

COMPANY FOR THE ACQUISITION OF RESIDUAL WAR MATERIALS (the ARAR)

1. Introduction

An independent company for residual war materials was set up at the Ministry of Reconstruction with dlgt 683/1945 of 29 October. Its task was to look after the “control, custody and sale of residual war materials that had been relinquished by the Allied authorities, abandoned by the Germans in Italy or purchased in a different manner”. Article 7 of the decree also ruled that the company would not sell the property it had taken into possession in accordance with article 1 “until directives are issued regarding the protection of the possible rights of a third party to the property”. It did, however, foresee certain cases in which the sale could go ahead. Dlgt 793/1945 of 23 November stated the “Laws for the management of the Independent Company for residual war materials, which has been renamed the Company for the Acquisition of Residual War materials (ARAR)”.

The Commission was aware that while carrying out its duties, the Company had also had to manage Jewish property and, while doing so, had found solutions that should be looked at more closely. For this reason, a member of the Commission contacted the IGED (General Inspectorate for Liquidated Agencies, in the Treasury’s Office of the Paymaster General) when the Inspectorate gave the State Archives all the material that had been produced by the Company.

At the same time, the Commission learned of a researcher who had had a particular personal interest in reconstructing an event in the past, and had studied the numerous envelopes in the archives, thus leading to the discovery of the sale of not only the family silverware by the ARAR, which had been the initial object of the study, but also others.

For this reason the Commission stopped its study of the documents in the collection and asked the aforementioned researcher to report the results of her study.

The researcher gave the Commission two documents: the first was a summary regarding the state of the documents in the collection, indicating which envelopes were of the greatest interest; the second was much more detailed, and included a reconstruction of how the ARAR was involved in the management of the property belonging to the engineer, Alessandro Basevi. The contents of the first document are dealt with in this introduction, while the second will be published at a later date, in a slightly abridged version.

The collection consists of envelopes that are ordered numerically from 1 to 434. All envelopes were studied, whether they were believed to contain documents that might be relevant to the research or not. The minutes of meetings were conserved with particular care, both those of the Board of Directors and those of the Executive Committee, as well as those of the various technical committees, including the handwritten formulations in the ledgers with numbered pages and countersigned.

One of the documents concerning the restitution of precious assets to individual citizens or the “claims” they put forward was a document listing the lawsuits that were still outstanding when the ARAR archives were transferred to a central deposit.¹ The list includes the following: “Basevi Alessandro, Genoa, silverware”.

One document that is fundamental in the verification of how the ARAR managed considerable quantities of valuables and silverware is the one regarding the transfer to the Bolzano ARAR of a substantial amount of valuables including religious and other kinds of silverware. The document is

¹ ACS, ARAR, b. 13.

dated 20 January 1947² and refers to the acquisition of a considerable amount of material in March 1946, including a detailed list and records.

Apart from the two aforementioned documents and the balance report “ARAR Report. November 1945 – June 1947, Rome 1947”, the other documents in the ARAR archives that are of direct interest to the subject “Jewish property” are listed in the footnotes.³ Dlcp 28 February 1947 regarding the laws regulating sales by the ARAR was also taken into consideration.

The numbers of the “Bollettino ARAR” which published the auctions of silverware announced by the ARAR are not in the ARAR archives but in the National Library in Florence and the Alessandrina Library in Rome.

When the ARAR was dissolved, all the materials in the local archives, including those in Milan, were sent to the central ARAR archives in Rome, the EUR. Some of these materials had the annotation that they should not be discarded. The researcher wonders which archive now holds all the sale and transport of materials reports with the categorical indication that they not be thrown away, which had been held until then and from which some samples had been taken. A search for this material might still prove fruitful and would certainly be of interest.

Another path that could also be studied more closely is that of a letter from the Treasury, Paymaster General of the State [the ‘final glossary’ says just Paymaster General, which is what I used...], sent to the Liquidation Office, asking that the archives of the suppressed organisations be transferred to the relative local State Archives.⁴

To ensure the information is as comprehensive as possible and for reasons of coordination, it should be pointed out that the ARAR has also been mentioned in other chapters of this Report.⁵

As an anticipation of the more detailed contents in the report that is to follow, the researcher states that the ARAR: a) did actually manage valuables, silverware in particular, that had been plundered by the Germans; b) decided to sell this material even though they were aware of the law that was enforced at that time.

However, research in the ARAR archives also shed light on other important factors. For example, closer knowledge was gleaned regarding the bureaucracy of the ARAR and how it actually

² *Ibid.*, b. 300.

³ ACS, ARAR: Minutes of the Executive Committee meeting on 17 April 1945. They deal with the bill for implementing the new rules in article 7 of ddl 683/1945 of 29 October; minutes of the Executive Committee meeting on 21 May 1946. Regarding Consortium of the Provinces and the Municipalities of the Trentine Region; minutes of the Executive committee meeting on 25 September 1946 suspending an auction of silverware, proposed by the Milan branch. This decision is due to the quality of the material (b.227); minutes of Executive Committee meeting on 4 October 1946. Regarding Consortium of the Tridentine municipalities; minutes of the Board of Directors meeting on 7 October 1946. Discussion of the possible consequences for the ARAR resulting from the irregular behaviour of the CEM head, Col. Campbell when the abovementioned material was handed over (b. 247); minutes of the Executive Committee meeting on 25 November 1946. Sale of reclaimed property (b. 227); minutes of the Executive committee meeting on 10 December 1946. Problems of the Consortium of the Tridentine municipalities (b. 227); minutes of the Executive Committee meeting on 7 January 1947. Restitution of valuable religious objects to a Community: it is impossible to proceed without a guarantee (b. 228). Corrections and marks on the document; 7 January 1947. Testimony by Engineer Cocito; 18 June 1947. Visit by the PS Inspector Morelli Commissioner. Francesco; minutes of the Executive Committee meeting on 18 July 1947; authorisation of rapid sale following private negotiations based on the evaluator’s prices. (b. 229); minutes of the Executive Committee meeting on 26 March 1948. Regarding the claim to a series of Jewish religious objects. The decision is taken to give them to the Office for the Recovery of Works of Art. (b. 231); minutes of the Executive Committee meeting on 3 February 1949. Authorisation is given to transfer the claimed Jewish religious objects to the office for the Recovery of Works of Art; (b. 234). Committee of Legal Consultation, various. (b. 12); various documents concerning the shipping of archive materials from Milan to Rome once the ARAR had been dissolved.

