1919, ASPMV, b. 14-55B, fasc. 1.)

55 Gino Fogolari to Pellegrini (Associazione San Marco), April 4<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

56 Gino Fogolari to Comando Supremo – Segretariato per gli Affari Civili, April 5<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

57 TIETZE 1919b, p. 70.

58 Comando I Armata to Direzione Gallerie Venezia, March, 1919 (ASPMV, b. 14-55B, fasc. 1). Another evidence of Fogolari's resuming his work back in Venice are the notes Pacchioni would send him on a regular basis from Vienna starting March 1919.

59 Guglielmo Pacchioni to Gino Fogolari, March 25<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).



whom all the lists drafted in March and April were being sent. Not surprisingly, the Austrian Foreign Affairs, presented with further lists, once again kept referring the matter to the peace negotiations.<sup>60</sup> Many claims for artworks and other treasures still pending, in its March 13<sup>th</sup>'s sitting the Consiglio Superiore per le Antichità e le Belle Arti had nonetheless expressed full praise to the members of the Military Mission for the Armistice over the return of many paintings and other valuables to Italy.<sup>61</sup>

### *More protests*

In Vienna official and public remonstrations had meanwhile been going on. A few days after his speech at the Academy of Fine Arts, Hans Tietze lectured the audience once again on February 26<sup>th</sup>, this time in the Urania building at the Aspernbrücke. And once again he made a point of documenting Italy's lack of legal basis to its artwork seizures in the light of those treaties that put an end to the wars of independence. He then proceeded to relating the history of those very abducted pictures with the help of photographs, which thing – a newspaper wrote – sparked “an applause that sooner or later will have to be heard in Italy”.<sup>62</sup> The state officer's effort to counter Italian abductions and defend Austria's rights over the precious objects did not prevent him from voicing his deep frustration at how things were being handled by his own government. In Tietze's view, the sluggishness of the Austrian bureaucracy represented a guarantee of defeat in a business where promptness and determination would have already offered little chances of success. A poorly conceived defence strategy on the part of his administration – he maintained – and the evasiveness with which Segre's first requests had been confronted, triggered the General's sudden ultimatum and tough reaction. The subsequent stubbornness of officials and heads of collections to hold on to objects whose loss was at that point unavoidable, paired with the ambiguous stance assumed by the Foreign Affairs, only made things worse and had Austria waste a lot of time. Aware of the fact that his harsh remonstrations could spark hostility and disappointment among his fellow officers and the authorities, Tietze nevertheless felt the need to call them out on their mistakes so as to avoid – he believed – new ones in the difficult months ahead.<sup>63</sup> Following up on the release of Note I-1447 and other official protests, on March 19<sup>th</sup> 1919, General Director of the private and public imperial funds Franz von Hawerda reached out to ambassadors and representatives of Argentina, the Netherlands, Norway, Sweden, Spain, Switzerland and to the Apostolic Nuncio. He vigorously denounced the violation by the Italians of the Imperial collections (Hofmuseum and Hofbibliothek), i.e. of what he declared to be the House of Habsburg-Lorraine's private property, based on a 1875 general inventory and on records

---

60 Guglielmo Pacchioni to Gino Fogolari, April 4, 1919 (ASPMV, b. 14-55B, fasc. 1).

61 Direttore Generale AA.BB.AA. to Sovrintendente alle RR. Gallerie di Venezia (Gino Fogolari), March 24, 1919 (ASPMV, b. 14-55B, fasc. 1).

62 “Noch einmal der italienische Bilderkrieg”, *Fremden-Blatt*, February 27<sup>th</sup>, 1919, p. 6.

63 It is not clear to whom in particular Tietze addressed his memo, which reached the Foreign Affairs in March 1919. We know however that he originally sent it to a civil servant in the Staatskanzlei and that his complaints were specifically directed against the Ministries of Foreign Affairs and Education.

of imperial purchases.<sup>64</sup> From a report the Viennese Police sent to the Austrian Foreign affairs we learn that on April 27<sup>a</sup> the Artist Community (Künstlerschaft) held a new rally to condemn the Italian seizures.<sup>65</sup> Around 300 people were said to have gathered in the Konzerthausaal at 10 am that day. Those present also resolved to go request a hearing before Swiss, French and American delegates in the city. Groups of up to 150 headed to those embassies and asked the representatives of the Allied Powers to advocate Austria's cause in Paris:

Eine grosse Versammlung der Künstler und Kunstfreunde Wiens ist zu Ihrem Hause gekommen und hat uns zu Ihnen entsendet. Italien will unseren altererbten Kunstbesitz antasten und wir haben nicht die Macht, es daran zu hindern. So kommen wir zu Ihnen, dem Vertreter eines grossen Kulturvolkes, mit der Bitte: Helfen Sie uns in unserem gerechten Streben, uns und unserem Volke seine ideellen Kulturgüter zu erhalten. Es wäre eine Entweihung des kulturellen Empfindes, solche Güter zu Zahlungsmitteln zu erniedrigen. Was heute uns bedroht, würde sonst leicht zu einer barbarischen Gewohnheit werden, unter der im ewige Wechsel des geschichtlichen Werdens auch andere Nationen bitter zu leiden haben könnten. Darum bitten wir Sie nochmals: Helfen sie uns und unserer gerechten Sache und seien Sie der Überbringer dieses Hilferufes bei Ihrer Regierung.<sup>66</sup>

On the following day, April 28<sup>a</sup>, the Austrian Association of engineers and architects submitted to the Foreign Affairs their most severe remonstrance against the Mission's past and future "robbery".<sup>67</sup> Only 24 hours later the University of Vienna called another assembly along with the Academy of Fine Arts and the Academy of Sciences, inviting colleagues from other institutions and museums.<sup>68</sup> People gathered in the University's Festsaal at 12 am that Tuesday, April 29<sup>a</sup>. Also on this occasion, an official petition was drafted where these institutions pushed for the government to adopt a more resolute stance against Italy and prevent new seizures from Austrian collections.<sup>69</sup> A few days later, the organisers of the April 27<sup>a</sup> meeting (in the person of Hans Ranzoni) reached out to the Foreign Affairs with a note and their official resolution attached thereto, along with the message delivered to the foreign embassies. This letter dated May 1<sup>a</sup>, and a similar one of May 5<sup>a</sup>, bore the signatures of the presidents of the Gemeinschaft der bildenden Künstler (Ranzoni himself), the Vereinigung bildender Künstler Österreichs and the Künstlerbund Hagen Wien. The call was again for the Austrian government to stop the Italians, or else, as the message to foreign representatives read, art looting among States would in their view have become common practice. Artists then suggested the

---

64 Franz von Haverda to Minister der Argentinischen Republik, königl. Niederländischen Gesandten, königl. Norwegischen Gesandten, königl. Schwedischen Gesandten, königl. Spanischen Botschafter, Gesandten der Schweizer Eidgenossenschaft, Apostolischen Nuntius, March 19<sup>a</sup>, 1919 (AdR, K. 257).

65 Polizei Direktion Wien to Staatsamt für Äusseres, April 27<sup>a</sup>, 1919 (AdR, K. 257).

66 Künstlerschaft Wiens to Staatsamt für Äusseres, May 1<sup>a</sup>, 1919 (AdR, K. 257).

67 Österreichischer Ingenieur- und Architektenverein to Staatsamt für Äusseres, April 28<sup>a</sup>, 1919 (AdR, K. 13).

68 The Dean of the Vienna University to Staatsgalerie, April 26<sup>a</sup>, 1919 (AdB, 1919-163).

69 Resolution, not dated, not signed (AdR, K. 13).

Foreign Affairs seek the help of neutral States' representatives and have them sign a declaration at Paris's General Conference, whereby all States guaranteed the protection of each other's public collections. This could have ideally been carried out and supported – the note went on – by the Spanish delegation, who had been representing the interests of the Monarchy during the war and apparently prompted this very initiative. The Foreign Affairs thus got in touch with the Spanish Embassy accordingly.<sup>70</sup> On May 6<sup>th</sup>, the Festsaal in the main University's building hosted yet another protest rally. Professors and students of the Technische Hochschule convened to the stately hall to discuss and approve a motion to be addressed to the government. The Dean of the Hochschule notified the Foreign Affairs about it in the following days, renewing the widespread hopes pinned on them to undo the Italian wrongdoings and prevent new ones. The Dean also wished for their message to be brought to the attention of all foreign representatives in Vienna.<sup>71</sup> And in those very days, several members of the Constituent National Assembly submitted to the attention of Minister of Foreign Affairs Otto Bauer an inquiry regarding new artwork retrievals announced by the Italians. Some time before, Bauer had told the assembly that the Italians had admitted to having no legal basis for their seizures, while the Mission, through a press release, had later denied ever saying such thing. The authors of the inquiry thus demanded more clarity on the part of the Foreign Affairs over what was to happen next given the renewed threats.<sup>72</sup> At the very apex of their wave of protests and dissent, the artist community signed and published on May 15<sup>th</sup> another fiery declaration by means of a manifesto, for all Vienna to read:

#### An die Bevölkerung Wiens!

Eine Massenversammlung von Künstlern und Kunstfreunden, die zum Proteste gegen die ungeheuerlichen Ansprüche Italiens auf unsere kostbarsten Kunstgüter einberufen war, hat unter freiem Himmel den Beschluß gefaßt, die Rede, die in der Versammlung aus Künstler gehalten und die in ergreifender Weise unseren Empfindungen Ausdruck verliehen hat, öffentlich anschlagen zu lassen. Aus technischen Gründen übergeben wir diese Ausführungen auf diesem Wege der Öffentlichkeit mit der Bitte, sie zu lesen und für möglichste Verbreitung Sorge zu tragen.

Wiener! Es ist nicht das Gefühlsmoment allein, welches uns veranlaßt, die breiteste Öffentlichkeit auszurufen. Wenn es wahr wird, womit man uns bedroht, so stehen wir vor einem nationalen Unglück, das einer trostlosen Verarmung unserer Vaterstadt und unserer ganzen Heimat gleichkommt, die jeder unter Euch unmittelbar oder mittelbar auch vom wirtschaftlichen Standpunkte aus aufs bitterste zu spüren haben wird. Das darf nicht sein! Schließt Euch daher alle zusammen in der Abwehr dieses brutalen Eingriffes in unsere heiligsten Güter!

---

70 Künstlerschaft Wiens to Staatsamt für Äußeres, May 1<sup>st</sup>, 1919; Künstlerschaft Wiens to Austrian Foreign Affairs, May 5<sup>th</sup>, 1919; Austrian Foreign Affairs to Spanish Royal Embassy, May 11<sup>th</sup>, 1919 (AdR, K. 257).

71 Dean of the Technische Hochschule to Staatsamt für Äußeres, May 9<sup>th</sup>, 1919 (AdR, K. 257).

72 Konstituierende Nationalversammlung, 14<sup>th</sup> sitting, May 9<sup>th</sup>, 1919 (AdR, K. 258).

[...] Drei Herren mit einem Automobil haben 130 Werke unbelästigt einfassiert. [...]

Wiener! Nur wer seine Sache selbst aufgibt, hat sie verloren. Wir dürfen in dieser Frage einzig und allein der Gewalt weichen! Zunächst gilt es, Massenproteste einzubringen!<sup>75</sup>

The final lines invited readers to collect as many signatures as possible on the same sheet of paper on which the manifesto had been printed and hand them over at the Kunsthistorisches Museum. A final plea closed the manifesto, whereby everyone was to get ready and await the artists' signal for new and bigger rallies in the days to come.

### *"Contro propaganda locale"*

Towards the end of May, the month in which negotiations in Paris over artwork restitutions are said to have kicked off,<sup>76</sup> new train cars filled with paintings and other precious objects travelled all the way from Vienna to Venice.<sup>77</sup> In those same days, a not-better-specified official at the Foreign Affairs received a new list of items from General Segre. The document's subject was: "Pratiche artistiche non ancora espletate", art dossiers not yet finalised. The list referred firstly to specific manuscripts and paintings in the Hofbibliothek, Hofmuseum and Staatsgalerie, yet a last paragraph made it clear that any claimable objects found in other Viennese institutes at a later stage would have undergone the same provisions.<sup>78</sup> On a larger scale, all the still-pending demands for works of art, books and records had been, between March and May 1919, thoroughly sorted and further documented by D'Ancona, Pacchioni and their colleagues in Vienna so that an official booklet could be published and circulated. "Perché l'Italia reclama oggi dall'Austria opere d'arte e di storia" was the Italian title of a two-language edition published by the Military Mission with the support of the Italian Supreme Command, and conceived for the Italian and Austrian audiences.<sup>79</sup> To the latter, and to the Viennese in particular, the authors of the booklet had addressed their opening remarks. This publication – they wrote – was not put together for museum and library directors, less so for lofty art professors, but rather: "for you, Viennese".<sup>78</sup> In a move of what General Segre himself dubbed "contro propaganda locale"<sup>79</sup>, the citizens of the torn capital were thus being asked to read and judge the facts by themselves, free from the misconceptions and concoctions of intellectuals and Empire nostalgics. To this end, the Italian publication set out to prove to the

---

73 ASPMV, b. 14-55A, fasc. 19.

74 MODIGLIANI 1955a.

75 Soprintendenza e Direzione delle R.R. Gallerie di Venezia to Direzione Compartimentale delle Ferrovie dello Stato, May 21, 1919; Roberto Segre to Sovrintendenza alle Opere d'Arte del Veneto, May 23, 1919 (ASPMV, b. 14-55B, fasc. 1).

76 General Segre to unknown (Staatsamt für Äußeres?), May 22, 1919 (AdR, K. 258).

77 "Perché l'Italia reclama oggi dall'Austria opere d'arte e di storia/Warum Italien heute von Österreich Kunstwerke und historische Dokumente Beansprucht", Vienna, May 1919.

78 *Ivi*, p. 5.

79 General Segre to Gino Fogolari, April 26, 1919 (ASPMV, b. 14-55B, fasc. 2).

large public, by means of archival references and old treaties,<sup>80</sup> that the Habsburg Monarchy had no right whatsoever to carry away, as it did over many decades, precious objects from Italian churches, palaces and galleries. A great part of these old documents and treaties were exactly those Hans Tietze (and his government) repeatedly referred to as the undisputable legal basis for the objects to stay in Vienna.<sup>81</sup> And as the months passed among arguments, counter arguments, forced retrievals and protest rallies, it started dawning on everyone that such an impasse could be overcome only through the ultimate wording of the peace agreement. In view of that moment though, General Segre seemingly issued a preservation order (*sequestro conservativo* or *konservative Beschlagnahme*) whereby Austrian authorities could not displace or alienate those items the Italians were still trying to remove from Vienna.<sup>82</sup> As for the rest of the publication, the reader could also find annexed lists and documents that, along with a set of 24 pictures, served as evidence of the destruction wreaked upon many Italian cities and their monuments during German and Austrian air strikes.<sup>83</sup> Here too Italian expectations were unmistakable: art was to compensate for art, the art in the former Empire for the art Italy had lost to the war. The contents of the booklet were thus strongly polemical in spite of its shortness, and the initiative rather defiant of Austrian authorities and intellectual circles. After printing a very limited number of copies in Vienna between May and June 1919, Segre put their circulation on hold – as a disappointed Pacchioni wrote in those very days to D’Ancona (who by then had presumably left Vienna).<sup>84</sup> The General had apparently thought better of it, given the extent of the requests, and asked the Supreme Command for further approval. The latter strongly advised against the release of the booklet and, eventually, all the copies – Segre related some years later – ended up in the archives of the Supreme Command.<sup>85</sup> Reading the General’s memoirs, one also finds out about another brief catalogue of claimed treasures having been put together that year by Direzione Generale Antichità e Belle Arti and printed with Ministerial funds.<sup>86</sup> During all these months, art officials in Rome had been forwarding inventory cards to the Military Mission in Vienna, so that

---

80 *Ivi*, pp. 7-9.

81 Section 1.3 is indeed dedicated to these claims and the debates that ensued.

82 “E per evitare che il suo diritto, sanzionato dal prossimo Trattato di pace [so the authors assumed], possa poi essere nuovamente eluso nella pratica applicazione, l’Italia [...] si è premurata notificando il sequestro puramente conservativo di tutto quanto potrà formare oggetto della discussione.” *Ivi* p. 7.

83 Damage lists and pictures had been already published as part of Ogetti’s report in *Relazioni 1920-1921*, and, before that, also on the press as part of his propaganda campaigns (NEZZO 2003; COCCOLO 2021a). “La mia relazione sui ‘danni artistici’ è stampata da più di un mese, e le sue conclusioni sono a ‘Parigi’”, wrote Ogetti in a note to Fogolari in March 1919 (Ugo Ogetti to Gino Fogolari, March 9, 1919, ASPMV, b. 14-55B, fasc. 1).

84 “[...] Il nostro libretto è uscito ieri. Date le clausole di Parigi il Generale ha ritenuto opportuno sospenderne la diffusione fino a che non sia venuto dal Comando Supremo un consentimento. E ciò per non fare una figura d’impotenza se le nostre richieste hanno dovuto subire una così forte riduzione. Io gli ho fatto però notare che dall’opuscolo le richieste appaiono assai meno abbondanti, e come tono assai più misurate di quanto non avvenisse dagli elenchi. Si è perciò deciso di diffondere l’opuscolo se il Comando Supremo non si opporrà. [...]” (Guglielmo Pacchioni to Paolo D’Ancona, June 2, 1919, ASPMV, b. 14-55A, fasc. 19).

85 “Ti ho scritto circa l’opuscolo. Anche oggi è giunto un telegramma Badoglio per sconsigliare la diffusione.” (Guglielmo Pacchioni to Paolo D’Ancona, June 23, 1919, ASPMV, b. 14-55A, fasc. 19.) See also SEGRE 1928, p. 121.

86 “Elenco delle opere d’arte indebitamente asportate dall’Italia e trattenute dall’Austria-Ungheria”, Roma, 1919. (ELENCO 1919.)

Fogolari, D'Ancona, Coggiola and the others could make a convincing case for their claims and retrievals. Officers at the Direzione Generale meanwhile kept on supplementing these entries with additional documentation on the objects' history and provenance. This confidential edition, an "edizione riservatissima" that Segre couldn't help dubbing 'clandestine', comprised only 100 copies and had been primarily conceived as a negotiation tool for Italian representatives in Paris (so the preface read).<sup>87</sup> A 'diplomatic' silence had thus fallen on both Italian publications, while, as Pacchioni wrote D'Ancona, "i Direttori di qui stanno preparando una grossa pubblicazione e ci trattano da somari in maniera più o meno aperta."<sup>88</sup> There are some reasons to believe, yet not enough elements to attest, that the publication in question could in fact be the massive two-volume collection of essays by German and Austrian art protection experts sponsored by the German Ministry of Foreign Affairs. Its title is *Kunstschutz im Kriege* and German art historian Paul Clemen edited it in that same 1919.<sup>89</sup>

### *Towards the end of the Military Mission*

June saw also another round of protests and demonstrations stirring up Vienna's learned circles. A member of the faculty of art history at the University of Vienna reached out to the Ministry of Foreign Affairs on June 10<sup>th</sup>, bringing to his attention a new rally against Italy's pressing demands for works of art. Lehrkancel Strzygowski, the author of the message, did not go into details as to either place or date of the event, or its audience, pointing out instead what he perceived to be a widespread mistrust towards official authorities and their way of handling the situation.<sup>90</sup> At the end of that week, on the Sunday of June 15<sup>th</sup>, the Neues Wiener Journal published a telegram the Academy of Fine Arts reportedly sent straight to Secretary of State Karl Renner in Saint Germain.<sup>91</sup> The Academy and its dean, Von Hellmer, along with the rest of the Viennese art institutes, associations, libraries and museums, vehemently condemned, before the Entente, old and new plunders of their treasured collections. They consequently begged of their Secretary of State to do whatever was in his power to seek fair peace provisions and restore the masterpieces they just lost. On that very day an encrypted telegram reached the Foreign Affairs. The Austrian attaché in The Hague, a certain Herr Franz, had been informed by the Amsterdam consulate about several Dutch art experts being poised to address an open letter to British and American representatives (possibly in Vienna) to express their disapproval of the Italian initiatives. Franz then wrote about the opportunity of talking the Swiss intellectuals into following the examples of the Dutch and making their disdain public.<sup>92</sup>

87 ELENCO 1919, preface, page not numbered; SEGRE 1928, p. 121, footnote 3; PACCHIONI 1922, p. 226.

88 Guglielmo Pacchioni to Paolo D'Ancona, June 23<sup>rd</sup>, 1919 (ASPMV, b. 14-55A, fasc. 19).

89 CLEMEN 1919. Further references to Clemen's volume and some of its essays are found in the following section.

90 Lehrkancel Strzygowski to Staatssekretär für Äußeres, June 10<sup>th</sup>, 1919 (AdR, K. 258).

91 "Proteste an die Entente wegen der italienischen Bilderansprüche", *Neues Wiener Journal*, June 15<sup>th</sup>, 1919, p. 11.

92 "Konsulat Amsterdam meldet, dass mehrere sehr angesehene holländische Kunst-Gelehrte in offenem Briefe an englische und amerikanische Kollegen Stellung gegen unberechtigte italienische Forderung auf Wiener Kunstbesitz nehmen wollen. Es wird versucht auch schweizerische Gelehrte

Possibly as a result of such move, Thomas Cuninghame got in touch with the Foreign Affairs on the following June 16<sup>a</sup>. He was willing to update the British government on the *Bilderraub* the Italians were carrying out and consequently requested the Austrian government to provide him in a short time with as much documentation as possible on old and planned seizures. As stressed before, however, the British attaché asked the Austrians not to regard his involvement as official.<sup>93</sup> The lists of objects carried away or ‘secured’ *in situ* by the Italians certainly represented a valuable means of propaganda. In attachment to a note for a certain D. Josephson from (or acquainted with) the Swedish press, for instance, a Foreign Affairs official provided some documentation on the artwork seizures, so that “daraus den Stoff für einige interessante Artikel in der schwedischen Presse werden schöpfen können”.<sup>94</sup> In August that year Cuninghame and Allizé, heads of the British and French missions respectively, received a new open protest from Vienna’s art experts. The Committee of scientific officers of the Kunsthistorische Museum told the Foreign Affairs about how around 100,000 people had been signing the petition against the dissolution of their historical collections at the hands of the Italian. All the signatures had been collected on the back of the famous manifesto published on May 15<sup>a</sup> and kept in the library of the museum. The Committee had thus forwarded the protest to the British and French officials.<sup>95</sup>

For the art officials of the Military Mission in Vienna the summer of 1919 meant fewer removals and more paperwork, the related negotiations in Paris having finally started and most of those officials having eventually gotten back to their duties in Italy. Of the members of the art sub-commission Segre had created earlier that year, D’Ancona and, to a greater extent, Pacchioni were apparently the only ones left in Vienna in the last months of the Mission’s activity (coinciding approximately with the second half of 1919 and the beginning of the following 1920). Pacchioni had mainly been busy with sorting documents, updating his colleagues in Italy and conducting tedious and often unsuccessful enquiries into artworks claimed by Italian private owners.<sup>96</sup> During that time, he also took the chance to entertain a series of exploratory talks with Hans Tietze and Viennese museum directors on the future of the Austro-Italian negotiations over the rest of the claimed objects. In this, towards the end of June, he found a precious aide in archaeologist Piero Sticotti, the soon-to-be director of Trieste’s

---

für Aktion zu gewinnen. [...]” (Herr Franz (The Hague) to Staatsamt für Äußeres, June 15-, 1919, AdR, K. 258).

93 Transcript of Cuninghame’s telephone dispatch to Staatsamt für Äußeres, June 16-, 1919 (AdR, K. 258).

94 Staatsamt für Äußeres to Herrn Dozenten D. Josephson, July 15-, 1919 (AdR, K. 258).

95 Collegium der wissenschaftlichen Beamten des Kunsthistorischen Museums to Staatsamt für Äußeres, August 8-, 1919 (AdR, K. 258).

96 “Sebbene sia un momento di stasi, ho tuttavia da fare assai. Piccole cose noiose e inconcludenti ma che rubano tempo. Molto ne fanno perdere e quasi sempre inutilmente, le perquisizioni e le ricerche dei furti ai privati.” (Guglielmo Pacchioni to Paolo D’Ancona, June 23-, 1919, ASPMV, b. 14-55A, fasc. 19.) So D’Ancona: “Finito il periodo che ho chiamato epico dei nostri lavori se ne iniziò uno di molto minore interesse e tornò in ballo l’inchiostro: di nuove relazioni alle Autorità competenti, disbrigo di pratiche in corso, risposte a lettere più o meno strampalate di privati italiani che pretendevano la ricerca impossibile di ogni oggetto ad essi asportato durante l’invasione. Ebbi allora un valente cooperatore nel dott. Pacchioni [...], e la relativa libertà di cui godevo, grazie al suo valido aiuto, mi concesse in questo ultimo periodo interessarmi più da vicino al complesso dei lavori della Missione.” (D’ANCONA 1922, p. 6.)

City Museum, who had spent his university years in Vienna and could now make the best of his old acquaintances in the city.<sup>97</sup> Sticotti had reached Vienna to assist with cataloguing and shipping all those objects pertaining to the not-yet-officially annexed territories of the Julian March (Venezia Giulia or Julisch Venetien), whose main cities were Trieste, Gorizia and Pula. It is not yet clear how long he remained in the Austrian capital. On his part, Pacchioni wrote to Fogolari on July 28<sup>98</sup> about how General Segre had asked him not to leave Vienna yet, as he seemingly was the only one left there with some knowledge of the matter.<sup>99</sup> A month later, in another message for the Venice superintendent and director, Pacchioni talked about his plans to be back in Italy around September 1919.<sup>100</sup> Based on a later note of his, we learn that he stayed in Vienna working for the Military in Mission until February 1920. “[D]al giugno 1919 al febbraio 1920, salvo qualche breve ritorno dei miei colleghi, rimasi l’unico rappresentante di questa Commissione”, he declared in a letter to the military lawyer who, in the summer of 1921, had been investigating the conduct of Segre and his men in Vienna.<sup>101</sup> Among the accusations of malpractice against the Mission were also allegations, fuelled by the Austrian press in particular, concerning the concealment of some of the seized artworks belonging to private owners. Pacchioni declared himself fully accountable for the consignment receipts he signed in those circumstances and denied any alleged loss of the things he and his colleagues had received from the Viennese Police back then. The way in which General Segre had chosen to handle the issue of artworks claimed by Italy against Austria thus happened to play a major role in the defamatory campaign, inquiries and trial that hit him in the first 1920s.

Il generale Segre [...], essendo sottoposto ad un Consiglio di disciplina per la questione della Missione Militare Italiana di Vienna, ha domandato che siano sottoposti alla S.V. i seguenti quesiti: 1) Se ritiene che, ove il gen. Segre avesse potuto continuare a regolare la questione dei recuperi artistici, il risultato finale sarebbe stato migliore, uguale, oppure meno buono di quello ottenuto; 2) Se ritiene che il modo come si è lasciato presentare all’opinione pubblica l’opera della Missione circa i recuperi artistici, risponda alla verità.<sup>101</sup>

These were the questions and testimony the appointed military committee of inquiry had been asking of Paolo D’Ancona in March 1923 on behalf of the General. Even if the answer to this inquiry is still unknown, D’Ancona had already been countering defamatory allegations in a brief account titled *A Vienna con il generale Roberto Segre*, published a year before, ahead of an

97 “[...] È qui ora il prof. Sticotti, del Museo di Trieste. Ha parlato con i direttori di qui, molti dei quali sono suoi amici e la via iniziata col mio primo colloquio col Tietze, sulla base di accordi scientifici anziché giuridici, trattati e discussi direttamente tra studiosi, ha qualche probabilità lontana di potersi verificare. [...]” (Guglielmo Pacchioni to Paolo D’Ancona, June 23<sup>rd</sup>, 1919, ASPMV, b. 14-55A, fasc. 19.)

98 Guglielmo Pacchioni to Gino Fogolari, July 28<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

99 Guglielmo Pacchioni to Gino Fogolari, August 24<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

100 Guglielmo Pacchioni to Avvocato militare (Tribunale Militare Speciale, Firenze), May 28<sup>th</sup>, 1921 (ASPMV, b. 14-55B, fasc. 1).

101 Generale di Corpo d’Armata Lombardi to Paolo D’Ancona, March 23<sup>rd</sup>, 1923 (ASPMV, b. 14-55A, fasc. 19.)



exhibition of some of the retrieved pieces in Rome.<sup>102</sup> The booklet served as a testament to D'Ancona's unfaltering conviction that what had been done by the art officers at the orders of the General during those months had been crucial for Italy to secure further restitutions and constituted a reason for great pride for his country.

---

102 D'ANCONA 1922.

## Chapter 2

### OBJECTS FROM INVADDED AND CEDED TERRITORIES

#### *Looting and safeguarding*

Among those who took indeed much pride in having served Segre during the months of the Military Mission in Vienna was also major and lawyer Gino Maffei from Mantua, member of the Italian parliament from 1924 to 1929.<sup>1</sup> Due to his origins and legal expertise, Segre had him come along on his tour of the Schönbrunn palace in January 1919, to assess the whereabouts of the Mantua tapestries.<sup>2</sup> In Vienna, Maffei apparently served as Secretary of the Military Mission, of which eventful experience he published various accounts in the years that followed.<sup>3</sup> In one of these memoirs of his, he strongly accused the Austrian and German armies of having painstakingly ransacked public and private artistic property all over occupied cities and towns of Veneto (in the provinces of Belluno, Venice and Treviso) and Friuli (in the province of Udine). “Era diventata una moda, il furto artistico. Dai Comandanti d’Armata giù giù ai pesci più piccoli, tutti incassavano e spedivano” was his concise description of the situation after Caporetto. Military officials and antique dealers – he went on – wound up running a vast racket of Italian merchandise, while Austrian art historians had been moving to Vienna whole crates packed with books and artworks, labelling the measure as precautionary and only temporary.<sup>4</sup> Recent studies are now available that relate an unbiased and fully documented history of the activities of Austrian and German art officers in occupied Italian towns, of Friuli in particular.<sup>5</sup> Their armies had tasked them with surveying and securing local monuments, historic buildings and movable collections during the occupation, as well as curbing their illegal trade and export. Soon after the war’s outbreak, such strategy was formulated and advocated by renowned art historians like Germany’s Paul Clemen and progressively adopted by German and Austrian military authorities in Belgium and France first. The shocking loss of the Louvain Library to the fire and the spectacular bombing of the Reims cathedral dealt a serious blow to the image of Central Empires’ warfare, making everyone aware of the importance of an at-least-attempted compliance with The Hague’s regulations and, in this specific case, their article 56.<sup>6</sup> In

---

1 <https://storia.camera.it/deputato/gino-maffei-18900913/leg-regno-XXVII>

2 “Non insistevo: solo ammiccavo al Segretario della Missione – il maggiore avv. Maffei, di Mantova – che aveva voluto accompagnarmi poiché si trattava dei *suoi* arazzi.” (SEGRE 1928, p. 123.)

3 See MAFFEI (1919; 1922; 1933).

4 MAFFEI 1922, pp. 53, 54.

5 See for instance BERETTA (2005; 2008); HORVATH-MAYERHOFER 1985; PERUSINI (2008; 2017; 2019); PERUSINI, FABIANI 2017; SCHEURMANN 2019; TAMBURLINI 2007; VISENTIN (2011; 2021).

6 “Bis heute – writes Ingrid Scheurmann – sind die Urteile über die deutsche Kriegsdenkmalpflege ambivalent. Sie schwanken zwischen der Selbsteinschätzung der beteiligten Kunsthistoriker [...] und der nachmaligen Bewertung ihrer Tätigkeit als reine Propaganda [...]. De facto waren die Kunstschützer bei unbeweglichen Denkmälern [but also movable collections] wenig erfolgreich,

occupied Italy, like everywhere else, these Austrian and German officers were collectively known as the *Kunstschutzgruppe*, the art protection team(s), and took office in the north-eastern city of Udine in November 1917. Hans Tietze, enrolled as lieutenant, was one of the main coordinators of the Austrian art protection team, along with several colleagues and members of what was still known as k.k. Zentralkommission für Denkmalflege.<sup>7</sup> Some of them were, like Tietze, enrolled as military officials, others simply worked in their capacity as state officers. They all spent about one year as part of the art protection team in occupied Italy, till when their armies retreated in October 1918.

The armistice being signed on November 3<sup>rd</sup>, 1918, in that same month not better-specified governmental offices in Vienna hurriedly released a booklet on the activities of the Austrian monument protection officers in occupied Italy.<sup>8</sup> It consisted of excerpts from two field reports, one undated and the other referring to April-June 1918, whose author's name was nowhere to be found. No information on the publisher, no editing or third party comments supplemented the texts, throwing the reader in at the very deep end. The accounts were nevertheless detailed enough to provide a fairly rich picture of all those places, buildings and objects the Austrian *Kunstschutzgruppe* had been monitoring, inventorying and securing during the occupation. Inevitably though, Tietze and his colleagues became operational only some weeks after their troops had already raided many of those buildings left empty ahead of the invasion, among which countless castles and villas, "wodurch – the November publication read – einer der wesentlichsten Züge der Kultur des Friaul für immer vernichtet worden ist."<sup>9</sup> Likewise, several museums and libraries lost part of their collections to the invasion.<sup>10</sup> The *Kunstschutzgruppe* made indeed

---

wussten aber die 'Gunst der Stunde' zu nutzen, um ihre eigenen Forschungen voranzutreiben. Alle maßgeblichen Vertreter der Denkmalfpflege engagierten sich in der einen oder anderen Weise für die nationale Sache – eine ganze Disziplin hatte sich binnen kurzem der Logik des Krieges untergeordnet." (SCHEURMANN 2019, pp. 43, 44.) On this regard, i.e. the political dimension of art protection initiatives during WWI, see also PASSINI 2008.

<sup>7</sup> Along with Hans Tietze and seemingly on Max Dvořák's recommendation, the Austrian *Kunstschutzgruppe* comprised historians, art historians and archaeologists Oskar Oberwalder, Anton Gnirs, Paul Buberl, Oswald Kutschera, Heinz Julius Thomaseth, Franz Ottmann, Guido Kaschnitz von Weinberg, Robert Teichl, Koloman Pogány, literary historian Rudolf Wolkan, architects Karl Holeý and Alfons Ivo Quiquerez. (Hans Tietze to Staatsamt für Äußeres, February 3<sup>rd</sup>, 1919, AdR, K. 257; see also PERUSINI 2017, pp. 201, 202.)

<sup>8</sup> *KUNSTSCHUTZGRUPPE 1919*.

<sup>9</sup> See for instance what happened to Friuli's Perusini family in the first months of the invasion. A report drafted in the summer of 1919 by Udine's Carabinieri read: "Dalle indagini esperite in merito al trafugamento di quadri artistici durante l'invasione in danno della signora Giuseppina Perusini Antonini tenuti in consegna dal di lei gastaldo Zapparo Alessandro alla villa di Rocca Bernarda in comune di Ippolis, è risultato che negli ultimi del mese di dicembre 1917, si presentò alla abitazione del Zapparo stesso un capitano austriaco [...], insieme con altri due ufficiali e una decina di soldati, con carro e due cavalli, la di cui attenzione venne fermata su due casse nelle quali erano rinchiusi i quadri. Il detto capitano dopo aver ordinato ai suoi soldati di aprire le casse stesse esaminò attentamente i quadri e ne asportò una ventina". (RR. Carabinieri Divisione Udine to Soprintendenza alle opere d'arte Veneto, August 13<sup>th</sup>, 1919, ASPMV, b. 14-55B, fasc. 1.)

<sup>10</sup> *KUNSTSCHUTZGRUPPE 1919*, p. 9. See also the accounts of Lieutenant Graff, seemingly from the German army, annexed to the Perathoner Report published in *Relazioni 1920-1921*, vol. IV, pp. 669-672.

<sup>11</sup> As for the treatment of movable property, the period of the occupation can be divided in three moments. A first phase comprises the two months of November and December 1917, when spoliation took the form of 'non regulated' looting, carried out under no official orders and not attested by any receipts. The only testimonies were in this case those of local authorities and owners. A second phase

a point of tackling lootings carried out by their own army, where possible. Tietze later wrote that an export ban for works of art already existed in December 1917.<sup>12</sup> Despite this, between 1917 and 1918, the extent of the black market was such that, in February 1918, the Austrian-Hungarian field marshal and commander of the Southwestern Front (1917-1918) Svetozar Borojević issued an official ban on trafficking in (mainly private) artistic property coming from invaded lands and whose owner had left before October 1917.<sup>13</sup> As a matter of fact, purchases and export agreed upon by both parties were still allowed for, as long as appointed members of the Kunstschutzgruppe had authorised them. The vettings were meant to make sure that the objects did not belong to a public collection or, alternatively, that their transfer abroad did not constitute a cultural loss for Italy.<sup>14</sup> No highly valued objects ever left Italy, declared the anonymous booklet, thanks to stringent border controls.<sup>15</sup> Following another military decree (March 3<sup>rd</sup>, 1918, n. 6), works of art could seemingly be shipped abroad, but only after examination in the event the object belonged to Italian citizens still living in the occupied territories. No examination was required if the item's owners had fled. This last instance was of course the one under which most of the objects fell and, especially for those

---

started in January 1918 till the beginning of the retreat of German and Austrian troops in October. This period saw the issuing of official decrees aimed at 'legalising' removals and seizures, which all fell under the authority of commander Borojević, the highest military, legislative and civil authority in occupied Italy. In October and November 1918 German and Austrian troops resumed chaotic and uncontrolled pillage and destruction. Throughout all these phases, thefts and extortions carried out by single soldiers – and the local population likewise – constituted a permanent feature of the occupation. (Relazioni 1920-1921, vol. IV, pp. 205, 206; TIETZE 1919b, p. 58.) Max Dvořák bitterly noted in his contribution to Clemen's volume that: "Der Verlauf des ersten Kriegsjahres hat uns allerdings belehrt, daß die Haager Bestimmungen von keiner Seite respektiert wurden". (DVOŘÁK 1919, p. 3.)

12 TIETZE 1919b, p. 57.

13 Refugees represented roughly one fifth of the total population of the invaded territories. Based on a November 1918 military order, who fled had five days to go back to their abodes, or else his house and furniture were bound to be subject to confiscation by military authorities. (Relazioni 1920-1921, vol. IV, pp. 244, 245.) *Res nullius*, or herrenlose Güter, is the label Austrian military authorities officially put on the property of those who fled from invaded lands, based on official documents and depositions. (Ivi, pp. 35, 36.)

14 Borojević issued the decree (Verordnung) on February 8, 1918. The provision seemingly featured the Verordnungsblatt (der Militärverwaltung in Italien?) of February 16, 1918 with the number 6. (Relazioni 1920-1921, vol. I, pp. 138, 139 and vol. IV, p. 34; TIETZE 1919b, pp. 57-58; HORVATH-MAYERHOFER 1985, p. 79; BERETTA 2008, p. 233.)

15 "[W]eitere ist jenes künstlerisch besonders wertvolle Material festzustellen, daß dem Armeekorps-Oberkommando als Faustpfand für die italienischerseits aus Österreich abtransportierten Kunstwerke dienen könnte [...]. [...] Die Ausfuhr von Kunstgegenständen aus dem besetzten Gebiet wird regelmäßig überwacht; die Erlaubnis dazu ist an ein Gutachten der Kunstsachverständigen gebunden, das dann zustimmend ist, wenn die Erwerbung als einwandfrei erwiesen wird, wenn das Werk nicht aus öffentlichem Besitz stammt und wenn seine künstlerische Bedeutung nicht so groß ist, daß sein Abtransport eine Schädigung des Landes darstellen würde, Bilder und sonstige Kunstgegenstände, deren Ausfuhr ohne Bewilligung versucht wurde, wurden wiederholt von der Grenzkontrolle beschlagnahmt und der Kunstschutzgruppe überstellt. Im ganzen läßt sich sagen, daß sowohl diese Gegenstände, als auch diejenigen, für die bisher um Ausfuhrbewilligungen eingereicht worden ist, fast ausnahmslos ganz unbedeutend waren." (KUNSTSCHUTZGRUPPE 1919, pp. 24-27.) Later also Tietze underlined how many of the looted pieces should have been regarded rather as common private property than works of art: "Ergänzend kann aber hinzugefügt werden, daß die durch jene Umstände verschuldeten Schäden kaum Kunstwerke im eigentlichen Sinne des Wortes betrafen, sondern vielmehr zumeist in einer unteren Schichte mittelguter oder minderwertiger Objekte blieben, deren Beeinträchtigung als einfache Sachbeschädigung oder gewöhnliches Eigentumsdelikt zu bewerten ist. Denn wirkliche Kunstwerke sind in Italien - mit ganz verschwindenden Ausnahmen - nicht beschädigt worden." (TIETZE 1919b, p. 52.)

cases in which the owners left, these artworks couldn't be but the result of theft.<sup>16</sup> The few undeniably noteworthy pieces (mostly from public collections and churches) carried to Vienna by the monument protection officers themselves had being specially designated as 'collaterals' for what Italy was said to have taken from Austrian cities like Gorizia, Aquileia or Grado, when the Italian army occupied them between 1915 and 1917. As a cross-check between different sources reveals, the 'pawns' taken by the Austrian army consisted of:

- An altarpiece by Pordenone from Moriago;
- The pulpit bas-reliefs of San Martino's church in Conegliano;
- 28 crates of artefacts from Udine's City Museum, including Count Toppo's amber collection;
- Three manuscripts from Udine's Biblioteca Capitolare and Arcivescovile (Sacramentario Fuldense, Officium B.V. Mariae, Libro delle Ore);
- A Tiepolo altarpiece from Udine's Oratorio della Purità;
- Around 20 or 30 paintings and some fresco fragments from Belluno's City Museum;
- A batch of hand drawings by the sculptor Andrea Brustolon (1662-1732) also from Belluno.<sup>17</sup>

It seems that the order to hold some artworks as collaterals came directly from the Austrian Supreme Command. At least in the case of the things taken from Udine, receipts had been issued that explained the reason of such initiative and confirmed the existing property rights. As for the other objects, there is not always clear evidence of these being earmarked as pawns from the very onset, before the end of the war. And serious doubts about the advisability of the initiative must have been raised within the Austrian army itself, especially among its appointed monument experts. Tietze later recollected that "die Meinung über die Nützlichkeit dieses Schrittes waren sehr geteilt".<sup>18</sup> On November 29<sup>th</sup>, 1918, as soon as these anonymous reports reached the bookstores, the art historian expressed his strong disapproval of the publication in a letter to the Staatsdenkmalamt (former k.k. Zentralkommission).<sup>19</sup> Apparently, no former member of the Kunstschutzgruppe had been consulted over its release or took part in it, not even him, the very author, he revealed, of both reports. And the fact was even more striking in that the account named almost all the individuals involved in the monument protection activities. The

---

16 Relazioni 1920-1921, vol. IV, p. 253.

17 *Prima relazione della Sottocommissione per il recupero oggetti d'arte ecc.*, January 19-/20-, 1919 (ASPMV, b. 14-55B, fasc. 1); Landesregierung Klagenfurt to Staatsamt des Innern, February 1-, 1919 (AdR, K. 257); Hans Tietze (Kunsthistorische Institut des Staatsdenkmalamtes) to Staatsamt für Äußeres, February 3-, 1919 (AdR, K. 257); TIETZE 1919b, pp. 68, 69; Relazioni 1920-1921, vol. IV, pp. 670, 671; COGGIOLA 1919, pp. 202, 205.

18 Hans Tietze (Kunsthistorische Institut des Staatsdenkmalamtes) to Staatsamt für Äußeres, February 3-, 1919 (AdR, K. 257); TIETZE 1919b, p. 62.

19 Hans Tietze to Staatsdenkmalamt, November 29-, 1918 (AdR, K. 257).

Kunstschutz members, Austrian and German alike, had rather chosen to release official accounts of their activities as part of the joint publication *Kunstschutz im Krieg* Paul Clemen edited in 1919. This early miscalculation on the part of Austrian authorities had first of all resulted in an embarrassing array of misspellings and inaccuracies, Tietze added. Most importantly, though, he had drafted both documents exclusively for internal use at the orders of the army's civil commissioner, in March and July 1918 respectively. They were not at all either intended or suitable for publication. He was aware of the fact that the release of the document stemmed from his government's desire to present the conduct of his army in occupied territories in a favourable light. Even so, the art historian was clearly of the opinion that the booklet fell short of hitting the target. On the contrary, it failed to draw an accurate enough picture of the real efforts made by the Kunstschutzgruppe towards ascertaining damages and losses. Even worse, Tietze denounced, it failed to testify to how these efforts had been severely hindered by the behaviour of certain soldiers and the unwillingness on the part of their superiors to punish them: "Es sind infolgedessen verschieden Fälle von Entwendungen wertvollen Kunstbesitzes gar nicht oder nur ungenügend untersucht worden, – his letter read – sogar in Fällen, wo eine begründete Aussicht bestand, der verschleppten Gegenstände dadurch noch habhaft zu werden."

### *Compromising evidence*

Based on such passivity, when not complicity, of Austrian military authorities in the looting of cultural property from occupied territories, Tietze predicted Italy would have made strong accusations and found a way to retaliate, the more so because prosecuting single cases of theft and tracing guilty military officials would have proven ultimately too complicated, he reasoned. His suggestion to the Staatsdenkmalamt was then to look more carefully into these cases, so as to, if not condemn perpetrators, at least recover the loot and avoid provoking Italian authorities into displaying an aggressive stance towards Austria and its state collections. In order to prompt the initiative, Tietze declared himself ready to try and recollect some of the names more often associated with cases of theft, of which thing he gave a first example in that very letter:

FM [Feldmarschall] oder GM [Generalmajor] Spitzmüller soll als Chef der Qu. Abt. [Quartier-Abteilung] 10. Armee dem Gemeindemuseum in Belluno Kunstgegenstände, insbesondere Bronzen, entnommen haben;

General der Infanterie Henriquez wird für die Entlehnung des Schlosses in San Donà di Piave verantwortlich gemacht.

FMLt [Feldmarschall-Lieutenant] Greiner soll als Kommandant der 9.ID. [Infanterie-Division] illuminierte Handschriften und Bilder aus dem Schlosse Passeriano [probably Passariano] weggeführt haben;

Oberst Prinz Solms, Autoreferent der seinerzeitigen Isa [Isonzo-Armee], später des HGK [Heeresgruppen-Kommando] soll nebst anderen

Kunstgegenstände Urkunden aus dem Archiv der Familie Tullio-Altan in San Vito genommen haben;

Oberstleutnant Johann Umlauf, Referent der Luftstreitkräfte der Isa, hat im kunsthistorischen Hofmuseum in Wien ein Bild vorgewiesen, das dem Antonello da Salimbene nahesteht und das er nach seiner eigenen Angabe auf der Straße gefunden haben will.

Hptm [Hauptmann] Baron Pach, Besitzer des Schlosses Harmannsdorf in Nö. [Niederösterreich], galt gleichfalls als eifriger Kunstsammler, namentlich wurde sein Name mit dem rätselhaften Verschwinden der völligen wertvollen Einrichtung eines Zimmers im Palazzo Strassoldo in Udine in Zusammenhang gebracht.

Rittmeister Baron Boyneburg (Kärntner), Autooffizier des HGK, wurde im Laufe einer anderweitigen Untersuchung beschuldigt, einen Teil einer Siegelsammlung aus dem Hause Dal Torso in Udine fortgeführt zu haben.<sup>20</sup>

At the end of this list, Tietze underscored once again how hard it would have proven to try the guilty, especially when many military records had apparently gone lost. He was however pretty positive that the seizure and restitution of the looted objects could have spared Austrian public collections from looming danger. With this admonition in mind, Minister of Education Raphael Pacher reached out to the Ministry for Military Affairs some weeks later, with a copy of Tietze's letter.<sup>21</sup> The main concern of the Staatsdenkmalamt was indeed that of Italy's reprisals against Austrian state collections during the Paris negotiations, Pacher emphasised. He thus urged military authorities to do everything that could be done for the recovery of the items taken away from occupied Friuli and Veneto. After Tietze's first examples of military officials most probably guilty of stealing works of art and other valuables during the occupation, new intelligence kept pouring in and circulating among Vienna's governmental cabinets. Thus the Ministry of Foreign Affairs on February 18<sup>th</sup>, 1919:

a) Ein Oberstleutnant Vorauer eines schweren Feldartill. Regm [Feldartillerie-Regiment] [...] hat aus Schloß Valmareno bei Cison [possibly CastelBrando near Vittorio Veneto] durch Trainfuhrwerk Kunstwerke entführt;

b) Im Etappenbereiche Belluno's haben Mann und Offiziere verschiedenster Formationen wiederholt den Quartiermeister der X Armee, General Spitzmüller, als "Dieb" (kürzeste aber wörtliche Zitierung) bezeichnet. Näheres durch Dr. Quiquerez, Landeskonservator in Graz;

c) In Valdobbiadene wurde ein Oberleutnant [...] Reisenauer als jener bezeichnet, der aus der Villa "Piva" Kunstwerke entführte;

[...]

e) Ein Hauptmann Granichstädten hat nach Aussage des aus Sernaglia (unfern der Piave) geflüchteten Pfarrers aus der Pfarrkirche diese Ortes, der

---

<sup>20</sup> *Ibidem*

<sup>21</sup> Raphael Pacher to Staatsamt für Heerwesen, December 16<sup>th</sup>, 1918 (AdR, K. 257).

durch feindliches Feuer gefährdet war, drei wertvolle Gemälde an einen ungefährdeten Punkt in der Nähe übertragen. Die drei Gemälde konnten wenige Wochen später nicht mehr aufgefunden werden. Hauptmann Granichstädten wäre in dieser Richtung energisch zu befragen.<sup>22</sup>

A couple of days later, from the Staatsdenkmalamt, news came of auctions of paintings and old furniture arranged by Austrian officials in Trentino ahead of the offensive in October 1917:

[N]ach bestimmter Aussage eines dort eingeteilt gewesenem Offiziers im Herbst 1917 vor unserer Offensive gegen Italien die im Val Sugana gesammelten Gemälde und alten Möbel vom Kommando der 18.I.D. [Infanterie-Division] zu einem Fürsorgezweck versteigert wurden; insbesondere habe der Kommandant der ID [...] auf diese Art zahlreiche Erwerbungen gemacht. Sitz des 18.I.D. Kommandos war Roncigno.<sup>23</sup>

Throughout 1919 and beyond, more details kept emerging about artwork pillaging in occupied Italy. “Die Werke bildender Kunst betreffend – bitterly remarked Tietze – machte sich hierbei die allgemein gültige Ansicht von der Überlegenheit Italiens in einer fast lächerlichen Konsequenz geltend; die Meinung, in jedem in Italien vorgefundenen kunstwerkartigen Gegenstand einen besonderen Schatz zu besitzen, führte zu einer sinnlosen Verschleppung von wirklichen und vermeintlichen Kunstgegenständen.”<sup>24</sup> A commission of inquiry, established in Italy in November 1918 to assess violations of the laws of war and war damages by the enemy, was able to gather a significant amount of related intelligence.<sup>25</sup> They for instance put together a list of military officials accused of criminal acts against the local population, thanks to the depositions of local authorities (priests and mayors) or of the victims themselves. In the list, one can also find various instances of theft of artworks. Colonel Lieutenant Luche, stationed in Vittorio Veneto, was for instance accused of ransacking the villa of Giuseppe Manfredi de Blasiis and stealing, among other things, his artworks and antiques. Colonel Lieutenant Alessandro Veit, stationed in Pozzuolo del Friuli, was accused of looting valuable paintings from the palace of Count Varmo in Mortegliano. Captain Platzer, from Feldskirchen, had allegedly stolen 59 paintings from Emilia Dogliani and ransacked the

---

22 Staatsamt für Äußeres to Staatsamt für Heerwesen, Staatsamt für Inneres and Staatsamt für Unterricht, February 18, 1919 (AdR, K. 257).

23 Staatsdenkmalamt to Staatsamt für Unterricht, February 20, 1919 (AdR, K. 257).

24 TIETZE 1919b, p. 51.

25 The commission’s full name was: Reale Commissione d’inchiesta sulle violazioni del diritto delle genti commesse dal nemico. Its main task was to provide evidence of illegal enemy warfare ahead of the Peace Conference. A seven-volume publication released in 1920-21 contains all the commission’s final reports. See *Relazioni 1920-1921*, which has already been cited in previous footnotes. It is surely telling of the importance assigned to the matter the fact that a very rich chapter called “Danni ai monumenti”, dedicated exclusively to damaged monuments and looted works of art, makes up 40% of the very first volume of the collection. Further details on looting and displacements of works of art are found in volume IV on the administration of occupied territories, titled “L’Occupazione delle provincie invase”.



Sammartini Pinacoteca in Belluno. Captain Victor Stancovitz was accused of pillaging the villa of Luigi Alpagò-Novello, mayor of Trichiana (Belluno), and removing all the paintings therefrom, along with a collection of old engravings. In Udine, Doctor Captain Teodoro Frank, Director of the Udine Field Hospital had reportedly removed two large paintings from the Civil Hospital and shipped them to his home in Prague. Finally, Dr. Quiquerez, a very member of the Austrian Kunstschutzgruppe, had apparently removed numerous valuable from private homes and the city museum in Belluno.\*

### *Tracing the booty*

In March and May 1919 the Italian art officers of the Military Mission drafted new long lists of what Austrian and German troops reportedly removed from private homes. As customary, General Segre forwarded them to the Austrian Foreign Affairs. The things taken away in this case amounted to: more than 50 objects belonging to Udine's Count Giovanni della Porta, among which some 20 paintings; several paintings, some dating XVIII and XIX century, and ancient furniture stolen from Count Rota in San Vito al Tagliamento; roughly 40 artworks part of the Dei collection in Feltre; seven pages of paintings and prints stolen from Count Attimis's Villa in Maniago; dozens of paintings from the Mainardi Villa in Goriz di Camin di Codropio, among which some 17 had been deposited with the local priest and removed by Austrian officials with the excuse of wanting to restore them; 23 artworks stolen on several occasions by invading troops between November and December 1917 from the Castle of Counts Pancera in Zoppola (Pordenone); around 100 between artworks and furniture belonging to the De Manzoni family in Agordo; various claims by private owners in Trentino, in some cases with details as to which Austrian regiments or officers, even military nurses, had been responsible for the looting. In this last circumstance, it seems that also the Rovereto Museum had lost some paintings right before the Austrian retreat.<sup>26</sup> On a different circumstance, as General Segre explained to the Austrian Foreign Affairs in March 1919, intelligence had reached the Italian Military Mission that Archduke Eugen, commander of the Southwestern Front between 1915 and 1917, had gathered numerous artworks harvested by his troops and stored them in his Hohenwerfen Castle near Salzburg.<sup>27</sup> Apparently though, the rumour did not receive full validation.<sup>28</sup> In yet another instance, a certain Patrouillenleiter Wolkan had flagged the Linz District Authorities about Major von Reha of the Etappengruppenkommando Belluno. Von Reha had apparently been zealously gathering artworks and furniture, which he later shipped to his private lodgings in Villach. Also the district commander in

---

26 Relazioni 1920-1921, vol. IV, pp. 585-591.

27 Roberto Segre to Staatsamt für Äußeres, March 6, 1919 (a) (AdR, K. 257); Roberto Segre to Staatsamt für Äußeres, March 7, 1919 (AdR, K. 257); Roberto Segre to Staatsamt für Äußeres, May 17, 1919 (AdR, K. 257).

28 Roberto Segre to Staatsamt für Äußeres, March 6, 1919 (b) (AdR, K. 257); Staatsamt für Äußeres to Staatsamt für Inneres, March 13, 1919 (AdR, K. 257).

29 Polizei Direktion Wien to Staatsamt für Äußeres, April 7, 1919 (AdR, K. 257).

“Agorda” (most likely Agordo, near Belluno), a certain Griessmeier, had truckloads of valuables carried to Villach.<sup>30</sup>

Numerous items had indeed been turning up in the apartments of former military officials, like two paintings from Count Brandolini's castle (possibly CastelBrando near Vittorio Veneto) found in the home of lieutenant colonel Ernst Böhm.<sup>31</sup> Carpenters, framers and shipping agents too ended up storing, when not fencing, artistic property from occupied Italy. A certain captain Ianzekovic was reportedly the first ‘Viennese possessor’ of a painting representing Eve that the Italian Mission had located at a carpenter's in Karolinengasse. The same captain had apparently sold five angels, likely to constitute a church booty, to the Prince of Lichtenstein and several Austrian officials seemed to have brought their loot to a restorer working at the Academy of Fine Arts.<sup>32</sup> Italian inquiries between 1919 and 1920 also traced two XVII-century paintings of Italian provenance depicting the Thirty Years War to the shipper Kuoni in Zurich. After removing them from occupied Friuli, Austrian Major Max Bulla had apparently been trying to sell them via different intermediaries. It looked like the two paintings were about to be sold abroad when Italian diplomats asked they be seized and handed back. Swiss and Austrian authorities having complied with the request, the paintings made it to Italy in March 1921, while Major Bulla was investigated, tried and subsequently acquitted for insufficient evidence of theft. This outcome unexpectedly let to Bulla's claiming and obtaining the two paintings back in 1924.<sup>33</sup> Among others, the Viennese antique dealer Adolf Herzka (or Hertzka) and his residence in Siebensterngasse had been receiving General Segre's special attention, due to some orders for new frames. “Egli fece giorni fa – Segre told the Austrian Foreign Affairs in February 1919 – un'ordinazione di cornici per dipinti di valore, che sono forse i nostri, perché risulta effettivamente che colà si trovano molti quadri asportati dall'Italia, che si vendono giornalmente ad amatori e privati.”<sup>34</sup> Herzka had served as cadet sergeant in Italy during the occupation, from February till August 1918. On such occasion – he told the police one year later – he had purchased around 50 paintings, whose lawful ownership he made a point of shoring up by listing the names of those in Vittorio (Veneto), Colle Umberto and Sacile who sold him the

---

30 Bezirkshauptmannschaft Lienz to Landesregierung Innsbruck, May 20, 1919 (AdR, K. 258).

31 Internal note of the Staatsamt für Äußeres, July 31, 1919 (AdR, K. 258).

32 Possibly Captain Francesco Callari (Italian Military Mission for the Armistice) to Polizeidirektion Wien, March 21, 1919 (AdR, K. 258).

33 The case of Major Max Bulla is extremely well documented and a vast amount of related papers is available both in AdR, K. 258 and ASPMV, b. 14-55A, fasc. 4. See for instance: Italian Legation in Vienna to Staatsamt für Äußeres, September 13, 1920 (AdR, K. 258); Staatsamt für Äußeres to Legationsrat Seidler, Bern, September 1920 (AdR, K. 258); Schweizerisches Eidgenössisches Justiz- und Polizeidepartement (Polizeiabteilung) to Italian Legation in Bern, September 23, 1920 (AdR, K. 258); Schweizerisches Eidgenössisches Justiz- und Polizeidepartement (Polizeiabteilung) to Österreichische Gesandtschaft Bern, October 16, 1920 (AdR, K. 258); Polizeikommando des Kantons Zurich to Landesgericht Innsbruck, December 3, 1920 (AdR, K. 258); Italian Legation in Vienna to Bundesministerium für Äußeres, January 28, 1921 (AdR, K. 258); Delivery receipt Casa di Spedizioni Giuseppe Guetta, Venice, March 30, 1921 (AdR, K. 258); Sentence of the Landesgericht Innsbruck, Abt. XIII, November 3, 1921 (AdR, K. 258); Ministero dell'Istruzione, Direzione Generale Antichità e Belle Arti to Soprintendente alle RR. Gallerie Venezia, October 22, 1922 (ASPMV, b. 14-55A, fasc. 4); Ministero Affari Esteri to R. Soprintendenza Musei e Gallerie Venezia, August 30, 1924 (ASPMV, b. 14-55A, fasc. 4).

34 Roberto Segre to Staatsamt für Äußeres, February 22, 1919 (AdR, K. 257).

items.<sup>35</sup> In his deposition, the dealer also pointed out the fact that some of these paintings had been left in Vittorio due to the advance of the Italian army. Based on a letter of Herzka to his brother, the Italians maintained the dealer had amassed double the amount of paintings he actually declared, planning on selling them at much higher prices.<sup>36</sup> The Viennese police had actually found 71 paintings in his apartment, and other seven in a frame shop some 500 meters away, on Westbahnstraße. Some of the objects' Italian provenance was likely, yet still open to investigation, the police reported on March 22<sup>nd</sup>, 1919.<sup>37</sup>

### *Help from Vienna*

Austrian authorities looked indeed quite eager to assist the Italians with this sort of inquiries.<sup>38</sup> A few days earlier, for instance, the Austrian Foreign Affairs had announced to Segre's Mission that the Viennese Police had even put together a special office and tasked it with tracing and recovering artworks belonging to occupied Italy. Police superintendent Bruno Schulz headed the new team, while Segre appointed Carabinieri's Captain Francesco Callari as their liaison at the Italian Mission.<sup>39</sup> This initiative was likely to stem from the great amount of work police offices had been confronted with as soon as Italian citizens started filing claims for their lost property. Requests from private owners to get their items back, paintings and other valuables included, were proving very time consuming and extremely hard to process even for the Italian art officers in Vienna, as we already learned from Pacchioni. "[T]i mando alcuni, i più precisi, dei tanti elenchi di opere d'arte rubate ai privati nel Veneto che arrivano alla nostra Commissione d'inchiesta. – Ogetti told Fogolari in a note of March 9<sup>th</sup> – Ma prevedo che pei privati ci sia da far poco".<sup>40</sup> General Segre himself claimed to have specifically requested a special police office be created to deal with investigations.<sup>41</sup> The consequent pressure from the Italian Mission had indeed prompted swift action on the part of Austrian authorities. All the more so after Tietze severely admonished them to work on these demands in order to try and avoid foreseeable reprisals against Austrian public collections. Even before the launch of a dedicated police office, the Austrian Foreign Affairs had already prepared a public statement through which to address all the citizens in possession of artworks coming from occupied Italy. The above ministry had sent the draft to the Ministry of the Interior on January 5<sup>th</sup>, asking for the latter's approval of its publication on the newspapers.<sup>42</sup> The same note asked the Interior to further advise citizens on all the arrangements

35 Polizeidirektion Wien to Staatsamt für Äußeres, March 9<sup>th</sup>, 1919 (AdR, K. 257).

36 An Italian translation of Herzka's letter is attached to the note from Roberto Segre to Staatsamt für Äußeres, February 24<sup>th</sup>, 1919 (AdR, K. 257). See also Staatsamt für Äußeres to Staatsamt für Inneres and Polizeidirektion Wien, February 27<sup>th</sup>, 1919 (AdR, K. 257).

37 Polizeidirektion to Staatsamt für Äußeres, March 9<sup>th</sup>, 1919 (AdR, K. 257).

38 "[D]as Staatsamt für Äußeres eifrigst bestrebt ist, den dortigen Wünschen wegen Rückstellung der während des Krieges verschleppten Kunstschatze mit jeder möglichen Beschleunigung Rechnung zu tragen." (Staatsamt für Äußeres to Italian Military Mission for the Armistice, January 30<sup>th</sup>, 1919, AdR, K. 257.)

39 Staatsamt für Äußeres to Italian Military Mission for the Armistice, March 18<sup>th</sup>, 1919 (AdR, K. 257).

40 Ugo Ogetti to Gino Fogolari, March 9<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

41 Roberto Segre to Comando Supremo, May 16<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

42 Staatsamt für Äußeres to Staatsamt für Inneres, January 5<sup>th</sup>, 1919 (AdR, K. 257).

required for handing the objects in. The proposed announcement read as follows:

Das Herannahen des dauernden Friedens macht es nicht nur den Staate sondern auch jeder Privatperson zur Pflicht, alles zu bereinigen, was der Kriegszustand an Rechtswidrigkeiten oder auch nur an Ordnungswidrigkeiten hinterlassen hat. Hieher gehört u.A. die Rückerstattung aller jener Güter, die im Laufe des Krieges ihren Eigentümer abhanden gekommen sind.

Es ist Tatsache, dass in den Kriegsgebieten, u.z. insbesondere in den von österreichisch-ungarischen Truppen besetzten Gebieten Italiens, Serbiens, Montenegros, Polens und der Ukraina, Offiziere und Mannschaftspersonen Kunstgegenstände, Gegenstände von geschichtlichem Werte oder auch wertvolle Gebrauchsgegenstände – mitunter in der besten Absicht, etwa um diese Gegenstände der Zerstörung und dem Verderben zu entziehen, mit sich genommen oder an dritten Orten untergebracht haben. Jene Fälle, in denen es sich um Raub, Diebstahl oder Plünderungen handelt, bleiben hier selbstverständlich ausser Betracht, sie wurden und werden in Hinkunft, soweit man der Schuldigen habhaft werden kann, mit der vollen Strenge des Gesetzes verfolgt und geahndet.

Soweit aber die betreffenden Gegenstände sich abgesehen hievon in Verwahrung von Personen innerhalb Deutschösterreichs befinden oder soweit diesen Personen ihr Aufbewahrungsort bekannt ist, wird hiemit Jedermann die Pflicht vor Augen gehalten, dieses mitgenommene oder geborgene Gut unverzüglich zurückzustellen. Die Rückstellung kann in Wien bei der Polizeidirektion, in allen anderen Orten bei der zuständigen Bezirkshauptmannschaft erfolgen. Die deutschösterreichische Regierung hat, wie wir vernehmen, die erwähnten Behörden angewiesen, den Empfang und die einwandfreie Absicht, in der die Verwahrung statgefunden hat, schriftlich zu bestätigen.

Es darf erwartet werden, dass dieses in Deutschösterreich gegebene Beispiel im Gebiete der anderen innerhalb der österreichisch-ungarischen Monarchie entstandenen Nationalstaaten Nachahmung findet. Hierdurch wird nicht nur den Anforderung der Gerechtigkeit entsprochen, sondern wird auch vor dem Auslande zum Ausdrucke gebracht, dass wir freiwillig und ungezwungen nach Kräften bestrebt sind, jedes Unrecht gutzumachen und auch den Anschein eines unlauteren Vorgehens sorgfältigst zu vermeiden. Jedwedes fremde Gut das während des Krieges in die Hände von Deutschösterreich gefallen ist, wird entweder im bezeichneten Wege ordnungsmässig und rechtmässig zurückgestellt, oder sie wurde und wird – soweit eine rechtswidrige Absicht vorliegt – im strafgerichtlichen Wege verfolgt und gehandelt werden.<sup>43</sup>

As one notes towards the end of the statement, the Austrian government made a clear appeal to its citizens, so that the good will of the Austrians could be widely attested and “unlauteren Vorgehens”, unfair initiatives, prevented. For anyone who happened to have taken possession of such objects as described in

---

43 *Ibidem*.

the statement, restitution was thus mandatory. The Viennese Police or, alternatively, local stations were entrusted with receiving the items and getting in touch with the members of the Italian Mission. Presently based on second hand sources, the Austrian Ministry of Interior seems to have issued a decree on February 27<sup>th</sup>, 1919, that essentially corresponded to the above injunction. Apparently this also granted military officials and whoever stole private property in Italy immunity from prosecution, should they had decided to voluntarily hand the loot over.<sup>44</sup> Although, very little evidence has so far emerged that testifies to Austrian and especially Viennese citizens turning up at the Police Station in compliance with the governmental order. This is nevertheless what medical officer Theodor Beyer dutifully resolved to do in February after reading the announcement, when he declared to the Viennese police that he had purchased an old painting from a certain Teresina Pascoli in Venzone, back in 1918.<sup>45</sup> A more common circumstance would rather see the Viennese police directly investigating those suspected of possessing artworks taken out of Italy during the occupation, as was the case with Herzka. They eventually seized some of the dealer's paintings and the Italian Mission received them in May 1919, along with several other pieces, as Segre reported to the Supreme Command that month. The list attached to the General's letter contained about 80 entries and, for each of those, the name and address of the current holder, a brief description of the work and the circumstances of its acquisition (labelled as 'Provenienza'), as provided by the Austrian possessors themselves.<sup>46</sup> Paintings seized from Adolf Herzka and a "Signorina Herzka" living at the same address, possibly his sister, amounted to 23 and, for many of them, the dealer declared he could not recall who the previous owner was. Another good number of objects had been retrieved from a certain Johan Balzar in Hamburgerstraße. He allegedly purchased them in Klagenfurt from an officer who just returned from the front. This was indeed the case for many other items in the list. They were either found with the same officers who took them away, or with later buyers. What also stands out among the entries is that nearly 30 of the listed objects had been apparently all stolen in 1918 by Colonel Johann Andreatta, from the Tiroler Keiserjäger, a group of infantry regiments of the Imperial and Royal Army.<sup>47</sup> Among the loot were several and likely valuable pieces of furniture belonging to the Counts of Concina from San Daniele del Friuli, now ready to be shipped back to Italy. General Segre thus saw to it that all the objects be first sent and stored in Venice, at the Soprintendenza alle opere d'arte headed by Gino Fogolari. New lists drawn in Venice on the artworks' arrival further confirmed the shipment having been successful.<sup>48</sup> Once there, every piece would wait to find its way back to its city and owner, where known. In his May report the General also stressed that the

---

44 See PERUSINI 2008, p. 225, note 48. The February-27<sup>th</sup> decree, or any documents referred thereto, are not among the papers consulted so far by the author.

45 Staatsamt für Äußerere to Staatsamt für Inneres, March 5<sup>th</sup>, 1919 (AdR, K. 257).

46 Roberto Segre to Comando Supremo, May 16<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1). See also COCCOLO 2021c.

47 BROUCEK 1980, p. 467, footnote 48.

48 *Elenco dei quadri asportati dagli Austriaci e ritrovati dal Comando Supremo in Carinzia (temporaneamente ricoverati presso la Soprintendenza di Venezia)*, 1919, (ASPMV, b. 14-55B, fasc. 1); Soprintendenza di Venezia to unknown recipient, August 15<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1). See also COCCOLO 2021c.

Austrian government had assured him about a new Austrian law being in the offing. Its goal was to better regulate and implement the restitution of artworks coming from once occupied Italian territories. However, this law was first to wait for the peace treaty to take its final shape and approval in St. Germain, so that the articles dealing with restitution claims could be fully implemented at a national level.

### *Objects from public collections: Belluno*

While countless artworks belonging to Italian citizens lay inside the apartments of as many Austrian officers and collectors, a good few of those objects removed during the war wound up inside Austrian museums and other public buildings. These second group of items comprised of course the most valuable pieces and they belonged for a great part to Italian public institutes and churches. Given their value and provenance, most of them were still in their crates by the time the Italian Military Mission set out to retrieve them. 512 of these crates had for instance been stored in the basement of the Universitätsbibliothek, Vienna's University Library. The Italian Military Mission knew about the crates from the very beginning, certainly thanks to the inquiries carried out during and after the war by officers such as the art critic and journalist Ugo Ojetti. Rudolf Wolkan, the then director of the Universitätsbibliothek, had taken part in the activities of the Austrian Kunstschutzgruppe, he declared, from February till June 1918. He appears to have been responsible, among other things, for inventorying ("sichten") and rescuing ("bergen") Belluno's collections of books and manuscripts. To this end, Wolkan maintained, that is, to best safeguard these collections, he resolved to pack them up and ship 512 boxes of volumes, records and other items to his University Library in Vienna. The content of the crates included:

- 200 records on the history of Titian's family taken from his hometown, Pieve di Cadore;
- A crate with around 600 parchments on the history of the town of Conegliano that Wolkan got from a captain of the Automobilkorp;
- The archive and volumes of Count Miari, taken from his house in Belluno (which alone totalled about 200 crates);
- The Buzzati Library from San Pellegrino (over 200 crates);<sup>49</sup>
- The Biblioteca Gregoriana of Seminario Gregoriano in Belluno (around 30 crates);
- The Da Borso book collection, possibly from the same Biblioteca Gregoriana (other 30 crates);
- The Ciani library from Domegge;
- The Solero library from Pieve di Cadore.<sup>50</sup>

---

<sup>49</sup> For more details on the looting of the Buzzati Library see FRAPPORTI 2017.

<sup>50</sup> *Protokoll aufgenommen in Staatsamte des Innern, Abteilung 5 am 4. Februar 1919 in Angelegenheit der Rückstellung Kunst- und historischer Denkmale aus dem italienischen Okkupationsgebiete, Staatsamt des*

All these crates were perhaps the first things that Austrian authorities handed back to Segre in Vienna. As agreed between the General and Von Eichhoff,<sup>51</sup> the consignment took place on a Tuesday morning in the archives of the University. It was January 7<sup>th</sup>, 1919.<sup>52</sup> Segre later wrote that by the end of the month the crates had already made it back to Italy.<sup>53</sup> Although, this did not mean that all the books, manuscripts and records were successfully restored to their original locations. As a result of these inquiries, a receipt listing two paintings from Belluno turned out in the hands of the Austrian Foreign Affairs. It bore the date March 3<sup>rd</sup>, 1918, and the signature of the military official Theodor Dörr. Through that piece of paper, Dörr declared he had handed over to Wolkan two paintings from Belluno's Museo Civico. They depicted an Austrian field marshal and the city's gatehouse<sup>54</sup> and had been earmarked for the Heeresmuseum in Vienna, the city's military museum. Back then, the director of the University Library must have shipped the paintings or taken them away with him and possibly left them in that museum. The Foreign Affairs hence urged the Ministry for the Army to locate the objects and, in case of unlawful removal, hold the perpetrators accountable.<sup>55</sup> Being this last course of action very unlikely, records show that the Army got at least to locate the two paintings in the military museum. They were placed at the disposal of the Italian art officers at the end of January 1919.<sup>56</sup>

These first claims for restitution of what had been taken from Belluno soon opened a Pandora box inside Austrian governmental offices. More details about further removals in the area kept pouring in. The Italian Military Mission started in those same days, at the beginning of January, to notify the Austrian Foreign Affairs about numerous paintings missing from that very Museo Civico in Belluno. Having further heard Universitätsbibliothek's Wolkan on the matter, that Ministry started to learn more about the case. Around May 1918, Wolkan had been apparently entrusted also with the integrity and safety of Belluno's city museum. At that time, reiterated orders came through to remove some paintings on behalf of Commander Borojević. However, these same orders had been enforced and 33 pictures taken out of the museum only after Wolkan had left the city – so he maintained in a statement he signed that same January 1919. At this point the Austrian Foreign Affairs expected the Interior to reach out to Borojević and question him as to the current whereabouts of the items and the reason for their removal. He was said to be back in Austria and lodged

---

Innern to Staatsamt für Äußeres, February 4, 1919 (AdR, K. 257); COGGIOLA 1919, pp. 200. 204; MAFFEI 1922, pp. 53, 54; SEGRE 1928, p. 128.

51 Baron von Eichhoff was at that time the head of the Political Section at the Austrian Ministry of Foreign Affairs.

52 Staatsamt für Äußeres to Universitätsbibliothek, January 5<sup>th</sup>, 1919 (AdR, K. 257); Staatsamt für Äußeres to Italian Military Mission for the Armistice, January 5<sup>th</sup>, 1919 (AdR, K. 257); Staatsamt für Äußeres to Rudolf Wolkan, possibly January 4<sup>th</sup> or 5<sup>th</sup>, 1919 (AdR, K. 257).

53 SEGRE 1928, p. 128; COGGIOLA 1919, p. 204.

54 A fortified building, sometimes a tower, at the gate of a city, called "Torschloß (Schloß des Stadtttores von Belluno)" in the documents consulted.

55 Staatsamt für Äußeres to Staatsamt für Heerwesen, January 7<sup>th</sup>, 1919 (AdR, K. 257).

56 Staatsamt für Heerwesen to Staatsamt für Äußeres, January 30<sup>th</sup>, 1919 (AdR, K. 257).

in Klagenfurt's Hotel Moser.<sup>57</sup> The field marshal provided and signed his deposition in reply to the Foreign Affairs on January 31<sup>st</sup>, 1919, before the local authorities in Klagenfurt. He maintained that the Austro-Hungarian Supreme Command had specifically requested the 33 paintings be confiscated and held as collaterals for the artworks taken from the then Austrian cities such as Gorizia and Aquileia. A certain officer and architect Kuno Waidmann seems to have been a witness in the case and gave his testimony on the events the day before Borojević. Waidmann himself will later be reported by the Italian Mission to have with him objects and jewels coming from Italy.<sup>58</sup> On this occasion though, the officer was able to provide some more details about the items from Belluno's Museo Civico. As listed also earlier in this section, they appear to have amounted to ca. 24 paintings, three fresco fragments and sculptor Brustolon's hand drawings. Not all the items originally belonged to the museum collection though. Rather – added Waidmann – Kunstschutzgruppe members had gathered some of them from other nearby locations and deposited them in the museum. Everything had been photographed before the packing at the initiative of Kunstschutzgruppe's Captain Pogány. He was apparently the very person who decided which paintings were to be taken from Belluno's museum. Borojević then maintained he ordered the paintings be sent to the Heeresmuseum in Vienna. However, at the time of his interview in Klagenfurt, he declared himself ultimately clueless about whether the items had eventually ended up there.<sup>59</sup>

#### *Other discoveries and restitutions*

Further inquiries made it possible for Segre's mission to ascertain that the Heeresmuseum depots hosted not only the items from Belluno's museo civico, but also other precious objects from the once occupied towns in Italy. On January 22<sup>nd</sup> the General reached out to the Austrian Foreign Affairs with a list of what the Mission believed to be still kept in Vienna's military museum. Along with 13 crates of paintings and Brustolon's drawings from Belluno, the group featured other of those artworks we mentioned before, those the Austrian army had taken in 1916 and 1917 from Austrian cities like Gorizia and Aquileia. There appeared, from the city of Udine: Oratorio della Purità's altarpiece by Tiepolo, 28 crates from the city museum (likely to contain Count Toppo's ambers) and two manuscripts from Biblioteca Capitolare and Biblioteca Arcivescovile. Moriago's altarpiece by Pordenone, the five bas-reliefs from the church of San Martino in Conegliano and, in addition to the things we listed before, a volume with two XV-century engravings from the Morosini

---

57 Staatsamt für Äußeres to Staatsamt des Innern (Wolkan's deposition attached), January 10<sup>th</sup>, 1919 (AdR, K. 257).

