

The Italian Experience

For many decades after the end of the Second World War the theme of the persecution of the Jews, on which the Fascist regime embarked in the summer autumn of 1938, was not considered a question worthy of attention and study either in Italian culture or in Italian and international historiography.

Without having been discussed or tested in any way, the predominant view of what had happened to Jews living in Italy between 1938 and 1945 was that Fascism had introduced anti Semitic laws solely to humour its Nazi ally and under pressure from it, but without there being any real will and ideological conviction on the part of Mussolini's regime behind the initiative. This interpretation of the facts, for many decades never seriously debated or verified, spread rapidly after 1945 quickly took root not only in the academic world, but also in public opinion and common sense, heavily conditioning a correct understanding of the events of those years.

It is easy to comprehend the popularity of such an interpretation: it allowed Italy to consider itself free from any moral, political or economic responsibility for the fate of its own Jewish community before, during and after the Second World War, shifting all the blame onto its Nazi ally.¹ The corollary of this self absolving reading has been an almost total absence of studies on the persecution of Jews by the Fascists – with the exclusion of Renzo De Felice's 1961 volume, *Storia degli ebrei italiani sotto il fascismo* (Einaudi, Turin 1961) – and an underestimation of the severe economic and social consequences suffered by the Jews in Italy during and after the persecution.

Only recently, at the end of the Eighties, triggered by the commemoration in 1988 of the fiftieth anniversary of the promulgation of the anti Semitic laws, did a new generation of historians at last usher in a new season of research.

The new studies have made plain the harshness of Fascist anti Semitic legislation, the full ideological involvement of the regime and the meticulous application of those laws by the zealous bureaucratic and administrative

¹ About the removal of the fascist antisemitic persecution in post war Italy see G. Schwarz, *On Myth Making and Nation Building: the Genesis of the "Myth of the Good Italian" 1943-1947*, in «Yad Vashem Studies», n. 1 (2008), pp. 111-143; *The Reconstruction of Jewish Life in Italy after World War II*, in «Journal of Modern Jewish Studies» n. 3 (2009), pp. 360-377.

machinery of Fascism, as well as clearly revealing their dramatic economic and social effects on the Jewish community resident in Italy: a suffering that took the form of forced expulsions (for foreign Jews), the loss of employment and the right to practice the professions and the depredation of all movable and immovable property (for Italian as well as foreign Jews) and, finally, arrest, internment and deportation.

In December 1998, in the wake of similar initiatives undertaken in those years by governments in Europe and outside it², the Italian government set up the ‘Commission for the Reconstruction of the Events in Italy Related to the Acquisition of Properties from Jewish Citizens by Public and Private Concerns’ better known as the ‘Anselmi Commission’ after the name of its chairwoman, Senator Tina Anselmi.

I think it is necessary to begin with the work done by the ‘Anselmi Commission’, because while it undoubtedly has limitations, it also represents in my view an indispensable starting point for further research.

The ‘Anselmi Commission’ – not of its own choosing – carried out its work over a very limited period of time; its initial mandate was in fact for just one year, later extended for another six months. The commission’s staff was also fairly small, made up of around twenty people. The constraints on the time and energy available are quite clear, especially when the case of the Italian commission is compared with similar experiences elsewhere in Europe (and it suffices to recall the backing given by the French government to the ‘Matteoli Commission’). The difficulties encountered by the ‘Anselmi Commission’ stemmed from two other factors as well: the first was that at the moment it was set up there was a complete absence of studies of the economic repercussions of the persecution, which comprised a totally unexplored field of research. The second element of difficulty derived from the extreme fragmentation and dispersion of the sources to be analysed. Owing to the peculiar organization of the Italian system of archives and to the fact that persecution of the Jews involved even the most trivial aspects of its victims’ lives – it can be said that there is not a single public archive in Italy that does not bear documentary traces of the story of anti-Semitic discrimination.

At the end of its survey the ‘Anselmi Commission’ produced a final *General Report*,³ including only a short and sketchy section on the ‘Looting of

² The results of the numerous governmental historical commissions set up to trace Holocaust assets are available, by Country, on the website: <http://www.ushmm.org/assets/>.