⁴ *Ibid.*, b. 426 bis.

⁵ See the chapters “Abrogation of the racial laws: the EGELI and restitution of assets and “Seizure of Possessions of Artistic, Cultural and Religious Significance.”

behaved. According to the researcher, when the ARAR received these valuables, most of which were religious and therefore the property of the Jewish Communities, it made their restitution as difficult as possible. On the other hand, between the lines the study also revealed the role of the Office for the Recovery of Works of Art and bibliographical resources, which implemented a policy of seizing property that had been claimed. This was so they could manage the property directly, taking it away from the ARAR and then returning it to their legitimate owners, in all transparency and with the necessary recognition of ownership.

The documents conserved in the archives and libraries listed below were all consulted for this research.⁶ Some of them were also consulted by some of the Commission members. In conclusion, it should be pointed out that the Report the researcher gave the Commission is almost published in its entirety, with the exception of several cuts made to make it easier to read. As already stated in the introduction to the group of bank reports, the research report is the result of the direct consultation of a vast number of documents and offers a chronological reconstruction. The Commission acknowledges this reconstruction without, however, excluding the fact that the discovery of further documents might shed further light on the events, though this seems rather unlikely. With this objective in mind, the researcher herself is still studying the events that affected her family directly and appear in the report. This contribution to the Commission may thus be regarded as a testimony.

2. Research report

The starting point for this research project was the struggle to recover the property stolen from the business belonging to Alessandro Basevi, engineer, from Genoa, my father. I have an accurate memory of this struggle, which was carried out with doggedness and sadness, almost out of principle and method, but it is not sufficient to offer a story that is representative. My father had a collection of antique silverware that was plundered by the SS; it had almost certainly been placed in the ARAR deposits in Merano or Bolzano by the Allied occupying forces. I have finally found the supporting evidence in various archives, in particular that of the ARAR itself: indeed, the ARAR actually auctioned or dispersed around 730 kilograms of private, i.e. not religious, silverware. This took place after it had certainly received detailed lists at least from Basevi as a private citizen, and from many Jewish Communities regarding the religious objects, of the objects whose recovery was being sought. Although this research is based on one story in particular, what emerges from this struggle and the documents bearing witness is the general indifference and lack of interest that the ARAR management showed towards the problem of Jewish property, although the attention they paid, their initiative and honesty in many other aspects was honourable. This can be seen clearly in the first “ARAR balance report” written by its President, Ernesto Rossi.⁷

The discovered documents I had did not suffice to tell the story. As a consequence, my research is a cross-reference of the documents I gathered on the basis of the outline I planned, some of which were certainly already known, but had perhaps been forgotten with time in their archives. This material offers further lines of study.

The decision was made to present the initial results of this research to the Commission, with a brief chronological illustration of some of the documents it is based on. The context in which these events took place is not described and no judgement is pronounced, unless briefly because it is

⁶ Central State Archives, Historic Archives of the International Commission for the Recovery of Works of Art; National Library, Rome; National Library, Florence; Alessandrina Library, Rome; Historic Archives of the Banca d'Italia; Historic Archives of the Institute of Resistance, Genoa; Law Court Archives, Milan, Genoa, Rome; Archives of the State Lawyers' Offices, Archives of the Union of Italian Jewish Communities, Archives of the Jewish Community, Milan; Archives avv. P. Barile, Florence; CIRIEC; Centro prevenzione e difesa sociale.

⁷ Present in various libraries, including the Sormani library in Milan.

considered indispensable to general understanding. The voices and documents in question are now almost 55 years old.

When I started my research, I only had two private documents: the first was the result of the investigation carried out in the places where it was assumed that the fleeing German army had abandoned the assets, i.e. the area around Merano and Bolzano. More than once my father had sent his young cousin, a lawyer, Edoardo Giorgio di Vistarino, there. He had fought with the Allies moving up from the south of Italy, and therefore also had the possibility of talking to some of them. Vistarino had gathered the information that the Allies were giving or had already given the ARAR all the valuables in the deposits of the Allied forces, the CEM (Captured Enemy Material). I recently transcribed Vistarino's testimony for this research project.

The second document was the rough copy of a letter Basevi sent in 1954 to the Vicenza branch of the Banca d'Italia when he had read in the newspapers that the unclaimed valuables in the bank's deposits were about to be assigned. Basevi sent his lists, including that of the jewellery, since it appeared they were in the deposit in question, together with copies of the reports he had made to the Genoa Police and the various Superintendencies of Fine Arts, thus documenting the looting that had been carried out by the SS. From recent research it would appear, however, that the Banca d'Italia never replied.

When I had almost come to the end of the work for this research, having already found the most important documents in the ARAR archives and in the other archives in question in this report, I came across a large white envelope kept in the Archives of the Dissolved Delegation for Restitution (the so-called "Siviero archive"), since replaced by the Inter-ministerial Commission for the Recovery of Works of Art. I discovered the envelope thanks to indications from the archive researchers, the heirs of what had been the Ministry of Education's Office for the Recovery of Works of Art and Bibliographic Resources, and which had been managed from its inception by Rodolfo Siviero.