58 Roberto Segre to Staatsamt für Äußeres, May 17<sup>th</sup>, 1919 (AdR, K. 257).

59 Protokoll aufgenommen am 31. Jänner 1919 beim Präsidium der Landesregierung in Klagenfurt mit Seiner Exzellenz, Feldmarschall von Borojević und Protokoll aufgenommen im Präsidium der kärntnerischen Landesregierung am 30. Jänner 1919. Anwesend: [...] Architekt Kuno Waidmann, Landesregierung in Klagenfurt to Staatsamt des Innern, February 1<sup>st</sup>, 1919 (AdR, K. 257).



collection in Colle Umberto (Treviso), completed the January 22<sup>nd</sup> list.<sup>60</sup> Based on one of Tietze's reports, Austrian officers took Morosini's book to Vienna for both precautionary and study reasons.<sup>61</sup> General Segre thus urged the Austrian Foreign Affairs to see to it that those in charge of the military museum arranged the consignment of the listed objects to the Mission's D'Ancona, Fogolari and Coggiola. Von Eichhoff forwarded Segre's request to the Ministry for the Army only one or two days later, asking of them to look into the matter and locate these and any other such objects with the utmost urgency.<sup>62</sup> General Segre had indeed been pointing out that during the occupation many items had been removed without Austrian and German officers leaving any receipts, as had instead been the case with the most relevant objects. For that reason, all the lists the Italian Military Mission was forwarding to the Austrian authorities were accompanied by a strong exhortation to look for any possible objects that could have suffered the same fate. It was also Segre's desire that the members of the Kunstschutzgruppe be summoned and asked to provide the Italian Mission with further details on wartime removals.

At the end of January, Austrian curators in the Heeresmuseum were able to trace also these last artworks and manuscripts coming from Veneto and Friuli. They apparently found additional objects coming from Udine the Mission did not know about yet. The plan was then to draw an inventory of this property and hand it over to the Italians in a few days.<sup>63</sup> To this end, Eichhoff instructed the Ministry for the Army to be ready for the consignment to take place "anstandslos", without objection, at 11 a.m. on the morning of Monday, February 3<sup>rd</sup>.<sup>64</sup> The Italian Mission was notified accordingly,<sup>65</sup> and Marciana Library's Giulio Coggiola was at the Heeresmuseum on the appointed date to retrieve some the items, as the receipt the Austrians officers had him sign shows. Being mainly entrusted with arranging the recovery of bibliographical material, Coggiola took with him:

- The Book of Hours (Libro delle Ore or Gebetbuch, XV/XVI century) from Udine's Biblioteca Arcivescovile;
- The Sacramentary of Fulda (Sacramentario fuldense or Fulder Sakramentar, X/XI century) from Udine's Biblioteca Capitolare;
- Countess Morosini's volume with the two XV-century prints;
- Andrea Brustolon's batch of 40 drawings taken from Belluno;
- A bust of King Vittorio Emanuele;

---

60 Allegato A – *Note sugli oggetti d'arte e di storia asportati dalle provincie italiane già occupate ed oggi depositati al Heeresmuseum di Vienna*, Roberto Segre to Staatsamt für Äußeres (Baron Von Eichhoff), January 22<sup>nd</sup>, 1919 (AdR, K. 257).

61 Hans Tietze (Kunsthistorische Institut des Staatsdenkmalamtes) to Staatsamt für Äußeres, February 3<sup>rd</sup>, 1919 (AdR, K. 257); TIETZE 1919b, pp. 57, 62.

62 Staatsamt für Äußeres to Staatsamt für Heerwesen, January 24<sup>th</sup>, 1919 (AdR, K. 257). Since Eichhoff's note asks for an answer "im Laufe des morgigen Tages, d.i. am 24. Jänner 1919", but the document itself is dated January 24<sup>th</sup>, the message could have well been sent the day before.

63 Staatsamt für Äußeres to Italian Military Mission for the Armistice, January 30<sup>th</sup>, 1919 (AdR, K. 257).

64 Staatsamt für Äußeres to Staatsamt für Heerwesen, February 1<sup>st</sup>, 1919 (AdR, K. 257).

65 Staatsamt für Äußeres to Italian Military Mission for the Armistice, February 1<sup>st</sup>, 1919 (AdR, K. 257).

- Two photographs depicting Italian royals.<sup>66</sup>

D'Ancona and Fogolari were able to collect the rest of the artworks from the Heeresmuseum the next Monday, February 10<sup>th</sup>. In the related receipt the two Italian art officers signed, featured:

- Pordenone's altarpiece from Moriago;
- 24 paintings of mostly Venetian school (with all probability those from Belluno's Museo Civico, even if the receipt does not specify);
- The two paintings Colonel Dörr had handed over to Rudolf Wolkan in Belluno;
- Three fresco fragments (from Belluno's Museo Civico as well);
- Five wooden bas-reliefs from San Martino's church in Conegliano;
- Udine's 28 boxes of artefacts from the city's Museo Civico (out of which an Austrian officer had apparently opened eight in order to check on their content, before packing them up again).

We know from a separate but undated receipt, most probably from those same days of February 1919, that at the Heeresmuseum D'Ancona and Fogolari received also Tiepolo's precious *Pala della Purità* from Udine.<sup>67</sup> Based on a note by Comando Supremo of April 30<sup>th</sup> that the shipment of Udine's 28 crates was about to take place in the following days. Indeed, the message informed Fogolari about a railway wagon being put at the disposal of the Soprintendenza for the crates to travel back to Udine.<sup>68</sup> It is thus plausible that the Italian Mission in Vienna shipped also the rest of the artworks from that area around those same dates. During the summer, art officer from Ravenna's Soprintendenza Eva Tea escorted from Vienna to Venice 17 crates with the paintings and fresco fragments from Belluno and Feltre.<sup>69</sup> Also, back in May that year, several church bells from Friuli, possibly removed so as to spare them from being melted, made it back to Udine too.<sup>70</sup> Initially, the Austro-Hungarian army was entitled by law to seize throughout their country those materials that could support war operations, first and foremost metals.<sup>71</sup> Among the initiatives stemming from this necessity were the *Glockenabnahmeaktionen*: church bell removal campaigns where the *Landeskonservator* played a major role. Local

---

66 The Austrian Ministry of Foreign Affairs' copy of Coggiola's receipt dated February 3<sup>rd</sup>, 1919, can be found in AdR, K. 257.

67 The Austrian Ministry of Foreign Affairs' copy of D'Ancona's and Fogolari's receipt dated February 10<sup>th</sup>, 1919, along with the one referring to Udine's *Pala della Purità*, can be found in AdR, K. 257.

68 Comando Supremo (Segretariato Generale Affari Civili) to Soprintendenza alle opere d'arte del Veneto – R.R. Gallerie Venezia, April 30<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

69 Regie Gallerie di Venezia to R. Corpo dei Carabinieri di Treviso, August 21<sup>st</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

70 Giovanni Del Puppo (Director of Museo Civico di Udine) to Gino Fogolari, May 14<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1); Gino Fogolari to Museo Civico di Udine, May 15<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).  
71 Gesetz vom 26. Dezember 1912, betreffend die Kriegseleistungen (RGBl. XCIX, J. 1912, N. 236, S. 1192).

monument officials were thus in charge of drafting lists of all church bells in their areas, with the help of priests, and earmark those bells worth sparing due to their historical and artistic value.<sup>72</sup> This was for instance what Anton Gnirs scrupulously did for the Austrian Littoral under his supervision.<sup>73</sup> The Austrian military later applied these measures also to occupied territories in Italy, even if related official orders are still to be located. Field marshal Borojević must ultimately have been the responsible authority, as some documents attest.<sup>74</sup>

### *The case of the once-imperial cities*

So it went that the Italian ‘pawns’ were released without serving the plan the Austrian Supreme Command had devised. The once imperial cities like Aquileia, Gorizia and Grado, whence the invading Italian army had taken several valuable objects, were now under Italian occupation and about to be officially annexed to the Italian Kingdom. As a result, Vienna was not entitled to claim back collections and other property on behalf of those cities any longer. What happened instead was that Austrian authorities saw themselves obliged to locate and hand to the Italians everything they moved out of those very cities when they still fell under the Emperor’s rule. And indeed an update to the list Segre sent on January 22<sup>nd</sup>, 1919, that had us learn about all the objects from Belluno, Udine and other Italian towns, reached the Austrian Foreign Affairs only three days later. This second message of January 25<sup>th</sup> concerned precisely artefacts and valuables from what was, before the end of the war, still Austrian territory.<sup>75</sup> Despite this fact, Segre labelled them in his letter as artistic and bibliographical material “asportato ufficialmente dall’Italia durante la Guerra”, when it had rather been a case of movement within Imperial borders. At any rate, the General listed various Austrian institutions where new inquiries made it possible to locate this particular category of items. First came the very Staatsdenkmalamt, the office of many of those art experts who had joined the Kunstschutzgruppe. Within its premises, Segre stated on behalf of his Italian art officers, there appeared to be a box and a folder of archival records, along with a box of ancient coins, all coming from Gorizia. Based on details provided by the Staatsdenkmalamt itself,<sup>76</sup> the documents amounted to more than 600 pieces in the box and another 400, dating between the XII and XV centuries, in the folder. State Conservator for the Littoral<sup>77</sup> and later Kunstschutz officer on the Isonzo Front Anton Gnirs reportedly removed them in July 1915. Blaming also local directors in Gorizia for the absence of appropriate protection measures, he later maintained that: “Als das beste Schutzmittel für bewegliche Denkmale hat sich eben doch nur deren Entfernung aus dem Kampfgebiet

---

72 KRAL 2018, pp. 143-153.

73 GNIRS 1919, p. 21.

74 “[D]ie Glockenabnahmeaktion in den besetzten Gebieten Italiens seinerzeit durch das Armeeoberkommando bzw. Heeresgruppenkommando FM[Feldmarschall] von Borojević bewirkt wurde.” (Liquidierendes Kriegsministerium to Staatsamt für Äußeres, January 28<sup>th</sup>, 1919, AdR, K. 257.)

75 Roberto Segre to Staatsamt für Äußeres, January 25<sup>th</sup>, 1919 (AdR, K. 257).

76 Staatsdenkmalamt to Staatsamt für Unterricht, February 3<sup>rd</sup>, 1919 (AdR, K. 257).

77 At the time of the war’s outbreak, the Kronland of the Austrian Littoral consisted of Istria, the County of Gorizia and Gradisca, and the Imperial Free City of Trieste. Among its main centres were Trieste, Gorizia, Gradisca, Pula, Koper and Poreč.

erwiesen und deren museale Verwahrung an einem der Kriegszone möglichst entrückten Orte.”<sup>78</sup> The documents seemed to belong to the collection of Gorizia’s Landesmuseum, and so did the ancient coins in the second box. This seemed to contain 31 gold and 1455 silver coins, taken perhaps by Gnirs in the same circumstances, even if the Staatsdenkmalamt’s report does not seem to clarify it. Also property of Gorizia’s Landesmuseum was a small wooden box deposited at the Centralbank der deutschen Sparkassen, in the custody of the Staatsdenkmalamt and bearing the public and private seal ‘A.G.’, Anton Gnirs. Its precious content amounted to 26 golden rings, 17 gemstones, a fragment of an iron ring and nine glass stones. They too were said to have been removed in July 1915 and there appeared to be no objection to their return to Gorizia – so wrote the Staatsdenkmalamt in February 1919. From sources other than Segre’s note, it looks like in 1915 Gnirs took away with him also some 1,000 parchment rolls from Gorizia’s Landesmuseum. Additionally, some manuscripts from Gorizia’s city library seem to have wound up in Ljubljana.<sup>79</sup>

Second in Segre’s list featured the Austrian Museum of Art and Industry. Its building had apparently been serving as storage room to objects property of Gorizia’s cathedral and diocesan museum, and of various churches of the Littoral and Carniola: those of Goče, Gradisca, Gradiscutta, Cerklno, Prvačina, Šempas, Tolmin, Vipava, Rovinj and Sterna. It is not clear at what point Austrian officials transferred these items to Vienna, among which the Italian Mission later found also some church bells.<sup>80</sup> At the same time, a painting depicting the Ascension of Mary also from Gorizia’s cathedral had been located in the Heeresmuseum. Austrian authorities seem to have moved it to Vienna to have it restored.<sup>81</sup> Official receipt existed instead for some XVI-century wooden sculptures removed from Venzone’s cathedral and deposited into the same Museum of Art and Industry in Vienna.<sup>82</sup> Little details about the circumstances of the transfer also concern the treasure of the San Giusto cathedral in Trieste, its two processional crosses dating XIII and XIV century respectively and four silver busts from the reliquary of the San Giusto chapel. Around July 1915 these items had apparently wound up in the Joanneum Museum in Graz, fifth on Segre’s list, along with two altarpieces from the San Silvestro church in Ronchi depicting S. Sebastiano and S. Rocco.<sup>83</sup> Austrian authorities raised also in this

---

78 GNIRS 1919, p. 16. In his contribution to Clemen’s volume, Gnirs listed a whole series of objects from churches, libraries and museums on the Isonzo front (mainly Gorizia and Trieste) he and other officials had moved to a safer spot. Indeed, this meant in some cases their shipment to Austria. In the following paragraphs we proceeded by listing the objects as they were traced to Viennese institutions, following also the Italian Mission reports. Not all of the objects mentioned by Gnirs feature the documents consulted. Given that the focus of this work is on what Italians took from Vienna rather than what the Austrian removed from Italy during the war, the author will stick as much as possible to the first circumstance and to records produced on that occasion, for consistency’s and clarity’s sake. 79 COGGIOLA 1919, p. 205.

80 A region (Kronland) of Austria-Hungary east of the Austrian Littoral, Carniola mostly comprised parts of today’s Slovenia.

81 Roberto Segre to Staatskanzler, October 26<sup>th</sup>, 1919 (AdR, K. 258).

82 Staatsamt für Äußeres to Staatsamt für Heerwesen, May 17<sup>th</sup>, 1919 (AdR, K. 257).

83 *Prima relazione della Sottocommissione per il recupero oggetti d’arte ecc.*, draft copy with Gino Fogolari’s handwritten notes, January 20<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1). They are possibly the same objects Tietze mentioned in his contribution to Clemen’s volume. There he relates about a Kriegsmaler, a war painter, who purchased from Venzone’s priest some sculptures of the cathedral’s Mummy Chapel (TETZE 1919b, p. 58).

84 On these items see also: Roberto Segre to Staatsamt für Äußeres, April 1<sup>st</sup>, 1919 (AdR, K. 257).

circumstance no objection to their return.<sup>85</sup> As for the locations the General listed at points three and four, the Staatsdenkmalamt made it clear that the objects kept therein did not fall within its competencies. A collection of war literature taken from Udine was said to lie in the former Imperial Library (Hofbibliothek), point four in the list.

The Austrian Ministry of Education, at point three, was apparently keeping on behalf of the Austrian Archaeological Institute numerous and valuable artefacts from Aquileia's archaeological museum. In a follow-up note, the Italian Mission added that the Dorotheum Palace, house to one of the oldest auction houses in Europe, might be hosting boxes of books (the Rossettiana Petrarchan collection) and records (Diplomatic Archive) from Trieste's Biblioteca Comunale, apparently transferred in June 1915.<sup>86</sup> Along with them there appeared to be also historical records from Pula's city archive. Further inquiries in Trieste had reportedly found out about a batch of Tiepolo's drawings from the Sartorio collection having been deposited at the Hofmuseum.<sup>87</sup> At the same time, Giuseppe Gerola of the Military Mission pushed for the state museum in Salzburg to release two boxes of artworks belonging to the Brunico (Bruneck) Museum in South Tyrol. Austrian authorities seem to have moved the objects beyond the Alps for safety reasons.<sup>88</sup> Given that his family came from the then-Austrian Rovereto, where he spent a childhood imbued with revolutionary sentiment, Gerola proved indeed to be the most strenuous advocate of restitutions to soon-to-be-annexed Trentino. For this reason he was officially responsible for these particular claims and retrievals, of artworks and records alike. In his contribution to Alba Trentina in 1919, he listed all those Austrian and German museums and institutions where to find and gather such conspicuous amount of objects.<sup>89</sup>

As for later developments of some of these claims, on February 6<sup>th</sup>, 1919, the Austrian Ministry of Education officially confirmed in a note to the Foreign Affairs that the boxes with records and coins from Gorizia were in fact located at the Staatsdenkmalamt, on the Am Hof Square. The Ministry of Education had apparently instructed the office for monuments to gather the items and put them at the Italian Mission's disposal, every day, between 10 am and 12 pm.<sup>90</sup> The Foreign Affairs notified the Mission accordingly and on February 10<sup>th</sup> Giulio Coggiola eventually received Gorizia's treasures and archives, as he stated in the receipt he left at the Staatsdenkmalamt that day.<sup>91</sup> Later that month Venice's Gino Fogolari got in touch with Comando Supremo in Padua asking that measures be taken for the arrival of the boxes to that city on Monday, February 20<sup>th</sup>.<sup>92</sup> On February 14<sup>th</sup> the Mission's Paolo D'Ancona was at the Museum für Kunst und Industrie to retrieve the seven wooden sculptures from

---

85 Staatsamt für Äußeres to Italian Military Mission for the Armistice, April 6<sup>th</sup>, 1919 (AdR, K. 257); Staatsdenkmalamt to Staatsamt für Äußeres, May 30<sup>th</sup>, 1919 (AdR, K. 258).

86 See also COGGIOLA 1919, p. 205.

87 Italian Military Mission for the Armistice to Staatsamt für Äußeres, January 30<sup>th</sup>, 1919 (AdR, K. 257).

88 Staatsamt für Äußeres to Italian Military Mission for the Armistice, May 21<sup>st</sup>, 1919 (AdR, K. 257).

89 GEROLA 1919a.

90 Staatsamt für Unterricht to Staatsamt für Äußeres, February 6<sup>th</sup>, 1919 (AdR, K. 257).

91 Copy of the receipt signed by Giulio Coggiola and dated February 10<sup>th</sup>, 1919, is kept in AdR, K. 257.

92 Gino Fogolari to Comando Supremo (Segretariato Generale Affari Civili), February 1919 (ASPMV, b. 14-55B, fasc. 1).

Venzone the Viennese police had consigned to that museum already in May 1918.<sup>93</sup> Towards the end of that month of February 1919, the Staatsdenkmalamt handed over to D'Ancona also a precious poliptic from the church of Saint Lucy (Crkva svete Lucije) in Jurandvor, on the island of Krk. The piece was presently kept at the Austrian Museum of Art and Industry. Austrian authorities had transferred the work to Vienna to have it restored. The job being completed, the Mission footed the bill and saw to it that the poliptic be shipped back to its.<sup>94</sup> Some months later the Staatsdenkmalamt informed the Austrian Foreign Affairs that also the objects from Trieste and Ronchi stored at the Joanneum in Graz had been released. A protocol drafted on the occasion attested to Carabinieri's Captain Giorgio Cajoli-Carrara having taken them under his custody on behalf of the Italian Mission on May 22<sup>nd</sup>, 1919.<sup>95</sup>

The case of Aquileia's crates, on the contrary, turned out to be a rather complicated and time-consuming one. Back in the spring of 1915, political relations between Austria-Hungary and Italy were quickly deteriorating and about to lead to the latter's declaration of war to the former Habsburg ally in May. A month before, in April 1915, Mihovil (Michael) Abramić, member of the Austrian Archaeological Institute and director of the State Museum in Aquileia, was tasked with removing the most important artefacts from that museum for safety reasons. "Begründet war diese Maßnahme in der Erwägung – wrote Gnirs in his contribution to Clemen's volume – daß Aquileia als eventuelle Einbruchsstelle schon in den ersten Stunden des kommenden Krieges zum Kampfplatz werden konnte."<sup>96</sup> As a result, Abramić selected the pieces and the institute secretary Rudolf Egger packed them up in four boxes. Around April 26<sup>th</sup> or 27<sup>th</sup>, 1915, the crates headed off to Vienna and reportedly ended up at the then imperial-royal Ministry of Cult and Education (k.k. Ministerium für Kultus und Unterricht). The items comprised Roman bronze, amber, glass and ivory artefacts, a great deal of jewelry and gemstones, silver and gold coins, and a marble head ("Kopf der Livia"), totalling nearly 2,000 objects.<sup>97</sup> They had all been excavated in Aquileia. The city's State Museum had obtained them either via state-sponsored excavation campaigns or through purchases made possible by museum donations. From a legal point of view, and more precisely the Austrian one, the artefacts belonged to the former dual monarchy and thus, at present, to the liquidation portfolio of the new Austrian Republic. As such, maintained among others the Austrian Ministry of Education, their disposal could not benefit Italy directly. It was to be arranged and agreed upon among all the Empire's successor states and validated at the Peace Conference, a caveat that in this as well as other circumstances helped Austria buy some extra time.<sup>98</sup> So it went that the four crates with Aquileia's treasures reached the Ministry of Cult and Education on April 29<sup>th</sup>, 1915, along with the inventories Abramić and

93 See related statements by the museum's director and D'Ancona, found in AdR, K. 258.

94 See copy of the receipt Paolo D'Ancona signed on February 28<sup>th</sup>, 1919, attached to a note on the same subject: Staatsdenkmalamt to Staatsamt für Äußeres, March 1<sup>st</sup>, 1919 (AdR, K. 257).

95 Staatsdenkmalamt to Staatsamt für Äußeres, May 30<sup>th</sup>, 1919 (official protocol attached) (AdR, K. 258).

96 GNIRS 1919, p. 12.

97 *Verzeichnis der aus dem k.k. Staatsmuseum von Aquileia geborgenen Antiken*, signed Michael Abramić and Rudolf Egger, April 27<sup>th</sup>, 1915 (AdR, K. 257).

98 Österreichisches Archäologisches Institut to Staatsamt für Unterricht, February 3<sup>rd</sup>, 1919 (AdR, K. 257); Staatsamt für Unterricht to Staatsamt für Äußeres, February 5<sup>th</sup>, 1919 (AdR, K. 257).

Egger had drafted. What the documents consulted do not seem to specify is the exact building in Vienna where the boxes eventually lay. One can however assume they had been stored at the Starhembergpalais on Minoritenplatz, where that Ministry had its seat. The detail is made somehow negligible by the fact that in June 1918, the war not over yet, a sergeant had taken all the objects some 800 kilometers away by mistake. Through the internal inquiries the Italian Mission's insistent requests had prompted, the Ministry of Education was immediately confronted with the unpleasant discovery. In the summer of 1918 the Rector of the Czernowitz<sup>99</sup> University had showed up at that Ministry to retrieve eleven crates from that institute that had been shipped to Vienna, probably before or during the war, as a precaution. The officer in charge of their physical removal, a certain sergeant Koszaryc, left with fifteen boxes instead, the additional four containing the precious artefacts from Aquileia.<sup>100</sup> It was not until November 1919 that the four boxes could be taken back to Vienna. Austrian authorities temporarily stored them at the Austrian Archaeological Institute and invited the Italian officers to get in touch with that institution and agree on their consignment.<sup>101</sup> By November 22<sup>nd</sup> the boxes were said to have reached the Italian diplomatic mission in Vienna, ready to be shipped to Italy.<sup>102</sup> Similar circumstances saw Austrian authorities abiding by Italian persistent demands for objects coming for Pula's Staatsmuseum. They had reportedly been stored at the Austrian Archaeological Institute. Like for Aquileia, also in this case the Austrians raised formal remonstrations against the Italian Mission's unilateral initiative at the expenses of third party rights, those of the other successor states. Public collections from the Littoral, now under Italian occupation, were still regarded as former dual monarchy's property, whose liquidation was to be agreed upon collectively. Ultimately though, on March 4<sup>th</sup>, 1919, Segre wrote to the Archaeological institute that in a week's time a member of his Mission would have turned up to retrieve the items. These consisted of:

- Two manuscripts of Pula's Bishops;
- A XIV-century parchment sheet from the Calendarium Perpetuum of Pula's Cathedral;
- A murrine vase from an excavation in Pula's district;
- An ivory ciborium with putti;
- A small Roman crystal flask from a tomb near Pula.

As announced, D'Ancona reached the Archaeological Institute on Türkenstraße in the afternoon of March 10<sup>th</sup> and took the objects with him. This was the result,

---

99 Now Ukraine's Chernivtsi, the city was the capital of the Kronland of Bukovina, one of the eastmost regions of Austria-Hungary.

100 Staatsamt für Unterricht und Kultus an Staatsamt für Äußeres, February 19<sup>th</sup>, 1919 (AdR, K. 257); Staatsamt für Äußeres to the Italian Military Mission for the Armistice, February 28<sup>th</sup>, 1919 (AdR, K. 257).

101 Draft note from Staatsamt für Äußeres to Italian Mission for the Armistice, undated (AdR, K. 258).

102 Pietro Tomasi della Torretta (Ambasciata d'Italia a Vienna) to Karl Renner (Staatskanzler und Staatssekretär für Äußeres), November 22<sup>nd</sup>, 1919 (AdR, K. 258).

Austrian authorities declared, of the Mission's well-known intimidating stance towards the issue, "eine Gewaltmaßnahme der okkupierenden Macht".<sup>103</sup>

---

<sup>103</sup> Roberto Segre to Österreichisches Archäologisches Institut, March 4-, 1919 (AdR, K. 257); Protokoll of the consignment drafted by the Österreichisches Archäologisches Institut, March 10-, 1919 (AdR, K. 257); Staatsamt für Äußeres to Staatsamt für Unterricht, March 10-, 1919 (AdR, K. 258).



## Chapter 3

### AVENGING YEARS OF HABSBURG RULE

#### *The power of victory*

Even more frustrating for Austria proved to be Italian claims for objects carried to Vienna in circumstances other than the last war. These corresponded mainly to transfers made during Habsburg rule over some parts of the peninsula ahead of Italy's unification in the second half of the 1800s. The end of the wars of independence and the peace treaties stemming therefrom had meant for Italy an opportunity of obtaining some of those collections and documents that had left the country by imperial orders and often in large quantities. These requests and treaty provisions, always maintained Italy, had partly gone unheeded, also as a result of contrasting interpretations of the articles in question and of Austria-Hungary's stronger bargaining power. The result was that at the end of WW1 old arguments and disputes gained pace once more, paving the way for endless quarrels over each party's legal justification to either keep or obtain the items. "La nostra vittoria, piena e definitiva, – wrote Coggiola in *Emporium* in 1919 – ci promise di aver la sicurezza che si sarebbero, alfine, regolati con l'Austria tutti i nostri conti, vecchi e nuovi". Ultimately pushing for the relinquishment of the objects in those very months following the capitulation of the dual monarchy put the Italian Mission in a highly controversial and questionable position. As such, lacking sound and clear grounds, this position could be maintained more easily through ultimatums than diplomacy.<sup>1</sup> "Né le discussioni – Coggiola went on – per quanto ampie ed esaurienti, né i documenti, per quanto probanti, avrebbero condotto a rapida conclusione, anzi nemmeno a conclusione, pur dopo lungo tergiversare, se, al fine, gli argomenti storici e il buon diritto fondamentale dell'Italia non avessero trovato l'aiuto migliore nell'argomento principe: la forza della nostra vittoria, che il Capo della Missione fece valere, al di sopra dei piccoli cavilli formali, al di sopra delle piccole arti metternichiane, superstiti nella nuova repubblica austro-tedesca." All this contributed a great deal to marring the reputation of General Segre and his men with images of blind revenge and abuse against a now defenceless capital and its cultural institutions. Institutions that, like their counterparts all over Europe, had seen their collections take shape and grow out of purchases, exchanges and donations stemming from at times unilateral, yet not necessarily unlawful, initiatives of absolutist rule. "Diese Erwerbung – observed Tietze in a moment of historical relativism – war aber nach Auffassung und Geist des vor zwei Jahrhunderten herrschenden Absolutismus völlig legal, den Kauf, Tausch, freiwillige und erzwungene Schenkung laufen so dicht ineinander, daß alle

---

<sup>1</sup> COGGIOLA 1919, p. 198.

alten Kunstsammlungen – die italienischen inbegriffen – zerfallen, wenn man all ihre Erwerbungen auf deu Goldwage heutigen Zivilrechtes prüft.”<sup>2</sup>

The Italian cause in 1919 must surely have not benefited from Pacchioni's public comments either. His and his colleagues' confrontational and highly partisan essays started featuring prominently in Italian art journals such as *Emporium*. “[P]erfino il titolo di «Raub» anziché una ingiuria atroce sonava al nostro orecchio a un di presso come sonerebbe il titolo di Don Giovanni a un imberbe conquistatore di cuori femminili: ci si schermiva per una convezione pudibonda ma, dentro, ci si compiaceva” – thus Pacchioni on the seizure of artworks Segre had tasked them with in Vienna.<sup>3</sup> And we saw before how Austrian diplomats and newspapers did not miss out on the chance to have former Allied and Associated Powers, along with neutral countries, see how this was being carried out. From February 1919, the month of the first museum ‘raids’, throughout the summer, the richly illustrated *Wiener Bilder* had for instance been publishing regularly a series called “*Der Bilderraub Italiens*”. The first episodes kicked-off by telling the reader about the events that saw the Italian art officers loading their car and truck with priceless paintings and objects from Vienna's major museums. They recalled the large protests taking place in the city, and showed pictures of the paintings being taken out of the Hofmuseum. In the issues that followed, the magazine would show their readers two or three of these pictures a time, accompanied in some cases by historical notes.<sup>4</sup> These notes, nevertheless, did not go into much detail as to the paintings' previous whereabouts in Italy and how they had reached Vienna. For some of the most debated cases though, the amount of records available at the time was already significant. Today, this represents a chance to delve into the very circumstances of the debated transfers. At the same time though, this also proves a challenge to successfully reach to facts underneath a motley chorus of voices, making their own point out of their own knowledge of the events. This is particularly true for those paintings, volumes and records Austrian emperors had been taking out of Venice throughout the XIX century. Back then such initiatives sparked great indignation among Venetians, matched only by the deep resentment of the Viennese at the abduction of those very objects in 1919 by Segre's art officers.

### *Venetian claims*

One century earlier, 1815 and 1816 had been the years that saw some of the vast Napoleonic loot make its way back to the ransacked cities in Italy and elsewhere. The Austrian Empire having at this point obtained once again territories now part of Lombardy-Venetia, its plenipotentiaries in Paris took upon themselves the task of claiming and taking back also Venice's paintings and monuments. The curator of the imperial gallery Joseph Rosa Jr. negotiated and obtained the relinquishment of the paintings from the then Denon-led

---

<sup>2</sup> TIETZE 1919h, p. 408.

<sup>3</sup> PACCHIONI 1922, p. 225.

<sup>4</sup> “*Das Bilderraub Italiens*”, *Wiener Bilder*, February 23<sup>rd</sup>, 1919, pp. 6, 7; April 27<sup>th</sup>, 1919, p. 7; May 4<sup>th</sup>, 1919, pp. 7, 8; May 18<sup>th</sup>, 1919, pp. 6, 7; May 25<sup>th</sup>, 1919, p. 7; June 1<sup>st</sup>, 1919, p. 7; June 8<sup>th</sup>, 1919, pp. 6, 7; June 15<sup>th</sup>, 1919, p. 7; June 22<sup>nd</sup>, 1919, p. 7; July 6<sup>th</sup>, 1919, pp. 7, 8; July 13<sup>th</sup>, 1919, p. 7.

Louvre, being facilitated in this by the intervention of the Austrian army.<sup>5</sup> Yet, once in Venice, on May 2<sup>nd</sup> 1816, Rosa Jr. received 16 paintings an order by Emperor Franz I had requested be sent to the imperial gallery in Belvedere. Originally stemming from Venetian churches, monasteries and public offices called Magistrati, they had all been removed under French rule (1805), with the supervision of Accademia's curator Pietro Edwards (...). Some went to Palazzo Reale and its depot at Procuratie Vecchie, refurbished at the time of Viceroy Eugène de Beauharnais (...). Others wound up into Accademia delle belle Arti and the depot of Commenda di Malta, a small number coming also from the Venetian mainland (Treviso, Padova). It is from these state depots (Depositi di Pitture Venete), where the French had amassed them, that the paintings left in 1816. Ludwig listed them in 1901 after painstakingly crosschecking Venetian records and inventories. In 1919 Tietze, Glück and Segre's art officers drew also on his thorough endeavour to publish their pamphlet and reports on the matter. Following the Hofmuseum's inventory order (noted by all the authors above) and reporting titles and painters as in one of the 1919 Italian lists,<sup>6</sup> the group amounted to:

1. Giovanni Battista Cima da Conegliano – Madonna of the Orange Tree with Saints (Hofmuseum n. 19);
2. Bonifacio Pitati – Saint Jerome and Saint John the Baptist (Hofmuseum n. 155);
3. Bonifacio Pitati – The Archangel Gabriel (Hofmuseum n. 170);
4. Bonifacio Pitati – The Vergin of the Annunciation (Hofmuseum n. 171);
5. Bonifacio Pitati – The Eternal Father and Saint Mark's Square (Hofmuseum n. 171a);<sup>7</sup>
6. Bonifacio Pitati – Saint Jerome and Saint Jacopo Maggiore (Hofmuseum n. 188);
7. Bonifacio Pitati – Saint Francis and Saint Andrew (Hofmuseum n. 200);
8. Callisto Piazza da Lodi – The daughter of Herodias (Hofmuseum n. 223);
9. Paolo Veronese's followers – Adoration of the Shepherds (Hofmuseum n. 383);
10. Paolo Veronese – Adoration of the Shepherds (Hofmuseum n. 389);
11. Paolo Veronese – The Annunciation (Hofmuseum n. 404);
12. Carlo Caliari detto Carletto Veronese – Saint Augustine dictating the rule of his Order (Hofmuseum n. 405);
13. Giovanni Contarini – The Baptism of Christ (Hofmuseum n. 431);

---

<sup>5</sup> TIETZE 1919a, pp. 20-22; SAUNIER 1902, p. 133; KRIST 2010, pp. 330 ff.

<sup>6</sup> Elenco 1919.

<sup>7</sup> Ludwig, Tietze, Glück, Fogolari among others always wrote about 14 paintings being taken from Venice in 1816. That's because originally Hofmuseum's nn. 170, 171 and 171a had been part of a tryptic coming from Rialto's Palazzo dei Camerlenghi. Ludwig listed only one of them, that is the Vergin of the Annunciation, mentioning the other two in the nores to the same entry. It is not clear whether all three had been removed in the same circumstances in 1816 or not. They nevertheless all feature 1919 Austrian and Italian lists. Here we chose to refer to them as totalling 16 rather than 14.

14. Battista Zelotti da Verona – Mary with Dead Christ (Hofmuseum n. 438);
15. Alessandro Varotari detto il Padovanino – The Holy Family (Hofmuseum n. 439);
16. Gian Bettino Cignaroli – Virgin and Child with Saint Ottilia (Hofmuseum n. 520).

This transfer was firstly conceived as part of an exchange between Venice and Vienna. On April 14<sup>th</sup>, 1816, even before the 16 paintings left Venice, President of Accademia delle belle Arti Count Leopoldo Cicognara had sent to the High Chamberlain in Vienna a list of paintings in the Gemäldegalerie he believed could have integrated Accademia's collections. Apparently the Direction of the imperial gallery, in the person of Friedrich Heinrich Füger, was not willing to hand over any of the pieces Cicognara requested. The latter thus reached Vienna in 1818 to pick out some alternatives to what he had previously requested. The new desiderata being brought to the attention of the Emperor, and the number of paintings being reduced from 14 to 10, he is said to have deferred the matter to a later date. Based on all the papers he consulted, Ludwig seemed pretty positive that the exchange never took place: "Ein Austausch von Bildern zwischen Venedig und Wien war möglicherweise geplant, fand jedoch in Wirklichkeit nicht statt. Es lassen sich weder in den Acten, noch in Katalogen, noch in dem gegenwärtig noch vorhandenen Bildermateriale in Venedig Gemälde nachweisen, deren Provenienz Wien wäre."<sup>8</sup> Tietze himself admitted that no paintings ever came from Vienna to complete the exchange. At the same time, he and Glück seem to maintain that the purchase of the Bossi drawing collection for Venice's Accademia through mainly public, that is imperial, funds in 1822 was to be regarded as a fair compensation for the 1816 transfer. The two Austrian art historians referred to Gino Fogolari's statement at the time that "parve con quell'acquisto di dare allora giusto compenso a Venezia, spogliata di tanti tesori" as a self-explanatory proof thereof.<sup>9</sup> This is also why, added Tietze, Italian and Austrian plenipotentiaries at the later peace negotiations in 1866 we will soon be discussing did not for a moment took the 16-painting transfer into consideration.<sup>10</sup>

---

8 LUDWIG 1901, p. II. Various records on this subject are found, among others, in ASPMV, b. 14-55B, fasc. 1.

9 Gino Fogolari, *I disegni delle Reali Gallerie dell'Accademia*, Milano : Alfieri Lacroix, 1913, p. 8, as cited in TIETZE 1919a, pp. 21, 22; and in Gustav Glück's report on the paintings taken by Segre in 1919 from the Gemäldegalerie in the Hofmuseum, found in AdR, K. 13.

10 "Es ist unabweislich, einen Zusammenhang zwischen diesem Ankauf und jener von da ab als abgetan geltenden Bilderangelegenheit anzunehmen; so unabweislich, daß auch G. Fogolari, der jetzt als Bevollmächtigter Italiens die Wiener Sammlungen sichtet, diese Handzeichnungen kurz vor dem Kriege als die Entschädigung für die Akademie verursachten Verluste bezeichnete. [...] Wahrlich eine fürstliche Entschädigung, eine hochwertige Sammlung von über 3000 Handzeichnungen, die die berühmte Serie des sogenannten Raffaelischen Skizzenbuches umfaßt, für vier unbedeutende Bilder; und selbst, wenn man die dem Malteserdepot entnommen dazu rechnet, immer erst vierzehn Bilder! Infolgedessen galt diese Bilderentnahme im Jahre 1866 als geregelt und von keiner Seite wurde ein Wort über sie gesprochen." (TIETZE 1919a, pp. 21, 22.)

After 1816, the Venetian school did not cease to appeal to imperial tastes, given also that since several years the city's depots brimmed over with all sorts of paintings from deconsecrated churches, monasteries and public palaces. Imperial authorities had sold some to private collectors or exchanged them abroad, reallocated a portion to Accademia delle belle Arti and other Venetian institutions and churches, as well as to Milan's Brera and other cities of the Empire. In 1838 – as Switzerland's Consul in Venice and historian Victor Cérésolle relates – an order from Emperor Ferdinand I dated April 21<sup>st</sup> reached Venice's Magistrato Camerale, asking of him to send over some paintings from the city's depots, which had been selected in Vienna out of those very depots' inventories. A first group had been earmarked for the imperial gallery of paintings (kaiserliche Gemäldegalerie), at that time directed by Johann Peter Krafft and displayed in the Upper Belvedere as per Maria Theresia's wish in the late 1700s. Krafft had travelled to Venice one year before, in 1837, at which time he must have made up his mind about what out of the city's depots could be best suited for the Gemäldegalerie. Marciana Library's curator, Abbot Pietro Bettio, had been tasked with handing over to the Magistrato the requested batch, which thing he did on June 20<sup>th</sup>, 1838, so that the latter could take care to ship them to Vienna. Ludwig later sorted them based on two criteria: he first separated those displayed at the Belvedere from those that ended up in the Viennese painting depot. He then divided those displayed based on their original provenance. This list thus comprised the following groups of paintings, which together totalled 49 pieces:

- 6 from Palazzo Ducale (among them several Bosch's and a Palma Giovane);
- 1 from Procuratie;
- 15 from Rialto's Magistrati;
- 9 from churches, monasteries and Scuole (with some Carpaccios and Palmas);
- 5 from the mainland (Padova, Conegliano, Udine);
- 13 sent to Belvedere but not displayed.<sup>11</sup>

As soon as four days later, on June 24<sup>th</sup> 1838, local authorities notified Abbot Bettio about the arrival in Venice of painters Joseph von Führich and Eduard von Engerth, the former in his capacity as second curator of Vienna's Akademie der bildenden Künste. Since 1810, the extremely powerful and resourceful Foreign Minister and Staatskanzler Klemens Wenzel von Metternich had taken upon itself the lead of the Akademie. In 1812 the institute became the highest art authority of the Empire and Metternich endowed it with numerous privileges. Based on the same imperial order of April 21<sup>st</sup>, he sent Führich and Engerth to Venice so as for them to personally choose and send to the Akademie Venetian paintings stored in Palazzo Ducale's depots, where old ones like Commenda di Malta's and Scuola di San Giovanni's had meanwhile

---

11 LUDWIG 1901, pp. IV-VIII.

converged. The two envoys eventually picked out therefrom some 85 paintings and one basrelief that Abbot Bettio subsequently handed over to local authorities, the shipment to Vienna taking place on August 14<sup>th</sup>, 1838.<sup>12</sup> Crosschecking Führich's and Engerth's lists of selected paintings with Venetian depots' inventories seems to have proven rather challenging for Ludwig. He notes, in 1901, how the two painters apparently never bothered to draw on pre-existing lists but compiled their own new ones, often changing the works' description and making no reference to their provenance. Once again, Ludwig chose to sort the paintings by place of origin, that is, the place the work was most probably conceived for and whence it had been removed during French rule:

- 3 from Palazzo Ducale (of which two Cimabue);
- 11 from Procuratie (portraits of Venetian statesmen, some of which initially attributed to Tintoretto);
- 5 from Palazzo dei Camerlenghi (included one Tintoretto);
- 3 from private collections (two Palma Giovanes);
- 38 from churches and monasteries in Venice (five Veroneses and one by Alvise Vivarini);
- 11 from Venice's Scuole (two Carpaccios);
- 4 from Padua;
- 1 from Belluno;
- 6 from Verona;
- 3 of unknown provenance;
- 1 basrelief from Murano.

Referring to both Führich's and Ludwig's writings, in 1919 Tietze observed how the overall condition of the artworks stored for years in Venice's public depots must have been generally rather precarious. The great majority of entries in Ludwig's lists, Tietze pointed out, read: "molto deperito, molto rovinato, cattivissimo, ruinoso," etc.<sup>13</sup> Vienna took indeed care to restore the paintings that ended up in its galleries, at a sum that must have been considerable, Director of the Gemäldegalerie Gustav Glück in turn remarked.<sup>14</sup> On top of that, recalled the two Austrian art officers, Venice had always benefited from numerous imperial acquisitions and donations of much better artworks. This – they maintained – justified the fact that no sum or exchange had apparently compensated the 1838 removals.<sup>15</sup>

---

<sup>12</sup> CÉRÉSOLE 1867, pp. 86, 95.

<sup>13</sup> TIETZE 1919a, p. 22.

<sup>14</sup> Gustav Glück's report on the paintings taken by Segre in 1919 from the Gemäldegalerie in the Hofmuseum, found in AdR, K. 13.

<sup>15</sup> In this respect, Glück quoted also a note from one of the Austrian negotiators in Milan in 1867, Baron von Bürger, to the Austrian Foreign Affairs: "Durchschlagend und von entscheidender Wirkung aber war die Anführung und nachdrückliche Betonung der Tatsache, dass S.M. unser jetzt regierender Kaiser (Franz Joseph I) durch den Ankauf der Gallerie Manfrin und deren Überlassung an die Academie der bildenden Künste in Venedig den dortigen Kunstschatzen eine ganz unvergleichbar größere Bereicherung habe zu Teil werden lassen, als sie durch die im Jahre 1838 erfolgte Wegführung

On yet another circumstance, July 22<sup>nd</sup> 1866 saw Benedictine Moravian historian and member of Vienna's Akademie der Wissenschaften Beda Dudík turn up at Venice's General Archives in the former convent of Santa Maria Gloriosa de' Frari. Between the 1850s and 1870s the knowledgeable Benedictine had been visiting, studying and taking away with him on behalf of imperial authorities scores of records, manuscripts and other volumes from all over Europe. On that day in Venice – Cérésòle recounts – he came escorted by an Austrian artillery officer, brandishing an imperial ordinance that granted him the power to examine, choose and remove documents, manuscripts and despatches concerning old Venetians territories and the diplomatic history of the ancient Republic. Director of the Frari Archives Count Girolamo Dandolo having initially opposed this demand, Austrian authorities in Venice made it clear that military action would have ensued. It surely brings to mind Segre's way of proceeding in Vienna half a century later. Besides, also Dudík removals took place during the negotiation of a peace treaty. In the summer of 1866 Austrian and Italian plenipotentiaries had been drafting the text that put an end to the third Italian war of independence, known as Treaty of Vienna.<sup>16</sup> Meanwhile in Venice, between July 22<sup>nd</sup> and 23<sup>rd</sup> that year, a group of Austrian soldiers filled up several crates with the Venetian records and ancient manuscripts Dudík had selected. As Cérésòle reports, they seem to have amounted to 1336 volumes. On the following July 24<sup>th</sup>, the Moravian historian was at the Marciana Library, whence he apparently took some 95 volumes of Italian and Latin manuscripts. A couple of months later – Cérésòle goes on – another imperial order had also a batch of paintings transferred to Vienna. It was September 1866 and the peace negotiations were still underway. Based on the Swiss's list, 85 paintings came from the Marciana Library and included some of Tintoretto's scenes from the life of St. Mark and a series of philosophers painted for that library. The remainder of the paintings, 29, came from Palazzo Reale in Procuratie Vecchie. Among them were numerous portraits of Provveditori and Procuratori (two prestigious political appointments in the Republic of Venice) by Jacopo Tintoretto and his son Domenico.<sup>17</sup>

Following these last removals, Venice's high circles immediately raised their voices in condemnation. In 1916, as if anticipating a still-distant conclusion to the world war, art critic Nello Tarchiani published an extensive summary of the events on *Il Marzocco*.<sup>18</sup> So we learn that back in 1866, paleographer and Frari's archivist Bartolomeo Cecchetti stood out as one of the fiercest opponents of Dudík's initiatives. The latter accordingly resolved to report Cecchetti to

---

einer Anzahl damals gänzlich unbeachteter Bilder geschmälert worden seien." Glück himself added that: "Ausserdem hat Kaiser Franz Joseph für den Kunstbesitz der Stadt auch sonst namhafte Summen aufgewendet." (*Ibidem.*)

So Tietze on the same point: "Die 1838 bis 1866 für Instandhaltung der Monumentalbauten und sonstige Kunstzwecke angewandte Summe – nicht etwa aus den Mitteln der italienischen Provinzen, denn diese sind gesondert verrechnet, sondern aus den Einkünften des Gesamtstaates – belief sich auf 1,450.078 fl., einen für die Enge damaliger Budgets gewaltigen Betrag; davon entfallen auf den Ankauf der Galerie Manfrin 31.500 fl. und auf die Aufstellung der Sammlung des Grafen Girolamo Contarini 4363 fl., beides Aufwendungen, die unmittelbar der venezianischen Akademie zugute kamen [...]." (TIETZE 1919a, p. 26.)

16 *Traité de paix entre l'Autriche et l'Italie*, conclu à Vienne, October 3<sup>rd</sup>, 1866. (NEUMANN, DE PLASON 1877, pp. 569-582.)

17 CÉRÉSÒLE 1866.

18 TARCHIANI 1916.

Austrian military authorities, which tried and imprisoned him in Trieste. Newspapers and magazines in Italy, as well as in Austria and France, had also been covering the events, as Cecchetti himself recalled in 1868.<sup>19</sup> The widespread echo triggered by the press apparently helped bringing forth the matter at the table of the 1866 peace negotiations. Doctor Giacinto Namias, Secretary of Istituto Veneto di Scienze, Lettere e Arti, had addressed Austrian authorities through a letter that never got any reply from Vienna. Consequently, he had Florence's *La Nazione* publish it on September 9<sup>th</sup> 1866<sup>20</sup> and sent a copy to the Italian plenipotentiary in Vienna Count Luigi Federico Menabrea, along with lists of the missing objects. Tarchiani thus gave Namias, Cecchetti and other prominent Venetians the credit for article XVIII in the 1866 Treaty of Vienna. Although the provision eventually granted Venice restitution of the ancient Republic's diplomatic and historical records, along with all archives and artworks concerning all ceded territories (article XVIII), the interpretation and execution of its text soon proved extremely tough to agree upon. This led to the appointment of a special Austrian-Italian commission for its enforcement.<sup>21</sup> Its members met in Milan at the beginning of 1867. Italian plenipotentiaries deemed it necessary to come to a sort of compromise for some of Venice's diplomatic records (*Dispacci di Germania* in particular), agreeing to have them copied and subsequently shipped back to Vienna. On top of that, restitution of the paintings taken in 1838 had been apparently ruled out altogether. The immediate outrage of Venice's City Council at these conditions cut off negotiations abruptly. Count Menabrea, who had meanwhile become prime minister, created a national committee and tasked it with studying and advising on the feasibility of the draft convention the Austrian-Italian commission had been discussing up till then. Like the latter, also this national committee mostly comprised archivists, bibliographers and statesmen.<sup>22</sup> This in a sense always kept the focus of Italian claims on archives and manuscripts rather than paintings. Telling in this respect are the remarks of this new national committee's chair, Senator Agostino Sagredo. Writing about the 1867 negotiations, he observed:

Vi fu in Venezia anche chi accampava la pretesa della restituzione di circa trecento quadri mandati in Austria nel 1838.

Questa pretesa, per non dire di peggio, la diremo *curiosa*. [...] Il demanio era proprietà dello Stato austriaco trasferito dallo stato Napoleonico, tanto gli è vero che l'Austria vendette all'asta pubblica quasi tutti gli stabili demaniali, e

---

19 "Sugli asporti dell'Austria, le trattative per la restituzione e il ricupero degli oggetti d'arte e dei documenti vennero in luce molti articoli nei giornali italiani, francesi e tedeschi, p.e. : *Gazzetta di Venezia*, numeri 37, 45, 184, 185, 187, 198, 213, 214, 216, 221 del 1867; e 271 del 1868; *Tempo*, numeri 138 e 146 del 1866; e 205 del 1867; *Journal des Débats*, 27 gennaio 1868; *Presse* di Vienna, 1<sup>o</sup> ottobre 1868." (CECCHETTI 1868, p. 200.)

20 "Ultime Notizie", *La Nazione*, September 9<sup>th</sup>, 1866, p. 3.

21 The commission comprised Italy's statesman Count Luigi Cibrario (1802-1870) and director of Florence's State Archive Francesco Bonaini (1806-1874). Austria was represented by the jurist Friedrich von Burger (1804-1873) and future director of the Austrian State Archives Alfred von Arneth (1819-1897). (TARCHIANI 1916; TIETZE 1919.)

22 Two members of parliament, director of Venice's Regio Archivio Generale, Tommaso Gar, and director of the Marciana library, Giuseppe Valentinelli. (SAGREDO 1868, pp. 25, 26; TARCHIANI 1916.)



vendette centinaia e centinaia di quadri. Nessuno è che possa accusare d'illegalità coteste vendite e chiederne la rescissione. Il regnante di allora era principe assoluto, e poteva disporre a suo senno dei quadri. Né la perdita fu per certo deplorabile, perché non fu tolto a Venezia nessuno dei capolavori dei sommi maestri, e perché per la massima parte i quadri recati altrove erano danneggiati, come consta dai cataloghi esistenti. La protesta del Consiglio Comunale fece torcere il viso al Ministero Rattazzi, che non approvò la convenzione di Milano. O tutto, o nulla, fu la sua deliberazione; e per ottenere il tutto, che consisteva specialmente nei dispacci di Germania dei quali si poteva trarre copie valide come gli originali, aspettare una *occasione favorevole*. Quale occasione si volesse aspettare chi lo sa?<sup>25</sup>

And by now we know how General Segre eventually seized that opportunity some fifty years on. The Italian committee having predictably given green light to the draft agreement, the Austrian-Italian commission met again in Florence in July 1868 to sign the convention that executed article XVIII of the 1866 peace.<sup>26</sup> The Italian government thus sent some members of the national committee to Vienna in September that year to retrieve the relinquished objects. Among them was also the committee's secretary, that same Bartolomeo Cecchetti the Austrians had imprisoned in Trieste two years before. Along with Sagredo, he soon published an account of the events and of the things that they were able to bring back from Vienna that 1868.<sup>27</sup> This comprised for the great part those records and manuscripts taken away starting from the 1797 Peace of Campoformio up till 1866, except *Dispacci di Germania* (which Venice could make a copy of) and some other diplomatic documents. Although about six incunabula belonging to the Marciana Library couldn't apparently be located in Vienna and restored to that institution. Besides, Austria is said to have handed over to the Italians all 114 paintings removed in September 1866 from Palazzo Reale, the Marciana Library and the adjacent Zecca. The Florence convention granted Italy also the restitution of artworks and other valuables taken from Arsenale in the same circumstances, even though their partial consignment took place some time later.<sup>28</sup> As anticipated earlier, the agreement made no mention whatsoever of the 16 paintings taken in 1816, "offenbar deshalb, – wrote Gemäldegalerie's Glück in 1919 – weil bei diesen die Eigentumsfrage keineswegs strittig sein konnte."<sup>29</sup> As for those removed in 1838, Austria "gardera les tableaux exportés en 1838, dont Sa Majesté l'Empereur a dispose depuis longtemps en faveur de l'Académie des Beaux-Arts de Vienne et d'autres galeries de l'Empire."<sup>30</sup> Thus, demands for many of the Venetian paintings transferred to Vienna in the XIX century had been ultimately dismissed. Moreover, in 1869 a note by archivist Tommaso Gar to director of the Court and State Archives Alfred von Arneth apparently read: "Prego la

23 SAGREDO 1968, p. 193.

24 Convention passée entre l'Autriche-Hongrie et l'Italie pour la restitution des documents et objets d'art en vertu de l'article 18 du traité de paix du 3 octobre 1866. Conclu à Florence. Protocole additionnel signé à Florence, le 14 juillet 1868. (NEUMANN, DE PLASON 1878, pp. 9-13.)

25 CECCHETTI 1868.

26 CECCHETTI 1868; TARCHIANI 1916.

27 Gustav Glück's report on the paintings taken by Segre in 1919 from the Gemäldegalerie in the Hofmuseum, found in AdR, K. 13.

28 So read article V of the 1868 Florence Convention. (NEUMANN, DE PLASON 1878, p. 10.)

S.V.Ill.ma voler farsi interprete presso il suo Governo della perfetta soddisfazione del Governo italiano per fedele eseguitamento della convenzione del 14 luglio 1868 nella parte che riguarda la restituzione degli oggetti scientifici e artistici”.<sup>29</sup> Unsurprisingly, all the Austrians involved in the debate in 1919 made a point of quoting this very statement as a proof the matter had been settled once and for all back then. Many in Venice, however, never forgot their diplomatic defeat and hailed the Empire’s collapse in 1918 as the long-awaited time for revenge. “Era perciò necessario – concluded Fogolari back then – che, prima di ogni trattativa di pace, l’Italia vittoriosa cancellasse il torto subito togliendo senz’altro di mezzo fra noi e il nemico [...] tali vecchie questioni, intorno alle quali non è più dignitoso discutere.”<sup>30</sup>

A substantial part of what D’Ancona, Fogolari and Coggiola took away from Viennese museums in February 1919 comprised indeed all this and more. Italian art officers made a point of seizing as many paintings and volumes as Austria had been removing from Venice in the XIX century and not restored once France allotted the city to the Italian Kingdom in 1866. No matter whether it was about a provision of the peace with Austria that the latter had not been abiding by, or a subject that negotiators in 1866 and 1868 had utterly overlooked, like the 16-painting transfer of 1816 for instance. In 1919 Vienna, every item removed from Venice under Austrian rule was considered liable to seizure. In the note found at the beginning of this chapter that Segre sent to the Austrian Foreign Affairs in the days preceding the raids,<sup>31</sup> it is easy to associate the objects referred to with those coming from Venice, when the note does not explicitly mentions them. On the Wednesday of February 12<sup>a</sup>, D’Ancona and Fogolari turned up at the Gemäldegalerie, which had meanwhile found its abode in the newly built k. k. Kunsthistorische Hofmuseum on the Ring. There, the Italian officers must have gathered and carried away the paintings that left Venice in 1816 and through the first shipment of 1838.<sup>32</sup> Fogolari and Carabinieri’s Captain Enzo Porta seized four more paintings from the Gemäldegalerie on February 20<sup>a</sup>.<sup>33</sup> A few days later, on February 24<sup>a</sup>, D’Ancona and Fogolari came back one more time and took with them also a Dead Christ with angels by Antonello da Saliba, initially mistaken for the better-known Antonello da Messina.<sup>34</sup> Francesco Sansovino, the son of the famous sculptor and architect Jacopo, mentions the painting in his encyclopedic 1581 work *Venetia, città nobilissima et singolare*. “Vi è parimenti un quadro con un Christo morto sostenuto da due Angeli, & lo fece Antonello da Messina”, Sansovino wrote while describing the rooms of Consiglio dei Dieci in Palazzo Ducale.<sup>35</sup> Austrian official Count Domenico Rossetti reportedly brought the piece to Trieste in October 1807. There a painter restored it, and some months later, in January 1808, the piece left for the Gemäldegalerie. No documents ever attested to a possible purchase on the part of Rossetti, the Italians argued and the

29 See for instance Gustav Glück’s report (AdR, K. 13); TIETZE 1919a, p. 18.

30 FOGOLARI 1919a, p. 182.

31 Roberto Segre to Staatsamt für Äußeres, February 10<sup>a</sup>, 1919 (AdR, K. 13).

32 The consignment receipt is actually dated February 13<sup>a</sup> (AdR, K. 258).

33 As per copy of Italian receipt found in AdR, K. 258.

34 As per copy of Austrian statement and Italian and receipt bearing the same date and found in AdR, K. 258.

35 SANSOVINO 1581, p. 124, quoted in FOGOLARI 1919a, p. 182 and TIETZE 1919a, p. 27.

Austrians admitted. Venice being at the time under French rule, the transfer could not have resulted in this case from Austrian imperial orders, but rather from Rossetti's own initiative. Yet, "wir wissen weder, auf welche Weise es Baron Rossetti in Venedig erhielt, noch auch wie die Wiener Galerie es von ihm erwarb", acknowledged Tietze.<sup>36</sup> He still condemned its removal from the Gemäldegalerie in 1919 as purely arbitrary, dubbing it a plain usurpation and a whim of the Italian Mission that potentially threatened the whole of Austrian collections. Furthermore, lacking clear acquisition records was something quite common in every old collection, he added.<sup>37</sup> Meanwhile, that same February 12<sup>th</sup>, Marciana Library's Coggiola was at the Hofbibliothek. Archival records don't seem to allow for a full assessment of whether he retrieved everything on that occasion. Some pending issues from the 1868 Florence convention saw nonetheless a swift solution. That is the case with the six incunabula (seven volumes) from the Marciana Library Italian officials could not obtain back in 1868. Among them were some precious illuminated editions on parchment stemming from Cardinal Bessarione's vast collection. Coggiola listed them as follows:

- CICERONE (*Epistolae familiares*) printed in Rome in 1467;
- SAN GIROLAMO (*Epistolae*, two volumes) printed in Rome in 1468;
- APULEIO (*Metamorphoseos liber*, etc.) printed in Rome in 1469;
- GELLIO (*Noctes atticae*), printed in Rome in 1469;
- IGINO, printed in Ferrara in 1475;
- TIBULLIO from the XV century.<sup>38</sup>

In his polemical booklet though, Tietze quoted a note by director of Venice's Archivio Generale and member of the advisory committee that worked on the Florence Convention, Tommaso Gar. In his note of December 1868, after his trip to Vienna to obtain the relinquished objects, Gar apparently wrote that the Marciana Library "rinuncia esplicitamente ad ogni sua pretensione intorno ai sei incunaboli passati in principio di questo secolo alla Biblioteca imperiale di Vienna, ma poi compensati con altre opere splendide e rare."<sup>39</sup> Segre's Mission retrieved the seven volumes all the same. Along with them, possibly that same day of February 1919, must have left the Hofbibliothek also 53 volumes of

---

36 TIETZE 1919a, p. 27.

37 *Ivi*, pp. 27, 28. Thus Gemäldegalerie's director Glück on the subject: "Über den Ankaufpreis geben die heute vorhandenen Akten zwar keinen Aufschluss, doch da Venedig damals nicht österreichisch war, so unterliegt es wohl keinem Zweifel, dass Baron Rossetti, der selbst Kunstsammler gewesen ist, wovon noch die im Beistze der gräfl. Familie Rossetti bei Klagenfurt aufbewahrte Bildersammlung ein Zeugnis gibt, das Bild nicht anders als auf privatrechtlichem Wege erworben haben kann. Es müßte daher erst von der italienischen Regierung bewiesen werden, daß das Bild auf unrechtmäßige Weise in den Besitz des Freiherrn von Rossetti gelangt ist, was von vornherein nicht angenommen werden kann. Bei der heute noch existierenden Familie Rossetti wird angefragt werden, ob vielleicht in ihrem Besitze noch Dokumente über diese Erwerbung vorhanden sind, was immerhin möglich wäre." (Gustav Glück's report, AdR, K. 13.)

38 COGGIOLA 1919, p. 206.

39 TIETZE 1919a, pp. 36, 37.

autographs, in this case, original letters by prominent Venetian scholars and statesmen. Abbot Bettio had removed them from Marciana's collections on behalf of Austrian authorities back in 1829. At the time, clarified Tietze, the imperial government would ask of institutions and private individuals all over the empire to send over to Vienna some autographs so as to beef up the imperial library collection. The Venetian shipment, Tietze went on, was thus to be regarded as the result of spontaneous cooperation rather than a peremptory order.<sup>40</sup> At the Hofbibliothek, Coggiola further seized five printed works of musical subject (choirbooks) dating early XVI century. Once again Tietze justified their shipment to Vienna in 1835 by trying to prove an exchange took actually place. He quoted some notes by Abbot Bettio where the bookkeeper acknowledged the convenience of having relinquished these incomplete volumes for a batch of much more valuable and better-preserved ones.<sup>41</sup> Among the volumes that, like the six incunabula, Austrian officials failed to locate and hand back to Italy in 1868 featured also one last piece from the 59-volume world chronicles by the Venetian Marin Sanudo his famous *Diarii*.<sup>42</sup> They had left the Marciana Library for Vienna in 1805, ahead of the Treaty of Pressburg that compelled Austria to surrender its Italian holdings to France. All but one volume made it back to the Marciana as a result of the 1868 Florence Convention.<sup>43</sup> Actually, in exchange for the original series, in 1869 Italian officials provided the Hofbibliothek with a later copy of the diaries by the Paduan historiographer Francesco Donà. In those days of February 1919, Coggiola took everything away with him, also Donà's copy meant to replace the autograph at the Hofbibliothek.<sup>44</sup> Scores of volumes that left Venice for Vienna in the XIX century thus fell into the Italian Mission's custody and ultimately found their way back to the Marciana Library.<sup>45</sup> Accompanying them was Canova's marble bust portraying Franz I. The Emperor had it executed around 1805 for the Marciana Library, only for the bust to fall into French hands shortly afterwards and wind up in the imperial collections in Vienna at an unknown date. In 1919 Coggiola maintained this to originally be an attempt by the Emperor at making up for the removal of so many volumes between 1802 and 1805, a view already shared by Cérésole in 1866. On his part, Tietze labelled it simply as a tangible token of Her Majesty's authority over the city.<sup>46</sup> Be it as it may, Italian officers seized the bust from the *Sammlungen der Waffen* at 1 p.m. on February 26<sup>th</sup>, 1919, as an official statement by the collection's

40 Ivi, p. 30. See also in this regard COGGIOLA 1919, p. 208.

41 In a note dated July 18<sup>th</sup>, 1835, Bettio seems to have confirmed the receipt of the new volumes in exchange for the choirbooks, as follows: "le qui sopra individuate opere mi furono oggi passate entro bene condizionata cassetta a questa biblioteca dirette a titolo di retribuzione e di graziosa riconoscenza per le opere musicali imperfette, cedute alla Biblioteca [presumably the Hofbibliothek]". (TIETZE 1919a, p. 32.)

42 To learn more about Sanudo's *opus magnum* see Francesco Crifò, *I «Diarii» di Marin Sanudo (1496–1533): Sondaggi filologici e linguistici*, Berlin : De Gruyter, 2016. Some details on the history of the manuscript are found at pp. 50-52.

43 For more details on the circumstances of the Sanudo chronicles' removals see also CÉRÉSOLE 1866, pp. 21, 22.

44 COGGIOLA 1919, p. 206; Roberto Segre to Staatsamt für Äußeres, February 10<sup>th</sup>, 1919 (AdR, K. 13).

45 A fairly comprehensive list of those manuscripts and books that had left Venice ahead of its becoming part of the Italian Kingdom is found in AdR, K. 258 with the title: *Biblioteca Nazionale Venezia – Elenco del materiale bibliografico e dei manoscritti asportati e non restituiti dalla caduta della Repubblica Veneta alla annessione della Venezia al Regno d'Italia*.

46 CÉRÉSOLE 1866; COGGIOLA 1919, p. 207; TIETZE 1919a, pp. 37, 38.

director attests.<sup>47</sup> Earlier on, D'Ancona and Fogolari took away from the Akademie der bildenden Künste all the paintings Führich and Engert had picked from Venetian depots in 1838. Both the Austrian statement and the Italian receipt bear the date of February 13<sup>th</sup> and separate signatures. As pointed out at the beginning, the Italians always refused to sign the Austrian documents that explicitly accused them of having seized the items forcefully. The lists of seized items drawn in the two documents total 89 paintings plus the one basrelief that left with them in 1838.<sup>48</sup> The Italian long standing desire for retaliation thus overtook the 1868 Florence Convention that had ultimately assigned them to Austria. Out of the various old claims for works of art Italy fiercely renewed in 1919, those for Venice's treasures had no doubt received the highest priority and swiftest execution. This however, did not prevent Segre, D'Ancona and the others from tackling other long pending matters with equal determination.

### *The Mantuan tapestries*

As we briefly mentioned at the beginning, the pending issue of the nine tapestries from Mantua must have looked so straightforward to Segre's eyes, that he attended to it without even waiting for the requested art officers to reach Vienna. Another reason was the presence at the Mission of major Gino Maffei, a young lawyer from that very city. We referred to one of his accounts earlier in this chapter. Maffei is indeed credited with having assisted General Segre with the swift seizure of the tapestries from Schönbrunn, where they had been spending the previous fifty years. Those years had seen repeated attempts on the part of Italy to have the items back, and culminated in 1919 with the unprecedented opportunity represented by the dispatch to the Austrian capital of the Italian Military Mission for the Armistice.<sup>49</sup> In fairness, when compared to other historical claims, this one appears to have worked out rather smoothly, with both governments' ultimate consent. Drawing on several original records, historian and archivist Alessandro Luzio, possibly the most cited when it comes to the tapestries' history,<sup>50</sup> relates how Cardinal Ercole Gonzaga left the precious items to his nephew Guglielmo in 1563, the year of the Cardinal's death. The tapestries depicted scenes from the life of the Apostles based on Raphael's drawings. Luzio seems to have no doubts about their having been

---

47 AdR, K. 258.

48 *Protokoll aufgenommen im Rektorate der Akademie der bildenden Künste in Wien am 13. Februar 1919*, signed by Director Edmund von Hellmer; handwritten Italian receipt by Gino Fogolari and Paolo D'Ancona dated February 13<sup>th</sup>, 1919 and listing the same objects (AdR, K. 258).

49 "Ero andato dal Barone Eichhoff [sic] per parlargli degli Arazzi del Palazzo Ducale di Mantova. Sono trent'anni che la diplomazia italiana sta dimostrando che gli arazzi sono nostri, che devono tornar laggiù, nelle cornici deserte di Mantova, dove il Paradiso di Isabella le attende. Il Generale ha ben deciso che noi dobbiamo ora operare tutto all'inverso della diplomazia, e perciò dobbiamo avere – subito – gli arazzi per mandarli a Mantova. E ho parlato al Barone di questi gioielli della nostra arte e della nostra storia. Parlando rievocavo gli anni lunghi della nostra battaglia diplomatica in cui tutto il diritto reclamava per noi, ma nulla poteva contro il cieco egoismo d'Asburgo, che teneva sì gli arazzi accartocciati a Schönbrunn, ma non li volle mai dare all'Italia. Parlando rievocavo la mia Mantova, che attendeva (da tanti anni!) i suoi arazzi." (MAFFEI 1922, p. 61.)

50 See LUZIO 1919. A good amount of official correspondence and memos Austrian and Italian officials produced in 1919 that retrace the history of tapestries and their transfer is available, among others, in the AdR, K. 258 and ASPMV, b. 14-55B, fasc. 1.

manufactured in Brussels, where Raphael's cartons were kept. Pope Leone X had the very first series (ten pieces) decorate the Sistine Chapel between 1515-1519 and various other versions had been commissioned thereafter. Normally only side decorations and embroidered emblems changed. Possibly not the original commissioner of the Mantuan series (nine pieces) – if we are to rely on Luzio – Ettore Gonzaga must have purchased it around 1559 and applied his emblem just then. Having inherited the tapestries, his nephew Guglielmo, who married the daughter of the Holy Roman Emperor Eleanor of Austria, in turn bequeathed them to the Gonzaga family's royal chapel, the Basilica Palatina di Santa Barbara, built in the 1560s and 1570s at his request. Later on, in 1776, the city coming from nearly seventy years of Austrian rule, the church clerics requested to the local and imperial authorities the tapestries be replaced, owing to their state of decay. They thus wound up in Palazzo Ducale in the same conditions. It did not take too long though before the Magistrato Camerale, the head of the city's administration as per Maria Theresa's reforms, had them admirably restored by a local seamstress. The quality of the result was such that three halls of Palazzo Ducale were rearranged to accommodate the tapestries, now officially part of the palace's inventory. The wing was accordingly dubbed *Appartamento degli Arazzi*, as they still call it nowadays. The years of turmoil that ensued as a result of the Napoleonic campaigns nevertheless left the Mantuan tapestries in place, a privilege the Sistine series had unfortunately already lost two centuries earlier.<sup>51</sup> Indeed, Mantua's Palazzo Ducale belonged to the state assets along with Milan's and Monza's royal buildings, as confirmed – specified Luzio – by the third French constitutional statute of 1805.<sup>52</sup>

Thus, thanks to their contributing to the royal splendour, the nine works made it unscathed till 1866. It was in May that year, one month before the beginning of the third Italian war of independence whereby Austria was going to lose also Mantua, that Emperor Franz Joseph ordered the nine tapestries be transported to Vienna. They were apparently expected to temporarily feature an exhibition at the Museum für Kunst und Industrie Franz Joseph had established only three years before. The tapestries having already left Mantua, the show was nonetheless postponed due to the outbreak of hostilities. On top of that, given the outcome of the war, in 1867 the Italian Government ended up footing the bill for their packing and shipment to Vienna, where the works had meanwhile remained.<sup>53</sup> The story now joins that of the Venetian paintings at the time of the 1866 peace and its article XVIII on the restitution of archives and works of art

---

51 "Le vicende sgraziate della serie mantovana furon "piccolo insulto di villana auretta" al confronto delle tragiche sorti della vaticana. Messi in pegno alla morte di Leone X che lasciava l'erario pontificio in completa bolletta, gli arazzi della Cappella Sistina subirono i vandalismi spagnoli e teutonici del sacco nefando del 1527 [...]. Travolti nell'infernale tregenda del sacco, altri arazzi migrarono a Lione, e sino fra' Turchi a Costantinopoli: tornarono in Vaticano, necessariamente assai ammolorati. [...] Anche più lacrimevoli peripezie attraversarono gli arazzi vaticani per effetto della rivoluzione francese. [...] Da una mano all'altra passarono a Genova, a Parigi, sinché Pio VII poté riscattarli nel 1808 [...]" (*Ivi*, pp. 14, 15.)

52 *Ivi*, p. 9.

53 "Le spese di imballaggio e di spedizione furono pagate il 17 gennaio 1867 al falegname Fini dallo stesso Governo italiano e per un mezzo secolo, in cambio degli arazzi perduti, il Palazzo di Mantova ha potuto conservare in archivio la quietanza delle spese sostenute per farseli portar via." (PACCHIONI 1922, p. 233.) See also document Luzio published in 1916 attesting such payment (LUZIO 1916, p. 38).

belonging to the transferred territories. The Senator Sagredo-led commission still examining the terms of the agreement with Austria that could enact and regulate that article (the upcoming 1868 Florence convention), Mantua's member of parliament Count Carlo Arrivabene Valenti Gonzaga had officially demanded the tapestries be restituted as well. "[U]n altro amminicolo" Sagredo had dubbed it, another trifle.<sup>54</sup> The Austrian plenipotentiaries tasked with the negotiations had however received instructions that only concerned Venetian records and paintings, being that the real focus of 1866's article XVIII. The question of the nine tapestries however did not go completely unheeded, and the Austrians agreed to sign a separate protocol to the 1868 convention.<sup>55</sup> It described the issue as still pending and dependant on the resolution of another problem, that of the property of Palazzo Ducale.<sup>56</sup> By taking away the tapestries and keeping them in Vienna, Franz Joseph had been treating them as imperial private property, which, as such, the 1866 treaty of Vienna confirmed to be at the Habsburg family's disposal.<sup>57</sup> The successor Kingdom of Italy, on the other hand, was to take over all the state property, under which, also owing to the wording of the French statutes, Palazzo Ducale seemingly fell. Another reason the Italians, Luzio first of all, kept bringing up was that all the money spent on the tapestries' management, restoration and display in Palazzo Ducale's refurbished halls came from the city's public purse rather than Vienna's imperial exchequer.<sup>58</sup> Having officially acknowledged the conundrum, the additional protocol of 1868 deferred the solution of the problem to a later date. Italy kept seeking this date for the following decades to no avail. The aforementioned exhibition for which imperial orders had initially requested the tapestries in Vienna reportedly closed in 1873 and the works ended up at the Schönbrunn palace. At this point Italian diplomats seem to have renewed demands for getting the items back. As Luzio and later Pacchioni relate, the subject must have nevertheless been absolutely taboo at court. "È uno di quegli argomenti – Italian ambassador to Vienna Costantino Nigra seems to have told Luzio – che l'Imperatore non lascia intavolare senza inalberarsi!"<sup>59</sup> Again, in 1901, member of the Italian parliament Fermo Rocca is said to have exposed before the assembly official remonstrations coming directly from the City of

---

54 SAGREDO 1868, p. 194.

55 Protocole additionel. Séance du 14 juillet 1868 à Florence. (NEUMANN, DE PLASON 1878, pp. 11-13.)

56 "[L]a question des tapis dépend de la solution d'une autre question plus grave, qui est celle de la propriété du Palais ducal de Mantoue, que l'Italie revendique comme appartenant au domaine de l'État, et que l'Autriche affirme faire partie du patrimoine particulier de l'Empereur et Roi en sa qualité de descendant et d'héritier des Ducs de Mantoue. Dans l'état des choses, toute discussion ultérieure devenant inutile, les Commissaires sont tombés d'accord que, sans rien préjuger sur les droits réciproques, on en réservera la discussion à une Commission special, à moins qu'on ne préfère de la traiter par la voie diplomatique." (*Ivi*, p. 11.)

57 Article XXII of the 1866 Vienna Convention reads: "Les Princes et les Princesses de la Maison d'Autriche, ainsi que les Princesses qui sont entrées dans la Famille Impériale par voie de mariage, rentreront, en faisant valoir leurs titres, dans la pleine et entière possession de leurs propriétés privées, tant meubles qu'immeubles, dont ils pourront jouir et disposer sans être troublés en aucune manière dans l'exercice de leurs droits. Sont toutefois réservé tous les droit de l'État et des particuliers à faire valoir par les moyens légaux." (NEUMANN, DE PLASON 1877, p. 576.)

58 "[A]lla spesa necessaria avrebbe provvisto (non la munificenza sovrana) ma il Magistrato Camerale co' fondi provinciali dello Stato di Mantova, avente tuttora un'amministrazione autonoma e bilancio separato dalla Lombardia austriaca. [...] [R]imangono tra gli atti del Magistrato Camerale tutti i conti relativi alla spesa, sostenuti *more solito* da' fondi provinciali." (LUZIO 1919, pp. 7, 8.)