³ *Rapporto Generale*, Presidenza del Consiglio dei Ministri, Dipartimento per l’informazione e l’editoria, Rome 2001, available in Italian and in English on the web site: http://www.governo.it/Presidenza/DICA/beni_ebraici/.

Artistic, Cultural and Religious Assets’, around a dozen pages ending with these words: «We stress our conviction that the information that has been gathered and summarily organized does not convey the sense of the extent and scale of the thefts that took place in this sector [...]. It is to be hoped that this – like other sectors – will be made the subject of further investigation». However, that hope – like many others contained in the final *Report* of the ‘Anselmi Commission’ – fell on deaf ears and between 2001 and the present day very little has been done.⁴

I felt this long preamble to be necessary in order to provide a general background against which to set my contribution. In addition I must say that my paper will only cover the phase of the looting of Jewish assets and that it is my aim in particular to indicate possible directions for future inquiry.

Even when examining questions related to the plunder of Jewish artistic and cultural assets it is necessary to take into consideration the fact that Fascist anti Semitic legislation went through two distinct periods, with different characteristics and different aims. The first period lasted from September 1938 – the month in which the first legislative measures against the Jews were taken – to July 1943, the moment of the first Fascist government’s collapse. In these five years the anti Jewish policy was conducted exclusively by Fascism and its bureaucratic machinery. Both Italian Jews and foreign Jews resident in the country were targeted. The second period lasted from September 1943, the time when the Nazi occupation of the peninsula began and Mussolini set up a puppet state, the so-called ‘Italian Social Republic’, that collaborated with the Nazi forces of occupation until the end of the war. In this phase too it was the regulations issued by the government of the Social Republic and its bureaucratic and administrative machinery that determined and controlled most of the the expropriation of Jewish assets in the greater part of the country. The regions of the north east of the Peninsula, on the other hand, made up the so called *Adriatisches Küstenland* and *Operationszone Alpenvorland*,⁵ territories annexed directly to the Reich where the Nazis themselves conducted the confiscation of Jewish property. Just as before, both foreign and Italian Jews were subject to persecution in this second phase. I will analyse the two periods separately.⁶

⁴ However, I would like to call attention to Daria Brasca’s MA, *Il destino delle opere d’arte tra requisizioni e restituzioni nell’Europa del Terzo Reich e nell’Italia fascista*, defended at the Scuola di Specializzazione in Beni Storico Artistici, Università Cattolica del Sacro Cuore, Milan, 2009.

⁵ *Operationszone Alpenvorland* included the cities of Bolzano, Trent and Belluno; *Operationszone Adriatisches Küstenland* included the cities of Udine, Gorizia, Trieste, Pola (Pula), Fiume (Rijeka) and Ljubljana.

⁶ On this topic see, I. Pavan, *Persecution, Indifference and Amnesia. The Restoration of Jewish Rights in Postwar Italy*, published in *Search and Research, Lectures and Paper*, Yad

In the period from September 1938 to July 1943 no legislative and administrative regulations were promulgated that provided for the actual expropriation of artistic and cultural assets possessed by Jews or Jewish communities. But the absence of specific, explicit laws permitting this should not lead us to believe that the Fascist legislator was not interested in the matter. A circular sent out on 4 March 1939 by the Antiquities and Fine Arts Board of the Ministry of National Education was in fact entitled “*Measures in Defence of the National Artistic Heritage in the Hands of Jews*”. This circular was issued chiefly «in view of the expulsion of foreign Jews from the Kingdom».⁷ At the moment of the launch of the anti Jewish campaign about 10,000 foreign Jews were living in Italy, but under the terms of a decree issued in September 1938⁸ they had to leave Italian territory, on pain of official expulsion, by 9 March 1939. Foreign Jews were not only required to depart from Italian territory, but to liquidate any commercial or entrepreneurial activity before leaving. The regime devised a complicated and painstaking procedure for exploiting the compulsory emigration of foreign Jews financially, to its own advantage, that involved principally the Ministry of Finance. (It was a system not unlike, in principle, the one adopted by the Nazi government with the so called ‘Reich Flight Tax’). Thus the Fascist authorities had set their sights on any artistic and cultural assets possessed by the emigrants. With the aforementioned circular of the Ministry of Education sent out in March 1939 the departments responsible for authorizing the export of antiquities and works of art were invited to monitor, discourage and create difficulties for the exportation of such articles when they were owned by Jews. Thus the Ministry of National Education urged the relevant authorities of the Ministry of Finance to issue «suitable instructions to the offices of the royal Customs service that they should exercise a more rigorous oversight in view of the imminent exodus of Jews».⁹ Between September 1938 and the autumn of 1941 about 3,000 foreign