The aforementioned envelope⁸ contains numerous Basevi documents, including Basevi's own drawings depicting the objects that had disappeared. The ARAR had sent the lists to the Recovery Office together with an account of the looting. The envelope also contained numerous documents on the relationship between the ARAR and Siviero's Recovery Office, and it even included an account of the background leading to the event, i.e. the tip-off that led the SS to search for the "Basevi property", which was boarded up under the woodshed in his home in Genoa. The tip-off led to the arrest of another person and Basevi's chauffeur who also looked after the house and who, very generously, had agreed to help hide the property, thus also putting himself at risk. He was reported to the SS by people who went to an inn opposite the Basevi home. These facts are described in the documents in the envelope⁹ and were reconstructed after the Liberation, in all likelihood together with the new police forces. F. Engel, who was accused of massacre in the recent trials in the Liguria area, including the Benedicta massacre, was one of the SS officials to be named. The envelope also includes the citation of Basevi's reports of the looting of his property, made immediately after the Liberation to both the Police and the Offices of the Superintendence of Fine Arts in Genoa and Rome, including the entire story of the crates that were plundered, reconstructed together with the Local Police Office in Genoa after the Liberation. None of these documents, a copy of which had been sent to the ARAR, were to be found.

The ARAR's management of property belonging to Italian Jewish citizens or Jewish Communities was brought to light in full for the first time in a book by Federico Steinhaus.¹⁰

⁸ ASCIR, 3/4-2.

⁹ *Ibidem*.

¹⁰ F. Steinhaus, *Ebrei/juden. Gli ebrei dell'Alto Adige negli anni trenta e quaranta*, Florence, Giuntina, 1994.

According to Steinhaus, the identification and recovery of Jewish property in the area around Merano and Bolzano in the ARAR and CEM deposits began in April 1946 - testimony of this is the correspondence between Walter Götz, the Prefectural Commissioner of the Communities of the Bolzano and Trento provinces (and in particular, later in Merano), with the Union of Jewish Communities in Rome. In a letter dated 15 April 1946,¹¹ following one dated the 9th that is quoted later, Götz describes his visit to the ARAR centre in Merano “thanks to the Prefect’s intervention and the support of the CLN”. Götz managed to see not only two large trunks full of silverware and ancient religious books, but also two crates with various objects “that appeared to belong to private Jews”, as well as “a great bazaar of various objects blocked in favour of the Red Cross [...] and which I believe to have been plundered from the homes of Jews.” In the same letter Götz states he learnt that there are “over one hundred ARAR centres throughout the Bolzano province, but most of which are for the recovery of war materials.” According to Steinhaus, the document in which Götz confirmed he had collected a parchment roll with Hebrew writings on loan is dated 17 October 1946 - the Sepher Torah which, as will be seen, marks the beginning of an age-old story. According to Steinhaus, who witnessed all this in person, this property was returned much later, more precisely 16 August 1948, together with 6 crates containing valuables and religious furnishings that belonged mainly to the Milan Community and this was what Walter Götz himself had seen in April 1946.

In a letter dated 9 April 1946,¹² preceded by a telegram with roughly the same wording, Götz wrote to the Union of Jewish Communities on the topic of the ARAR once more, also sending a copy to Mr. White of the American Joint Distribution Committee. Götz wrote that a formal protest was urgently needed in view of the shocking task given to the ARAR for the recovery and sale of the materials that were all German stolen goods. “The ARAR refuses any intervention on behalf of those involved and still continues with sales to the unbeknown of the aforementioned. Intervention is requested etc.” Götz went on to say he had met the Bolzano ARAR Director, the engineer Mr. Gabella and that he had only received a bland promise to defer the sale of Jewish property for several days, “while nothing was promised regarding restitution, stating only that he could guarantee nothing without the orders of his superiors”. Götz added that he “had the distinct feeling that the ARAR had absolutely no intention of recognising that they were unable to take possession of the stolen goods”. Götz suggested the problem be dealt with by the “competent ministries to obtain the immediate freezing of Jewish property while awaiting further legal clarification”. It was of the utmost importance “to prevent Jews who had already been plundered by the German invaders being plundered a second time but this time with the explicit or implicit agreement of certain authorities”.

In the meanwhile, the Office for the Recovery of Works of Art and Bibliographic material was established with dlgt 385/1946 of 12 April, which was a sort of continuation of the organisation that had already been functioning since 1943. However, the “trafficking” of the delivery of silverware by the CEM to the Merano ARAR and the journeys between Merano and Bolzano towards Milan had already begun on 12 and 13 March 1946. A letter from the Bolzano ARAR to the central ARAR in Rome and to the ARAR Councillor De Marchi in particular, signed by Spinelli and dated 20 January 1947, referred to the events of 1946 and was clearly the reply to a request for more information regarding certain irregularities. Various figures were mentioned in the letter.¹³ It began with the citation of an inventory No. 81, an “English” inventory of the delivery from the CEM to the ARAR, of 1,369 kg gross weight of silverware, grouped together under the name “Silverware stored in the Fanteria Barracks”. On 12-13 March eight crates of silverware were transported to Milan, weighing 763.05 kg (net); it was packed and transported under the guidance of the engineer,

¹¹ AUCEI, b. ARAR.

¹² Jewish Community, Merano.

¹³ ACS, ARAR, b. 300.

Mr. Casciati, who at that time was the go-between between the ARAR and the CEM. The material that had remained in Merano was then moved to a more secure room until it was delivered to the ARAR, Consortium of the Tridentine municipalities.

According to the inventory of the delivery to the Consortium, the Spinelli document states that it "is made up of generic items, but ones that differ to those in the English inventory." It appears that the silverware that remained in Merano consisted of 164.40 kg of Jewish silverware and of 250.35 kg of other materials (gross weight in both cases). The total gross sum sold by the CEM therefore appears to be: 946.17 kg that went to Milan, with the additional 164.40 kg of Jewish silverware and 250.35 kg of silverware of other kinds that had remained in Merano, coming to a total of 1,360.92 which is approximately the same figure given in the English inventory. The internal calculations in Spinelli's letter suggest an estimated packaging tare of 24%. These are the figures on the material the CEM delivered to the ARAR. In actual fact, the inventory of the "silverware transferred by the Allies from the CEM 2 deposit in Merano" enclosed in Spinelli's letter comes to a similar weight: 1,363 kg (the fact that this total does not completely correspond to the initial figure mentioned in the document is in the document itself; *editor's notes*).¹⁴