59 LUZIO 1919, p. 9.

Mantua. Yet no governmental initiative seems to have followed the motion, while Austrian newspapers reportedly attacked Italian demands for property considered to lie rightfully in the private hands of the imperial family. In 1915 the Italian fine arts administration is said to have made a new attempt at drawing attention to the issue by reaching out to the Supreme Command's Civil Affairs.<sup>60</sup> Eventually, in 1919 Segre and Maffei dealt the final blow to Austria's resistance, confidently building on Luzio's argumentations and documents, as well as their temporary position as military authorities in Vienna.<sup>61</sup> Tietze himself recognised the fact that in 1868 Austria did not push for having the tapestries declared its undisputable property, but rather left the question open to discussion. Even if the objects ended up staying in Vienna – Tietze remarked – the Austrian crown had acknowledged the issue of their property, proof thereof being their not being included in the 1875 inventory of the imperial assets. Moreover, the new Austrian government had not the slightest reason to conceal or perpetuate any questionable arrangements of the former dynasty. “[L]e gobelins de Mantoue se trouvent en effet sur le territoire de l’Autriche allemande, sans cependant appartenir à cet État”, wrote the Staatsamt für Äußeres to General Segre at the very beginning of 1919.<sup>62</sup> Thus – Tietze underscored – the government had already disposed the consignment of the tapestries to Italian officials, even before their ultimatum. That was indeed what Austria always did every time Italian demands proved legitimate – the art historian concluded.<sup>63</sup> At the same time though, the view that the Emperor had the right to handle the tapestries as imperial property was strongly advocated by the administration of the family's assets (Fideikommißvermögen) Franz von Haverda. The tapestries in question – he wrote at the end of January 1919 – reached Vienna by virtue of the free administration of the crown property the Emperor enjoyed. Given that Mantua had since left the monarchy and the 1866 treaty did not regulate the issue – Haverda went on – they subsequently remained in Vienna and joined the other court objects. He thus concluded that his office had no right whatsoever to authorise the consignment of the objects.<sup>64</sup> Still, despite some resistance, the relinquishment of the Mantuan tapestries came rather swiftly, anticipating a likely harsher approach on the part of General Segre. And in any case, allegations accusing the General of blackmailing the Austrian Government to obtain the objects were already circulating: “die italienische Regierung die Erfüllung dieser Forderung mit ihren weitgehenden Lebensmittellieferungen in Zusammenhang bringt und

60 Elenco 1919, pp. 38, 39; Missione militare 1919, p. 12; PACCHIONI 1922, pp. 233, 234.

61 “La prova dell’acquisto e dei pagamenti fatti non da Maria Teresa ma dal pubblico erario mantovano stava per fortuna negli archivi del Palazzo di Mantova. Il Luzio aveva pensato tempo fa a scovarli fuori. E a valersene fu pronto il segretario politico della missione (maggiore Maffei), che, per caso, era un giovane avvocato mantovano studioso di cose d’arte. A lui spetta il merito, notevolissimo, di aver impostata la questione e di averle fatto muovere i primi passi di fronte al Deutsch e al barone Eichhoff, l’uno ministro degli esteri e l’altro capo dell’ufficio politico [of the Austrian Foreign Affairs] della neonata repubblica.” (PACCHIONI 1922, p. 234.)

62 Staatsamt für Äußeres to Roberto Segre, January 8<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1). On the same point Baron von Eichhoff (Foreign Affairs) to the chief administrator of the imperial family's assets Von Haverda: “Tatsächlich scheint durch aktenmäßige Erhebungen erwiesen zu sein, daß die erwähnten Arazzi Eigentum der italienischen Provinz Mantua waren und im Jahre 1866 vorübergehend in die Bestände des k.k. Fideikommißverwalteranstandes erfolgen.” (Johann von Eichhoff to Franz von Haverda, January 23<sup>rd</sup>, 1919, AdR, K. 258.)

63 TIETZE 1919a, pp. 18-20; see also TIETZE 1919b, p. 64.

64 Franz von Haverda to Staatsamt für Äußeres, January 31<sup>st</sup>, 1919 (AdR, K. 258).



von dieser italienischen Hilfsaktion die Wohlfahrt und die Aufrechthaltung [sic] eines geordneten Lebens der Bevölkerung abhängig ist", wrote Baron von Eichhoff in January 1919.<sup>65</sup> On February 7<sup>th</sup> the Austrian Foreign Affairs notified the Italian Military Mission about the Austrian government's allowing for the consignment of the nine tapestries. As customary in such circumstances, Austria declared itself no longer accountable for any possible third party rights to the relinquished objects, especially before the dual monarchy's other successor states. The administration of the Schönbrunn Palace remained now at the Italian officers' disposal so that they could arrange the retrieval of the Mantuan tapestries.<sup>66</sup> This took place on February 11<sup>th</sup>, 1919 under the supervision of D'Ancona, Fogolari and Coggiola, who signed the protocol, this time along with their Austrian counterparts at the palace.<sup>67</sup> This might have possibly given the Austrian government, if anything at the very beginning, the hope that the gesture could have prevented the large-scale seizure of paintings that took place only some days later. In Segre's wider scheme though, the consignment of the tapestries just happened to be a quieter prelude to way more unsettling operations. "[A] me non conveniva affatto apparire, subito, quale esecutore di forze – he wrote in his memoirs recalling the episode – poiché ben prevedevo che ciò avrebbe potuto essere necessario in seguito."<sup>68</sup>

#### *Estense manuscripts and collections*

Indeed, much more aggressive measures on the part of General Segre and his men resulted in the forced and unexpected abduction of three illuminated manuscripts from the Hofbibliothek: the so-called Viennese Genesis, the Dioscorides and the Hortulus Animae. They dated between the IV and VI century and Tietze called them the three most famous and valuable pieces the Hofbibliothek ever owned.<sup>69</sup> Despite their being rightful property of that imperial institution, Marciana's Giulio Coggiola, Carabinieri's Captain Francesco Callari and some other Italian officers turned up there at 1:20 p.m. on February 28<sup>th</sup>, 1919, and took the volumes away with them.<sup>70</sup> They ended up in Segre's office at the Mission's headquarters. These works had nothing to do with Italian claims per se, yet Segre had immediately resolved to use them as pawns for three other manuscripts the administration of the imperial assests had so far been refusing to surrender. They were known as: the Bible of Borso d'Este (Ms. Lat. 422-423), the Breviario Romano (Ms. Lat. 424) and the Ufficio della Beata Vergine (Ms. Lat. 262). Perhaps the most famous among them, the parchment Bible had been nearly seven years in the making, between 1455 and

65 Johann von Eichhoff to Franz von Haverda, January 23<sup>rd</sup>, 1919 (AdR, K. 258).

66 Staatsamt für Äußeres to Italian Military Mission for the Armistice, February 7<sup>th</sup>, 1919 (AdR, K. 258).

67 The handwritten protocol is attached to: Deutschösterreichischer Staatsnotar to Staatsamt für Äußeres, February 22<sup>nd</sup>, 1919 (AdR, K. 258).

68 SEGRE 1928, p. 125.

69 TIETZE 1919a, p. 35.

70 Copy of *Protokoll aufgenommen in der Hofbibliothek am 28. Februar 1919, 2 Uhr nachmittags* (AdR, K. 257); Receipt signed by Captain Callari, February 28<sup>th</sup>, 1919 (AdR, K. 257); Roberto Segre to Staatssekretär für Äußeres, February 28<sup>th</sup>, 1919 (AdR, K. 257); Francesco Callari to Italian Military Mission for the Armistice, February 28<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1); Telephondepesche der Hofbibliothek (Hofrat Dr. Donabaum), March 1<sup>st</sup>, 1919 (AdR, K. 257).

1462.<sup>71</sup> It had been lavishly illuminated by a team of Mantuan and other craftsmen at the behest of Borso d'Este, whom the Holy Roman Emperor had created Duke of Modena and Reggio in 1452 and the Pope had made Duke of Ferrara in 1471. The treasured two-volume Bible, jealously kept at court in Ferrara for the enjoyment of the Estense princes, left for Modena in 1598. The previous year, a heirless Alfonso II d'Este lost Ferrara to the Pope, thus keeping only the Duchy of Modena, where his cousin Cesare, member of a cadet branch recognised only by the Holy Roman Emperor, moved in 1598, carrying along what he could take of the family collections.<sup>72</sup> In 1763 the last Este Duke of Modena Ercole III and Empress Maria Theresa arranged the marriage between Ercole's daughter and Maria Theresa's son Ferdinand Karl. The latter hence became the founder of the House of Austria-Este, whose heirs ruled Modena up till 1859 and the annexation of the city to the Kingdom of Italy. That year, the last Duke of Modena, Archduke of Austria-Este and Prince of Hungary and Boemia Franz V (1819-1875) was forced by invading armies of France and Piedmont to withdraw to Vienna. Part of the family collection predictably followed him, including the three illuminated manuscripts he had inherited.

Like in the case of the Venetian paintings and the Mantuan tapestries, the years following the peace of 1866 between Austria and Italy saw the latter trying to have the Duke send everything back to Modena. Soon after his escape, Italian local authorities had frozen all his assets in the city. Many of the valuable things adorning the ducal apartments had in that same 1859 wound up in Modena's Galleria Nazionale Palatina. Others had been dispersed, auctioned or allotted to other Italian cities.<sup>73</sup> Yet, article XXII of the 1866 Vienna Convention we briefly mentioned earlier, restored to the princes and princess of the House of Austria all their private possessions. At this point, also the issue of Franz V's remaining properties in Modena had to be sorted out. To this end, Italian plenipotentiaries and those representing the Duke met in Florence to discuss the matter. They signed a protocol on June 20<sup>th</sup>, 1868, which unsurprisingly did everything but appease Italian demands. Franz V eventually got back his possessions. He additionally committed to restore to Modena some of the paintings, artefacts and manuscripts he had taken to Vienna in 1859. Nevertheless, he explicitly declared his intention to keep with him Borso's Bible, the Hortulus Animae and the Ufficio della Beata Vergine. "*Tale arbitraria eccezione imposta ai Commissari di Firenze era sotto ogni aspetto illegale*", denounced the Italian art officials in Vienna in the booklet they published there in 1919.<sup>74</sup> He furthermore mentioned as conditions for the approval of the agreement the restoration of the name Galleria Estense for Modena's national gallery. The objects coming from his family's collections – he added – were not to leave the city ever again. Lastly, the Duke requested some of the items taken from his apartments in Modena be shipped to Vienna. Such resolutions had apparently been spelled out in a letter Franz signed some days later in the Bavarian town of Wildenwart, his summer residence.<sup>75</sup> The document became

---

71 MODIGLIANI 1923b, pp. 556, 557.

72 VENTURI 1882, pp. 13-17.

73 VENTURI 1882, pp. 453, 454.

74 Missione militare 1919, p. 22.

75 Not having been able to locate the original documents yet, here is an excerpt of Franz's letter as quoted by Adolfo Venturi: "*Non volendo Noi più a lungo privare la studiosa gioventù di Modena,*

an integral part of the June 20<sup>th</sup> protocol both parties had approved and signed. Thus, the granted restitution of some of the artworks taken away to Vienna in 1859 appeared somehow spoiled and frustrated by the fact that other objects had eventually to be shipped there in exchange, not to mention the permanent loss of the three manuscripts. Among the things shipped to the former Duke were several pieces from the Estense bronze collection and some family portraits, along with other artworks. What had been ultimately exchanged appeared to be nothing more and nothing less than what stipulated by the plenipotentiaries in Florence in 1868 and later in another agreement between Franz V and Modena's Academy of Fine Arts in 1869.<sup>76</sup> This was indeed one of the chief arguments of Austrian authorities in 1919, and the administration of the imperial assets in particular: nothing of what the Duke took and received violated those agreements, as the Italians maintained instead.<sup>77</sup> An Austrian report from 1919 confronts such Italian allegations in great detail.<sup>78</sup> Notwithstanding what the report called the "Absurdität des Gedankes", Italian officials also tried to leverage on the fact that the Este family had opened his library and gallery to the public as a good enough reason to regard the collections as city, and then state, property. Yet – Austrian documents state – the same collections had always come from personal purchases by members of the Estense family and its cadet branches, and later the House of Austria-Este:

Was die Handschriften von Anfange an waren, nämlich Privatgut der Herzoge, blieben sie auch weiterhin, als sie das allgemeine Schicksal der estensischen Sammlungen teilten, weil eben auch diese immer Privat- und nie Staatsgut waren und auch nicht wurden, dadurch, dass sie der Öffentlichkeit zugänglich gemacht wurden. [...] Zunächst sei auf den Vertrag verwiesen, den Herzog Cesare im Jahr 1598 mit Papst Klemens VIII schloss, als er von diesem gezwungen wurde, Ferrara aufzugeben und nach Modena zurückzuziehen. Im Artikel 4 dieses Vertrages von Faenza vom 13./19. Januar 1598 wurde ausdrücklich bestimmt, dass der Herzog alle seine allodiale Fahrhabe (tutte le sue gioie, ori, argenti ed altre cose preziose etc. di qualunque qualità), auch tutte le scritture del archivio etc. mit sich nach Modena nehmen dürfe [...]. [...] Darnach ist also alles, was seit 1598 von Ferrara nach Modena an Kunst- und anderen Schätzen gerettet wurde [...], als estensisches Privatgut dorthin gekommen. Auf denselben privatrechtlichen Charakter der Sammlungen weist ferner die Stellung der Personen hin, durch welche jene Zustände gebracht wurden. Denn es waren nicht etwa allein die regierenden Herzoge von Ferrara und Modena, sondern

---

Nostra patria, del trarre le più profittevoli istruzioni a vantaggio delle Scienze e delle Arti dagli Oggetti tolti, e che completano le Raccolte esistenti in Modena abbiamo determinato di riunirli e ricollarli nelle medesime a riserva di tre Codici antichi miniati ed intitolati: la Bibbia (in due volumi), il Breviario Romano, e l'Ufficio della Beata Vergine, che intendiamo ritenere presso di Noi, dichiarando di voler continuare alla Città di Modena l'uso pubblico delle Raccolte stesse, come in passato...". (VENTURI 1882, p. 461.)

76 "L'Accademia fece un progetto di liquidazione fra la Galleria e l'Arciduca, che fu approvato dal Ministero e accolto da Francesco V, e così dalla Galleria nel 1872 partirono molti oggetti interessanti per lo studio delle arti minori". (VENTURI 1882, p. 462.) Venturi also published the lists of objects consigned to the Duke's representative in September 1868 and of those included in the 1869 *progetto di liquidazione* between him and the city's gallery. See VENTURI 1882, pp. 469-471.

77 Missione militare 1919, pp. 22-24; ELENCO 1919, pp. 47-50; COGGIOLA 1919, pp. 213-216; PACCHIONI 1922, pp. 229, 230.

78 Zur Eigentumsfrage an den Estensischen Handschriften und Kunstsammlungen, 1919 (AdR, K. 13).

auch andere Mitglieder der herzoglichen Familie, welche eine rege Sammeltätigkeit entwickelten.“

The three manuscripts, and many other artworks and valuables likewise, had been specifically created for the personal use of Dukes Borso, Ercole and Alfonso d'Este and paid with family's money. As the quotation above reads, they had accompanied the Dukes' successors as allodial (i.e. private) property when time came to leave Ferrara for good in 1598. In the same Austrian report, bookkeeper Cavedoni is quoted as having written the following in 1862: "onde pare che i principi Estensi col depositare che fecero i codici della biblioteca loro dapprima privata, e il medagliere parimenti dapprima domestico in luogo pubblico, von [sic] intendessero altrimenti di rinunciare ai loro diritti e dominio si dei codici come delle medaglie".<sup>79</sup> In a note from February 1919, the general direction of the imperial family assets underscored how the Estense collections, among others, were neither the property of the Austrian monarchy, the crown nor the Austrian state but rather the very private property of the House of Austria (the Habsburgs) and consequently of the Emperor.<sup>80</sup>

It might have been argued – the authorless Austrian document went on – that, having in 1868 Franz V granted restitution of some of the things he had taken to Vienna, the fact was itself a proof of the items not being his private property. Yet, as it seems sensible to consider, the 1868 protocol is to be seen as a compromise between the parties. The former Duke of Mantua was indeed interested in having the seizure of his properties in Mantua lifted, and was therefore keen to make some concessions. At the same time, the wording of the agreement itself is said to have never put into question the private ownership of the artworks. On the contrary, in his July 1868 letter from Wildenwart, Franz apparently referred to them as "cose di nostra private proprietà". In 1871, on the occasion of the presentation of the 1868 agreement (June's protocol and July's letter) for parliamentary approval, the Minister of Finance reportedly declared that "non può dissimularsi che, per valide testimonianze storiche è dimostrato che, se non tutti, certo una buona parte degli oggetti di cui si tratta erano da ritenersi come di sua [Franz's] privata proprietà, o perché pervenutigli per eredità particolari, o perché da lui acquistati coi propri danari."<sup>81</sup> 1871 was indeed the year when a series of conventions was agreed upon between Austria and Italy that aimed at regulating once and for all financial issues stemming

---

<sup>79</sup> *Ibidem*.

<sup>80</sup> *Ibidem*.

<sup>81</sup> "Die General Direktion sieht sich veranlasst, auf dass Irrtümliche dieser Auffassung, insoweit sie sich auf die Sammlungen des Allerhöchsten Kaiserhauses und die Estensische Sammlung beziehen, aufmerksam zu machen, und ihrerseits neuerdings festzustellen, dass es sich bei diesen Kunstwerken weder um ein Eigentum des Hofes, noch um Eigentum der bestandenen österreichisch-ungarischen Monarchie oder des österreichischen Staates handelt. Diese Gegenstände gehören nämlich weder zum Krongut oder sonstigen Hofärar, noch zum ehemaligen k.k. Ärar, stehen vielmehr im Privateigentum des Erzhauses, beziehungsweise Seiner Majestät." (General Direktion der Privat und Familien Fonde Sr. k. und k. Apost. Majestät zu Staatssekretär des Äußern, February 21, 1919, AdR, K. 257).

<sup>82</sup> The Austrian report refers to the source of this quote as follows: "Offizieller Text in den Sitzungsberichten der italienischen Deputiertenkammer Session 1870-1871 (Tornata di 16 gennaio 1871) No. 51" (*ibidem*).

from the 1866 peace. This included also the regulation of 1866's article 22 on the private property of members of the House of Austria in Italy, owing to which Franz V was entitled to have back his possessions in Modena. Thus, the second of these 1871 conventions stipulated at its article 7 that:

Le Gouvernement Royal Italien s'engage à rendre exécutoire la Convention conclue à Florence, sous la date du 20 juin 1868, relativement à la restitution des biens meubles et immeubles de [meaning to] Son Altesse Royale Monseigneur l'Archiduc François V d'Austria-Este.<sup>83</sup>

In 1871 Italy had thus officially approved of the 1868 agreement, which its representatives had in any case signed and consented to back then. Based on it, the former Duke explicitly retained the three manuscripts and other artworks, while sending back to Modena those listed in the protocol. In exchange, Italy agreed to ship to the former Duke in Vienna other belongings of his. Given the Italian plenipotentiaries accepted such conditions back then, and raised no further objection to the retention of the three manuscripts in Vienna, everything must have taken place lawfully – observed Tietze in 1919. And for that reason – the Austrian art officer went on – Adolfo Venturi labelled the agreement as certainly not favourable for Modena, though did not advance any legal counterargument.<sup>84</sup> The matter appeared hence settled and nothing had changed up till 1919 that could seemingly justify Italian demands. At the time, the author of the quoted report pointed out how a new inquiry into whether some of the objects the agreement granted back to Modena could still be in Vienna. The outcome was that none of the pieces seemed to have been left behind. Hence, the former Duke of Modena must have fully complied with the 1868 agreement.<sup>85</sup> Despite this, General Segre and the Italian art officers in Vienna did not take no for an answer. The administration of the imperial family properties refused to disclose the location of the three manuscripts and relinquish them, these likely being in the hands of the imperial family and thus ultimately out of reach for Austrian government officials and the library staff. As a result, the three Estense manuscripts remained with the imperial family and the Hofbibliothek lost as many of their most precious works to the

---

83 *Autriche-Hongrie, Italie. Conventions pour régler les questions financières pendentes entre les deux pays à la suite les articles 6, 7 et 22 du Traité de paix du 3 octobre 1866*, 2ème Convention, January 6-, 1871. (SAMWER, HOPF 1876, p. 329.)

84 TIETZE 1919a, pp. 33-36; TIETZE 1919b, p. 69.

85 "Aus dem Verträge vom 20. Juni 1868 könnten daher von Seite Italiens heute nur insofern Rechtsansprüche abgeleitet werden, als nachgewiesen würde, dass von den in den Verzeichnissen 1 und 2 des Vertrages genannten Gegenständen gegenwärtig noch das eine oder andere Stück in den Estensischen Sammlungen vorhanden wäre. Eine daraufhin durchgeführte Überprüfung der betreffenden Abteilkataloge und Bestände an der Hand der Verzeichnisse 1 und 2 des Vertragsallegates A hat ein vollständig negatives Resultat ergeben: Nicht ein einziges Stück von den seinerzeit angeforderten Gegenständen befindet sich heute in den Estensischen Sammlungen und kann sich auch nicht darin befinden, weil, wie ja auch italienischerseits bereits in den Jahren 1870 und 1871 anerkannt wurde [...] der Vertrag von Seite des Erzherzog restlos erfüllt, somit auch alle angeforderten Stücke abgeliefert worden waren." (*Zur Eigentumsfrage an den Estensischen Handschriften und Kunstsammlungen*, 1919, AdR, K. 13.)

vengeful initiatives of the Italian military.<sup>86</sup> “Alle Versuche – wrote Hofbibliothek director Josef Donabaum – [Captain Callari] und den mitgekommenen Dr. Coggiola zu überzeugen, dass es doch ganz rechtswidrig sei, die Hofbibliothek für Dinge haftbar zu machen, die sie gar nichts angehen, scheiterten, und so mussten, da Capitän Callari immer mehr drängte, die drei Handschriften unter Protest übergeben werden.”<sup>87</sup> Apparently the head of the political section of the Foreign Affairs, Baron von Eichhoff even reached out to the US and UK attachés in Vienna, Coolidge and Cuninghame, to expose and condemn the abduction of the Austrian manuscripts.<sup>88</sup> Notes are also found in Viennese archives that show how a brief report on the subject was ready to be sent out to daily newspapers. There, the Austrian government pointed out one more time its not being in the position to counter the initiatives of the occupying power and appealed to the Italians they kept the seized manuscripts in Vienna and spared them from damage.<sup>89</sup> Eventually, the issue had to wait until after the peace treaty and renewed negotiations to get a different, more accommodating solution.

#### *More manuscripts: Naples and Trento*

In 1707, halfway through the War of the Spanish Succession, the Austrian army besieged and occupied Naples, at the time under the rule of Philip V of Spain. The 1713 Treaty of Utrecht officially allotting the Kingdom of Naples to Austria, Holy Roman Emperor Joseph I, and his brother Karl VI after him, reigned over the city through their viceroys up till 1734. It is during this 26-years-long domination that Karl VI had several Neapolitan convents donate nearly a hundred manuscripts to Vienna’s Hofbibliothek. Neapolitan historian and archivist Bartolommeo Capasso (1815-1900) put together a well-documented and biting essay on the subject in 1878.<sup>90</sup> Italians in 1919 strongly relied on the piece in order to make their case. In his essay, Capasso related of how the mastermind behind the initiative had been, to his disappointment, another Neapolitan, a certain Alessandro Riccardi. Described by Capasso as one of the most brilliant lawyers in town and “non ignobile letterato”, Riccardi seems to have obtained from Emperor Karl VI the posts of Reggente Fiscale of the Spanish Royal Council (spanisches Hofratskollegium)<sup>91</sup> in Vienna and, at the same time, of Prefect of the Hofbibliothek. This last position, coupled with the desire to please his imperial benefactor, led him to suggest an enhancement of

---

86 Thus wrote Segre to the Austrian Foreign Affairs on the day of the seizure: “Il Signor Schaager, Capo Sezione all’amministrazione dei beni ex Imperiali, Hofburg, ha stamane rifiutato di consegnare i seguenti codici: Bibbia di Borso, Breviario Erculeo, Ufficio Alfonsino [...] asserendo di non riconoscere altra autorità se non quella dell’ex imperatore [...]. Tali oggetti debbono essere consegnati. Per intanto avverto che, quale primo pegno, faccio subito ritirare dalla Hofbibliothek: Genesi di Vienna, Dioscoride del V secolo, Hortulus Animae, che saranno da me restituiti quando mi verranno consegnati i suddetti oggetti, che mi spettano.” (Roberto Segre to Staatssekretär für Äußeres, February 28-, 1919, AdR, K. 257.)

87 Josef Donabaum to Staatsamt für Äußeres, March 1-, 1919 (AdR, K. 257).

88 Johann von Eichhoff to Archibald Coolidge, not dated (AdR, K. 257); Otto Bauer to Johann von Eichhoff (c/o deutschösterreichische Friedensdelegation in St. Germain), June 19-, 1919 (AdR, K. 13).

89 Notiz für die Tagesblätter, not dated (AdR, K. 257).

90 See CAPASSO 1878.

91 TIETZE 1919, p. 30.

the Viennese collections through the acquisition of Neapolitan manuscripts. As a result, in September 1716 president of the Sacro Regio Consiglio in Naples Gaetano Argento received a letter from Count Sella, another high-ranking Neapolitan appointed as imperial minister. The letter conveyed the Emperor's eagerness to receive the manuscripts listed out in attachment to that letter, and enquired as to how he could get hold of them. In Naples, Argento appears to have seen to it immediately. What happened to slow down the arrangements, though, were the objections of some of those orders whose libraries contained the treasured works. Unlike Dominicans, who apparently proved keen to promptly meet the imperial exhortation, the Agostinians of S. Giovanni in Carbonara seemed reluctant and demanded that the General of the Order in Rome approve of it first. The latter in turn is said to have deferred the matter to the Pope himself. This took predictably longer than expected. Yet, two years later, in 1718, permission to take all the manuscripts requested was ultimately granted. As per Capasso's account, the final amount of works that left Naples even exceeded that of those initially listed (around 80), eventually totalling 97.<sup>92</sup> Among them were Greek and Latin authors, sacred writings, secular poetry, including the autograph of Tasso's poem *Gerusalemme conquistata*, illuminated bibles and gospels, an Arabic Koran and so forth.<sup>93</sup> The libraries that kept them were those of the monasteries of S. Apostoli, S. Giovanni a Carbonara, S. Severino, S. Domenico Maggiore and the Valletta collection in the Girolamini's library. No documents were ever found that referred to a sum of money or other valuables being offered to the fathers in Naples as compensation. In 1919 Tietze underscored how the way the consignments of the manuscripts took place showed no sign of coercion against the orders involved, implying perhaps their willingness to please imperial authorities.<sup>94</sup> At the same time, director of the Brera galleries Modigliani recalled how the monks, before relinquishing the volumes, inscribed on some of them a dedication to the Emperor. The director ironically remarked how the inscription, anticipating a supposedly spontaneous donation, at some point read: "sic illo mandante", as he orders.<sup>95</sup> The view that in 1919 prevailed was ultimately that of Italian art officers, whose claims found, like many other times, swift enforcement through the self-imposed authority of General Segre's directives. The Neapolitan manuscripts must have been included in the seizures at Viennese museums and libraries that the Italian Mission carried out over several days in the month of February. As a matter of fact, a list director of the Hofbibliothek Donabaum attached to an account for the Austrian Foreign Affairs in March features all the Neapolitan manuscripts "im Februar 1919 von den Italienern genommen."<sup>96</sup> Among the lists Donabaum sent over to the Foreign Affairs on that occasion was also one of 46 manuscripts from Trento.<sup>97</sup> Highlights of the group were a

---

92 See lists of the works requested in 1716 and of those shipped to Vienna in 1718 at CAPASSO 1878, pp. 571-574, 584-594.

93 See COGGIOLA 1919, pp. 210-213.

94 "[V]on einer Nötigung ist nirgends die Rede, obwohl manche Klöster zunächst Schwierigkeiten machten." (TIETZE 1919a, p. 31.)

95 MODIGLIANI 1923a, p. 86.

96 Liste 4: *Handschriften, 1718 von neapolitanischen Klöstern Kaiser Karl VI geschenkt, im Februar 1919 von den Italienern genommen*, Josef Donabaum to Staatsamt für Äußeres, March 15, 1919 (AdR, K. 13).

97 Liste 6: *Handschriften, 1804 infolge der Säkularisierung des Bis[.] Trient von dort übertragen, im Februar 1919 von den Italienern genommen* (AdR, K. 13).

precious crimson evangeliary from the VI century and the Sacramentary of Gregor der Groß from the IX century with carved ivory decorations. The works had wound up in Vienna's Hofbibliothek at some stage between 1804 and 1806, as a result of the court's centralising initiatives. From there the Italians must have seized them along with all the other claimed manuscripts in February 1919. Tietze lamented the fact that the fate of Trento, at that time occupied by the Italian army, was still being discussed in Paris. No current circumstance – he maintained – justified the fact that Italians were already treating it as part of the Kingdom, claiming objects on its behalf, before the peace treaty could possibly give them the right to do so.<sup>98</sup>

---

98 TIETZE 1919°, pp. 38, 39; TIETZE 1919h, pp. 469, 470.



## Chapter 4

### THE PEACE CLAUSES AND THEIR CONSEQUENCES

#### *Negotiations begin*

The peace treaty with Germany having received the utmost priority, Austria and its representatives found themselves compelled to wait until the spring of 1919 for the Council of Four to finally turn to the political heirs of the dissolved dual monarchy. Italians were possibly more eager than anybody to finalise a treaty with Austria, perhaps even more than their former enemy and neighbour. This entailed primarily, from the Italian point of view, long brooded territorial claims threatened now by the imported value of self-determination and a more traditional principle of a continental balance of power.<sup>1</sup> Demands for restitution of works of art represented undoubtedly a less vital issue, yet a delicate one in terms of credibility, at home and abroad, and of normalised political relations. What had been meanwhile happening in Vienna at the hands of the Italian Military Mission, the removal of paintings, manuscripts and other objects from Viennese institutions, the indignation of the city's intellectual circles and their government's consequent embarrassment, all became the elephant in the room for those who ended up negotiating over the same things in Paris.

Brera's director Ettore Modigliani later recalled how the rest of the diplomats must have clearly had knowledge of the uncomfortable matter, but chose not to bring it up.<sup>2</sup> The widespread echo that followed his interview with *Il Corriere della Sera* in January 1919<sup>3</sup> should be probably listed among the reasons for his government to dispatch him to Paris. We pointed out earlier how detailed and well informed the interview had been when it came to listing out all the objects Italy was planning on exacting from Austria in the space of a few months. The piece had moreover featured in other Italian magazines, in some cases accompanied by pictures of the objects. The move inevitably triggered Viennese resentment and Modigliani's own discomfort at the visibility thereby attained.<sup>4</sup> He was perfectly astounded when Director General of Fine Arts Corrado Ricci later summoned him to convey the news: he was to be Italy's representative in Paris for negotiations over artwork restitutions.<sup>5</sup> In his capacity as expert on the subject, he thus assisted the Italian plenipotentiary to the Reparation Commission Mariano D'Amelio, future president of the Italian

---

1 HOFFMANN 1974, pp. 257-258; MACMILLAN 2003, pp. 273-305.

2 MODIGLIANI 1955a, p. 271.

3 "Le rivendicazioni artistiche italiane alla Conferenza. Un colloquio col Direttore della Pinacoteca di Brera", *Il Corriere della Sera*, January 14, 1919, p. 2.

4 Modigliani refers in particular to an article that featured the art magazine *L'Illustrazione Italiana* in February 1919 (see *Per le rivendicazioni 1919*).

5 MODIGLIANI 1955a, p. 268; COCCOLO 2021b.

Supreme Court.<sup>6</sup> No records have so far emerged that clearly explain why his administration, and consequently the Foreign Affairs, deemed Modigliani suitable for the job more than anybody else. Corrado Ricci himself, and – based on some letters – Gino Fogolari with him, seems to have not seen this coming either. On the contrary, the Director General was waiting to be charged with the mission himself.<sup>7</sup> Still, once Modigliani's official appointment eventually came, between February and April 1919, Ricci had him travel immediately to Paris. The discussion of the peace with Austria was not on the table yet. In the meantime Ricci had tasked him with arranging the Italian section of an exhibition the City of Paris had put together in support of war orphans.<sup>8</sup> This actually bought Modigliani some time to get acquainted with tempers and characters of diplomats and intellectuals swarming around in the busy French capital.

Eventually the hour came for the Big Four and their delegates to put their mind to the destiny of the former imperial enemies of Austria and Hungary, the rest of the monarchy's successor states having been spared from any war responsibility.<sup>9</sup> Modigliani moved to the Hotel Edouard VII on l'Avenue de l'Opéra, where other Italian diplomats had taken up their lodgings. As he recalled, negotiations would take place at the French Ministry of Finance, back then (and until 1989) located in the Louvre's 21,500-m<sup>2</sup> Aile Richelieu on Rue de Rivoli. After days of patiently attending sessions on banks and railways, naval and financial clauses, when the turn of works of art came, it was actually Modigliani who first addressed the elephant in the room. Mentioning Segre's ongoing seizures in Vienna while trying to draft common principles in Paris was at the same time awkward and necessary. Eager to avoid the humiliation of having to give everything back to Austria, Modigliani, and the Italian government with him, strongly wished for the Conference to acknowledge those untimely removals. Yet, as the British delegate to the Reparation Commission, Lord Sumner, underscored, the Commission's goal was to establish legal principles for all future restitution claims rather than register *faits accomplis*. Implied in this was the assumption that if Italy's seizures in Vienna did not happen to fall under those future provisions, restitution of the objects to Viennese museums must undeniably take place. Segre's Mission was furthermore holding hostage three priceless manuscripts belonging to the Hofbibliothek, and in that case everyone in Paris agreed on the inconvenience of such state of affairs. "Facile poteva essere stato, in quei giorni a Vienna! – Modigliani wrote years later – per la Missione militare inviare un funzionario scortato da carabinieri agli istituti statali a farsi consegnare le opere richieste;

---

6 See AZARA 1943 on D'Amelio.

7 "Nessuna cosa dimostra ancora ch'io debba essere chiamato a Parigi per trattare gli ulteriori ricuperi artistici", Ricci wrote Fogolari in February 1919, presently known *terminus a quo*, or earliest possible time, for Modigliani's appointment (Corrado Ricci to Gino Fogolari, February 18, 1919, ASPMV, b. 14-55B, fasc. 1). See also Gino Fogolari to Corrado Ricci, April 5, 1919 (ASPMV, b. 14-55B, fasc. 1), a letter that shows how at that stage Modigliani had already been appointed to the Peace Conference (*terminus ad quem*, or latest possible date).

8 See *Venise aux XVIII<sup>e</sup> - XIX<sup>e</sup> siècles. Exposition organisée sous le haut patronage de la Ville de Paris au bénéfice des orphelins des régions dévastées*, exhibition catalog, edited by E. Modigliani (Paris, Palais des Beaux-Arts (Petit-Palais), April-May 1919), Paris 1919; C. Ricci, "Venezia a Parigi. Venezia e la vita veneziana nel Settecento e Ottocento nel "Petit Palais" ", in *L'Illustrazione Italiana*, 27, 1919, p. 407. 9 MACMILLAN 2003.

ma che sarebbe successo alla Conferenza, o meglio nella Commissione interalleata delle Riparazioni in seno alla quale le nostre questioni potevano essere trattate?"<sup>10</sup> Lord Sumner position resonated also with, and received the support of, French diplomats. Understandably enough, any example of uncontrolled, one-sided retaliation of one country over a former ruler or oppressor could call into question France's possession of countless Napoleonic trophies still at the Louvre. So Modigliani himself observed.<sup>11</sup> Nevertheless, he tried several times to obtain from the British delegate more benign assurances as to what Italy would be granted by the treaty in his capacity as victor in the last war and old victim of past domination. Nothing seemed to convince its former allies Italy was worthy of any special treatment though. This sounded as a rather hostile attitude from the point of view of the Italians. When it came to devising a joint peace text encompassing everyone's demands, former allies swiftly turned into new enemies. "È strano chiamare 'avversari' coloro che erano gli 'Alleati'", thought Modigliani.<sup>12</sup> Not very conciliatory tones kept coming also from the Military Mission in Vienna. In that same month of May 1919, General Badoglio, at the time vice chief of the army staff, forwarded one of their telegrams to the Paris delegation. It read: "Risulta che fra commissari austriaci recatisi a Parigi sono apposti delegati tecnici per combattere con ogni energia nostre rivendicazioni storiche artistiche." Segre's Mission also asked the Supreme Command to dispatch Gino Fogolari to the French capital, so as for him to 'report' to Modigliani and, predictably, exert renewed pressure on the other delegates.<sup>13</sup> It does not seem, however, that the Venice director ever took on a role akin to Modigliani's within the Paris Conference. The two would mostly exchange intelligence, records and lists by mail and telegrams, so as for Brera's director to base Italian claims on more solid grounds.<sup>14</sup>

It seems that at the end of May the general principles on how to handle artwork-related claims against Austria had reached a formulation of sort, along with the rest of the peace provisions. These were the main points the Reparation Commission identified as suitable to feature in the treaty:

- Restitution of what had been removed during the war from invaded territories;
- Restitution of those works of art removed starting June 1914 from territories relinquished by Austria after the war;
- Restitution of all political, administrative and judicial records, along with documents and accounts of an artistic character removed since 1861 from the now ceded territories;

---

10 MODIGLIANI 1955a, p. 270.

11 "[A]vevano ragione tanto Lord Sumner [sic] quanto il Commissario francese che aveva aderito alla sua dichiarazione. E tanto più in quanto se, per quest'ultimo, si poteva congetturare anche un'apposizione preconcepita, perché in qualsiasi restituzione di opere d'arte si poteva vedere, da parte francese, quasi una prima pietra posta ad un eventuale remotissimo disintegrazione del Louvre, ricco delle spogliazioni napoleoniche". (MODIGLIANI 1955a, p. 271.)

12 *Ibidem*.

13 Pietro Badoglio, Vice Chief of Army Staff, to Military section of the Peace delegation, May 19, 1919 (DDI 1980-2008, vol. III, doc n. 544, p. 564).

14 See for instance Ettore Modigliani to Gino Fogolari, June 15, 1919 (ASPMV, b. 14-55B, fasc. 1) and other such records at ASPMV.

- Full compliance with the 1859 Treaty of Zurich, article XVIII of the 1866 Treaty of Vienna and the 1868 Vienna Convention, as described earlier;
- The establishment of a committee of three jurists called to advise the Commission on whether some of the disputed objects had been actually abducted from old Italian provinces against their own laws and existing agreements. Such category included the Estense collections and the three manuscripts Franz V took away with him (for which the other three volumes from the Hofbibliothek had been taken hostage), all the Neapolitan manuscripts sent to Vienna in 1718, the so called Tesoro di Toscana, the Treasure of the Holy Roman Empire, documents from various State archives.

Based on the above, stated a note from Paris addressed to the Mission in Vienna, the risk of having to hand back the objects taken by D'Ancona, Fogolari, Coggiola and the others in Vienna seemed averted.<sup>15</sup>

### *Italian lobbying*

A few days later in St.-Germain-en-Laye, it was June 2<sup>nd</sup>, 1919, the Austrian delegation received a first version of the peace text. One may with some confidence talk of a draft, if in her 2003 book on the Peace Conference Margaret MacMillan ventured to dub it "a slapdash document".<sup>16</sup> There had been undoubtedly some sloppy cut-and-paste from the text of the treaty with Germany, and at the last minute reparation provisions had seemingly been scrapped altogether from the document the Allies handed over to Austria that day in St. Germain. The move meant special trouble for Modigliani, given that the articles on artwork restitution featured that very section in the treaty. Further editing and discussing, new rounds of approval and negotiations among representatives of the Big Four loomed ahead. "Si urta contro un'ostinazione tenacissima", lamented Modigliani, while inviting D'Ancona and the others in Vienna to handle the draft provisions with the utmost care and confidentiality.<sup>17</sup> In the Austrian capital the consignment of the tentative peace text started a countdown of sort among the Italian officers, who dreaded the idea of seeing their clauses opposed by the Austrians and consequently scrapped once back in Paris. Karl Renner's delegation in Saint Germain was indeed to hurry up and submit their counterproposals as soon as possible. Also the section on reparations must have at some later date reached the Austrians.

When it came to restitution clauses affecting works of art, state art officers and university professors back in Vienna seem to have been the main reference point for Renner. Hans Tietze appears indeed to have had the biggest responsibility in this sense. Max Dvořák and Gustav Glück among others were

---

<sup>15</sup> Italian Delegation, Reparation Commission in Paris to Gino Macchioro Vivalba, political commissioner to the Italian Military Mission in Vienna, May 29<sup>th</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

<sup>16</sup> MACMILLAN 2003, p. 243, 253-254.

<sup>17</sup> Ettore Modigliani to Paolo D'Ancona, June 16<sup>th</sup>, 1919 (ASPMV, b. 14-55A, fasc. 19).

also to work with him and advise their government on how to proceed with regard to those articles in the treaty.<sup>18</sup> Getting in touch with them in the course of this delicate process and exerting any sort of influence thereon became high priority for the Italian Military Mission. We saw earlier how at that stage, of all the art officers at Segre's orders, only Paolo D'Ancona and Guglielmo Pacchioni must have still been in the Austrian capital. The latter seems to have seized any opportunity of dialogue with his Austrian counterparts, Tietze in particular. More than once in those days of great anticipation ahead of the treaty's approval, the two convened to explore their countries' respective stance on Italian demands and the fate of Austrian collections. In June, director of Trieste's City Museum Piero Sticotti joined again the Mission in Vienna to take care of issues pertaining objects from Venezia Giulia. Having carried out his studies in the Austrian capital, Pacchioni immediately saw in him a crucial player in the game of wooing museum directors and other Viennese intellectuals. Unfortunately, Italy's rushed efforts at finding a bespoke solution vis-à-vis Austria, especially when conveyed through Pacchioni's fierce temperament, could not help coming across as rather opportunistic and patronising. To Italian officers, and to them alone, the advantages of their ad hoc proposals when compared to the Allies' clauses were unquestionable. These envisaged for instance Italy's intervention in defence of the integrity of Austrian collections against requests for their allocation to successor states and other potential creditors. The rumour had been going around for quite some time already and taken various forms: that of a general repartition, of a not-better-specified internationalisation, of a *mise en gage*. The Italians maintained such hovering threat had represented the very reason for Segre to carry on his 'sequestro conservativo' months earlier, the virtual confiscation of those disputed objects within Viennese museums Italy set eyes on but did not remove yet. Segre's men were thus trying to carve for themselves the role of selfless champions of Austrian collections in exchange for what they were still waiting to secure from them. In the words of the chief of the Italian Peace Delegation, "bisognerebbe fare presente che nostro pensiero circa conservazione gallerie [austriache] deve essere contemperato con quello dell'opinione pubblica italiana che reclama la parte delle stesse che crede di sua pertinenza sicché è indispensabile dare le soddisfazioni annuendo detti desideri."<sup>19</sup>

As a matter of fact, Tietze seems to have expressed some real concerns for the uncertainty surrounding his country's collections.<sup>20</sup> In Pacchioni's words

---

18 "Staatsamt für Äußeres Wien bitte ein Kunstsachverständigenkollegium bestehend aus Tietze, Dworschak und Glück zusammenzuberufen. Vertragsexemplare sind Mittwoch früh dort. Die Kommission möge sofort den Gegenstand [Artikel 187 bis 192 und die vier Annexe dazu] in Verhandlung nehmen und Gutachten sofort ausarbeiten." (Karl Renner to Staatsamt für Äußeres, July 20, 1919, AdR, K. 13.) In a later document mention is made of a "Kommission von Sachverständigen, darunter die Universitätsprofessoren REDLICH, REISCH, und DWORAK, der Rektor der Akademie der bildenden Künste in Wien Von HELLMER, dann Direktor GLUECK, Dr. TIETZE und Professor BICK – als Vertreter von Hofrat DONABAUM". (Der Unterstaatssekretär für Unterricht to Deutschösterreichische Friedensdelegation in St. Germain, July 24, 1919, AdR, K. 13.)

19 Tommaso Tittoni, head of Delegazione Italiana Pace to Commissario Italiano in Vienna (Livio Borghese), July 25, 1919 (ASD, Rapp. Diplom. Austria, b. 250).

20 Unterrichtsamt to Staatsamt für Äußeres, July 30, 1919 (AdR, K. 13).

though, they sounded like a wholehearted invitation for Italy to chime in and save them:

Le dichiarazioni del Dott. Tietze possono essere così riassunte:

- 1) La minaccia più grave che sovrasti le collezioni di Vienna è rappresentata dalla pretesa degli Stati che componevano la Monarchia di ripartire il patrimonio artistico e storico come qualsiasi altra proprietà dello Stato. [...];
- 2) Contro questo pericolo l'Austria Tedesca non potrà resistere se non avrà l'appoggio dell'Italia;
- 3) In cambio di questo appoggio l'Austria-Tedesca potrebbe consegnare all'Italia quegli oggetti che spettino per attinenza storica a collezioni, edifici o città italiane ed abbiano per l'Italia uno speciale e grandissimo interesse.

[...] Al punto a cui sono le cose presso la Delegazione di Parigi (per quanto è mia cognizione) la proposta del Tietze potrebbe offrire occasione a trattative assai vantaggiose per il nostro paese [...].<sup>21</sup>

At this point, the Military Mission maintained that Italy's scientific and idealistic motives had more chances of being heard than its sometimes-faltering legal rights.<sup>22</sup> The Austrian take on the issue was obviously more cautious. Indeed, Renner's delegation was to report to the Entente as a whole and comply with decisions issued jointly by the Big Four. This is why the Austrian Foreign Affairs clearly expressed the view that "aus politischen Gründen die einseitige Inanspruchnahme der Hilfe Italiens der Sache eher schaden als nützen würde."<sup>23</sup> Due precautions aside, the concept of something along the lines of a sequestro conservativo aimed at temporarily 'freezing' Austrian collections until the resolution of all disputes appealed to the Ministry of Education in Vienna. On top of that, not-better-specified newspapers had been spreading the rumour of a so-called 'internationalisation', what the Austrian authorities labelled as Neutralisierung, of their collections.<sup>24</sup> Hence, it started dawning on the Ministry of Education that this could not possibly be such a bad idea after all, if interpreted in the sense of advocating the overall integrity and inviolability of its museums and institutions. And this was not to be

---

21 Guglielmo Pacchioni to Roberto Segre, June 25<sup>th</sup>, 1919 (ASPMV, b. 14-55A, fasc.19); Roberto Segre to Comando Supremo, Ufficio Operazioni, June 27<sup>th</sup>, 1919 (ASD, Rapp. diplom. Austria, b. 250).

22 "Il trasportare le questioni artistiche dal campo strettamente giuridico in quello degli studi e tecnico riuscirebbe pure vantaggioso all'Italia la quale ha diritti di carattere ideale e scientifico più precisi e più indiscutibili che non siano diritti giuridici." (Roberto Segre to Comando Supremo, Ufficio Operazioni, June 27<sup>th</sup>, 1919, ASD, Rapp. diplom. Austria, b. 250.)

23 Staatsamt für Äußeres to Deutschösterreichische Friedensdelegation in St. Germain, July 18<sup>th</sup>, 1919 (AdR, K. 13).

24 "Das Staatsamt für Äußeres beehrt sich der Friedensdelegation in der Anlage die Kopie einer Note des Unterstaatssekretärs für Unterricht mit dem Ersuchen zu übermitteln, zu dem darin niedergelegten Vorschläge zur Wahrung des deutschösterreichischen Kunstbesitzes wennmöglich nach vorhergehender Sondierung der maßgebenden Entente Kreise Stellung nehmen zu wollen. Die in diesem Vorschläge angeführte Lösung ähnelt sehr dem aus ausländischen Blättern in die Tagespresse vom 17. d.Mts. übernommenen, angeblich von neutraler Seite stammenden Projekte der Neutralisierung des deutschösterreichischen Kunstbesitzes." (Staatsamt für Äußeres to Deutschösterreichische Friedensdelegation in St. Germain, July 18<sup>th</sup>, 1919, AdR, K. 13.)

construed, the Austrians remarked, as an overall objection to claims from other States for objects bearing special national significance. "Nicht auf eine buchstäbliche Unveränderlichkeit der Sammlungen kommt es an – wrote the Undersecretary for Education – sondern auf eine schonende Behandlung ihrer internationalen Werte."<sup>25</sup> Interestingly enough, after the forced artwork seizures by the Military Mission earlier that year,<sup>26</sup> this was what Pacchioni was trying very hard to leverage on in view of further consignments to Italy. The news of a reportedly similar proposal from neutral states must have troubled him visibly. When the Italian Mission in Vienna (possibly Pacchioni himself) reached out to the Italian Delegation in Paris for clarifications,<sup>27</sup> no one seemed to have heard anything about the initiative.<sup>28</sup> In any event, the Austrians seemed keen on the idea, something that would have put all their collections under the watch of the Peace Conference before somebody else could think of breaking into their galleries and libraries again. The Ministry of Education in Vienna deemed the prospect so desirable that it even went as far as to consider the possibility of rewarding Italy, which came up with the idea first, by meeting its demands and, most surprisingly, acknowledging the forced removals in Vienna:

Die außerordentliche Bedeutung, welche eine derartige Lösung sowohl vom wirtschaftlichen Standpunkte als auch im Hinblick darauf, daß dadurch die zentrale kulturelle Stellung Wiens und Deutschösterreichs für alle Zukunft gewährleistet wäre, besitzen würde, würde es vielleicht sogar gerechtfertigt erscheinen lassen, daß man Italien als Entgelt für eine Förderung dieses Projektes bei der einen oder der anderen der ihm besonders am Herzen liegenden und von uns nach wie vor aus guten rechtlichen Gründen zu bekämpfenden Kunstforderungen entgegenkommen würde. Ein solches Entgegenkommen könnte sich sowohl auf die nach d.ö. Auffassung widerrechtlich im Februar fortgeführten Objekte als auch auf die in den 6 Verzeichnissen angemeldeten Forderungen beziehen.<sup>29</sup>

Being always aware of Italy's opportunistic approach to the matter, the same Ministry welcomed the opportunity of keeping discussions going. And as toward the end of July the term for Austria to consign its counterproposals on the articles got closer and closer, Italian officers started growing ever more

---

25 Der Unterstaatssekretär für Unterricht, Glöckel, to Staatsamt für Äußeres, June 30<sup>o</sup>, 1919 (AdR, K. 13).

26 Seizures that he would actually credit for having forced the Italian government not to ignore the question of artwork claims despite all the troubles this was causing: "Tra i molti effetti di quel primo atto di soldatesca energia non trascurabile, questo: di aver messo il Governo italiano con le spalle al muro; d'aver cioè costretto ambasciatori e ministri che si sono succeduti nel trattar la questione a non recedere dal diritto nostro né per sfavorevoli contingenze politiche né per lungaggini di avversari né per coperti soprusi o garbati divieti di alleati." (PACCHIONI 1922, p. 236.)

27 Italian Military Mission for the Armistice to Delegazione Italiana Pace, July 19<sup>o</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

28 Tommaso Tittoni, head of Delegazione Italiana Pace to Commissario Italiano in Vienna (Livio Borghese), July 25<sup>o</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

29 Der Unterstaatssekretär für Unterricht, Glöckel, to Staatsamt für Äußeres, June 30<sup>o</sup>, 1919 (AdR, K. 13).

impatient.<sup>30</sup> In Paris, Modigliani did not know what other strategies to resort to. Even if the commission of Austrian art experts called to study the draft articles never left Vienna, a reference person of sort was nevertheless present within Renner's delegation in St. Germain. David Josef Bach had worked his way to the top of Vienna's political and cultural scene as an influential critic and active socialist.<sup>31</sup> By 1919 he was editor-in-chief of the literature and art section of the *Arbeiter-Zeitung* and Director of the Sozialdemokratische Kunststelle, the Social-Democratic Arts Council. Based on some documents it appears that at some stage the Foreign Affairs had hired him as a consultant for Austrian art propaganda abroad (Referent für österreichische Kunstpropaganda im Ausland). At the Peace Conference he had been appointed representative of the press in the Austrian delegation.<sup>32</sup> Bach's name starts interestingly to come up in the records when, in that summer of 1919, he was approached by Captain Giovanni Della Rocca, liaison officer with the Austrian delegation until September 1919.<sup>33</sup> Based on Bach's own accounts, the two engaged in repeated and detailed discussions over disputed art treasures. On July 18<sup>th</sup> he wrote to the State Chancellor: "Bei aller gebotenen Vorsicht und bei allem nur allzu gerechtfertigtem Misstrauen habe ich es als meine Pflicht betrachtet, diese Besprechungen selbstverständlich ganz inoffiziell fortzuführen".<sup>34</sup> Talks were thus still intentionally off the record, and Bach was admittedly rather wary of Italian ways and intentions. In his view, the Austrian government must pay close attention to whether a similar course of action would have been in their overall political interest at that stage. Captain della Rocca had been putting forward detailed proposals on how Austria and Italy could work out their respective claims and demands, having presumably been instructed by Modigliani or Segre's men in Vienna. Once more, Italy was betting everything on its ideal role as advocate of Austrian prestigious collections and their inviolability in the face of (other) successor states and future creditors. Understandably though, as these proposals read, Italy's public opinion could not be left empty-handed either. In exchange for her mediation, Italy was expecting to see all objects tied to old and new territories handed over regardless of time, type and origin. Not exactly appealing for Austria given the initial offer. Again, Vienna was not to stand anymore against the seizures the Italian Military Mission. Here Bach rightly underscored how, 'incidentally', the draft articles of the treaty had actually already acknowledged those very

---

30 "Nostri delegati facciano comprendere opportunità che Governo austriaco non opponga obiezioni alle moderatissime rivendicazioni et ripartizioni carattere artistico fatte da Italia sul trattato di pace stop. Tali conversazioni dovrebbero svolgersi con massimo garbo ed avvedutezza escludendo soprattutto idea di promessa mercanteggiata da parte Italia stop. Conversazioni stesse dovrebbero essere esaurite in brevissimo tempo perché Delegazione Austriaca San Germano ha soltanto dieci giorni di tempo per fare osservazioni trattato di pace già consegnatole." (Comando Supremo, Affari Civili, to Italian Mission for the Armistice, undated, ASD, Rapp. diplom. Austria, b. 250.)

31 Contributions on Bach's influential career and intellectual circles feature for instance in *Austrian Studies*, Vol. 14, *Culture and Politics in Red Vienna*, 2006, pp. 1-325 ([www.jstor.org/stable/27944797](http://www.jstor.org/stable/27944797)). Accessed October 14<sup>th</sup>, 2020). See also Henriette Kotlan-Werner's *Kunst und Volk: David Josef Bach, 1874-1947*, Europa Verlag 1977.

32 Karl Renner to Kabinettsrat (the Austrian government's closed committee of all State Secretaries and Undersecretaries), August 13<sup>th</sup> ca., 1919 (AdR, K. 13).

33 MASSAGRANDE 1974, p. 500, footnote 14.

34 David Josef Bach to Karl Renner, July 28<sup>th</sup>, 1919 (AdR, K. 13).



seizure.<sup>35</sup> Other demands comprised additional historical claims and a compensation 'in kind' for war damages caused by unlawful enemy warfare, which we know included looting and destruction of artistic property and monuments. Della Rocca seems to have concluded by letting Bach know that, in case of his (and Renner's) accommodating feedback, an Italian representative would have immediately left for Vienna to arrange matters with Tietze. Bach knew of course that the representative in question was with all probability Modigliani. And indeed, before long, the two ended up travelling on the same train to Vienna.

### *The Austro-Italian agreement*

Modigliani's account of those days in Paris leading up to the journey is somewhat more dramatic. There is no mention of Captain Della Rocca in his memoirs, but rather of a certain De Carlo, another army official of the Austrian delegates' escort. By that time, Brera's director had lost all hopes in a compromise with the rest of the Entente in Paris. Rumours amongst Austrian delegates had it that the French prided themselves on having successfully thwarted Italy's excessive demands.<sup>36</sup> Seeing in him the last resort and not without a certain insistence, Modigliani talked a hesitating De Carlo into getting hold of none other than Renner himself. Thanks to De Carlo's improvised mediation, several messages addressing the issue of art treasures travelled secretly back and forth between the Austrian chancellor and the Italian art expert. The latter later recalled how, to be at De Carlo's disposal in the event of a sudden reply from Renner, he would hide inside the officer's car and sneak into the park of St. Germain's château, waiting behind trees, disguised in rags not to stick out. Eventually Renner asked of Modigliani to write down for him the main points of the Italian proposal. From his hideout, the art officer saw De Carlo hand the slip over to Renner, "di sfuggita, come si consegna un biglietto di contrabbando a un'amante".<sup>37</sup> From that moment on, he never got any further reply and thought time had come to resign to the defeat. Towards mid July, chief of the Italian Delegation in Paris Tommaso Tittoni summoned Modigliani to his office, livid with rage at the man's utterly compromising behaviour, of which he had known nothing about all along. He had been indeed confused to receive, out of the blue, Renner's authorisation to travel to Vienna to discuss art related clauses. Modigliani did not see this coming either. Nonetheless, Tittoni consented to the arrangements and booked Modigliani a seat on the next train bound to the Austrian capital. Apparently Tittoni's last words were a heartfelt request for the art officer to have, above all, the Austrians acknowledge Segre's seizure and spare Italy the much dreaded atonement. Thus, the head of the Italian delegation notified political commissioner in Vienna Livio Borghese about Modigliani's departure on July

---

35 "Österreich [wird] en bloc alle bereits vollzogenen von der erwähnten Kommission durchgeführten "Rückbringungen", die übrigens fast gänzlich durch die Bestimmungen des Friedensvertrages festgesetzt sind, gutheissen." (David Josef Bach to Karl Renner, July 28, 1919, AdR, K. 13.)

36 "Nach Mitteilungen Professor Dworaks behauptet die französische Mission, Italiener hätten auf der Friedenskonferenz weit grössere Ansprüche gestellt, seien aber damit durchgefallen. Franzosen schreiben sich dieses Verdienst zu." (David Josef Bach to Karl Renner, August 2, 1919, AdR, K. 13.)

37 MODIGLIANI 1955(2), p. 374.

31<sup>a</sup>, 1919, “con incarico trattare costà con Dott. David Giuseppe Bach per questioni nostre rivendicazioni artistiche.”<sup>38</sup> The mission was described in that same telegram as unofficial and confidential, having the rest of the Peace Conference likely no knowledge of the arrangements.

On August 3<sup>a</sup> Bach and Modigliani met in Vienna for the first time. Also Tietze joined them, in a meeting that Bach described as so long that taking minutes became impossible. As he wrote the day before, the Austrian delegates had agreed on having Modigliani put down his proposals in detail so as to go through them together. They were nonetheless convinced that the implementation of the peace treaty would have caused less harm than Italy’s offer anyway.<sup>39</sup> Bach had apparently explained the Italians they needed to prove the advantage that a special agreement would have offered compared to even the least desirable version of the peace treaty. The Austrian representative not having ruled out the opportunity altogether, he yet saw very clearly the political pitfall of disappointing the Entente and successor states while trying to negotiate the peace clauses.<sup>40</sup> A six-hour meeting between Modigliani, Tietze and Pacchioni followed on the morrow, August 4<sup>a</sup> (it is not clear whether Bach took part or not). A telegram seemingly directed to him, and whose author remains so far unknown, summed up that day’s lengthy conversations. The Austrians had spelled out their own conditions so as to even out and match those coming since months from Pacchioni and Modigliani. Austrian and Italian officials in Vienna thus seem to have eventually agreed to try and ask the respective delegations in Paris for authorisation to sign an agreement based on what had been hitherto discussed.<sup>41</sup> Art officers in Vienna prepared a first version of the Austro-Italian agreement dated August 13<sup>a</sup>, 1919, the day of the expected signature. The Italian text must have been drafted first, and consequently regarded as the original version. It included two separate parts: one contained the obligations on Austria, and the other the obligations on Italy. The former read as follows:

Fra il Governo di S.M. il Re d’Italia rappresentato dal Signor Dott. Comm. ETTORE MODIGLIANI, Sovrintendente alle Gallerie e ai Musei della Lombardia, a ciò espressamente delegato, e il Governo della Repubblica dell’Austria Tedesca, rappresentato dal Signor Dott. DAVID JOSEF BACH, anch’egli a ciò espressamente delegato, in vista di regolare con amichevoli accordi, nei riguardi dell’Italia, le questioni relative al patrimonio storico, artistico, bibliografico ed archivistico di proprietà dell’antico Impero austriaco, si conviene – a chiarimento e ad integrazione delle clausole rispettive del Trattato di Pace – quanto appresso:

I. Il Governo dell’Austria tedesca, ispirandosi alla convenienza di rimpatriare nei limiti del possibile e senza pregiudizio dell’unità delle sue raccolte, il materiale storico-artistico dai luoghi dai quali fu avulso, e desideroso di

---

38 Tommaso Tittoni to Livio Borghese, August 2<sup>a</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

39 “Wir haben uns geeinigt, den italienischen Delegierten zu einer genauen Formulierung seiner Vorschläge zu bringen, obwohl wir überzeugt sind, dass die Erfüllung des Friedensvertrages uns weniger Schaden bringen würde, als die neuen italienischen Vorschläge.” (David Josef Bach to Karl Renner, August 2<sup>a</sup>, 1919, AdR, K. 13.)

40 David Josef Bach to Staatsamt für Äußeres, August 3<sup>a</sup>, 1919 (AdR, K. 13).

41 Unknown to David Josef Bach, August 4<sup>a</sup>, 1919 (AdR, K. 13).

risolvere con spirit conciliativo le questioni relative ad alcuni gruppi di opera artistiche e storiche asportate in passato dai territory italiani, si obbliga:

a. A restituire all'Italia – ad integrazione delle clausole 188 e 189 del Trattato di Pace [192 and 193 in the final version] – tutti gli atti, i documenti e il materiale storico, artistico, archeologico, scientifico e bibliografico asportati dai territory trasferiti all'Italia stessa e che si possono identificare come tali presso Istituti od Enti pubblici austriaci, in qualsiasi tempo tale rimozione sia avvenuta. A sua volta il Governo Italiano consegnerà al Governo austriaco quel materiale dello stesso genere che eventualmente possa trovarsi, in similari condizioni rispetto all'Austria, sui territory trasferiti all'Italia.

b. A dare totale applicazione agli obblighi che le derivano dai Trattati e dalle Convenzioni citati all'articolo 190 dell'attuale Trattato di Pace [194 in the final version], senza valersi di alcuna delle riserve o diminuzioni a proprio favore contenute negli articoli 1 e 5 della Convenzione stessa. Agli effetti del presente articolo si riconosce che l'Austria avrà assolto il suo impegno interamente quando – oltre a ciò che u già ritirato al riguardo dalla Missione Italiana d'Armistizio – avrà riconsegnato: le insegne di Napoleone I come Re d'Italia e quelle dell'Ordine cavalleresco della Corona di ferro, il Reliquiario cosiddetto del Bessarione e la Croce cosiddetta di S. Teodoro appartenenti ad enti pubblici veneziani nonché quelle poche armi e armature veneziane che non furono restituite dall'Austria dopo la Pace del 1866.

c. A non muovere alcuna opposizione alla restituzione degli oggetti e del material indicate nell'annesso 1 dell'articolo 191 [195 in the final version], eccettuato il Tesoro Normanno di Palermo. E consegnerà pertanto all'Italia quegli oggetti e quelle parti di materiale che sono in suo possesso, impegnandosi a cooperare con ogni mezzo in suo potere alla consegna di quelli eventualmente detenuti da terzi, fuori dal territorio austriaco, allorché il Comitato delle riparazioni abbia ordinato la restituzione di essi. E si obbliga a restituire il busto di Paolo II del Bellano, che essendo immobile per destinazione, non poteva essere asportato dal Palazzo Venezia in Roma. Il Governo Italiano, a sua volta, dichiara che esaminerà con spirito imparziale ed equanime le condizioni nelle quali si afferma pervennero all'Italia alcuni pezzi di oreficeria di Salisburgo appartenuti ad enti pubblici locali e a studiare la possibilità della eventuale restituzione di essi all'Austria.

II. Il Governo della Repubblica dell'Austria tedesca, inoltre, nell'intento di stabilire nuovi e cordiali rapporti con l'Italia e di attenuare incresciosi ricordi per le gravi perdite artistiche da questa subite durante la Guerra s'impegna a cedere all'Italia stessa, a giusta soddisfazione dell'opinione pubblica, proprie opere d'antichità e d'arte di adeguato pregio.

III. L'accordo già concluso per gli archive in data 26 Maggio 1919 tra la Missione Italiana d'Armistizio e I dirigenti degli Archivi viennesi è riconosciuto valido dai Governi italiano e austriaco che lo applicheranno nelle restituzioni reciproche di material archivistico.

IV. Con l'attuazione del presente accord l'Italia renderà all'Austria i tre codici della Hofbibliothek presi a suo tempo come pegno e annullerà i vincoli imposti dalla Missione d'Armistizio sulle collezioni viennesi, ritenendo definitivamente regolate con l'Austria tutte le questioni di carattere storico e artistico.

V. Qualora fosse ammesso il principio della ripartizione delle raccolte pubbliche austriache, o l'Austria per effetto del Trattato, fosse costretta ad una essenziale diminuzione delle raccolte stesse, il presente accordo s'intenderà annullato e i Governi italiano e austriaco si rimetteranno a quanto è disposto dalle clausole del Trattato di Pace in argomento delle rivendicazioni artistiche. In tal caso il Governo austriaco spontaneamente dichiara che è pronto, per dimostrare la sua buona volontà nel regolare la questione delle sue collezioni, a entrare in trattative con gli Stati interessati in base all'articolo 192 del Trattato, e a mostrare, in particolare all'Italia, la massima arrendevolezza in tutte le questioni relative a questa materia.

Fatto e sottoscritto a Vienna il 13 Agosto 1919, in duplice originale, in lingua italiana, da ritirarsi uno dal Regio Governo d'Italia, l'altro dal Governo della Repubblica dell'Austria tedesca. Ai due originali sarà allegata la traduzione in lingua tedesca sottoscritta dalle due parti.<sup>42</sup>

Excluding the first and last paragraphs, which are exactly the same in both documents, Italian obligations, much shorter anyway, read:

I. L'Italia, desiderando prescindere da particolaristici interessi e tenere in conto solo le ragioni supreme ed universali della civiltà e della cultura, afferma la convenienza di evitare la spartizione delle raccolte artistiche ed antiquarie dell'Austria, le quali costituiscono un vasto, famoso e complesso organismo storico e tradizionale, tale da rispondere pienamente alle esigenze degli studi moderni, e intende per ciò ispirare la sua azione in tal senso.

II. Per rispetto alle citate esigenze il Governo italiano interporrà i suoi buoni uffici presso i nuovi Stati perché nelle eventuali trattative amichevoli previste dall'articolo 192 del Trattato di Pace prevalga il concetto di mantenere l'integrità sostanziale organica delle raccolte austriache.

III. Il Governo italiano, ritenendo non indifferente per la propria Nazione, da un punto di vista superior di cultura, la sorte delle raccolte stesse, in cui tanta parte è fatta alla storia e all'arte italiana, intende in qualsiasi eventualità di non disinteressarsene.

IV. Qualora – nonostante l'azione dell'Italia – fosse ammesso il principio della spartizione delle raccolte pubbliche austriache, o l'Austria per effetto del Trattato, fosse costretta ad una essenziale diminuzione delle raccolte stesse, il presente atto s'intenderà annullato e i Governi italiano e austriaco si rimetteranno a quanto è disposto dalle clausole del Trattato di Pace in argomento delle rivendicazioni artistiche.<sup>43</sup>

Authorisation from the Italian delegation in Paris for Modigliani to go ahead and sign the agreement came in those very days of August. It was Tittoni's special request that the text be divided into two separate documents, a detail the Austrians had apparently nothing against. As specified by the chief of the Italian delegation, the Italian (i.e. Modigliani's) signature must be dependent

---

42 AN, AJ/5/203.

43 AdR, K. 13.

upon the commitment on the part of the Austrian delegation to drop all objections raised before the Peace Conference against the draft treaty clauses on art restitution.<sup>44</sup> On August 5<sup>th</sup> political commissioner to the Italian Military Mission in Vienna Livio Borghese addressed a telegram to Tittoni in Paris to update him on his last talks with Modigliani. The tone of the message seemed to bode well indeed. Borghese had the impression Italian art officers in Vienna had skilfully worked out a good solution to the long-debated issue. “Modigliani fu favorevolmente impressionato sincera arrendevolezza Bach”, he remarked.<sup>45</sup> Yet, on that very day, the Austrian delegation in Paris reached out to Bach to point out how Austria was in no hurry whatsoever to conclude a special agreement with Italy. Negotiations were nevertheless to proceed in an amicable fashion, the telegram concluded.<sup>46</sup> Bach himself, after consulting with Tietze, came to the self-evident conclusion that “[d]ie Vorteile gegen die Nachteile abzuwägen ist demnach nicht Sache des künstlerischen oder kunsthistorischen Urteils, sondern Sache der Politik.”<sup>47</sup> Based on that view, unless the threat to Austrian collections proved to be a really serious one, a rushed decision ahead of the treaty did not seem in the least advisable. On August 10<sup>th</sup> Modigliani seems to have met with Renner himself, who had briefly come back to Vienna from August 8<sup>th</sup> to 10<sup>th</sup>.<sup>48</sup> On the same day of their meeting a telegram from the Italian Peace delegation urged Brera’s director to obtain the chancellor’s approval by Tuesday the 12<sup>th</sup>, 4:00 p.m. But Renner had already left for the Peace Conference and Bach had to let the Italians know no response could possibly come by the desired time. He had furthermore no authority to sign the documents on his government’s behalf. The chancellor must have tasked him with trying to obtain also the approval of museum directors and professors, who, Bach noticed, were unfortunately pretty much all on vacation in those days. It seemed unlikely though, he wrote, that any assent of sort could come from them. In a telegram to Tietze, for instance, Dvořák had apparently deemed the agreement worthless.<sup>49</sup>

Anyway, on August 12<sup>th</sup> Renner’s response did reach Vienna. The Austrian chancellor was eventually refusing to sign the agreement so dear to the Italian art officers. Its signature ahead of the peace treaty would have probably jeopardizes relations with the Allied and Associated Powers, brought no significant benefit to Austrian collections and deeply upset the Austrian public opinion.<sup>50</sup> After all, Italy was still the country that ransacked Vienna’s museums and libraries only a few months before, and whose military were still pushing their directors for more. “Die in dem Telegramme an mich geäußerten prinzipiellen Bedenken – wrote Bach in those days – insbesondere die Abneigung, mit einem Feinde zu verhandeln [...] konnte ich natürlich der Gegenseite nicht mitteilen, da diese Bedenken ja doch schon vor Beginn dieser

44 Tommaso Tittoni to Ettore Modigliani, August 1919 (ASD, Rapp. diplom. Austria, b. 250).

45 Livio Borghese to Tommaso Tittoni, August 5<sup>th</sup>, 1919 (ASD, Rapp. diplom. Austria, b. 250).

46 “Im Ganzen haben wir es mit dem Abschlusse des Sonderübereinkommens nicht eilig. Die Verhandlungen sind jedoch freundschaftlich fortzuführen.” (Deutschösterreichische Friedensdelegation in St. Germain to Staatsamt für Äußeres, August 5<sup>th</sup>, 1919, AdR, K. 13.)

47 David Josef Bach to Staatsamt für Äußeres, August 11<sup>th</sup>, 1919 (AdR, K. 13).

48 Karl Renner to Kabinettsrat (the Austrian government’s closed committee of all State Secretaries and Undersecretaries), August 13<sup>th</sup> ca., 1919 (AdR, K. 13).

49 David Josef Bach to Staatsamt für Äußeres, August 11<sup>th</sup>, 1919 (AdR, K. 13).

50 Karl Renner to Staatsamt für Äußeres, August 12<sup>th</sup>, 1919 (AdR, K. 13).

Verhandlungen bestanden haben.”<sup>51</sup> The news of Austria’s turning down the special agreement on artwork restitution came as a shock to the Italians, who had convinced themselves that everything had finally been sorted. In a genuine attempt to bring relations back to normal after conveying Renner’s unpleasant decision, Bach had offered an informal meeting to his counterparts, which they now categorically rejected. Pacchioni was plain furious: “Ero riuscito con un pazientissimo e lunghissimo lavoro di preparazione e di sonda a buttar le basi di un accordo molto vantaggioso sotto tutti gli aspetti”.<sup>52</sup> What he regarded as his own brainchild, and initially dared to conceive as a ‘secret agreement’ before the signing of the peace text, had been nipped in the bud in a matter of days. He blamed it partly on Modigliani’s lack of power and a time-consuming exchange of notes with the Italian delegation in Paris. This could have possibly been overcome if only Modigliani had travelled back to Paris immediately with the draft agreement and obtained the needed authorisation, so Pacchioni believed.<sup>53</sup> Brera’s director must in turn have felt deeply embarrassed at having failed his mission in Vienna so unexpectedly, and after all the trouble he and others had gone through in St. Germain. That same day of August 13<sup>th</sup> he reached out to D’Amelio in Paris to say the agreement had been abruptly called off.<sup>54</sup> Modigliani could not possibly believe that after exchanging notes in St. Germain and dispatching one of his men to Vienna with the sole purpose of speeding up negotiations on artistic treasures, Renner and his advisors had backed off of their own accord. The Italians started construing the mishap as the result of a manipulative intervention by some other Powers, France above all.<sup>55</sup> Yet the Austrian chancellor, Bach, Tietze and the other Austrian experts had never really been too keen on signing the agreement at this stage of negotiations. Their attitude in the presence of the Italians might well have been more ambiguous however. Given the state of affairs in Vienna, Modigliani was at this point ready to travel back to Paris for the finalisation of, at least, the peace treaty and its artistic clauses. He seems to have eventually left Vienna on the evening of August 29<sup>th</sup>.<sup>56</sup> On his return to the Peace Conference, negotiations over artwork restitution clauses in the treaty appear to have resumed. The Italian attitude was now rather cautious despite Renner’s assurances that talks

---

51 David Josef Bach to Staatsamt für Äußeres, August 13<sup>th</sup>, 1919 (AdR, K 13).

52 Guglielmo Pacchioni to Paolo D’Ancona, August 15<sup>th</sup>, 1919 (ASPMV, b. 14-55A, fasc. 19).

53 Guglielmo Pacchioni to Gino Fogolari, August 18<sup>th</sup>, 1919 (ASPMV, b. 14-55B, fasc. 1).

54 Ettore Modigliani to Mariano D’Amelio, August 13<sup>th</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

55 “Convenzione artistica era stata compiuta con completo cordiale accordo del Bach et del suo consulente tecnico che aveva insistito far rilevare con nuove frasi nel testo soddisfazione di aver risolto una volta per tutte definitivamente eterne controversie artistiche separanti animi Italia et Austria stop Perciò parendo inesplabile perfino suoi delegati improvviso rifiuto Renner motivato genericamente ragioni principio che ove efficienti avrebbero dovuto sconsigliarlo addirittura da trattative et tantopiù considerato modo come Renner parlò domenica credetti interpellare Principe Borghese che non esclude possibilità influenza estranea operatasi a Saint Germain stop Egli proponesi presentandosi oggi occasione accennare Governo austriaco da punto di vista politico spiacevole impressione che proprio in questo momento particolarmente delicate per Austria desta tale atteggiamento che impedisce conclusione di un accordo alfine così felicemente raggiunto stop Ciò riferisco per eventualità sembri opportune nostra Delegazione far presentare per mezzo Missione collegamento Saint Germain medesimo ordine di idee onde procurare evitare il riaprirsi et trascinarsi ancora queste annose controversie artistiche esasperanti pubblica opinione due paesi stop Se non riceverò comunicazione contraria partirò Parigi domenica stop”. (Ettore Modigliani to De Martino, Delegazione Italiana Pace, August 14<sup>th</sup>, 1919, ASD, Rappr. diplom. Austria, b. 250)

56 Guglielmo Pacchioni to Paolo D’Ancona, August 29<sup>th</sup>, 1919 (ASPMV, 14-55A, fasc. 19).

between the two countries were not cancelled but merely suspended. Nonetheless, hopes to see a special convention with Austria approved by the other Powers in a short time had almost entirely subsided.<sup>57</sup> In the Austrian capital, the atmosphere amongst the two countries' art experts had undoubtedly hit a new low: "[d]ie Verhandlungen, welche die Herren Dr. Bach und Dr. Tietze mit den italienischen Delegierten über den Kunstbesitz geführt haben – a note from the Austrian Foreign Affairs to Chancellor Renner read – und die Tatsache, dass das von italienischer Seite proponierte Abkommen von uns nicht akzeptiert werden konnte, haben hier eine recht unangenehme Situation geschaffen. Die Italiener [...] gedenken jetzt auf uns alle möglichen Pressionen auszuüben."<sup>58</sup> Given that also his mission had somehow come to an end, and quite a displeasing one, Bach seized the opportunity to politely relinquish his appointment and involvement in the matter.<sup>59</sup>

### *"Special Provisions"*

Having been granted some extra time to present its counterproposals, Austria was now at the risk of facing a less favourable attitude from the Italian peace delegation, political commissioner Borghese seems to have warned Austrian officials in Vienna.<sup>60</sup> As said earlier, the Allied and Associated Powers had handed some tentative peace text of sort to the Austrian delegation in St. Germain on June 2<sup>nd</sup>, 1919. Yet, the draft clauses were far from complete and whole sections seem to have been left out, reparation and restitution clauses included. On July 20<sup>th</sup> though, president of the Peace Conference and French prime minister Georges Clemenceau reached out to the Austrian chancellor Renner to submit the final text of the peace. Having had the chance of discussing and possibly obtaining some modifications to the first draft, which, it seems worth stressing again, did not include the very articles on restitution, the Austrians were now being granted ten days to file their observation on July's final draft.<sup>61</sup> Here, at last, the provisions affecting Italy's and Austria's artistic treasures Modigliani among others had been working on since May had finally taken shape. All claims by Italy and other Powers for art treasures still in Austria's possession had been condensed into six articles and four annexes, originally numbered 187 to 192 and eventually signed as 191 to 196. They made up a section of their own titled "Special Provisions" within Part VIII of the Treaty, which dealt with the vast and thorny issue of reparations. We already know that in Vienna a commission of experts had been put together to evaluate these provisions on behalf of their government. It comprised state officers from the Ministry of Education as well as university professors. Tietze, Dvořák,

---

57 Livio Borghese to Delegazione Italiana Parigi, August 23<sup>rd</sup>, 1919; Tommaso Tittoni to Livio Borghese, August 30<sup>th</sup>, 1919 (ASD, Rapp. diplom. Austria, b. 250).