Vashem International Institute for Holocaust Research, Jerusalem 2006; Ead., *A betrayed community: the Italian Jewish community facing persecution*, in “Holocaust Studies” vol. 15, 2009, n. 1 2, pp. 127 145; Ead., *The neglected persecution. The economic aspects of the fascist anti-Jewish laws 1938–1945*, forthcoming on “Telos”, nr. 157 (Winter 2012).

⁷ *Rapporto Generale*, cit., p. 143.

⁸ Regio Decreto, 7 September 1938, no. 1381, “*Regulations with Regard to Foreign Jews*”. Art. 4: ‘Foreign Jews who, on the date of publication of this law by decree, are in the Kingdom, in Libya or in the possessions in the Aegean, and who commenced their stay after 1 January 1919, must leave the territory of the kingdom within six months of the date of publication of this decree. Those who do not comply with this obligation by the aforesaid date will be expelled from the kingdom in accordance with art. 150 of the Public Security laws [...]’.

⁹ *Rapporto Generale*, cit., p. 143.

Jews left Italy; no thorough investigation of the fate of any artistic assets they may have possessed has ever been carried out. The ‘Anselmi Commission’ was not in fact able to look into this particular aspect, although it is realistic to suppose that initially foreign Jews and subsequently the Italian Jews forced to emigrate as a result of the constant tightening of the racial laws (around 3,000 Italian Jews emigrated between September 1938 and the summer of 1941)¹⁰ encountered serious problems in the export of works of art. A thorough examination of the records of the various *Soprintendenze*,¹¹ of the Ministry of National Education and above all of the Ministry of Finance and the Customs service would undoubtedly be able to throw light on this particular aspect of the persecution.

One well known case, for example, is that of the Julius Kaumheimer collection. Kaumheimer was a German Jew resident in Italy since 1935 and owner of a remarkable collection of 18th-century German porcelain. In January 1939 he decided to move from Merano, where he was living with his wife, to San Francisco following the promulgation of the decree of September 1938 previously referred to. At the Merano Customs, on 1 February 1939, sixty two pieces of porcelain were found among his household goods. Kaumheimer’s collection was placed under distraint on the grounds of attempted smuggling, and on 15 April 1939 the Revenue Office of Bolzano confiscated the collection definitively on behalf of the Italian State. In the meantime it had been transferred to the *Soprintendenza* in Trento, where it had been valued by the head of the board, Antonino Rusconi. Subsequently, when sending the papers relating to the confiscation to the Ministry of National Education, Rusconi wrote that the objects had «now entered once and for all the collections of the National Museum of Trent», now the Provincial Museum of Art.¹²

Above and beyond cases regarding the emigration of foreign and Italian Jews, it is highly likely that some Jews, worried about the measures that were

¹⁰ Overall, the émigrés (Italians and foreigners) numbered 5,424 between 1938 and the spring of 1940, with another 495 up to mid-May 1941, and 47 more in the following five months. See M. Sarfatti, *The Jews in Mussolini’s Italy. From Equality to Persecution* (University of Wisconsin Press, Madison 2006), p. 145 and pp. 345-6.

¹¹ The *Soprintendenze*, or Boards for the Cultural Heritage, are today bodies that answer to Ministry for the Cultural Heritage and Activities; in the years of the fascist persecution of Jews they were under the authority of the Ministry of National Education. They are present in almost every provincial capital and have regional responsibility for the cultural heritage, landscape, museums and archives.