However, there must have also been unclear aspects that cannot be reconstructed in this consignment from the CEM 2 centre to the ARAR, and which certainly led to considerable problems for the ARAR. Indeed, Spinelli's letter includes the detailed testimony of a certain engineer, Mr. Mario Cocito, concerning not only the silverware but also a certain number of rugs. In this document-testimony dated 7 January 1947 Cocito confirmed that it was the ARAR Councillor, the engineer Mr. De Benedetti (who had been formally placed in charge of the CEM 2 centre) who had issued the orders for the rugs and silverware to be transferred to Milan immediately for security reasons. Furthermore, he also declared he had helped draw up the inventory of the material that remained in Merano. He also declared that it was to be excluded that the Allied officers, and the Head of CEM 2, Colonel Campbell in particular, had removed material once it had been delivered to the ARAR; any pilferage must have taken place prior to its delivery to the ARAR.¹⁵ However, as will be shown later, during a meeting on 7 October 1946, the ARAR Board of Directors had already discussed the police freeze with Colonel Campbell, Head of the CEM, afraid of the dangers that his behaviour might have for any possible involvement of the ARAR.¹⁶

There is another piece of evidence that proves that something suspicious happened during the transfer from the CEM 2 to the ARAR. Another letter dated 18 June 1947 from the Bolzano ARAR to the office of the ARAR Presidency in Rome informed them of the visit of the PS inspector, Commissioner Francesco Morelli on 7 June 1947, who had been "commissioned by the Treasury to carry out investigations on the following issues: 'material removed from the Merano CEM, Persian rugs in the same deposit'". Morelli arrived at the ARAR centre "to get information on the subject."¹⁷

However, let us go back to 1946 and the struggles of the Communities to trace their own assets. On 14 May 1946 in a letter to the Milan and Merano Communities, the Vice-President of the Union of Jewish Communities, Renzo Levi, informed them that the Rome ARAR had notified him that the silverware and religious furnishings that were already in Merano had been placed together in two large crates, sealed and deposited in the Cassa di Risparmio in Milan. They were therefore told to contact the Milan ARAR.¹⁸

¹⁴ *Ibidem*.

¹⁵ *Ibid.*, b. 227

¹⁶ *Ibidem*.

¹⁷ *Ibid.*, b. 300.

¹⁸ AUCEI, ARAR.

In a letter dated 18 June 1946 sent by the Milan Jewish Community to the Union of Communities in Rome, the Community President, Mayer, certified that he had witnessed the opening of eight crates “containing various kinds of silverware”, and went on to describe the list. The objects in question were religious and, according to Mayer, “probably” from “private individuals and Synagogues”, and it was possible “to claim them at the central ARAR centre.” Written by hand on the sheet is: “ARAR Letter/File for reclaiming these objects / ask if all the crates are there.” Mention is made in this letter of the “claim” institute that raised considerable discussion regarding the ARAR management.¹⁹

There is a further letter from the Milan Community to the Union in Rome dated 23 July 1946. It appears the ARAR declared that the eight crates mentioned in the letter dated 18 June “were all the silverware there was”. According to the letter, however, there was still a considerable amount of material in Merano, in particular books, including silverware and also religious furnishings. On the other hand, the Law Court warehouses in Milan housed religious objects that had already been clearly identified and that, judging from the engravings, appeared to be the property of the Piedmont Community.²⁰

This brings us to 6 September 1946. The Office for the Recovery of Works of Art and Bibliographical Material in the Ministry of Education, that was still located in Florence, sent a document to the Cabinet of the aforementioned Ministry, the Head office of Antiquities and the Fine Arts, the Head Office of Libraries and the Cabinet of the Ministry for Foreign Affairs. The subject was “Sale of works of art to the ARAR” and it stated that the Bolzano Office for the Recovery of Works of Art had informed them that the CEM “is currently sending all those materials to the ARAR – including works of art - which I think should be disposed of since it is being dissolved.” The Recovery Office convinced “Major Roworth, Head of the CEM, to deliver those objects that this office and the Superintendent of the Fine Arts in Trento believe to be of particular artistic and bibliographic value to our Department in Bolzano rather than to the ARAR and the origins of which have aroused possibly well-founded suspicions [...]. Major Roworth complied with these requests in full and has already asked his Ally superiors in Rome for the authorisation to act accordingly.”²¹

As can be seen, the Recovery Office was gradually realising that if the property was to be restituted (in particular that belonging to Jews), it was necessary to remove it from the control of the ARAR, since they were continuing to fulfil the main objective of their company title, i.e. selling the property for the Treasury, even in the case of Jewish assets and works of art of unclear origins. Furthermore, during a meeting of its Board of Directors on 15 April 1946 when the authorisation had been confirmed “to sell certain lots of packaged goods [...] with the clause that the price depends on the judgement of three experts, one for the ARAR, one for the contracting party and the third who is to be appointed by the other two”,²² it was clear that the ARAR could sell any kind of goods, even valuable silverware or other property, in a kind of direct negotiation that avoided the possibility of having to inform any possible former owners who might have made claims.

Regarding the problem of security and transparency, in a meeting on 7 October 1946²³ the ARAR Board of Directors found they had to discuss in a deliberate omission from the minutes the freeze by Colonel Campbell, Head of the CEM for the Allied Commission, that had already been mentioned in the history of CEM 2. One of the members of the ARAR Board wanted to know if the ARAR “might in some way be considered to be involved in the irregularities attributed to

¹⁹ *Ibidem*.

²⁰ ASCIR, 3/232, b. 53.

²¹ ACS, *MPI, DG AABBA*, div III, 1929–60, b. 30.

²² ACS, *ARAR*, b. 227

²³ *Ibidem*.

Campbell.” President Rossi replied that the ARAR “might consider itself to be without blame, in particular due to the energetic attitude of its management which offered resistance to some of the proposals made by Colonel Campbell, the contents of which were not particularly clear [...]. Furthermore, it appears that the investigations by the Allied Police have still not been able to ascertain any responsibility, not even on behalf of the individual officials of the ARAR.” Councillor De Benedetti “remembers that when he went to Alto Adige to collect the materials that had been plundered during the war and were deposited there, he was told that Colonel Campbell had taken quantities of silverware before it was sent to the ARAR.”