58 Präsidialamt des Staatssekretärs für Äußeres to Staatskanzler, August 15<sup>th</sup>, 1919 (AdR, K. 13).

59 David Josef Bach to Karl Renner, August 15<sup>th</sup>, 1919 (AdR, K. 13).

60 Livio Borghese to Delegazione Italiana Pace, August 15<sup>th</sup>, 1919 (ASD, Rapp. diplom. Austria, b. 250).

61 Georges Clemenceau to Karl Renner, July 20<sup>th</sup>, 1919 (Bericht 1919, Beilage II, p. 9).

Glück and Von Hellmer were among them.<sup>62</sup> In those same days General Segre wrote that, based on some confidential intelligence he had received, Tietze in particular must have surely had a big part in formulating Austria's counterproposals on these particular clauses.<sup>63</sup> Eventually, the note "Observations présentées par la Délégation Autrichienne Allemande sur l'ensemble des 'Conditions de Paix' avec l'Autriche Allemande" reached the Conference presidency on August 6<sup>th</sup>, 1919.<sup>64</sup> The original text of the draft clauses the Allied and Associated Powers submitted to the Austrians in July could no be retrieved at present. Yet, it does not seem they differed too much from their final versions, based on the commentary the Austrian delegation delivered in August.

The first article of those "Special Provisions" entirely dedicated to disputes over artistic and historical property concerned objects taken away from public and private institutions in invaded territories. It was initially numbered 187 and later became 191. In considering this provision, Austria acknowledged its duty to return these objects and to even compensate for their abduction. The only caveat on its part required a distinction be made between objects located on the current Republic's territory and those that wound up elsewhere within the former dual monarchy's lands. In this last event, Austrians declared themselves not to be in a position to cooperate at all. Hence, other States should not be allowed to claim such objects as part of the peace treaty's clauses. This, the Austrian note went on, was also to be applied to similar obligations set forth in articles 188 and 189 (later 192 and 193).<sup>65</sup> Such formulation was partly the result of Austria and Hungary being regarded as the sole legal successors of the old monarchy, and for this reason being the only two governments held accountable for the loss of property their former armies had been removing and looting during the war.<sup>66</sup> As a matter of fact, those armies comprised soldiers of many different nationalities, some of which had now become successor states and joined the allied entourage. This made it possible for some looted objects to having turned up in one of those new states once their soldiers had come home. In a later document titled "Modifications resultant des contre-propositions" and likely to have been drafted by the Entente representatives, it is specified

---

62 Der Unterstaatssekretär für Unterricht to Deutschösterreichische Friedensdelegation in St. Germain, July 24<sup>th</sup>, 1919 (AdR, K. 13). Reference to this commission can also be found in NECK 1989, p. 437.

63 "Da private informazioni risultami che Dottor Tietze est relatore tutte proposte relative questioni artistiche che trovansi ora presso Delegazione austriaca Parigi". (Roberto Segre to Comando Supremo, Affari Civili, as forwarded to Delegazione Italiana Pace possibly the following day, August 4<sup>th</sup>, 1919, ASD, Rapp. diplom. Austria, b. 250.)

64 Karl Renner to Georges Clemenceau, August 6<sup>th</sup>, 1919 (Bericht 1919, Beilage II, p. 78).

65 "S'il s'agit de rendre des objets se trouvant sur le territoire d'autres pays jadis autrichiens, l'Autriche Allemande n'y pourra coopérer [...]. Les autres États nationaux ne sont pas autorisés à réclamer les restitutions don't il s'agit [...]. Il faudrait donc modifier les Articles 187 à 189 dans le sens que l'Autriche Allemande ne sera obligée qu'à la restitution des objets qui y sont indiqués et se trouvent sur son territoire." (Observations présentées par la Délégation Autrichienne Allemande sur l'ensemble des "Conditions de Paix" avec l'Autriche Allemande, Section II, Dispositions Particulières, Bericht 1919, Beilage II, p. 152.)

66 "Gleichwie im Friedensvertrage überhaupt ist auch in den auf die Kunstsammlungen, Bibliotheken und Archive bezüglichen Artikeln 187 bis 192 der Standpunkt eingenommen, daß ausschließlich Deutschösterreich der Rechtsnachfolger der alten Monarchie sei". ("Gutachten über die Artikel 187, 188, 190 bis 192 des Friedensvertrages", attached to: Der Unterstaatssekretär für Unterricht to Deutschösterreichische Friedensdelegation in St. Germain, July 24<sup>th</sup>, 1919, AdR, K. 13.)



how the distinction between objects' locations would have been actually superfluous.<sup>67</sup> Article 187(191) – the allied document points out – expressly related to article 184 of the previous section, where restitution was provided for only “in the cases in which it proves possible to identify them [the objects] on territory belonging to, or during the execution of the present Treaty in the possession of, Austria or her allies.”<sup>68</sup> Hence, no substantial changes seem to have occurred and the final text of article 191 read:

#### Article 191.

In carrying out the provisions of Article 184 Austria undertakes to surrender to each of the Allied and Associated Powers respectively all records, documents, objects of antiquity and of art, and all scientific and bibliographical material taken away from the invaded territories, whether they belong to the State or to provincial, communal, charitable or ecclesiastical administrations or other public or private institutions.<sup>69</sup>

The next article, 188 in July's draft and later 192, provided for restitution by Austria of the same objects as those described in article 191, removed from ceded territories starting June 1<sup>st</sup>, 1914. For the Austrian delegation, this date made no sense and its choice had not been clarified either. Austria-Hungary had formally declared war on the Kingdom of Serbia only two months later, on July 28<sup>th</sup> that year. Up till that moment, stressed the Austrian delegation, the dual monarchy's authorities as well as citizens had been enjoying full rights on their own property, including that of movement. Predictably, their suggestion was to push the reference date forward. Yet, they did not come up with July 28<sup>th</sup>, 1914, but rather with May 24<sup>th</sup>, 1915, when Italy entered the war against Austria-Hungary, as if the only ceded territories at stake were those being assigned to Italy.<sup>70</sup> The allied note cited earlier subsequently clarified how the date of June 1<sup>st</sup>, 1914 has apparently the aim to include under the provision of article 188(192) anything that could have been possibly transferred as a precautionary measures ahead of the war outbreak.<sup>71</sup> The choice may lead one to think that the authors of this clause had very specific examples in mind. The final version of article 192 bore thus the date the Entente had originally chosen:

---

67 *Modifications résultant des contre-propositions* (Bericht 1919, Beilage II, p. 342).

68 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 184, p. 41.

69 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 191, p. 51.

70 Observations présentées par la Délégation Autrichienne Allemande sur l'ensemble des “Conditions de Paix” avec l'Autriche Allemande, Section II, Dispositions Particulières (Bericht 1919, Beilage II, pp. 152-153).

71 “La date du 1- juin 1914 qui figure dans l'article 192 y a été insérée pour tenir compte de cette circonstance que certains objets ont été, peu avant la guerre, enlevés des territoires cédés en exécution du présent Traité, vraisemblablement afin de les soustraire aux dommages qu'ils auraient pu subir au cours des hostilités.” (*Modifications résultant des contre-propositions*, Bericht 1919, Beilage II, pp. 342-343.)

Article 192.

Austria shall in the same manner restore objects of the same nature as those referred to in the preceding Article which may have been taken away since June 1, 1914, from ceded territories, with exception of objects bought from private owners.

The Reparation Commission will apply to these objects the provisions of Article 208, Part IX (Financial Clauses), of the present Treaty,<sup>72</sup> if these are appropriate.<sup>73</sup>

Austria never had great objections against this type of requests, as testified previously by the efforts of its police towards retrieving looted objects in private hands after the war. We saw how Tietze before anyone else had been underscoring the opportunity of complying with these principles, hoping to avoid harsher retaliation on state collections. This favourable disposition resulted in a related law being approved even before the entry into force of the peace treaty. On February 11<sup>th</sup>, 1920, the Konstituierende Nationalversammlung in Vienna issued law n. 67 on the implementation of articles 191 and 192.<sup>74</sup> This meant that anyone in Austria who either owned or possessed documents, antiquities, works of art, scientific or bibliographical material falling under the two peace clauses above had to report them to local authorities.<sup>75</sup> Based on article 2 of this law, such objects were now under State administration, with the only exception of those legally purchased by private owners in those formerly Austrian territories that had been subsequently ceded. In any case, so both in the case of occupied territories or of ceded ones, private owners could ask for a reimbursement covering the loss of the property, should they prove to have bought it from authorised dealers or at a public auction (§ 3). Payment of a fine or arrest up to six months had been envisaged for those who deliberately or as a result of negligence failed to declare these objects (§ 5). The entry into force of the law corresponded with that of the Treaty of St. Germain. It thus came five months later, on July 16<sup>th</sup>, 1920.<sup>76</sup> As in the case of initiatives taken by Austrian

---

72 That is, the value of those objects as established by the Reparation Commission, if restitution to the successor states had taken place, could be placed to the credit of Austria on account of the sums due for reparation. (Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 208, fourth paragraph, p. 60.)

73 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 192, p. 51.

74 Gesetz vom 11. Februar 1920, N. 67, zur Durchführung der Artikel 191 und 192 des Staatsvertrages von St. Germain (StGB 1920, 27. Stück, S. 121, N. 67).

75 § 1: Wer Akten, Urkunden, Altertümer, Kunstgegenstände, wissenschaftliches oder bibliographisches Material, das aus den besetzten Gebieten oder nach dem 1. Juni 1914 aus den abgetretenen Gebieten weggebracht wurde, besitzt oder verwahrt, hat die Art dieser Gegenstände und ihren Verwahrungsort der politischen Behörde erster Instanz, in deren Amtsgebiet der Verwahrungsort liegt, anzuzeigen.

76 Entry into force of the Treaty of St. Germain could take place only after Austria and three of the Principal Allied and Associated Powers (i.e. the United States, the United Kingdom, France, Italy and Japan) had deposited their ratification. (Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, p. 114.)

authorities in 1919, also in this instance no evidence has so far emerged that bears witness to relinquishment of artworks as carried out by private citizens in specific accordance to law n. 67.

Up next in the draft peace treaty came article 189, later signed as 193. It was the first from a series of articles addressing the complex issue of the rights of ceded territories to (re)build their national identity and that of demands for restitution going further back in time. The first paragraph of draft article 189 saw to it that Austria relinquished records and other 'historical material' removed from ceded territories up to ten years prior. For Italy this went as far back as 1861. A second paragraph made this obligation mutual insofar as records pertaining Austria's territories currently in the possession of other states were concerned. The observations brought forward by Renner's delegation in August underscored the undeniably massive effort involved in having to dismember and rearrange central as well as provincial archives.<sup>77</sup> A tedious procedure that would have foreseeably taken several years, especially because, they maintained, documents had not been filed based on geographical references, but rather on chronological ones, or by subject. This is why they deemed the only viable principle to be that of provenance of records based on the inviolability of archival funds stemming from the same administrative body located on that territory or the other (the real point of reference rather than the content of the papers).<sup>78</sup> It was on this very principle that Austrian and Italian archivists signed a joint declaration as soon as May 26<sup>th</sup>, 1919,<sup>79</sup> the Austrian note recalled. They consequently asked the French term "concernant" be replaced with "provenant de l'activité des administrations" of ceded territories. Yet, the allied reply did not take much into consideration this specific request. The final version of article 193 read:

#### Article 193.

Austria will give up to each of the Allied and Associated Governments respectively all the records, documents and historical material possessed by public institutions which may have a direct bearing on the history of the ceded territories and which have been removed during the last ten years.

---

77 *Observations présentées par la Délégation Autrichienne Allemande sur l'ensemble des "Conditions de Paix" avec l'Autriche Allemande, Section II, Dispositions Particulières* (Bericht 1919, Beilage II, pp. 153-154).

78 "Was die Archive betraf, war es bekanntlich die Berufung auf das Provenienzprinzip (Herkunftsgrundsatz), die eine vollständige Bewahrung der einzelnen Fonds zwar keineswegs erhoffen ließ, die aber doch übertriebenen Forderungen steuern sollte und eine gewisse Eindämmung gewährleisten konnte. Vor allem war damit eine für die wissenschaftliche Forschung tragbare und zu ver-antwortende Lösung auf archivalischem Gebiet angebahnt." (NECK 1989, p. 437.)

79 "Ihmzufolge sind aus den deutschösterreichischen Archiven Akten von und an Italien nur verlangt und ausgefolgt worden, die aus dem Wirkungskreis von Stellen entstanden sind, die ihren Sitz in Italien hatten oder nunmehr haben und sind die Archive der ehemaligen österreichischen und österreichisch-ungarischen Zentralstellen als solche unberührt geblieben." "In conseguenza di ciò furono richiesti dall'Italia ed estratti dagli archivi tedeschi-austriaci soltanto atti provenienti dagli uffici, che avevano già la loro sede nell'Italia [sic] oppure che l'hanno attualmente. Quindi gli archivi degli uffici centrali austriaci od austro-ungarici restarono intatti." Austrian and Italian excerpts from the joint Erklärung/Dichiarazione signed in Vienna by Oswald Redlich, Ludwig Bittner, Heinrich Kretschmayr for Austria, G.B. Rossano, G.C. Buraggi, Roberto Cessi and C.T. Postinger for Italy on May 26, 1919 (AdR, K. 13). See also on this NECK 1989, p. 438.

This last mentioned period, as far as concerns Italy, shall be extended to the date of the proclamation of the Kingdom (1861).

The new States arising out of the former Austro-Hungarian Monarchy and the States which receive part of the territory of that Monarchy undertake on their part to hand over to Austria the records, documents and material dating from a period not exceeding twenty years which have a direct bearing on the history or administration of the territory of Austria and which may be found in the territories transferred.”

The following draft article 190, eventually numbered 194, stemmed directly from the most debated claims resulting from old treaties between Austria and Italy. We already know them to be those agreements struck at the end of Italy's wars of independence in the second half of the 1800s. They bore reference to works of art and manuscripts the new Italian cities demanded be sent back from where, before the unification, Habsburg orders had taken them. We saw earlier on how the Italian side maintained Austria-Hungary never fully complied with those clauses and kept several among those objects that were meant to go back to Italy. Draft article 190 compelled the new Austrian republic to honour those commitments once and for all. The first objection was predictably that the new Austrian government could not be deemed accountable for acts of the former empire. This argument had nevertheless no grip on allied resolutions, especially cause it would have put into question the overall reason to be of the treaty, and of reparation provisions in particular. Another attempt at voiding this very article saw the Austrians resort to the old alliance between Italy and the dual monarchy, based on which, they said, all questions arising from previous wars should have been regarded as ultimately settled. Finally, Austrian officials always maintained to have fully abided by those old treaties, accusing Italy of contradicting its own old statements expressing complete satisfaction over the arrangements.” Given all this, the Austrian note condemned the Italian Military Mission for having deliberately taken away from Vienna some the objects involved in these very quarrels, thinking that purportedly unfulfilled agreements gave them the right to do so. As Tietze maintained, not without some reason: “Der Artikel 190 ist in erster Linie bestimmt, die Entnahmen, welche die italienische Waffenstillstandskommission im Februar dieses Jahres aus Wiener Sammlungen durchgeführt hat, nachträglich zu rechtfertigen.”<sup>82</sup> In this case the Austrian delegation went as far as requesting that draft article 190 be scrapped

---

80 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 193, p. 51.

81 “[L]a Délégation autrichienne allemande se borne à constater que le Gouvernement d’Italie a déclaré lui même remplis les engagements contractés par l’Autriche. Dans une note officielle du fondé de pouvoir italien Tommaso Gar, en date du 3 septembre 1869, le Gouvernement d’Italie a fait exprimer à l’Autriche sa pleine satisfaction pour l’exécution exacte de la partie de la Convention, en date du 14 juillet 1868, ayant trait à la remise des objets d’art et de science.” (*Observations présentées par la Délégation Autrichienne Allemande sur l’ensemble des “Conditions de Paix” avec l’Autriche Allemande, Section II, Dispositions Particulières*, Bericht 1919, Beilage II, pp. 155-156.) See corresponding remarks in “Gutachten über die Artikel 187, 188, 190 bis 192 des Friedensvertrages”, attached to: Der Unterstaatssekretär für Unterricht to Deutschösterreichische Friedensdelegation in St. Germain, July 24, 1919 (AdR, K. 13).

82 TIETZE 1919e, pp. 982, 983.

altogether from the future treaty.<sup>83</sup> The allied response only granted the Austrians a brief specification, whereby restitution was contemplated insofar as old clauses had not been fully implemented yet. Which thing did not really change the substance of the provision, let alone put an end to present disputes.<sup>84</sup> Tietze expressed this same concept in a biting remark, noting moreover how now the problem was that Italy was clearly taking back its original declaration of compliance, made at a time when the one with more bargaining power was Austria: “Unsere Gegenbehauptung, daß wir - bez. die alte österreich-ungarische [sic] Monarchie - die damals übernommenen Verpflichtungen ohnedies gewissenhaft erfüllt hätten, ist durch diesen Artikel nicht entkräftet, es bleibt die Meinungsverschiedenheit bestehen, die darauf beruht, daß wir die Verträge dem Wortlaut und Sinn nach nehmen, wie sie vorliegen, während die Italiener sie so interpretieren, wie sie hätten lauten sollen, wenn sich ihre damalige Regierung nicht politisch schwach gefühlt oder gezeigt hätte.”<sup>85</sup> Article 194 stayed in place regardless:

#### Article 194.

Austria acknowledges that she remains bound, as regards Italy, to execute the obligations referred to in Article 15 of the Treaty of Zurich of November 10, 1859, in Article 18 of the Treaty of Vienna of October 3, 1866, and in the Convention of Florence of July 14, 1868, concluded between Italy and Austria-Hungary, in so far as the Articles referred to have not in fact been executed in their entirety, and in so far as the documents and objects in question are situated in the territory of Austria or her allies.<sup>86</sup>

Additionally to the objects comprised in the above agreements, Habsburg family members had carried away several other things in their capacity as rulers of Italian provinces. Also among those were some artworks and manuscripts particularly dear to those Italian cities that had lost them to Vienna in the 1700s and 1800s. Draft article 191, later 195, addressed this very matter. An annex attached thereto listed all the pending cases city by city. Their final resolution was referred to a future committee of three jurists appointed by the Reparation Commission at a later date. Other claimant states could also take the chance to submit their requests and have them ruled on. The solution per se was apparently welcomed by the Austrian delegation, whose sole concern was the committee members’ impartiality and expertise.<sup>87</sup> “À l’égard du transfert d’objets d’art – they wrote – il s’est formé, au cours des temps, des

---

83 *Observations présentées par la Délégation Autrichienne Allemande sur l’ensemble des “Conditions de Paix” avec l’Autriche Allemande, Section II, Dispositions Particulières* (Bericht 1919, Beilage II, pp. 154-156).

84 *Modifications résultant des contre-propositions* (Bericht 1919, Beilage II, p. 343).

85 TIETZE 1919e, p. 983.

86 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 194, p. 51.

87 According to Tietze: “[D]ie hier getroffene Lösung, daß alle diese Fragen, die sich als rechtliche drapieren, einem Komitee von drei Juristen vorzulegen sein werden, entspricht unseren Wünschen, da das Streben nach Billigkeit, das zur Aufstellung dieses Organs führte, hoffentlich auch die Berufung objektiv denkender Richter - etwa aus jenen Nationen, die an den Fragen nicht unmittelbar interessiert sind - veranlassen wird.” (TIETZE 1919e, p. 983.)

usages et des coutumes dont la portée et l'importance sont, pour le différentes période de l'histoire, ignorées ou tout au moins insuffisamment connues par les juristes." By then, transfers of works of art constituted so specific a matter as to require the related issues be handled by art experts rather than ordinary jurists. It looks as if the Austrian wanted to underscore here how each historical period had its own laws, rules and customs when it came to movement of art treasures. The call from Austria appeared to be for whomever was to judge over Habsburg transfers to contextualise the events in their own historic juncture rather than condemning them based on current rules and sensibilities. And this was exactly what Modigliani feared the most, as he knew very well, and so did his fellow art officers in Vienna, that on paper some of the Italian claims had little chance when it came to interpreting centuries old agreements, records and usages. Claims and counter claims between the two countries had already turned into a stalemate of contrasting interpretations either of them was willing to compromise on and that now a third party, a committee of individuals completely stranger to the facts, was called upon to settle.<sup>88</sup> In the face of all this, the allied note just pointed out how the choice of who would have featured in the committee was, in short, to be left to the Reparation Commission alone.<sup>89</sup> Resulting article 195 thus read:

#### Article 195.

Within a period of twelve months from the coming into force of the present Treaty a Committee of three jurists appointed by the Reparation Commission shall examine the conditions under which the objects or manuscripts in possession of Austria, enumerated in Annex I hereto,<sup>90</sup> were carried off by the

---

88 *Observations présentées par la Délégation Autrichienne Allemande sur l'ensemble des "Conditions de Paix" avec l'Autriche Allemande, Section II, Dispositions Particulières* (Bericht 1919, Beilage II, pp. 156-157). See also: "Gutachten über die Artikel 187, 188, 190 bis 192 des Friedensvertrages", attached to: Der Unterstaatssekretär für Unterricht to Deutschösterreichische Friedensdelegation in St. Germain, July 24, 1919 (AdR, K. 13).

89 Modigliani was at first very disillusioned with the little prospect of success the final peace clauses offered in his view: "Le nostre illusioni in proposito non potevano essere se non scarissime; nessuno ignora, infatti, che cosa voglia dire raggiungere certe 'prove' e affrontare certi giudizi in argomenti connessi con principi di diritto internazionale, e per di più riferentisi a tempi assai remoti, in una materia soggetta a influenze di carattere politico e a interpretazioni quanto mai elastiche e fondate su mal certe e non uniformi disposizioni, tradizioni e costumanze non codificate. Forse noi avremmo in quelle sedi ottenuto vittoria in alcuni singoli casi di più evidente ingiustizia, ma nella maggior parte di essi saremmo senza dubbio stati battuti. [...] [Q]uelle povere clausole, pur fatte e rifatte, tirate e strizzate, restarono sostanzialmente quelle che erano. Un fallimento; e io ne ero disperato soprattutto per due ragioni: una, che noi si fosse costretti a sottoporre al giudizio altrui pretese che, a mio parere, avrebbero dovuto riguardare in fondo soltanto le due parti interessate; l'altra, che a meno d'un miracolo, noi avremmo dovuto restituire in tutto o in parte quanto già ritirato dalla Missione militare italiana d'armistizio" (MODIGLIANI 1955a, p. 275.)

90 *Modifications resultant des contre-propositions* (Bericht 1919, Beilage II, p. 343).

91 Annex I.

#### TUSCANY.

The Crown jewels (such part as remains after their dispersion); the private jewels of the Princess Electress of Medici; the medals which form part of the Medici heirlooms and other precious objects – all being domanial property according to contractual agreements and testamentary dispositions – removed to Vienna during the eighteenth century.

Furniture and silver plate belonging to the House of Medici and the "jewel of Aspasios" in payment of debts owed by the House of Austria to the Crown of Tuscany.

House of Hapsburg, and by the other Houses which have reigned in Italy. If it is found that the said objects or manuscripts were carried off in violation of the rights of the Italian provinces the Reparation Commission, on the report of the Committee referred to, shall order their restitution. Italy and Austria agree to accept the decisions of the Commission.

Belgium, Poland and Czecho-Slovakia may also submit claims for restitution, to be examined by the same Committee of three jurists, relating to the objects and documents enumerated in Annexes II, III and IV hereto. Belgium, Poland, Czecho-Slovakia and Austria undertake to accept the decisions taken by the Reparation Commission as the result of the report of the said Committee.<sup>92</sup>

The final blow for Renner's delegation came with the last article in these Special Provisions, submitted to them in July as article 192 and later confirmed as 196. In the most general terms, it envisaged Austria would have negotiated with claimant states for the relinquishment of parts of the former imperial collections bearing special relevance to the ceded territories. It also prevented Austria from freely disposing of any single objects in those collections for a period of twenty years, for the reason given above. Austrian delegates could not but oppose the provision altogether. Draft article 192 sounding so generic, the possibility for any state to bring forth claims based solely on cultural and historical grounds undermined the very foundations of Vienna's as well as the rest of the world's largest artistic and scientific collections. Taken to the extreme – Austrian remarks seemed to suggest – such a principle would turn

---

The ancient instruments of astronomy and physics belonging to the Academy of Cimento removed by the House of Lorraine and sent as a present to the cousins of the Imperial House of Vienna.

#### MODENA.

A "Vergin" by Andrea del Sarto and four drawings by Correggio belonging to the Pinacothek of Modena and removed in 1859 by Duke Francis V.

The three following MSS. belonging to the Library of Modena: Biblia Vulgata (Cod. Lat. 422/23), Breviarium Romanum (Cod. Lat. 424), and Officium Beatae Virginis (Cod. Lat 262), carried off by Duke Francis V in 1859.

The bronzes carried off under the same circumstances in 1859.

Certain objects (among others two pictures by Salvator Rosa and a portrait by Dosso Dossi) claimed by the Duke of Modena in 1868 as a condition of the execution of the Convention of June 20, 1868, and other objects given up in 1872 in the same circumstances.

#### PALERMO.

Objects made in Palermo in the Twelfth century for the Norman kings and employed in the coronation of the Emperors, which were carried off from Palermo and are now in Vienna.

#### NAPLES.

Ninety-eight MSS. carried off from the Library of S. Giovanni a Carbonara and other libraries at Naples in 1718 under the orders of Austria and sent to Vienna.

Various documents carried off at different times from the State Archives of Milan, Mantua, Venice, Modena and Florence.  
(Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Annex I, pp. 52, 53.)

As Tietze recalls, the Italian Military Mission had already taken with them the 98 Neapolitan manuscripts in February 1919, 'anticipating' the treaty as well as any official ruling thereon: "Die 98 Handschriften aus Neapel, über deren Zugehörigkeit erst entschieden werden soll, haben die Italiener bereits bei ihrem reichen Fischzug im Februar "vorweggenommen" ". (TIETZE 1919e, p. 983.)  
92 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 195, pp. 51, 52.

each of them in a flat display of local productions, depriving such collections of their overall universality and completeness. “Si l’on voulait disperser à tous les vents les oeuvres artistiques et scientifiques – the note read – la Paix commencerait par un acte de destruction, égal aux dévastations de la guerre.”<sup>93</sup> In Tietze’s view, draft article 192 was just as disputable as the previous ones, owing to its unclear wording. Referring to other nations’ “patrimoine intellectuel” or “intellectual patrimony”, the wording of the French and English texts was just as difficult to grasp as it was to contrast.<sup>94</sup>

This said, Austrian objections quickly diverted to the loss already suffered at the hands of D’Ancona, Fogolari, Coggiola and the rest of Segre’s Military Mission.<sup>95</sup> The formal remarks supposed to complement the allied draft of the piece treaty eventually constituted the only place for the Austrian delegation to officially touch on this subject, having its delegates being excluded from the very onset from all peace negotiations in Paris. “L’Italie – underscored the Austrian delegation – pour justifier ce procédé, s’est prévalue de différents titres en vertu desquels elle se croit autorisée à réclamer un droit de propriété à ces objets ou bien un droit de gage pour sûreté des réparations et de l’indemnité de guerre. Aucun de ces titres ne peut être reconnu et le moins, celui de conquête durant l’armistice, titre qu’on a fait valoir entre autres lors de la discussion littéraire de cette question.”<sup>96</sup> They also recalled the public rallies against the Italian seizures, maintaining around 60,000 people took part in the protests. It was for arbitral tribunals to settle those cases once and for all, the Austrian representatives as well as their art officials believed.<sup>97</sup> Even before that could happen, they demanded Italy be ordered by the Peace Conference to return the three manuscripts taken as pawns, along with other 45 coming from Trento, all carried away by Segre’s men from the Hofbibliothek in February 1919. In a small footnote to their reply, the allies seemed to confirm that Italy had committed itself to hand back all those objects seized in Vienna that would not fall under the Special Provisions.<sup>98</sup> An event that Modigliani and the rest of the Italian diplomacy in Paris had been dreading all along. “E già mi sentivo ronzare nelle orecchie, al mio ritorno in Italia – recalled Modigliani years later – l’ingiusta, ingiustissima rampogna: «Bel successo! I militari hanno preso dall’Austria (con la forza, però...) quel che ci spettava, e ci son voluti i

---

93 *Observations présentées par la Délégation Autrichienne Allemande sur l’ensemble des “Conditions de Paix” avec l’Autriche Allemande, Section II, Dispositions Particulières* (Bericht 1919, Beilage II, p. 162).

94 “Ebenso bedenklich ist wegen der unklaren Fassung der Artikel 192. Was eine Nation als Kulturbesitz - der französische Text sagt noch unbestimmter *patrimoine intellectuel* - beanspruchen kann, ist ebenso schwer zu fassen wie zu bekämpfen”. (TIETZE 1919e, p. 984.)

95 “Parmi ces objets figuraient, en dehors d’un buste de marbre, 67 tableaux, 6 incunables, 5 imprimés de la Collection de morceaux musicaux, 176 autographes et 144 manuscrits représentant des trésors dont l’enlèvement ne pourrait être patiemment supporté par aucun pays.” (Ivi, p. 159.)

96 *Ivi*, pp. 159-160.

97 See also “Gutachten über die Artikel 187, 188, 190 bis 192 des Friedensvertrages”, attached to: Der Reichssekretär für Unterricht und Reichskultus an den Reichspräsidenten, 24. 7. 1919 (AdR, K. 13).

98 “Au cas où des objets d’art auraient été saisis par les autorités militaires italiennes postérieurement à l’armistice du 3 novembre 1918 et au cas où il apparaîtrait que ces memes objets ne rentrent pas dans les catégories prévues à la Section II de la Partie VIII du projet de Traité, le Gouvernement italien déclare qu’il ne fera aucune difficulté pour en opérer la restitution.” (*Modifications résultant des contre-propositions*, Bericht 1919, Beilage II, p. 343.)



diplomatici (a corto di buone ragioni, però...) per ridarglielo!"<sup>99</sup> Yet, no verbatim provision mentioning the Italian Military Mission and its Viennese raids ever appeared in the official peace text. The final version of article 196, the last of those addressing artwork restitution and the fate of Austrian collections, was thus the following:

#### Article 196.

With regard to all objects of artistic, archaeological, scientific or historic character forming part of collections which formerly belonged to the Government or the Crown of the Austro-Hungarian Monarchy and are not otherwise provided for in the present Treaty, Austria undertakes:

a) to negotiate, when required, with the States concerned for an amicable arrangement whereby any portion thereof or any objects belonging thereto which ought to form part of the intellectual patrimony of the ceded districts may be returned to their districts of origin on terms of reciprocity, and

b) for twenty years, unless a special arrangement is previously arrived at, not to alienate or disperse any of the said collections or to dispose of any of the above objects, but at all times to ensure their safety and good condition and to make them available, together with inventories, catalogues, and administrative documents relating to the said collections, at all reasonable times to students who are nationals of any of the Allied and Associated Powers.<sup>100</sup>

In the end, the Special Provisions on artistic property did not really appease anyone. For Tietze they could have been worse, yet he still compared them to the jewels that in ancient times were laid alongside buried bodies, in this case that of a ruined and broke Austria.<sup>101</sup> Modigliani simply talked of a failure: "quelle povere clausole, pur fatte e rifatte, tirate e strizzate, restarono sostanzialmente quelle che erano. Un fallimento".<sup>102</sup> Be as it may, the general principles and main issues were now on the table and it was ultimately up to the Reparation Commission to get to the nitty-gritty of those very clauses.

---

99 MODIGLIANI 1955a, p. 276.

100 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 196, p. 52.

101 "Der Vertrag enthält noch manche Fallstricke und Fangeisen für unseren Kunstbesitz, im ganzen aber ist er - in dieser einen Hinsicht - günstiger, als wir zu befürchten alle Ursache hatten. Als Kulturfaktor will man das gedemütigte, mißhandelte, zugrundegerichtete Deutsch-Österreich doch anerkennen, wie in dunkeln Vorzeiten läßt man dem fürslichen Leichnam, den man jetzt zu Grabe trägt, seinen besten Schmuck." (TIETZE 1919e, p. 984.) The same analogy appeared also verbatim in an article on the Special Provisions of the peace treaty published by the Hungarian Pester Lloyd Morgenblatt of October 21, 1919, at p. 6.

102 MODIGLIANI 1955a, p. 275.

## Chapter 5

### THE REPARATION COMMISSION AND ARTWORKS FOR SALE

#### *The complex machinery of restitution*

With contrasting views over the extent of the punishment to inflict on them, the Allied and Associated Powers had resolved to treat Austria and Hungary as the sole political heirs of the extinct dual monarchy. This left them as the only two nations condemned to bear alone the former empire's responsibility for the waging of war and for the losses inflicted by a multi-national army. Both of them taken to their knees and on the brink of social upheavals, Austria came across as the less turbulent of the two. While communists took over in Budapest as soon as March 1919, the Austrian socialists managed to hold sway in Vienna, making everyone in Paris hold their breath. The Entente immediately assumed a more benign stance towards Austria so as to avoid another former enemy going full-on Bolshevik just a few months from the end of hostilities. The allies thus started relaxing the war trade blockade to allow in relief supplies and issue credits to the republic.<sup>1</sup> This did not prevent countries like Italy from continuing to consider the Austrians more long-time enemies and aggressors than newly found partners and neighbours.<sup>2</sup> Thus, in spite of a more conciliatory attitude and the sympathy expressed by the Americans for the new Austrian government, the Treaty of St. Germain nevertheless compelled it to take full responsibility for the loss and damage inflicted by imperial troops upon the Allies and Associated Powers and their nationals (article 177 in the treaty).<sup>3</sup> Reparation clauses made up Part VIII in the peace text. They did not comprise war costs (Macmillan dubs them "a disguised fine"<sup>4</sup>), as countries like France and Belgium had hoped, but required compensation for damage done to the civilian population and to their property (article 178),<sup>5</sup> as well restitution of objects of every nature Austria could currently identify and locate on its territory or that of its former allies (article 184). This last request ended up comprising also works of art and other property of cultural, historical and administrative relevance, as the Special Provisions described earlier testify. They indeed refer to article 184 as their foundation and were meant to complement it. The same article made it clear that such restitutions had to take place following the procedure devised by the

---

1 The allied naval blockade begun in 1914 and was ultimately lifted in July 1919, once Germany had signed the Treaty of Versailles. See on this for instance BELL 1961; DURAND 1942; KRAMER 2014, 2020.

2 MACMILLAN 2003, pp. 246-253.

3 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 177, p. 39.

4 MACMILLAN 2003, p. 180.

5 *Ivi*, Article 178, p. 39.

Reparation Commission.<sup>6</sup> This body had a paramount role in the implementation of reparation clauses in all the peace treaties, especially so because the peacemakers were nowhere near to agreeing on the final figures. It was first established by article 233 of the Treaty of Versailles as an inter-allied commission in charge of assessing the overall amount of damage for which compensation was required and drawing up a schedule of payments.<sup>7</sup> Unlike the Treaty of Versailles, where article 235 spelled out a starting sum of 20 billion gold marks for Germany to pay by 1921,<sup>8</sup> that of St. Germain did not bear any figure yet. Its article 179 envisaged the creation of an ad hoc Section within the Reparation Commission to deal specifically with Austria.<sup>9</sup> The Austrian Section was supposed to have mainly consultative power, unless the Reparation Commission in Paris deemed it otherwise.

As in the case of Germany, one of the Commission's main tasks was to consider claims by other states and give the Austrian Government the opportunity to be heard. Formally speaking, the Reparation Commission kicked off on January 10<sup>th</sup>, 1920, the day of the ratification of the Treaty of Versailles. The preparatory work had in fact started some months earlier with the establishment by the Peace Conference of the Organisation Committee of the Reparation Commission (*Comité d'Organisation de la Commission des Réparations* or C.O.C.R.). Its original members came from the various Delegations to the Peace Conference and were chaired by one of Clemenceau's most trusted economic advisors, Louis Loucheur, in 1921 also Minister of the Liberated Regions.<sup>10</sup> In the period leading up to the inception of the Reparation Commission, the C.O.C.R.'s membership gradually changed and ended up corresponding for a great part to the real Commission's initial composition. The proceedings of the C.O.C.R. are of great interest due to the fact that, as soon as 1919, the Organisation Committee was called upon conducting preliminary studies of some of the major questions bound to wind up on the table of the Reparation Commission at a later stage. Even more significantly, the Organisation Committee and, later, the Commission, were substantially inter-allied bodies and for this reason mostly engaged in mediating and safeguarding the different interests of each allied power represented. The Commission had the authority and duty to give judicial decisions on questions such as the amount of damage to be charged upon former enemies, taking at the same time into careful consideration political interests as well as economic and financial scenarios at a continental and global scale. Among its crucial and most delicate judicial functions was that of the interpretation of the provisions featuring in the reparation chapter of the various peace treaties, an interpretation against which no appeal was admitted. In order to provide the future Commission with issues

---

6 "In additions to the payments mentioned above, Austria shall effect, in accordance with the procedure laid down by the Reparation Commission, restitution in cash of cash taken away [...] and also restitution of animals, objects of every nature and securities taken away, seized or sequestered in the cases in which it proves possible to identify them on territory belonging to, or during the execution of the present Treaty in the possession of, Austria or her allies." (*Ivi*, Article 184, p. 41.)

7 Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles, June 28, 1919, Ottawa : J. De Labroquerie Taché, 1919, Article 233, pp. 82, 83.

8 *Ivi*, Article 235, p. 83.

9 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10, 1919, London : H.M. Stationery Office, 1919, Article 179, p. 40.

10 MACMILLAN 2003, p. 190.

that had been already dealt with and possibly simplified or at least exhaustively documented in advance, three executive Services had been put in place. An additional Legal Service of five jurists, each of them from one of the main Delegations, was to advise the Commission. One of the three executive Services was that of Restitution and Reparation in Kind.<sup>11</sup>

Understandably, the armistice agreements of November 1918 with Germany and especially with Austria contained little or no indication as to any principles or procedures through which to carry out restitution of the many different categories of objects displaced.<sup>12</sup> This is why the C.O.C.R. and the various Allied Restitution Services set out to put together an exhaustive protocol to give full execution to article 238 of the Treaty of Versailles. Of course the peace treaty with Germany remained the main reference as far as general issues were concerned, being the corresponding articles in the other treaties more or less the same. Article 238 in the Treaty of Versailles is mirrored entirely by article 184 in that of St. Germain, indeed the one providing for the restitution of objects taken away and identifiable on the territory of the former enemy states.<sup>13</sup> A Reparation Commission Office was set up at Wiesbaden with the specific task of laying down the procedure to implement article 238 of Versailles and, consequently, the same provision in the rest of the peace agreements.<sup>14</sup> Given the fact that the property involved was of the most different sorts, ranging from livestock to furniture, industrial material, securities and works of art, the Commission deemed it convenient to start with a general restitution protocol "A", followed by separate protocols for each main category of items. Apparently only Germany was granted the opportunity to see its preliminary content and express a view on it, perhaps due the fact that the protocol referred exclusively to article 238 in the Treaty of Versailles. Protocol "A" was nevertheless meant to apply to all classes of objects removed from all invaded territories, hence it potentially concerned also the rest of the former enemies. At any rate, the general protocol was notified to Germany on September 1<sup>st</sup>, 1920, and was to serve as a blueprint for Allied countries to correctly file their restitution requests. Its article 8 required the German government to take all the regulatory steps necessary in order to have its citizens, under appropriate sanctions, return any of the objects in their current possession falling under article 238. Germany was also to prohibit the sale, transfer, damage or destruction of the said property. Based on article 17, Protocol "A" and any of the following special protocols dedicated to a specific category of objects constituted, when read together, the official procedure for the restitution of that

---

11 REPARATION COMMISSION 1923, pp. 4-9.

12 Although the final protocol of the Financial Subcommission of the Permanent Inter-Allied Armistice Commission dated at Spa, December 1<sup>st</sup>, 1918, contained provisions for the restoration of valuables and objects of art (FRUS 1919, XIII, p. 2030 ebook). Additionally, another protocol drafted in Spa on December 17<sup>th</sup>, 1918, and annexed to the Clauses of the prolongation of the armistice with Germany of December 13<sup>th</sup>, 1918, introduced the obligation of restoring all works of art and artistic documents removed from France and Belgium (FRUS 1919, VIII, p. 2521 ebook). The two texts are currently not available in the context of the present research.

13 Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles, June 28<sup>th</sup>, 1919, Ottawa : J. De Labroquerie Taché, 1919, Article 238, p. 84.

14 In June 1922 the Reparation Commission eventually resolved to close the restitution office in Wiesbaden and assign the remaining work to the Service of Restitution and Reparation in Kind in Paris. (REPARATION COMMISSION 1923, p. 72.)

category (object ID cards, expenses, logistics and allied inspections included).<sup>15</sup> The restitution of works of art and other such items featured in the special protocol "D" along with that of cash, securities and furniture. The Office in Wiesbaden had drafted and forwarded it to the Service for Restitution and Reparation in Kind in Paris on October 6<sup>th</sup>, 1920.<sup>16</sup> The Reparation Commission must have approved it around mid 1921.<sup>17</sup> Protocol "D" was meant to implement and complement article 17 of the general protocol "A" more in detail and with special regard to:

Objets d'art de toutes sortes (tels que "tableaux, tapisseries, meubles de style, etc."), documents de caractère artistique ou d'intérêt scientifique (tels que "manuscrits, livres anciens provenant de Musées ou de Bibliothèques publics ou privés, etc...)

Espèces, valeurs mobilières et fiduciaires, bons de réquisitions.

Bijoux et argenterie.

Cloches et objets du culte.

Manuscrits, correspondances, livres et imprimés, archives, publiés et privés (tels que "lettres, dessins, modèles, plans, marchés, devis, archives des Officiers ministériels et des Tribunaux, [...] etc.etc..")

Objets de toute nature, objets d'agrément à usage personnel, domestique ou professionnel (tels que "linge, vêtements, meubles meublant, articles de ménage, instruments de musique, etc...").<sup>18</sup>

As in the case of the general protocol on restitution, also article 3 in protocol "D" required Germany to issue a decree for its implementation and to notify the Wiesbaden office about it. Citizens in possession, even a temporary one, of objects from the listed categories were to declare them to state authorities independent of their value. The obligation covered all items taken away by German troops and their allies during the occupation of territories belonging or assigned to Belgium, France, Poland, Italy, Romania and Serbia. This included forced purchases and things entrusted to enemy military authorities for safety reasons.<sup>19</sup> Notably, through protocol "D", and probably also through the other special protocols for restitution, Germany undertook to give full

---

15 "General Protocol (A) of Restitution. (Article 238.)", as reported in Appendix IX of REPARATION COMMISSION 1923, pp. 199-203. The present research has not gone so far as seeking and locating any possible legislative provisions issued by the German government in compliance with Protocol A, and more specifically with the special protocol dealing with restitution of works of art yet.

16 Office de la Commission des Réparations Wiesbaden to Service des Restitutions et Réparations en Nature, Commission des Réparations, October 6<sup>th</sup>, 1920 (AN, AJ/6/1836).

17 Office de la Commission des Réparations Wiesbaden to Service des Restitutions et Réparations en Nature, Commission des Réparations, May 20<sup>th</sup>, 1921 (AN, AJ/6/1836).

18 "Protocol Particulier "D" pour l'application de l'Article 238 du Traité de Versailles", Article 1 (AN, AJ/6/1836).

19 "[...] Seront considérées comme ayant été enlevées, saisies ou séquestrées, notamment les choses trouvées, les choses achetées par contrainte aux propriétaires, les choses confiées à des militaires ou civils allemands pour les mettre en sécurité ou pour tout autre motif. [...]" ("Protocol Particulier "D" pour l'application de l'Article 238 du Traité de Versailles", Article 3 (AN, AJ/6/1836).

implementation to a so-called 'expropriation law' of August 31<sup>st</sup>, 1919. The provision empowered the German government to expropriate objects that were to be transferred to the Allied and Associated Powers on the basis of the peace treaty or supplementary agreements.<sup>20</sup> Evidently, this ended up comprising the objects dealt with in the restitution protocols of the Reparation Commission.

As pointed out before, all these measures had been initially drafted with an almost exclusive focus on Germany and contained only sporadic references to its allies, to which they nevertheless potentially applied. We saw how the Austrian Section of the Reparation Commission had been provided for by article 179 in the Treaty of St. Germain. Given a delay in the exchange of ratifications of the peace treaty, the Austrian Government requested that the reparation clauses be enforced before the coming into force of the treaty. As a result the Austrian Section of the Reparation Commission started its work in Vienna in June 1920, where it operated until April 1921, when the Section was transferred to Paris in view of its gradual dismissal.<sup>21</sup> Its duties mainly entailed looking into the country's economy and assess its ability to take the burden of reparations on its shoulders. It was however clear from the very onset that the Austrian government was not in the position to pay anything, being rather in desperate need of credits to sustain itself and its population. Through the Military Mission led by General Segre, Italy had for instance been dispatching foodstuff to Austria from December 1918 to February 1919 on behalf of the Allied and Associated Powers. The situation was such that the priority of the Reparation Commission became to consider all the various exceptions that had to be made to the reparation payments of Austria. Given that the peace treaty stipulated that "the first charge upon all the assets and revenues of Austria shall be the cost of reparation",<sup>22</sup> it was impossible for Austria to alienate or give as security any part of its assets and revenues to obtain credits without the approval of the Reparation Commission. The Commission and its Section in Vienna thus ended up acting as an agent in the interest of the lending countries, assisting the Austrian government with seeking credits and administering them, also through the pledge of different kinds of properties.

In March 1919, 48 million dollars had been granted as an allied credit under certain conditions, namely, that Austria agreed to put at the disposal of the lending Powers suitable collaterals. These were to include "the properties of the City of Vienna, and [...] such other assets as may be agreed upon, in Austria".<sup>23</sup> Among these featured also objects of art, the tobacco monopoly and the property of the late Royal and Imperial House. Through a law issued in April 1919, the Austrian National Assembly had declared all Habsburg properties to

---

20 Gesetz vom 31. August 1919, N. 7033, über Enteignungen und Entschädigungen aus Anlass des Friedensvertrags zwischen Deutschland und den alliierten und assoziierten Mächten (RGB 1919, Nr. 171, SS. 1527-1530). It is not clear why no mention to such law is found in the general protocol "A", which instead refers to a decree possibly addressing confiscation and restitution, and dated March 28<sup>th</sup>, 1919 (REPARATION COMMISSION 1923, pp. 200, 201). The decree could not be made available in the context of the present research.

21 The membership of the Austrian Section at the moment of its inception is listed in Attachment XXXIX to REPARATION COMMISSION 1923, p. 278.

22 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 197, p. 53.

23 REPARATION COMMISSION 1923, p. 160-161.

be State property. Based on the peace conditions just discussed though, such property fell under the administration of the Reparation Commission itself. As an official document likely drafted in mid 1920 by a newly-established International Relief Credits Committee and titled “Advances to Austria” read: “The Austrian assets released [by lending governments following the issuing of bearer bonds], will be controlled by the Austrian Section according to the instructions of the Reparation Commission, and on demand all Government monopolies, objects of art, and all the property of the late royal and imperial house being, or recently declared to be Government property, shall be held or controlled by the Austrian Section, and, so far as available, shall be administered by it”.<sup>24</sup> Most importantly for us, the Austrian government undertook: “To refrain in the future from entering into any agreement or arrangement permitting the delivery or removal out of Austria of any records, documents, objects or material of the character specified in Section II of Part VIII of the Treaty of Saint-Germain without the specific consent and prior approval of the Austrian Section.”<sup>25</sup> Section II of Part VIII was none other than those Special Provisions (articles 191 to 196) addressing disputed artistic treasures, records and other such properties Austria ended up owing the Allied Powers, Italy in particular. The same document made it clear that the Commission would not have allowed for the opening of credits if the Austrian government did commit itself not to alienate any public property without the consent of the Commission and to declare void any such alienations that took place after the armistice of November 3<sup>rd</sup>, 1918.

### *The fate of the imperial collections*

Austrian law 209 of April 3<sup>rd</sup>, 1919, abolished all the royal privileges of the House of Habsburg-Lothringen and empowered the new government to take over its property.<sup>26</sup> With the exception of property strictly deemed for free personal use of the imperial family members, all movable and immovable property of (a) the imperial court (*hofärarisches Vermögen*) and (b) the ruling House or its branches on national soil fell into the Austrian state’s ownership:

#### § 5.

Die Republik Deustchösterreich ist Eigentümerin des gesamten in ihrem Staatsgebiet befindlichen beweglichen und unbeweglichen hofärarischen sowie des für das früher regierende Haus oder für eine Zweiglinie desselben gebundene Vermögens.<sup>27</sup>

---

24 “Advances to Austria”, as reported in Appendix XL to REPARATION COMMISSION 1923, p. 279.

25 *Ivi*, p. 280.

26 Gesetz vom 3. April 1919, N. 209, betreffend die Landesverweisung und die Übernahme des Vermögens des Hauses Habsburg-Lothringen (StGB 1919, 71. Stück, SS. 513-514).

27 As article 6 of law 209 further specifies, by court assets (*hofärarisches Vermögen*) the provision meant the property previously administered by the court staff and their offices.

Towards the end, article 7 stated that the net proceeds of properties fallen under state ownership would have been devolved to the rescue of citizens affected by the consequences of the war, physically rather than economically.<sup>28</sup> This meant first of all that the Austrian government was planning on a large-scale sale of some of the imperial assets they just confiscated. The whole provision, and this last decision in particular, triggered the complex debate over some of the objects thereby involved and whether they were to be considered private imperial property, and thus to be left with the imperial family, rather than public imperial property, and thus state assets bound to liquidation.<sup>29</sup> Neither the Austrians, nor the allies found the issue easy to work out. With a view to providing a little clarification thereon, at the end of October Austrian legislators approved a complementary measure. Law n. 501 of October 30<sup>th</sup>, 1919, meant to amend and integrate that of April 3<sup>rd</sup>.<sup>30</sup> In particular, its article 1, comma 2 entered into the details of what was to be exactly regarded as ‘property attached to the late reigning House or a branch thereof’, as opposed to *hofärarisches Vermögen* and to the private property of members of the imperial family. The property attached to the late ruling House was thus composed of:

- a) der Familien- und der Avitikalfonds,
- b) das Primogenitur-Familienfideikommiss der Sammlung des Erzhauses,
- c) die Familienfideikommissbibliothek,
- d) das Falkensteinsche Fideikommiss,
- e) das Kaiser Franz Joseph I-Kronfideikommiss des Erzhauses Habsburg-Lothringen,
- f) die Hofbibliothek.

The above property used to be administered by the former “General Controller of the Private and Family Funds of his Imperial and Royal Apostolic Majesty” (Generaldirektion der Privat- und Familienfonds Seiner k. und k. Apostolischen Majestät), now “General Controller of the administration of the Habsburg-Lorraine property” (Generaldirektion der Habsburg-Lothringenschen Vermögensverwaltung).

To sum it up with legal assistant Vaughan Williams, British attaché to the Legal Service of the Austrian Section of the Reparation Commission in Vienna, the laws of April 3<sup>rd</sup> and October 30<sup>th</sup>, 1919, expressly recognised a distinction between:

---

28 “§ 7. Das Reinerträgnis des auf Grund dieses Gesetzes in das Eigentum der Republik Deutschösterreich gelangenden Vermögens ist [...] zur Fürsorge für die durch den Weltkrieg in ihrer Gesundheit geschädigten oder ihres Ernährers beraubten Staatsbürger zu verwenden.” (Gesetz vom 3. April 1919, N. 209.)

29 See for instance SCHAGER-ECKHARTSAU 1922, TURBA 1925, HERRMANN 1986.

30 Gesetz vom 30. Oktober 1919, N. 501, betreffend die Landesverweisung und die Übernahme des Vermögens des Hauses Habsburg-Lothringen (StGB 1919, 180. Stück, SS. 1188-1189).



- a) "property of the Court Treasury" (hofärarisches Vermögen),
- b) "property attached to the former reigning house or a branch thereof" (which latter words are expressly stated to cover certain property of the Imperial family subject to fidei-commiss, including the fidei-commis of the collections), and
- c) "property which is demonstrably in unfettered individual private ownership".<sup>33</sup>

Almost by chance, on April 4<sup>th</sup>, 1919, a day after the release of law 209, a professor at the University of Vienna had drafted a report on the nature of the former imperial court collections, not knowing that the confiscation law had just been adopted.<sup>32</sup> His handwritten signature being hard to decipher, the author remains here still unidentified, and so do his addressees, although some of his considerations resonate with those Williams put together later in his 1921 memorandum. The unknown professor's goal seems to be that of shedding some light on the type of ownership under which imperial collections fell, as well as on the nature and use of the 1875 general inventory of some imperial assets.

At the time of the absolute monarchy of the XVIII century, sovereign wealth coincided with that of the state. The traditional name 'Kammergut' not only included the property of the monarch and his house, but also the income that the ruler received as head of state by virtue of his sovereign rights.

The division into imperial and state property became established at the time of Maria Theresa.<sup>33</sup> Ever since, the differentiation between imperial property and state property deepened and finally won legal endorsement in the General Civil Code published in 1811 (Allgemeines bürgerliches Gesetzbuch).<sup>34</sup> The modern Austrian constitutional laws eventually assigned the Kammergut to the state and subjected it to parliamentary control, while leaving imperial private property untouched, whether free or bound to the family by means of a fideikommiss. As Legal Assistant Vaughan Williams himself had the chance to verify, "a "Familien Fidei-commis" is a disposition (Anordnung) by virtue of which a property is declared to be an inalienable estate of the family for the benefit of all future or for several successors in the family (Civil Code Article 617). It requires for its validity the consent of the legislative authority (Article

---

31 Memorandum to Captain Thornely Gibson by W.W. Vaughan Williams, Legal Assistant, Austrian Section of the Reparation Commission – Legal Service, February 9, 1921 (AN, AJ/5/204).

32 "Bericht über die General Inventur vom Jahre 1875 und über die juristische Natur von vier einstigen Hof-Sammlungen", April 4, 1919 (AdR, K. 13). The report is mentioned also in LHOTSKY 1955, p. 617, footnote 12 and HUGUENIN-BERGENAT 2010, p. 25, footnote 120.

33 "Die Trennung von kaiserlichem Privat- und Staatsvermögen bzw. -eigentum wurde erstmals nach dem Tod von Kaiser Franz I. Stephan geregelt [...] und erneut nach dem Tod Maria Theresias [...] sowie unter Kaiser Franz II./I. [...] behandelt." (HASSMANN, p. 38, footnote 94.)

34 As per § 289 ABGB, Privat-Gut des Landesfürsten: Auch dasjenige Vermögen des Landesfürsten, welches er nicht als Oberhaupt des Staates besitzt, wird als ein Privat-Gut betrachtet.

627); the property in the estate subject to the Fidei-commis is vested in the expectant successors and the actual holder in fidei-commis (Article 629).”<sup>35</sup>

Nevertheless, some goods belonging to the House and the court were also given state ownership, but were left with the court for administration, usufruct or use as so-called ‘court goods’, *hofärarisches Vermögen*.<sup>36</sup> The court goods had thus remained undivided from the imperial private property and a detailed survey clarifying the difference apparently never took place. Instead, a general inventory was drafted in 1875, which was supposed to have the effect of officially declaring those moveable goods that were part of the imperial fideikommiss (i.e. inalienable family estate). The transfer of the imperial collections to the new court museums at the Hofburg provided a good opportunity for the initiative. Emperor Franz Josef requested an inventory be put together of the objects and private collections entrusted to his family as a *primogeniture*<sup>37</sup> fideikommiss but administered by the court staffs.

Since this general inventory was not about the establishment of a new fideikommiss, the professor states, but only the recognition of a longstanding one (though sometimes not well documented as to its legal basis), the inventory commission thus established felt that it was unnecessary to issue a new one. The commission stuck to the guiding principle of including in the inventory only those objects which, by virtue of their nature and quality, or their designation by coats of arms and names, appeared to be old heirlooms and souvenirs of the imperial family or gifts from foreign sovereigns and other individuals, and which had always been regarded as the private property of the imperial family.

As the report maintains, all representatives of the Hofärar, the court administration, to the 1875 inventory commission expressly recognized that the objects and collections included in the inventory did not belong to the court property, and that is also what the 1919 confiscation laws seem to take for granted (they talk of court property as something separate from property attached to the House).<sup>38</sup> What these new laws determined though, was that imperial collections under the family fideikommiss, i.e. non-disposable imperial property or, as they dubbed it, ‘property attached to the late reigning

---

35 Memorandum to Captain Thornely Gibson by W.W. Vaughan Williams, Legal Assistant, Austrian Section of the Reparation Commission – Legal Service, February 9, 1921 (AN, AJ/5/204).

36 “*Hofärarisch* war das für Zwecke der Hofhaltung bestimmte kaiserliche Vermögen. Es stand dem Herrscher nicht als Privatperson, sondern in seiner Funktion als “Oberhaupt des Staates” zu und galt damit schon zur Zeit der Monarchie als staatliches Eigentum.” (HUGUENIN-BERGENAT 2008, p. 19.)

37 The Habsburgs assigned the Austrian main line of descent to the first-born (*primogeniture*), certain subsidiary lines such as Tuscany’s to the second-born (*secondogeniture*) and other lands as compensation for the third-born (*tertiogeniture*). The second and third branches therefore did not belong to the Austrian monarchy, but were merely dynastically connected to it. (As explained in HUGUENIN-BERGENAT 2010, p. 21, footnote 100.)

38 “Die Eigentumsfrage betreffend die k. k. Sammlungen, die damit erstmals detailliert untersucht wurde, war insbesondere im Zuge der von Kaiser Franz Joseph I. 1875 angeordneten Generalinventur von zentraler Bedeutung. Dabei war strittig, ob man aus der Tatsache, dass eine Sammlung unter hofstaatlicher Verwaltung stand, ableiten könne, dass sie als Staatseigentum anzusehen sei, was schließlich verneint wurde.” (HASSMANN 2015, p. 38.)

House or a branch thereof' was subject to state confiscation too.<sup>39</sup> The 1875 inventory per se, the professor maintained in April 1919, could not be regarded as legally binding in order to establish what was ultimately freely disposable private imperial property or what was included in the fideikommiss. In spite of this, the inventory could constitute a valuable starting point for a case-by-case survey. It moreover underscored the original imperial desire to protect the inventoried objects from possible state claims by tying them to the imperial House.

Habsburg-Lothringen ancestors had passed on the imperial collections under a family fideikommiss for the present head of the imperial family to enjoy and preserve.<sup>40</sup> Only in the case of 29 pictures in the Gemäldegalerie that feature the inventory, it was expressly stated that they were removed from the inventory because they were purchased through state funds at academic art exhibitions in 1858, 1859 and 1864 and were therefore state property. They had since been assigned to the Academy of Fine Arts in Vienna.

The Kunsthistorisches Museum, in turn, ended up accommodating a great part of those imperial treasures Maximilian II and Rudolf II started gathering in the XVI and XVII centuries through private acquisitions and that grew richer and richer over time.<sup>41</sup> According to the 1875 inventory protocol, the dynasty ancestors handed down their collections as primogeniture entail, although not all of the documents were issued and some of them were lost. As a result, it could not be denied, the report said, that the largest part of this collection, insofar as it was included in the inventory, undoubtedly had the character of a fideikommiss. But it was also true that at least in individual and probably not the least important acquisitions, the succession was tied to the public character of sovereignty. In this case the items would more appropriately belong to the Hofärar. The fact that some objects were included in the general inventory could by no means be regarded, in the professor's view, as decisive for establishing their legal ownership status. With regard to the art historical collection, he observed, every picture would have to be checked singularly.

The case of the Naturhistorisches Museum appeared way clearer. Emperor Franz I laid the first foundation for this collection in 1748, through the purchase of the famous natural history collection of Johann Ritter von Baillou in Florence. In 1876 the three court cabinets (zoological, mineralogical and botanical) were combined into one institute, the Imperial and Royal Natural History Court Museum. As early as 1811, however, these collections had been already left to the state. The general inventory of 1875 had therefore excluded

---

39 The recent literature keeps referring to the family fideikommiss as private property of the imperial family, see for instance on this LHOTSKY 1955, p. 617; ÖHLINGER 2008; HUGUENIN-BERGENAT 2010.

40 See MIKOLETZKY 1961.

41 "Begünstigt wurden Bildung und Erhalt der habsburgischen Sammlungen durch eine Neuordnung der habsburgischen Vermögensverhältnisse Ende des 15. und Anfang des 16. Jahrhunderts, derzufolge Hauskleinodien und Kunstschatze nicht mehr an Land und Leute gebunden waren, sondern nach der Primogeniturerbfolge als unveräusserliches Eigentum dem Erzhaus gehörten." (HUGUENIN-BERGENAT 2010, p. 23) See also some other literature on the origins of Habsburg collections: KUGLER 1974; ÖHLINGER 2008, pp. 7-17; TIETZE 1923; SWOBODA 2013.

the natural history collections from its lists as it was regarded as hofärarisches Vermögen.

On the other hand, what was known as the Familiendifeikommissbibliothek was exclusive property of the imperial family and consisted of two parts. One part was private property of the emperor and comprised numerous donations from private individuals, while the other part was a fideikommiss of the imperial family founded by Emperor Franz I in 1849. The bulk of this second part consisted of his collection of manuscripts, printed works, copper engraved portraits, which Archduke Franz had acquired during his stay in Florence up to 1784 and which was vastly increased through later purchases.<sup>42</sup>

As for the Court Library, the inventory commission recognised that the Hofbibliothek was undoubtedly fideikommiss private property of the imperial family. In the course of time though, several deposit copies had been combined with the original holdings and ended up constituting a main part of the collection. Whether these deposit copies had been given as a gift to the imperial family, thus as private property, or as a condition imposed by the state in favour of a public institute, i.e. to be regarded as state property, could not be reliably determined. At any rate the author of the 1919 report underscored how the court library, as soon as it was opened to the public, belonged in an undisputable way to those objects serving public purposes. In 1807 the curator of the court library Strottmann reportedly dubbed it the library for the educated class of the capital, the national library of the Austrian Empire. It can also be proven that this collection had been preserved and increased for a long time and to a large extent at the expenses of the state. The hofärarisch character of the court library seemed to the professor completely out of the question according to the facts presented.

In 1875, the inventory commission aimed at a legally effective separation of the movable, fideikommiss property of the imperial family from the court property. The inventorying effort seemed guided by the tendency to secure the fideikommiss property of the dynasty. It was believed that this special protection of bound family property would best serve the interests of the imperial House, preventing any possible dispersion in the future. "Dies alles war aber in den kritischen Jahren nach 1918 Theorie, und es fiel niemandem ein, sich gegebenenfalls um so subtile Unterscheidungen ernstlich zu bekümmern", wrote Alphons Lhotsky in 1955.<sup>43</sup> Thus, when the time came in 1919, the republic decided to confiscate also all fideikommiss property of the former imperial house and, under the pressure of an economic and social emergency, appeared to have plans for its liquidation.

### *Artworks for sale*

News of a prospect sale seem to have broken on the Austrian press in the last days of September 1919, when Staatskanzler Renner had publicly confirmed his

---

<sup>42</sup> To learn more in detail about the Fideikommissbibliothek see, among others, HUBER-FRISCHEIS, KNIELING, VALENTA 2011, 2014, 2015; SLAMA 2010; WIESER, ZROUNEK 1985.

<sup>43</sup> LHOTSKY 1955, p. 617.

government's resolve to obtain foreign currency through the liquidation of artworks from public collections. The law that transferred ownership of imperial assets to the Austria state had come out in April. However, this did not cause so much sensation among Austrian newspapers with regard to works of art at first. The reason for that, as the *Neues Wiener Tagblatt* put it, was that back then, between April and May, talks revolved around the pledge of some of the artworks in exchange for food delivery, rather than a downright sale. The latter option might have been in the air but nobody dared utter it. The same newspaper mentioned also a visit carried out by Entente representatives to take a look at the objects concerned. At that point, leading art circles in Vienna made their dissent clear and managed to put the initiative on hold, also by underscoring the not so convenient deal that would have come out of it.<sup>44</sup> It was not until September 26<sup>45</sup> that the Kabinettsrat, the closed meeting of the government's Secretaries and Undersecretaries, announced their intention to sold artworks property of the State.<sup>46</sup> The issue was also tackled a few days later, on September 30<sup>47</sup>, when Renner addressed the League of the Socialist State Employees of German Austria (*Bunde der sozialistischen Staatsangestellten Deutschösterreichs*) in the Volkshalle of the Rathaus.<sup>48</sup> There, the Austrian government's emergency plan to guarantee enough supplies for the months to come and save the country's finances was said to include the long dreaded sale of state collections:

So können wir die Lebensmittel und die Kohlstoffe, die wir brauchen, nicht mit unseren Arbeitsprodukten bezahlen und nicht auf Kredit bekommen. – wrote the *Arbeiter Zeitung* – Es bleibt uns nichts anderes übrig, als uns durch ganz außerordentliche Maßregeln die erforderlichen ausländischen Zahlungsmittel zu beschaffen. Deshalb hat die Regierung beschlossen, Kunstwerke aus dem Besitze der Habsburger, die jetzt Eigentum der Republik geworden sind, dem Ausland zum Kauf anzubieten, um für sie Lebensmittel einzutauschen.<sup>49</sup>

Of course, the news went down better within some swathes of the public opinion, especially communist circles, than with intellectuals and art experts. The socialist state employees who gathered that day in the Volkshalle gave full endorsement to the initiative. They apparently appointed also the officers in charge of sorting out the matter. Along those lines went also a unanimous resolution of the Kabinettsrat, which urged Renner to start the necessary preliminary work and have the items ready for sale in the shortest time possible.<sup>50</sup> An article on the *Illustrierte Kronen Zeitung* called it a sad episode but said there was no need to talk of a "Katastrophe". Museums and galleries were empty for the great part of the time anyways, they noticed. As soon as the

---

44 "Kunstwerke für Nahrung", *Neues Wiener Tagblatt*, October 1-, 1919, p. 8.

45 "Kunstwerke für Lebensmittel. Ein Beschluss des Kabinettsrates", *Neues Wiener Abendblatt*, September 27-, 1919, p. 3.

46 "Staatskanzler Dr. Renner über die Beamten", *Arbeiterwille*, October, 2-, 1919, p. 3.

47 "Finanzpläne", *Arbeiter Zeitung*, September 30-, 1919, p. 1.

48 "Der Verkauf der Kunstwerke zur Beschaffung von Lebensmitteln", *Bregenzer/Vorarlberger Tagblatt*, October 2-, 1919, p. 4.

news spread about some public artworks ending up on the market in exchange of foodstuff, suddenly, in a fit of sappy hypocrisy, "geberden sich viele als ob sie ohne diese alten Handschriften, Bilder und sonstigen Kunstwerke nicht leben könnten."<sup>49</sup> And such a 'lofty' indignation could not but end up being labelled as intrinsically bourgeois in the pages of the Rote Fahne, the central organ of the Austrian Communist Party. In the light of the protests reportedly staged by some groups, also within the city council, the communists took care to underscore that what other political parties called "our" artistic property was rather the middle-classes'. Workers could not possibly be bothered with such a question, preferring bread in the stomach to pictures in museums.<sup>50</sup> Yet, in line with their revolutionary urges, they would rather have seen the diamonds, pearls and art pieces of private wealthy families confiscated and sold abroad as a means to safeguard Habsburg collections that had after all become public, and thus, in perspective, also of the proletariat.<sup>51</sup>

At the other side of the spectrum art officers had been crying out their indignation. Director of the Gemäldegalerie at the Kunsthistorisches Museum Gustav Glück, and most of his colleagues, had apparently learned about it from the newspapers and were absolutely clueless as to the details of the initiative. On September 28<sup>52</sup>, two days after the first official announcement of the Kabinettsrat, Glück made his view clear on the pages of the Neue Freie Presse.<sup>53</sup> With nobody filling him in on the planned sale of artworks abroad, he had been left wondering what could ultimately be about to be lost. He was however hopeful, and the government had expressed the same intentions, that no major loss would have occurred, but rather that only peripheral collections from former imperial ownership, comprising less valuable pictures, would have been taken into consideration.<sup>54</sup> A few days later the same newspaper hinted at table cutlery made of gold, Venetian chandeliers, silverware, furniture and tapestries, which were only used in rare cases for representational purposes. A sale of building where various state offices had previously been located appeared to be also on the agenda. This was likely to make more other objects of that kind available. "Man ist nun der Ansicht – wrote the Neue Freie Presse –

---

49 "Aber so traurig dieser Ereignis auch ist, darf man doch nicht so weit gehen, darin eine [...] "Katastrophe" zu erbilden. Von dem Augenblicke an, da es bekannt wurde, ein Teil unserer Kunstschätze (die Sammlungen und Museen bleiben unberührt) muss verkauft werden, geben sich viele als ob sie ohne diese alten Handschriften, Bilder und sonstigen Kunstwerke nicht leben könnten. Wenn man ehrlich ist, muss man erklären, dass viel von dieser Kunstliebe Übertreibung oder Heuchelei ist. Die Galerien und Museen stehen fast immer leer." ("Verkauf von Kunstschätzen", Illustrierte Kronen Zeitung, October 1<sup>st</sup>, 1919, p. 4.)

50 "Den Herren scheint es eben barbarisch, Kunstgegenstände für Brot wegzugeben. Aber schließlich ist den Arbeitern Brot im Magen lieber als Bilder im Museum, besonders da die Arbeiter meist keine Zeit haben, während ihres ganzen Lebens sich diese vielgerühmten Kunstwerke überhaupt nur anzusehen. "Unser" Kunstbesitz ist eben der Kunstbesitz der Bourgeoisie." ("Kunstwerke für Brot", Die Rote Fahne, October 3<sup>rd</sup>, 1919, p. 3.)

51 *Ibidem*.

52 "Der beabsichtigte Bilderverkauf. Von Dr. Gustav Glück. Direktor der ehemals hofärarischen Sammlungen", Neue Freie Presse, September 28<sup>th</sup>, 1919, p. 4.

53 "Möglich wäre es vielleicht, dass Bilder aus anderem Hofbesitz, die nun Staatseigentum sind, sich auf Schlössern befinden und die nicht zum Inventar der Gemäldegalerie gehören, gemeint sind. Das sind hauptsächlich Ahnenbilder, deren Wert aber keinesfalls so groß ist, dass damit Kredite von solcher Höhe, wie jetzt notwendig, gedeckt werden könnten." ("Der beabsichtigte Bilderverkauf. Von Dr. Gustav Glück. Direktor der ehemals hofärarischen Sammlungen", Neue Freie Presse, September 28<sup>th</sup>, 1919, p. 4.)

das Österreich sich in seinem heutigen kleinen Umfange nicht mehr den Luxus großen Aufwandes leisten könne wie einst".\* The Dutch and the Americans in particular figured among the most favourable buyers to look to.\* Even so, Glück nonetheless observed, the proceeding of such a sale would barely meet the country's needs, let alone the fact that a sale of that kind would have taken considerable time to arrange, time that the Austrian government could not afford. In turn, Hans Tietze could not agree more. To him, the government's "circuitous" reassurance about the fact that only less important objects would be put up for sale was certainly more likely to hinder the commercial success of the initiative than to upset people like him. This had him think that it was all being more about a hunger demonstration in search for the Entente's sympathy than a real step towards solving the problem of foreign currency and food supply.\* On top of that, a somewhat paradoxical yet beneficial protection of the most valuable national collections was actually guaranteed by the text of the Special Provisions in the peace treaty. Article 196 had made it compulsory for Austria not to dispose of any of the objects belonging thereto for a period of 20 years.\* This was initially devised so that claimant states would not lose the very items they were trying to obtain from Austria. Another consequence though was that the great and most valuable bulk of former imperial collections was somewhat spared from dispersal at a very delicate and hazardous stage as the war aftermath. As Tietze put it: "Der gegen uns gemacht Friedensvertrag muss jetzt dazu dienen, uns vor dem Schlimmsten zu retten; wir sind so weit gekommen, des Schutzes vor uns selbst zu bedürfen."\*

What looks like another attempt at avoiding that poverty and hunger ended up scattering most valuable artistic property out of Austria actually dated back to just one month after the cessation of hostilities. The collapse of the dual monarchy and the consequences of the war had already triggered massive sales of artworks from both private and church property. One of the most spectacular ones had involved the Nonnberg Abbey, a Benedictine nunnery in Salzburg, which had apparently started relinquishing its artistic property as soon as 1913.\* Without further ado, on December 5<sup>th</sup>, 1918, the Austrian Provisorische Nationalversammlung voted in favour of a law putting a ban and

---

54 "Der Verkauf von Kunstobjekten aus Staatsbesitz", Neue Freie Presse, October 5<sup>th</sup>, 1919, pp. 5, 6.

55 "Lebensmittelvaluta für Kunstgegenstände. Geplanter Verkauf "wertvoller, aber kunsthistorisch und kulturell minder belangreicher Objekte"", Neue Freie Presse, September 30<sup>th</sup>, 1919, p. 4.

56 "[N]ur die äußerste Verzweiflung, nur der Wille, diese durch den Würgfrieden von St. Germain unentrinnbar gewordene Verzweiflung als eine weithin hörbare Anklage hinauszuschreien, vermag diese Erklärung wirtschaftlichen, politischen und moralischen Bankrottes zu rechtfertigen. Denn der geringe materielle Erfolg, den der geplante Verkauf nur haben kann, legt es nahe, hier die Absicht einer Hungerdemonstration zu vermuten." (TIETZE 1919(d), p. 41.)

57 "With regard to all objects of artistic, archaeological, scientific or historic character forming part of collections which formerly belonged to the Government or the Crown of the Austro-Hungarian Monarchy and are not otherwise provided for in the present Treaty, Austria undertakes:

[...] b) for twenty years, unless a special arrangement is previously arrived at, not to alienate or disperse any of the said collections or to dispose of any of the above objects, but at all times to ensure their safety and good condition and to make them available, together with inventories, catalogues, and administrative documents relating to the said collections, at all reasonable times to students who are nationals of any of the Allied and Associated Powers." (Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10<sup>th</sup>, 1919, London : H.M. Stationery Office, 1919, Article 196, p. 52.)

58 TIETZE 1919(d), p. 42.

59 FRODL-KRAFT 1997, p. 29.

sanctions on the export and sale of objects of historical, artistic and cultural relevance.<sup>60</sup> Its very first article prohibited export of any such objects, independent of their ownership. It comprised antiques, paintings, miniatures, drawings and prints, statues, reliefs, medals and coins, tapestries, archaeological and prehistoric objects, archives and old manuscripts. Additionally, ahead of state confiscation, i.e. the laws of April and October 1919, the following article banned also the sale (within and without Austria) of the above objects if property of public institutions, foundations and, most importantly, of the imperial family and court.<sup>61</sup> The only exception to this provision involved works by living artists or artists whose death occurred within 20 years. In spite of this early export prohibition act, the Staatsdenkmalamt was apparently overwhelmed by export applications all throughout 1919. The destinations of the works of art spanned from Scandinavia to Italy.<sup>62</sup> On top of that, less than one year later, Renner's announcement in September 1919 about the liquidation of some collections had art experts question the overall consistency of these governmental measures. As art officer and university professor Max Dvořák remarked in the Neues Wiener Tagblatt of September 30<sup>63</sup>, the role of Austrian State Office for Monuments, the Staatsdenkmalamt, in the protection of works of art had been thus far deemed exemplary. A protection that had been indeed reinforced by the export ban of December 1918, Dvořák underscored. Based on that law, he recalled, an abbey (possibly the Salzburg one) had been severely punished in February because it had sold part of its artistic property, reportedly to be able to buy some bread. Now the Austria government was poised to do just the same. "In kurzer Zeit – imagined Dvořák – wird Herr Duveen oder ein anderer Kunsthändler den amerikanischen Snobs melden können, daß er in der Lage ist, eine noch nie dagewesene Versteigerung zu veranstalten: den Ausverkauf der Wiener Sammlungen."<sup>64</sup> Nobody would believe ever again in the efforts of Austria to guard its artworks from the claims of other states on the basis of the ideal inviolability of its ancient collections. "Wir, die wir für die unversehrte Erhaltung der Kunstschatze Wiens eingetreten sind – wrote the Austrian professor – stünden als Charlatane da, die die Ehre verloren haben."<sup>65</sup> An

---

60 Gesetz vom 5. Dezember 1918, N. 90, betreffend das Verbot der Ausfuhr und der Veräußerung von Gegenständen von geschichtlicher, künstlerischer oder kultureller Bedeutung (StGB 1918, 20. Stück, SS. 128-129, N. 90).

61 "§ 1. Die Ausfuhr von Gegenständen von geschichtlicher, künstlerischer oder kultureller Bedeutung (Antiquitäten, Gemälde, Miniaturen, Zeichnungen und Werke der Graphik, Statuen, Reliefs, Medaillen und Münzen, Gobelins und andere ältere kunstgewerbliche Werke, archäologische und prähistorische Gegenstände, Archivalien, alte Handschriften und Drucke u. vgl.) ist verboten.

§ 2. Die Veräußerung und der Erwerb der Gegenstände der im § 1 bezeichneten Art und Baudenkmale, die sich ihm Eigentum oder im Besitze von Körperschaften des öffentlichen Rechtes, öffentlichen Anstalten oder Fonds oder von Stiftungen befinden, ist verboten.

Das gleiche gilt bis zur Erlassung eines Gesetzes über die Krongüter und Familiengüter des ehemaligen kaiserlichen Hauses für die obbezeichneten Gegenstände, die sich ihm Eigentum oder Besitze des bisherigen Hofärares befinden.

Die entgegen dieser Bestimmung abgeschlossenen Rechtsgeschäfte sind ungültig."

(Gesetz vom 5. Dezember 1918, N. 90, betreffend das Verbot der Ausfuhr und der Veräußerung von Gegenständen von geschichtlicher, künstlerischer oder kultureller Bedeutung.)

62 FRODL-KRAFT 1997, p. 29.

63 "Die Versteigerung der Wiener Kunstsammlungen. Von Professor Dr. Max Dvořák", Neues Wiener Tagblatt, September 30, 1919, pp. 1, 2.

