

Editorial

The Marble Vases in London: A Reply to the Media Reports

At this year's Frieze Masters London, I exhibited an Attic lekythos (fig. 1) and a loutrophoros, both of which were on consignment for sale. These objects at my booth attracted the attention of the media. Unfortunately, their coverage of the matter has been in part biased and in part imprecise. I therefore feel bound, dear customers, to reply to such reports and to explain to you my point of view.

This is the background of the matter: The Becchina Collection was the subject of a complex and protracted investigation in Basel-Stadt. According to the public prosecutor's office of the Canton of Basel-Stadt, the Becchina Collection was seized in the course of penal proceedings in late 2001. All of its works of art – about 5,800 objects – were documented and photographed by the public prosecutor's office. This material was then sent to the competent foreign authorities and their own experts in art and cultural heritage issues. According to the public prosecutor's office, about 4,500 objects that had demonstrably been obtained illegally were restituted to their probable owners, including Greece and Italy, after due assessment of all the objects by the competent foreign authorities and experts. A further 1,287 objects remained in Basel. As explained by the competent public prosecutor's office of the Canton of Basel-Stadt, these items could not, in the assessment of the experts, be linked to any illegal activity. The penal proceedings were consequently closed and these objects were released. In the following, bankruptcy proceedings were initiated against the owner, and the Canton of Basel-Stadt seized the mentioned 1,287 works of art with a view to selling them in pursuit of the settlement of a debt. Due to the thematic and historical complexity of the objects, the *Betreibungs- und Konkursamt*, i.e., the cantonal department responsible for debt collection and bankruptcy, asked me to broker the sale of the seized objects on its behalf. The sale would be done by them as responsible institution. I insisted that I would act as a broker for these works of art only on the condition that the legality of their sale had been established on the basis of a comprehensive assessment of all the legal aspects of the case. At my recommendation, the *Betreibungs- und Konkurs-*

amt thereupon approached one of Switzerland's most renowned experts in art law at the University of Geneva's Centre Universitaire de Droit de l'Art and asked him to provide such an expert opinion. That expert opinion concluded that the Canton is bound by the duties of care required by the law governing the transfer of cultural property, and that a sale is permissible under the precondition that the penal proceedings had not been closed solely on grounds of the statute of limitations, and that the potential owners, in this case foreign states, had had sufficient opportunity to examine and review the works of art, as well as the possibility of demanding their restitution. Such questions were forwarded to the public prosecutor's office of the Canton of Basel-Stadt, which confirmed in writing that the proceedings for the said 1,287 objects had also been closed on grounds of lack of evidence and that the potential owners had been able to directly review and examine all of the objects. The expert confirmed that under the circumstances, the Canton could proceed with a sale in pursuit of the collection of a debt. In compliance with the due diligence standards of the art trade, all of the objects were comprehensively checked against the Art Loss Register. This inquiry did not produce any matches. Only after all these extensive inquiries had been conducted did I agree, in my function as consultant and broker of the objects that Canton of Basel-Stadt was storing at the time, to appraise their condition and value. At my recommendation, all works of art that were in urgent need of conservation were separated from the others. Responsibility for these objects demanded the prevention of any further degradation.

The Canton thereupon sold a carefully chosen, small selection of the said objects, including the two marble vases mentioned above. The buyer who acquired the Attic lekythos and the loutrophoros from the Canton by means of a final and binding public sales decree asked me to exhibit these pieces in London and to offer them for sale. The resale of these two marble vases does not change the findings of the extensive investigations and expert opinions hitherto conducted.

In spite of the far-reaching investigations on the part of the Canton described here, both the Canton and myself are now being accused of



Fig. 1: A FUNERARY LEKYTHOS. H. 60 cm. Marble. Attic, 4th cent. B.C. The vase is documented in the Widmer Archive, negative no. 139, October 1977.

trading in illegally obtained goods. These accusations have been uncritically taken up by certain media, even though I provided them with all of the information, in particular the legal assessment of the University of Geneva and other official documents, necessary for an objective coverage of the case. I deeply wish that the very biased perception of the art business currently being promoted – including by some highly regarded media – will soon be given up. Such reporting is especially troubling when it is based on a wilful disregard of clear information, especially the above-mentioned expert opinion and facts provided in support of objective reporting. In spite of the current turbulent times, we must not lose sight of the most important task incumbent on the art business: to advance the preservation and protection of art objects, whose character as works that have shaped our cultural identity makes them of inestimable value, and by doing so to enhance our knowledge and understanding of ancient art and culture.

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