Another letter dated 6 September by Walter Götz from the Merano Community to the Union of Communities in Rome confirmed that religious objects were already stored in the Merano ARAR warehouses on 23 May. The crates of silverware that were weighed might have been what remained of the material that went from the CEM 2 to the ARAR after some of the silverware had been transported to Milan. However, what actually seemed to worry Götz was that "the warehouses are now managed by the Consortium of the provinces and the municipalities of the Tridentine Regions ARAR."²⁴

Meanwhile, the policy of the Office for the Recovery of Works of Art and bibliographical material to seize works of art and valuable objects was gradually making progress. A letter from the Florence Recovery Office dated 26 September to the various offices of the Ministry of Education involved and to the Ministry of Foreign Affairs, as was the case with the aforementioned document dated 6 September, included a list of the works of art that the Bolzano Recovery Office had confirmed were deposited in the ARAR warehouse in Merano. They added, however, “the judicial police are currently taking action to ensure the seizure of all the material in the aforementioned ARAR warehouse and the local supervisors were immediately warned against selling the abovementioned objects. Once the material has been sequestered, the necessary investigations will be carried out to identify the legitimate owners [...] to decide regarding restitution [...]. It will be the task of this Office to supply any further information regarding the origins of the abovementioned materials and those actually responsible for their removal.”²⁵

It would therefore seem that the problem of controlling the ARAR deposits was the order of the day, as it was for the very management of the ARAR itself. As far as can be seen from the documentation (with the exception of the declaration that follows from Gabella to Götz), until September 1946 there was no official news regarding the ARAR’s intentions to sell valuable Jewish property, whether religious or not, or, in the ARAR’s opinion, of unknown origin. And, as has already been shown, the Recovery Office was developing seizure techniques that could stop any initiative by the ARAR, and that made sure the property was delivered as quickly as possible but in all transparency through the Ministry of Education. However, the ARAR, through Mr. Gabella of the Bolzano ARAR, had already told Götz (the aforementioned letter dated 9 April 1946) that they could not promise “not to sell” the silverware considered to be “war booty.”

It appears that the ARAR had already begun selling silverware during that period. Indeed, the minutes of the Executive committee meeting on 25 September 1946 included the decision to stop the auction sale of a considerable amount of high quality silverware in an unspecified gallery in Milan until they had received the amendments to dlgt 683/1945 of 29 October, that is, "regulations" on "how to sell".²⁶

²⁴ AUCEI, ARAR.

²⁵ ACS, MPI, DG AABBA, div. III, 1929–60, b. 309.

²⁶ ACS, ARAR, b. 227. The regulations in question are dlgt 119/1947 of 28 February.

Naturally, there was considerable discussion within the ARAR regarding the best sales procedures, as opposed to the “claim” concept. For example, on 21 March 1946 the Legal Advisory Committee that had been established by the ARAR to include a variety of lawyers, discussed the concept of “war booty” as pronounced by the Allies in Italy, which excluded any rights to claims. Someone present at that meeting pointed out that after the War, the Italian public was driven by the faith that claims were allowed, and at no cost. Leopoldo Piccardi, a member on the ARAR Board of Directors, then suggested another way out - that this right should be recognised, but with a provisional form of acknowledgement that was subordinate to the payment of a deposit, deferring final acknowledgement until the necessary attribution procedures had been carried out and when this had been done, the deposit should be paid back minus the costs. Piccardi went on to say that in this manner it would be possible to avoid the paradoxical situation of selling to the owners.²⁷

It was in this light that the Executive Committee of the ARAR had already studied “all details of the bill for application of article 7 of dlgt 683/1945 of 29 October (establishing the ARAR) and the instructions to be sent in the meantime to the Milan branch regarding the allocation of materials following suitable guarantees from those who can show an initial claim to ownership” at its meeting of 17 April 1946.²⁸

However, this claims issue remained complicated. It was on the agenda once again during a meeting of the ARAR Executive board on 25 November 1945. On the subject of “war booty” property “claimed by a third party and in the possession of the claimants, but whose claims have been refused by the relevant Commission since no presumed right has been acknowledged, the Committee had decided that such property [...] should be put up for auction once the 15-day period foreseen to exercise the right to appeal has elapsed.”²⁹

The “excerpt of the minutes No. 39 of the Bolzano Recovery department for works of art concerning the seizure of artistic and bibliographic materials in the ARAR warehouses in Merano” is dated 2 October 1946. Almost all items on the list were religious objects.³⁰

On 30 November 1946 the Union of Jewish Communities in Rome wrote to the Recovery Office in Florence: “Jewish religious objects have been transferred to the ARAR as war booty. Any sale by the ARAR would constitute a crime, etc.” The suggestion was made to appoint a Commission, the members of who were to be appointed by the Recovery office, the ARAR and the Union “for the complete identification of the objects in question and the consequent assignment to this Union that will take measures etc.”³¹

Mention has already been made, in reference to a letter from Götz, of the intention of the ARAR branches in the Tridentine area to merge into a not clearly defined Consortium of the Provinces and Municipalities of the Tridentine Regions, which “would like to take responsibility for the custody and sale of all unclaimed ARAR materials in the area, as well as the recovery of any other materials.”

This was the subject of discussion during a meeting of the ARAR Executive committee on 21 May 1946, during which the Committee accepted the proposal on the whole, but deferred taking any decisions until the general agreement between the Consortium and the ARAR delegates had been studied.³²

²⁷ *Ibid.*, b. 12, fasc. 4, DG 16.

²⁸ *Ibid.*, b. 226.

²⁹ *Ibid.*, b. 227.

³⁰ ASCIR, 3/232, parcel 53.

³¹ *Ibidem.*

³² ACS, ARAR, b. 226.

During November and December 1946 there was a flurry of intense correspondence amongst the various institutes involved in the issue.