64 *Ibidem*.



unnamed "Musealdirektor" whose editorial featured in the *Neue Freie Presse* of September 28<sup>65</sup> even maintained that a great deal of top notch artworks had already left the country in breach of the December 1918 law. It was high time, he believed, that that got fixed and meanwhile official and well-pondered exceptions made so that the state could finally benefit from 'licensed' sales.<sup>66</sup> It had been extensively demonstrated, wrote in another article the *Neue Freie Presse*, that the existing export ban had been unable to prevent many valuable works of art from being carried across the border without the state benefiting from it.<sup>66</sup>

In this general state of uncertainty over whether the sale of antiques, second-tier memorabilia and minor artworks could have really benefited Austria's finances, the works of freshly appointed officers apparently begun. It was once more the *Neue Freie Presse* who reported on the subject.<sup>67</sup> Around the second week of October 1919 the experts the State Office for Home Affairs and Education had chosen seem to have started their surveys, surveys that were supposed to result in the drafting of lists of disposable items and a subsequent auction catalogue. In spite of not having been consulted ahead of the government's resolution and having voiced his concern only a few days earlier, Gustav Glück wound up leading those very experts along with a certain Sektionschef Enderes. Mention was made also of Eduard Leisching, director of the Austria Museum for Art and Industry, who joined Glück and other officials in the feat. Günther Beck von Mannagetta, head of the botanical department at the Naturhistorisches Museum, is said to have taken part on behalf of the former Court administration. In the same days, the Stadtrat and some of his members issued a formal protest against what was going on and rallies took place around the city. A certain Breitner, social-democrat member of the city council, put into question the whole credibility of the Austrian peace delegation itself, which had fought for months against third-party claims in St. Germain and was now hoping for other states to buy its art.<sup>68</sup>

---

65 "Bewahret unser Kunstgut! Von einem Wiener Museumsdirektor", *Neue Freie Presse*, September 28<sup>th</sup>, 1919, p. 4.

66 "Lebensmittelvaluta für Kunstgegenstände. Geplanter Verkauf "wertvoller, aber kunsthistorisch und kulturell minder belangreicher Objekte"", *Neue Freie Presse*, September 30<sup>th</sup>, 1919, p. 4.

67 "Der beabsichtigte Verkauf von Kunstwerken", *Neue Freie Presse*, October 3<sup>rd</sup>, 1919, p. 7; "Der Verkauf von Kunstobjekten aus Staatsbesitz", *Neue Freie Presse*, October 5<sup>th</sup>, 1919, pp. 5, 6.

68 "In der heutigen Stadtratssitzung stellte Stadtrat Breitner (Sozialdemokrat) folgenden Antrag: "[...] Der ganze Kampf, den unsere Friedensdelegation mit dem Staatskanzler an der Spitze gegen die Ansprüche des Auslandes auf unsere Kunstschatze geführt hat, verliert völlig sein moralisches Gewicht, wenn jetzt an den Verkauf von künstlerischen Objekten geschritten wird, und es ist sehr zu befürchten, daß die noch in Schweben befindliche Streitfälle dadurch nicht zu unserem Gunsten beeinflußt werden. [...] Es wird daher beantragt: "Der Staatskanzler ist ohne Verzug davon zu verständigen, daß der Stadtrat gegen den geplanten Verkauf von Kunstobjekten die allergrößten Bedenken hegt, dagegen Protest einlegt und die Einstellung der Aktion fordert." ("Der beabsichtigte Verkauf von Kunstwerken", *Neue Freie Presse*, October 3<sup>rd</sup>, 1919, p. 7.)

Along with those quoted above, between September 27<sup>th</sup> and October 4<sup>th</sup>, 1919, Austrian newspapers published several other articles on the subject of the planned sale of artworks: "Kunstwerke für Nahrung", *Neues Wiener Tagblatt*, September 28<sup>th</sup>, 1919, p. 11; "Kunstwerke für Lebensmittel", *Illustrierte Kronen Zeitung*, September 29<sup>th</sup>, 1919, p. 5; "Kunst für Brot", (*Linzer*) *Tages-Post*, September 29<sup>th</sup>, 1919, p. 2; "Der Bettler Österreich", "Kunstschatze für Lebensmittel", *Salzburger Volksblatt*, September 29<sup>th</sup>, 1919, p. 1; "Kunstwerke für Lebensmittel", *Linzer Volksblatt*, September 30<sup>th</sup>, 1919, p. 3; "Kunstschatze für Lebensmittel", *Salzburger Chronik für Stadt und Land*, September 30<sup>th</sup>, 1919, p. 3; "Kunst für Brot", *Der neue Tag*, October 1<sup>st</sup>, 1919, p. 6; "Die Verwertung von Kunstschatzen zur

### *The Entente's concerns*

At the sight of a similar press campaign, it did not take too long for Henry Allizé, arguably the most influential French diplomat in Vienna in 1919, to reach out to Renner for explanations. He addressed a letter to the Austrian Staatskanzler on October 3<sup>d</sup> where he seemed to have learned of the prospect sale from the newspapers. As part of his string-pulling "Mission Extraordinaire" in Austria, the French thus warned Renner that such a step would have no doubt had unpleasant repercussions in Paris, especially among claimant states. He also underscored the obligations set forth in article 196 of the treaty of St. Germain.<sup>69</sup> Compliance with the peace clauses had never been put into question, assured Renner the next day in his reply to the French envoy, albeit his statements did not really make things clearer: "le Gouvernement de la République d'Autriche [...] a expressément exclu de la vente tout objet, faisant partie des collections qui appartenaient autrefois soit au Gouvernement de la Monarchie austro-hongroise, soit à la Couronne. La vente en question ne comprendra donc que des objets isolés se trouvant dans les palais de la Cour ou du Gouvernement."<sup>70</sup> Allizé immediately reported to his minister of foreign affairs and Clemenceau's adviser Stephen Pichon. What mattered the most was that Austria abided by the treaty clauses and Allizé remarked how he had given Renner a clear reminder about that. Nonetheless, the Austrian head of state seemed resolved to go ahead with his plans. Import of Argentine wheat from Rotterdam, lard from Trieste, fish, butter and cheese was on hold due to a delay in payments. Quoting the head the American Relief Association and major executor of food relief efforts in Europe Herbert Hoover, Renner pleaded for mutual assistance among peoples and talked of inevitable sacrifices.<sup>71</sup>

The Staatskanzler's announcement triggered a ripple effect in the Austrian press and, supposedly, also the foreign one, that had art dealers swarm into Vienna with eagerness.<sup>72</sup> A note of the Embassy of France in Vienna signalled the vast number of dealers found in the Austrian capital around the end of October. To give an example, the note mentioned:

1) GUNSBURG & MOS, de Genève [...] qui ont acheté pour 50 millions de couronnes d'objets de valeur et tapisseries.

2) LOBL, antiquaire, Serbe, naturalise français [...] spécialistes des tapisseries a entamé des negotiations au sujet du fameux tapis "la Jagd Partie".

---

Lebensmittelbeschaffung", Neues Wiener Journal, October 1<sup>st</sup>, 1919, p. 7; "Staatskanzler Renner über die Wirtschaftsverhältnisse", Pester Lloyd, October 2<sup>nd</sup>, 1919, p. 2.

69 Henry Allizé to Karl Renner, October 3<sup>rd</sup>, 1919 (AMAE, 4CPCOM-126).

70 Karl Renner to Henry Allizé, October 4<sup>th</sup>, 1919 (AMAE, 4CPCOM-126).

71 Henry Allizé to Stephen Pichon, October 6<sup>th</sup>, 1919 (AMAE, 4CPCOM-126).

72 "Der ausländische Kunsthandel wendet der Veräußerung der Wiener staatlichen Kunstobjekte bereits sein Augenmerk zu. Es sind in der letzten Zeit bekannte Kunsthändler aus Holland und Frankreich in Wien eingetroffen, deren Anwesenheit zweifellos mit dem Beschluss des Kabinettsrates, für die Kunstobjekte Valuten zur Beschaffung der Lebensmittelbezüge einzutauschen, in Zusammenhang stehen dürfte." ("Der Verkauf von Kunstobjekten aus Staatsbesitz", Neue Freie Presse, October 5<sup>th</sup>, 1919, p. 6.)

3) DUEVEY de Paris.

4) MILLER, hollandaise qui a une mission officieuse et qui est chargé par le Gouvernement hollandaise de négocier l'achat de tapisseries en échange de vivres. Miller a offert 15 millions de florins hollandaise (environ 600 millions de couronnes) pour l'achat d'un lot de Gobelins appartenant au Gouvernement.

5) DUVEEN de Londres est en pourparlers avec le Comte BERCHTOLD pour acheter sa magnifique collection de bronze d'art très connue. [...]

6) DREY, de Munich est en relations avec la haute aristocratie, serait, dit-on un homme d'affaires de l'Ex-Empereur Charles. Il est en pourparlers avec l'Archiduchesse Marie-Thérèse pour la vente d'un collier en brillants 340 carats, donné par Napoléon à Marie-Louise.<sup>75</sup>

And everyone knew that the princesses of Hohenlohe and of Lichtenstein, along with a good chunk of the remaining aristocracy in the country, were selling their jewels to Swiss banks. In conclusion, observed the French Embassy, everyone in Vienna was dealing and bargaining in sundry valuables and art pieces. Values that could have rather served as guarantees for relief credits were pouring out of Austria and into the purse of private buyers. And whilst the Entente feared a haemorrhage of assets from which they could not benefit, the French Union Chamber of Antiquities and Fine Arts, the *Chambre Syndicale de la Curiosité et des Beaux Arts*, in turn started eyeing the deal. It had been some two weeks from the Austrian announcement and, in one of his several letters on the topic, president of the Union Chamber Edouard Jonas got in touch with the French minister for Public Education and Fine Arts. Jonas wished to underscore the importance of such an event and asked of his minister to facilitate French buyers by all the means in his power. Many foreign dealers, English and Americans, were on the spot, Jonas noted, backed by their respective Governments, he maintained. It was therefore not tolerable for France to be left out in a kind of affair where, in Jonas's own words, his nation should have had priority over the rest of the globe. This is why he declared to have put together an Association of dealers that, supported by wealthy connoisseurs and bankers, would have been able to make outstanding acquisitions in Vienna. "Les achats seraient ramenés à Paris, y seraient exposés et [...] ce fait il serait aisé de rappeler au monde entier que Paris est bien le centre du Commerce de l'Art", he boasted. A governmental intervention to alert and prepare the French diplomats and Austrian authorities in Vienna was Jonas's heartfelt request.<sup>74</sup> What actually happened after the arrival in the city of various French dealers and the concocted 'takeover' by the Chamber of Antiquities and Fine Arts, was a series of new articles on the Austrian press about an alleged massive acquisition for the *Musée du Louvre*. This is what the French Embassy attaché and Allizé's close collaborator<sup>75</sup> Joseph Romieu reported in November 1919 to minister Pichon. As a result, the French Embassy

---

73 Ambassade de France à Vienne to unknown, November 15<sup>e</sup>, 1919 (AMAE, 4CPCOM-126).

74 Edouard Jonas to Ministre de l'Instruction Publique et des Beaux Arts, October 14<sup>e</sup>, 1919 (AMAE, 4CPCOM-126).

75 GASTINEL-COURAL 2011, p. 232.

had immediately seen to it that the rumour be categorically denied. They had the press in Vienna publish a statement saying that the French Government never intended to buy Austrian tapestries, former imperial property, for the Louvre. "Le Gouvernement Français – they concluded – se tient scrupuleusement aux conditions du traité de St. Germain, qui soumet la solution de questions semblables exclusivement à la compétence de la Commission des Réparations."<sup>76</sup>

Caught in the midst of this selling frenzy, on October 16<sup>th</sup>, 1919, the Austrian parliament passed a law on the pledge, sale and export of state owned objects.<sup>77</sup> Its first article empowered the Austrian government to do so with specific regard to objects of historical, artistic and cultural relevance in state ownership provided this did not cause a breach of the peace treaty provisions, even if nobody could explain quite clearly how:

§ 1. Die Staatsregierung wird ermächtigt, aus staatlichen Besitz Gegenstände von geschichtlichem, künstlerischem oder kulturellem Wert (Antiquitäten, Gemälde, Miniaturen, Zeichnungen und Werke der Graphik, Statuen, Reliefs, Medaillen und Münzen, Gobelins und andere ältere kunstgewerbliche Werke, archäologische und prähistorische Gegenstände, Archivalien, alte Handschriften und Drucke u. dgl.) zu verpfänden, zu veräußern und auszuführen, soweit nicht Bestimmungen des Staatsvertrages von St. Germain entgegenstehen. [...]

It was then specified that the law of December 5<sup>th</sup>, 1918 (from which the list of object categories in § 1 was copied verbatim), the law that prohibited the sale and export of such items, did not apply here. The government was to have the last word on the use of sale proceedings, which were at any rate intended for the procurement of foodstuff.<sup>78</sup> Once the law found parliamentary approval, the Austrian government found itself compelled to give the Entente duly notice. A few days after the law came out, Baron von Eichhoff, at that time still in St. Germain with the Austrian delegation, addressed president of the Peace Conference Clemenceau. His letter had a rather dramatic tone and emphasised Austria's critical conditions and how urgent a measure such as the law of December 5<sup>th</sup> was. A way of putting it that stemmed also from the fact that Austria was presenting the Entente with a fait accompli while her finances and economy were in the other states' hands altogether. Once again, compliance with article 196 of the peace treaty was promised, yet not unconditionally guaranteed, given that there was no real consensus over how some objects

---

76 Joseph Romieu to Stephen Pichon, November 4, 1919 (AMAE, 4CPCOM-126).

77 Gesetz vom 16. Oktober 1919, N. 479, womit die Staatsregierung zur Verpfändung, Veräußerung und Ausfuhr einzelner Gegenstände aus Staatlichem Besitz ermächtigt wird (StGB 1919, 171. Stück, SS. 1147-1148, N. 479).

78 § 2. Auf die im § 1 erwähnte Verpfändung, Veräußerung und Ausfuhr findet das Gesetz vom 5. Dezember 1918 [...] betreffend das Verbot der Ausfuhr und der Veräußerung von Gegenständen von geschichtlicher, künstlerischer oder kultureller Bedeutung keine Anwendung.

§ 3. Der Verkaufserlös oder Darlehensbetrag ist für Zwecke des Lebensmittelankaufes bestimmt. Über seine Verwendung verfügt die Staatsregierung, welche hierüber dem Hauptausschutz der Nationalversammlung vierteljährig zu berichten hat. (*Ibidem.*)

should be classified. “Il se pourrait, toutefois – wrote Eichhoff – qu’en poursuivant l’application desdites mesures légales et nécessités par les souffrances matérielles du peuple, la question se présente si certains objets doivent être considérés comme faisant partie de “collections” dans le sens de l’article 196.”<sup>79</sup>

As many in Paris already suspected though, after the law on state confiscation of imperial property of April 1919 basically everything once belonging to the Crown fell under state property anyways. What was left could not be deemed anything else but private property of the Imperial family.<sup>80</sup> This is why, as the months passed by, the odds of seeing the Reparation Commission approving of such a sale kept getting slimmer and slimmer. A few days after Eichhoff’s note, Sektionschef Enderes sent the list of objects he and the rest of the appointed experts had drawn to the Reparation Commission. Based on the minutes of a meeting mentioned by Eva Frodl-Kraft that with all probability involved the group of experts, all the art historians had apparently built a united front against the possibility of tapping into the main artwork collections.<sup>81</sup> There had been a clear turn in the Austrian attitude and the immediate sale of those art objects was now considered a “thoroughly irresponsible wasting of these goods. Therefore – an English version of Enderes’s note read – the authorised official[s] agreed to come to a hypothecation.”<sup>82</sup> This was, in the words of the Sektionschef, a way for Austria of buying some time in order to make a pondered choice and select the objects most suitable of being possibly sold abroad. That was apparently why their lists ended up comprising more items than initially foreseen:

#### Bisheriges Ergebnis der Schätzungen des hofärarischen Kunstbesitzes.

1. Geistliche Schatzkammer. [3 pages of entries]
2. Silberkammer [2 pages of entries]
3. Teppiche. [2 pages of entries divided as follows:]
  - a. In der Hofburg [...]
  - b. In Schönbrunn [...]
  - c. Aus dem Inventar des Belvederes [...]
  - d. Gobelinbild der Maria Antoinette [...]

<sup>79</sup> Johann Baron von Eichhoff to Georges Clemenceau, October 22-, 1919 (AMAE, 4CPCOM-126).

<sup>80</sup> “Il apparaît de plus en plus évident – the French attaché in Vienna Romieu once wrote – que les objets d’art don’t l’aliénation était projetée, tombent sous le coup de l’article 196 du traité de Saint-Germain, et les assurances données par le Gouvernement autrichien à la Sous-Commission des Réparations excluent toute vente par surprise à des marchands étrangers.” (Joseph Romieu to Affaires Étrangères, October 26-, 1919, AMAE, 4CPCOM-126.)

<sup>81</sup> “Im Archiv des Bundesdenkmalamtes ist das Protokoll einer Sitzung erhalten, die am 17. Oktober 1919, also einen Tag nach der Erlassung des Gesetzes [of Oktober 16-, 1919], einberufen wurde [...]. Der Bevollmächtigte der Staatsregierung, Sektionschef Enderes, erklärt, dass bis Ende Oktober (also in knapp zwei Wochen!) 30 Mill. holländische Gulden aufgebracht werden sollen. Da die Teppichsammlung, die Gobelins und die geistliche Schatzkammer höchstens 16 Mill. im Wege der Belehnung bringen können, müsse auf die eigentlichen Sammlungen gegriffen werden, um die restlichen 14 Mill. zu bekommen. Die kunsthistorischen Mitglieder der Kommission erklären, bei einer derartigen Verschleuderung des heimischen Kunstbesitzes nicht mitwirken zu wollen. Einigung wird schließlich über den Verkauf der Wäsche- und der Silberkammer sowie über die Belehnung der Teppiche (Gobelins) und der Schatzkammer auf ein Jahr erzielt [...].” (FRODL-KRAFT 1997, p. 27.)

<sup>82</sup> “Kopie der der Subkommission der Reparationskommission abgegebenen Erklärung,” Sektionschef Enderes (AdR, K. 13).

- e. 6 Stück Savonnerieteile [...]  
 4. Gobelins [2 pages of entries]<sup>80</sup>

Among all these court assets, old remnants of a time of lavish ceremonies and receptions, the tapestry collections stood out as the most likely to lure in potential buyers, not least owing to their vastness, hardly matched elsewhere in Europe save for Paris and Madrid. Some of them would hang on the high walls of imperial ballrooms like the Redoutensaal at the Hofburg, where the federation of industrialists held their charity galas.<sup>83</sup> Yet, the last decades before the war had seen most of them rolled up and hidden away in storage rooms around imperial palaces at the court or in Schönbrunn. They totalled some 900 pieces and were for a great part Flemish in craftsmanship, dating around the XVI and XVII centuries. Others came from French workshops. Many of them made up complete series depicting allegorical scenes, episodes from the Old and New Testament or deeds from a more recent history. They also included a set produced after Raphael's drawings, even though "[d]ie Mantuaner Suite haben uns die Italiener schon weggenommen, allerdings nicht ganz mit Unrecht" – clarified the *Neue Freie Presse*.<sup>84</sup> Tietze described the whole debate around their 'emergency' sale now as "der Kampf um die Gobelins".<sup>85</sup> Not at all a coincidence, May 1919 saw the inauguration of probably the first exhibition in a long time entirely dedicated to a selection of these woven masterpieces. The rooms of the upper Belvedere that till 1889 had been home to the imperial picture gallery and later served as the apartments of Archduke Franz Ferdinand were now fully adorned with the precious fabrics. The state Unterrichtsamt had put the show together. Other tapestries were about to be displayed at the Austrian Museum of Art and Industry. Tietze himself seemed not to fathom the ultimate reason for the initiative. The undeniable beauty and merits of the series clashed evidently with the deep distress and hardships possibly endured at that time by everyone in Vienna not too keen on the fine arts. Additionally, it is not too hard to interpret the move as a not too veiled attempt at showcasing the tapestries in front of potential buyers and have their market price increase. Yet, this could also be read as a demonstration of how Austrian collections were worth way more than a swift and badly devised liquidation, of how even the more sceptical could learn how to be the proud owners of those national treasures. "Diese Gobelins sind, wie dieser ganze gehäufte Schatz von kulturellen Gütern, den der Friedensvertrag Österreich – manchem zum Verdruss – zu behalten nötigt, ein Denkmal seiner Vergangenheit und damit ein Stück seiner [of Vienna's] Existenz. [...] Das ist der tiefer Grund – Tietze believed – warum wir die Gobelins aus ihren Gräften gehoben haben."<sup>86</sup> With all probability Guglielmo Pacchioni, at that time still in

83 "List of art objects which have valued [sic] till October 27, 1919, in order to be given in mortgage by the Austrian Government.", preceded by a copy of Enderes's Erklärung to the Reparation Commission and forwarded by the French attaché in Vienna Joseph Romieu to minister Stephen Pichon, October 31, 1919 (AMAE, 4CPCOM-126).

84 For more on the Industriellenbälle see EXNER 1929.

85 "Die Gobelins aus dem Besitze des ehemals kaiserlichen Hauses", *Neue Freie Presse*, October 5, 1919, p. 5.

86 TIETZE 1923, p. 18.

87 TIETZE 1920, pp. 694, 694.

Vienna at the service of Segre's Military Mission, got to visit the show. He thus published a review that, although full of admiration for the tapestry collections, kicked off with his usual confrontational attitude. He blamed the Austrians for wanting now to get rid of those beauties after having made such a pointless fuss over the 'more rightful and modest' claims of successor states, among which Italy surely placed itself and its demands. It was only thanks to Italy's intervention in Paris, he confidently maintained, if the great tapestries had been eventually spared from sale.<sup>88</sup>

### *Artworks as collateral*

At any rate, Austria knew that nothing could be done with regard to mortgages, let alone sales, without the green light from Paris. In the French capital, a Financial Committee put together by the Conseil Suprême Economique of the Peace Conference had been examining the matter. The Organisation Committee of the Reparation Commission got the Financial Committee's report ahead of Enderes's note, on October 23<sup>rd</sup>, 1919. Here the suggestion was that Austria's collection be entrusted as collaterals to the governments of Great Britain, France and Italy in exchange for their loans. This would have allowed for Austria to get its credits while not selling any piece from public collections and thus abiding by article 196 of the peace treaty. The Italian plenipotentiary to the Reparation Commission Mariano D'Amelio seemed nevertheless wary of such a solution and, in defence of his government's demands, underscored how the very specific property rights of successor states, safeguarded through article 196, would make the pledge of the relevant objects to different states not legally viable. Yet, as Great Britain pointed out, the fact that a sale was basically out of question for the next two decades was a good enough guarantee that those very rights were being safeguarded until possible agreements took place. On top of that, the sum these objects would have been mortgaged for, the British representative went on, corresponded more or less to what Austria would have been left with anyways, after the rest had been allotted to the claimant states. The C.O.C.R. declared itself in agreement with this view.<sup>89</sup> This explains why Austria itself had been slowly giving up on the idea of putting even a small part of its collections on the market for sale, no matter of how little artistic value the objects had actually been judged. How Romieu had noticed: "les déclarations faites par le gouvernement devant la sous-commission des réparations ayant marqué un revirement complet dans les dispositions du gouvernement autrichien au sujet des alienations d'objets prétendument soustraits aux effets de l'article 196 du

---

88 "[L]'annuncio che il governo di Vienna stava trattando con mercanti olandesi e americani la vendita degli arazzi imperiali lasciò quasi nell'indifferenza quegli stessi gelosi custodi delle raccolte viennesi che con tanto accanimento si erano fino allora battuti contro le più modeste e più giuste rivendicazioni delle nazionalità eredi della crollata monarchia. [...] E fu merito proprio dell'Italia (seguita poi subito dalla Francia) se, con pronto ed energico intervento, in un'ora che alla pavidità burocratica poteva anche sembrare difficile e inopportuna, la meravigliosa dovizia poté essere conservata non a Vienna ed all'Austria soltanto, ma alla civiltà e alla dignità dell'Europa." (PACCHIONI 1920, p. 227.)

89 "Section d'Autriche de la Commission des Reparations, Resumés Historiques, N. 3, Objets d'Art. Remise des objets d'art comme gages aux P. A. et A. [Puissances Alliées et Associées]", p. 2 (AN, AJ/5/204).

traité de St. Germain.”<sup>90</sup> This also resonated with what art experts had been remarking, and Tietze in particular had been making clear in his editorials. He observed how sale plans had blatantly failed not so much because of the protests raised by some, not even because of the veto that came from the Entente, but first and foremost because of the scant rate of success of the whole enterprise. The economy in Europe was in such a state that the chance of running into big buyers was quite slight. Simultaneously, the aristocracy’s going bankrupt everywhere had the offer increase disproportionately and prices plummet. A sale of artistic property could have never produced a result close to the real value of those objects and alleviated even partially the country’s financial woes.<sup>91</sup> “[Z]um Leben zu wenig, zum Sterben zu viel”, wrote a newspaper.<sup>92</sup> An interesting and seldom discussed legal endorsement of this less aggressive stance towards Austrian collections is also found in a law approved in the last weeks of 1919. Law 573 of December 18<sup>93</sup> established the Kriegsgeschädigtenfond, the Fund for War Victims,<sup>94</sup> to which all the assets confiscated in favour of the Austrian state through the April 3<sup>95</sup> law had been entitled, with a view to devolving the revenues to the rescue of the needy.<sup>96</sup> Quite significantly, its article 2 provided for some assets to be scrapped from the fund for reasons, among others, of public preservation of artistic property:

§ 2. Die Staatsregierung wird ermächtigt, aus den in den §§ 5 und 6 des Gesetzes vom 3. April 1919, [...] aufgezählten Vermögensschaften bewegliche und unbewegliche Güter aus dem Grunde, weil sie öffentlichen Verwaltungszwecken dienen oder zugeführt werden sollen, oder aus Gründen der Staatliche Kunstpflege auszuschneiden.<sup>97</sup>

The option of pledging Austrian monopolies and assets had ultimately received the approval of the Viennese branch of the Reparation Commission. At the very beginning of November 1919 its British member, William Goode, reported in Paris on the meetings held in Vienna with the other representatives of the former Allied and Associated Powers in the sub-commission and of local financial authorities and industrialists. In those days they could not but acknowledge that the city of Vienna was left with only a few days’ provisions. This made it impellent for future creditors to find a quick way of backing their loans. This inevitably gave the Reparation Commission control over any form

---

90 Joseph Romieu to Stephen Pichon, October 28<sup>th</sup>, 1919 (AMAE, 4CPCOM-126).

91 TIETZE 1923, pp. 17-20.

92 "Kunstwerke für Nahrung", Neues Wiener Tagblatt, October 1<sup>st</sup>, 1919, p. 8.

93 Gesetz vom 18. Dezember 1919, N. 573, über den Kriegsgeschädigtenfonds (StGB 1919, 204. Stück, SS. 1317-1319, N. 573).

94 "§ 1. Zur Durchführung der im § 7 des Gesetzes vom 3. April 1919, [...] betreffend die Landesverweisung und die Übernahme des Vermögens des Hauses Habsburg-Lothringen, festgesetzten Zweckbestimmung wird ein selbständiger Stiftungsfonds, "der Kriegsgeschädigtenfonds", mit dem Sitze in Wien gebildet.

Mit Ausnahme der gemäß § 2 des gegenwärtigen Gesetzes auszuschneidenden Teile sind die sonstigen in den §§ 5 und 6 des Gesetzes vom 3. April 1919 [...] aufgezählten Vermögensschaften Eigentum des Kriegsgeschädigtenfonds." (Gesetz vom 18. Dezember 1919, N. 573.)

95 *Ibidem*.



of financial operations and revenues in the country it might have deemed fit.<sup>96</sup> Understandably then, the presence of scores of dealers in Vienna kept raising some doubts among the Entente members over the real safety of Vienna's artistic collections. Attempts to obtain authorisation for a sale of tapestries and silverware continued well into 1920 and 1921, despite that 'staatliche Kunstpflege' exception in the Austrian law of December 1919. A note of the American delegation dated March 5<sup>th</sup>, 1920, seemed to have pushed for letting Austria deal with private buyers with a view to obtaining more food supplies. The Organisation Committee of the Reparation Commission put once again the matter on hold and referred it to its Austrian Section.<sup>97</sup> The problem was again the ambiguous legal classification of those objects, which in turn stemmed from the fact that some of them did not even feature in the 1875 inventory of the imperial collections.<sup>98</sup> A parallel challenge stemmed from the interpretation of article 196 itself, which had the Reparation Commission wonder what exactly to regard as objects of artistic or historical character that, by article 196's wording, "formerly belonged to the Government of the Crown of the Austro-Hungarian Monarchy".<sup>99</sup> On the one hand, Austria maintained that the contents of the Silberkammer, the carpets and tapestries of the imperial court could not be deemed of artistic or historical relevance and were thus to remain at its free disposal. On the other hand the Entente almost unanimously stood against such an interpretation and placed everything under the limiting provisions of article 196.<sup>100</sup> "On voit – concluded Romieu already in October 1919 – combine il est nécessaire de faire procéder à l'inventaire des objets non encore inventoriés et de réserver jusqu'à nouvel ordre la liberté de décision de la Commission des Réparations."<sup>101</sup>

### *A (French) survey of Austrian collections*

Romieu himself seems to have suggested to his minister of Foreign Affairs Stephen Pichon the opportunity for the appointment of a French museum curator that could see to such an inventory. The head of the Gemäldegalerie Glück was also said to have nothing against the plan, which was for the

---

96 "Après avoir entendu l'exposé de diverses personnalités financières, la sous-commission a examiné s'il ne conviendrait pas de chercher des garanties pour les annuités d'un grand emprunt au lieu de garantir le capital de cet emprunt. [...] Cette solution ne peut être envisagée que si on attribue à la Commission des Réparations un droit de contrôle général sur la gestion financière de l'Etat autrichien et ce contrôle suppose nécessairement une dérogation de certains revenus de l'Etat à une Commission internationale." (Joseph Romieu to Stephen Pichon, October 31<sup>st</sup>, 1919, AMAE, 4CPCOM-126.)

97 "Section d'Autriche de la Commission des Réparations, *Resumés Historiques*, N. 3, *Objets d'Art*. Proposition d'aliénation de Tapisseries", p. 4 (AN, AJ/5/204).

98 "D'autre part, un grand nombre de ces objets d'art ne sont même pas inventoriés et Vienne est en ce moment visitée en raison de ces achats éventuels par tous les grands antiquaires de Londres, de Paris et d'Amsterdam." (Le conseiller d'Ambassade de la République Française à Vienne to Stephen Pichon, October 23<sup>rd</sup>, 1919, AMAE, 4CPCOM-126.)

99 "[H]insichtlich der übrigen Sammlungen war die Unkenntnis des rechtlichen Verhältnisses zwischen Dynastie und Staat, wie es bis 1918 bestand, eine Quelle immer neuer Missverständnisse und Verwicklungen", laments Lhotsky (LHOTSKY 1955, p. 616).

100 "Cet article – observed French representative Charriat – s'applique sans contestation possible à la vaisselle impériale, aux tapis et aux tapisseries." ("Section d'Autriche de la Commission des Réparations, *Resumés Historiques*, N. 3, *Objets d'Art*. Demande du Gouvernement autrichien pour l'aliénation d'objets d'art", p. 16, AN, AJ/5/204.)

101 Joseph Romieu to Stephen Pichon, October 28<sup>th</sup>, 1919 (AMAE, 4CPCOM-126).

Reparation Commission, at this stage still run by its Organisation Committee (the C.O.C.R.), to officially approve and institute. At the same time Romieu was also impatient to put an end to the commotion and apprehension caused in Vienna by the uncontrolled wheeling and dealing of so many art brokers, among which the French seemed to be second to no one. With a view to dampening their enthusiasm, the French diplomat suggested that his government urge the national and foreign press to stress the inalienability of Austrian collections as established by the peace treaty. This, he reasoned, would have put an end to the dealers' thronging the Austrian capital, where some of them had been offering food supplies in exchange for artworks. And it appeared advisable to Romieu to have a few words also with the Austrian delegation in Paris, whose low-ranking officers were said to have gotten at times too close to foreign antique dealers.<sup>102</sup>

In those same days, on November 10<sup>th</sup> and 19<sup>th</sup>, 1919 the C.O.C.R. in Paris convened to talk the matter through. The French initiative had inevitably to assume the features of a joint allied endeavour in order to see the light. Given its own stakes in the handling of Austrian artistic assets, Italy did not hide its reservations towards the idea. Voicing concerns that were not only his within the Italian delegation, Mariano D'Amelio asked whether this was supposed to be about a mere inventory or rather an appraisal of each and every piece regarded as forming part of the Austrian collections. In the first instance, he maintained, existing catalogues would have saved everyone the trouble of listing out all the objects again, even though we saw earlier how not everything had wound up in the famous general inventory of 1875. As for the appraisal, D'Amelio observed how one thing was assigning a market value to the single items, another was to come up with an overall figure for those immense collections, whose worth could be with some confidence said to go well beyond the sum of their parts. In his view, the Austrian law allowing for the sale of some of those artistic assets was to be scrapped altogether, nipping in the bud the problem of what could be sold or not. Yet, the new inventory the French were eager to draft had a broader goal. The plan would have somehow cemented the Reparation Commission's control over former Habsburg assets, in that it would have relied on up-to-date information this time collected by the Entente representatives directly rather than obtained from Austrian authorities. Subsequently, every significant change and movement of items, be it at the hands of the Austrians or of any foreign Power, would have been swiftly detected and controlled. It is easy to see how this would rub Italy the wrong way, at a time when its representatives were still a long way from securing all the objects they deemed themselves entitled to. To D'Amelio's objections the French representative and former general inspector of the French army Eugène Maucière replied that existing catalogues did not encompass all the objects in question, given that these were not only those from the artwork collections, but also all the tapestries, silverware and other valuables whose character of court property, rather than private imperial assets or fideicommiss property had never ceased to be debated by all the parties involved. The Reparation Commission was genuinely struggling to get a clear enough idea of what fell

---

<sup>102</sup> Joseph Romieu to Stephen Pichon, November 15, 1919, as quoted in GASTINEL-COURAL 2011, p. 241.

under the 20-year sale ban imposed on Austria through article 196 of the Treaty of St. Germain, which in turn also constituted a guarantee for allied aid loans and supplies. In conclusion, as the British delegate John Bradbury took care to sum up, this new initiative was made up of three steps: drafting a general inventory, identifying what could or could not be disposed of based on article 196 and on the type of ownership, and eventually estimate its value.

The C.O.C.R thus adopted the French proposal on those very days of November 1919. It was agreed that the committee of soon-to-be-appointed specialists was to work under and report to the Vienna Sub-Commission. The latter would have kept the Reparation Commission in Paris posted on its progress and results. Mauclère was tasked with drafting an official instruction note for the future working group while the national delegations of France, Italy, Great Britain and the United States were to name an expert each and dispatch him to Vienna.<sup>103</sup> Not surprisingly given that it was them who had come up with the idea, the French Director of Fine Arts at Ministry for Public Education Paul Léon deemed the extent of the task and variety of objects too much for one person to handle, and appointed five officers instead. Gaston Migeon and Carle Dreyfus were curators at the Louvre's department of art objects of the Middle Ages, Renaissance and Modern times, Jean Guiffrey and Louis Demonts at the department of paintings and drawings.<sup>104</sup> The four officers were bound to take on their shoulders the biggest chunk of the inventorying and crosschecking workload. To lead them in the task, the choice of the Director of Fine Arts fell on President of the Société Amis du Louvre and member of the Conseil des Musées Nationaux Raymond Koechlin.<sup>105</sup> These represented however just a fraction of the various titles and posts that contributed to Koechlin's high-calibre position within the French intellectual scene. Vice president of the Union centrale des Arts décoratifs since 1910, president of the Société Amis du Louvre the following year and of the Conseil des Musées Nationaux from 1922 until his death in 1931, Koechlin was known as a collector, art historian, medievalist and Asian art expert. With a degree from the École libre des Sciences politiques, he also taught diplomatic history and edited for some fifteen years the foreign politics bulletins for the *Journal des Débats*. In Vienna he was said to have been held in great consideration for "son tact, sa courtoisie, son esprit conciliant".<sup>106</sup> Even before his arrival in Vienna, Mauclère had given him clear instructions as to the nature of the mission and the role of France therein. It would not be advisable, wrote Mauclère in December 1919, to speak of a 'French mission for the inventory'. There was no such thing, he remarked, but rather an inter-allied Committee of four experts established by the Reparation Commission and tasked by the latter with drafting on its behalf the inventory in question. France, he apparently

---

103 "Section d'Autriche de la Commission des Reparations, *Resumés Historiques*, N. 3, Objets d'Art. Inventaire des objets d'art" (AN, AJ/5/204); "C.O.C.R. – P.V. 20 – 19/11/19. VI" - Envoi d'une mission d'experts à Vienne pour faire l'inventaire des richesses artistiques de la Republique d'Autriche" (AN, AJ/5/203).

104 Directeur des Beaux-Arts, pour le Ministre de l'Instruction Publique, to Ministre des Affaires Étrangères, December 1, 1919 (AMAE, 4CPCOM-126).

105 Directeur des Beaux-Arts, pour le Ministre de l'Instruction Publique, to Ministre des Affaires Étrangères, December 6, 1919 (AMAE, 4CPCOM-126).

106 GASTINEL-COURAL 2011, p. 242.

went on, had had the right to appoint four additional members, and that was all there was to it. Be this understood, Koechlin was nevertheless invited not to forget he was French and as such requested to act in the interest of his country. This could be best achieved though, if his attitude was to remain inter-allied in nature, not to hurt anybody's sensibilities and dissimulate as much as possible the French predominance in the project.<sup>107</sup>

No calculated expedients or formalities could be of any use however, when it came to having the Italians like the idea of the Entente counting out what they were in part trying to take to Italy. Modigliani confessed point blank that it was hard to fully understand the reason why France should concoct a similar plan: "non si capisce ancora bene perché e se mossa da un fine informativo, o da desiderio d'evitare dispersioni o da un qualche secondo fine contro di noi", he wrote from Paris in December 1919.<sup>108</sup> His suggestion that the Italian delegation in Paris ignore the proposal had to be reviewed when the C.O.C.R. gave the French the green light. Modigliani, whose convictions were probably behind D'Amelio's interventions at the meetings in November, was decidedly wary of the feasibility of such a vast inventory and of the reliability to be assigned to the subsequent estimates.<sup>109</sup> He furthermore believed that all the yet-disputed objects should have stayed out of the tally, a courtesy the French were obviously in no way keen to dispense. At any rate, Italy had no choice but to comply. For this reason Modigliani did not hesitate to suggest to his superiors at the Italian delegation in Paris the name of Gino Fogolari as the most suitable to take up the post of national expert on the inventory working group. It looks as if the Director of Regie Gallerie in Venice had not been consulted in advance. Modigliani wrote him at the beginning of December to let him know he was the best and only candidate for the job, and that his name was already on the table.<sup>110</sup> Noticeably enough, when listing Fogolari's merits to the Italian delegation to justify his choice, Modigliani had been very careful not to hint at Fogolari's months of service at the Military mission for the armistice in Vienna under General Segre. And in order to reassure the Venice Director, Modigliani rightly envisaged the inventory being quickly cobbled together in no longer than a few days, given that a proper one would have taken an unfathomable amount of time, time that the Reparation Commission did not have.<sup>111</sup> In this sense, the unwelcome incumbency did not threaten to keep Fogolari away from his Venetian duties for too long. It was ultimately in Italy's interest to have the whole thing dealt with in a hasty fashion, without too much fuss or insight.<sup>112</sup>

---

107 *Ibidem*.

108 Ettore Modigliani to Gino Fogolari, December 6-, 1919 (ASPMV, b. 14-55B, fasc. 2)

109 In a note for the Italian representative to the Reparation Commission Pietro Bertolini, Modigliani made a point to stress "la straordinaria difficoltà, anzi la impossibilità [...] di arrivare a [...] una somma che anche con la maggiore, anche più larga approssimazione, possa essere considerate come attendibile." (Ettore Modigliani, "Sulla proposta di inventario e perizia dei beni artistici austriaci", ASPMV, b. 14-55B, fasc. 2.)

110 Ettore Modigliani to Gino Fogolari, December 6-, 1919 (ASPMV, b. 14-55B, fasc. 2)

111 Ettore Modigliani to Gino Fogolari, December 9-, 1919 (ASPMV, b. 14-55B, fasc. 2)

112 From Paris, Italian delegation's Bertolini observed that: "inventario e valutazione oggetti d'arte furono deliberati dalla Commissione Riparazione contro avviso Delegazione Italiana che rilevò inutilità di tale operazione. In conseguenza ogni sollecitudine del lavoro deve essere da noi approvata tutelando nostri interessi; consiglio perizia venga condotta nel più breve termine possibile". (Pietro Bertolini to Commissario politico, Missione italiana per l'armistizio, January 17-, 1920, ASPMV, b. 14-55B, fasc. 2.)

Thanks to Modigliani's mediation and insistence, the matter was quickly settled and Italy had its pick for the inventory committee submitted to the C.O.C.R. soon after France. Great Britain and the United States still lagging behind, the allied representatives agreed to have Koechlin's team and Fogolari start off without the other two. The French and Italian delegates in Paris eventually deemed January 12<sup>th</sup>, 1920 a good day for their appointed experts to reach the Sub-Commission in Vienna and set about their enterprise.<sup>113</sup>

In the meantime, on December 24<sup>th</sup>, 1919, President of the C.O.C.R. Louis Loucher had addressed to the Viennese Sub-Commission a note officially requesting the inventory and estimate of the Austrian collections and announcing the creation of its expert committee. Except for the names of the appointed art officers, the text was pretty much the same one Mauclère had drafted a few weeks before during the run-up to the approval of his proposal<sup>114</sup>:

Par l'Article 196 di Traité de Saint-Germain, l'Autriche s'est interdit de rien aliéner ou disperser pendant vingt ans de tous objets ayant un caractere artistique, archeologique, scientifique ou historique et faisant partie de collections qui appartenaient anciennement au Gouvernement de la Monarchie Austro-Hongroise, ou à la couronne.

De plus, le Gouvernement de la Republique d'Autriche a déclaré, au cours de la première séance de la Sous-Commission de Vienne, qu'il considere que tous les objets d'art à sa disposition sans distinction de provenance constituent un gage pour la Commission des Reparations et qu'il ne peut en distraire aucun sans le consentement de celle-ci. Il y a d'autant plus lieu de faire état de cette declaration que les Puissances Alliées et Associées examinant actuellement la possibilité de consentir de nouvelles avances à l'Autriche.

Dans ces conditions, le Comité d'Organisation de la Commission des Reparations a decide, dans sa séance du 19 Novembre 1919:

a) de charger la Sous-Commission de Vienne

1° - de dresser l'inventaire complet des richesses artistiques de la Republique d'Autriche, en s'aidant autant que de besoin des catalogues existants et des listes que le Gouvernement s'est engage à fournir et en signalant, s'il y a lieu, les objets qui paraîtraient devoir être considérés comme appartenant à des particulieres, sous reserve des droits reconnus par les articles 191 et 196 du Traité de Saint-Germain.

2° - de faire une estimation aussi approchée que possible des objets inventories, cette estimation n'ayant d'autre but que de permettre à la Commission des Reparations d'avoir un aperçu de la valeur de son gage, et sans que cette estimation la lie aucunement en ce qui touché les decisions qu'elle pourra être amenée à prendre.

---

113 Eugène Mauclère to Ministre de l'Instruction Publique et des Beaux-Arts, December 23<sup>rd</sup>, 1919 (AN, AJ/5/203).

114 "Note sur l'envoi d'experts à Vienne pour faire l'inventaire des richesses artistiques de la République d'Autriche", Eugène Mauclère to Ministre des Affaires Etrangères, December 1<sup>st</sup>, 1919 (AN, AJ/5/203).

b) de constituer à cet effet, auprès de la Sous-Commission de Vienne à laquelle il sera subordonné, un Comité comprenant un délégué par Nation, lequel pourra d'ailleurs faire appel aux spécialistes dont il jugera le concours nécessaire.

En exécution de cette décision, chacune des délégations a été priée de désigner un représentant.

La Délégation française a désigné M. KOEHLIN.

La Délégation italienne a désigné M. le Dr. GINO FOGOLARI.

À la séance du Comité d'Organisation de la Commission des Réparations du 17 décembre 1919, le délégué américain et le délégué britannique ont déclaré qu'ils n'avaient pas encore fait choix d'un représentant, mais qu'ils acceptaient que les experts français et italiens commencent l'inventaire des richesses artistiques de l'Autriche, sans attendre leurs collègues américains et britannique qui pourraient les rejoindre dans la suite et continuer avec eux le travail.

Dans ces conditions, M. KOEHLIN et M. FOGOLARI se présenteront le 12 janvier 1920 à la Sous-Commission de Vienne pour se mettre à sa disposition.<sup>115</sup>

As of January 1<sup>st</sup>, 1920, the United States resolved to appoint a reference person to the inventory committee. US Army officer and NBC broadcaster Frederick Blantford Bate, likely to be already employed at the Reparation Commission, considered himself by no means an expert in the matter concerned. Nonetheless Colonel Smith of the American delegation in Paris charged him to act as temporary member until a duly appointed expert might be found.<sup>116</sup> His organisational support during the work of the French and Italian art officers was however greatly appreciated, especially due to the amount of work and time constraints involved. It appears indeed that at the beginning of February the experts had already produced some results, or possibly even finalised the main listings. On February 5<sup>th</sup> for instance, the inventory committee was scheduled to appear before Karl Seitz and Karl Renner, president of the Konstituierende Nationalversammlung and Austrian Staatskanzler respectively, and possibly fill them in on their achievements.<sup>117</sup>

A few days later Fogolari's internal report on the inventory committee's work was ready for the perusal of the Italian delegation in Vienna. The Venice Director stated to have worked on the inventory from January 11<sup>th</sup> to February 6<sup>th</sup>, 26 days in total.<sup>118</sup> The recap he had prepared on February 8<sup>th</sup> had been addressed to Major Ugo de Kantz, Italian representative at the Viennese Sub-Commission of the C.O.C.R. and Fogolari's reference person during this last

---

115 "Lettre du C.O.C.R. à la Sous-Commission de Vienne lui notifiant ses décisions relatives aux trésors d'art autrichiens.", December 24<sup>th</sup>, 1919 (AN, AJ/5/203); "Section d'Autriche de la Commission des Réparations, *Resumés Historiques*, N. 3, Objets d'Art. Inventaire des objets d'art" (AN, AJ/5/204).

116 Clarence B. Smith, Colonel USA, American Delegate, to the C.O.C.R. Sub-Commission in Vienna, January 1<sup>st</sup>, 1920 (ASPMV, b. 14-55B, fasc. 2).

117 Frederick Bate to Gino Fogolari, February 4<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 2).

118 Gino Fogolari to Ugo de Kantz, February 8<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 2); Ugo de Kantz to Mariano D'Amelio, February 28<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 2).

appointment of his in the Austrian capital. From beginning to end, the tone of the report is undoubtedly telling of Fogolari's scepticism and desire not to be fully associated with the project. He declared himself only partly willing to take responsibility for what he believed to be an incomplete inventory and unreliable estimate. The merits of Koechlin and his colleagues were to be acknowledged nonetheless, he pointed out, insofar as an approximate job was the only given option. Scores of items had to be left out of the count based on the experts' more or less personal judgement, yet Fogolari would have never gone as far as to declare such pieces disposable. For this reason he would have rather called the initiative a survey of the Austrian collections, to underscore its incompleteness. The Italian officer also lamented the fact that objects still disputed on the basis of articles 191 to 196 in the peace treaty had to be included, but resolved not to comment on it and leave the issue with the Reparation Commission. As for the estimates to be established for single artworks and the collections as a whole, he undertook to somehow spell out market values for the paintings of Italian school in the Gemäldegalerie,<sup>119</sup> but clearly dreaded the prospect of a sale of any sort, be it piece by piece or en masse.<sup>120</sup> In the light of these considerations, he seemed quite eager to leave it to the French to draft the final conclusions and present them to the Vienna Sub-Commission. At the end of the day, the initiative was their own brainchild and Fogolari was absolutely determined to associate his name with it as little as he possibly could. As a matter of fact, he must have left Vienna in quite a hurry, if this very report for De Kantz was sent from Venice, even before the inventory committee had officially reported to the C.O.C.R.'s Sub-Commission on their final results. Modigliani himself could not help but reprimand his esteemed colleague for such an abrupt departure, which now made him, the person who had suggested his name to the Italian delegation, deeply embarrassed and confused.<sup>121</sup> Apparently Fogolari was supposed to wait until the final report was ready and sign it along with the French and American members. Koechlin and the others were not even done with it yet when Fogolari had gotten back to Italy without informing the Italian delegates in Vienna or Paris.<sup>122</sup> The inventory committee finalised their lists, estimates and related report only some two

---

119 Fogolari attached his list of Italian paintings and their respective appraisals to the report for Major De Kantz: "Vienna – Gemäldegalerie (Cat. Glück 1910). Quadri di Scuola italiana esposti nelle Sale I, II, III, IV, e V e nei Gabinetti I, II, III, IV, V, VI e VII." (ASPMV, b. 14-55B, fasc. 2).

120 "Non so se una tale mostruosa vendita all'asta [...] fatta oggetto per oggetto oggi potrebbe produrre un profitto di mezzo miliardo di corone oro, come presso a poco si sono calcolate valere le raccolte sinora prese in considerazione. [...] [L]a bellezza e il valore delle raccolte imperiali viennesi non è data dal possedere esse, ad esempio, un bel Tiziano e un bellissimo Rubens, ma è loro Gloria l'aver riunito tanto grande numero di dipinti di così celebri maestri, per modo che una simile raccolta non si potrebbe oggi pur disponendo di miliardi e miliardi a decine più comporre l'uguale; [...] ed essere tali raccolte mondialmente note e celebrate nel loro complesso, sacre al godimento, utilissime agli studiosi, fiore di tutta una civiltà e di una storia secolare." (Gino Fogolari to Ugo de Kantz, February 8-, 1920 (ASPMV, b. 14-55B, fasc. 2).

121 "Consentimi di dirti con la sincerità e l'affetto che ho per te che tu in questa faccenda e specialmente nella tua improvvisa partenza non ti sei [comportato], almeno a me sembra, come dovevi. Tu non dovevi partire finché le cose erano precisamente chiarite per iscritto e finché non avevi firmato." (Ettore Modigliani to Gino Fogolari, February 11-, 1920 (ASPMV, b. 14-55B, fasc. 2).

122 Apparently, Fogolari will apologise to De Kantz only a month later, telling him he had to leave in a hurry for Rome, where some urgent matters at the Consiglio Superiore di Belle Arti awaited him. In the same letter he stressed once again how he did not want, despite his commitment in assisting the French, to take on too prominent a role in the initiative (Gino Fogolari to Ugo de Kantz, March 9, 1920, ASPMV, b. 14-55B, fasc. 2).

weeks after Fogolari's departure. This in turn had Major De Kantz send all the official papers to Venice for Fogolari to add his own signature and post everything back to Vienna. The latter had apparently expressed the wish that the introduction to the lists bear the words "extimation tout approximative", and that the point be stressed during the discussion, which thing De Kantz had eventually succeeded in accomplishing.<sup>123</sup>

At the 38<sup>th</sup> meeting of the Vienna Sub-Commission, the morning of February 19<sup>th</sup>, 1920, the chairman-invited Koechlin, accompanied by Fred Bate and without Fogolari, read his report to the four delegates of Italy (De Kantz himself), France, the United States and Great Britain.<sup>124</sup> The note introduced the estimated inventory for the main bulk of the Austrian art collections as put together in those four weeks between January and February 1920. In response to Italy's caveat about the approximate character of the work, Koechlin considered the inventory as accurate as the time at their disposal had permitted. He also praised Frederick Bate for his role in arranging and carrying out the programme and fixing the prices through "common sense and artistic intuition", after the latter had officially thanked Koechlin and Fogolari for having accepted him in spite of his lack of expertise. The Sub-Commission, deciding to send a note of thanks to the members of the inventory committee for carrying out the trying task, refrained nonetheless from expressing any conclusive remarks on their work and forwarded the papers to the C.O.C.R. in Paris. News also circulated of the upcoming appointment of two British experts to represent Great Britain on the inventory committee and rubber-stamp, albeit belatedly, the final lists and estimates. These comprised a vast amount of entries despite their being partial and lacking whole categories of objects, and had been grouped by venue, as follows:

- Hofburg
- Hofburg, trésor d'argenterie
- Hofburg, Schatzkammer
- Hofburg, Geistliche Schatzkammer
- Hofburg, Trésor des Capucins
- Belvedere
- Laxenburg
- Schönbrunn; Eckartsau; Augarten; Hetzendorf
- Dépôt des Tapisseries
- Dépôt des Tapis
- Atelier de Réparation
- Garde-Meubles
- Musée de peinture
- Bibliothèque du musée (dessins)
- Musée historique
- Galerie d'Este

---

123 Ugo de Kantz to Gino Fogolari, February 19<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 2).

124 "Sub-commission of the Organising Committee of the Reparations Commission, Vienna. 38<sup>th</sup> Meeting, February 19- 1920", minutes of the meeting (English version) (AN, AJ/5/205).



- Musée d'art decoratif
- Académie
- Bibliothèque de l'Académie (dessins)
- Hofbibliothek (dessins)
- Albertina (dessins)
- Musée modern (étrangers)
- Résidence de Salzburg
- Résidence d'Innsbruck<sup>125</sup>

The overall value of these collections was estimated at some 400 million gold crowns, amounting to 850 million francs.<sup>125</sup> Apparently the experts had chosen as a benchmark the prices of the major auction sale results of the previous year in Paris. The method had its obvious limitations when it came to pieces that could not be compared to any of those sold in the French capital, be it because of their excessively high value or unique history. What mattered in the end though, was to provide the Reparation Commission with some figures of sort that would enable them to update the extent of the guarantees for further rescue loans and hinder private dealers attempts at profiting from Austria's condition. Keeping the collections in check in the event of the Austrian government attempting to sell them or consign them to a third party without prior notice was indeed another reason for some at the Entente to have an approximate inventory quickly at hand. Indeed, as the final commentary made explicitly clear, the only things that could not be included in the tally were those the Italians had already taken away with them in the first months of 1919, and what in the Schatzkammer had gone missing around the time the imperial family fled Austria. For the remainder, the experts encountered no big hurdles along the way and expressed their gratitude to the Austrian curators that had assisted them in their challenging task.

Predictably though, the events had sparked once more the fears of everyone else in Vienna, given that when it came to this type of dealings keeping a low profile until the news leaked had become the rule. This is why, for instance, great concern arose when two Frenchmen turned up at the Albertina demanding to sift through the entire inventories of its drawing collection for days on end. Nobody knew what was going on except for the Vienna Sub-Commission and a few Austrian officials. As it had happened multiple times before now, such a state of affairs led to a parliamentary question demanding explanations and some press reports with contrasting views. The two visitors happened to be Koechlin and his aide Guiffrey, who did not seem to have informed anyone in advance of their arrival and mission at the Albertina. Having reached out to the Austrian minister of Education for instructions, the director of that collection was said to have received nothing more than the arcane verdict: "Wir sind die Besiegten", we are the vanquished. On February

---

125 "Inventaire estimatif des richesses d'art de l'Autriche dressé par la Delegation Interalliée pour la Commission des Reparations. Note", February 19<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 6; AN, AJ/5/205).

126 That was probably French francs. One French franc in 1920 can be said to correspond to roughly 0.65 euros nowadays, possibly making the 1920's estimated value of Austrian collections near 552 millions of today's euros. (<https://www.historicalstatistics.org/Currencyconverter.html>)

14<sup>th</sup>, 1920, member of the Konstituierende Nationalversammlung Müller-Gutenbrunn, addressing the minister of Education, asked on behalf of the whole assembly what was exactly going on at the Albertina, “Was geht in der ‘Albertina’ vor?” The *Neue Freie Presse* published the text of the parliamentary intervention on the same day and dubbed the initiative: the Entente’s secret inventory. Nobody apparently knew how this came about, the legal basis for the foreign curators to access all the inventories and collections, and their ultimate goal.<sup>127</sup> To respond to such protestations, the Austrian Staatskorrespondenz had quickly issued a statement that featured the following day’s papers.<sup>128</sup> Only at this stage the Austrian government had deemed it fit to explain the situation with reassuring words. This apparently thanks, they said, to a representative of the Entente’s updating them on the project. In reality, over a week had passed since the inventory committee had been formally introduced to the Staatskanzler and the president of the parliamentary assembly themselves. At any rate, the official statement maintained that what many were seeing as a new dangerous intrusion into Vienna’s museums was rather designed to further protect their treasures from dispersion.<sup>129</sup> All this when Carle Dreyfus apparently voiced his remonstrations to Koechlin about a painting that Fogolari reportedly took away from the Belvedere Palace in late February that year. With some scathing remarks that seem to hint at the Italian officer’s former appointment to General Segre’s Military Mission, if not at even later instances of artwork removals at his hands, Dreyfus wrote: “Fogolari dépasse les bornes et [...] le pillage organisé par lui aurait dû finir le jour où nous avons fait notre travail à Vienne!”<sup>130</sup> In those same days the five French experts returned to Paris, even though various categories of objects still awaited their turn. The inventory and estimate of the armor and weapon collections, of medals, coins and some other manuscripts and prints was to be dealt with only months later by the French and the British, part of whose job was not completed until 1922.<sup>131</sup> Thus, for a few more years after the attempted large-scale sell-offs of 1919 and despite the Entente’s assurances, the freshly surveyed Austrian collections kept running the risk, eventually never come true, of becoming the property of international creditors around the world.<sup>132</sup>

---

127 “Eine Bedrohung der ‘Albertina’. Geheimnisvolle Inventarisierung durch Fachmänner der Entente”, *Neue Freie Presse*, February 14, 1920, p. 8; GASTINEL-COURAL 2011, p. 251.

128 “Die Inventarisierung der österreichischen Kunstgegenstände durch Sachverständige der Entente”, *Neue Freie Presse*, February 15, 1920, p. 11.

129 “Wien hat schon vieles verloren, aber es kann sich erholen, wenn es eine Kunststätte bleibt. Das Künstlerische Wien soll erhalten werden. Dazu soll die Inventarisierung in der Albertina dienen.” (*Ibidem.*)

130 GASTINEL-COURAL 2011, p. 241. No other sources have however allowed for more clarification on these events.

131 “Section d’Autriche de la Commission des Reparations, *Resumés Historiques*, N. 3, Objets d’Art. Inventaire des objets d’art à la disposition du Gouvernement autrichien.” (AN, AJ/5/204.) See also GASTINEL-COURAL 2011, p. 258.

132 On April 23, 1920, in a letter to Koechlin, the French attaché in Vienna Romieu apparently wrote: “Vous m’avez enseigné à l’École des Sciences politiques à tenir compte de la force des choses. Cette force des choses fera que le gouvernement autrichien sera forcé d’abandonner l’Albertina (fidéicommis) au groupe international qui la convoite si d’ici au 1er octobre la couverture de 210,000 francs de grains qu’on va manger cet été n’est pas trouvée.” (GASTINEL-COURAL 2011, p. 258.)

## Chapter 6

### FINAL SETTLEMENTS AND THE ITALIAN EXHIBITIONS

#### *The Austro-Italian agreement, again*

The summer of 1919 had seen Ettore Modigliani and David Josef Bach leaving Paris for Vienna on the same train. The two men had been charged with the semi-official assignment of negotiating on behalf of their countries a viable agreement on the objects of art and history Italy was ever more determined to obtain from her former enemy.<sup>1</sup> The plan clashed inevitably with the least condescending attitude from France, Great Britain, the United States, and their associates, as well as a deeply ambivalent approach on the part of the Austrians, who understandably did not wish to mess with anyone ahead of the final peace clauses. Bach and Modigliani must have reached Vienna around August 1<sup>st</sup>, 1919. A week later the chief of the Italian delegation in Paris Tittoni had addressed a telegram to the Military Mission for the Armistice in the Austrian capital giving official permission for Modigliani to sign the Austro-Italian agreement on the restitution of some works of art.<sup>2</sup> Hours away from striking the deal, on August 12<sup>th</sup>, the Austrian chancellor Renner made what came across as a sudden U-turn refusing to sign the agreement, and the project was scrapped.<sup>3</sup> As it turned out, contriving a special bilateral accord behind the scenes even before the peace treaty with Austria was approved of and signed by the allied and associated Powers proved a somewhat wishful attempt on Italy's part.<sup>4</sup> Despite the bid being clearly too ambitious to succeed at that moment in time and the many interests at stake, the Italian officials visibly resented such an outcome and gave their Austrian counterparts the cold shoulder. Yet, the new republic could not afford the persistent hostility of any of the States involved in the implementation of the newly approved peace treaty, especially when it came to its reparation provisions and the country's struggle for subsistence. After the treaty had been signed Chancellor Renner seem to have even told Marchese della Torretta, Italy's chief diplomat in

---

1 "Partito 31 luglio da Parigi per Vienna professor Ettore Modigliani del ministero dell'istruzione pubblica con incarico trattare costà con Dott. David Giuseppe Bach per questioni nostre rivendicazioni artistiche. Munito lascia passare di Renner. Prego Vostra Eccellenza interessarsi missione Modigliani che però deve svolgersi massima cautela non dovendo avere carattere ufficiale." (Tommaso Tittoni to Livio Borghese (Italian attaché in Vienna), August 2<sup>nd</sup>, 1919, ASD, Rapp. diplom. Austria, b. 250.)

2 Tommaso Tittoni to Ettore Modigliani (through Roberto Segre), August 9<sup>th</sup>, 1919 (ASD, Rapp. diplom. Austria, b. 258).

3 Karl Renner to Staatsamt für Äußeres, August 12<sup>th</sup>, 1919 (AdR, K. 13).

4 "Piscl [Italian officer in Vienna] comunica [...] Modigliani fu favorevolmente impressionato sincera arrendevolezza Bach [...] Riportai impressione di soluzione abile e fortunata da parte dei negoziatori nostri conciliante maggiori interessi artistici italiani con opportunità culturale e soprattutto politica di non favorire disperdimento raccolte artistiche viennesi costituente forte incubo questa popolazione" (Livio Borghese to Tommaso Tittoni, August 5<sup>th</sup>, 1919, ASD, Rapp. diplom. Austria, b. 250).

Vienna, that he never really meant to oppose the deal but had been forced to do so by his own ministries.<sup>5</sup>

With a view to cautiously regaining Italy's opportunistic goodwill, Foreign Affairs' Baron von Eichhoff advised his government to show itself available to reopen the negotiations for the aborted agreement. The Austrian officer never ceased to deplore the initiative nonetheless. He drafted a note where Austria would ask the Italian government about its willingness to resume talks over artwork restitution, but underscored how such a step was not to be taken unless clearly necessary from a diplomatic and political point of view.<sup>6</sup> As many of his compatriots did in the previous months leading up to Renner's refusal, Von Eichhoff saw in the agreement no particular benefit for Austria. On the contrary, the risk represented by the Austro-Italian pact was to run counter to the peace treaty, in particular to its clauses on the envisaged committee of three jurists and the 20-years ban preventing Austria to dispose of her state collections (the exact same reasons why Italy pushed so hard for the deal ahead of the treaty). A similar state of affairs made it unavoidable for Italy and Austria alike to move now on a more open ground, under the eye of the Entente and its Reparation Commission. In this sense, a condition Vienna always tried to stress and have the Italians accept was abidance by articles 195 and 196 of St. Germain, and any further obligations arising from the peace text. "[S]ous aucun rapport – read Eichhoff's tentative note for Italy – les engagements à exécuter, de part et d'autre, ne porteront atteinte aux dispositions du Traité de Paix et [...] les arrangements pris en considération ne sauraient rendre illusoire le fonctionnement des institutions et organes à créer en vertu dudit Traité".<sup>7</sup>

At the beginning October 1919 King Vittorio Emanuele signed a decree establishing within the Italian delegation at the Paris Conference a special committee tasked with following and supervising the implementation of the peace treaties with Germany and Austria, as well as all the future treaties and agreements stemming therefrom.<sup>8</sup> Some of its members knew very well the undergoing debate over Italy's artistic claims and had taken part in it over the previous months, first among them justice Mariano D'Amelio, already Italian representative on the Reparation Commission. The jurist Vittorio Scialoja, named president of the new committee and soon-to-be minister of Foreign Affairs, would in turn deal with the issue and help the Italian cause at the Paris Conference, as the documents attest. Meanwhile, Modigliani in Paris and the Italian appointees and diplomats in Vienna grew once again hopeful that an arrangement could finally be found. With all probability still in the Austrian capital, Guglielmo Pacchioni set about pitching once again an updated version of the deal he maintained to have personally discussed with Hans Tietze before

---

5 Pietro Tomasi della Torretta (Ambasciata d'Italia a Vienna) to Delegazione Italiana Pace, Parigi, October 9<sup>th</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 250).

6 "Um daher die unvermeidliche Mißstimmung Italiens nicht übergroß werden lassen und zu verhindern, dass hieraus eine uns nachteilige Bitterkeit erwachse, könnte immerhin an die italienischen Vertreter in Wien die nachstehens skizzierte Note gerichtet werden. Die Note wäre aber jedenfalls erst zu expedieren, wenn sich eine konkrete Notwendigkeit ergibt." (Baron von Eichhoff's (probably internal) note of September 4<sup>th</sup>, 1919, AdR, K. 13.)

7 *Ibidem*.

8 Regio Decreto 6 ottobre 1919, n. 1860.

Modigliani came to Vienna in August and things went quickly down the drain.<sup>9</sup> Apart from his own accounts, where he also stated that the August draft agreement had been discussed among Bach, Modigliani, Tietze and himself, it is not easy to determine how much of a role he ultimately played in the negotiations. He was nevertheless right when he stressed the importance of leveraging now on the opportunities offered by the peace clauses, like the one that at article 196 provided for the possibility for Austria "to negotiate, when required, with the States concerned for an amicable arrangement" over its disputed artistic and historical collections, "on terms of reciprocity".<sup>10</sup> Signs that in October 1919 the wheels were once again in motion come also from some correspondence between Modigliani and Fogolari. The former urgently asked the Venice art inspector to post to Paris all the existing documentation on the objects already removed from Vienna, especially those papers attesting to Italy's rights to them.<sup>11</sup> This was presumably done in order for Brera's director to have as exact an idea as possible of the items left in Vienna to be included in the arrangements and, perhaps more importantly at this stage, have Austria eventually acknowledge through an official text Italy's right to keep what Segre's men had deliberately confiscated earlier that year. Italy's intentions were no mystery to the Austrian government. Its delegates in Paris had been clearly told by their Italian colleagues that the agreement would have allowed both parties to bypass the three jurists and settle the matter between themselves, including the long aching thorn of Segre's removals.<sup>12</sup>

As a result of Eichhoff's diplomatic strategy in Paris, the rest of the Entente knew very well about such proceedings. The head of the French mission to Vienna Allizé was for instance well aware of the Italians' plans to dodge through the agreement the judgement of the three jurists foreseen in article 195 of the peace treaty. For reasons that were most certainly of opportunity though, he said himself willing to refrain from meddling.<sup>13</sup> On the other hand, as Eichhoff once put it, the Americans were bewildered to the highest degree that the Italians would come back for more. Everyone but its very promoters still regarded the proposal as a breach of the peace treaty, rather than an implementation of its provisions. The US representatives apparently suggested that Eichhoff submit a query to the other Powers to know whether to enter into the agreement with Italy or not.<sup>14</sup> That is what Eichhoff eventually did, in so blunt as well as unexpected a move that he nearly antagonised Italy for good.

---

9 Guglielmo Pacchioni to unknown addressee, October 1-, 1919 (ASD, Rapp. diplom. Austria, b. 258).

10 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10-, 1919, London : H.M. Stationery Office, 1919, Article 196, p. 52.

11 Ettore Modigliani to Gino Fogolari, possibly October 1919 (ASPMV, b. 14-55B, fasc. 2); Gino Fogolari to Ettore Modigliani, October 14-, 1919 (ASPMV, b. 14-55B, fasc. 2).

12 Incomplete note whose author remains unknown, likely to have been sent from Paris to the Staatsamt für Äußeres in Vienna, November 5-, 1919 (AdR, K. 13).

13 Henry Allizé to unknown addressee, possibly the French Foreign Affairs, November 29-, 1919 (AN, AJ/5/203).

14 "Amerikanische Delegation ist im höchsten Grade befremdet, dass italienischerseits neuerlich auf Separatabkommen zurückgekommen wird. Betrachtet solches Abkommen als schwere Verletzung Friedensvertrages. Will diesen Standpunkt Montag in Sitzung Reparationskommission geltend machen. Um Grundlage hierfür zu gewinnen, bitten Amerikaner nachdrücklichst, ich solle sofort in Note an Obersten Rat Sachlage darlegen und Entscheidung der Mächte erbitten, ob wir solches Abkommen anschließen dürfen oder nicht." (Baron von Eichhoff to Staatsamt für Äußeres, November 7-, 1919, AdR, K 13.)

On November 7<sup>th</sup>, 1919, he addressed a letter to the head of the Italian delegation in Paris Tittoni, freely declaring on behalf of his government, that Austria did not deem suitable to sign the special convention on artwork restitution that the Italians were insistently trying to push through. He reiterated once again, probably galvanised by his talks with the American delegate, all the reasons why this was to be seen as running counter to the peace just signed and went as far as suggesting the Italian delegation to refer the matter to the Supreme council of Allied and Associated Powers, before Austria could be expected to take her own decision thereon. The confrontational communiqué, which must have come as something of a surprise and not too subtle a smack to Tittoni, had furthermore been simultaneously forwarded to the president of the Peace Conference Clemenceau, the president of the Reparation Commission Loucher, as well as to the American and British delegations in Paris. It seems that Eichhoff, after having already disclosed some sensitive details, had even attached to the letter a latest version of the agreement drafted in Vienna.<sup>15</sup> The most striking result of this step was that a week later, on November 14<sup>th</sup>, the author of the note took it all back and apologised to its recipient.<sup>16</sup> No trace was left of the support the Americans had promised him in advance. Apparently back in Vienna conversations on the draft convention between Chancellor Renner and Marchese della Torretta had been way more conciliatory and promising than Eichhoff's message would suggest. For this reason, unaware of such circumstances, the Baron had seen himself compelled to atone and countermand his note. Not just that but, based on what Modigliani would recount years later, the Austrian government apparently removed him from the post of plenipotentiary in Paris altogether:

Il presidente [Tittoni] protesta nel modo più energico facendo valere il diritto nostro e austriaco a intavolare trattative che, allo stato delle cose, non ledevano alcun interesse altrui, lamentando, inoltre, un atto che aveva tutte le apparenze di una mancanza di lealtà e imponendo il richiamo di Eichhoff [sic]. Due o tre sere dopo i giornali parigini annunciavano tale richiamo tessendo sul fatto strano le più disparate congetture [...].<sup>17</sup>

The whole move had the somewhat beneficial effect of showing the Entente the two countries' willingness to reach a reasonable compromise without stepping over (and around instead) the limitations imposed by the treaty of St. Germain. Apart from every single issue still at stake, the historical, national and emotional values attached to the objects concerned, the ultimate goal for both Austria and Italy now was to get some closure on this trying chapter and move on.<sup>18</sup> More precisely, Austria was still in deep need of financial and material

---

<sup>15</sup> Baron von Eichhoff to Tommaso Tittoni, November 7<sup>th</sup>, 1919 (AN, AJ/5/203; AdR, K. 13).

<sup>16</sup> Baron von Eichhoff to Tommaso Tittoni, November 14<sup>th</sup>, 1919 (AMAE, 4CPCOM-126); *Note sur une convention austro-italienne du 13 août 1919 concernant les objets d'art autrichiens*, possibly a French report, undated (AN, AJ/5/203).

<sup>17</sup> MODIGLIANI 1955(2), p. 378.

<sup>18</sup> To say it with Rudolf Neck: "Man war also einvernehmlich auf beiden Seiten zu Verzicht und Zugeständnissen bereit: Denn – und das war der hauptsächliche Zweck dieses Vertrages – man wollte

support and hence was finding it acceptable to accommodate Italy's insistence without too much fuss.<sup>19</sup> "Un haut fonctionnaire autrichien – wrote for instance Allizé at that time – m'a dit qu'il serait bien difficile au Gouvernement autrichien de se refuser a signer l'accord que désirait l'Italie, en raison de la situation dans laquelle se trouverait l'Autriche, qui avait absolument besoin de l'appui de toutes les puissances."<sup>20</sup> To this end, towards the end of November 1919 Renner seems to have requested once again Modigliani's presence in Vienna to seal the deal along the lines of what had been put together in August. Before taking up a task he considered his last and biggest endeavour for the sake of Italy's much-troubled artistic claims, Modigliani took the opportunity of spending a month in Budapest. There, he managed to have the Hungarian government hand over other two of the various manuscripts Archduke of Austria-Este Franz V had removed from Modena ahead of the Unification. The facts dated to before his escape in 1859, when he took with him a significant portion of the Estense collections. In this case, the objects in question were two XV-century illuminated manuscripts commissioned by Matthias Corvinus, King of Hungary and Croatia, for his remarkably rich library at the Buda Castle: Saint John Chrysostom's *Homiliae in Epistolas S. Pauli ad Timotheum* and Saint Jerome's *Commentarii in epistulam Pauli ad Galatas*. These had subsequently wound up in the Estense Library through regular acquisition. In 1847 Franz V shipped them to Vienna, from where they reached the destination the Emperor had originally envisaged, Budapest, but only in 1891.<sup>21</sup> Based on Franz V's alleged misconduct in deliberately displacing the Estense properties, Modigliani and the Italian diplomats in Budapest succeeded in obtaining the precious volumes from Hungary.<sup>22</sup> Meanwhile in Vienna, the stage was set for Brera's director to resume his talks with Tietze and the other Austrian officials, and finalise the Austro-Italian special convention.<sup>23</sup> Eichhoff's leaks of November 7<sup>th</sup> had however had serious repercussions also in the Austrian capital, among the representatives of the Viennese branch of the Reparation Commission. The British delegation grew extremely wary of Italy's intentions and methods, and requested the matter be thoroughly examined by the

---

mit ihm alle Probleme möglichst rasch aus der Welt schaffen, um die gegenseitigen gespannten Beziehungen nicht noch mehr zu belasten." (NECK 1978, P. 439.)

19 "Der italienische Gesandte kam jedoch immer wieder auf die Sache zurück, sodaß der Herr Staatskanzler sich (insbesondere in Hinblick auf die Rücksichten, die wir aus Gründen der Lebensmittelversorgung auf Italien nehmen müssen) genötigt sah, zu erklären, daß er in streng vertraulicher Weise ohne vorherige Befragung des Kabinettsrates [...] die Möglichkeit eines Vertragsentwurfes studieren lassen wolle" (Staatsamt für Äußeres to Baron von Eichhoff, November 8<sup>th</sup>, 1919, AdR, K. 13).

20 Henry Allizé to unknown addressee, possibly the French Foreign Affairs, November 29<sup>th</sup>, 1919 (AN, AJ/5/203).

21 COGGIOLA 1919, pp. 214-216.

22 In his late memoirs Modigliani would also recall how il dittatore", at the early dawn of a sadly famous era of diplomatic courtesies that saw scores of major Italian artworks end up with the Nazis, how then, in 1926, Mussolini managed to donate the two manuscripts back to Hungary. About a decade later the two countries would be fellow members of the Axis coalition. When Italy gifted the two Corvinian manuscripts to Budapest, in a fit of that integrity that along with his Jewish origins would condemn him to a brutal professional isolation first and an escape for survival later, Modigliani resolved to address a letter to the director of the Estense Library to see if the action could be averted. In a matter of days the news reached Mussolini and Modigliani nearly lost his job, a thing that, with the Italian racial laws looming ahead, was unfortunately just a matter of time anyway. (MODIGLIANI 1955(2), p. 380.)

23 MODIGLIANI 1955(2), p. 378.

Commission.<sup>24</sup> This apparently did not make Italian officials desist. It took nonetheless some more time for the text of the agreement to reach its final shape and for someone in Vienna to bravely take responsibility for its signature. Modigliani must have also gotten back to Milan in the meantime, if Marchese della Torretta summoned him back in Vienna the following April, a sign that things were finally gearing up.<sup>25</sup>

“[La] Convenzione è ora pronta per la firma”, wrote Augusto Biancheri, Italy’s Chargé d’Affaires in Vienna, on April 26<sup>th</sup>, 1920.<sup>26</sup> And on those very days Modigliani joined Biancheri in the Austrian capital, after having apparently made a stop in Paris to consult with the Italian representatives at the Peace Conference.<sup>27</sup> For Italy, the agreement bore the signatures of both officials. Despite the fact that everything had been arranged with the collaboration of Austrian representatives like Tietze, none of them had eventually chosen to sign the convention on May 4<sup>th</sup>, 1920. The only signature for Austria was that of State Chancellor Renner’s, thus left alone to face the resentment of more or less everyone else in Vienna. There, a French plenipotentiary dubbed him “un sorte de satellite de l’Italie”.<sup>28</sup> The two separate texts that made up the agreement drafted in August 1919 had been replaced by a single convention including mutual obligations between the two countries, in calculated compliance with article 196 of St. Germain. And the emphasis on reciprocity, albeit fictitious, is there from the very onset, as if to hush the suspicious. With article 1 Italy declared itself ready to avert, “in the general and superior interest of civilisation”, a large-scale dispersion of Austria’s artistic, historical and archaeological collections, as invoked by all claimant States (but herself). This pledge, article 2 established, was to be valid for 20 years, like the ban the peace treaty had imposed on Austria before she could dispose of her artistic properties again. The focus of the special convention though is made up of the central and rather profuse articles 3, 4 and 5, where the still-pending claims and disputes are dealt with once and for all. Through article 3 Austria also committed herself not to raise any further objections against the removals carried out by Segre’s Military Mission for the Armistice, having the entire Italian diplomacy breathe a sigh of relief:

#### Article 3.

Quant à l’application de l’Article 194 du Traité de Paix, la République d’Autriche s’engage à renoncer aux objections et aux restrictions en faveur de la Monarchie austro-hongroise contenues dans les Articles 1 et 5 de la Convention de la Convention de Florence du 14 juillet 1868; ainsi elle ne soulève plus d’objections contre les enlèvements exécutés par la Mission

---

24 *Section d’Autriche de la Commission des Reparations, Resumés Historiques, N. 3, Objets d’Art. Convention italo-autrichienne* (AN, AJ/5/204); *Memoire britannique au sujet des pretendues negotiations entre l’Italie et l’Autriche concernant les objets d’art*, C.O.C.R.’s session minutes, December 16<sup>th</sup>, 1919 (AN, AJ/5/203).