¹² *Rapporto Generale*, cit., p. 146. The Kaumheimer collection was returned to his legitimate heirs in 2003 and was auctioned the following year for 60,000 dollars. See, *Rapporto Generale*, cit., p.146-147 and D. Brasca, *Il destino delle opere d’arte tra requisizioni e restituzioni nell’Europa del Terzo Reich e nell’Italia fascista*, cit, pp. 93-101.

being taken against them, decided to donate or sell, well below market price, their artistic and cultural assets even in the absence of precise obligations to do so on the part of the Fascist authorities. At the time, the ‘Anselmi Commission’ was unable to point to any concrete example of this. However, thanks to two art historians working at the *Soprintendenza* in Pisa, a case of this kind appears to have emerged last year. It concerns the fate of a work by Giunta Pisano datable to the beginning of the 13th century, a painting of a crucifixion now in the Museo Nazionale di San Matteo in Pisa to which it seems to have been donated sometime in 1940. The first odd thing regards the complete absence from the museum’s archives – as often happens in cases of this sort – of documentation relating to this work and to the transfer of title. The donor, who bought the work from the nuns of the convent of San Benedetto in Pisa, the previous owners of the painting, paying the substantial sum at the time of 20,000 lire, was the Russian Jew Sigismondo Jonasson, resident since 1912 in Pisa where he possessed a perfume factory. Through a complicated mechanism of which both the Minister of National Education Bottai and the Pisan local government were aware – and which there is no space here to describe in detail – Jonasson in fact bought his own safety (since the autumn of 1938 his business had been targeted by the local and national Fascist press) by ‘donating’ the valuable painting to the civic collections of Pisa.¹³ This affair, which emerged purely by chance when the two art historians began to study a work in which they were interested, suggests that similar cases will only be uncovered by careful examination of individual local situations and the archives of museums and heritage boards.

Finally, and still in relation to the period September 1938 – July 1943, I would like to draw attention to one last aspect that is undoubtedly worthy of further investigation. On 13 September 1940 the Ministry of the Interior issued a circular that placed a ban on practising the «commerce of antiques and works of art for those belonging to the Jewish race». It is likely that Jewish antique dealers and collectors had been forced to dispose of their collections or sell them below market price to private individuals. No investigation of this phenomenon has as yet been carried out.

As for the second phase of the persecution – from July 1943 to May 1945 – the Fascist collaborationist government of the Italian Social Republic, set up in September 1943, had given orders on 1 December 1943 for the specific

¹³ The whole story has been reconstructed by Lorenzo Carletti and Cristiano Giometti in *La Croce dell'ebreo. Il singolare ingresso di un dipinto di Giunta Pisano nelle collezioni statali*, in “Annali della Scuola Normale Superiore-Classe di Lettere”, series 5, 2010, 2/1, pp. 327–53.

confiscation of all the artistic and cultural assets belonging to Jews or to Jewish communities. This circular was widely distributed and addressed to provincial leaders, heads of the monuments and antiquities services, chief librarians and revenue officers. The circular called for «the confiscation of all works of art belonging to Jews [...] or Hebrew institutions». By «works of art» was meant «not just works of figurative art (painting, sculpture, engraving, etc.) but also works of applied art, when their precious nature means that they cannot be considered ordinary utilitarian objects». With the decree issued by Mussolini on 4 January 1944, entitled “*New Regulations Concerning the Assets Possessed by Citizens of the Jewish race*”, both the policy of persecution and the activity of expropriation reached their most acute phase. This measure provided a detailed list of the kinds of assets to be confiscated, considerably extending the scope of the economic persecution perpetrated until that time: all real estate and personal properties, firms, businesses, shops, bank accounts, insurance policies, stocks and shares, pensions, postal saving accounts, furniture, *works of art*, and any kind of movable goods were to be confiscated. Thus the decree of January 1944 also recapitulated the instructions already given in December on the subject of artistic assets.

Finally, another circular of 13 April 1944, issued by the Antiquities and Fine Arts Board of the Ministry of National Education, strengthened the spirit and intentions of the one sent out the previous December, declaring the following: «To avoid the possibility of important works of art being dispersed, I have decided that the superintendents of the galleries should be appointed distrainers». So the task of supervising the confiscations of Jewish artistic assets carried out by the various organs of Fascist bureaucracy was given to the local *Soprintendenze*, along with the right, once these assets had been officially placed under distraint, of adding them to their own collections.

