

Stolen Heritage

Multidisciplinary Perspectives on Illicit Trafficking of Cultural Heritage in the EU and the MENA Region

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The Italian Archaeological Heritage Abroad: Agreements, Debates and Indifference

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Abstract Important American and European museums have returned to Italy a fair number of antiquity masterpieces thanks to the investigations of a very particular pool of 'investigators', consisting of the magistrate Paolo Giorgio Ferri, the police, and a team of archaeologists. The result is important, but can we really declare ourselves satisfied today? There are still too many finds in museums all over the world: in Los Angeles, but also in the museums of Madrid, Paris, Munich, Berlin and even in Japan important works of art, illegally excavated in Italy, are illicitly exhibited and, above all, their history gets definitively lost.

Keywords Giacomo Medici. Gianfranco Becchina. J.Paul Getty. Louvre. Staatliche Museen Berlin. Trapezophoros. Apulian Vases.

Summary 1 The J. Paul Getty Museum. – 2 Doubtful Acquisitions Even in European Museums. – 3 The Case of the Staatliche Museum of Berlin. – 4 The Louvre and Gianfranco Becchina. – 5 "Nostoi": Where Are They Now?



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1 The J. Paul Getty Museum

Those who deal with the problem of illegal traffic of cultural heritage, either for work-related reasons or personal interest, probably remember that, since 2016, the most important American museums have returned a fair number of ancient masterpieces¹ to Italy thanks to the inspections prompted by the first great requisition, which at this point could be called the “mother of all requisitions”, occurred at the Geneva Freeport towards Giacomo Medici.² In 1995, over three thousand archaeological remains, thousands of pictures, as well as Polaroids and negatives, were found in the Italian merchant’s warehouse. The fact allowed a quite peculiar pool of “detectives” – constituted by the investigating magistrate Paolo Giorgio Ferri, the law enforcement and a team of archaeologists of the Ministry of Cultural Heritage and Activities – to find out, in detail, about the world of international illegal trafficking and the necessary proofs to ask museums for the restitution of illegally acquired findings.³

Since this first memorable requisition and the following one in 2001 at Gianfranco Becchina’s storehouses in Basel, where eight thousand remains and an immense documented and photographic archive were found, many others followed, both in Italy and abroad, and the restitution of the findings subtracted to Cultural Heritage proceeded until 2016, when the agreement signed by the Ministry of Culture and the Ny Carlsberg Glyptotek in Copenhagen established the return to Italy of all the princely grave goods of a tomb belonging to the Etruscan necropolis, currently Fara Sabina, which included the extremely famous cart decorated with gold leaves, as well as a considerable number of architectonic, polychrome decorations coming from southern Etruria [figs. 1a-b].⁴

These are most surely relevant victories, in which the magistrate’s activity blended with the equally essential diplomatic one; but, as of today, can we really declare ourselves satisfied?

At the end of 2018, the Supreme Court of Cassation permanently rejected the appeal presented by the J. Paul Getty lawyers in Malibu against the confiscation of the bronze sculpture depicting the *Victorious Youth*, known also as the “Atleta di Fano”, ordered by the G.I.P. of the Court of Pesaro, ending a legal dispute which lasted for decades.⁵ Although, today, the marvellous bronze statue attributed to

1 Godart, De Caro 2007.

2 Watson, Todeschini 2006.

3 Rizzo, Pellegrini 2012.

4 Pellegrini 2017, 70-7.

5 Osser 2019.



Figures 1a-b Exhibition at the Ny Calsberg Museum of materials returned to Italy



Figure 2 Getty frescoes nos. 83.AG.222 and comparison of the archive seized in Basel

Lysippos is still in its place at the American museums, and the actual director of the J.P. Getty Museum, Timothy Potts, has continued to reiterate that the statue was found in international waters and cannot be considered property of the Italian state,⁶ albeit it was being transported by a fishing boat of Italian nationality, after being hidden for a long time on the Italian territory and illegally transported to the US.