25 Pietro Tomasi della Torretta to Ettore Modigliani, April 17<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

26 Augusto Biancheri to Carlo Sforza (then Undersecretary of State for Foreign Affairs), April 26<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

27 Augusto Biancheri to Carlo Sforza, April 27<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

28 Pierre Lefèvre-Pontalis to the French Prime Minister and Minister of Foreign Affairs (Alexandre Millerand), August 30<sup>th</sup>, 1920 (AN, AJ/5/511).



Italienne d'Armistice en vertu des anciens Traités de paix. En outre, afin de remplir entièrement les engagements contractés en son temps par la Monarchie austro-hongroise, ainsi que les obligations dérivant de l'Article 194 du Traité de Saint Germain, et dans le but d'agir selon l'esprit des Traités de Zurich (1859) et de Vienne (1866), la République d'Autriche restitue à l'Italie: La décoration originale de l'Ordre de la Couronne de Fer avec l'acte relative de fondation de Napoléon I (pourvu que ces objets puissent effectivement être retrouvés sur le territoire autrichien) et les Insignes du Couronnement de Napoléon I comme Roi d'Italie, qui se trouvaient jadis à Milan; de même que le reliquaire dit de Bessarione et la croix de Saint Théodore, ayant appartenu à des corporations publiques de Venise et ayant passé à Vienne respectivement en 1816 et en 1822.

De son côté l'Italie renonce définitivement au buste de Canova, représentant l'Empereur François I d'Autriche, et transporté à Vienne en 1805 de la Bibliothèque de Saint Marc à Venise. De même, vu l'impossibilité de les retrouver et de les identifier, elle renonce aux armes et armoiries qui seraient encore à restituer par la Monarchie austro-hongroise à l'Arsenal de Venise d'après l'Article 6 de la Convention du 14 juillet 1868.

En outre, l'Italie renonce définitivement au manuscrit allemand, ayant autre fois fait partie de la Bibliothèque de Saint Marc à Venise et contenant les Instructions secrètes de l'Empereur Ferdinand à l'Ambassadeur Imperial à Constantinople en 1553; et en échange de cette renunciation l'Autriche restitue au Palais de Venise à Rome les deux sculptures en terre cuite et les médailles trouvées en 1865 dans les fondations du même Palais, ainsi que les clefs de la ville de Brescia, emportées en 1849 et conservées au Musée Militaire à Vienne.

#### Article 4.

La République d'Autriche reconnaissant, de même que le fait l'Italie, que la position juridique et historique des objets compris dans l'annexe I de l'Article 195 du Traité de Saint Germain a un caractère particulier qui la distingue de celle des objets compris dans les autres annexes du même Article, et peut par conséquent être considérée séparément; et étant désireuse de faire valoir au dessus de toute autre considération des principes d'ordre moral et de droit, ne soulève point d'objections à la remise des objets indiqués dans l'annexe I de l'Article 195 du Traité de Saint Germain, à l'exception toutefois du trésor normand mentionné au paragraphe de ladite annexe, intitulé, "Palerme".

De son côté l'Italie renonce à toute revendication concernant lesdits objets de Palerme. En outre, s'inspirant des mêmes principes supérieurs de justice, elle s'engage à prendre en considération impartiale la question relative à quelques objets d'orfèvrerie, conservés à Florence, et à les restituer à l'Autriche, dès qu'il soit prouvé que ces objets appartenaient au Prince Archevêque de Salzbourg et qu'ils n'ont pas passé de plein droit à l'Italie, qui jusqu'à présent se considère comme possesseur à juste titre de ces objets.

#### Article 5.

En application des Articles 192, 193 et 196, paragraphe a, du Traité de Paix de Saint Germain, la République d'Autriche s'engage à restituer tout le matériel archivaire, historique, artistique, archéologique, bibliographique et scientifique provenant des territoires transférés à l'Italie par le Traité susdit et compris dans les inventaires d'Instituts ou de Corporations publiques laïques de l'Autriche.

[...] De son côté l'Italie rendra le matériel de la même catégorie qui sous les mêmes conditions que celles concordées vis-à-vis de l'Autriche, pourrait se trouver dans les territoires transférés à l'Italie.

Avant le 31 décembre 1920 des experts italiens et autrichiens nommés par le Gouvernements respectifs rédigeront de commun accord la liste des restitutions à faire, ayant pris en consideration les titres de chaque objet dans l'esprit le plus loyal et impartial.<sup>29</sup>

Needless to say, this last term of December 31<sup>st</sup>, 1920, for arranging detailed lists of the objects concerned would prove largely optimistic. As a matter of fact, the work to identify and retrieve what was included in the convention went well beyond the estimated schedule, keeping Modigliani and his colleagues busy for years to come.<sup>30</sup> At any rate, the agreement would make for the ultimate reference point for the regulation of such questions between the two countries. Very much to the relief of Austria, one of the final provisions established that the two parties regarded all the disputes over artistic and historical properties in the Treaty of St. Germain as definitively settled. One of the final conditions for the implementation of the special convention was the return to Vienna of the three precious manuscripts Segre's men had seized from the Hofbibliothek in retaliation for the three missing Estense ones Emperor Karl had carried away with him. On her part, Austria was expected to hand back a bust of Pope Paul II previously removed from Palazzo Venezia, until the war home to the Austro-Hungarian embassy in Rome. On the same day of the signature, an apparently confidential exchange of notes took place between Chancellor Renner and Biancheri.<sup>31</sup> The latter promised Italy would take care to obtain approval of the convention from the rest of the Entente, if that ended up being necessary in order to carry it out. In turn, the Austrian Head of State declared they would have backed Italy in gaining the other Powers' consent. Neither of the resolutions would actually prove very sincere.

### *A tricky start*

Until the convention was signed Italy did not consider herself bound to run the text by the Paris Conference, let alone request an authorisation of sort. Bits and pieces had nonetheless circulated among the various representatives before and after May 4<sup>th</sup>, like those excerpts attached to Eichhoff's note the previous year. Less easy, if not impossible, would be maintaining some secrecy on the consequent removals of the listed objects from Viennese museums. As Modigliani observed, the burden of the proof lay with Italy, and the months following the signature had to be spent cross-checking once more awful lots of

---

29 Convention spéciale afin de résoudre les controverses relatives au patrimoine historique et artistique de l'ancienne Monarchie austro-hongroise; signée a Vienne, le 4 mai 1920. (Triepel 1965, pp. 682-689)

30 "1928 war die Durchführung im wesentlichen abgeschlossen, aber loyalerweise wurden auch später, bis in die Zeit nach dem Zweiten Weltkrieg „Nachzügler“ übergeben." (NECK 1978, p. 440.)

31 Note der königlich-italienischen diplomatischen Mission in Wien an das österreichische Staatsamt für Äusseres; Note des österreichischen Staatsamtes für Äusseres an die königlich-italienische diplomatische Mission in Wien, May 4<sup>th</sup>, 1920. (Triepel 1965, pp. 689-691.)

historical documents with the items displayed in the museums. All this was apparently to be performed without alarming custodians and visitors. Italian officers had thus to blend in while thoroughly examining showrooms and glass cases with their long lists in hand.<sup>32</sup> The following June (1920) the Italian top diplomats in Paris Bertolini and D'Amelio told Modigliani that the Reparation Commission had just approved a not-better-specified motion that could be construed as a sort of "indiretta e sottintesa ratifica da parte delle Potenze" of the special convention (whose full text had not even come under their scrutiny yet). To try and get away with these evidently ambiguous state of affairs, the two representatives urged Modigliani to proceed with retrieving the objects with the utmost urgency, without there being the need to keep the Entente updated thereon.<sup>33</sup> In Rome the Brera's director had seen to it that the local offices of Venezia Tridentina (Trentino-Alto Adige/Südtirol) and Venezia Giulia (in the years 1923-1947 encompassing Trieste, Gorizia, Pula and Rijeka/Fiume) be tasked with providing him with all the documents useful to draw the lists of objects to have Vienna relinquish based on article 5 of the convention, precisely the one dealing with the transferred territories. As for articles 3 and 4, those addressing old treaty clauses and other long disputed transfers mentioned in the Treaty of St. Germain, Modigliani had chosen Giacomo de Nicola, director of Florence's Bargello Museum, for the task of identifying all the items pertaining to Tuscany and Modena in collaboration with Superintendent of Tuscany's galleries Giovanni Poggi. Modigliani then had De Nicola reach Vienna at the beginning of July and work with Tietze to locate the material in question. As the Austrian officer seem to have assured De Nicola, his government had already made sure to duly notify and ask the cooperation of all museum and institute directors involved.<sup>34</sup>

Meanwhile, the Brera's director would be busy with collecting and bringing back to Vienna, as promised in the convention, the manuscripts property of the Hofbibliothek and Canova's bust of Emperor Franz I. Segre had personally taken two of the seized volumes (the Dioscoride and the Hortulus Animae) to Italy in May 1919. The third one, the so-called Viennese Genesis, too delicate to embark on such a journey, appears to have remained in Vienna within the premises of the Italian Military Mission.<sup>35</sup> It is not clearly stated in any of the papers consulted, but also this one must have eventually joined the other two

---

32 "[L]a "prova" spettava a noi; eravamo noi a dover segnalare la presenza d'un oggetto che fosse nostro, dimostrando che era tale e che rientrava nell'una o nell'altra categoria delle clausole della convenzione 4 maggio. [...] si trattava di cercarli [the various objects] nelle vetrine, senza dare all'occhio al personale di custodia e al pubblico, in specie innanzi che si giungesse alla fine dell'Accordo, in questo modo: ponendosi dinanzi a ogni oggetto che poteva essere uno di quelli e sfogliando le mille descrizioni dei mille numeri dell'inventario fino a persuadersi che l'oggetto era o non era uno di quelli." (MODIGLIANI 1955(2), p. 379.)

33 "Sappia dunque che a Parigi parlai a lungo con S.E. Bertolini e col Comm. D'Amelio. Da loro fui informato che, essendo stato recentemente dalla Commissione delle Riparazioni approvato un certo ordine del giorno il quale può costituire una specie di indiretta e sottintesa ratifica da parte delle Potenze, non sembra indispensabile per ora dare ad esse altra notizia, per una più o meno esplicita presa d'atto, della convenzione medesima. Perciò ricevetti raccomandazione di procedere al più presto possibile alle prime consegne". (Augusto Biancheri to Affari Esteri, July 9, 1920, ASD, Affari politici 1919-1930, Austria, b. 841.)

34 Augusto Biancheri to Affari Esteri, July 9, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

35 Gino Macchioro Vivalba, political commissioner to the Italian Military Mission in Vienna, to the Italian delegation at the Paris Peace Conference, May 9, 1919 (ASD, Rappr. diplom. Austria, b. 250).

in Italy, possibly at the Marciana Library. And “casse della Marciana” is indeed how Modigliani would in those same days describe the load for which he managed, “dopo tanto scrivere e telegrafare”, to obtain from the competent authorities in Venice a freight car on a train to Vienna. Present at the place, Gino Fogolari must have helped him get everything set up for the journey<sup>36</sup> (whose fees neither the Italian Ministry of Education nor that of Foreign Affairs had initially been willing to cover, each attributing the obligation to one another<sup>37</sup>). Modigliani, the manuscripts and probably also Canova’s bust eventually reached the Austrian capital around July 22<sup>nd</sup>, 1920. As a result, the Austrian government declared to have already instructed the Spanish embassy in Rome to hand over to the Italians the bust of Pope Paul II.<sup>38</sup> The preliminary conditions required to kick off the rest of the convention were thus met. How an article in the *Neue Freie Presse* of August 26<sup>th</sup> read though, “muss auch dieses Abkommen mit Italien der Reparationskommission vorgelegt werden, bevor es formell der Ratifizierung zugeführt werden kann.”<sup>39</sup> Such statement on the still decisive role the Reparation Commission seemed to play in regard to the special convention was meant to assuage a particularly averse press campaign blaming the Austrian government and its chancellor for the results of those negotiations. Also, it was being pointed out how Austria was about to give the Italians what they were obliged to deliver under the peace treaty anyway, and how Italy would in turn consign other artworks. Inevitably though, on the previous day articles on two different dailies had again spoken of “italienische[r] Kunstraub”, describing the secretive arrangements between Renner and the Italian government as “unmoralisch”, “unvorteilhaft” and “unsinnig”.<sup>40</sup> The Austrian press was once more calling on artistic and cultural circles to have their voices heard (“Heraus Künstler und Kunstfreunde Wiens, vor allem heraus zur Abwehr!”), thereby prompting the French and English benches of the Reparation Commission to come to their rescue and overrule the agreement. In any event, it was still true that no one had yet seen the final version of the convention. The papers were now announcing its imminent disclosure.

The news did not go unnoticed in the Austrian Section of the Reparation Commission. Just a couple of days after the release of those articles, William Goode of the British delegation penned down a note for his colleagues touching on what he considered the main issues at stake.<sup>41</sup> The official document put together that year by the International Relief Credits Committee mentioned earlier and titled “Advances to Austria” clearly stated that “objects of art, and

36 Ettore Modigliani to Gino Fogolari, July 10<sup>th</sup>, 1920 (ASPMV, b. 14-55B, fasc. 1).

37 Ministero Istruzione to Ministero Affari Esteri, October 28<sup>th</sup>, 1920; Ministero Affari Esteri to Ministero Istruzione, December 12<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

38 Pietro Tomasi della Torretta to Affari Esteri, July 22<sup>nd</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

39 “Die Regelung des Kunstbesitzes nach dem Friedensvertrage. Mitteilungen von infortmierter Seite”, *Neue Freie Presse*, August 26<sup>th</sup>, 1920, p. 7.

40 “Der Raub an unseren Kunstwerken. Ein unerhörter Vertrag. Italien soll der an uns begangene Kunstraub für ewige Zeiten gesichert werden.”, *Deutsches Volksblatt*, August 25<sup>th</sup>, 1920, p. 7; “Die Auslieferung von Kunstschatzen an Italien. Ein Vertrag des Staatssekretärs Doktor Renner mit der italienischen Regierung”, *Neues Wiener Tagblatt* (Abend-Ausgabe), August 25<sup>th</sup>, 1920, pp. 2, 3.

41 *Note de la Delegation britannique relative à un traité austro-italien visant les restitutions d’objets d’art*, August 30<sup>th</sup>, 1920 (AN, AJ/5/204).

all the property of the late royal and imperial house being, or recently declared to be Government property, shall be held or controlled by the Austrian Section". Notably, by approving it Austria had committed itself to "refrain in the future from entering into any agreement or arrangement permitting the delivery or removal out of Austria of any records, documents, objects or material of the character specified in Section II of Part VIII of the Treaty of Saint-Germain [precisely articles 191 to 196] without the specific consent and prior approval of the Austrian Section."<sup>42</sup> Put that way, the Austro-Italian special convention could have easily been scrapped altogether, given that the Viennese Section did not even get to see a final version of the agreement, let alone approve it. The French ambassador in Vienna Lefèvre-Pontalis sadiistically observed, as was his habit: "Voilà donc dette Commission régulièrement saisie d'une affaire intéressante, où notre Délégué aura l'occasion de rendre à l'Autriche un des premiers services qu'elle attend de nous et qui rentrera bien dans l'oeuvre de réparation qui est véritablement la sienne."<sup>43</sup> To the French in Vienna had turned for instance Max Dvořák on behalf of the Museumskommission he then chaired. In a note of complaint in the first days of September 1920 he denounced Italy's attempts at bypassing the judgement of the jurists foreseen in the peace treaty and the overall silence under which, also thanks to his own government, the signature of the convention had taken place (cause the fact that negotiations had been resumed was well known by then). "Pourquoi ne publie-t-on pas la Convention?" he insisted, demanding that the public be finally informed before the Reparation Commission could pronounce on it once and for all.<sup>44</sup> "[J]e crains toujours qu'un nouveau malheur nous arrive" he seems to have written in another appeal of his to the French, this time later in November.<sup>45</sup> In this most unpleasant circumstances, being asked for clarifications by the Austrian Section, the Italian representative, industrialist and former member of the Reichsrat for Trieste Giovanni Scaramangà resorted to the objection that apparently the note "Advances to Austria" had been released after the signature of the Austro-Italian special convention (a matter of four days apparently<sup>46</sup>) and therefore could not be retroactive.<sup>47</sup> Once more he stressed how the very article 196 enabled Austria to enter into exactly this type of agreements. At any rate the Italian delegation could not really wait any longer and on September 16<sup>th</sup> officially transmitted the text of the convention to the General Secretariat of the

---

42 "Advances to Austria", as reported in Appendix XL to REPARATION COMMISSION 1923, pp. 279. 280.

43 Pierre Lefèvre-Pontalis to Alexandre Millerand, France's Prime Minister and Minister of Foreign Affairs, September 6<sup>th</sup>, 1920 (AMAE, 4CPCOM-126).

44 "Protestation de la Commission du Musée [sic] contre la Convention relative aux objets d'art", September 7<sup>th</sup>, 1920 (AN, AJ/5/511).

45 GASTINEL-COURAL 2011, p. 244.

46 It has not been possible so far to verify the exact date of the note "Advances to Austria". Its being only four days older than the Austro-Italian special convention had been hinted at just once in the consulted French correspondence on the topic: The French Prime Minister and Minister of Foreign Affairs (Alexandre Millerand) to the President of the Reparation Commission (possibly still Georges Clemenceau), February 21<sup>st</sup>, 1921 (AN, AJ/5/511).

47 *Section d'Autriche de la Commission des Réparations, Resumés Historiques*, N. 3, *Objets d'Art. Convention italo-autrichienne* (AN, AJ/5/204).

Austria Section, for its members to see, wrote Scaramangà, that it actually predated "Advances to Austria".<sup>48</sup>

The release of the special convention's final version among some circles of the Viennese society (yet not its official publication on the *Staatsgesetzblatt*) triggered a new wave of protests in the press and among pundits. This was not long after Marchese della Torretta, taking advantage of Gustav Glück's retirement and replacement at the direction of the *Gemäldegalerie*, had even asked the accusatory leaflets mentioning the Italian seizures and still hanging in the empty frames be eventually taken down.<sup>49</sup> Seizures that now the Austrian Chancellor had formally acknowledged, renouncing to a decision of the three jurists that would have quite likely been in favour of Austria, like many art experts in Vienna seem to have correctly observed. One of them, museum curator Arpad Weirlgärtner, wrote a scathing article that featured the *Neues Wiener Tagblatt* later in September. After the Austrian Section of the Reparation Commission, on the 21<sup>st</sup> also the directors of the institutions affected by the convention had apparently received a copy of the agreement. It did not take long for the association of the *Wiener Sezession* to call for a big protest rally:

Das Volk Deutschösterreichs als Eigentümer der öffentlichen Kunstsammlungen protestiert auf das entschiedenste gegen die leichtsinnige und heimliche Preisgabe von Kunstwerken durch die Regierung und gibt der bestimmten Erwartung Ausdruck, dass die Reparationskommission den von Dr. Renner mit Italien rechtswidrig geschlossenen Geheimvertrag nicht anerkennen wird.

Im Hause der Sezession liegt ein Protest auf.

Kommt zu Hunderttausenden und gebt Eure Unterschrift!

Die Kunstvereingung - Wiener Sezession, I, Friedrichstraße 12<sup>50</sup>

Mentioning the upheaval at the *Sezession* and the general indignation against the text, Weirlgärtner remarked how the sly Italians had once again managed to trick his government. The fact that it all took place behind the scenes proved, to the Austrian curator, that the political or economic concessions his country was said to have obtained from Italy were, at best, a lentil dish, meaning a few more months of food deliveries and nothing else, in exchange for several centuries-old treasures. <sup>51</sup> "Weh uns – he concluded – wenn die

---

48 *Memo de la Delegation Italienne au Secrétariat Général de la Section d'Autriche de la Commission des Reparations*, September 16<sup>th</sup>, 1920 (AN, AJ/6/1847).

49 *Ambassade de France à Vienne. Annexe à la dépêche Europe n. 711 du 9 Septembre 1920*, by Le Temps's correspondent Marcel Dunan, September 6<sup>th</sup>, 1920 (AN, AJ/5/511).

50 "Protest. Die Wiener Sezession gegen das Kunstabkommen Dr. Renners mit Italien", *Neues Wiener Journal*, October 27<sup>th</sup>, 1920, p. 2.

51 "Aus alledem ersieht man deutlich, dass sich unsere Regierung abermals von den gewandten Italienern hat hinters Licht führen lassen [...]. Die Heimlichkeit des Vorganges beweist, dass das politische oder wirtschaftliche Zugeständnis, das sie vielleicht für ihr beispielloses Entgegenkommen von den Italienern erlangt hat, günstigsten Falles ein Linsengericht ist." ("Der Kunstvertrag mit Italien. Von Kustos Dr. Arpad Weirlgärtner", *Neues Wiener Tagblatt*, September 24<sup>th</sup>, 1920, pp. 2, 3.)

Reparationskommission diesem Vertrage zustimmt!"<sup>52</sup> Expectations ran high then among cultural elites that the Reparation Commission most zealous members would bail Austria out of the tight spot in which she had recklessly put herself.

Things were thus looking nastier and taking longer than Modigliani and the Italian diplomacy in Vienna had envisaged. For that reason, back in August 1920 the Brera's director had deemed it advisable to go back to his duties in Milan while waiting for the next call from Vienna. The call never seemed to come though, and Modigliani, whose concerns started to grow that the whole thing would go out of the window again, resolved to travel to Vienna anyway in September.<sup>53</sup> Attacks against the convention and Renner's public slander had been meanwhile going on. At that stage the Austrian Chancellor seems to have suggested to the Italian diplomacy the official publication of the agreement, only to be told by Biancheri that the move would have been extremely counterproductive. Were the advantages for Italy to be given more attention, that would have only embittered the Austrian press further. Were the details in favour of Austria to be underscored instead, the Italian public opinion would have doubtlessly turned on its government. In the light of such tumults, Biancheri took apparently the opportunity to remind Renner that the convention had better be implemented with great solicitude.<sup>54</sup> Meanwhile at the Austrian Section of the Reparation Commission the Greek representative Politis underscored how it was also in other States' interest to figure out what was to be done with the Austro-Italian convention. Belgium, Poland and Czechoslovakia were waiting their turn to settle similar claims with Austria and seemed now eager to know if the jurists would have taken the matter into their hands or not (which thing, in the case of those States, they eventually did, ruling mostly in favour of Austria).<sup>55</sup> The Greek subsequently suggested referring the matter to the main Commission in Paris, and the motion passed. It was November 16<sup>th</sup>, 1920.<sup>56</sup> In Paris, D'Amelio and the rest of the Italian delegation did their best to convince the Commission that in the case of the special convention signed by Renner, Biancheri and Modigliani there was no real need to bother the three jurists provided for by article 195. He promised the text of the convention would have soon been available for all the members to appreciate its conformity with the peace clauses. Eventually, he managed to have the appointment of the jurist committee postponed until further notice.<sup>57</sup> Mixed signals were coming from the Reparation Commission itself, and some reports seem to suggest that its representatives might at some point have

---

52 *Ibidem*.

53 Ettore Modigliani to Affari Esteri, September 7<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

54 Augusto Biancheri to Affari Esteri, September 27<sup>th</sup>, 1920 (ASD, Affari politici 1919-1930, Austria, b. 841).

55 BEDJAQUI 1971, pp. 175, 176.

56 *Section d'Autriche de la Commission des Reparations, Resumés Historiques, N. 3, Objets d'Art. Convention italo-autrichienne* (AN, AJ/5/204).

57 "La décision relative à la nomination du Comité des trois juristes prévu à l'article 195 du Traité de Saint-Germain est ajournée jusqu'à ce qu'ait eu lieu la discussion sur la Convention italo-autrichienne." (*Section d'Autriche de la Commission des Reparations, Resumés Historiques, N. 3, Objets d'Art. Le Comité des 3 Juristes*, AN, AJ/5/204.)

deemed preferable for Austria to enter into bilateral negotiations with the claimant States rather than employ the services of the jurist committee.<sup>58</sup>

### *The veto*

After a bumpy end of 1920, the following year seemed to have started off with good prospects. Art officers from Venezia Giulia (Trieste's Piero Sticotti) and Venezia Tridentina (Trento's Giuseppe Gerola) had been working with Modigliani and the Austrians to draw detailed lists of objects and discuss their imminent delivery. Rome was urging them to have everything ready by the end of January. They were also waiting for the Ministry of Agriculture and that of Domestic Affairs to send somebody over to draft the lists of all the scientific and archival material to be retrieved.<sup>59</sup> "Qui le cose hanno volto improvvisamente al bene", Modigliani wrote to Fogolari on February 4<sup>th</sup>, asking him to dispatch an aide to Vienna to help with packing up the numerous items.<sup>60</sup> The consignments had been scheduled around mid February. On Tuesday 15<sup>th</sup> Austrian and Italian officials were supposed to agree on the final lists and Modigliani hoped he could start picking up the objects on Saturday 19<sup>th</sup>. He had already arranged some lorries and a Carabinieri escort with the help of the Military Mission. His account of those days gives the measure of the drama that swiftly ensued. In those pages, he later described February 15<sup>th</sup> as one of the most miserable days of his life. On the evening of the day before, the Brera's director was at the building of the old imperial Hofkanzlei and now home to the Staatskanzlei (the office of the Chancellor), the so-called Ballplatz, to go through the last details of the deliveries. Suddenly someone broke into the corridors shouting "Siege, Siege!", victory. The Subcommission, without any instruction from Paris, had just vetoed the consignments and figuratively sealed the doors of the Hofmuseum. The very day before, on the Sunday of February 13<sup>th</sup>, Glück's aid, a certain Buschbeck, had reached out to the British representative Joseph Nunan to flag up a specific circumstance. Marchese della Torretta, Buschbeck recounted, had turned up at the Austrian Minister of Foreign Affairs evidently irritated that the consignments had not started yet. He was also said to have threatened the Austrian authorities with the prospect of an official Italian ultimatum. "Vous comprendrez que les Italiens n'ont pas peur d'employer les grands moyens", Buschbeck solemnly declared. He explained that the only solution was for the Austrian Section to send his government a note putting the proceedings on hold until a final pronouncement from Paris.<sup>61</sup> And this is what the Austrian Section did 24 hours

---

58 "La C.R. [the Reparation Commission] declare qu'elle considère désirable que l'Autriche s'efforce de négocier avec les Pays intéressés des arrangements amiables relativement à la restitution d'objets d'art et document visés par l'art. 195, ce qui permettrait d'éviter l'intervention du Comité des 3 Juristes [...]." (*Ibidem.*)

59 Marchese della Torretta to Affari Esteri, January 7<sup>th</sup>, 1921; Ministero Istruzione, Direzione Generale Antichità e Belle Arti, to Ministero Affari Esteri, January 15<sup>th</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

60 Ettore Modigliani to Gino Fogolari, February 4<sup>th</sup>, 1921 (ASPMV, b. 14-55B, fasc. 1).

61 *Lettre adressée au Représentant britannique par M. Buschbeck, adjoint du Dr. Glück, Conservateur des Musées autrichiens*, February 13<sup>th</sup>, 1921 (AN, AJ/5/204).



later, at an emergency meeting called by the British and American delegates.<sup>62</sup> Modigliani spent the following days locked in his hotel room dreading the triumphant looks of the Austrian art officers.<sup>63</sup>

The chair of the Austrian Section's 65<sup>th</sup> extraordinary meeting of February 14<sup>th</sup> fell to the Italian representative Scaramangà, who had to face the harsh reprimands of his colleagues. Great Britain, France and the United States were at one in thinking that the implementation of the convention had to be suspended and no objects would have left the Austrian capital unless the Reparation Commission said so. These considerations had been eventually spelled out in the meeting's decision 643, whereby the Sub-commission was to notify Austria that all deliveries to Italy based on the convention had to be halted.<sup>64</sup> Against this ruling Scaramangà immediately issued a notice of appeal, on the questionable grounds that Paris had not yet ruled against the convention and that the Austrian Section did not have any say in it (which ultimately does not seem a good enough reason for the Italians to go ahead and retrieve the objects all the same).<sup>65</sup> Despite the appeal, a subsequent vote confirmed decision 643 by seven votes (Great Britain's and France's, who had two votes each, Greece's, Poland's and Romania's) to two (Italy's, who also had two votes) and two delegations abstaining (the State of Slovenes, Croats and Serbs, and Czechoslovakia). The United States too declared themselves in favour of the decision.<sup>66</sup> And before the day came to an end, everything was notified to the Reparation Commission in Paris. There, a day later, the Entente representatives set out to tackle the issue. The three-jurist committee provided for by article 195 of St. Germain had finally seen the light following the appointment of the American Hugh Aiken Bayne, the British John Fischer Williams and the French Jacques Lyon.<sup>67</sup> However, the great success of Marchese Salvago Raggi, the Italian delegate in Paris (where attitudes towards the matter seemed less embittered), consisted in having the other delegates approve of the fact that what had been already agreed by Austria and Italy did not need to be examined once again by the three gentlemen. It was subsequently agreed that the jurist committee was to be resorted to only when single governments requested so, something that through the special convention of May 4<sup>th</sup>, 1920, Italy and (most notably) Austria had renounced, pretty much to the latter's

---

62 Joseph Nunan to William Goode and Andrew McFadyean (British representatives on the Reparation Commission), February 15<sup>th</sup>, 1921 (AN, AJ/5/204).

63 MODIGLIANI 1956, pp.493, 494.

64 "Decision 643: The Austrian Section decides to despatch to the Austrian Government a letter informing the Government that, the question of the Italo-Austrian Art Convention being now under consideration by the Reparation Commission, it would be advisable that the Austrian Government suspend the delivery to Italy of the art objects mentioned in the Convention until the final decision of the Reparation Commission in the matter has been communicated. The above letter will be despatched to the Austrian Government this day." (*Section d'Autriche, Procès-Verbau 65. Decision 643. Livraison d'oeuvres d'art par l'Autriche à l'Italie en execution de la convention artistique italo-autrichienne du 4 Mai 1920*, February 14<sup>th</sup>, 1921, AN, AJ/6/1847.)

65 Giovanni Scaramangà to Austrian Section of the Reparation Commission, February 14<sup>th</sup>, 1921 (AN, AJ/6/1847).

66 *Section d'Autriche, Procès-Verbau 65. Decision 643. Livraison d'oeuvres d'art par l'Autriche à l'Italie en execution de la convention artistique italo-autrichienne du 4 Mai 1920*, February 14<sup>th</sup>, 1921 (AN, AJ/6/1847).

67 [Reparation Commission,] *Procès-Verbau 139. [Decision] 948. Procédure à suivre relativement à la question d'interprétation (Article 195 du Traité de Saint-Germain) soulevée par le Délégué italien au cours de la 133e séance*, February 15<sup>th</sup>, 1921 (AN, AJ/6/1847); BEDJAOUI 1971, pp. 175-176.

detriment.<sup>68</sup> Eventually, a few days later, Salvago Raggi reached out to Biancheri, Scaramangà and Modigliani to announce that the British delegation had released a written *nulla osta* for the relinquishment of the objects of article 195 of Saint-Germain, the only ones for which doubts still existed over whether the three jurists should have intervened or not. Salvago Raggi also said the French delegation would have followed suit.<sup>69</sup> With official telegram IS-171 of February 28<sup>th</sup>, the Reparation Commission declared to have no objections against the delivery of the objects comprised in article 195, provided that Italy submit full lists with all the items thus obtained.<sup>70</sup> The content of the telegram's focusing on article 195 had some at the Austrian Section raise their eyebrows for a moment. No one but the Italians was too sure this implied that also the rest of the convention had been given the go-ahead. In the end, the Viennese Sub-commission resolved to forward telegram IS 171 verbatim to the Austrian government on March 3<sup>rd</sup>, with the pretty superfluous addendum that nothing now would stand in the way of the implementation of that part of the special convention related to article 195.<sup>71</sup> Everyone's doubts having evidently found no answer, the ball was back in Austria's court. For its part, that government was ultimately bound to the agreement signed with Italy.

Thus, on March 14<sup>th</sup> the first consignments took place for real. Modigliani, who finally handed over to the Austrians the three pawn manuscripts and kick-started the convention, did not know whether to feel more relieved or sorry. By that curious mechanism he described as peculiarly his, once proclaimed victorious, he would end up feeling overwhelmed by compassion and sense of guilt towards his so-called adversaries. "Io mi sentivo più che altro il direttore di Museo – Modigliani recalled years later – e provavo rammarico nel dover essere proprio io a mettere in atto la Convenzione contro uomini della mia stessa famiglia intellettuale."<sup>72</sup> When he reached the Hofmuseum that day to take the first objects with him, he recalled begging a disheartened Julius von Schlosser, long-standing curator and renowned art historian, not to see him as

---

68 "Le Marquis SALVAGO RAGGI a cherché à éviter à la Commission de se trouver dans la situation désagréable d'avoir à recourir aux Gouvernements, et il estime y être parvenu au moyen d'une proposition qui, croit-il, obtiendra l'adhésion de Sir John Bradbury: les jurists seraient nommés pour s'occuper exclusivement des demandes de restitutions qui leur seront soumises par les Gouvernements intéressés. [...] Sir John BRADBURY se déclare prêt à accepter cette proposition. En examinant de très près le texte du Traité, il estime que l'interprétation correcte est que les juristes doivent être nommés seulement pour trancher les différends éventuels. Leur compétence ne s'exerce que pour les objets mentionnés aux Annexes [of article 195]; elle ne s'étend pas aux objets sur la destination desquels l'Italie et l'Autriche sont d'accord, ou pour les objets que l'Autriche est prête à remettre à l'Italie." ([*Reparation Commission*,] *Procès-Verbau* 139. [*Decision*] 948. *Procédure à suivre relativement à la question d'interprétation* (Article 195 du *Traité de Saint-Germain*) soulevée par le Délégué italien au cours de la 133<sup>e</sup> séance, February 15<sup>th</sup>, 1921, AN, AJ/6/1847.)

69 Giuseppe Salvago Raggi to Regia Legazione Vienna, February 22<sup>nd</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

70 "La C.R. ne présente aucune objection à la livraison par l'Autriche des objets que celle-ci reconnaît devoir restituer à l'Italie en vertu de l'article 195 et de son annexe 1 stop l'Italie s'engage à soumettre à la Commission aussitôt après leur livraison des listes complètes de tous objets livrés en vertu dudit article 195 et son annexe 1 stop Dans le cas où la Commission déciderait que certains de ces objets ne sont pas visés par les termes de l'annexe 1 de l'article 195 l'Italie s'engage à en faire immédiatement retour à l'Autriche." (Reparation Commission to Austrian Section, February 28<sup>th</sup>, 1921, AN, AJ/5/204.)

71 *Section d'Autriche, Procès-Verbau* 72. *Decision* 687. *Livraison d'oeuvres d'art par l'Autriche à l'Italie en exécution de la convention artistique italo-autrichienne du 4 Mai 1920*, March 2<sup>nd</sup>, 1921; Austrian Section of the Reparation Commission to Staatskanzler Michael Mayr, March 3<sup>rd</sup>, 1921 (AN, AJ/6/1847).

72 MODIGLIANI 1955(2), pp.495.

an enemy: “noi siamo oggi più che persone, istrumenti di un destino che ha deciso così.”<sup>73</sup> Thanks to the Reparation Commission's telegram IS 171, article 4 of the convention, the one dealing with the objects mentioned in article 195 of Saint-Germain, could finally be dealt with. “[S]aprai che l'altro ieri – Modigliani wrote to Gino Fogolari on March 16<sup>a</sup> – abbiamo ritirato tutta la roba dell'art. 4 della Convenzione che corrisponde all'art. 195 del Trattato di Saint Germain. In settimana io parto per l'Italia, ma spero che presto si potranno ritirare anche le cose degli art. 3 e 5”.<sup>74</sup> As for the remaining articles 3 and 5, Austria promised they would have been dealt with as soon as possible. Part of those items had however already been removed from museums and stored at the Austrian Foreign Affairs to avoid evoking the constant concerns of visitors and experts. On top of that, the biggest bulk of the objects comprised in article 3 was made up of the things taken away by the Military Mission for the Armistice in 1919. Only a few items of negligible monetary value were left in Vienna that fell under article 3, which was about the old treaties between Italy and Austria-Hungary from the second half of the XIX century.<sup>75</sup> Thus, what still remained for the Italian experts to take with them after March's retrievals were mainly groups of objects pertaining to the transferred territories, at times quite conspicuous, like those of prehistoric and archaeological pieces. As the months passed, pressure from the Italian public opinion, especially that of Venezia Tridentina, had been mounting for the retrieval of those same objects, taking the form, among others, of parliamentary questionings. As a result, towards the end of June 1921, and again in July, the Ministry of Foreign Affairs urged Marchese della Torretta to proceed with the remaining consignments with the utmost celerity. The risk of new foreign interferences never subsided and the Italian government once again requested of its diplomats to push the matter through at all costs. They also relied on Austria's eagerness to discharge herself of the troublesome load still hidden away in Vienna.<sup>76</sup> In September, along with Sticotti and Gerola, the officer from Venice sent for by Modigliani was still busy packing the countless small artefacts once displayed in the Naturhistorische Museum.<sup>77</sup> Eventually though, that month marked the end of the consignments of artworks and other collections as agreed upon in the Austro-Italian special convention. This circumstance also had the Italian diplomacy consider (albeit reluctantly) the release to the public of the text of the agreement, which thing

---

73 *Ibidem*.

74 Ettore Modigliani to Gino Fogolari, March 16<sup>a</sup>, 1921 (ASPMV, b. 14-55B, fasc. 1). Salvago Raggi in turn confirmed to Affari Esteri and Pubblica Istruzione that the first deliveries of March 14<sup>a</sup> had taken place: Giuseppe Salvago Raggi to Affari Esteri and Pubblica Istruzione, March 22<sup>a</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

75 “[L]a maggiore e più cospicua parte degli oggetti stessi è stata tolta dai Musei viennesi per farla considerare al pubblico come già consegnataci. [...] [T]olte le cose già ritirate dalla Missione militare, quelle da ritirarsi in base all'art. 3 della Convenzione non sono che tre o quattro, le quali, pur non essendo prive di pregio, anzi di grandissimo pregio e di grandissimo interesse per Venezia e per Milano che non hanno mai cessato di reclamarle, non rappresentano, rispetto al valore storico, che un modesto valore venale.” (Ettore Modigliani to Affari Esteri, June 19<sup>a</sup>, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

76 *Appunto per S.E. il Ministro*, Affari Esteri, Ufficio Contenzioso e Legazione, June 27<sup>a</sup>, 1921; *Appunto per S.E. il Ministro*. *Convenzione artistica italo-austriaca – Consegnare degli oggetti in deposito presso il Ministero degli Affari Esteri austriaco*, Affari Esteri, Ufficio Contenzioso e Legazione, July 16<sup>a</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

77 Pagan to Gino Fogolari, September 3<sup>a</sup>, 1921 (ASPMV, b. 14-55B, fasc. 1).

could not possibly be kept on hold for much longer.<sup>78</sup> This said, it is still not clear through which official channels this happened, if it ever did. In any event, the Austrian government had already told Biancheri they would have no longer raised any claims based on the Treaty of St. Germain, and requested of Italy a similar pledge.<sup>79</sup> This would nevertheless allow for some of the issues still pending to be carried on with a view to their final resolution. Among such cases, the thorniest proved of course to be the three Estense manuscripts and Tuscany's Crown jewels, the *Tesoro Mediceo*, whose fate was to follow that of the emperor.

### *Treasures in exile*

Karl I of Austria had left Vienna on the day of his quasi-abdication. On November 11<sup>th</sup>, 1918 he had given up his right to take part in Austrian state affairs through a *Verzichtserklärung* were he had been careful to avoid using the term 'abdication'. That evening, after centuries of Habsburg rule, he, his family and escort left Vienna for good and resettled in Lower Austria, at the Eckartsau Castle. On November 12<sup>th</sup> the Provisorische Nationalversammlung, the Provisional National Assembly, declared German-Austria a democratic republic. The following year, towards the end of March, Karl, his wife Zita and the rest of the family reached Switzerland, without Karl's explicitly abdicating but issuing a statement where he still claimed his sovereignty instead. In response, on April 3<sup>rd</sup> the Austrian parliament issued the law previously discussed, which dethroned and banished the Habsburgs, and confiscated all the imperial properties in favour of the new republic. In November 1921 Karl and his wife Zita reached their final exile in the Portuguese island of Madeira, where Karl died from the consequences of a severe pneumonia in 1922.<sup>80</sup>

As the Austrian Foreign Affairs clarified in a note for the Italian diplomacy in Vienna, on November 1<sup>st</sup>, 1918, a few days before leaving the capital, the emperor had Lord Chamberlain Count Leopold Berchtold get into the *Schatzkammer* and place some of the most valuable crown jewels into a suitcase.<sup>81</sup> The precious baggage is said to have travelled to Switzerland soon after the removal, but no one can to this day really say with some confidence what exactly happened to part of that jewellery and conjectures abound.<sup>82</sup> What

---

78 "Ho significato a questo Ministero Affari Esteri [the Austrian Foreign Affairs] che Governo italiano riteneva preferibile soprassedere dal pubblicare testo della Convenzione artistica, ma che ero pronto a concordare un comunicato da pubblicarsi in Austria se e quando tutti indistintamente gli oggetti dovuti all'Italia le fossero stati restituiti. Mi propongo di guadagnare tempo." (Augusto Biancheri to Affari Esteri, September 10<sup>th</sup>, 1921, ASD, Affari politici 1919-1930, Austria, b. 841).

79 Walter Breisky, Bundesministerium für Äußeres, to Augusto Biancheri, March 15<sup>th</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

80 "Karl Franz Joseph", in: *Österreichisches Biographisches Lexikon 1815–1950* (ÖBL). Band 3, Verlag der Österreichischen Akademie der Wissenschaften, Wien 1965, pp. 236-239.

81 Staatsamt für Äußeres to Italian Royal Diplomatic Mission to Vienna, December 30<sup>th</sup>, 1919 (ASD, Rappr. diplom. Austria, b. 275).

82 An intriguing memoir by Alphonse de Sondheimer, the Swiss dealer who was apparently charged with disposing of some of the pieces on behalf of the emperor and died in the US in the 1950s, is said to have reached a publishing house in not-clearly-specified circumstances. The volume, whose editor remained anonymous, was released in 1966: Alphonse de Sondheimer, *Vitrine XIII : Geschichte und Schicksal der österreichischen Kronjuwelen*, Wein : P. Zsolnay Verlag, 1966. According to an article on the

is sure is that the diamond known as the Grand Duke of Tuscany's or Fiorentino, arguably one of the largest diamonds in the world, had been missing from the Schatzkammer since. It reportedly weighed 139 carats and was 38 millimetres in diameter, with nine faces arranged in a star-like pattern and a slight yellow tint. The account of the diamond's origins is anything but univocal. Its more recent history seems to get clearer owing also to the art critic Nello Tarchiani's thorough inquiries at the time of the dispute in 1923. Grand Duke of Tuscany Ferdinando I de' Medici must have purchased it after much bargaining in 1600.<sup>83</sup> Members of the House of Lorraine had transported a significant batch of Tesoro Mediceo to Vienna after the death of the Princess Electress in 1743, in spite of the agreements of 1737 whereby she had secured everything to the City of Florence. Some maintain the Grand Duke's diamond had been cut to pieces and sold, others that it got stolen on the journey to Switzerland, or that it wound up with Empress Zita in Spain, and so on. Austrian authorities discovered the crown treasures had vanished only after the April-3<sup>rd</sup> law had allowed for the confiscation of Imperial assets the following year, ultimately comprising the fideicommiss property of the Imperial family. Apart from the fact that the objects shouldn't have left Vienna according to the restrictions subsequently imposed on Austrian collections through article 196 of St. Germain, the remarkable gemstone, forming part of the Tesoro Mediceo taken to Vienna during the XVIII century, was included in Italy's demands spelled out in Annex I to article 195 and consequently reiterated in the special convention of May 4<sup>th</sup>, 1920. The Austrian government always declared itself willing to ascertain the whereabouts of what Karl had taken away, yet, for various reasons, it could not really take any significant steps (neither legal nor diplomatic) towards the localisation and recovery of the objects.<sup>84</sup> Objects that had left Austria long before the new government became the rightful owner of all the court and fideicommiss property in April 1919. "Se trouvant cependant, de plein droit, à l'étranger ils n'ont jamais passé en possession de l'Autriche", explained the Bundesministerium für Äußeres to the Italian attaché in Vienna Luca Orsini-Baroni.<sup>85</sup>

To Italy's great distress, the same was true also for the three most precious Estense manuscripts so insistently requested by Segre's men at the Hofbibliothek. They too left Austria with the Imperial family. In November 1921 the manuscripts were said to be in Switzerland with the diamond, as a

---

Spiegel published on that occasion: "Auf 78 eng beschriebenen Folio-Seiten, die auf Umwegen erst jetzt an den Zsolnay-Verlag gelangten, schildert Sondheimer (der Ende der fünfziger Jahre in den USA starb) die Zerstörung der Kronjuwelen und seine Transaktionen für den Ex-Kaiser. Der – anonyme – Herausgeber der Sondheimer-Erinnerungen kommt zu dem Schluß: Der Verkauf der Kronjuwelen war «eines der schlechtesten Geschäfte der Welt überhaupt»." ("Rosa Tropfen", *Der Spiegel*, September 4<sup>th</sup>, 1966, <https://www.spiegel.de/politik/rosa-tropfen-a-dab0345d-0002-0001-0000-000046414189>)

83 TARCHIANI 1923.

84 For instance: "Credo opportuno aggiungere ad ogni buon fine – a note from Vienna addressed to the Italian delegation in Paris read – che se effettivamente il Diamante in questione trovasi in Svizzera il Governo Austriaco si troverà assai imbarazzato a prendere le misure del caso perché fino ad oggi la Svizzera non ha riconosciuto il nuovo Governo Austriaco e non esistono fra i due paesi rapporti normali." (Note from Vienna, possibly by Marchese della Torretta, to Tommaso Tittoni, Delegazione italiana pace, November 19<sup>th</sup>, 1919, ASD, Rapp. diplom. Austria, b. 275.)

85 Bundesministerium für Äußeres to Luca Orsini Baroni, March 16<sup>th</sup>, 1922 (ASD, Rapp. diplom. Austria, b. 275).

person of trust had told the Italians on behalf of the emperor. The imperial family would try for some years to promise the objects to Italy had the latter agreed to buy Castello del Catajo (Padua) and Villa d'Este (Tivoli), property of the imperial family until the war broke out:

È venuto da me [il] dottor Schager – Orsini Baroni reported – nota persona di fiducia dell'ex Imperatore Carlo. Egli mi ha dichiarato che brillante di Toscana e manoscritti si trovano in Svizzera presso persona di fiducia [...]. Dottor Schager il quale ha veduto ex Imperatore poco prima che lasciasse la Svizzera ha ragione di credere che egli è favorevolmente disposto a trattare con Italia per cessione brillante e manoscritti contro compenso del valore del Cattaio [sic] e Villa d'Este. Preferirebbe trattative dirette anziché a mezzo del Governo austriaco.\*

As a matter of fact though, Italy had first confiscated the manors based on the laws of war and subsequently kept them thanks to the reparation clauses in the peace treaty.<sup>86</sup> At the end of the day, to Italy, Karl's offer was tantamount to buying the diamond and the manuscripts. In retrospect, that could have proven the right thing to do, provided the emperor still owned the objects in question and meant to make good on his offer. Italy never accepted Karl's proposal though, and some time after the emperor's death, in April 1923 news started to get around that the two volumes of Borso d'Este's Bible were for sale in Paris.<sup>88</sup> The sale was possibly been conducted on the empress dowager's commission. The repeated exhortations of the then Italian minister of Foreign Affairs Benito Mussolini notwithstanding, it proved ultimately impossible for Italy to clearly ascertain whether she still owned the manuscripts or had sold them to a dealer instead (which thing Zita herself seems to have confirmed<sup>89</sup> but that Modigliani

---

86 Luca Orsini Baroni to Pietro Tomasi della Torretta (now Italian minister of Foreign Affairs), November 23-, 1921 (ASD, Rappr. diplom. Austria, b. 275).

87 Treaty of Peace between the Allied and Associated Powers and Austria, signed at Saint-Germain-en-Laye, September 10-, 1919, London : H.M. Stationery Office, 1919, Article 208, p. 60. To be fair, article 208, cited as the legal basis for Italy to acquire this type of property, can be construed to refer exclusively to transferred territories of the former Austro-Hungarian monarchy, not to places like Padua and Tivoli for instance, already part of the Kingdom of Italy. Yet, the wording of article 208 leaves room for interpretation: "States to which territory of the former Austro-Hungarian Monarchy is transferred and States arising from the dismemberment of that Monarchy shall acquire all property and possessions situated within their territories belonging to the former or existing Austrian Government [including private property of members of the former royal family of Austria-Hungary]. [...]" In an internal memorandum for the Italian minister of Foreign Affairs we read: "Per quanto riguarda la villa del Cattaio [sic] e quella d'Este, non sembra dubbio il diritto del R. Governo ad incamerarle in base all'art. 208 del Trattato di Pace [...]" (*Relazione a S.E. il Ministro. Oggetti preziosi che trovansi in Svizzera presso l'ex Imperatore Carlo I – Villa del Cattaio – Villa d'Este*, Affari Esteri, January 17-, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

88 Affari Esteri to Ambasciata Italiana Madrid, April 14-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

89 "Ex Imperatrice Zita interpellata da parte Re Alfonso circa proprietà noti oggetti d'arte dichiara che Bibbia detta "Borso" fu venduta da defunto suo consorte esiliato e privo di mezzi, come pure altri gioielli e manoscritti, per provvedere spese mantenimento." (Ambasciata Italiana Madrid to Affari Esteri, April 24-, 1923, ASD, Affari politici 1919-1930, Austria, b. 843.) Yet, in his memoirs, De Sondheim maintained Karl would have earmarked the proceedings of those sales for his alleged plans to restore the monarchy. ("Rosa Tropfen", *Der Spiegel*, September 4-, 1966, <https://www.spiegel.de/politik/rosa-tropfen-a-dab0345d-0002-0001-0000-000046414189>)

doubted, in light of the object's officially disputed ownership<sup>90</sup>). Zita of Bourbon-Parma was now leading a life that can be described as frugal in the small sea town of Lequeitio, a few kilometres from Bilbao, in northern Spain. The only way for Italy to try and reach out to her and her entourage was through the Spanish Embassy and Royals, with whom she apparently seldom engaged.<sup>91</sup> Almost everything Italy got to discover about the prospect sale of the long-sought Bible came from one of the most successful and renowned antiquarian booksellers, book expert and collectors of those years in Italy, Tammaro De Marinis. He evidently had more than one acquaintance in high places, if it is true that he ended up notifying and mobilising everyone at the Ministry of Education, from Minister Gentile and Director of Fine Arts Colasanti to Venturi and Ojetti. It was him who first spotted the two-volume manuscript in Paris, accidentally or much more likely according to the seller's plans. The famous art critic and member of Consiglio Superiore di Belle Arti Ugo Ojetti had immediately informed Modigliani about what the dealer had seen. "Penso piuttosto che sia la stessa Zita – observed Modigliani – la quale ormai non ignora che noi, più che al Diamante, teniamo ai codici, e fra i codici tianamo soprattutto alla Bibbia di Borso, a muovere per mezzo di qualche collezionista o antiquario qualche passo presso il Governo italiano per vedere di far denari col celeberrimo codice."<sup>92</sup> Brera's director thought legal action out of the question, despite suggesting the volumes be temporarily seized by French authorities, a request Mussolini addressed to Paris two days after Modigliani's memo.<sup>93</sup> Unfortunately the identity of the seller and the location of the Bible were still a mystery to everyone (but De Marinis, who apparently had been asked not to disclose the details yet), making it hard for the French to enact any precautionary measure. In any case, Modigliani was positive that the Italian Government should have made any sacrifice to recover the Bible, although its finances did not leave much to hope for. First talks of a private benefactor date May 1923. In a note for the Italian Embassy in Madrid Mussolini hinted at the possibility that somebody in Italy would buy the Bible, and demanded more information be obtained from the Empress Dowager as to the identity of his possessor in Paris.<sup>94</sup> Apparently Italy's Prime Minister, along with the Minister of Education, were deeply concerned the Bible could be lost to a foreign buyer and had shared such views with Giovanni Treccani, textile industrialist, publisher, philanthropist and soon-to-be senator of the Kingdom.<sup>95</sup>

---

90 Ettore Modigliani to Augusto Biancheri, April 16-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

91 "Gravi difficoltà si oppongono a questa Ambasciata per indagare se ex Imperatrice Zita conservi tuttora oggetti artistici reclamati dal R. Governo. Ex Sovrana abita piccola villa Lequeitio (nord Spagna). Scarse sono relazioni che mantiene con questa Corte sia con membri dell'aristocrazia spagnuola. Come V.E. comprende riesce alquanto malagevole interessare persona influente in ricerche che hanno apparente carattere privato." (Ambasciata Italiana Madrid to Affari Esteri, April 16-, 1923, ASD, Affari politici 1919-1930, Austria, b. 843.)

92 Ettore Modigliani to Augusto Biancheri, April 16-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

93 Benito Mussolini, Affari Esteri, to Ambasciata Italiana Parigi, April 18-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

94 Benito Mussolini, Affari Esteri, to Ambasciata Italiana Madrid, May 1-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

95 MODIGLIANI 1923b, p. 556.

On May 1<sup>a</sup> Treccani left for Paris to negotiate the purchase of the Bible.<sup>96</sup> In that he must have surely received the assistance of De Marinis, the first and only contact point with the anonymous seller. On May 2<sup>a</sup>, in a letter to a not-better-specified senator, Treccani wrote he had, after never-ending negotiations, bought the Bible for 3.3 million francs.<sup>97</sup> The manuscript would have no doubt left for the United States otherwise, he said, and even on the occasion of the payment various personalities had swarmed the Bank. Among them the French antique dealers Vitall and Léopold Benguiat, who apparently offered Treccani a million francs for the sale contract right away. From Treccani's letter we finally learn the mysterious middlemen to have been a certain Romeuf, Zita's chargé d'affaires in France but in fact real owner of the volumes, which he asserted Karl had sold him earlier on, like the empress had said. Having to leave in a hurry for Milan to attend the imminent birth of another heir and some official duties too, Treccani secured the precious buy in a safe at the bank for somebody else to come and collect. The task was taken on by Director General of Fine Arts Arduino Colasanti himself, who must have received the volumes on May 14<sup>a</sup>.<sup>98</sup> In his last lines Treccani said he would present the Bible to the Italian King, leaving him the last say as to the manuscript's destination.<sup>99</sup> That is how Borso d'Este's Bible found its way back to Modena.

The other two Estense manuscripts, the Ercole I's Breviario Romano and the Ufficio della Beata Vergine, or Offiziolo Alfonsino, did however not partake of the Bible's good luck. Both of them had already undergone severe mutilations supposedly in the second half of the XIX century, whereby the Breviario had lost its first four pages and the Offiziolo was stripped of several illuminations. In the months following the purchase of Borso's Bible, the Italian government had the chance to learn about their whereabouts. De Marinis had seen them with Romeuf in Lausanne and had apparently been invited once more to gauge his government interest in the deal.<sup>100</sup> Yet, the exceptional circumstances of the recovery of the famous Vulgate could by no means repeat, and the Italian government was in no way keen to play according to the rules set by Zita and her agent. This is why Italy's Foreign Affairs resolved to issue a formal warning to the Empress Dowager to prevent her from selling the manuscripts and crown jewels claimed in the peace treaty and in the special convention of May 1920. The empress received the warning in Lequeitio on August 4<sup>a</sup>, 1923.<sup>101</sup> The move had of course no real power to change the course of events. Nonetheless, Italy's warning had apparently been published in the press and Modigliani's

---

96 "Sig. Treccani è partito per Parigi per trattare acquisto Bibbia vulgata." (Benito Mussolini, Affari Esteri, to Ambasciata Italiana Parigi, May 1, 1923, ASD, Affari politici 1919-1930, Austria, b. 843.)

97 One 1923's French franc should roughly have amounted to 1.3 1923's Italian lire and, in turn, to 0.7 today's euros. The Bible thus might have cost Treccani around 4.3 million lire, today's 2.3 million euros. (<https://www.historicalstatistics.org/Currencyconverter.html>) Modigliani talked of nearly 5 million lire. (MODIGLIANI 1923b, p. 556.)

98 Giovanni Gentile to possibly the unknown Senatore, who seems to have sent Treccani's letter to the minister of Education, May 9, 1923; Affari Esteri to Ambasciata Italiana Parigi, May 12, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

99 Giovanni Treccani to unknown Senatore, May 2, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

100 Benito Mussolini, Affari Esteri, to Ambasciata Italiana Parigi and Ambasciata Italiana Madrid, July 8, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).

101 Ambasciata Italiana Madrid to Affari Esteri, August 11, 1923 (ASD, Affari politici 1919-1930, Austria, b. 843).



account of the events featured L' *Illustrazione Italiana*'s issue of September 23<sup>rd</sup>.<sup>102</sup> The hope was to give the ongoing dispute so much publicity as possible and thus deter potential buyers, an expedient to which the art market can always prove particularly resilient, as did Swiss banks when confronted with Italian requests for information.<sup>103</sup> So it went that in Amalfi in 1870 the Croatian bishop and politician Josip Juraj Strossmayer bought the fragments of the Offiziolo Alfonsino along with Breviario's ripped pages, and bequeathed them to the then Yugoslav (now Croatian) Academy of Sciences and Arts he had founded a few years prior. They are to date kept in the Strossmayer Gallery of Old Masters in Zagreb. The rest of the Offiziolo ended up on the market and was eventually purchased by the Armenian oil magnate Calouste Sarkis Gulbenkian, winding up in Lisbon, home to the Gulbenkian Foundation and its museum. Ercole I's Breviario seems to have been traced once again some years later thanks to De Marinis and bought by the Italian government after a long secret negotiation. It joined Borso's Bible in Modena's Estense Library in 1939.<sup>104</sup>

### *The much-awaited consignments*

Back in March 1921, the special convention was finally being implemented and Italy started receiving the rest of the things she had long been claiming as her rightful property. On Monday the 14<sup>th</sup>, the day the first consignments took place according to article 4 of the special convention, Austrian and Italian museum officers had been drawing and signing delivery receipts with detailed lists. Piero Sticotti and Josef Bayer of the Naturhistorische Museum had been in charge of prehistoric collections, whereas Modigliani had in turn taken care of everything else in collaboration with the various expert curators of the Kunsthistorische Museum. Julius von Schlosser assisted him with paintings, ancient artefacts and other pieces, including numerous exquisite little pieces of jewellery from Tesoro Mediceo. Curators August von Loehr from the Münzkabinett and Julius Bankó, director of the Antikensammlung, handed over several gold medals and the Aspasios engraved gem. Josef Donabaum, among the most strenuous opponents of Italy's claims, helped Modigliani at the Hofbibliothek. The full lists, which Biancheri forwarded to Rome a few days later,<sup>105</sup> testify to the painstaking job the men had undertaken, and to the extent of what for Vienna represented another deeply felt loss of the only things, Austria's collections of treasures, that seemed to have survived the otherwise pervasive misery and havoc of the war:

---

102 MODIGLIANI 1923c.

103 "[L]e Banche svizzere, essendo gelose del segreto dei loro depositari, si rifiutano di dare qualsiasi informazione al riguardo. Le indagini fatte a suo tempo dalla R. Legazione circa i noti gioielli ed alcuni codici asportati dal defunto ex imperatore Carlo d'Asburgo e da noi rivendicati, sono rimaste senza risultato [...]."

(Regia Legazione Italia Berna to Affari Esteri, November 5<sup>th</sup>, 1923, ASD, Affari politici 1919-1930, Austria, b. 843.)

104 [Just websites, no docs or literature, need other sources.]

105 Augusto Biancheri to Affari Esteri, March 17<sup>th</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

## NELLA NEUE HOFBURG

I seguenti oggetti pervenuti da Modena nel 1859, nel 1868 e nel 1872:

- Disegno del Correggio [...].
- Ritratto di Pio IX in marmo di Carrara.
- Cofano d'ambra con intaglio in osso rappresentanti fatti del Vecchio Testamento, e superiormente la Crocifissione e la Resurrezione [...].
- Vassorio istoriato con figure di madreperla e avorio;
- Fruttiera [...].
- Coppa di diaspro verde [...].
- Coppa d'agata [...].
- Zuccheriera di lapislazzuli.
- Due fiasche di cristallo di rocca [...].
- Due alari di bronzo [...].
- Statuetta di bronzo rappresentante un guerriero astato a cavallo. [...]
- Calamaio in bronzo con una figura di grande satire e due satirelli. [...]
- Bronzo con Cristo che porta la croce. [...]
- Bronzo con S. Sebastiano avvinto all'albero. [...]
- Bronzo con un cavallo al passo. [...]
- Altro bronzo con un cavallo al passo. [...]
- Piccolo busto in bronzo di Alfonso I [...].
- Due medaglioni in bronzo in bassorilievo rappresentanti un Ercole che uccide l'Idra l'altro Ercole che sbrana il leone. [...]
- Ritratto di Francesco II a penna.
- Dodici disegni della Colonna Traiana.
- Brocca in madreperla e avorio.
- Due piatti ovali d'argento [...].
- Castello d'argento dorato.
- [45 paintings]
- Statuetta equestre di Francesco I d'Este in osso e legno.
- Bicchiera grande a calice di Murano [...]
- Presepio figurato con undici figurine e animali.
- Due intagli di legno rappresentanti la Fede e la Carità.
- Vassoio e anfora di metallo.
- Anfora antica orientale con teste in rilievo.
- Scettro di diaspro venato bianco.
- Ritratto del Principe e Cardinal Rinaldo d'Este formato di minutissima scrittura.
- Colonna di porfido.
- Vaso di porfido.
- Bronzo con toro sdraiato.
- Chitarra di marmo.
- Violino di marmo.
- Statuetta in bronzo con Ercole.
- Piffero di marmo.
- [1 painting]
- Statua di bronzo con Amore che spezza l'arco.

Il Direttore Giulio Schlosser, in nome del Governo Austriaco, consegna; e il dott. Ettore Modigliani, in nome del Governo italiano, riceve gli oggetti modenese della Neue Hofburg sopra elencati.

Vienna 14 marzo 1921

[Modigliani's and Schlosser's handwritten signatures]

#### NEL MÜNZKABINETT

- 1/ Una medaglia d'oro dell'Elettore Giov. Guglielmo Palatino, dell'anno 1711 [...].
- 2/ Una medaglia d'oro dell'Elettore Giov. Guglielmo Palatino [...].
- 3/ Una medaglia d'oro dell'Elettore Giov. Guglielmo Palatino [...].
- 5/ Una medaglia d'oro dell'Elettore Giov. Guglielmo Palatino [...].
- 6/ Una medaglia d'oro coll'impronta del Granduca Ferdinando II [...].
- 7/ Una medaglia d'oro coll'impronta dell'Infante Carlo di Spagna [...].
- 10/ Una medaglia coll'impronta del Re e della Regina sposa di Napoli [...].
- 11/ Una medaglia d'oro [...].
- 12/ Una medaglia d'oro col ritratto del Granduca Cosimo VI [...].

[...] Il dott. Augusto Loehr, a nome del Governo Austriaco, consegna; ed il dott. Ettore Modigliani, a nome del Governo italiano, riceve le nove qui segnate medaglie.

Vienna 14 marzo 1921

[Modigliani's and Loehr's handwritten signatures]

#### NELLO STAATSMUSEUM

Sala XIV Vetrina 12 – N. 85 [...]

- La Gemma di Aspasios

Il dott. Giulio Bankó, a nome del Governo Austriaco, ed il dott. Ettore Modigliani, a nome del Governo italiano, riceve l'oggetto su indicato.

Vienna 14 marzo 1921.

[Modigliani's and Bankó's handwritten signatures]

#### NELLA STAATSBIBLIOTHEK

- N. 93 Autografi pervenuti da Archivi Milanesi (compresi 28 dell'Archivio dell'Istituto Lombardo di Scienze e Lettere).
- N. 22 Copialettere Gonzaga pervenute dall'Archivio di Mantova.

Il dott. Giuseppe Donabaum, a nome del Governo Austriaco, consegna; e il dott. Ettore Modigliani, a nome del Governo italiano, riceve i novantatré autografi e i ventidue copialettere sopra indicati.

Vienna 14 marzo 1921

[Modigliani's and Donabaum's handwritten signatures]

## NELLO STAATSMUSEUM

I seguenti settantaquattro oggetti del Tesoro di Toscana provenienti dall'eredità della Principessa Elettrice dei Medici:

[74 pieces, including for instance:]

- N. 45 Ranocchio di perla, diamanti negli occhi, piedi e capo in smalto verde.
- N. 54 Agnello di perla.
- N. 165 Bacco di perla sopra una botte circondato di foglie di vite d'oro smaltato guarnito di diamanti.
- N. 42 Cammello di una perla, con due balle guarnite di diamanti rubini su piedistallo di lapislazzuli.
- N. 10 Drago alato di perla, smaltato di verde, con diamantine.
- N. 173 Scimmia di perla sopra piedistallo d'oro smaltato ornato di qualche diamante.

[...] Il Direttore dott. Giulio Schlosser, a nome del Governo Austriaco consegna, ed il dott. Ettore Modigliani, a nome del Governo italiano, riceve I settantaquattro oggetti sopra indicati.

Vienna 14 marzo 1921

[Modigliani's and Schlosser's handwritten signatures]

Articles 3's and 5's turn came a few months later. According to Salvago Raggi, Italy's haste could have seriously hindered the success of the operations. It was deemed more sensible to be done with the much-discussed retrieval of the objects in article 4 before moving on to the remainder. On top of that, as Raggi observed, the Austrian section of the Reparation Commission was about to leave Vienna for good, which thing took in fact place in May 1921. This was certainly expected to be a beneficial turn of events, in that the main source of opposition was now out of the picture. The fact that the Entente was considering postponing indefinitely the payments Austria owed to her creditors, as well as her reparation obligations, was yet another point in favour of Italy's agenda. In that case, the Reparation Commission would not be asserting much control over those assets initially turned into collaterals against relief loans anymore, Austrian collections included.<sup>106</sup> So it went that the objects claimed based on the old treaties of the 1850s and 1860s (spelled out in article 3 of the special convention), along with those pertaining to transferred territories of South Tirol and Venezia Giulia (as per article 4), left their Viennese home for Italy between August and September 1921.<sup>107</sup> As a matter of fact, not too much was left to carry away, having the Italian Military Mission and its art officers removed a great deal of those very things in the first part of 1919. Through the implementation of the special convention those controversial seizures were thus acknowledged once and for all. The last pieces still left in Vienna were now being taken care of too. It appears that copies of all the lists of objects

---

106 Salvago Raggi, Italian delegation on the Reparation Commission, to Pubblica Istruzione and Affari Esteri, March 22<sup>a</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

107 See also "Le ultime consegne di opere d'arte dall'Austria all'Italia", *Il Corriere della Sera*, September 18, 1921, p. 2.

claimed by Italy in the special convention, and of those later handed over to Modigliani and his colleagues had been forwarded to the various delegations on the Reparation Commission in Paris. The French and British delegations in particular had been translating, printing out and examining the documents and each single entry therein.<sup>108</sup> Like he had done in March, Biancheri sent the lists with the second batch of consignments to the Foreign Affairs in Rome at the end of September 1921<sup>109</sup>:

OGGETTI RITIRATI NELL'AGOSTO-SETTEMBRE 1921, in applicazione degli art. 3 e 5 della Convenzione italo-austriaca del 4 maggio 1920 (art. 194 e 196 del Trattato di St. Germain).

PER L'ARTICOLO 3:

- Le insegne dell'incoronazione di Napoleone I come Re d'Italia: a) Il manto; b) La corona; c) Lo scettro; d) Il bastone da maresciallo; e) La mano della Giustizia; f) Il sigillo del Regno italiano; g) Un calamaio di porcellana.
- Il Reliquiario bizantino donato dal Cardinale Bessarione alla Scuola della Carità a Venezia,
- La Croce processionale d'argento della Scuola di San Teodoro a Venezia,
- Le placchette in terracotta trovate negli scavi di Palazzo Venezia a Roma,
- Dipinto col leone di San Marco e Santi, di Giacomo Bello. NB: Questo dipinto faceva parte del gruppo di quadri ritirati dalla Missione Militare italiana d'armistizio e fu dimenticato nei magazzini della Gemäldegalerie [...]
- Le chiavi della città di Brescia.

PER L'ARTICOLO 5: (Oggetti compresi negli elenchi a firma Modigliani-Tietze in data 15 febbraio 1921<sup>110</sup>).

- Due colubrine del 1801 provenienti da Trento,
- Porta gotica in legno proveniente da Bolzano,
- Dieci manoscritti della Biblioteca dei Principi vescovi di Trento [...].
- Sei codici musicali del Duomo di Trento<sup>111</sup>,

---

108 Raymond Koechlin to French delegation, Reparation Commission Paris, January 2-, 1921 (AN, AJ/5/511); Istruzione, Direzione Generale Antichità e Belle Arti, to Esteri, May 29-, 1922 (ASD, Affari politici 1919-1930, Austria, b. 841).

109 Augusto Biancheri to Affari Esteri, September 28-, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

110 *Elenco degli oggetti di cui all'articolo 5 della convenzione italo-austriaca 4 maggio 1920, i quali sono ceduti dall'Austria all'Italia in seguito a discussione e ad accordi intervenuti fra i periti delle due parti: Dott. Hans Tietze, in rappresentanza del Governo della Repubblica d'Austria, e Dott. Ettore Modigliani, in rappresentanza del governo del Regno d'Italia*, signed Modigliani and Tietze, Vienna, February 15-, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

111 While in Vienna the six musical codes from Trento had been thoroughly researched and partly published in the Austrian historical edition *Denkmal der Tonkunst in Österreich* (launched in 1894 and still running to this day). As of 1921, new issues dedicated to the codes were still in the offing. By a fortunate agreement of which Modigliani had been a fervent advocate, after becoming property of Italy according to May 4-'s special convention, the codes had been almost immediately lent to the then Bundesministerium für Inneres und Unterricht. The loan duration was set at 10 years, with possibility

- Piccoli oggetti di scavo trovati a Lenzuno nel Trentino,
- Piccoli oggetti di scavo trovati nella strada della Mendola nel Trentino
- N. 3141 frammenti di scavo provenienti da tombe preistoriche della necropoli di Santa Lucia sull'Isonzo e da altre necropoli e grotte carsiche (secondo l'accordo Sticotti-Bayer del 14 febbraio 1921<sup>112</sup>),
- Madonna col bambino e angoli di Alvise Vivarini, proveniente da Capodistria,
- Morione della famiglia trentina Sporo,
- Scettro del Comune di Montona d'Istria,
- Fontanella di bronzo collo stemma Madruzzo dei Carmelitani di Riva,
- Capitello contesta di diacono proveniente da Pola,
- Rilievo mitriaco proveniente da Maulls nell'Alto Adige,
- Pietra miliare proveniente da Blumau nell'Alto Adige,
- Un peso romano proveniente da Trento,
- Un peso romano proveniente da Ala,
- Oggetti di scavo d'oro e bronzo trovati a Civazzano nel Trentino,
- Orecchini trovati a Salorno nell'Alto Adige,
- Piccoli oggetti di scavo provenienti da Ossero,
- Testa di cinghiale proveniente da Aquileia,
- Lapide di Platorio proveniente da Aquileia,
- Due orecchini trovati sul Dos Trento,
- Il cofanetto d'avorio italo-bizantino proveniente da Pirano,
- Torso maschile bacchico, mensola e frammento d'archivolto provenienti da Pola,
- Cucchiaino e lastrina di bronzo e piccole corna di cervo provenienti da Pola,
- Frammento di lastra di bronzo con iscrizione dei Magaplini proveniente da Capodistria,
- Tegola con figure di genii e Pan e altre otto tegole romane provenienti da Aquileia,
- Statuina in bronzo di giocoliere proveniente da Aquileia,
- Frammento di bassorilievo con rappresentazione di Icaro, proveniente da Aquileia,
- Tre iscrizioni cristiane provenienti da Aquileia,
- Frammento con testa bacchica proveniente da Pola,
- Orologio solare proveniente da Aquileia,
- Ara di Silvano proveniente da Aquileia,
- Sette iscrizioni romane provenienti da varie località della Venezia Giulia e già conservate nella collezione del Catajo.

PER L'ARTICOLO 5: (Oggetti per i quali, negli elenchi 15 febbraio 1921, effettuata una riserva, sciolta quindi col protocollo 14 marzo 1921 a firma Modigliani e Tietze)

---

of extension. On top of that, the Italian government committed itself to have Trento's Cathedral Chapter send to Vienna a seventh musical code that was to complete the other six and consequently benefit their study. (*Allegato 1* to the Modigliani-Tietze agreement of February 15<sup>th</sup>, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

112 *Naturhistorisches Staatsmuseum. Vereinbarung/Accordo tra il prof. Sticotti, rappresentante della Venezia Giulia e il Dr. Josef Bayer dir. della Sezione antropologico-etnografica del Museo di Storia Naturale in Vienna per il materiale preistorico*, signed Sticotti-Modigliani for Italy and Bayer-Tietze for Austria, Vienna, February 14<sup>th</sup>, 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

- Due manoscritti di Castel Tirolo, conservati nel castello di Ambras,
- Sei manoscritti di provenienza trentina, della biblioteca universitaria di Innsbruck [...].
- N. 100 manoscritti provenienti dal convento di Novacella (Neustift) in Alto Adige [...].
- N. 200 pergamene del Convento delle Clarisse di San Michele in Trento,
- La bandiera di Primiero,
- Nastro di bandiera trentina del 1799,
- N. 13 disegni del restauratore Silber rappresentanti gli affreschi del Castello di Sabbionara.

Towards the end of 1921, possibly following a request from the Ministry for Education's Direzione Generale Antichità e Belle Arti, Modigliani drew a final list of single objects or whole categories the Austrians had not been able to deliver, either because the things were not in the country anymore (like the Estense manuscripts, Ferdinando I's legendary diamond and Tuscany's crown jewels), or could simply not be found or identified (as was for instance the case of other three drawings by Correggio, of sundry silverware and furniture that had once belonged to the Medici family).<sup>113</sup> This survey was carried out with a view to making the right reservations to a final statement whereby Italy was supposed to declare itself satisfied with the implementation of the special convention. Understandably enough, the Austrian government was looking forward to this moment and had more than once expressed the wish Italy would finally drop any future claims over its state collections arising from the peace treaty or the 1920 convention. Modigliani himself thought the request a reasonable one. Despite the unabated diligence and determination in fulfilling his duty and act in favour of his country without leaving no single stone unturned in the course of so many years, one can imagine he felt the time had now come also for Italy, and himself, to move on. As far as Italian officers are concerned, his commitment towards the implementation of the peace treaty's artistic clauses had been almost unparalleled.<sup>114</sup> Yet, he was now more eager than ever to get back full time to his museum in Milan and look after his

---

113 *Elementi per l'atto di tacitazione delle pretese italiane*, Modigliani's memo with list, Istruzione, Direzione Generale Antichità e Belle Arti, to Esteri, December 30- [date of receipt c/o Esteri] 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

114 In the last months of 1921 for instance, having completed the retrieval of what among the things included in the special convention was left in Vienna, Modigliani resolved to travel to Konopischt, near Prague, to ascertain the existence of other artistic property. As a matter of fact, part of what in the annex 1 to article 195 of St. Germain made up the section "Modena" had wound up in Konopischt's castle, former estate of Archduke Franz Ferdinand and now property of the Czechoslovakian government. Among the things Modigliani could find were a Madonna attributed to Andrea del Sarto ("che è una scadentissima cosa", he could not help noticing), Alfonso I d'Este's portrait by Dosso Dossi and other items he deemed of negligible value. Nothing seemed thus to justify too energetic an action towards that government, all the more so since, in Modigliani's exact words (expression of a bluntness that baffles at times, given his past efforts): "se l'Austria ha acconsentito in seguito a cederci gli oggetti di Modena, la ragione è nel fatto che si poté approfittare di circostanze favorevoli [...]. Ma è certo, a mio parere, che, sulla base di quegli accordi stipulati fra l'Italia e l'Arciduca nessun lodo arbitrale potrebbe riconoscerli legittima la pretesa sugli oggetti di Modena". (Ettore Modigliani to Istruzione, Direzione Generale Antichità e Belle Arti, October 20-, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

beloved collections.<sup>115</sup> This may then be counted among the reasons why, in his memo for Biancheri in Vienna, he confidently stated that at the end of the day Austria had the right to receive such assurance:

[I]n fondo, l'Austria, dopo averci concesso di cercare quanto abbiamo voluto e dopo averci aperte le porte dei suoi Istituti e degli Archivi, ha anche il diritto che, alla fine delle nostre ricerche, noi o le addittiamo [sic] con precisione le cose che ci deve dare o ci riteniamo soddisfatti; ha diritto, in altri termini, di non vedere lasciate le sue raccolte sotto una generica minaccia di future pretese, sotto un perpetuo pericolo.<sup>116</sup>

Italy's formal acknowledgement (atto di tacitazione) appears not to have been issued right away though. Around April 1923 Modigliani was still in consultations with the Italian diplomacy in Vienna over the exact terms in which the statement should have been spelled out.<sup>117</sup> On such occasion he actually suggested one last survey be carried out before closing the case, in order to make sure nothing had been left out of the tally two years before. Whether anyone eventually embarked on the task or not, it seems after all plausible that Italy would grant Austria such acknowledgement anyway. Unfortunately the present research did not lead to any official document attesting to it. What speaks in favour of a conciliatory attitude on the part of Italy however is another circumstance, which saw once again Modigliani advocating, albeit very pragmatically, the Austrian cause before the Italian government. Previously engaged in the negotiations on Austrian treasures, and in their consignment to the Italian officers, Hans Tietze had in the summer of 1923 reached out to Modigliani to ask for Italy's support. His government was now in the midst of similar disputes with Hungary over other large parts of the former imperial collections.<sup>118</sup> The Austrian art historian was, albeit indirectly, calling upon Italy to honour her now famous commitment to rise in defence of those same collections, a commitment the Italians had been using as a bargaining chip during the months-long drafting of the special convention. Writing to the minister of Foreign Affairs Mussolini, Modigliani underscored how this was the first opportunity for Italy to prove her good will without too much fuss. After all, he observed, Austrian's reasons would have most likely prevailed to Hungary's detriment anyway. Every time the three jurists had

---

115 "Io fui costretto ancora per qualche tempo ad occuparmi di questioni in relazione col Trattato di Pace con l'Austria [...]. [...] Ma il mio cuore era altrove [...]; il mio spirito era volto al riordino, all'ampliamento, all'abbellimento, alla riapertura di Brera [...]" (MODIGLIANI 1956, p. 496.)