On 7 January 1947 the ARAR Executive Committee pronounced its decision: "Taking cognisance of the discovery of around 220 kg of ritual objects that are mostly of silver and belonged to the Jewish Community (without specifying which, *ed.notes*) and stolen by the Germans, the Committee has decided it cannot return the objects in question to the aforementioned Community without the presentation of a valid bank guarantee."³³

On 9 January 1947 the ARAR Head Office in Rome sent the Union of Communities a reply, giving further clarifications regarding the crates that were in Bolzano and not in Merano, following the orders of the Inspectorate for Fine Arts that had frozen the assets. The objects in question were three crates weighing a total of 132 kg. The ARAR declared they were still waiting for regulations governing sales (art. 7 of 29 October 1945 had not yet been put to the vote): "a central commission should be appointed to decide upon the restitution of the material being claimed on request: it is therefore our firm belief that very shortly, all the objects for which you can prove ownership will doubtlessly be restituted to you."³⁴

In the meanwhile the Union of Jewish Communities in Rome continued its efforts to recover material, writing to Siviero on 22 January and enclosing a list of the religious objects deposited in crates in the Cassa di Risparmio in Milan and the Law Court.³⁵

On 6 February 1947 the Minister's Office of the Ministry of Education sent the Head Office of Antiquities and Fine Arts confirmation that they had seized the artistic and bibliographic material in the deposits in Bolzano and Merano, reproducing a telegram from Siviero.³⁶

In the meantime, a copy of the Basevi file landed on Siviero's desk. Siviero himself wrote on the first page of the list: "look at this stuff and separate the artistic objects."³⁷

On 4 June 1947 the Commission the ARAR had announced was finally formed: The Union appointed Professor Dante Lattes as their representative.³⁸

On 18 July 1947 the ARAR Executive Committee decided to "authorise the rapid sale following private negotiations of war booty material that is not of considerable value", delivered in Alto Adige because the Bolzano centre was closing down.³⁹

Once the Claims Commission had been appointed, the Milan ARAR informed the Milan Community that the payment of caution money would be one possible way of speeding up the process for the crates deposited in the Milan Cassa di Risparmio.⁴⁰

There is also correspondence regarding the Sepher Torah.

³³ ACS, ARAR, b. 228.

³⁴ AUCEI, ARAR

³⁵ ASCIR, 3/232.

³⁶ *Ibidem.*

³⁷ *Ibidem.*

³⁸ AUCEI, ARAR.

³⁹ ACS, ARAR, b. 229.

⁴⁰ Jewish Community, Milan.

Although the appointment of this Commission made it easier for the Communities to recover assets, official sales had begun for secular silverware, and these were announced in the "Bollettini ARAR" collections as follows:

- the "Bollettino ARAR" collection No. 34 dated 10 December 1947 announces the auction in Milan in the ARAR offices in Via Dogana 1, of four lots of silverware at a starting price of L. 11 to 12.50 per gramme. It includes numerous objects such as teapots, coffee pots, vases, trays, sugar bowls and candle holders;⁴¹
- on 20 December 1947 the "Bollettino ARAR" collection No. 35 announces the second auction of silverware in Milan, Via Dogana 1. There are two lots, with a starting price of L. 11.35 per gramme for the first, and a lower price for the second;⁴²
- on 20 January 1948 the "Bollettino ARAR" collection No. 38 announces the third auction in Milan, Via Dogana 1, of two lots of silverware, with a starting price of L. 11.35 per gramme for the first and L. 10.09 for the second;⁴³
- on 30 January 1948 the "Bollettino ARAR" collection No. 39 announces the auction of three lots of silverware in Via Dogana 1;⁴⁴ this is the fourth auction.
- the fifth and last known auction is announced in the "Bollettino ARAR" No. 40 and takes place on 10 February in Via Dogana 1 – a small lot of silverware is up for auction.⁴⁵

On 31 January 1949 Basevi sent the Superintendency for Galleries and Works of Art in Liguria a letter, a copy of which is in the Archives of the Inter-ministerial Commission for the Recovery of Works of Art.⁴⁶ In it he describes all his attempts to recover his silverware collection and asks if the ARAR has not infringed the decree of 5 May 1946, No. 601 regarding the recovery of works of art stolen by the Germans. This document helps reconstruct the auction sale of part of the Basevi collection and the role the ARAR played. Following are the key dates:

- on 10 May 1946 on the basis of the information regarding the delivery of the silverware from the CEM to the ARAR, the file is sent to the Bolzano ARAR and CEM;
- all documentation, including the reports to the Genoa Local Police Headquarters, etc., was sent on 19 May 1947 to the ARAR in Rome, which was acknowledged on 23 May 1947;
- on 29 April 1948 Basevi informed the Milan ARAR that he had identified some of the objects on the list he had sent the ARAR in the Bacchi antique shop in Milan;
- on 18 June 1948 Basevi bought one more piece from the Turin antique dealer Accorsi. Both Accorsi and Bacchi had bought the objects from Balzani, a Milan antique dealer who, in turn, had purchased them from Vittorio Cesana. Casano said he had purchased the silverware at the ARAR auction that was announced in the "Bollettino ARAR" No. 34 December 1947, while the auction actually took place on 10 January 1948. Later, on 10 January 1949, Basevi bought the three most important pieces of the collection, three *cantagloria*, for the price of L. 140,000, which also certainly came from the ARAR auction;
- Basevi informed the ARAR that he had recovered all these pieces on 29 May 1948, receiving the reply that his letter would be sent to the ARAR in Rome, where the case was being dealt with. Six months later, in a letter dated 24 November 1948, the ARAR in Rome informed him that 32 pieces from the Basevi collection weighing around 32 kg had been found and that they had been acknowledged as his property and would be restituted by the ARAR in Milan. This then took place on 1 December 1948. After this restitution, objects with an approximate weight of 97 kg were still missing;⁴⁷

⁴¹ Florence National Library.

⁴² *Ibidem*.

⁴³ Alessandrina Library, Rome.

⁴⁴ *Ibidem*.

⁴⁵ *Ibidem*.

⁴⁶ ASCIR, 3/4-2.