Therefore, so far, the bronze statue remains at the Getty Museum; but the statue is in good company, since the findings of Italian origin are indeed numerous, and the museum withholds them despite the laws and, above all, common sense. Already in 2006, during the long diplomatic negotiations with Italy, the Getty Museum refused to restitute the series of findings which were initially part of the 52 requested and, despite the promise of restitution of the goddess of Morgantina and other important masterpieces, the agreement was signed for the return of 35 objects, whereas the remaining 17 stayed in the American museum, although the “proofs” given on the modalities of acquisition, that we can euphemistically define as “unscrupulous”. Many others were added after the 2006 negotiations, as the frescos coming from Pompei and Vesuvian Villas, which the museum directly bought from Gianfranco Becchina and then exhibited in the Getty Villa in Malibu⁷ [fig. 2], a very American reproduction of the Villa of the Papyri in Ercolano, or the funerary altar with the portrait of the deceased married couple, which the inscription attributes to the Caltili family, extremely known in Ostia in the second century CE, or again 20 heads of terracotta votive statues of incredibly refined execution from Taranto, for which Gianfranco Becchina leaves an important note: “found together, excavation, same area”; moreover, one

⁶ Bordin, Giammaria 2018.

⁷ Isman 2020.



Figure 3 Female head in the archive seized in Basel and head no. 82.AD.93.2 in the Getty Museum

of these is seemingly part of a small, unreleased mystery, since the picture conserved in the archive sequestered from Gianfranco Becchina shows the feminine head enriched by a part of gold earrings, vanished during the trip as they are not present in the Californian Villa anymore [fig. 3].⁸

2 Doubtful Acquisitions Even in European Museums

For the sake of brevity, it is not possible to show here all the objects we have found in the pictures of the sequestered archives, currently under the possession of the J.P. Getty Museum, either exhibited or in their storage; nonetheless, it will be useful to make a quick review of the main museums of the world which have incremented their collections through illegal market, mentioning also what has been done so far to help the return in Italy of a part of our cultural heritage.

During a touristic visit to the Archaeological Museum of Madrid our attention was captured by some findings published in a catalogue being sold in the bookshop, as we recognised a few we had more than once examined in the pictures of the archives sequestered in Swit-

⁸ Ferruzza 2016, 39, no. 9.

zerland. The objects were part of a large collection belonging to José Luis Várez Fisa, acquired by the Spanish museum in 1999, probably in good faith, and exposed for the first time at an exhibition in September 2003.⁹

The examination of the catalogue then revealed that 25 ceramic objects indeed came from the same Italian traffickers and a renowned English merchant, Robin Symes, assiduous regular of the Swiss warehouses of the two Italians. He used to buy findings to then resell them to private collectors. Recently, thousands of fragments of architectural Etruscan decorations¹⁰ have been sequestered from Robin Symes. A detailed relation regarding the Madrid museum's case, delivered to the Ministry under the specific request of the then General Director for Antiquities, was left without a follow, as the Director was then destined to another duty and no one continued the initiated inquiries, although the clamour raised by a vehement article by the journalists Fabio Isman¹¹ which brought to a first, and unfortunately last, attempt at approaching the Spanish museum's direction.

The same fate was shared by another certified case at the Museum of Monaco (Staatliche Antikensammlungen Königsplatz) where, between the exhibited masterpieces, there is a magnificent Attic calyx krater with red figures decorated by the great master Euphronios with a sumptuous symposium:¹² on one side, four young men are drinking amidst music and songs, while on the other side the servants are preparing, using the lamps' light, the wine to be served. The incomplete Krater was acquired in 1966, and in 1988 the Museum acquired more fragments through the illegal market, as the pictures tracked in the Geneva sequestered archive demonstrate. Those pictures, under the possession of the Italian trafficker who stocked up in Cerveteri and Vulci, imply that the most probable origin of the vase corresponds to the Etruscan necropolises which, as it is known, have given back numerous works of Euphronios. In this case, the dubious origin of the krater was brought to the attention of the Antiquities general Director with a relation in which the hypothesis of the vases' feet being in the Museo Nazionale Etrusco in Villa Giulia: a simple verification of the correspondence between vases and fragments would have been enough, but the matter remained fixed, along with one of the Madrid museum.