116 Modigliani's final note to "Elementi per l'atto di tacitazione delle pretese italiane", Istruzione, Direzione Generale Antichità e Belle Arti, to Esteri, December 30- [date of receipt c/o Esteri] 1921 (ASD, Affari politici 1919-1930, Austria, b. 841).

117 Ettore Modigliani to Regia Legazione Vienna, April 10-, 1923 (ASD, Rappr. diplom. Austria, p. 275).

118 Based specifically on article 177 of the Treaty of peace with Hungary, which committed Hungary to the same obligations spelled out in article 196 of the Peace with Austria. In addition though, "Hungary will be entitled to apply to the said States, particularly to Austria, in order to negotiate, in the conditions mentioned above, the necessary arrangements for the return to Hungary of the collections, documents and objects referred to above [in that article]". (Treaty of Peace Between The Allied and Associated Powers and Hungary And Protocol and Declaration, Signed at Trianon June 4, 1920, article 177, [https://www.lib.byu.edu/index.php/Part\\_V\\_-\\_VIII](https://www.lib.byu.edu/index.php/Part_V_-_VIII))



been consulted with respect to Belgian, Polish and Czechoslovakian claims, they had expressed themselves in favour of Austria, “sì che noi italiani soltanto – evitando i Giuristi – finimmo per aver vittoria”, he added.<sup>119</sup> It appeared thus reasonable for Italy to take the winner’s side right away. All the more so given that some question concerning Italian claims were still pending (Brera’s director made the example of all the ancient furniture that was still waiting to be shipped back to Castello di Miramare in Trieste, emptied out when the war broke out). Modigliani’s advice was then for the Italian diplomacy to try and discreetly approach the Hungarian government with a view to scale back their pressing demands. Mussolini’s reply to Brera’s director acknowledged the validity of such considerations, and confirmed the Italian government was ready to back Austria if officially requested so.<sup>120</sup>

### *Controversial exhibitions*

Such an accommodating attitude on the part of the Italian Foreign Affairs, precisely because substantially harmless and not particularly demanding, proved less easy to obtain when it came to celebrating the arrival of the famous objects to Italy. As soon as October 1921, when the last things left Vienna, there were already talks of a big show in Rome’s Palazzo Venezia. At the same time the Viennese press seems to have once again started a campaign against the Italian methods, apparently spurred by a parallel coverage of the retrievals in Italy. In the light of all this, D’Amelio in Paris wasted no time and gave Rome the heads-up, casting some doubts on the advisability of the exhibition.<sup>121</sup> Meanwhile in Milan, everybody knew that on their journey to Italy some of those treasures had been temporarily stored within Brera’s premises. They were apparently stationing there since October 1921 until the time would come for them to reach Rome for the prospected exhibition. In January the following year, *Il Corriere della Sera* published a detailed survey of what was supposed to travel “nel più stretto incongnito” and was now secured in crates and storage rooms in Milan. The many gleaming figurines and ornaments of gold, pearls, gemstones and enamel of Tesoro Mediceo lay there along with illuminated manuscripts, the Estense bronzes, Pirano’s ivory casket and Vivarini’s Madonna with angels from Koper, among others. The reporter was apparently granted access to the rooms after a few attempts (“e Brera vigila contro gli indiscreti” he confidently noticed), concluding his piece by underscoring how interesting it would have been to have Milan admire and praise such beauties in an exhibition.<sup>122</sup> It can’t be clearly established whose idea

---

119 Ettore Modigliani to Benito Mussolini, Affari Esteri, August 9, 1923 (ASD, Affari politici 1919-1930, Austria, b. 841).

120 Benito Mussolini, Affari Esteri, to Ettore Modigliani, September 12-, 1923 (ASD, Affari politici 1919-1930, Austria, b. 841).

121 “Biancheri telegrafa che anche per effetto pubblicazioni *Corriere della Sera* intensificasi campagna stampa austriaca contro convenzione artistica. Ricordando VE quali difficoltà si dovettero superare da parte questa Delegazione per note avversione alleati nostro accordo, prego fare in modo che tali pubblicazioni non abbiano a ripetersi e che sia ritardata progettata esposizione Palazzo Venezia oggetti recuperati con accordo.” (Mariano D’Amelio to Affari Esteri, October 1-, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

122 V. B. (V. Bucci), “Gli oggetti d’arte recuperati dall’Austria di passaggio a Milano”, *Il Corriere della Sera*, January 6, 1922, p. 3.

this had been in the first place, but there is no doubt that publicity of that sort must have played a role. March came and the Milan show was still in the offing. The Italian diplomacy however never ceased to voice their serious concerns. Salvago Raggi of the Reparation Commission appears to have advised the then ministry of Foreign Affairs Carlo Schanzer against approving of the shows in Milan and Rome. It is understandable how, after years of fighting their way through the animosity of France, Britain and America, and finally succeeding by the skin of their teeth,<sup>123</sup> the Italian delegates now dreaded even the slightest prospect of further, lengthy confrontation, and for the sake of some art exhibitions. In their view, the risk of having to return some of the objects to Austria could not be ruled out yet, especially in the event the Austrian press got up in arms again, goading the Entente's sensibilities once more. It appears furthermore that back in October 1921 the publication of the Austro-Italian convention had been averted again for the same reasons, despite mounting pressure from Viennese learned circles and their own government. Hence Schanzer, and the rest of the Italian diplomacy with him, thought it appropriate at least to postpone the projects until further notice.<sup>124</sup> And again some weeks later, on March 25<sup>th</sup>, 1922, Salvago Raggi reached out to his ministry in Rome to reiterate his stance in the light of more news spreading around about the two exhibitions. The very day before, one of Ugo Ojetti's salty pieces on the subject was, in fact, out on *Il Corriere*. Apart from what was still held in Milan in view of a smaller-scale event, the rest of the exhibits seem to have already reached Rome (the exhibition in Palazzo Venezia was originally scheduled to open in January 1922). Apart from criticising this indefinite delay, and the fact that as soon as they managed to reach home, the Mantuan tapestries were rolled up again and sent to be displayed in the only city that possessed their original and more precious version, Rome,<sup>125</sup> Ojetti was questioning the overall sense of the exhibition. There was in his view nothing to celebrate in the face of a former enemy about things that were not war trophies or compensations, but simply things Austria owed to Italy. It had made sense for Fogolari to set up an exhibition of those Venetian paintings that made it back in 1919,<sup>126</sup> or even for Modigliani to take advantage of the

---

123 Again, the point was made that the opinion of the three jurists "fu provvidenzialmente evitato dalla delegazione italiana, perché secondo avviso competenti e dello stesso Modigliani, ci sarebbe riuscito sfavorevole in grandissima parte, per mancanza documenti nostro diritto." (Carlo Schanzer's telegram of March 7<sup>th</sup>, 1922 as quoted by Augusto Biancheri in a memo for the Foreign Affairs bearing the date of October 3<sup>rd</sup>, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

124 Carlo Schanzer's telegram of March 7<sup>th</sup>, 1922 as quoted by Augusto Biancheri in a memo for the Foreign Affairs bearing the date of October 3<sup>rd</sup>, 1922 (ASD, Affari politici 1919-1930, Austria, b. 841).

125 "Chi sarà l'uomo politico padre primo di questa ingenuissima idea di portare proprio a Roma gli arazzi di Mantova, forse non lo sapremo mai. [...] [A] Roma, in Vaticano, come tutti sanno almeno fuori del Parlamento, esiste la serie originale degli stessi arazzi sui cartoni di Raffaello, ben altrimenti bella e compiuta, con tutti i fregi e gli zoccoli dello stesso Raffaello." (Ugo Ojetti, "La mostra a Roma delle opere d'arte recuperate a Vienna", *Il Corriere della Sera*, March 24<sup>th</sup>, 1922, p. 3.)

126 The charity exhibition had taken place in May 1919 at Gallerie dell'Accademia in Venice with the support of the city's Committee for Civilian Assistance (Comitato di assistenza civile di Venezia). It comprised 135 of those paintings that had left Venice in 1808, 1816 and 1838, along with some goldsmith artefacts from the newly transferred territories and fragments of the Tiepolo ceiling blown to pieces during the Austrian bombing raids of 1915 (FRANK 2016, p. 65. See also TEA 1919b.). The art historian and professor Giuseppe Fiocco had edited the exhibition catalogue with the list of all the paintings that in 1919, as a result of Segre's orders in Vienna, could be taken back to Venice (FIOCCO 1919). Fogolari, the very executor of those orders, penned the preface of the catalogue. The booklet however does not include the additional exhibits mentioned above.

circumstance of having some of those objects in Milan. But shipping everything to Rome with the sole purpose of celebrating those retrievals four years into the victory appeared to him “poco politico e poco generoso”.<sup>127</sup> He considered properly restoring the treasures to their ancient locations to be the priority, given also that some of them ran the risk of ending up neglected after so much fuss about their having to be back in Italy at any cost. That was for instance the case of several excavated grave goods from Istria now piled up inside crates and stationed in Trieste without a proper location to house them, after having been, in the previous decades, diligently arranged, studied and displayed in Vienna.<sup>128</sup>

In a whirlwind of admonitions and polemics, towards the end of March 1922, the exhibition at the Poldi Pezzoli museum in Milan opened its doors. It is not easy to pinpoint the exact dates, in that a catalogue is not found yet. One learns about the objects that had been on display for the occasion from an essay by Adolfo Venturi that featured on *L'Arte*. Along the aforementioned Estense bronzes, Pirano's ivory casket and Vivarini's Madonna, the Milanese could finally see Correggio's drawing with a study for the dome of Parma's cathedral, Aspasios's engraved gemstone, Matthias Corvinus's manuscripts from Budapest and a few other treasures the Austrians had handed over in Vienna the year before.<sup>129</sup> Although in his memoirs Modigliani set the opening of the exhibition in May 1922,<sup>130</sup> what testifies in favour of March as a more likely start date, along with Venturi's essay in *L'Arte*'s January-February's issue, are the documents that attest to the government's decision to shut everything down only a few days later. In a note dated April 1<sup>st</sup>, the Italian Prime Minister Luigi Facta declared himself in full agreement with the Foreign Affairs as to the dangers of the initiatives.<sup>131</sup> Having been notified about it, the Ministry for Public Education, on April 3<sup>rd</sup>, let the Foreign Affairs know that any operation for the setting up of the Roman show had been suspended and that orders had been promptly issued to immediately close the one in Milan, “già aperta da qualche giorno”.<sup>132</sup> When confronted with the possibility of Carabinieri physically intervening, Modigliani had no other choice but to let local authorities shut the doors of the Poldi Pezzoli exhibition. By what he recalled years later, he does not appear to have known anything about those last conversations taking place at the ministries, and the abrupt as well as very unfortunate turn of events must have upset and overwhelmed him considerably.

---

127 Ugo Ojetti, “La mostra a Roma delle opere d’arte recuperate a Vienna”, *Il Corriere della Sera*, March 24, 1922, p. 3.

128 “Nell’interesse degli studi e per un nostro preciso dovere – even Biancheri had pointed out earlier – è necessario che esso [the excavated material] sia allogato in Trieste in una sede decorosa e degna dell’amore con cui fu raccolto e ordinato dagli austriaci nei loro musei di Vienna.” (Augusto Biancheri to Affari Esteri, November 5, 1921, ASD, Affari politici 1919-1930, Austria, b. 841.)

129 VENTURI 1922, pp. 142-148.

130 MODIGLIANI 1956, p. 496.

131 Luigi Facta to Affari Esteri, April 1, 1922 (ASD, Affari politici 1919-1930, Austria, b. 841).

132 “Per quanto concerne la Mostra a Milano, debbo far presente che questa fu già aperta da qualche giorno presso il Museo Poldi Pezzoli ed è soltanto un’esposizione parziale degli oggetti che erano custoditi dal Comm. Modigliani presso la Soprintendenza alle Gallerie della Lombardia. Ad ogni modo ho disposto che la Mostra sia subito chiusa.” (Giovanni Calò, Undersecretary of State for Antiquities and Fine Arts, Pubblica Istruzione to Affari Esteri, April 3, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

This however did not prevent the Ministry of Education from keeping defending the project of the exhibition in Palazzo Venezia in the months to come. It was undeniable that calling it off once and for all would have probably caused great embarrassment to the government and attracted more criticism than it had already received. Pretty much all the objects, apart maybe from those in Milan, had reached Rome, Mantuan tapestries included, and the newly renovated apartments of Pope Paolo II had been closed to visitors and emptied accordingly. On top of that, all these preparations had always been of public domain, the Ministry of Education would stress, and the delays had even been the subject of some parliamentary questions.<sup>133</sup> In conclusion, it would have proved hard to explain to the Italian public opinion why the show was cancelled, after a great deal of money and work had already gone into it.<sup>134</sup> For their part, the Foreign Affairs and their representatives in Paris and Vienna were reasonably much more concerned about the consequences of the initiative on other countries' public opinions and on the fragile balance of opinions within the Reparation Commission in Paris. They were still quite reluctant in approving of the exhibition and feared above all to have to defend once again Italy's ownership rights to all the things that had been removed from Austria between 1919 and 1921. "[O]ggetti – we read now after all the struggles of the previous years – il cui titolo giuridico anche a parere del nostro esperto Modigliani è difficilmente sostenibile".<sup>135</sup> However, for all the reasons given by the Ministry of Education, and the fact that the exhibition in Milan had taken place already, albeit briefly, Italy's diplomats were not really in the position of opposing the project for much longer.<sup>136</sup> In turn, it was now October 1922, Ojetti had been voicing once again his disapproval of the proceedings on *Il Corriere*: "Questa mostra romana si fa o non si fa?"<sup>137</sup> It would just have taken the government a yes or a no, the art critic complained, basically inviting whoever was in charge of it to make up their mind already. As a matter of fact, a few days later, on October 5<sup>th</sup>, the minister of Foreign Affairs Schanzer reached out to his counterpart at the Public Education to announce that he ultimately approved of the Roman exhibition. The only precondition was that any publicity and fanfare around the event had to be carefully avoided so as not to

---

133 In July for instance, Vice President of the Chamber of Deputies Luigi Federzoni asked the Undersecretary of State for the Foreign Affairs to see to it that the suspension measure against the exhibition be lifted. (Luigi Federzoni to Tosti di Valminuta, July 8, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

134 "Ora, mentre tutto questo materiale è arrivato a Roma, mentre quello già esposto a Milano è imballato e pronto alla partenza, mentre sono già state spese alcune decine di migliaia di lire per adattamento dei locali, trasporto delle opere, costruzione di vetrine ecc. sarà difficile giustificare di fronte all'opinione pubblica l'improvvisa soppressione della Mostra." (Giovanni Calò, Undersecretary of State for Antiquities and Fine Arts, Pubblica Istruzione to Affari Esteri, May 29, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

135 Salvago Raggi, Delegazione Italiana Commissione Riparazioni Parigi, to Giovanni Calò, Undersecretary of State for Antiquities and Fine Arts, September 12, 1922 (ASD, Affari politici 1919-1930, Austria, b. 841.)

136 "Le situazione è modificata dal fatto che l'esposizione ha già avuto luogo a Milano, sicché non è coerente negarla a Roma", observed the then minister of Foreign Affairs Schanzer in a handwritten note to a report on the subject by Biancheri. (Augusto Biancheri's report possibly for the Foreign Affairs, October 3, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

137 Ugo Ojetti, "Le opere d'arte recuperate a Vienna", *Il Corriere della Sera*, October 1, 1922, p. 3.

reignite new recriminations abroad.<sup>138</sup> From the Public Education came the promise to do everything they could to comply with the request for silence.<sup>139</sup> Not surprisingly though, “tutti i giornali e le più importanti riviste ne hanno dato conto”, we read in a review of the following year.<sup>140</sup>

On December 22<sup>nd</sup>, 1922, the exhibition in Palazzo Venezia could finally be inaugurated.<sup>141</sup> Modigliani edited the catalogue, which contained a preface by the director general of Antiquities and Fine Arts Arduino Colasanti.<sup>142</sup> Apparently deaf to the countless admonitions and expressions of concern the Italian diplomacy had been dispensing since the last months of 1921, in the preface Colasanti paid tribute not only to Modigliani’s efforts, but also to General Segre’s “ardita iniziativa” (the forced seizure of artworks from Viennese museums in 1919), for which Colasanti thought Italy should have been deeply grateful. Following the catalogue through the rooms of Paolo II’s majestic abode, such was the arrangement Modigliani devised with the help of the Tuscan art historian Mario Salmi:

#### SALA PRIMA (DEL CONCISTORO)

- The Mantuan tapestries (the first 4)
- Paintings from Venice (19 pcs)
- Pieces from the Estense collection (6 drawings of Trajan’s column in Rome & 1 porphyry column and urn)
- Historical records (87 documents including autographs by Mantegna, Tiziano Vecellio, Ludovico Ariosto and Toruqato Tasso, Gonzaga’s copialettere, political trials of famous irredentists)

#### SALA SECONDA (DEL MAPPAMONDO)

- The Mantuan tapestries (the other 5)
- Paintings from Venice (4 pcs)
- Pieces from the Estense collection (other 4 drawings of the Trajan’s column)
- Excavated material from the prehistoric burial sites of Santa Lucia di Tolmino, from Grotta degli ossi, Grotta delle mosche and other burial sites and karst caves.
- Autographs taken away from Milan’s State Archive in 1830 (39 documents)

#### SALA TERZA (DEI PARAMENTI)

---

138 “[R]itengo di poter consentire che la mostra abbia luogo, a condizione che intorno alla medesima si eviti assolutamente ogni clamore e pubblicità che avesse per effetto il riaccendersi di polemiche e di discussioni che facessero sorgere il pericolo di pretese di restituzione di qualche oggetto ora in nostro possesso.” (Carlo Schanzer, Affari Esteri to Pubblica Istruzione, October 5-, 1922, ASD, Affari politici 1919-1930, Austria, b. 841.)

139 Arduino Colasanti, Director general of Antiquities and Fine Arts, Istruzione, to minister of Foreign Affairs, October 27th, 1922 (ASD, Affari politici 1919-1930, Austria, b. 841).

140 NOTIZIE 1923, p. 41. See for instance MUNOZ 1922, STRINATI 1922, DE BENEDETTI 1923, SALMI 1923, all mentioned in the above review.

141 Date confirmed in NOTIZIE 1923, p. 41, and SALMI 1923, p. 45.

142 MODIGLIANI 1923.

- Paintings from Venice (11 pcs)
- Bellano's marble bust of Pope Paolo II Barbo
- Pieces from the Estense collection (a bronze figure of Amore attributed to Donatello, two bronze medals depicting Hercules's feats and other 2 pcs)
- Alvise Vivarini's Madonna and angels from Pirano
- XVI c. bronze fountain from Riva del Garda (Trento)
- Pirano's ivory casket
- Neapolitan manuscripts (24 pcs)

#### SALA QUARTA (DEL PAPPAGALLO)

- Paintings from Venice (17 pcs)
- Pieces from the Estense collection (19 pcs)
- Military paraphrenalia (bronze colubrine) from Trento
- Napoleone I's insignia as King of Italy (7 pcs)
- Scuola di San Teodoro's cross from Venice
- Cardinal Bessarione's reliquary from Venice
- Excavation material and artefacts from Trentino, Aquileia, Istria
- Manuscripts (the two Corvinian manuscripts from Budapest, 18 from Trento and Innsbruck, 4 musical codices from Trento)

#### SALA QUINTA (SALA ROSSA)

- Paintings from Venice (12)
- Pieces from the Estense collection (7, including two drawings by Correggio + 5 bronzes)
- Marciana's manuscripts and papers (8)

#### SALA SESTA (DELLA TORRE)

- Pieces from Tesoro di Toscana (84 pcs: gold, pearl and gemstone figurines, the gold medals and Aspasio's engraved gem)

The Roman exhibition was really the finest compendium of everything Italy had managed to obtain from Austria, and Vienna in particular, in those three years that followed the havoc of the war with their prolonged misery and social upheavals. The controversies that had accompanied its organisation had mirrored and exposed all the shadows cast and the wounds inflicted by the thirst for retaliation of a young Italian Kingdom and its cities. The many doubts about the validity of its own methods and credibility in Vienna and Paris had the Italian government nearly sabotage the show, making silence look like the best way to get away with it. Like the art critic Carlo Tridenti observed, the nature, the length and the complexity of the negotiations had been such that neither his review nor the many dedicated to the Roman exhibition by newspapers and magazines could be able to convey them, owing also to the requests for confidentiality imposed by diplomats. "Un giorno, forse, – he concluded – dovranno essere indagate da qualche storico spassionato e paziente; e allora si vedrà come una questione in apparenza secondaria – la questione delle restituzioni artistiche – sia stata in certi momenti drammaticissimi della Conferenza di Parigi strettamente connessa a quelle più

gravi e più urgenti per la vita di talune nazioni chiamate, con le altre, a discutere ed a preparare il proprio faticoso avvenire.”<sup>143</sup>

---

143 TRIDENTI 1923, p. 85.

## CONCLUSIONS

### *A summary*

The present work set out to tell a story in the first place, the story of how the struggle over art treasures pitched Italy and Austria against each other during the unique and transitory political circumstances born out of the First World War. The succession of events unravels in an almost seamless fashion where very little room has been purposefully made for a posteriori considerations. The narration starts off against the gloomy background of a continent in ruins after five years of “totaler Krieg” and the somewhat anarchic administration of Central Europe by Allied military authorities soon after the armistice with Austria-Hungary of November 1918. Indeed, the very wording of the armistice agreement and of its protocol allowed the Allied commanders in chief to appoint escorted missions anywhere around former enemy territory to better monitor the implementation of such clauses. This state of affairs was basically to last until the peace agreements of 1919 and 1920 brought about a different and slightly more concerted strategy. Up till then, Italian, French, British and American officials all resolved to dispatch a more or less official mission to Vienna, Budapest and other cities deemed of some strategic relevance to their overall political and economical ambitions of victors and champions of the new continental order. These were thus the premises to the inception of the Italian Military Mission for the Armistice in Vienna led by General Roberto Segre since December 1918. Sole and highest Italian authority in the Austrian capital for months, only later confronted by the first Italian diplomats to return to Vienna, General Segre enjoyed a freedom at the same time odd and inebriating. He most likely felt on his shoulders the weight of his country’s wishful expectations revolving around a victory of great redemption and rich rewards. He seized the opportunity created by the armistice and the absence of clear Allied and Italian directives to be the first instrument of those expectations and undo past wrongdoings, while attending to Austria’s starving population. It is in such dramatic and fragile circumstances that Italy’s plans for retrieving artworks displaced during the last war were immediately expanded to include countless treasures removed from the peninsula during periods of Habsburg rule. Still today, a high-rank general’s involvement and support to the cause of lost artworks remains as surprising as decisive an aspect in the overall progress of this story.

As Chapter one relates, it is on General Segre’s specific request that in January 1919 the Italian art officials Paolo D’Ancona, Gino Fogolari and Giulio Coggiola joined the Mission for the armistice in Vienna, followed some months later by Guglielmo Pachioni and other art historians. Likely an unprecedented instance in post-first-world-war Allied arrangements, this artistic subcommission to the Italian military mission constituted the scientific backbone of all the initiatives aimed at getting hold of art treasures in Vienna and in the rest of Austria. The matter thus could not help but turn into a clash of Italian and Austrian expertises running against time to either dodge or invoke direct intervention



from the rest of the Entente ahead of the peace treaty. On their part, Italian art officers were at one with Segre in denouncing the incomplete implementation of old treaties and their artistic clauses or, alternatively, the abuse inflicted thereby to the advantage of a then powerful dual monarchy relinquishing parts of her Italian domains after decades. Austrian art historians, above all Hans Tietze, but also Max Dvořák, Gustav Glück and many others, cited the exact same treaties as an incontrovertible proof the object now claimed by Italy had to stay in the Austrian collections. As always in such cases, the impossibility of a clearcut judgement as to the rightfulness of each party's stance turned the whole matter into an exquisitely political affair, and a rather unpleasant one. Long lists of artworks Italy had been expecting since the second half of the XIX century, along with those comprising pieces and collections lost during the invasion of Veneto and Friuli in 1917-1918, started reaching the Austrian governments. In response, the latter tried to postpone everything until further notice. The evasiveness prompted Segre's ultimatum of February 1919 and the subsequent forced seizures of artworks, manuscripts and other treasures from several Viennese museums and institutions at the hands of the Italian art officers, backed by their own military. Strong reactions ensued from every corner of the Austrian society. No single article on the Viennese press lacked terms like *Bilderkrieg* and *Bilderraub*, and other such variations on the same theme of the pillage of artistic treasures, which even emboldened the Italian officers. Glück hung his famous tombstones within the frames left empty following the Italian raids at the *Gemäldegalerie* he then directed, for everyone to know what had just happened. Countless protest rallies saw several artist associations gather together and issue formal pleas to their government and to the representatives of the other powers of France, Great Britain and the United States. Tietze and Dvořák published their famous pamphlet, countered shortly after by those edited by the Italian military mission, which nevertheless suffered of political self-censorship. Lastly, the Austrian Ministry of Foreign affairs drafted its solemn protest (Note I-1447) and sent it out to possibly all the foreign embassies in Vienna, appealing also to the Hague war regulations on the laws and customs of war of 1899 and 1907. The uproar had thus been overwhelming, much more than what General Segre would have probably expected for works of art given the times. His initial recklessness predictably backfired, and the way he handled the issue added to the later accusations of malpractice he had been tried for in the early 1920s. In those same years the military mission was progressively dismatted owing to renewed diplomatic ties between the two countries. The stage was progressively being set for a completely different way of dealing with artistic disputes.

A survey of the categories of objects involved in these disputes as developed in Chapters two and three gives undoubtedly reason of the complexity of each and every case. With some justified urge, Italians took every possible step to trace artworks and valuables taken away from private abodes, churches and museums in the invaded territories of Friuli and Veneto. The presence of Austrian and German art officers in those very cities after Caporetto could do very little to deter or at least limit the countless instances of theft and pillaging at the hands of occupying soldiers and their superiors. In less frequent but more relevant cases, those same members of the art protection units thought it advisable to pack whole batches of manuscripts and paintings from local public

collections and ship them to Austria, as a precaution that they thought would also make for a good bargaining chip for what the Italians took from the still imperial cities of Aquileia, Trieste and the likes. In 1919 it started dawning on the new Austrian government that meeting this type of Italian demands could possibly spare Vienna's collections from other, far more problematic requests. Hans Tietze was the first advocate of this strategy and apparently among the first to call Austrian soldiers guilty of theft by their name. A special office of the Viennese police would help Segre's men to recover many of the artworks that wound up in military officers' apartments, or with art dealers, carpenters and middlemen, from which they were about to vanish in the black market for good. This, along with official announcements and decrees issued by the Austrian government itself, made it possible for the Italian military mission to gather and ship back to Veneto and Friuli a considerable amount of artworks, manuscripts and other precious items displaced during the war. On top of that, owing to the annexation of Venezia Giulia to the Italian Kingdom, the Austrians saw themselves compelled to hand over artefacts and other treasures belonging to Aquileia, Pula, Trieste and all those other cities that, up till the end of the war, fell under their administration. All these cooperation and recoveries proved not in the least sufficient however to have Italy's forget about the removals of scores of treasures some of her cities had to helplessly witness while under the Habsburgs in the XVIII and XIX centuries. If anything, the end of this last war had painful memories resurface of the time, in the second half of the XIX century, when the various treaties and agreements at the end of the wars of independence prevented Italy from getting back hundreds of paintings, manuscripts and tapestries, owing to Austria-Hungary's stronger position. The latter was thus able to retain a great deal of paintings imperial orders had shipped from Venice to Vienna on several occasions after 1815, when the empire obtained Lombardy-Venetia once again (bringing back there, in fact, many of the artworks Napoleon had been hoarding in Paris). Deaf to the many reasons Austrian art historians in 1919 kept producing for all the Venetian paintings to stay in Vienna, above all the fact that it was ultimately about imperial orders in a well established tradition of taking and giving, Segre, D'Ancona, Fogolari and Coggiola took away everything they found that in their view (and in that of so many in Italy) had been unfairly detained by the dual monarchy. In addition to paintings, manuscripts and records from Venice, whose priority resulted in their being forcedly seized following Segre's ultimatum as soon as February 1919, various other claims stemming from similar historical circumstances linked to the imperial influence in the peninsula involved for instance the precious collections of the family branch of Austria-Este in Modena, the Mantuan tapestries, the Treasure of Tuscany and countless manuscripts from Naples and Trento, among others.

Different circumstances had to present themselves though, for all these issues to find a solution, which could not really repeat along the lines of the Italian forced seizures in Vienna anymore. The seal of approval of the Entente was ultimately necessary, Italy's reticence in asking for it, constant. Chapter four shows how, come spring 1919, the Big Four in Paris would finally start working on the peace clauses with Austria and Italian officers would frantically try whatever in their power to circumvent or prevent the limitations about to be imposed thereby on their personal artwork recovery agenda. Dispatched to

Paris without expecting it in the least, Brera's director Ettore Modigliani took part to the peace negotiations in his capacity of art expert and advisor to the Italian chief representatives. The task soon revealed itself to be a most challenging tightrope walk suspended over Segre's men obstinacy in Vienna and the Big Four's contempt for one-sided and opportunistic initiatives, running counter to common principles that had not even taken official shape yet. Around June and July 1919 a peace draft of sort was forwarded to the Austrian delegation in St. Germain, advised on matter of artwork settlements by Tietze, Glück and other art historians in Vienna. At this point, in the Austrian capital and in Paris, Italian art officers would deploy parallel yet not really coordinated efforts towards a compromise of sort. In Vienna, Guglielmo Pacchioni laid the grounds for a separate bilateral agreement and Modigliani obtained permission from both his delegation and the Austrian head of government to travel there and seal the deal. It was a race against time and against the rest of the former Allies to obtain from Austria a separate, almost secret formal commitment to relinquish all the remaining artworks before the peace got signed. Too much to ask of a powerless government facing a raging public opinion, whose still uncertain fate was in the hands of France, Great Britain, the United States and other international creditors. In August a quite articulated agreement including obligations on both the Austrian and the Italian side, albeit evidently in favour of the Italian claims, failed to receive Renner's authorisation at the very last moment. After seemingly cordial talks and the Austrian chancellor's initial goodwill, the Italians felt totally bamboozled at so sudden a U-turn, which they did not hesitate to blame on some hostile Allied intervention. As it had been already clear to anyone else then, nothing could be bilaterally settled in Vienna ahead of the signature of the peace clauses, which thing took place on September 10<sup>th</sup>, 1919. The six articles titled Special Provisions within the Reparations section of the peace treaty set the reference terms for any possible future arrangement involving Austria's artistic and historical collections. Negotiations their interpretation and implementation in view of the most favourable outcome possible was now the challenge Austria and Italy shared in their own opposite ways.

New, often unsurmountable obstacles took now the shape of that crucial inter-allied body known as the Reparation Commission. Chapter five explains how its role in the implementation of the peace treaties was absolutely paramount, in that the Commission was called to evaluate and establish the various forms under which the former enemies should have complied with the reparation provisions. These included also the six articles on the restitution of artistic treasures and on the fate of Austrian collections in the Treaty of St. Germain. Being the official receptacle of instances coming from all former allied and successor states, the Commission (advised by a Viennese sub-committee launched in 1920) was called upon to mediate between the respective claims and provide an interpretation of the reparation chapter that would also take into account Austria's financial, social and economical conditions. As a matter of fact, starvation, poverty and the lack of primary products made the new republic an insolvent debtor even before any real figures of what Austria owed the other states could be drawn. The priority became instead issuing credits to Austria so as for her government to receive foodstuff and other means of support. The problem was that Austria in turn could not freely dispose of her

assets to repay such loans, or request others on her own. Everything had to receive the approval of the Reparation Commission, which substantially ended up acting as an agent in the interest of lending countries. The Austrian government would nevertheless make several attempts to alienate parts of the imperial collections it had confiscated in bulk as soon as April 1919. Official governmental announcements prospecting such sales had the consequence of horrifying Austrian intellectuals and at the same time attracting scores of art dealers from all over Europe and America to a city, Vienna, which seemed eager to sell out. On the other hand, Italy and the rest of the Entente had no intention to see what had eventually been regarded as guarantees for their loans, and most importantly the many artworks and valuables Italy was still fighting to obtain, disappear to the market. Thanks to a purposely extensive interpretation of those provisions in the peace treaty that compelled Austria not to dispose of her collections for twenty years, no items therefrom seem to have ended up in the hands of private buyers. Not completely reassured yet, especially after having struggled to keep their own most combative associations of art dealers at bay, the French representatives to the Reparation Commission resolved to impose a further mark of the Entente's control over Austrian artistic treasures. As a result, an inventory of those collections and a rough estimate of their market value was the task assigned in January 1921 to French, Italian, British and American representatives, who were expected to report to the Reparation Commission in just a couple of months. The initiative undoubtedly ran counter to Italy's interests in Vienna, where its art officers had resumed very private talks with their Austrian counterparts and did not wish for any intrusion to shatter their special plans once again.

Chapter six closes this story by going through the final struggle of the Italian art officers and diplomats in Vienna for the signature of the much-anticipated agreement with Austria on the consignment of the remaining objects. Even if it had managed to postpone the matter till after the signature of the peace clauses, Renner's government could not afford antagonising Italy for much longer, and offered to resume negotiations soon after September 1919. Everyone in Vienna knew the Italians had all the intentions to dodge article 195's committee of three jurists altogether, a committee whose members had yet to be appointed and whose ways of proceeding and judging were thus still unknown. Between the unknown and the terms of a deal with Italy that were certainly not popular but at least more or less established, Austria went for what she already knew. It became apparent only at a later stage that the jurists would for the great part rule in her favour. But haste, fear and weariness had chancellor Renner sign the deal with Italy in May 1920, before the appointment of the jurists and apparently without any official announcement. As a result, Austrian newspapers broke the news about the signing of special convention only some months later. The full official text was nowhere to be found, and so it remained for years, even if bits and pieces had been circulating among international circles and Viennese museum staff. The Entente's representatives at the Austrian section of the Reparation Commission had been receiving all sorts of pressure from local officials, but especially from Austrian art historians and the public opinion, to sabotage the deal. It appeared in fact that the agreement was about to be implemented and the objects handed over to the Italians before the Commission in Paris had issued a clear statement thereon.

Consequently, 24 hours before the first consignments took place in February 1921 a veto of Britain, France and the United States in Vienna put everything on hold. However effective the measure in the Austrian capital might have proved, the strenuous lobbying of Viennese intellectuals and officials could not reach Paris with the same strength. There, the deftness of the Italian representatives at the Reparation Commission had the assembly eventually rule in favour of the implementation of the Austro-Italian agreement without the intervention of the three jurists. Between March and October 1921 all the precious items Italy had made a point of claiming for years after the end of the last war left Vienna for good. Countless controversies had been sparked by the conduct of Italian art officers in the Austrian capital and by the blurred lines along which past events had been construed as undisputable legal grounds for exacting scores of treasures from Viennese museums. All this put the Italian government in the most uncomfortable position of having to authorise the exhibition of those very objects in Milan and then in Rome, while at the same time prohibiting any publicity and hype that could draw international attention on the events and reignite endless confrontations. After four trying years, the success of the fiery Italian crusade for the rescue of artworks once lost to the old enemy was something that seemed now better left unsaid.

#### *Heritage zeal and the karma of dispossession*

To readers even slightly acquainted with histories of artwork looting and restitution these outcomes, however less known than other episodes in their specificity, won't certainly come as a surprise. There is always a good degree of predictability in how political circumstances, exceptional ones in particular, become exploited to the most various ends. Instances of abduction, destruction and instrumentalisation of artistic, historical, religious treasures and property in times of chaos and upheavals, of temporary power voids, represent no exception, but rather the rule, and one so straightforward as to border on common sense. The comparison is certainly to be taken with a pinch of salt, but it is perhaps hard to read Carlo Ginzburg's *Saccheggi rituali* without reflecting for a second on what took place in Vienna when the ruins were not only those left by the war but also those of a centuries-old monarchy and empire that were no more. Metaphorically speaking, the king, or pope if you will, was dead; a new one, the new republican government, barely taking its first timid steps. Ginzburg tells us that what would take place for centuries in Italy at the death of the bishop, and later also of the pope, as well as at the inception of a new one in his place, was a thorough pillaging of both predecessor's and successor's properties at the hands of the populace or even members of the local authorities. Why are these lootings called ritual here? Because they had assumed an almost accepted and recurring form, whereby looters ended up maintaining they were simply exercising a (transitory) right of theirs, and local authorities were not standing in their way, provided this did not trigger excessive violence. This calling them ritual, the fact that everyone knew in advance they would have taken place, does not imply they were performed

---

1 GINZBURG 1987.

following rigid, preordained methods, but every time they were rather the result of more or less extemporaneous actions within an open scheme, a white canvas, like the one Segre happened to have in front of him when he was dispatched to the Austrian capital. And such are the various practices of art looting that accompany a conflict, its aftermath and the subsequent rearrangement of powers, practices that repeat throughout history, everytime different as to their details, everytime the same if one thinks of the recurring premises. Ginzburg talks of a custom “di spogliare il cadavere” that brings to mind all those times in 1919 and beyond when Austrian art historians talked of their country as if it were a dead body, like Tietze did. They wrote dramatic epitaphs on the newspaper or hung what are in fact called tombstones within empty frames of looted paintings to announce their... departure. When comparing circumstances in early-modern-times Italy with those common among native tribes of Pacific and Atlantic islanders, as filtered through western anthropology, Ginzburg talks of this type of transgressions, deviations from the ordained, as the violation of a tabu, like those that follow for a very brief amount of time the death of the chief, as if to mark a transition. “Nell’affermazione violenta del diritto di saccheggio, al tempo stesso consuetudinario e transitorio, affioravano di colpo valori e tensioni latenti nei periodi di normalità”, Ginzburg observes, “le reazioni di un organismo a una situazione eccezionale.” What is described in *Saccheggi rituali* are the effects of a temporary void of power created by unusual (yet recurring) historical circumstances, the sudden empowerment of groups of people that in more regular scenarios had rather been subjected to that authority (perhaps in the past, like it had been the case of many Italian cities during Habsburg rule) or that in any case were normally not concerned with taking possession of such things, even if they knew they existed. And it is clearly not just about the enrichment of some at the expenses of others, but rather, symbolism plays a catalysing role indeed. Ginzburg talks of “una forma di rivalsa più o meno simbolica nei confronti di chi era arrivato al culmine del potere” and had now fallen from grace, “un passaggio a una nuova condizione, a una nuova identità”, the ever-changing roles, we might say in our case, of victor and vanquished.

Such symbolism gets ever stronger on the occasion of armed conflicts, where stripping the opponent of his most precious treasures is not relevant here so much for the reason whether that was a customary rather than an internationally sanctioned practice at the time of the events, as for the fact that it consisted in all cases of robbing one’s opponent of the chance of educating future generations and of prouiding itself on its own past through those ever-present objects. This is what becomes apparent as soon as one reads Karl Heinrich Heydenreich, professor of philosophy at the University of Leipzig. In 1789 Heydenreich observed how, by looting artworks, libraries, ancient records and the likes the message that the looter conveys to his enemy is that:

Du sollst Dich forthin weniger und schwerer bilden können, dem Genie und Geschmack deiner edelsten Söhne sollen die Muster entrissen werden, die sie zur Unsterblichkeit führen könnten; die schönen Erscheinungen der Kunst,

welche die menschlichsten und liebenswürdigsten Gefühle unter der Nation verbreiten, sollen für immer vor euren Augen verschwinden.<sup>2</sup>

We are dealing here with forms of overt humiliation of one's intellectual and political stature, in many cases on a collective level. This is why, to say it with Bénédictine Savoy, memories of inflicted artwork disposessions are wounds that do not heal. This is the reason she ultimately found for the never subsiding desire of retaliation that survives undiminished through generations when scores of collections and masterpieces are suddenly lost to the foreigner. In this sense, Napoleon's looting campaigns in Europe from the 1790s until his defeat in 1814 made the textbook in that their possibly unprecedented extent and organisation triggered resentment on a continental scale, and a vicious circle of retaliations. The recovery of some of the booty that took place in Paris between 1814 and 1815 at the hands of the occupying armies of Prussia, Austria (who took care also of artworks belonging to Lombardy-Venetia) and, on behalf of the Vatican and some Italian states, thanks to Antonio Canova, was in turn regarded as an act of violence by the French. For diplomatic reasons that had to do, among other things, with keeping in good terms with the restored French monarchy, no treaty ever formally acknowledged those forced restitutions. In the Epilogue to his *Histoire de la peinture en Italie* Stendhal wrote:

Les alliés nous ont pris onze cent cinquante tableaux. J'espère qu'il me sera permis de faire observer que nous avions acquis les meilleurs par un traité, celui de Tolentino. Je trouve dans un livre anglais, et dans un livre qui n'a pas la réputation d'être fait par des niais, ou des gens vendus à l'autorité:

«The indulgence he [Napoleon] showed to the Pope at Tolentino, when Rome was completely at his mercy, procured him no friends, and excited against him many enemies at home.» (Edinburg Review, décembre 1816, page 471.)

J'écris ceci à Rome, le 9 avril 1817. Plus de vingt personnes respectables m'ont confirmé ces jours-ci qu'à Rome l'opinion trouva le vainqueur généreux de s'être contenté de ce traité. Les alliés, au contraire, nous ont pris nos tableaux sans traité.<sup>3</sup>

The emotional baggage of events like these, that we know for Italy dated back even further, to the Habsburg dominations of the XVIII century, grew thus heavier and heavier with time, like a landslide carrying everything down with it. The First World War can be ultimately seen as another checkpoint in this never ending stream of wounded collective consciousness, where exceptional conditions give everyone the chance to rewrite history, avenge past wrongs, switch positions between victims and perpetrators. "La victoire peut être une voleuse".<sup>4</sup> So thought Victor Hugo, when, in a letter to Captain Butler in 1861,

---

2 HEYDENREICH 1798, p. 293.

3 STENDHAL 1817, p. 443.

4 Victor Hugo to Captain Butler, November 25., 1861, letter published in WANG, XIN, LOU 2003 and available at <https://www.napoleon.org/histoire-des-2-empires/articles/lettre-de-victor-hugo-sur-lexpedition-francaise-en-chine-de-1860>.

he set out to condemn the looting of the Summer Palace in Peking at the hands of the Anglo-French armies the previous year. Victory, in a sense, has always been a thief in disguise. In the case of France, at the end of World War One plans eventually failed that consisted of taking away some works of art from occupied Germany in order to make sure the latter would return what it had stolen during the hostilities.<sup>5</sup> And actually the Germans had already devised but apparently never implemented a similar initiative after the invasion of northeastern France in 1914, hoping to obtain, at the end of a war they expected to win, what of the Napoleonic loot was still left at the Louvre.<sup>6</sup> On our front, we saw how Austria and Italy both succeeded in taking pawns from each other in the form of artworks and manuscripts, during and after the conflict, with a view to extoll future restitutions.

Compared to 1815, when XVIII century's enlightened ideas of a common patrimony still kept somehow at bay harsher patriotic stances, reasons Savoy, the First World War and its aftermath saw a stark intensification in the nationalistic character of artwork claims.<sup>7</sup> This and similar attitudes throughout history cannot be said to have helped improve the reputation of the otherwise most sacred idea of heritage. David Lowenthal's scathing *Heritage crusades and the spoils of history* is a much-needed wake up call that bravely puts into question the rarefied, one-sided and self-righteous celebration of what we are now accustomed to call historical and cultural heritage. By doing so, it underscores the danger inherent in an attitude that, by solely highlighting the benefits forgets and overlooks heritage's highly destructive and oppressive character. "Why this rash of backward-looking concern? What makes heritage so crucial in a world beset by poverty and hunger, enmity and strife?" one might say, quoting Lowenthal, when considering the never-ending art disputes that kept so many busy at the end of the First World War. Heritage, understood as what has always belonged to me and not to you, "glamorizes narrow nationalism", lays a layer of heroic partisan zeal and vainglory over past issues that hinders our ability to cooperate and think in terms of common legacies. "Heritage disguised as history becomes a register of rapine", tells us Lowenthal, and the facts confirm. The dawn of the XVIII-century nationalism came to coincide more or less with the opening to the public of collections of treasures whose enjoyment had been up till then unique prerogative of their owners, who, in turn, could dispose of single items relatively freely. Even when some of these owners got robbed, their manors ransacked as a result of armed conflicts, debates and negotiations over those restitution never became a real sensation on a large scale. But everything changed with public museums and libraries. National patrimonies were thus born, and immediately encapsulated in the common imagery of a much vaster audience. And what has proven to be the strongest glue keeping this imagery together is not so much the possession of those treasures as their loss in more or less dramatic circumstances. "[M]isery

---

5 "Trotz verschiedener Vereinbarungen und Treffen der zuständigen Behörden spitzte sich di Lage 1921 soweit zu, dass eine französische Expertengruppe damit beauftragt wurde, eine Liste von Kunstwerken im besetzten Rheinland zu erstellen, um diese als Pfandmittel für die Herausgabe der französischen Kulturgüter zu verwenden – ein Plan, die wie schon ähnliche deutsche Pläne nicht durchgeführt wurde." (KOTT 2013, p. 1358.)

6 SAVOY 2006, pp. 218-219.

7 SAVOY 2006, p. 210.



forges lasting bonds” says Lowenthal, short before quoting the French intellectual Ernest Renan, who, in his speech at the Sorbonne *Qu’est-ce qu’une nation?*, declared: “En fait de souvenirs nationaux, les deuils valent mieux que les triomphes; car ils imposent des devoirs; ils commandent l’effort en commun.”<sup>8</sup> And lost heritage, stolen artworks, feed the ever-spinning wheel of resentment and revenge. So much so that, by a most notably and invariably true rule, the blind, unstoppable quest for that very lost heritage is by far and wide most important that the subsequent care for what has been regained. How long did the precious artefacts from Istria remained in their dusty crates in Trieste after the Italians took them away in a big rush from their neatly arranged cases in Vienna? How many months delicate objects claimed by several Italian cities had to wait packed up in Rome before the government could take a clear stance on whether to arrange the show in Palazzo Venezia or not? Who, today, knows about those events and which museum describeswm, them to its audience? “Quixotic claimants rely too much on moral justice to regain lost legacies”, so that in the end no rhetoric is left for what has finally made it back. The abused narratives of victory are promptly swept under the carpet while someone else, somewhere else, starts in turn hatching his personal revenge.

One of the most striking and painful results of this vicious, chauvinistic circle is the struggle so many art historians and museum curators had or chose to undergo at the expenses of their own work ethics and personal histories. Savoy tells us of Jacob Grimm, the German philologist, jurist, co-author with his brother Wilhelm of the famous fairy tales, that in 1815 served as Prussian legation secretary at the Vienna Congress and was subsequently tasked with travelling to Paris and retrieve manuscripts and paintings removed during the Napoleonic campaigns. Grimm was chosen also owing to his acquaintance with the Bibliothèque Nationale and its staff, by whom he had been assisted several times in the past during his researches. “It is personally awkward for me – he is said to have written back then – not only because there is always something distasteful about tracking down and taking away something of the established order, but because I am now confronting people who have previously been helpful and courteous to me.”<sup>9</sup> We know that, some hundred years later, Ettore Modigliani found himself in the same unpleasant position of having to request the collaboration and compliance of some of the most renowned art historians and curators in Vienna in order to sort out, remove and pack up countless artworks, artefacts and manuscripts so that they could be shipped to Italy. It is also true that what these men kept in the highest consideration in those circumstances was first of all the defence of their own country’s reputation and credibility, which thing meant the fulfilment of the task they had been personally assigned by their government, however merciless and contradictory it might have seemed. Indeed, when talking about the French colleagues he was now to confront, Grimm went on by declaring that “[i]f they now reproach me for this – and they do so – then my conscience is relieved by the fact that what I am supposed to do has a higher purpose than any obligations incurred by such services: but I do wish that I had not been needed for this task.” And

---

<sup>8</sup> RENAN 1882, p. 27.

<sup>9</sup> As translated and quoted in SAVOY 2014, p. 36.

probably so did Modigliani, unlike his colleagues at Segre's military mission, who, by contrast, never seem to have doubted the validity of their conduct in Vienna. Until the very end Brera's director stood behind his government to accomplish what he had to, notwithstanding his and everyone's doubts over the validity of some of the old ownership rights Italy had been invoking for years, doubts that emerged only at the very end, well after the May 1920 special convention and the retrieval of the objects in question. In hindsight, one must not forget that the situation was such (in 1919, but also one century earlier) that art historians such as Modigliani, Tietze, Fogolari, D'Ancona, Dvořák and many, many other scholars, had been all of a sudden confronted with matters of international and private law, continental politics and diplomacy, political propaganda and sometimes petty manoeuvring.<sup>10</sup> The erudition and attention to details they were used to put in their research and writings had been hijacked for less noble purposes than the advancement of their own fields of study. Throughout the XIX century up till the First World War and its aftermath, scores of historians, museum curators and librarians had spent an incredible amount of time sifting through old records and drawing long lists of objects displaced in this or that circumstance from this or that city, in order to validate the claims their governments so eagerly pursued as soon as a new continental order would allow for it. Basically all of them, during and after the conflict, had been giving lectures, publishing booklets and articles, that might have had, at a first glance, the appearance of regular scientific contributions but that were nonetheless deeply infused with propagandistic and political concerns. Heritage, to resort once more to Lowenthal, fuels "rival visions of past and present, and rival views of truth and error."<sup>11</sup> The artificially induced perception of the immutability of one's own cultural heritage, stemming from biased versions of history and nationalistic narratives, builds up strong expectations as to what that same heritage should consist of, what pieces and collections must stay where and based on what records or events. Exceptional historical circumstances and social upheavals like those that shook Europe in the XIX and XX centuries dealt serious blows to those expectations, having the pundits fight over whose history was more legitimate and at what point in time one should go back in order to establish the rightful location of an object. "[I]nstead of mitigation – Savoy again – it would seem that historical distance tends towards rigidity, and rather than rapprochement, towards bitterness and distrust."<sup>12</sup> It appeared then a reasonable task for this research project to try and loosen up a bit, mitigate, an idea of national collections dangerously set in stone and, with the help of a vast pool of primary sources, try and convey an history of heritage less biased, more honest and aware, that does not forget its being at times the result of vested interests, emotional reactions or simple chance.

---

10 "Krieg, Wissenschaft, Recht - die überlieferten Verwaltungsakten aus dem Ersten Weltkrieg beleuchten die Arbeitsmethoden und das Ethos von Fachleuten, die sich um 1915 sonst kaum mit juristischem Stoff auseinander zu setzen hatten. Sie geben Auskunft über die dienstlichen und politischen Zusammenhänge, die hundert Jahr nach dem französischen Kunstraub den Gedanken einer Rückführung verloren geglaubten Kulturbesitzes neu entfachen ließen. Sie weisen auf die nicht unproblematische Verbindung zwischen wissenschaftlicher Tätigkeit, Tagespolitik und öffentlichem Diskurs hin." (SAVOY 2006, p. 221.)

11 LOWENTHAL 1968, p. 227.

12 SAVOY 2014, p. 29.

### *Possible developments*

The present research took advantage only partially of the remarkable wealth of information currently available on the topic of post First World War Austro-Italian art disputes in archives all over Europe and in first-hand literature. The fact that no similar account seems to have been put together thus far, convinced the author of the validity of covering the whole sequence of events first, providing her and hopefully other scholars' future work with a base layer for variously oriented inquiries. A promising direction in this sense appears to be that of the specific and pivotal role of art historians, historians, museum curators, librarians and other intellectuals in shaping and fuelling the discourse over past art lootings, in an effort that proves at the same time scientific, political and emotional. And by role we mean first of all the painstaking research these scholars conducted to ascertain what was still missing from their collections, the more or less calculated timing and ways in which this research was subsequently arranged, whether for internal and scientific use or to support governmental authorities or, again, to stir and foment the public opinion and other influential actors in the arena.

An excellent blueprint for this type of inquiries is no doubt the analysis Marta Nezzo drew of the role and activities of the prominent Italian art critic and journalist Ugo Ojetti during and after the First World War. Starting from the outbreak of the war, everything he wrote, everything he did, from his scathing articles against German warfare and the consequent destruction of historic buildings and monuments, to his enrolment in the Army, where he supervised safeguarding operations and inventoried artwork losses, all this, and the present research with it, goes to show how paramount the role of these professionals has proven. Many more of these experts seem to deserve a study of their written production and consequent role in art related disputes exactly like the one Marta Nezzo put together, where everything revolves around the contextualisation of the individual and his scientific background within the broader environment of war propaganda, of wearisome peace negotiations and pressing demands for compensation. Interesting considerations would certainly stem from analysing the activities, mindset and personal beliefs of Gino Fogolari, Guglielmo Pacchioni, Hans Tietze, Max Dvořák, Ettore Modigliani, Josef Donabaum and several others, given that all of them had been personally involved in post war disputes and negotiations on behalf of their government and all of them wrote and published about those topics meanwhile, either to advise diplomats and politicians or to sway the public opinion and foreign observers. Once again, comparing the Austro-Italian events with those already well-documented of Germany and France illuminates recurring themes and patterns of action that reinforce the ideas previously discussed about the irresistible but also divisive and destructive character of the quest for lost heritage. For the Germans and French, 1815 restitutions and failed recoveries of Napoleonic loots constituted the main topic of debate and renewed research in 1915, whereas for Italy and Austria the contested narrative dated even further back, to the Habsburg dominations of the XVIII century. Yet, the way all of them went about making their own point is ultimately the same and centers on each party's conviction that their history fully justified

possession of the treasures lost or gained. Scholars, museum curators, librarians and other such figures would start making use, in their scientific writings but also in newspaper articles, pamphlets and at protest rallies, of stronger and upsetting terms like "Plünderung", "Bilderraub", "Bilderkrieg", "Raub" and to refer to acts of violence and breach of the law to describe what their collections had to undergo or were presently undergoing and all the wrongdoings suffered by those who tried to protect them. In the years 1915 to 1917 German authors like Berlin Royal Library's Hermann Degering would publish extensively on the French pillaging of artworks and books in Germany at the hands of the French in the 1790s.<sup>13</sup> The professional and detailed use of sources would run parallel to ever-polemical calls for punishment and retaliation, fuelled by the hype of war propaganda and the prospects of a compensatory victory. This rhetorical leap from more neutral terms like "removals" or "seizures" took place in Austria after General Segre's museum raids in 1919, as it had done in Germany, during the war, to depict French commissioners like Louvre's Denon, their looting of Prussian treasures earmarked for Paris and thus justify German retaliation more than a century later.<sup>14</sup> "Der Blick, den namhafte deutsche Wissenschaftler während des Ersten Weltkrieges auf den französischen Kunstraub warfen, ist daher für die heutige Debatte möglicherweise ebenso spannend wie dieser Kunstraub selbst", observes Savoy.<sup>15</sup> The same could not be more true also for Austrian and Italian experts before and after 1918.

This said, one should also not forget how the whole struggle over artistic disputes after 1918, the long-brooded resentment and the work of so many people in those years were ultimately centered on some very specific objects and their physical possession. It has long been the endeavour of anthropologists, archaeologists and cultural historians in particular to investigate the meaning and social function an object is endowed with from the moment of its creation onwards. People interactions around those objects, and the way objects in turn shape those very interactions lead to an idea of meaning that is deeply indebted to time and history, an idea that, in other words, changes over time. "Not only the objects – write the archaeologists Chris Gosden and Yvonne Marshall – change through their existence, but they often have the capability of accumulating histories, so that the present significance of an object derives from the persons and events to which it is connected."<sup>16</sup> And this is not true solely when we take into consideration ancient or indigenous artefacts like a Fiji neck ornament passed down and exchanged through

---

13 See for instance his *Französischer Kunstraub in Deutschland: 1794-1807* published in 1916 in the *Internationale Monatsschrift für Wissenschaft, Kunst und Technik*.

14 "Bis dahin hatten die meisten Arbeiten, die in Deutschland erschienen waren, die Konfiszierungsaktionen von Kulturgütern mit Begriffen bezeichnet, die der offiziellen Terminologie Frankreichs entsprachen. Das, was noch am Ende des 19. Jahrhunderts durch Begriffe wie "Wegnahme" oder "Wegführung" (für "enlèvements" oder "saisies") wiedergegeben wurde, hieß nun in diesen Aufsätzen „Plünderung“ oder "Raub" mit allerlei Variationen: „Räubereien", "Raubgelüste", "Raubsystem" [...]; die französischen Kommissare, besonders Denon und der Benediktinermönch Jean-Baptiste Maugéard, wurden als "unheilvolle Raubvögel" [...] mit furcht "Diebesklauen" [...] beschrieben. Vor diesem Hintergrund bezeichnete man den erzwungenen Transfer und die schwierige Rücknahme der Werke als "Gewaltakt" [...] mit zahlreichen metaphorischen Kämpfen." (SAVOY 2006, pp. 212-213.)

15 SAVOY 2006, p. 205.

16 GOSDEN, MARSHALL 1999, p. 170.

generations of local chiefs. This happens to resonate also with paintings, manuscripts, historical records created on the European continent in our own societies. We simply have become less prone to look at them that way because, also due to their own material features, they have been circulating only in very specific moments of their biographies, and these moments where regarded as the good or bad exception rather than the rule, especially, as we noticed above, since the opening of public museums in the XVIII and XIX century in Europe and the crystallisation of major collections in the minds of a national audience. This can be regarded though, in connection to all previous observations, as “a mishapprehension of museum objects” in that, underscore Gosden and Marshall, these objects sitting in their glass cases “may seem static and isolated”, bound to represent and perpetuate the status quo of their ownership and current meaning. Tombstones in museums and catalogue entries are for the most part concerned with contextualising an object in the history of an artist’s production, in the political and social circumstances that brought to its creation, in its placement in the overall evolution of a specific category of objects in terms of style, content and iconography. It is less frequently that one learns about a different aspect in the life of this object, that is the possible new meanings acquired over time, the consequences of more recent political events on its history, the broad array of people involved in its safeguard and displacements. In some instances the very reason for an object to be in that museum and not in another one would deserve a few more details than those normally provided to the observer, who in this way conceives of an object of art as one thing with the wall it hangs from or the case that contains it.

Even if our own approach to things – wrote Arjun Appadurai in his introduction to the edited work *The social life of things* – is conditioned necessarily by the view that things have no meanings apart from those that human transactions, attributions, and motivations endow them with the anthropological problem is that this formal truth does not illuminate the concrete, historical circulation of things. For that we have to follow things themselves, for their meaning are inscribed in their forms, their uses, their trajectories. It is only through the analysis of these trajectories that we can interpret the human transactions and calculations that enliven things. Thus, even though from a theoretical point of view human actors encode things with significance, from a methodological point of view it is the things-in-motion that illuminate their human and social context.<sup>17</sup>

And precisely here lays the lead on some other potential developments of the present research. These developments would indeed delve deeper into the histories of the objects involved in post First World War negotiations and displacements, to ascertain their final whereabouts back then, but also today. Such an inquiry would for instance verify whether some of those objects are still displayed nowadays, and in the same locations they had been taken after the Austrian consignments to Italy or in a different one. It seems legit to pose the question of how Italian institutions responsible for the preservation of the

---

17 APPADURAI 1988, p. 5.

national heritage went about distributing what came back in 1919 and 1921 either to the places they had originally been taken from or to other locations and museums. In Prussia after 1815, for instance, no other than Johann Wolfgang von Goethe was called upon to advise his government on the new distribution of the artworks that had been taken back from Paris.<sup>18</sup> Finding out how those choices were made in Italy in the 1920s, by whom, what sort of treatment did those objects receive after the convulsion of the negotiations and the thrill of victory had subsumed may shed some further light on how Italian authorities had been more or less able to acknowledge their own opportunistic and confrontational behaviour vis à vis Austria and the Great Powers in Paris. Because it is ultimately up to each institution to decide what to say about the objects it puts on display, if it puts them on display at all. Is the past history of an object forcefully seized by Carabinieri and art historians in Vienna in 1919 made visible in a tombstone or a catalogue today? What makes episodes like this worth telling or else, negligible? Savoy admits that “the political history of an artwork [...] was never particularly of interest to museums, auction houses, or art historians”. And back in the XVII century the oratorian priest and prominent collector of drawings Padre Sebastiano Resta simply thought that it was up to each dilettante or connoisseur to decide whether to bother inquiring the previous whereabouts of paintings; they get around afterall, he observed.<sup>19</sup> Yet, not bothering at all seems a missed opportunity to develop a more mature and down-to-earth approach to our art treasures and heritage. An approach that takes into account the full range of passions and reactions triggered by artworks lost and gained, and not only the good ones. “[P]rovenance can be a nasty business”, says Anne Higonnet.<sup>20</sup> Denying that means first of all ignoring the magnitude of the energy a work of art can arouse in such a vast array of people and for such a long time, but it means also preventing future generations from understanding and appreciating that.

---

18 SAVOY 2014, pp. 39-40.

19 “Girano le pitture...resta l’arbitrio al dilettante e sperimentato d’inquirere dove altre volte si trovassero” (quoted in FEIGENBAUM, REIST 2012, p. 25, note 3).

20 HIGONNET 2012, pp. 197-198.



## REFERENCES

### *Archives*

#### **Vienna**

- Österreichisches Staatsarchiv  
Archiv der Republik (AdR)
- Auswärtige Angelegenheiten (AA),  
Bundeskanzleramt / Auswärtige Angelegenheiten  
(BDA / AA) (1919-1938), Friedensdelegation St.  
Germain (1918-1919):
- Karton 8: Fasz. I/1 / cE Schutz von wissenschaftlichen und Kunstgegenständen;
  - Fasz I/1 / f Vermögensbeschlagnahme
  - Karton 13: Fasz. III / 6 Kunstforderungen
- Auswärtige Angelegenheiten (AA),  
Bundeskanzleramt / Auswärtige Angelegenheiten  
(1919-1938), Neues Politisches Archiv – NPA (1918-1938)
- Karton 257: Liasse Österreich 15 – Konferenzen, 15 / V-1 Italienische Kunstforderungen an Österreich 1919
  - Karton 258: Liasse Österreich 15 – Konferenzen, 15 / V-1
- Österreichisches Staatsarchiv  
Allgemeines  
Verwaltungsarchiv (AVA)
- Unterricht und Kultus, Kleinebestände (1850 c. – 1940 c.), Denkmalamt (1850 c. – 1945 c.):
- Karton 25: Konservatoren Küstenland
- Österreichisches Staatsarchiv  
Haus-, Hof- Und  
Staatsarchiv (HHStA)
- Diplomatie und Außenpolitik 1848.1918,  
Ministerium des Äußern (MdÄ), Zeitungsarchiv
- Karton 157-3: Pressestimmen etc. aus Italien zum Krieg, u.a. zu Friedensbotschaft von Wilson, Krise in Russland, Friedensvorschläge der Mittelmächte, italienische Kunstschatze, Haltung von Katholiken und Sozialisten, Jänner
- Archiv des  
Bundesdenkmalamtes (BDA)
- Allgemein:
- Karton 9 (1919)
  - Karton 10 (1920)
- Ausfuhr - Sammlungen, Verkäufe:
- Karton 4 (1918-1920)
- Archiv des Kunsthistorischen  
Museums (KHM)
- Akten des Kollegiums der wissenschaftlichen Beamten 1919 (I 1)  
Akten des Kollegiums der wissenschaftlichen Beamten 1920 (I 2)  
Reparationsforderungen Belgien, Italien, Ungarn 1919 ff. (I 457)  
Commission des Réparations Annexe N. 1551 (AR 35815 D)
- Archiv des Belvedere (AdB)
- 1919:



Durchführung der Friedensvertrages: Sicherung und Erhaltung d. Kunstbesitz (353)  
 Einladung zur Protestversammlung gegen die Ansprüche Italiens (163)  
 Forderungen d. ital. Waffenstillstandkom., Segantini „Frühlingsweide“ (164)  
 Friedensvertrag Kunstbesitz (306, 329, 338, 353)  
 Friedensvertrag Kunstbesitz (306 in 353)  
 Friedensvertrag Kunstbesitz, Zugänglichkeit der Sammlungen (338 in 353)  
 Landesregierung, Friedensvertrag Kunstbesitz (329)  
 Protestkundgebung auf der Wegnahme von Kunstschätzen durch die Italiener (79)  
 Protesttelegram an Staatskanzler Renner, Akademie d. bild. Künste (221)

## Rome

Archivio Storico Diplomatico,  
 Ministero degli Affari Esteri e  
 della Cooperazione  
 Internazionale (ASD)

Amministrazione centrale  
 Serie affari politici 1919-1930  
 AUSTRIA

- Busta 841: 1129) Accordo artistico italo-austriaco (4 maggio 1920) (1920-1923)
- Busta 843: 1132) Asburgo I e II semestre – beni – proprietà – gioielli (1923); [?]) Manoscritti e gioielli detenuti dall'ex Imperatore Carlo; [?]) 5°
- Gobelins (Tapezzerie appartenenti alla Casa degli Asburgo); [?]) Bibbia di Borso
- Busta 846: 1160) Casa d'Asburgo manoscritti, gioielli, appannaggi – Sistemazione finanziaria (parti I, II)
- Busta 847: 1168) Missione Segre – Deposito 18 milioni di corone ungheresi (1924); 1170) Dissequestro di beni italiani – Convenzioni con gli Stati successori (1924); 1172) Tribunale arbitrale misto italo-austriaco (1924)
- Busta 849: 1182) Codici musicali trentini (1924); 1184) Restituzione a SA Donna Bianca di Borbone dei beni in Viareggio (1924); 1188) Proprietà italiana in Austria (1929); 1192) Istituto storico austriaco (1924); 1193) Piccola proprietà austriaca in Italia (1924); 1194) Restituzione dell'armatura Borromeo (1924); 1195) Atti notarili trafugati dal Veneto durante la guerra (1924); 1196) Carte topografiche d'Italia (1924); 1197) Rivendicazione di due codici estensi da parte dell'Italia; 1198) Collezione artistica Trau già del Conte Bardi (1924); 1199) Documenti trafugati dal Veneto durante la guerra (1924); 1200) Argenteria di Salisburgo (1924); 1201) Restituzione di pietra miliare romana del Museo Ferdinandeum al Comune di S. Candido (1924)
- Busta 855: 1248) Oggetti d'arte del Museo Civico di Pola (1924-25); 1249) Oggetti antichi di Aquileia ricupero (1924-25)

Serie "Z" Contenzioso 1861-1939

Pos. Z 17 ter REQUISIZIONI E SEQUESTRI

- Busta 179: 1860) 1918/1924, Austria (1-74)
- Busta 180: 1861) 1918 (75-151)
- Busta 252: 1973) Z 45/a – 1922/1923, Miscellanea e Circolari. 1. Legislazione; - 1916/1923, 2. Raccolta delle disposizioni sul diritto di preda
- Busta 257: 1991) Z 55/a, Danni di guerra in Italia (1-66); 1992) Z 55 b / 1919/1924, Danni arrecati all'Italia dalla guerra mondiale. Parte generale
- Busta 268: 2045) Z 59 – 1919, Conferenza dei preliminari di Pace. Commissione economica; 2046) Z 59 – 1917/1921, Trattato di pace con l'Austria. Trattazione generale; 2047) 1919/1923, Trattato di pace con l'Austria. [...] 3. Valori ed oggetti preziosi asportati da Udine dall'esercito austro-ungarico. [...]; 2048) Z 59/2 – 1920/1922, Trattato di pace con l'Austria. 1920/1922, 1. Trattati, convenzioni ed accordi richiamati in vigore; 1920/1921, 2. Contratti prebellici privati sottratti all'annullamento, art. 251
- Busta 272: 2058) Z 59/8 – Trattato di pace con l'Austria (S. Germano). Dissequestro beni di cittadini redenti; 2059) Z 59/9 – 1918/1921, Beni austriaci in Italia. Parte generale; 2060) Z 59/19 – 1923, Beni della corona d'Austria sui territori annessi
- Busta 273: 2072) Z 64 – 1919/1924, Restituzione di oggetti di valore culturale asportati dagli austro-ungarici durante la guerra (1-13)

Rappresentanze diplomatiche e consolari

Rappresentanze diplomatiche Francia 1861 – 1950

- Busta 26 (1919): Fasc. 5) Conferenza di Versailles
- Busta 27 (1919): Fasc. 1) Conferenza di Versailles – Verbali gennaio, 2) Conferenza di Versailles – Verbali febbraio
- Busta 28 (1919): Fasc. 1) Conferenza di Versailles – Verbali marzo
- Busta 29 (1919): Fasc. 1) Conferenza di Versailles – Verbali aprile, Fasc. 2) Conferenza di Versailles – Verbali maggio, Fasc. 3) Conferenza di Versailles – Verbali giugno, Fasc. 4) Conferenza di Versailles – Verbali luglio

Rappresentanze diplomatiche e consolari

Rappresentanza diplomatica AUSTRIA - VIENNA 1862 – 1938

- Busta 250 (1919): Fasc. 5) Recupero materiale artistico asportato dall'Italia
- Busta 255 (1920): Fasc. 1) Conferenza della Pace di Parigi, 2) Sottocommissione per le

riparazioni in Vienna, 5) Commissione delle riparazioni  
 - Busta 256 (1920): Fasc. 1) Missione militare italiana in Austria [...]  
 - Busta 258 (1920): Fasc. 1) Recupero di materiale artistico italiano asportato, 2) Custodia degli Archivi degli ex Consolati austro-ungarici, 3) Richiesta di informazioni e notizie: 1. Parte Generale; 2. Personale militare e civile italiano in Austria  
 - Busta 267 (1922): Fasc. 1) Recupero di materiale artistico asportato dall'Italia (1921-1922)  
 - Busta 275 (1923): Fasc. 5) Recupero di materiale artistico e vario asportato dall'Italia, 6) Restituzione a cittadini italiani di beni, diritti ed interessi da parte dell'Austria (art. 247 del Trattato di San Germano)

Archivio Storico dell'Esercito,  
 Ufficio Storico Stato Maggiore  
 dell'Esercito (ASE)

Fondo E-8 - Registro Commissione interalleata di  
 Parigi

- Raccoglitore 145: Carteggio 1 – Trattato di San Germano – Commissione d'armistizio – Direttive date al Gen. Segre – relazioni 1918/1919; Carteggio 2 – Trattato di San Germano – Pratica dell'armistizio di Villa Giusti 1918/1919; Carteggio 3 – Trattato di San Germano – Pratica dell'armistizio di Villa Giusti 1918/1919  
 - Raccoglitore 147: Carteggio 2 – Trattato di San Germano – Rivendicazioni italiane materiali e altro; Carteggio 7 - Trattato di San Germano – La commissione di armistizio a Vienna

Fondo E-11 - Missioni militari varie presso gli alleati e missioni militari italiane all'estero 1914 – 1929

- Raccoglitore 1 – MISSIONE MILITARE ITALIANA A VIENNA: Carteggio 1 – Relazione sull'attività della Missione (sic. 1918 – ott. 1919; Carteggio 2 – Relazione sommaria dell'inchiesta sulla Missione Militare in Vienna (15.3.1920); Carteggio 3 – Carte riguardanti il ritiro degli oggetti storico-artistici (aprile-maggio 1919)

## Paris

Archives Nationales, Pierrefitte-  
 sur-Seine (AN)

AJ/5 - DÉLÉGATION FRANÇAISE À LA  
 COMMISSION DES RÉPARATIONS (1920-1929)

- 203: Œuvres d'art. Collections scientifiques; Œuvres d'art. Documents divers  
 - 204: Œuvres d'art – Mise en gage – Réclamations de l'Italie  
 - 205: Inventaire fait par M. Koehlin et ses collègues  
 - 351 (Restitutions, Protocol D – Bibliothèques, Mobilier et objets d'art): Restitutions. Fourniture de publications par l'Autriche; Restitutions.

Accord franco-allemand pour la livraison de livres et périodiques III A3a; Restitutions. Beaux Arts  
 - 511/B: Autriche. Œuvres d'art - Art 195 – St Germain. Traité austro-italien; Traité de Saint Germain - Art. 196

**AJ/6 - COMMISSION INTERALLIÉE DES RÉPARATIONS (C.R.) (1919-1930)**

- 1836: 12/RT/2(II) : Valeur – Mobilier - Objets d'art. Protocol particulier D; 12/RT/2(I) : Valeur – Mobilier - Objets d'art - Protocol particulier D
- 1837: 12/RT/2(V) : Valeur – Mobilier - Objets d'art - Protocol particulier D
- 1847: 112/RT/2a : Restitution d'objets divers pris à a Bibliothèque de Gorizia; 112/RT/1a : Restitution à l'Italie d'objets d'art. Convention entre l'Italie et l'Autriche et entre l'Italie e le Royaume S.C.S.