If the persecutory aims of Fascism, including stripping Jews of their artistic and cultural possessions, are evident, the results of this policy are to a great extent still awaiting evaluation. Even for the period from 1943-45, in fact, much work remains to be done.

One approach, a long but necessary one, could once again be that of delving into the archives of the individual *Soprintendenze* and the museums, given that, as has been pointed out, they were required by law to assess which of the assets confiscated from Jews had particular artistic value, in order to appropriate them. Complementary to this line of attack, although it would be an a very time-consuming process, is an examination of the contents of the 7,847 confiscation orders issued by the Italian Social Republic up until May 1945 that led to the

distrain of 17,743 items owned by 7,920 Jews. In fact the confiscation orders meticulously list every single article seized from Jews (these orders have been collected by the ‘Anselmi Commission’ on a CD-ROM attached to the General Report, as well as having been periodically published in a special series of the *Gazzetta Ufficiale d’Italia*¹⁴, the official newsletter of the new Fascist collaborationist government).

Yet analysis of the confiscation orders issued between 1944 and 1945 would not be sufficient to reveal the full extent of the despoliation that took place in this second phase, since a very large number of assets – and in all likelihood these included works of art – were plundered outside of any legal framework, even one as oppressive as that introduced in January 1944.

Such a situation, for example, emerges with clarity in the cases of Trieste and Florence. At Trieste, 669 wagons and 8,212 packages belonging to Italian and foreign Jews awaiting emigration whose property, as a result of the war, had been blocked in the city’s port, were placed under distraint by the Nazi authorities in June 1944. The wagons contained, according to a document of the time: ‘dining-room, bedroom and living-room suites, silverware, crystal, pictures, carpets [...]’.¹⁵ On August 25, after seizing all the material, the supreme commissar of the zone, Friedrich Reiner, authorized its dispatch to Berlin and to several cities in Carinthia. In addition, the over 400 private apartments seized from the city’s Jews brought Trieste an enormous – and not yet quantified – haul that probably included artistic objects: evidence for this comes from the fact that the German command called in the Dorotheum auction house of Klagenfurt to organize auctions and sales both in Italy and in Austria and Germany.¹⁶

In the case of Florence, in the winter spring of 1944 the commissar for Jewish affairs of that city, Giovanni Martelloni, organized for his own gain the plunder of 587 apartments belonging to Jews who had fled to avoid being deported. The *Soprintendenza* of Florence was directly involved – much of the loot was in fact stored on the premises of the Galleria dell’Accademia. Between June and July 1944 a Florentine auction house, the Ditta Marrazzi, held several public auctions at which a total of 683 lots were sold. The buyers, most of whom were private citizens, often gave false names, making it impossible to trace the

¹⁴ The first of the fortnightly supplements to the *Gazzetta Ufficiale d’Italia* that carried the list of confiscation orders was the one enclosed with the issue of 6 September 1944.

¹⁵ *Rapporto Generale*, cit., p. 214.

¹⁶ I. Pavan, *Persecution, Indifference and Amnesia. The Restoration of Jewish Rights in Postwar Italy*, cit., p. 14–15.

objects sold after the war. It is certain that many valuable objects were disposed of at auction.¹⁷

To conclude, the testimony of a family in Ferrara, given some time after the end of the war, is revealing of the fate of the artistic assets looted from the Jews in Italy in the year 1943-45: «All that we found of our property was a table a 17th-century desk and a kitchen dresser. We never traced either the silverware, or an extremely valuable 18th-century set of porcelain dishes decorated in fine gold, or the furnishings, or the beautiful genuine antique furniture, or a still life [...] by Giorgio Morandi, or a *Magdalen* from the School of Guido Reni and all the rest that can be found in a large house. As our mother had come across one of our vases in an antique shop in Ferrara immediately after the end of the war, we have always thought that our things had been bought by the Ferrarese themselves and that they are still in their homes».¹⁸

It is likely that this account is typical of hundreds of similar situations that characterized the plunder of the artistic and cultural assets of Jews during the two year period 1943-1945.

¹⁷ *Rapporto Generale*, cit., pp. 473-483.

¹⁸ *Rapporto Generale*, cit., pp. 162.