⁹ Cabrera Bonet 2003.

¹⁰ Agnoli et al. 2019.

¹¹ Isman 2010.

¹² München, Antikensammlung 8935; Beazley 1963, 1619, no. 3.

3 The Case of the Staatliche Museen of Berlin

In Germany, this time at the *Staatliche Museen* of Berlin 21 Apulian vases, some of which are attributed to the Darius Painter, labelled by the museum itself as coming from a funerary context in southern Italy.¹³

The complex of Apulian vases was acquired by the German museum in 1984 from a Swiss family which had been holding them since the first years of 1970; such indication of origin was confirmed by two witnesses, Fiorella Cottier Angeli and Jacques Chamay: the former an Italian citizen residing in Geneva, a restorer, a functionary of the Helvetian custom of Freeport, as well as a collector of orientalis-ing objects in bucchero and terracotta¹⁴ and, most importantly, a col-laborator of both Giacomo Medici and Gianfranco Becchina. The lat-ter, an archaeology and art history academic, long-term director of the Musée d'art et d'histoire of Geneva, was more than once involved in the investigations of the Italian magistrature. Already in 1998, in the archive sequestered from Giacomo Medici, we had found the Po-laroids depicting a marble table's pedestal (*trapezophoros*) with a couple of griffons devouring a deer, photographed inside the trunk of a car or lying on Italian newspapers [fig. 4], and the marble ritu-al basin (*podanipter*) decorated with a refined painted scene of The-tis carrying Achilles' weapons, covered in earthy lime. The fact that the two masterpieces were in Giacomo Medici's hands is testified al-so by a souvenir picture which portrays the trafficker himself stand-ing proudly next to the showcase.¹⁵

Formally the *trapezophoros* and the ritual basin, to which a statue portraying the god Apollo was added, came from Maurice Tempels-man collection, from which the J.P. Getty Museum acquired them. As a matter of fact, the art pieces were stolen from the Italian territory, as it results from a document of the year 1985 which two journalists of the Los Angeles Times were able to obtain from one of their inter-nal sources at the Getty Museum.¹⁶

The document, with a "confidential" memo of the then antiquities curator of the American museum Arthur Houghton, contained some considerations related to a scientific article published shortly before, in which the author indicated the same origin and dating to the three marble masterpieces. Houghton, in support of his thesis consisting in the *trapezophoros*, the ritual basin and the statue of Apollo had differ-ent origins, and most importantly, different datings, textually reported:

¹³ Heilmeyer 1988; Giuliani, 1988.

¹⁴ Camporeale 1991.

¹⁵ Pellegrini 2016, 65-72; *Mitomania* 2019, 17-25.

¹⁶ Felch, Frammolino 2011.



Figure 4 Two polaroids seized in Geneva depicting the *Trapezophoros* in broken and dirty Italian newspapers

I had a chance to discuss the matter with the dealer who had bought all three objects from the excavators. This individual, Giacomo Medici, had sold one (the lekanis) to a second dealer, Robert Hecht, and the griffins and Apollo to a third, Robin Symes. Hecht later sold the lekanis to Symes, who then passed on the three sculptures as a group to Maurice Templesman.¹⁷

Moreover, Houghton affirmed that the Italian trafficker had confirmed not only that the *trapezophoros* and the basin came from the same tomb “not far from Taranto”, but that the context included also “a number of vases by the Darius Painter”.