⁴⁷ *Ibidem*.

dai conti di casa Basevi risulta il “ritiro della argenteria restituita dall’Arar per gr 31.893 a lire 119.478, valore che è il 25% della perizia fatta da loro”. L’Arar dunque fece pagare a Basevi i suoi beni restituiti

- Basevi’s calculations show that the “the silverware returned by the ARAR weighing 31,893 gr. for L. 119,478, which is only 25% of their own estimate, had been collected.” The ARAR had therefore made Basevi pay for his returned property.

The chronological description of the documents shows that the Commission had speeded up the cases. On 22 August 1947 the ARAR in Milan contacted the Milan Community to remind them that, while waiting for the Commission to examine their claim for the crates of silverware in the Cassa di Risparmio in Milan in the ARAR’s name, it was also possible to go ahead with the “guaranteed availability of the material.”⁴⁸

On 29 October 1947, just several days before the ARAR was about to disperse the silverware by putting it up for auction, the German and Austrian Italian Mission for Restitution wrote to the Recovery Office in Rome, saying they had put Mr. Taper in charge of the investigation into the Basevi collection.⁴⁹

On 29 January 1948 the Recovery Office in Bolzano informed the Recovery Office in Rome that they had been unable to convince the Management Clearance Office of the Bolzano ARAR to remove the cautionary restriction on the Sepher Torah “on loan to the Jewish Community of Merano.”⁵⁰ There was an intense exchange of letters regarding the Sepher Torah. This restriction was not removed by the Bolzano Recovery Office (after more correspondence) until 27 April 1948, with a letter to the Recovery Office of Rome, that “asks for approval to be granted” of the deed. Restitution also had to be approved by the “Committee for Investigation of Deported Jews – Union of Italian Jewish Communities, Headquarters in Rome,” since “it has not yet been possible to establish ownership of the book” and that the book was included on the lists of material recovery in the ARAR warehouses in Merano.⁵¹

From the minutes of the ARAR Executive Committee meeting on 9 February 1948, one can deduce that in acknowledgement of the report made by the Head of the *Carabinieri* to the legal authorities denouncing the accounting department of the Consortium of Trento Municipalities for forgery of a public deed and aiding and abetting, the self-same Committee was of the opinion that the Company should reaffirm their reservations for the consequences that might result from the Consortium’s arbitrary behaviour, asking the President to investigate this delicate situation with the Consortium representatives.⁵²

In the meanwhile, during a meeting on 26 March 1948, the ARAR Executive Committee “while acknowledging the claim presented by the Union of Jewish Communities, in view of the fact that the self-same Union was unable to state which Community or individual the objects being claimed actually belonged to”, agreed to deliver the aforementioned objects to the Inter-ministerial Office for Recovery so that they could restitute them adopting what they considered to be the most suitable procedures.

On 12 April 1948 the Rome ARAR wrote to the Treasury and the EGELI stating they had given an EGELI official securities and valuables that had been discovered at the Bolzano ARAR “amongst

⁴⁸ Jewish Community, Milan.

⁴⁹ ASCIR, 3/4–2.

⁵⁰ *Ibid.*, 3/232, parcel 53.

⁵¹ *Ibidem.*

⁵² ACS, ARAR, b. 231.

the materials handed over by the Allies, and probably the fruit of the plundering carried out by the Germans to the detriment of persons of the Jewish race.” The list followed.⁵³

In the meanwhile the Merano Jewish Community continued their search for the property that was still in Bolzano.⁵⁴

In a letter dated 18 August 1948 from the Prefectural Commissioner of the Merano Community, Gualtiero Windspach, to the Union of Communities, mention is made of the six crates containing valuables and other various religious objects, unclaimed in the Recovery Office in Bolzano, but actually in Merano, and the property of diverse Communities, but the one in Milan in particular. The delivery report, which followed an inventory, is dated 17 August 1948. This report was written on paper with the letter heading of the Recovery Office. The material was what had been recovered by the self-same office in October 1946 in the ARAR warehouses in Merano. The document was signed by representatives of both parties. The inventory followed.⁵⁵

On 3 November 1948 Colonel Vitale sent Dr. Manoni in the Recovery Office for Works of Art in Rome another reminder - regarding the crates in the Milan Law Court: there were eight not three, and they were now at the ARAR in Milan. The ARAR was only waiting for a letter from the Office before going ahead with the immediate delivery of the material in accordance with the current directives.⁵⁶

In a letter dated 17 November 1948 from the ARAR in Rome to the one in Milan and c.c. to the Recovery Office in Rome regarding the “claim of Jewish religious objects”, authorisation was given to deliver the material on the list and claimed by the Union of Jewish Communities and stored in the Milan ARAR to the Ministry of Education. The Ministry was to delegate an official to collect the material and restitute it in person.⁵⁷

On 20 November 1948, the ARAR Materials Recovery Office in Rome sent the Union of Jewish Communities a letter informing them that the ARAR branch in Milan had been authorised to deliver the material in question to the Ministry of Education, Office for the Recovery of Works of Art. Restitution was to take place through the aforementioned Ministry.⁵⁸

On 7 December 1948, an extract of a letter from the Office for the Recovery of Works of Art in Bolzano to the Recovery Office in Rome sent notification that “Basevi has managed to make the Milan ARAR restitute part of what had been stolen.”⁵⁹

In reference to the deliberations of the meeting on 26 March 1948, in view of the Recovery Office’s request of 31 January 1949, following the discovery of further material in the Milan branch that certainly belonged to the Jewish Community, the Executive Committee decided to authorise its delivery to the Recovery Office, etc.⁶⁰

In reference to the delivery report dated 26 January of the religious objects claimed by the Union of Jewish Communities, on 14 February 1949 the ARAR Administrative Head Office wrote to the ARAR Clearance Office and URMIT, Milan and c.c. to the Recovery Office in Rome,

⁵³ ACS, *Egeli*, b. 231.

⁵⁴ ASCIR, 3/232, parcel 53.

⁵⁵ *Ibidem*.

⁵⁶ AUCEI, *ARAR*.

⁵⁷ ASCIR, 3/232.

⁵⁸ AUCEI, *ARAR*.

⁵⁹ ASCIR, 3/232.