Archives du Ministère des Affaires étrangères (AMAE)

Guerre 1914-1920, série A Paix  
 4CPCOM – microfilm P/1444

- 126: Autriche, condition de réparations et compensations. Revendications du Général Segré (revendications italiennes)
- 127: condition de réparation et de compensation (aliénation d'œuvres d'art). 1919 avril-1920 décembre

Série Z Europe  
 sous-série Autriche (80CPCOM)

- 166: régime des biens ennemis en Autriche – 1919-1924
- 169: beaux-arts

**Venice**

Archivio Storico, Direzione regionale Musei Veneto (ex Polo museale Veneto) (ASPMV)

BUSTA 14/55A – Oggetti d'arte. Provvedimenti di Guerra. Vienna

- 1: Statistica degli oggetti d'arte sequestrati a sudditi ex nemici. 1917
- 4: Vienna – Legazione italiana. Quadri sequestrati al Mag. Austriaco Max Bulla
- 14: Fasc. III. Libri tornati da Vienna
- 15: Fasc. IV. Busto di Francesco 1° del Canova della Marciana lasciato a Vienna
- 16: Fasc. V. Dipinti ritornati da Vienna appartenuti al Palazzo Ducale di Venezia
- 17: Fasc. VII. Cimeli del Museo Civico di Pola consegnati alla Commissione italiana d'armistizio
- 18: Mobili di sudditi ex-nemici
- 19: Carte riguardanti la Missione italiana a Vienna (1919) per il recupero delle opere d'arte, già appartenenti al prof. Paolo d'Ancona, donate alla Soprintendenza dalla signora Elisa

Sarfatti di S. Rocco a Pilli (Siena) nel 1998

BUSTA 14/55B – Oggetti d'arte. Provvedimenti di Guerra. Vienna

- 1: Missione a Vienna per rivendicare le opere d'arte italiane. 1919-920
- 2: Memorie, catalogo e perizie degli oggetti d'arte recuperati a Vienna[1]
- 3: Vienna. Stima degli oggetti d'arte dell'Austria
- 4: [Loose sheets]
- 5: Quadri recuperati nella Carinzia
- 6: Memorie\_Catalogo e perizie degli oggetti d'arte recuperati a Vienna[2]
- 7: Restituzioni. Oggetti del Museo Archeologico di Aquileia
- 8: Elenchi di stima di opere d'arte, monumenti, ecc. distrutti o scomparsi nelle terre invase

Archivio Storico,  
Soprintendenza Archeologia,  
Belle Arti e Paesaggio per il  
Comune di Venezia e Laguna  
(SABAPV)

Guerra Ia

- Busta 10/1: Danni di guerra, Restauri, ecc.,  
Campane asportate dagli austriaci
- Busta 10/2: Edifici monumentali di proprietà  
di enti nemici, Circolare 21/2/917 N. 2029
- Busta 10/4: Visite terre liberate

## Milan

Archivio Beni storico artistici,  
Pinacoteca di Brera (APB)

Archivio antico – Parte II

- Serie 4 - Cambi, cessioni, restituzioni e prestiti:  
205, 11/12: Cambio di oggetti d'arte con l'Austria  
(cassette 11-12)
- Serie 10 - Opere d'arte da restituire all'Italia  
(cassetta 35)

Archivio vecchio

- Serie 5 - Tutela delle cose appartenenti ad Enti e  
Istituti: 422, pos. 5, fasc. 337: Graz: dipinti italiani  
recuperati
- Serie 9.1 - Salvaguardia patrimonio artistico e  
sequestro beni nemici di guerra 1915-1918

## Pisa

Centro Archivistico, Scuola  
Normale Superiore di Pisa  
(SNS)

Fondo Adolfo Venturi, Carteggio: Ettore Modigliani  
(AV\_Cart – XXIII, 1793)

## Ravenna

Istituzione Biblioteca Classense  
(IBC)

Fondo Corrado Ricci, Modigliani Ettore, da Milano -  
Roma 13.10.1900 - 22.1.1934; nn. 23740-23919 (voll.  
125, 126), 41466-41489 (vol. 224), 41811 (vol. 226)

## Bibliography

### First World War : Topics about artistic property in general and about the Austro-Italian disputes in particular

- Auszug aus dem Bericht über die Tätigkeit der Österr.-Ungar. Kunstschutzgruppe im Besetzten gebiet Italiens*, Wien 1918.
- Azara A., [Ricordo di] Mariano d'Amelio, Riv. dir. civ., 1943, I, p. 262.
- Bellingeri L., *Rappresentazione ed auto-rappresentazione della Biblioteca Estense nei primi anni del Regno d'Italia*, Quaderni Estensi, III, 2011, pp. 74-85.
- Bellingeri L., *Il dono memorabile. Gentile, Treccani e il ritorno della Bibbia a Modena*, Quaderni Estensi, I, 2009, pp. 221-230.
- Benzoni G., *From Venice to Vienna and back again: for whom does the bell toll?*, Venezialtrove. Almanacco della presenza Veneziana nel mondo, 1, 2009, pp. 23-38.
- Beretta F., *L'attività della Kunstschutzkommission in Friuli (1917-1918) secondo i documenti austriaci*, in Perusini G., Fabiani R. (eds.), *Conservazione e tutela dei beni culturali in una terra di frontiera. Il Friuli Venezia Giulia fra Regno d'Italia e Impero Asburgico (1850 – 1918)*, Vicenza 2008, pp. 227-237.
- Beretta F., *Hans Tietze e la nascita della Kunstschutzgruppe nei territori occupati dopo Caporetto*, Udine : Bollettino delle civiche istituzioni culturali, 9, 2005, pp. 199-209.
- Bertini-Calosso A., *L'exposition des objets restitués par l'Autriche a l'Italie*, La Revue de l'Art ancien et moderne, 1923, 246, pp. 321-340.
- Biedermann B., *Kommentar zu den Art. 191-196 des Vertrags von St. Germain*, in Ziegerhofer A., Olechowski T., Kalb H. (eds.), *Gesamtkommentar zum Vertrag von St. Germain*, Wien 2021.
- Biedermann B., *Collecting and exhibiting 'Austria': a museological perspective on collections from the House of Habsburg to a 'House of Austrian History'*, Journal of the History of Collections, 30, 1, 2018, pp. 153-166.
- Blower J., *Max Dvorák and Austrian Denkmalpflege at War*, Journal of Art Historiography, 2009, 1, pp. 1-19.
- Braghirolli W., *Sulle manifatture di arazzi in Mantova*. Notizie storiche, Mantova 1879.
- Brückler T., *Thronfolger Franz Ferdinand als Denkmalpfleger. Die „Kunstakten“ der Militärkanzlei im Österreichischen Staatsarchiv (Kriegsarchiv)*, Wien 2009.
- Busetto G., *Coggiola Giulio*, in Dizionario Biografico degli Italiani, vol. XXVI, Roma 1982, pp. 630-632.
- Caburlotto L., *Lo strenuo cimento della tutela. Soprintendenze venete prima, durante e dopo il conflitto: protezione, perdite, risarcimenti e recuperi del patrimonio artistico*, in Spiazzi A. M., Rigoni C., Pregolato M. (eds.), *La memoria della prima guerra mondiale: il patrimonio storico-artistico tra tutela e valorizzazione*, Vicenza 2008, pp. 68-111.
- Capasso B., *Sulla spogliazione delle biblioteche napolitane nel 1718*. Notizie e documenti, in Società di Storia Patria, Archivio storico per le Province napoletane, vol. 3, Bologna 1878, p. 563-594.
- Cartolari M., *Ogetti: I quadri a casa loro* (1919), (<https://translanth.hypotheses.org/ueber/ogetti>).

- Cartolari M., *Ogetti: L'arte si paghi con l'arte* (1919), (<https://translanth.hypotheses.org/ueber/ogetti-arte-si-paghi-con-l-arte>).
- Cecchetti B., *Appunti sulla restituzione degli oggetti d'arte e d'antichità, e dei documenti, fatta dal Governo Austriaco all'Italia nel mese di settembre 1868*, Archivio Storico Italiano, Serie Terza, vol. 8, 2, 1868, pp. 195-200.
- Cérésolle V., *La vérité sur les dépredations autrichiennes a Venise. Trois lettres à M. Armand Baschet par Victor Cérésolle. Deuxième édition, corrigée et considérablement augmentée*, Venise 1867.
- Cérésolle V., *La vérité sur les dépredations autrichiennes a Venise. Deux lettres à M. Armand Baschet par Victor Cérésolle*, Padova 1866.
- Chrzaszczewska J., *Un exemple de restitution. Le traité de Riga de 1921 et la patrimoine artistique de la Pologne*, Museion, 17-18, 1932, pp. 205-208.
- Cladders L., *Dvořák: Ein Brief an die italienischen Fachgenossen* (1919), (<https://translanth.hypotheses.org/ueber/dvorak>).
- Clemen P. (ed.), *Kunstschutz im Kriege, Berichte über den Zustand der Kunstdenkmäler auf dem verschiedenen Kriegsschauplätzen und über die deutschen und österreichischen Massnahmen zu ihrer Erhaltung, Rettung, Erforschung*, Zweiter Band, *Die Kriegsschauplätze in Italien, im Osten und Südosten*, vol. II, Leipzig 1919.
- [Coccolo 2021a] Coccolo F., *Austrian and Italian Negotiations on First World War Art Transfers and Damages*, in Fuhrmeister C., Murovec B. (eds.), *Transfer of Cultural Objects in the Alpe Adria Region*, Wien-Köln-Weimar 2021 [expected].
- [Coccolo 2021b] Coccolo F., *Chiedere ai vinti. Ettore Modigliani e le restituzioni artistiche dopo la Prima guerra mondiale*, in Pellegrini E. (ed.), *Ettore Modigliani soprintendente. Dal primo Novecento alle leggi razziali*, Milano 2021, pp. 175-185.
- [Coccolo 2021c] Coccolo F., *Struggling for Art: War Damages, Claims and Restitutions [and record entries]*, in Levi D., Wedekind M. (eds.), *TransCultAA Online Source Edition*, Udine 2021 [expected].
- Coggiola G., *Il Ricupero a Vienna dei Cimelii Bibliografici Italiani*, Emporium, 49/292, aprile 1919, pp. 198-217.
- Crankshaw E., *The Habsburgs: Portrait of a Dynasty*, New York 1971.
- D'Ancona P., *A Vienna con il generale Roberto Segre*, Nuovo Patto, 5, 1922, pp. 3-7.
- De Benedetti M., *Tesori d'arte restituiti dall'Austria*, Nuova Antologia, 306, 1923, pp. 88-92.
- Deiters W., *Die Wiener Gemäldegalerie unter Gustav Glück. Von der kaiserlichen Sammlung zum modernen Museum*, München 2016.
- Deiters W., *Die Wiener Gemäldegalerie des Kunsthistorischen Museums in der Zeit des Ersten Weltkriegs*, in Kott C., Savoy B. (eds.), *Mars und Museum. Europäische Museen im Ersten Weltkrieg*, Wien-Köln-Weimar 2016, pp. 85-98.
- Dizionario biografico dei direttori generali. Direzione generale accademie e biblioteche direzione generale antichità e belle arti (1904-1974)*, Bologna 2011.
- Dizionario biografico dei soprintendenti storici dell'arte (1904-1974)*, Bologna 2007.
- Dvořák M., *Einrichtungen des Kunstschutzes in Österreich*, in Clemen P. (ed.), *Kunstschutz im Kriege, Berichte über den Zustand der Kunstdenkmäler auf dem verschiedenen Kriegsschauplätzen und über die deutschen und österreichischen*

- Massnahmen zu ihrer Erhaltung, Rettung, Erforschung, Zweiter Band, Die Kriegsschauplätze in Italien, im Osten und Südosten*, vol. II, Leipzig 1919, pp. 1-10.
- [Elenco 1919] *Elenco delle opere d'arte indebitamente asportate dall'Italia e trattenute dall'Austria-Ungheria*, Roma 1919.
- Emiliani A., *Leggi, bandi e provvedimenti per la tutela dei beni artistici e culturali negli antichi stati italiani, 1571-1860*, Bologna 1978.
- Fadelli A., *Monuments Men tra Livenza e Tagliamento. La salvaguardia dell'arte nel pordenonese durante la Grande Guerra*, Atti dell'Accademia di San Marco di Pordenone, 21, 2019, pp. 447-470.
- Ferino Pagden S., *One purchase after another leads to richest and most documented venetian collection abroad*, *Venezialtrove*. Almanacco della presenza Veneziana nel mondo, 1, 2009, pp. 99-110.
- Fiocco G., *Catalogo delle opere d'arte tolte a Venezia nel 1808-1816-1838 restituite dopo la vittoria, con prefazione di Gino Fogolari*, Venezia 1919.
- Fleres U., *La mostra degli oggetti d'arte restituiti dall'Austria. Attraverso le sale*, *L'Illustrazione Italiana*, L-1923, 3, 1923, pp. 68-84.
- [Fogolari 1919a] Fogolari G., *I quadri ripresi a Vienna*, *Arte Cristiana*, 7, luglio 1919, pp. 130-134.
- [Fogolari 1919b] Fogolari G., *Opere d'arte che ritornano da Vienna*, *Emporium*, 49/292, aprile 1919, pp. 181-197.
- Franchi E., *Keine Zeit für Inventare. Der Erste Weltkrieg und der Museumsschutz in Norditalien*, in Kott C., Savoy B. (eds.), *Mars und Museum. Europäische Museen im Ersten Weltkrieg*, Wien-Köln-Weimar 2016.
- Franchi E., *I viaggi dell'Assunta. La protezione del patrimonio artistico veneziano durante i conflitti mondiali*, Pisa 2010.
- Frank M., *Venezia-Vienna e ritorno. Attorno alle restituzioni di dipinti dopo la Prima Guerra Mondiale*, *Ateneo Veneto. Rivista di scienze, lettere ed arti*, vol. CCIII, 3rd series, 15/II, 2016, pp. 59-69.
- Franceschelli T. C., *La Biblioteca di Paolo D'Ancona*, Elaborato di fine triennio, a.a. 2004-2005, Università degli Studi di Milano.
- Frapporti M., *Il saccheggio della biblioteca Buzzati a San Pellegrino durante l'occupazione del 1917-18*, *Archivio storico di Belluno Feltre e Cadore: periodico bimestrale*, anno 88, 361, luglio-dicembre 2017, pp. 17-64.
- Frodl-Kraft E., *Gefährdetes Erbe. Österreichs Denkmalschutz und Denkmalpflege 1918-1945 im Prisma der Zeitgeschichte (Studien Zu Denkmalschutz Und Denkmalpflege)*, Wien-Köln-Weimar 1997.
- Fuhrmeister C., Wedekind M., Tischner M., *Kulturguttransfers im Alpen-Adria-Raum während des 20. Jahrhunderts*, *Provenienz & Forschung*, 2, 2017, 41-45.
- Fuhrmeister C.
- Gambarotto S., Raffaelli E., Zanandrea S., *Fuoco dal Cielo. I bombardamenti aerei sulle città del Veneto e i danni al patrimonio artistico*, Trevisto 2008.
- Gasparini L., *Ricordo di Piero Sticotti*, Udine 1954.
- Gastinel-Coural C., *Vienne 1918-1922. Des oeuvres d'art en échange de pain. À propos de l'inventaire estimatif des collections des Habsbourg établi par les conservateurs français*, *Bulletin de la Société de l'Histoire de l'Art français – Année 2011, 2012*, pp. 231-280.
- Gerola G., *Sulla opportunità della pubblicazione di un elenco delle opere d'arte italiane attualmente smembrate*, Venezia 1937.



- Gerola G., *Gli Oggetti d'Arte... Non Ricuperati dall'Austria*, Emporium, 57/340, 1923, pp. 249-255.
- [Gerola 1919a] Gerola G., *Le rivendicazioni del Trentino*, Alba Trentina, III-1919, pp. 159-175.
- [Gerola 1919b] Gerola G., *Le rivendicazioni del Trentino nel campo storico artistico*, Rovigo 1919.
- [Gerola 1918a] Gerola G., *Per la reintegrazione delle raccolte trentine spogliate dall'Austria*, Firenze 1918.
- [Gerola 1918b] Gerola G., *Quello che l'Austria deve restituire al Trentino*, Rovigo 1918.
- Gli arazzi di Mantova restituiti dall'Austria*, L'Illustrazione Italiana, XLVI-1919, 21, pp. 523-525.
- Gnirs A., *Die Denkmalpflege an der österreichischen Isonzofront in der Zeit des italienischen Feldzuges 1915-18*, in Clemen P. (ed.), *Kunstschutz im Kriege, Berichte über den Zustand der Kunstdenkmäler auf dem verschiedenen Kriegsschauplätzen und über die deutschen und österreichischen Massnahmen zu ihrer Erhaltung, Rettung, Erforschung*, Zweiter Band, *Die Kriegsschauplätze in Italien, im Osten und Südosten*, vol. II, Leipzig 1919, pp. 11-22.
- Gradara C., *L'Italia alla "Mostra degli Alleati" a Parigi*, Emporium, 49/292, 1919, pp. 218-20.
- Hassmann E.(ed.), *Quellen und Regesten zur Schatzkammer, Gemäldegalerie und zu den drei Kabinetten aus dem Archivbestand des k. k. Oberstkämmereramtes 1777 bis 1787 mit einem Nachtrag zu den Jahren 1748 bis 1776*, Jahrbuch des Kunsthistorischen Museums Wien, Band 15/16, 2013-2014, Wien-Köln-Weimar 2015.
- Haupt H., *Das Kunsthistorische Museum. Die Geschichte des Hauses am Ring. Hundert Jahre im Spiegel historischer Ereignisse*, Wien 1991.
- Hefel E., *Die Estensischen Sammlungen des Hauses Österreich-Este. Zur Abwehr der italienischen Ansprüche*, Zürich-Leipzig-Wien 1919.
- Huber-Frischeis T., Knieling N., Valenta R., *Die Privatbibliothek Kaiser Franz' I. von Österreich. Bibliotheks- und Kulturgeschichte einer fürstlichen Sammlung zwischen Aufklärung und Vormärz*, Wien-Köln-Weimar 2015.
- Huber-Frischeis T., Knieling N., Valenta R., *Die Geschichte der Privatbibliothek Kaiser Franz' I. von Österreich 1784-1835*, Bibliothek, Forschung und Praxis 38, 2014, pp. 461-467.
- Huber-Frischeis T., Knieling N., Valenta R., *Die Privatbibliothek Kaiser Franz' I. von Österreich. Ein Werkstattbericht*, Mitteilungen der Gesellschaft für Buchforschung in Österreich, 2, 2011, pp. 71-83.
- Huguenin-Bergenat Y., *Kulturgüter bei Statensukzession: Die internationalen Verträge Österreichs nach dem Zerfall der österreichisch-ungarischen Monarchie im Spiegel des aktuellen Völkerrechts*, Berlin 2010.
- Il diamante fiorentino*, Prassi Italiana di Diritto Internazionale, Istituto di Studi Giuridici Internazionali - Consiglio Nazionale delle Ricerche, (<http://www.prassi.cnr.it/prassi/content.html?id=1094>).
- Kott C., *Kunstwerke als Revanche? Die Problematik der Restitutionen im und nach dem Ersten Weltkrieg in Westeuropa*, in Großmann G. U., Krutisch P. (eds.), *The Challenge of the Object. Die Herausforderung des Objekts*, Congress proceedings, Nürnberg 2013, pp. 1355-1359.

- Kott C., *Der deutsche "Kunstschutz" im Ersten und Zweiten Weltkrieg - ein Vergleich*, in Pfeil U. (ed.), *Deutsch-französische Kultur- und Wissenschaftsbeziehungen im 20. Jahrhundert. Ein institutionengeschichtlicher Ansatz*, München 2007, pp. 137-153.
- Kott C., *Protéger, confisquer, déplacer. Le service allemand de préservation des œuvres d'art (Kunstschutz) en Belgique et en France occupées pendant la Première Guerre mondiale, 1914-1924*, PhD Thesis, Paris 2002.
- Kott C., *Kunstwerke als Faustpfänder im Ersten Weltkrieg*, in Frehner M. (ed.), *Das Geschäft mit der Raubkunst. Thesen, Fakten, Hintergründe*, Zürich 1998, pp. 43-50.
- Kral J., *"In der Treue gegen Gott, Kaiser und Vaterland wollen wir uns nie und nimmer übertreffen lassen..."*. *Salzburgs Glocken an der Front*, in Dohle O., Mitterecker T. (eds.), *Salzburg 1918-1919: Vom Kronland zum Bundesland*, Wien 2018, pp. 143-153.
- Kramer H., *Die italienische Besatzung in Innsbruck und Umgebung 1918-1920*, *Der Schlern* 45, 1971, pp. 293-298.
- Krapf-Weiler A., *Zur Neuorganisation der Wiener Museen 1919-1925 unter der Leitung von Hans Tietze*, in Kräutler H., Frodl G. (eds.), *Das Museum. Spiegel und Motor kulturpolitischer Visionen. 1903-2003. 100 Jahre Österreichische Galerie Belvedere*, Wien 2004, pp. 159-178.
- Kugler G. J., *Die Habsburger des 16. Jahrhunderts als Sammler*, in Feuchtmüller R. (ed.), *Renaissance in Österreich. Geschichte-Wissenschaft-Kunst*, Wien 1974, pp. 57-62.
- Kurzel-Runtscheiner M., Pichorner F., Krause S. (eds.), *Habsburg splendor: masterpieces from Vienna's imperial collections at the Kunsthistorisches Museum*, Houston 2015.
- L'esodo delle opere d'arte italiana dal Museo Imperiale di Vienna*, *L'Illustrazione Italiana*, L-1919, 11, p. 259.
- La Convenzione artistica del 4 maggio 1920*, Prassi Italiana di Diritto Internazionale, Istituto di Studi Giuridici Internazionali - Consiglio Nazionale delle Ricerche, (<http://www.prassi.cnr.it/prassi/content.html?id=1148>).
- La restituzione di beni artistici italiani*, Prassi Italiana di Diritto Internazionale, Istituto di Studi Giuridici Internazionali - Consiglio Nazionale delle Ricerche (<http://www.prassi.cnr.it/prassi/content.html?id=2474>).
- Larnaud F., *L'Article 208 du Traité de Saint-Germain et la Famille Impériale et Royale de Habsbourg-Lorraine*, Paris 1924.
- Lauber R., *"Sell, whatever it costs": 5000 paintings disappear, while horses and lion return to Venice*, *Venezialtrove. Almanacco della presenza Veneziana nel mondo*, 1, 2009, pp. 177-191.
- Le ultime consegne di opere d'arte dall'Austria all'Italia*, *L'Arte*, XXIV-1921, pp. 257-258.
- Leicht P. S., *Documenti e codici friulani irredenti*, *Memorie Storiche Forogiuliesi*, 18, 1922, pp. 287-292.
- Lhotsky A., *Die Verteidigung der Wiener Sammlungen kultur- und naturhistorischer Denkmäler durch die Erste Republik*, *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, 63, 1955, pp. 614-649.

- Loehr, A., *In memoriam Hans Tietze (aus der Zeit der österr. Kulturkrise)*, Österreichische Zeitschrift für Kunst und Denkmalpflege, VIII, 1954, pp. 121-122.
- Ludwig G., *Documente über Bildersendungen von Venedig nach Wien in den Jahren 1816 und 1838 aus dem Archivio di Stato zu Venedig*, Jahrbuch der Kunsthistorischen Sammlungen des Allerhöchsten Kaiserhauses, XXII, 6, 1901, pp. 1-40.
- Luzio A., *Gli arazzi dei Gonzaga restituiti dall'Austria*, Bergamo 1919.
- Luzio A., *Contributo alla storia delle suppellettili del Palazzo Ducale di Mantova*, Atti e Memorie della R. Accademia Virgiliana, VI, 1914.
- Maffei G., *Gli arazzi rafaelleschi restituiti dall'Austria*, Mantova 1933.
- Mahringer P. (ed.), *100 Jahre Republik. Denkmalpflege zwischen Monarchie und Republik*, Österreichische Zeitschrift für Kunst und Denkmalpflege, LXXIII, 2019.
- Mahringer P., *Österreichische Denkmalpflege zwischen Idealismus und Realität*, in Mahringer P. (ed.), *100 Jahre Republik. Denkmalpflege zwischen Monarchie und Republik*, Österreichische Zeitschrift für Kunst und Denkmalpflege, LXXIII, 2019, Heft ½, pp. 54-65.
- Mannowsky W., *Deutscher Kunst- und Denkmalschutz im besetzten Gebiet Italiens 1917-1918*, in Clemen P. (ed.), *Kunstschutz im Kriege, Berichte über den Zustand der Kunstdenkmäler auf dem verschiedenen Kriegsschauplätzen und über die deutschen und österreichischen Massnahmen zu ihrer Erhaltung, Rettung, Erforschung, Zweiter Band, Die Kriegsschauplätze in Italien, im Osten und Südosten*, vol. II, Leipzig 1919, pp. 39-49.
- Martini E., *Sui codici napoletani restituiti dall'Austria*, Atti della Reale Accademia di Archeologia, Lettere e Belle Arti di Napoli, 9, 1926, pp. 157-182.
- Mayer G., Tammaro S. (eds.), *Travelling objects. Botschafter des Kulturtransfers zwischen Italien und dem Habsburgerreich*, Wien 2018.
- Menčík F., *Zur Geschichte der k. k. Hofbibliothek*, Zeitschrift des Österreichischen Vereines für Bibliothekswesen NF 2, 1911.
- Mikoletzky H. L., *Kaiser Franz I. Stephan und der Ursprung des Habsburgisch-Lothringischen Familienvermögens*, Wien 1961.
- Missione militare italiana a Vienna, *Perché l'Italia reclama oggi dall'Austria opere d'arte e di storia*, Vienna 1919.
- Modigliani E. (Carminati M. ed.), *Memorie. La vita movimentata di un grande soprintendente di Brera*, Milano 2019.
- Modigliani E. (Ragghianti C. L. ed.), *Il recupero dei tesori italiani d'arte e di storia. Parte 3., Critica d'arte nuova*, III, 17, 1956, pp. 493-196.
- [Modigliani 1955b] Modigliani E. (Ragghianti C. L. ed.), *Il recupero dei tesori italiani d'arte e di storia. Parte 2., Critica d'arte nuova*, II, 10, 1955, pp. 374-380.
- [Modigliani 1955a] Modigliani E. (Ragghianti C. L. ed.), *Il recupero dei tesori italiani d'arte e di storia. Parte 1., Critica d'arte nuova*, II, 9, 1955, pp. 266-276.
- Modigliani E., *Capolavori veneziani del settecento ritornati in Italia*, Dedalo, 5, 6, 1924, pp. 333-357.
- [Modigliani 1923a] Modigliani E., *Le opere d'arte rese dall'Austria. Come le perdemmo e perché le riavemmo*, La lettura. Rivista mensile del Corriere della Sera, 23, 2, 1923, pp. 81-91.

- [Modigliani 1923b] Modigliani E., *La bibbia di Borso d'Este acquistata e donata alla Nazione*, L'Illustrazione Italiana, L-1923, 19, pp. 556-557.
- [Modigliani 1923c] Modigliani E., *La diffida del Governo Italiano all'ex Imperatrice Zita per le opere d'arte*, L'Illustrazione Italiana, L-1923, 38, pp. 386-387.
- [Modigliani 1923d] Modigliani E. (ed.), *Catalogo degli oggetti d'arte e di storia restituiti dall'Austria-Ungheria ed esposti nel R. Palazzo Venezia in Roma*, Roma 1923.
- Modigliani Ettore, in *Chi è? Dizionario degli italiani d'oggi*, Roma 1931, p. 501.
- Moschetti A., *I danni ai monumenti e alle opere d'arte delle Venezie nella guerra mondiale : 1915-1918*, Venezia 1928.
- Munoz A., *Oggetti e cimeli restituiti dall'Austria nella mostra di Palazzo Venezia*, Il Marzocco, 53, XXVII-1922, p. 1.
- Nascimbeni G., *Le 'Conquiste' di Opere d'Arte fatte da Napoleone*, Emporium, 53/317, 1921, pp. 227-40.
- Narcisi L., *La restituzione austriaca delle opere d'arte di Venezia dopo la prima guerra mondiale*, in Callegari P., Curzi V. (eds.), *Venezia: la tutela per immagini. Un caso esemplare dagli archivi della Fototeca Nazionale*, Exhibition catalogue, Bologna 2005, pp. 121-128.
- Neck R., *Kulturelle Bestimmungen des Staatsvertrages von Saint-Germain 1919*, in Ackerl I., Neck R. (eds.), *Saint-Germain 1919. Protokoll des Symposiums am 29. und 30. Mai 1979 in Wien*, München 1989, pp. 435-441.
- Neck R., *Zu den österreichisch-italienischen Archivverhandlungen nach dem Ersten Weltkrieg*, Mitteilungen des Österreichischen Staatsarchivs, 31, 1978, pp. 434-441.
- Nezzo M. (ed.), *Arte come memoria. Il patrimonio artistico veneto e la Grande Guerra*, Padova 2016.
- Nezzo M., *Critica d'arte in Guerra. Ogetti 1914-1920*, Treviso 2003.
- Nicita P., *Il Museo negato. Palazzo Venezia 1916-1930*, Bollettino d'arte, LXXXV-2000, 114, pp. 29-72.
- Notizie. *Codici e cimeli restituiti dall'Austria*, La Bibliofilia, 25, 1-2, 1923, pp. 41-42.
- "O." [anonymous], *International Arbitrations under the Treaty of St-Germain*, The British Year Book of International Law, IV, 1923-24, pp. 124-130.
- Öhlinger T., *Die Museen und das Recht. Von der Öffnung der kaiserlichen Gemäldesammlung bis zum Bundesmuseengesetz*, Wien 2008.
- Ogetti U., *Canova, Possagno e l'Esercito*, Il Marzocco, 12.11.1922, p. 4.
- Ogetti U., *Monumenti danneggiati e opere d'arte asportate dal nemico. Difesa dei monumenti e delle opere d'arte contro i pericoli della guerra*, Roma 1919.
- Ogetti U., *Il martirio dei monumenti*, Milano 1918.
- Pacchioni G., *Equità e fermezza latine nelle controversie artistiche con il crollato impero d'Asburgo*, Falconara 1939.
- Pacchioni G., *Le controversie artistiche e storiche nella pace con l'Austria*, Emporium, 55/328, 1922, pp. 225-239.
- Pacchioni G., *La Collezione di Arazzi degli Asburgo*, Emporium, 52/311, 1920 pp. 227-238.
- Pacia A., *Ettore Modigliani e la prima guerra mondiale*, in Ghibaudi C. (ed.), *Brera e la guerra. La pinacoteca di Milano e le istituzioni museali milanesi durante il primo e il secondo conflitto mondiale*, Exhibition catalogue, Milano 2009, pp. 23-36.

- Pacia A., *Ettore Modigliani*, in *Dizionario biografico dei Soprintendenti Storici dell'Arte (1904-1974)*, Bologna 2007, p. 389.
- Passini, M., *La dimensione politica della tutela. Paul Clemen e il dibattito franco-tedesco sulla protezione del patrimonio artistico durante la prima guerra mondiale*, in Perusini G., Fabiani R. (eds.), *Conservazione e tutela dei beni culturali in una terra di frontiera. Il Friuli Venezia Giulia fra Regno d'Italia e Impero Asburgico (1850 – 1918)*, Vicenza 2008.
- [Per le rivendicazioni 1919] *Per le rivendicazioni artistiche italiane alla conferenza della pace*, *L'Illustrazione Italiana*, XLVI-1919, 5, pp. 117-126.
- Perusini G., *Kunstschutz und Zerstörung von Kunstwerken im Friaul während des Ersten Weltkriegs*, in Born R., Störkuhl B. (eds.), *Apologeten der Vernichtung oder Kunstschützer. Kunsthistoriker der Mittelmächte im Ersten Weltkrieg*, Wien-Köln-Weimar 2017, pp. 195-213.
- Perusini G., *L'attività della commissione austro-tedesca per la tutela dei monumenti nel Friuli occupato (1917–1918)*, in Perusini G., Fabiani R. (eds.), *Conservazione e tutela dei beni culturali in una terra di frontiera. Il Friuli Venezia Giulia fra Regno d'Italia e Impero Asburgico (1850–1918)*, Vicenza 2008, pp. 209-226.
- Perusini G., Fabiani R. (eds.), *Conservazione e tutela dei beni culturali in una terra di frontiera. Il Friuli Venezia Giulia fra Regno d'Italia e Impero Asburgico (1850–1918)*, Vicenza 2008.
- Pizzi F., *Paolo d'Ancona e l'Istituto di Storia dell'Arte della Statale di Milano (1908-1957)*, *Acme - Annali della Facoltà di Lettere e Filosofia dell'Università degli Studi di Milano*, LXIII-III, 2010, pp. 243-292.
- Pittella R., *Storia, memoria e identità nazionale. Gli archivi restituiti all'Italia dall'Austria-Ungheria a termine della Grande Guerra*, in Gattullo M. (ed.), *Archivi sul confine. Cessioni territoriali e trasferimenti documentari a 70 anni dal trattato di Parigi del 1947. Atti del convegno internazionale. Torino, Archivio di Stato, 6 - 7 dicembre 2017*, Roma 2019, pp. 19-40.
- Pollak M., *Die Altertumswissenschaften im Bruch der Zeiten*, in Mahringer P. (ed.), *100 Jahre Republik. Denkmalpflege zwischen Monarchie und Republik*, *Österreichische Zeitschrift für Kunst und Denkmalpflege*, LXXIII, 2019, Heft ½, pp. 78-105.
- Quadri e codici veneziani restituiti dall'Austria*, *Notiziario artistico veneziano 1914-1919*, in Museo Correr, Venezia. *Studi di arte e storia*, vol. I, pp. 293-294.
- Rainer J., *Il recupero dei beni culturali italiani dall'Austria dopo la prima guerra mondiale*, *Studi trentini di scienze storiche*, 67, 1988, pp. 237-250.
- Ricci C., *L'arte e la guerra*, *Bollettino d'Arte del Ministero della Pubblica Istruzione*, *La difesa del patrimonio artistico italiano contro i pericoli della guerra (1915-1917)*. II. Protezione degli oggetti d'arte, XI-1917, pp. 175-178.
- Roof C., *Die Forschungen des Kunsthistorikers Ernst Steinmann zum Napoleonischen Kunstraub zwischen Kulturgeschichtsschreibung, Auslandspropaganda und Kulturgutraub im Ersten Weltkrieg*, in Dohna Y. (ed.), *Ernst Steinmann. Der Kunstraub Napoleons*, Roma 2007, pp. 433-477.
- Rosinger-Zifko T. E., *Wem gehört das Objekt? Eine Analyse der Verhandlungen um die Zugehörigkeit archäologischer Artefakte und deren identitätsstiftende Funktion nach 1918 am Beispiel des Landesmuseums Joanneum in Graz und des Naturhistorischen Museums in Wien*, PhD Thesis, Graz 2016.

- Rusconi A. J., *Les Tableaux italiens revendiqués en Autriche*, Les Arts, 178, 1919, pp. 2-14.
- Sagredo A., *Scioglimento e termine della vertenza del Regno d'Italia coll'Impero d'Austria sulla restituzione dei monumenti storici e artistici italiani, tolti nella Venezia e in Lombardia*, Archivio Storico Italiano, 8, 2(52), 1868, pp. 191-194.
- Sagredo A., *Spogliazioni austriache nella città di Venezia*, Archivio Storico Italiano, 4, 2(44), 1866, pp. 164-168.
- Salmi M., *La Mostra degli Oggetti d'Arte e di Storia Restituiti dall'Austria-Ungheria*, Emporium, 57/337, 1923, pp. 45-58.
- S. M. [probably Mario Salmi], *La Bibbia di Borso d'Este tornata in Italia*, Emporium, 57/341, 1923, pp. 321-324.
- Savoy B., Kott C. (eds.), *Mars und Museum. Europäische Museen im Ersten Weltkrieg*, Wien-Köln-Weimar 2016.
- Schäffer H., *Restitution von Habsburger-Vermögen. Zum Antrag auf Naturalrestitution von Immobilienvermögen des ehemals bestandenen Familienversorgungsfonds des Hauses Habsburg-Lothringen*, Zeitschrift für öffentliches Recht, 60, 2005, pp. 619-727.
- Scheurmann I., Paul Clemen und Hans Tietze. *Vom Kunstschutz im Krieg zum Denkmalschutz der Nachkriegszeit*, in Mahringer P. (ed.), *100 Jahre Republik. Denkmalpflege zwischen Monarchie und Republik*, Österreichische Zeitschrift für Kunst und Denkmalpflege, LXXIII, 2019, Heft ½, pp. 42-53.
- Schager-Eckhartsau A., *Die Konfiskation des Privatvermögens der Familie Habsburg-Lothringen und des Kaisers und Königs Karl*, Innsbruck 1922.
- Siligato R., *D'Ancona Paolo*, in *Dizionario Biografico degli Italiani*, vol. XXXII, Roma 1986, pp. 393-395.
- Spiazzi A. M., *Dipinti demaniali di Venezia e del Veneto nella prima metà del secolo XIX. Vicende e recuperi*, Bollettino d'arte, LXVIII-1983, 20, pp. 69-127.
- Spiazzi A. M., Righi C., Pregolato M. (eds.), *La memoria della prima guerra mondiale: il patrimonio storico-artistico tra tutela e valorizzazione*, Vicenza 2008.
- Sticotti P., *Il Castello di Miramare di Trieste*, Roma 1930.
- Strinati R., *Arte italiana reduce dall'Austria: note di storia e cronaca*, Roma 1922.
- Swoboda G. (ed.), *Die kaiserliche Gemäldegalerie in Wien und die Anfänge des öffentlichen Kunstmuseums; Band 1, Die Kaiserliche Galerie im Wiener Belvedere (1776-1837); Band 2, Europäische Museumskulturen um 1800*, Wien 2013.
- Talamini S., *Le vicende del patrimonio storico-artistico italiano durante e dopo la Prima Guerra Mondiale: protezione, ricollocamenti, restituzioni*, Tesina del corso di Storia contemporanea, Trento University, a.y. 2017-2018.
- Tarchiani N., *Dai tesori della Serenissima ai gioielli della Toscana*, Il Marzocco, 24.9.1916, pp. 1-2.
- [Tea 1919a] Tea E., *Esposizione internazionale d'arte a Parigi*, L'Arte, XXII-1919, pp. 47-48
- [Tea 1919b] Tea E., *La mostra delle opere d'arte tornate da Vienna*, L'Arte, XXII-1919, pp. 113-120.
- [Tea 1919c] Tea E., *Le rivendicazioni d'arte italiana*, L'Arte, XXII-1919, pp. 72-76.
- Tietze H., *L'accord austro-hongrois sur la répartition des collections de la Maison des Habsbourgs*, Mouseion, 1933, p. 92-97.
- Tietze H., *Die Zukunft der Wiener Museen*, Wien 1923.

- [Tietze 1921] Tietze H., *Das österreichische Kunstabkommen mit Italien*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 56.1920/1921 (April-September), pp. 609-612.
- [Tietze 1920] Tietze H., *Die Wiener Gobelins-Ausstellung*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 55.1919/1920 (April-September), pp. 691-695.
- [Tietze 1919a] Tietze H., *Die Entführung von wiener Kunstwerken nach Italien: eine Darlegung unseres Rechtsstandpunktes, mit einem offenen Brief an die italienische Fachgenossen* von Max Dvorák, Vienna 1919.
- [Tietze 1919b] Tietze H., *Österreichischer Kunstschutz in Italien*, in Clemen P. (ed.), *Kunstschutz im Kriege, Berichte über den Zustand der Kunstdenkmäler auf dem verschiedenen Kriegsschauplätzen und über die deutschen und österreichischen Massnahmen zu ihrer Erhaltung, Rettung, Erforschung*, Zweiter Band, *Die Kriegsschauplätze in Italien, im Osten und Südosten*, vol. II, Leipzig 1919, pp. 50-70.
- [Tietze 1919c] Tietze H., *Eine Museumskommission für Österreich*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 55.1919/1920 (Oktober-März), pp. 175-177.
- [Tietze 1919d] Tietze H., *Verkauf von Kunstgegenständen aus österreichischem Staatsbesitz*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 55.1919/1920 (Oktober-März), pp. 41-42.
- [Tietze 1919e] Tietze H., *Die Kunstwerke im Deutsch-Österreichischen Friedensvertrag*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 54.1918/1919 (April-September), pp. 979-984.
- [Tietze 1919f] Tietze H., *Italiens Ansprüche auf deutschen und österreichischen Kunstbesitz*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 54.1918/1919 (Oktober-März), pp. 341-346.
- [Tietze 1919g] Tietze H., *Der Abtransport von Kunstwerken aus Wien*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 54(28. 2. 1919), pp. 408-415.
- [Tietze 1919h] Tietze H., *Die Italiener in der Wiener Hofbibliothek*, Kunstchronik und Kunstmarkt. Wochenschrift für Kenner und Sammler, 54(28. 2. 1919), pp. 467-470.
- Tridenti C., *La mostra degli oggetti restituiti all'Austria. Il ritorno degli esuli*, L'Illustrazione Italiana, L-1923, 3, pp. 85-94.
- Turba G., *Neues über Lothringisches und habsburgisches Privateigentum*, Wien 1925.
- Varanini G.M., *Fogolari Gino*, in *Dizionario Biografico degli Italiani*, vol. XLVIII, Roma 1997, pp. 500-503.
- Venise aux XVIIIe - XIXe siècles. Exposition organisée sous le haut patronage de la Ville de Paris au bénéfice des orphelins des régions dévastées*, Exhibition catalogue, Paris 1919.
- Venturi A., *Esposizione d'oggetti d'arte e di storia restituiti dall'Austria-Ungheria*, L'Arte, XXV-1922, pp. 142-148.
- Venturi A., *La Regia Galleria Estense*, Modena 1882.
- Visentin M., *The activities of the German Kunstschutzgruppe: their year-long occupation of Friuli in the First World War (1917-1918)*, in Fuhrmeister C., Murovec B. (eds.), *Transfer of Cultural Objects in the Alpe Adria Region*, Wien-Köln-Weimar 2021 [expected].

- Visentin M., *Udine 1917. Note e documenti per la ricomposizione dei danni al patrimonio storico e artistico*, in Venuto F. (ed.), *La pittura del Settecento a Udine e in Friuli secondo Oswald Kutschera Woborsky*, Udine 2011, pp. 73-82.
- Wieser W., Zrounek W. (eds.), *Bilder und Bücher. 200 Jahre ehem. Familien-Fideikomiß-Bibliothek des Hauses Habsburg-Lothringen. 200 Jahre Porträtsammlung. Österreich 1945 bis 1955*, Exhibition catalogue, Wien 1985.
- Zorzi A., *Venezia scomparsa*, Milano 1972.

## First World War : General, with a focus on Italy and Austria

- Agstner R., *Handbuch des Österreichischen Auswärtigen Dienstes. Band 1: 1918 – 1938, Zentrale, Gesandtschaften und Konsulate*, Wien 2015.
- Aldrovandi Marescotti L., *Nuovi ricordi e frammenti di diario per far seguito a Guerra diplomatica (1914-1919)*, Milano 1938.
- Aldrovandi Marescotti L., *Guerra diplomatica. Ricordi e frammenti di diario (1914-1919)*, Milano 1936.
- Allied Powers (1919 - ). *Reparation Commission, Report on the work of the Reparation Commission from 1920 to 1922*, London 1923.
- Allizé H., *Ma mission à Vienne (mars 1919–aout 1920)*, Paris 1933.
- Almond N., Lutz R. H. (eds.), *The Treaty of St. Germain: A Documentary History of Its Territorial and Political Clauses*, Stanford 1935.
- Ara A., *Fra nazione e impero. Trieste, gli Asburgo e la Mitteleuropa*, Milano 2009.
- Ascoli A., *Per il sequestro dei beni dei nemici : questioni relative alla Guerra*, Rivista di diritto civile, 6, 1915, pp. 797-804.
- Bane S. L., Haswell Lutz R. (eds.), *The Blockade of Germany after the Armistice, 1918–1919: Selected Documents of the Supreme Economic Council, Superior Blockade Council, American Relief Administration, and other Wartime Organizations*, Stanford 1942.
- Bansleben M., *Das österreichische Reparationsproblem auf der Pariser Friedenskonferenz*, Wien 1988.
- Bauer O., *Die österreichische Revolution*, Wien 1923.
- Beer S., *Selectively Perceived Legacies of World War I. The Little-Known Halstead Mission in Austria, 1919*, in Bischof G., Plasser F., Berger P. (eds.), *From Empire to Republic. Post-World War I Austria*, New Orleans 2010, pp. 110-122.
- Bell A. C., *A History of the Blockade of Germany and of the Countries Associated with her in the Great War. Austria-Hungary, Bulgaria, and Turkey, 1914-1918*, London 1961
- [Bericht 1919] *Bericht über die Tätigkeit der deutschösterreichischen Friedensdelegation in St-Germain-en-Laye*, 379. (I, II, II[2]) der Beilagen der Stenographischen Protokolle über die Sitzungen der Konstituierenden Nationalversammlung der Republik Österreich, Wien 1919.
- Bernardini G., *Parigi 1919. La Conferenza di pace*, Bologna 2019.
- Bischof G., Plasser F., Berger P. (eds.), *From Empire to Republic: Post-World War I Austria*, Innsbruck 2010.
- Bresciani M., *Lost in transition? The Habsburg legacy, state- and nation-building, and the new fascist order in the Upper Adriatic*, in Ginderachter M. van, Fox J.



- (eds.), *National indifference and the History of Nationalism in Modern Europe*, London-New York 2018.
- Bresciani M., *L'Impero Asburgico. Una storia d'Europa*, Passato e Presente, 102, XXXV-2017, pp. 145-155.
- Burgwyn H. J., *The Legend of the Mutilated Victory: Italy, the Great War, and the Paris Peace Conference, 1915-1919*, Westport, Conn. 1993.
- Calmette G. (ed.), *Recueil de documents sur l'histoire de la question des réparations (1919-5 mai 1921)*, Paris 1924.
- Carrié R. A., *Italy at the Paris Peace Conference*, Hamden, Conn. 1938.
- Commission on the responsibilities of the authors of war and on enforcement of penalties*, The American Journal of International Law, vol. 14, 1-2, 1920, pp. 95-154.
- Conférence de la paix, 1919-1920. Recueil des actes de la Conférence*, voll. I-VIII, Paris 1922-1935.
- Crespi S., *Alla difesa d'Italia in guerra ed a Versailles*, Diario, 1917-1919, Milano 1937.
- Cuomo P., *Il miraggio danubiano : Austria e Italia, politica ed economia, 1918-1936*, Milano 2012.
- Curato F., *Die österreichisch-italienischen Beziehungen auf der Pariser Friedenskonferenz 1919*, in Wandruszka A., Jedlicka L. (eds.), *Innsbruck-Venedig, österreichisch-italienisches Historikertreffen 1971 und 1972*, Wien 1975, pp. 119-147.
- De Charmant O., *Mémoire présenté au nom de S.M. l'Impératrice et Reine Zita a Leurs Excellences MM. les Ambassadeurs des Hautes Puissances Alliées*, Paris 1923.
- De Groot G., *The First World War*, Houndmills 2001.
- Di Michele A., *L'Italia in Austria. Da Vienna a Trento*, in Pupo R. (ed.), *La vittoria senza pace. Le occupazioni militari italiane alla fine della Grande Guerra*, Bari 2014, pp. 3-72.
- Exner W. F., *Industriellenball*, in Exner W. F., *Erlebnisse*, Berlin-Heidelberg 1929, pp. 141-143.
- Fellner F., *Der Vertrag von Saint Germain*, in Weinzierl E., Skalník K. (eds.), *Österreich 1918-1938. Geschichte der Ersten Republik*, vol. I, Graz-Wien-Köln 1983, pp. 85-106.
- Freise U., *Die Tätigkeit der alliierten Kommissionen in Wien nach dem Ersten Weltkrieg*, PhD Thesis, Wien 1963.
- Griesser H. A., *Konfisziert. Österreichs Unrecht am Hause Habsburg*, Wien 1986.
- Goemans H. E., *War and punishment : the causes of war termination and the First World War*, Princeton 2000.
- Gomes L., *German reparations, 1919-1932 : a historical survey*, Basingstoke 2010.
- Haas H., *Henry Allizé und die österreichische Unabhängigkeit*, *Austriaca* 5 (special issue November 1979), pp. 241-288.
- Haas H., *Le relazioni italo-austriache dall'armistizio di Villa Giusti al trattato di Saint-Germain*, *Storia e politica*, XII, 3, 1973, pp. 411-428.
- Herzfeld A., *Militärische Abkürzungen an Kraftfahrzeugen im 1. Weltkrieg. Ein Wörterbuch*, Berlin 2019.
- Hoffmann R., *The British Military Representative in Vienna, 1919*, *The Slavonic and East European Review*, 52 (1974), pp. 252-271.

- Horvath-Mayerhofer C., *Die österreichisch-ungarische Militärverwaltung in den besetzten Gebieten Italiens, November 1917–Oktober 1918*, PhD Thesis, Wien 1971, published in Italian: Toso A. (ed.), *Christine Horvath-Mayerhofer, L'amministrazione militare austro-ungarica nei territori italiani occupati 1917–18*, Udine 1985.
- Isnenghi M., Rochat G., *La grande guerra 1914-1918*, Firenze 2000.
- Judson P., *The Habsburg Empire. A new history*, Cambridge 2016.
- Kleinwaechter F., *Von Schönbrunn bis St. Germain. Die Entstehung der Republik Österreich*, Graz-Wien-Köln 1964.
- Koch K., Rauscher W., Suppan A. (eds.), *Außenpolitische Dokumente der Republik Österreich, 1918-1938*, voll. 1-4, Wien 2015.
- Kosenski J., *The Problem of an Austro-German union 1918-1919*, Polish Western Affairs, VIII, 1, 1967, pp. 126-130.
- Kramer A., *Naval Blockade (of Germany)*, in Daniel U., Gatrell P., Janz O., Jones H., Keene J., Kramer A., Nasson B. (eds.), *1914-1918-online. International Encyclopedia of the First World War*, Berlin 2020 (<https://encyclopedia.1914-1918-online.net>)
- Kramer A., *Blockade and Economic Warfare*, in Winter J. (ed.), *The Cambridge History of the First World War. The State*, vol. 2, Cambridge 2014, pp. 460-489.
- Kriechbaumer R., Maier M., Mesner M., Wohnout J. (eds.), *Die junge Republik. Österreich 1918/19*, Wien 2018.
- Lloyd George D., *The Truth about the Peace Treaties*, London 1938.
- Lichem H. Von, Karl I. : *ein Kaiser sucht den Frieden; mit zwei Beiträgen von Johann Rainer über den Waffenstillstand 1918, und über den italienisch-österreichischen Notenwechsel dazu*, Innsbruck 1996.
- Low A. D., *The Anschluss Movement, 1918-1919, and the Paris Peace Conference*, Philadelphia 1974.
- MacMillan M., *Paris 1919: Six Months That Changed the World*, New York 2003.
- Maffei G., *La missione italiana a Vienna. Con una appendice sullo "Scandalo Meomartini e compagni"*, Ferrara 1922.
- Maffei G., *Nella capitale vinta. Ricordi della missione di Vienna*, Roma 1919.
- Malfèr S., *Wien und Rom nach dem Ersten Weltkrieg. Österreichisch-Italienische Beziehungen 1919-1923*, Wien-Köln-Graz 1978.
- Mantoux P., *Les délibérations du Conseil des Quatre (24 mars- 28 juin 1919)*, Paris 1955.
- Marks S., *The Myths of Reparations*, Central European History, 11, 3, 1978, pp. 231-255.
- Massagrande D. L., *Un tentativo di restaurazione asburgica nel 1919 (Dalle carte di Alessandro Casati)*, Il Politico, 39, 3, 1974, pp. 497-512.
- [DDI 1980-2008] Ministero degli Affari Esteri, *I Documenti Diplomatici Italiani. Sesta Serie: 1918-1922*, voll. II-III, Roma 1980-2008.
- [DDI 1953] Ministero degli Affari Esteri, *I Documenti Diplomatici Italiani. Settima Serie: 1922-1935*, vol. I, Rome 1953.
- Ministero della Guerra, *L'Esercito Italiano nella Grande Guerra (1915-1918)*, voll. 1-4, Roma 1927-1954.
- Mondini M., *Transitions from War to Peace: Demobilization and Homecomings in Twentieth Century Europe*, in Pombeni P. (ed.), *The Historiography of*

- Transition. Critical Phases in the Development of Modernity (1494-1973)*, New York 2015.
- Mosca R., *L'Austria e la politica estera italiana dal trattato di St. Germain all'avvento del fascismo al potere*, Storia e politica, I, 1974, pp. 17-32.
- Olechowski T., *Die juristische Dimension der Pariser Friedensverträge*, in *Akademie im Dialog 16. 100 Jahre Vertrag von Saint-Germain*, Wien 2019, pp. 33-42.
- Opera nazionale per i combattenti. Gestione beni ex nemici, *Elenco delle vendite delle proprietà ex nemiche*, Roma 1926.
- Orlando V. E. (Mosca R. ed.), *Memorie (1915-1919)*, Milano 1960.
- Pagnini C., *Giovanni Scaramangà di Altomonte*, Trieste 1960.
- Pastor P., *The Vix Mission in Hungary, 1918–1919. A Re-Examination*, *Slavic Review*, 29/3 (1970), pp. 481-498.
- Pommier Vincelli D., *La Missione Segre (1918–1920). L'Austria e la Nuova Europa Centro-Orientale*, Roma 2010.
- Provvedimenti adottati e provvedimenti invocati contro le persone e i beni nemici*, Milano 1918.
- Pupo R. (ed.), *La vittoria senza pace. Le occupazioni militari italiane alla fine della Grande Guerra*, Bari 2014.
- Rainer J., *Die italienische Besatzung in Österreich 1918–1920*, *Innsbrucker Historische Studien* 2, 1979, pp. 77–90.
- Rainer J., *Die Italienische Militärmission in Wien 1918-1920*, in Novotny A., Pickl O. (eds.), *Festschrift Hermann Wiesflecker Zum 60. Geburtstag*, Graz 1973, pp. 267-280.
- Rauscher W., *Österreich und Italien 1918–1955*, in Koch K. et al. (eds.), *Von Saint Germain zum Belvedere. Österreich und Europa 1919–1955*, Wien 2007, pp. 186-209.
- [Relazioni 1920-1921] *Relazioni della Reale Commissione d'inchiesta sulle violazioni del diritto delle genti commesse dal nemico*, Milano-Roma 1920–1921.
- Salandra A. (Gifuni G. B. ed.), *I retroscena di Versailles*, Milano 1971.
- Schmid G. E., *Die Coolidge-Mission in Österreich 1919. Zur Österreichpolitik der USA während der Pariser Friedenskonferenz*, *Mitteilungen des Österreichischen Staatsarchivs*, 24 (1971), pp. 433-467.
- Schmidt G., *Politische Tradition und wirtschaftliche Faktoren in der britische Friedensstrategie 1918/19*, *Vierteljahrshefte für Zeitgeschichte*, 29, 2, 1981, pp. 131-188.
- Segre R., *La missione militare italiana per l'armistizio (Dicembre 1918 - Gennaio 1920)*, Bologna 1928.
- Slama W., *Die Privatbibliothek des Kaisers Franz I. von Österreich*, *biblos. Beiträge zu Buch, Bibliothek und Schrift*, 59, 2010, pp. 19-36.
- Sonnino S. (Pastorelli P. ed.), *Carteggio 1916-1922*, Bari 1975.
- Sonnino S. (Pastorelli P. ed.), *Diario*, vol. III, 1916-1922, Bari 1972.
- Strong D. F., *Austria: October 1918-March 1919. Transition from Empire to Republic*, New York 1939.
- U.S. Department of State, *Papers Relating to the Foreign Relations of the United States, The Paris Peace Conference, 1919*, voll. I-XIII, Washington 1942-1946.
- Udina M., *L'estinzione dell'Impero austro-ungarico nel diritto internazionale*, Trieste 1933.

- Udina M., *Sulla natura giuridica delle restituzioni di cui all'art. 184 del Trattato di St. Germain*, Bollettino dell'Istituto di Diritto comparato annesso alla R. Università commerciale di Trieste, 1, 10-12, 1927, pp. 1-27.
- Valiani L., *La dissoluzione dell'Austria-Ungheria*, Napoli 1961.
- Woodward E. L., Butler R., *Documents on British Foreign Policy, 1919-1939, First series, 1919-1925*, voll- I-XXVII, London 1947-1949.
- Zarcone A., *Il generale Roberto Segre. 'Come una granata spezzata nel tempo'*, Roma 2014.

## **International & Cultural Heritage Law, Cultural & Provenance Studies, Historiography**

- Annoni A., *L'occupazione 'ostile' nel diritto internazionale contemporaneo*, Torino 2012.
- Appadurai A. (ed.), *The social life of things*, Cambridge 1988.
- Assman A., *Transnational Memories*, European Review, 22, 4, 2014, pp. 546-556.
- Assman A., *Vergessen oder Erinnern? Wege aus einer gemeinsamen Gewaltgeschichte*, in Ferhadbegovic S., Weiffen B. (eds.), *Bürgerkriege erzählen: Zum Verlauf unziwiler Konflikte*, Konstanz 2011, pp. 303-320.
- Assman A., *Cultural Memory and Western Civilization: Functions, Media, Archives*, Cambridge 2010.
- Assman A., *Re-framing memory. Between individual and collective forms of constructing the past*, in Tilmans K., Vree F. van, Winter J. (eds.), *Performing the Past. Memory, History and Identity in Modern Europe*, Amsterdam 2010, pp. 35-50.
- Assman A., *Von kollektiver Gewalt zu gemeinsamer Zukunft: Vier Modelle für den Umgang mit traumatischer Vergangenheit*, in Lingen K. von (ed.), *Kriegserfahrung und nationale Identität in Europa nach 1945: Erinnerung, Säuberungsprozesse und nationales Gedächtnis*, Paderborn 2009, pp. 42-51.
- Assman A., *Sammeln, Sammlungen, Sammler*, in Junge K., Suber D., Gerber G. (eds.), *Erleben, Erleiden, Erfahren: Die Konstitution sozialen Sinns jenseits instrumenteller Vernunft*, Bielefeld 2008, pp. 345-353.
- Assman A., *Der lange Schatten der Vergangenheit. Erinnerungskultur und Geschichtspolitik*, München 2006.
- Assman J., *Collective memory and cultural identity*, New German Critique, 65, Cultural History / Cultural Studies, 1995, pp. 125-133.
- Balzani R., *Nel crogiolo del patrimonio: come le opere d'arte cambiarono statuto*, in Balzani R. (ed.), *L'arte contesa nell'età di Napoleone, Pio VII e Canova*, Cinisello Balsamo 2009, pp. 24-27.
- Balzani R., *Collezioni, memorie locali, musei. Per una storia del patrimonio culturale*, in Balzani R. (ed.) *Collezioni, musei, identità fra XVIII e XIX secolo*, Bologna 2007, pp. 9-28.
- Balzani R., *I patrioti e le belle arti*, in Panzanelli R., Preti-Hamard M. (eds.), *La circulation des oeuvres d'art. The circulation of works of art in the Revolutionary Era, 1789-1848*, Rennes 2007, pp. 125-138.

- Balzani R., *Tutela del patrimonio, "politiche della bellezza" e identità nazionali fra Otto e Novecento: un confronto fra Italia e Francia*, in Catoni M. L. (ed.), *Il patrimonio culturale in Francia*, Milano 2007, pp. 213-233.
- Bayly C. A., Beckert S., Connelly M., Hofmeyr I., Kozol W., Seed P., *AHR Conversation: On Transnational History*, *The American Historical Review*, 111, 5, 2006, pp. 1441-1464.
- Bedjaoui M., *Fourth Report on succession of States in respect of matters other than treaties. Draft articles with commentaries on succession to public property*, *Yearbook of the International Law Commission*, II(1), 1971, pp. 157-191.
- Beiner R., *Walter Benjamin's Philosophy of History*, *Political Theory*, 12, 3, 1984, pp. 423-434.
- Bell, C., *On the law of peace: Peace agreements and the Lex pacificatoria*, Oxford 2008.
- Benjamin W. (Arendt H. ed.), *Illuminations*, New York 1968.
- Benvenuti P., Sapienza R. (eds.), *La tutela internazionale dei beni culturali nei conflitti armati*, Milano 2007.
- Berg M., Thiel J., Walther P., (eds.), *Mit Feder und Schwert. Militär und Wissenschaft – Wissenschaftler und Krieg*, Stuttgart 2009.
- Blake J., *International Cultural Heritage Law*, Oxford 2015.
- Bloch M., *Apologie pour l'histoire ou métier d'historien*, Paris 1949.
- Blume A., *Nationalität von Kulturgut, eine internationale Betrachtung*, Hamburg 2007.
- Boekin, T., *Dismembered masterpieces: A plea for their reconstruction by international action*, London 1945.
- Bologna M., *Historical Sedimentation of Archival Materials: Reinterpreting a Foundational Concept in the Italian Archival Tradition*, *Archivaria*, 83, 2017, pp. 35-57.
- Bos A., *The Importance of the 1899, 1907 and 1999 Hague Conferences for the Legal Protection of Cultural Property in the Event of Armed Conflict*, *Museum International*, 228, 57-4, 2005, pp. 32-40.
- Burckhardt J., *Judgements on History and Historians*, Indianapolis 1999.
- Carré De Malberg R., *Du fondement du droit à la réparation intégrale pour les victimes des dommages de guerre*, Paris 1915.
- Cladders L., *Alte Meister – Neue Ordnung. Kunsthistorische Museen in Berlin, Brüssel, Paris und Wien und die Gründung des Office International des Musées (1918–1930)*, Köln 2018.
- Craven M., *The Problem of State Succession and the Identity under International Law*, *European Journal of International Law*, 9, 1998, pp. 142-162.
- Croce B., *La storia come pensiero e come azione*, *La Critica. Rivista di Letteratura, Storia e Filosofia* diretta da B. Croce, 35, 1937, pp. 1-35.
- D'Arnoux de Fleury de L'Hermite H., *Objets et monuments d'art devant le droit des gens*, Doctoral thesis, Paris 1934.
- De Plason A., *Recueil des Traités et Conventions conclus par l'Autriche avec le Puissances Étrangères*, vol. 27-28, Wien 1907.
- Dobson M., Ziemann B. (eds.), *Reading primary sources. The interpretation of texts from nineteenth- and twentieth-century history*, London-New York 2009.
- Downey W. G., *Captured Enemy Property: Booty of War and Seized Enemy Property*, *The American Journal of International Law*, 44, 3, 1950, pp. 488-504.

- Engstler L., *Die Territoriale Bindung von Kulturgütern im Rahmen des Völkerrechts*, Köln-Berlin-Bonn-München 1964.
- Erll A., Nünning A. (eds.), *Cultural Memory Studies: An International and Interdisciplinary Handbook*, New York 2008.
- Feigenbaum G., Reist I. (eds.), *Provenance. An alternate history of art*, Los Angeles 2012.
- Fiedler W., 'Kriegsbeute' im internationalen Recht, in Strocka V. M. (ed.), *Kunstraub – ein Siegerrecht? Historische Fälle und juristische Einwände*, Berlin 1999, pp. 47-61.
- Fiedler W., *Safeguarding of cultural property during occupation – Modifications of the Hague Convention of 1907 by World War II?* in Briat M., Freeberg J. A. (eds.), *Legal Aspects of International Trade in Art. International Sales of Works of Art. Vol. V*, The Hague 1996, pp. 175-183.
- Fiedler W., *Neue völkerrechtliche Ansätze des Kulturgüterschutzes*, in Reichelt G. (ed.), *Internationaler Kulturgüterschutz. Wiener Symposium 1990*, Wien 1992, pp. 69-79.
- Fiedler W., *Internationaler Kulturgüterschutz und deutsche Frage*, Berlin 1991.
- Fiedler W., *Zur Entwicklung des Völkergewohnheitsrechts im Bereich des internationalen Kulturgüterschutzes*, in Hailbronner K., Ress G., Stein T. (eds.), *Staat und Völkerrechtsordnung. Festschrift für Karl Doehring*, Berlin-Heidelberg-New York 1989, pp. 199-218.
- Fiedler W., *Rückführung und Schutz von Kulturgütern im geltenden Völkerrecht, Politik und Kultur*, 5, 1987, pp. 19-38.
- Foucault M., *L'Archéologie du savoir*, Paris 1969.
- Francioni F., Gordley J. (eds.), *Enforcing International Cultural Heritage Law*, Oxford 2013.
- Frigo M., *La circolazione internazionale dei beni culturali*, Milano 2007.
- Gattini A., *Le riparazioni di guerra nel diritto internazionale*, Padova 2003.
- Garner J. W., *International law and the World War*, London 1920.
- Ginzburg C., *Conversare con Orion*, Quaderni Storici, XXXVI, 108, 2001, pp. 905-913.
- Ginzburg C., *Veto and Compatibilities*, in Ginzburg C., Herbert J. D., Mitchell W. J. T., Reese T. F., Handler Spitz E., *Inter/disciplinarity*, The Art Bulletin, 77, 4, 1995), pp. 534-552.
- Ginzburg C., *Microhistory: Two or three things that I know about it*, Critical Inquiry, 20, 1, 1993, pp. 10-35.
- Ginzburg C., *Checking the Evidence: The Judge and the Historian*, Critical Inquiry, 18, 1, 1991, pp. 79-92.
- Ginzburg C., *Saccheggì rituali. Premesse a una ricerca in corso*, Quaderni storici, Nuova Serie, 22, 65(2), Il mercato della terra, 1987, pp. 615-636.
- Ginzburg C., *[The Possibilities of the past]: A Comment*, The Journal of Interdisciplinary History, 12, 2, The New History: The 1980s and beyond (II), 1981, pp. 277-278.
- Gosden C., Marshall Y., *The Cultural Biography of Objects*, World Archaeology, 31, 2, 1999, pp. 169-178.
- Großmann G. U., Krutisch P. (eds.), *The Challenge of the Object. Die Herausforderung des Objekts. 33. Internationaler Kunsthistoriker-Kongress Nürnberg, 15.-20. Juli 2012*, Congress Proceedings, Nürnberg 2013.
- Grotius H. (Tuck R. ed.), *The Rights of War and Peace*, Carmel IN 2005.

- Halbwachs M., *La Mémoire Collective*, Paris 1950.
- Hartung H., *Kunstraub im Krieg und Verfolgung. Die Restitution der Beute- und Raubkunst im Kollisions- und Völkerrecht*, Zürich 2004.
- Hagström Molin E., *Spoils of Knowledge: Looted Books in Uppsala University Library during the Seventeenth Century*, in Scholz Williams G., Haude S., Schneider C. (eds.), *Rethinking Europe. War and Peace in the Early Modern German Lands*, Leiden 2019, pp. 252-273.
- Herdegen M., *Der Kulturgüterschutz im Kriegsvölkerrecht*, in Dolzer R., Jayme E., Mussgnug R. (eds.), *Rechtsfragen des internationalen Kulturgüterschutzes, Symposium vom 22.-23. Juni 1990 im Internazionalen Wissenschaftsforum Heidelberg*, Heidelberg 1994, pp. 161-173.
- Herklotz I., *Objekte auf Reisen und ihre Überlieferungsgeschichten. Bilanz und Perspektiven der Forschung*, in Großmann G. U., Krutisch P. (eds.), *The Challenge of the Object. Die Herausforderung des Objekts*. 33. Internationaler Kunsthistoriker-Kongress Nürnberg, 15.–20. Juli 2012, Congress Proceedings, Nürnberg 2013, pp. 640-645.
- Heydenreich K. H., *Darf der Sieger einem überwundenen Volke Werke der Literatur und Kunst entreißen? Eine Völkerrechtliche Quästion*, Deutsche Monatsschrift, 9, 1798, pp. 290-295.
- Higonnet A., *The Social Life of Provenance*, in Feigenbaum G., Reist I. (eds.), *Provenance. An alternate history of art*, Los Angeles 2012, pp. 195-209.
- Hulin De Loo G., *Des compensations à réclamer pour les dommages artistiques*, Bulletin de la Classe des Beaux-Arts, 4-5, 1919, p. 75-87.
- Irmscher T., *Kulturgüterschutz im humanitären Völkerrecht*, in Gornig G., Horn H.-D., Murswiek D. (eds.), *Kulturgüterschutz – internationale und nationale Aspekte*, Berlin 2007, pp. 65-92.
- Jakubowski A., *State Succession in Cultural Property*, Oxford 2015.
- Jakubowski A., *Territoriality and State Succession in Cultural Heritage*, International Journal of Cultural Property, 21, 4, 2014, pp. 375-396.
- Jayme E., *Die Nationalität des Kunstwerkes als Rechtsfrage*, in Mussgnug R., Röllecke G. (eds.), *Aktuelle Fragen des Kulturgüterschutzes. Beiträge zur Reform des deutschen Kulturgüterschutzgesetzes 1955 und seiner Angleichung an der europäischen Kulturgüterschutz*, Heidelberg 1998, pp. 7-29.
- Jenschke C., *Der völkerrechtliche Rückgabeanspruch auf in Kriegszeiten widerrechtlich verbrachte Kulturgüter*, Berlin 2005.
- Khnopff F., *Les compensations pour dommages artistiques*, Bulletin de la Classe des Beaux-Arts, 1-3, 1919, pp. 59-67.
- Kowalski W., *Reparation of Cultural Property Following a Cession of Territory or Dissolution of Multinational States*, Art Antiquity and Law, 6, 2001, pp. 139-166.
- Kowalski W., *Restitution of Works of Art pursuant to Private and Public International Law (Volume 288)*, in *Collected Courses of the Hague Academy of International Law*. Consulted online on 30 April 2021, <[http://dx.doi.org/10.1163/1875-8096\\_pp1rdc\\_A9789041116093\\_01](http://dx.doi.org/10.1163/1875-8096_pp1rdc_A9789041116093_01)> First published online: 2001
- Kowalski W., *Art treasures and war: a study on the restitution of looted cultural property, pursuant to public international law*, London 1998.

- Kowalski W., *Introduction to International Law of Restitution of Works of Art During Armed Conflicts, Part II*, Spoils of War International Newsletter, 3, 1996, pp. 10-12.
- Kowalski W., *Introduction to International Law of Restitution of Works of Art During Armed Conflicts, Part I*, Spoils of War International Newsletter, 2, 1996, pp. 6-8.
- Le Goff J., *History and memory*, New York 1992.
- Lesaffer R., *Peace Treaties and International Law in European History. From the Late Middle Ages to World War One*, Cambridge 2004.
- Libchaber R., *Le temps, les biens, la prescription : à propos de la restitution des biens spoliés*, Revue trimestrielle de droit civil, 2000, pp. 206-209.
- Lowenthal D., *The Heritage Crusade and the Spoils of History*, London 1997.
- MacNeil H., *Archivalterity: Rethinking Original Order*, Archivaria, 66, 2008, pp. 1-24.
- MacNeil H., *Picking Our Text: Archival Description, Authenticity, and the Archivist as Editor*, The American Archivist, 68, 2, 2005, pp. 264-278.
- Marchisio S., Ferrajolo O., Javicoli V., Marcelli F. (eds.), *La prassi italiana di diritto internazionale - III serie (1919-1925)*, Roma 1995.
- Marrella F. (ed.), *Le opere d'arte tra cooperazione internazionale e conflitti armati*, Padova 2006.
- Martens G. F., *Nouveau recueil général de traités et autres actes relatifs aux rapports de droit international*, 2e série, vol. I, Göttingen 1876.
- Martens G. F., *Recueil manuel et pratique de traités, conventions et autres actes diplomatiques, sur lesquels sont établis les relations et les rapports existant aujourd'hui entre les divers états souverains du globe, depuis l'année 1760 jusqu'à l'époque actuelle*, Leipzig 1846.
- Martin A., *Private Property, Rights, and Interests in the Paris Peace Treaties*, British Year Book of International Law, 1947, pp. 273-300.
- Merryman J. H. (ed.), *Imperialism, art and restitution*, Cambridge 2006.
- Meyer A., Savoy B., *Towards a Transnational History of Museums. An Introduction*, in Meyer A., Savoy B. (eds.), *The Museum is Open. Towards a Transnational History of Museums 1750-1940*, pp. 1-16.
- Nahlik S., *The Depredation of Works of Art, the Genealogy of an International Crime*, Wrocław-Kraków, 1958.
- Neumann L., De Plason A. (eds.), *Recueil des Traités et Conventions conclus par l'Autriche avec le Puissances Étrangères, depuis 1763 jusqu'à nos jours*, voll. 7-11, Wien 1877.
- Nora P., *Between Memory and History: Les Lieux de Mémoire*, Representations, 26, Special Issue: Memory and Counter-Memory, 1989, pp. 7-24.
- Orakhelashvili A. (ed.), *Research Handbook on the Theory and History of International Law*, Cheltenham 2011.
- Panagopoulos G., *Restitution in Private International Law*, Portland 2000.
- Panzanelli R., Preti-Hamard M. (eds.), *La circulation des oeuvres d'art. The circulation of works of art in the Revolutionary Era, 1789-1848*, Rennes 2007.
- Panzer A. F., *La tutela internazionale dei beni culturali in tempo di guerra*, Torino 1993.
- Pavie A., *Les dommages de guerre. Guide pratique contenant le texte de la loi du 17 avril 1919, son explication*, Paris 1919.
- Pearce S. (ed.), *Interpreting Objects and Collections*, London 1994.



- Pelgreffi I., *Il passato e il soggetto: morfologie dell'archivio*, in Nancy J.-L. (Pelgreffi I. ed.), *Dove è successo*, Tricase 2014, pp. 5-28.
- Perrot X., *De la restitution internationale des biens culturels aux XIXe et XXe siècles : vers une autonomie juridique*, PhD Thesis, Limoges 2005.
- Phillipson C., *Termination of war and treaties of peace*, London 1916.
- Popper K., *The Poverty of Historicism*, London-New York 2005.
- Poulot D., *Musée, nation, patrimoine*, 1789-1815, Paris 1997.
- Prott L., O'Keefe P., *Law and Cultural Heritage*, London-Edinburgh 1989.
- Quatremère de Quincy A. (Pommier E. ed.), *Lettres à Miranda sur le déplacement des monuments de l'art de l'Italie (1796)*, Paris 1989.
- Queneau R., *Exercices de style*, Paris 1947.
- Renan E., *Qu'est-ce qu'une nation? Conférence faite en Sorbonne, le 11 mars 1882*, Paris 1882.
- Resta G., Zeno-Zencovich V. (eds.), *Riparare Risarcire Ricordare. Un dialogo tra storici e giuristi*, Napoli 2012.
- Ricoeur P., *Temps e récit*, Paris 1983-1985.
- Rigby D., *Cultural Reparations and a New Western Tradition*, *American Scholar*, 273, 1944, pp. 278-284.
- Ronzitti N., *Diritto internazionale dei conflitti armati*, Torino 2017.
- Ronzitti N., *Introduzione al diritto internazionale*, Torino 2016.
- Samwer C., Hopf J., *Nouveau Recueil Général de Traités et Autres Actes Relatifs aux Rapports de Droit International. Continuation du Grand Recueil de G. FR. de Martens, Deuxième Serie, Tome I*, Göttingen 1876.
- Sandholtz W., *Plunder, Restitution, and International Law*, *International Journal of Cultural Property*, 17, 2010, pp. 147-176.
- Saunier C., *Les conquêtes artistiques de la Révolution et de l'Empire; reprises et abandons des alliés en 1815, leurs conséquences sur les musées d'Europe*, Paris 1902.
- Savoy B., *Objets du désir, désir d'objets. Leçon inaugurale prononcée le jeudi 30 mars 2017 par Bénédicte Savoy, professeur invité. Leçon inaugurale no. 270, Les Leçons inaugurales dans la collection Collège de France*, Paris 2017.
- Savoy B., *Plunder, Restitution, Emotion and the Weight of Archives. A Historical Approach*, Rotermund-Reynard I. (ed.), *Echoes of Exile. Moscow Archives and the Arts in Paris 1933-1945*, Berlin 2014, pp. 27-44.
- Savoy B., *Kunstraub. Napoleons Konfiszierungen in Deutschland und die europäischen Folgen*, Wien-Köln-Weimar 2011.
- Savoy B., *Patrimoine annexé. Les biens culturels saisis par la France en Allemagne autour de 1800*, Paris 2003.
- Scovazzi T. (ed.), *La restituzione dei beni culturali rimossi con particolare riguardo alla pratica italiana*, Milano 2014.
- Scovazzi T., *Un'importante missione diplomatica di Antonio Canova*, in Parisi N., Fumagalli Meraviglia M., Santini A., Rinoldi D. (eds.), *Scritti in onore di Ugo Draetta*, Napoli 2011, pp. 673-684.
- Siehr K., *Kulturgüter in Friedens- und Freundschaftsverträgen*, in Dicke K., Hobe S., Meyn K.-U., Peters A., Riedel E., Schütz H.-J., Tietje C. (eds.), *Liber amicorum Jost Delbrück*, Berlin 2005, pp. 695-710.
- Spitra S., *Civilisation, Protection, Restitution: A Critical History of International Cultural Heritage Law in the 19th and 20th Century*, *Journal of the History of International Law*, 22, 2-3, 2020, pp. 329-354.

- Stahn C., Kleffner J. K. (eds), *Jus Post Bellum. Towards a Law of Transition From Conflict to Peace*, The Hague 2008.
- Stendhal, *Histoire de la peinture en Italie*, Paris 1817.
- Strocka V. M. (ed.), *Kunstraub – ein Siegerrecht? Historische Fälle und juristische Einwände*, Berlin 1999.
- Tams C., Tzanakopoulos A., Zimmermann A. (eds.), *Research Handbook on the Law of Treaties*, Cheltenham 2014.
- Treue W., *Art Plunder. The Fate of Works of Art in War Revolution and Peace*, Slingsby 1960.
- Triepel H., *Nouveau Recueil Général de Traités et Autres Actes Relatifs aux Rapports de Droit International. Continuation du Grand Recueil de G. FR. de Martens, Troisième Serie, Tome XIX*, Leipzig 1965.
- Tuck R., *The rights of war and peace. Political thought and the international order from Grotius to Kant*, Oxford 1999.
- Turner S., *Das Restitutionsrecht des Staates nach illegaler Ausfuhr von Kulturgütern. Eigentumsordnung und völkerrechtliche Zuordnung*, Berlin 2002.
- Vásárhelyi, I., *Restitution in International Law*, Budapest 1964.
- Verri P., *Le destin des biens culturels dans les conflits armés: De l'Antiquité à la deuxième guerre mondiale*, *International Review of the Red Cross*, 67, 752, 1985, pp. 67-85.
- Visscher C. De, *International Protection of Works of Art and Historic Monuments*, Washington 1949.
- Visscher C. De, *Les monuments historiques et les œuvres d'art en temps de guerre et dans les traités de paix*, in *La protection des monuments et œuvres d'art en temps de guerre. Manuel technique et juridique*, Paris 1939, pp. 129-164.
- Visscher C. De, *La protection des patrimoines artistiques et historiques nationaux : nécessité d'une réglementation internationale*, *Mouseion*, 43-44, 1938, pp. 7-34.
- Visscher C. De, *La protection internationale des œuvres d'art*, *Revue de droit international et de législation comparée*, 1935, p. 34-74.
- Vrdoljak A., *Enforcement of Restitution of Cultural Heritage through Peace Agreements*, in Francioni F., Gordley J. (eds.), *Enforcing International Cultural Heritage Law*, Oxford 2013, pp. 23-29.
- Vrdoljak A., *International Law, Museums and the Return of Cultural Objects*, Cambridge 2006.
- Walter B., *Rückführung von Kulturgut im internationalen Recht*, Bremen 1988.
- Wang N., Xin Y., Lou W., *Victor Hugo et le sac du Palais d'été*, Paris 2003.
- Wehberg H., *Das Beuterecht im Land- und Seekriege. Dargestellt unter besonderer Berücksichtigung der modernen Entwicklung des internationalen Handels*, Tübingen 1909.
- Wescher P., *Kunstraub unter Napoleon*, Berlin 1976.
- Zagato L., *La protezione dei beni culturali nei conflitti armati: il rapporto tra diritto generale e accordo nel solco del secondo protocollo 1999*, in Alberico Gentili. *La salvaguardia dei beni culturali nel diritto internazionale. Atti del Convegno. 12° Giornata Gentiliana (San Ginesio, 22-23 settembre 2006)*, Milano 2008.
- Zuschlag C., *Vom Iconic Turn zum Provenancial Turn? Ein Beitrag zur Methodendiskussion in der Kunstwissenschaft*, in Effinger M., Hoppe S., Klink H., Krysmanski B. (eds.), *Von analogen und digitalen Zugängen zur Kunst – Festschrift für Hubertus Kohle zum 60. Geburtstag*, Heidelberg 2019, pp. 409-417.