These important data find their confirmation in the sequestered archive in Geneva: six Polaroids portraying the *trapezophoros* and the ritual basin and indeed 13 Polaroids depicting the fragments of 3 Apulian vases of the 21 exhibited in the Berlin museum [fig. 5], attributed to the Darius painter, have the same number of photographic support (00057703532), demonstrating that the photographic shoots were all taken together, or in a short time span, from the same camera containing a pack of polaroid “300 Instant Film” with 20 pictures.

We can therefore deduct that the Apulian vases currently in the Berlin museum [fig. 6] and the marble findings restituted by the J.P. Getty Museum, now exhibited at the Ascoli Satriano museum, photographed within a brief time by the same camera, come with great

¹⁷ Felch, Frammolino 2011, 66.



Figure 5 Apulian vases in fragments in the Polaroids seized in Geneva

probability from the same Apulian tomb dated to the second half of the fourth century BCE.

It is relevant to remember that the 13 Polaroids with the same series number show another Apulian vase in fragments, which we are still looking for, and a magnificent krater of the Darius Painter decorated with scenes from the Iliad [fig. 7], identified in a publication curated by the Hellas & Roma¹⁸ association, of which Cottier and Chamay were founders, and coming from a Swiss collection, finally reappeared in 2016 at a TEFAF exhibition in New York, under the property of the Phoenix Ancient Art of the Aboutaam brothers, more than once investigated in Rome, Geneve and New York [fig. 8].¹⁹

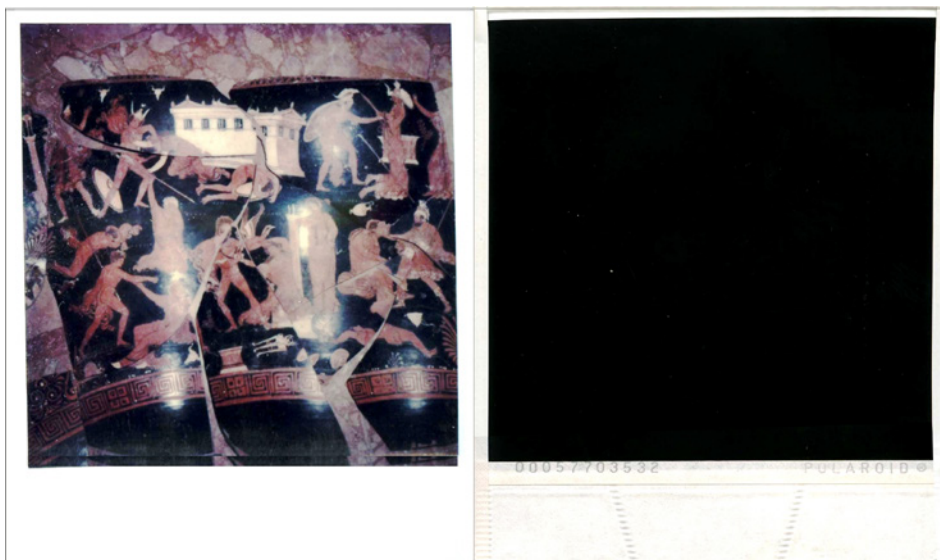
In the same Berlin Museum also an Attic kylix with red figures is kept, attributed to the Proto-Panaitios²⁰ group, extensively incomplete in the pictures sequestered to Giacomo Medici; the kylix was acquired in 1980 in London, a city that probably reconducts it to the merchant Robin Symes.

¹⁸ *Homère chez Calvin* 2000, 160-1, 261.

¹⁹ *Ancient Influences* 2016.

²⁰ Zimmer 1982, 5-15.