⁶⁰ ACS, *ARAR*, b. 234.

acknowledging that there were still four silver objects in the Milan ARAR waiting to be delivered to the Ministry of Education so they could then be restituted to the rightful owners.⁶¹

In a letter dated 4 April 1949 to the Recovery Office, the Ministry of Education, Head Office of Antiquities and Fine Arts, sent the exposé that the engineer, A. Basevi had sent to the Superintendency of Galleries in Genoa, regarding the recovery and auction of part of the collection by the Milan ARAR on 10 January. There is an illegible note written by Siverio on the letter. The previously cited Basevi report included not only the lists, but also the names and historical details reconstructing the facts, including the purloining by the SS.⁶²

On 21 June 1949 the ARAR Head Office sent the Rome Recovery Office and c.c. the Milan ARAR, URMIT Clearance Office a letter informing them that no official from the Ministry of Education had been to the Milan ARAR to collect the objects. The request was made to see to the matter.⁶³

Finally, on 25 July 1949, the Milan ARAR authorised that the four silver objects in question be released and given to Mr. Recca Nicola from the Ministry of Education. The delivery record then followed.⁶⁴

The last delivery that was discovered during this research was on 9 March 1966, as can be seen from a letter from the Ministry of Foreign Affairs, Delegation for Restitution to the Chief Rabbi of the Jewish Community in Rome, Professor Toaff. The religious objects in question "come from the recoveries made by this delegation and whose legitimate owners have not yet been traced." In the letter Professor Toaff was told to keep the objects in the Community Museum in Rome, until the legitimate owners were traced.⁶⁵

As this report draws to an end it should be pointed out that in the lawsuit Basevi brought against the ARAR, neither the dates are known, nor was it possible to discover the files. What is certain is that in this lawsuit against the ARAR Basevi had the support of the lawyer Pietro Calamandrei from the Florence Law Court. No trace of this lawsuit was to be found in the lawyer's office since, according to the lawyer Paolo Barile who used to work in the same office as Calamandrei, the latter's entire professional archive was destroyed when the Arno flooded. The research carried out on the Basevi lawsuit against the ARAR in the State Lawyers' Office was just as fruitless - the State Lawyers' Offices in Rome and Genoa declared they had had all lawsuits and rulings prior to the 1970s pulped. Nothing was found in the State Lawyers' Offices in Milan. One office that still remains to be visited is the State Lawyers' Office in Florence, where the Recovery Office of the Ministry of Education had its offices for a certain period of time.

But mention of the Basevi lawsuit against the ARAR also appears in a list of the Milan ARAR. It sent a 55 kg crate "containing all the files with reports of all outstanding legal and administrative disputes" to the Rome Head Office of the ARAR, at the time being liquidated, on 21 February 1958. The "Basevi Alessandro – Genoa (silverware)" file has the sequential number 25, while the number given by the ARAR Head Office is 1362. In a similar "List of files of materials claimed from, Legal Office, Head Office", one Community's claim "before the Commission" also appears with number 34.⁶⁶

⁶¹ ASCIR, 3/232, parcel 53.

⁶² *Ibid.*, 3/4–2.

⁶³ *Ibid.*, 3/232, parcel 53.

⁶⁴ *Ibidem.*

⁶⁵ *Ibidem.*

⁶⁶ ACS, ARAR, b. 13.

The last document to be found is dated 28 April 1966 and is of interest to the research because it shows how the lawsuit Basevi vs. the ARAR ended. The document is the reply to a letter dated 13 April 1966 from the Recovery Office, Delegation for Restitution, Ministry of Foreign Affairs, asking Basevi for further news about the part of his silverware collection that the ARAR had not restituted, since they were compiling a catalogue of stolen objects that had not yet been returned. On 28 April Basevi's widow, Clementina Gambarana replied: the reports made to the Local Police Headquarters, the *Carabinieri*, the Allied Command, the Superintendence of Fine Arts, the ARAR in Rome and Bolzano, had resulted in no new information. She then described the lawsuit Basevi had brought against the ARAR for having recovered considerable amounts of silverware and then selling it, including the Basevi collection, without any notification whatsoever to the owners who had claimed it. However, the lawsuit was unsuccessful since it could not be proven that all the objects in the Basevi collection were actually part of the material that was managed by the ARAR.⁶⁷

On the basis of this documentation, which is just part of what was gathered, it can be deduced that most of the Jewish religious silverware, or the objects with engraved phrases, were probably used in synagogues or private homes, and was restituted as a result of later claims. In some cases this also happened independently of any claims, as was the case in the last delivery cited, to Professor Toaff in 1966. However, since it can also be hypothesised that during a period that was both so difficult and close to the tragedy, not all claims were actually documented, and perhaps neither were the restitutions, thus making any accurate quantification impossible on the basis of these documents. Indeed, they basically review the work done by the ARAR and the Recovery Office of the Ministry of Education. Regarding the private silverware that was managed by the ARAR, during this research, up until 1950 no claims were found by private individuals for valuable assets such as silverware or works of art with the exception of the claim made by Basevi. It is not, however, possible to state this with complete certainty since the documents regarding the ARAR's daily activities, such as inventories, transport of materials, direct sales, auctions and various correspondence have not yet been found. They were surely kept until the Company was dissolved and sent to the Central ARAR archives where they were to be preserved. What does remain are the lists of anonymous objects sold in the auctions announced in the "Bollettini ARAR" - lists of simple objects that were surely of value but that were no longer part of their original collections and belonged to many families who had never come back - five spoons, a mirror, two trays, and two vases. Tiny traces, household belongings that had obviously been part of day-to-day life that had been destroyed for ever for racial reasons, only to be found in the CEM warehouses, objects that had been abandoned by the Germans, the fruit of SS looting together with religious objects. Adding together the total amounts of the lots put up for auctions, more than 700 kilograms of private silverware was auctioned off. Using the starting prices for the auctions indicated in the "Bollettini", one comes to a sum of at least 8 million lire, which went to the Treasury thanks to the ARAR. And this was after the law had been introduced, which finally made it possible to attribute the property of Jews who had died without heirs to the Union of Italian Jewish Communities, and not to the State.

⁶⁷ ASCIR, 3/4-2.