ANCIENT INFLUENCES: Phoenix Ancient Art Recreates the Pantheon at TEFAF New York Fall October 22-26, 2016 at the Park Avenue Armory, New York

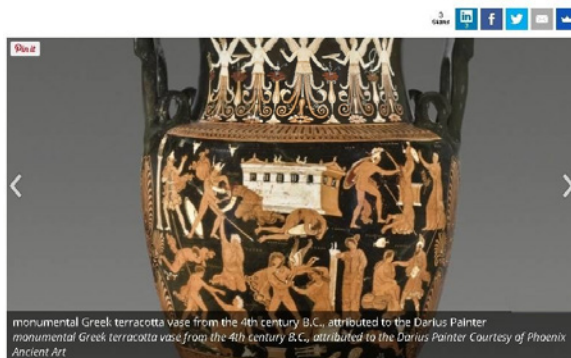


Figure 6 (On the left) Apulian volute krater (fourth century BC). Berlin State Museum, inv. no. 1984-44

Figure 7 Volute krater in the polaroid seized in Geneva

Figure 8 Volute krater in the Tefaf exhibition in New York

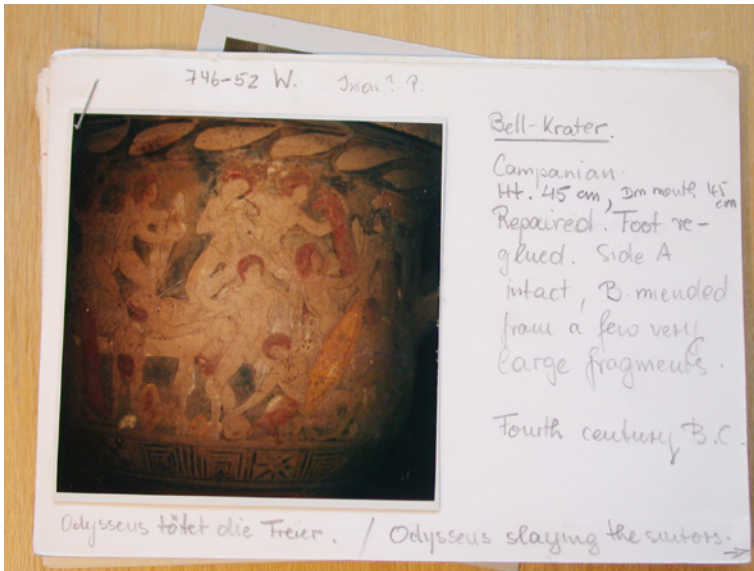


Figure 9 Bell krater by the Ixion Painter in the documents seized in Basel

4 The Louvre and Gianfranco Becchina

The fate of two splendid vases currently exhibited at the Louvre in Paris is although still hanging: the first one is a bell-shaped krater by the Ixion painter [fig. 9], decorated with the scenes of the slaughter of Penelope's suitors, probably coming from Cuma, as the website of the French museum indicates. The vase was acquired in 1985, but no data is given about the owner. The second vase, quite rare in its shape, is an Attic psykter krater painted with black figures, attributable to the Antimenes painter circle, with the main decoration depicting Dyonisus, Maenads and Satyrs and, lower, the scene of a warrior's departure and the komasti dance. The French museum acquired it in 1988, but no information is given regarding its origin and the previous owner.

The main news was actually found in the archive sequestered to Gianfranco Becchina, where the photographs and the documents on the two vases and their selling to the Louvre were conserved. From these documents, however, the involvement of a known and extremely rich Swiss collector emerges, George Ortiz, to which the Italian trafficker sent continuous reports containing data most important to them, the net gains of their sellings. The competent magistrature was informed in 2014, but at more than a 5-year time distance, the two vases are still exhibited at the Louvre.



Figure 10 Showcase of the Villa Giulia Museum with 5 of the plates seized in Geneva

The findings stolen from Italy arrived in Japan thanks to the two Italian traffickers, with their place of business in Switzerland. Japan is a country of great complexity for what concerns international relations for the restitution of illegally acquired objects: substantially, Japanese authorities do not respond to the demands made by Italy. Yet, some Japanese museums as the Kurashiki Ninagawa Museum and the Miho Museum in Kyoto have assembled their own Greek and Roman antiquities collection, also thanks to the well-known Italian traffickers that have sold, directly or through other sellers, archaeological findings coming from our country. As a matter of fact, the materials acquired by Giacomo Medici remain at the Miho Museum, in particular, the marble *oscilla* coming from the Vesuvian area, whereas at least 30 findings from Gianfranco Becchina's warehouse converged at the Kurashiki Ninagawa museum, all objects coming from funerary contexts and sacred areas in Apulia and Sicily.²¹ All of the necessary proofs are there, while what seems to be lacking are the will and effort to achieve a positive result.

²¹ Simon 1982.

5 “Nostoi”: Where Are They Now?

It must be said with a certain bitterness that from the now widely renowned masterpieces restituted from the J.P. Getty Museum, the Metropolitan Museum of Art, the University Art Museum of Princeton, from the Museum of Fine Arts in Boston to the findings recently restituted by the Copenhagen museum, only a few of them ended up becoming part of the permanent collections of big Italian museums.

While the archaeological museums of Naples, Taranto, the Etruscan museum of Villa Giulia and few others created specific spaces to welcome in the findings restituted by the US in their itineraries, or even built new museums to host them, as for Ascoli Satriano; other masterpieces, including the same findings sequestered from the two Italian traffickers, the about three thousands of Geneva and the eight thousand in Basel, are kept in storages and only see the light in the case of exhibitions.

Some findings, recovered with great effort from all of those who have worked with the magistrature for years, have suffered the negative effects of the Mibact reform, known as the Franceschini reform, which has separated the museums from the territory. This is the case of a service of 20 Attic plates painted with red figures – all from the same artist – which were part of the complex made of 3,000 findings sequestered at the Geneva Freeport.

In 2000 all the sequestered objects returned to Italy and were deposited at the Etruscan museum of Villa Giulia, where they have been until 2017. As of today, the 20 plates are not together anymore: 5 remained exhibited at the Villa Giulia museum [fig. 10], which was rendered autonomous by the Franceschini reform, other 5 have been in Cerveteri, exposed at an exhibition on illegal trafficking launched in July 2017 and then become permanent, but then they started moving along with travelling exhibitions, first in S. Severa, then at the Centrale Montemartini in Rome with a sixth plate;²² the other 9 are, probably, in a warehouse for archaeological finds in Cerveteri, but at the disposal of the Soprintendenza. And whereas before the reform all the peripheral museums, including the museums and necropolises of Cerveteri and Tarquinia, were dependent on the Soprintendenza per l'Etruria Meridionale, which was located near Villa Giulia. Now, the Soprintendenza does not control museums anymore and these, except for Villa Giulia, have passed under the control of the Museum Centres. Different offices, different directors, different realities and mentalities.

The 20 plates service was offered in sale to the J.P. Getty Museum for an astonishingly high price, but the American museum refused, deeming it “inconvenient” to buy 20 plates of the same artist.

²² Agnoli et al. 2019, nos. 76, 77, 86, 106, 107, 173.

The trafficker himself, in order not to divide the unique complex of the service, refused to sell them separately, renouncing in this way to a certainly bigger gain. It is painful to think that, if the service were bought by the American museum, today the plates would be exhibited all together in the showcase of that museum, adequately enhanced, as they deserve.

Probably, this is the only viable option to keep alive the meaning of all the findings restituted to the Italian state, both through sentences and extrajudicial agreements. It is true that these objects are deprived of their context of belonging and, therefore, they are today's silent testimonies of a past that can only partially be rebuilt. Still, to expose them in museums located in the territories of origin – big or small as they may be –, as an example of the damage brought to our cultural heritage, could be a stimulus to contrast illegal excavations and the consequent illegal circulations. It is just as certain that no result will be achieved in this sense if the masterpieces restituted to Italy continue to be kept in storehouses, only to be used for events, even extraordinary ones, which are although forcefully destined to be forgotten after a while.

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