

# Law, Humanities, and Tourism



# Law, Humanities, and Tourism:

## *Interdisciplinary Approaches to the Restitution of Cultural Heritage*

Edited by

Tadeja Jere Jakulin, Dane Munro  
and Nuray Ekşi

Cambridge  
Scholars  
Publishing



Law, Humanities, and Tourism: Interdisciplinary Approaches  
to the Restitution of Cultural Heritage

Edited by Tadeja Jere Jakulin, Dane Munro and Nuray Ekşi

This book first published 2025

Cambridge Scholars Publishing

Lady Stephenson Library, Newcastle upon Tyne, NE6 2PA, UK

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Copyright © 2025 by Tadeja Jere Jakulin, Dane Munro, Nuray Ekşi  
and contributors

All rights for this book reserved. No part of this book may be reproduced,  
stored in a retrieval system, or transmitted, in any form or by any means,  
electronic, mechanical, photocopying, recording or otherwise, without  
the prior permission of the copyright owner.

ISBN: 978-1-0364-4987-2

ISBN (Ebook): 978-1-0364-4988-9

# TABLE OF CONTENTS

Preamble .....	viii
Foreword .....	ix
Introduction .....	1

## **Part 1: Humanities and Tourism**

Chapter 1 .....	10
The Cultural Heritage of the Coastal Towns of Koper, Isola and Piran and the Problem of Restitution of Artworks from Local Museums, Churches, and Monasteries <i>Salvator Žitko</i>	
Chapter 2 .....	26
Returning Cultural Heritage and The Potential of an Agonistic Interpretation of Heritage <i>Neža Čebrov Lipovec, Irena Lazar, Zrinka Mileusnić and Alenka Tomaž</i>	
Chapter 3 .....	46
Art in the Guidebooks of Portorož-Piran <i>Tomí Brezovec and Aleksandra Brezovec</i>	

## **Part 2: National Law and International Law**

Chapter 4 .....	68
Fake, Forgery, and Authenticity: The Use of Archaeological Science in Examining Archaeological and Cultural Heritage Objects <i>Gonca Dardeniz</i>	
Chapter 5 .....	81
Applicable Law in Cross-Border Loan Agreements Concerning Cultural Property: An Overview <i>Ayşe Elif Uhusu</i>	

Chapter 6 .....	98
Immunity from Seizure of Cultural Objects on Loan for an International Exhibition <i>Nuray Ekşi</i>	
Chapter 7 .....	128
(Dis)Respect for the International Legal Framework Protecting Cultural Property in Times of Armed Conflicts <i>Vasilka Sancin</i>	
<b>Part 3: Tourism and Law</b>	
Chapter 8 .....	144
Restitution of Stolen Arts in Slovenian Law <i>Vid Jakulin</i>	
Chapter 9 .....	150
Sword and Poniard: A Tourism-Based Proposal for a Long-term Loan of Ceremonial Weaponry to Solve an Old Property Issue between Malta, France, and the Order of Malta <i>Dane Munro</i>	
Chapter 10 .....	169
Cultural Heritage Restitution: An Exploration of Slovenian Regulatory Framework within the International Law and Cultural Heritage Protection <i>Miha Bratec</i>	
Chapter 11 .....	186
Tourism and the Repatriation of Cultural Heritage: A Media Discourse <i>Daša Okrožnik and Daša Fabjan</i>	
Chapter 12 .....	203
The Restitution of Cultural Heritage: A Mediating Role of Systems Approach <i>Tadeja Jere Jakulin, Ljudmila Sinkovič and Taja Maček</i>	

**Part 4: Humanities and Law**

Chapter 13 .....	222
A Crime Committed against Movable Cultural and Natural Properties: The Crime of Taking Abroad of Cultural and Natural Properties (Article 68 of the LCCNP)	
<i>Mert Ülgen</i>	
Chapter 14 .....	236
Unveiling Dimensions of Key Terms: Lexical and Sociolinguistic Exploration of Heritagisation and Repatriation	
<i>Tina Orel Frank and Nina Lovec</i>	
Chapter 15 .....	263
Unveiling Cultural Heritage: Exploring the Intersection of Colonial Legacy, Authenticity and Tourism at the Taj Mahal	
<i>Senija Čaušević</i>	
Contributors.....	290
Index .....	298

## PREAMBLE

Bridges between countries are built not only by officials and diplomats but also by people from other professions. Türkiye and Slovenia are located on the two ends of the Balkan region and share a common history, among other similarities. As strategic partners, both countries enjoy excellent relations in almost every field. During my tenure in Slovenia for the last three years, I have forged valuable connections with people from different professions who contribute to deepening those relations.

Prof. Dr Tadeja Jere Jakulin is one of those professionals to whom we owe much gratitude for enhancing relations between these two countries. The project she has been working on goes beyond just Türkiye and Slovenia and includes other countries.

Thanks to Dr Jere Jakulin, I was granted the opportunity to meet valuable Turkish Professors like Dr Nuray Ekşi and Dr Ayşe Elif Uluşu, who devoted themselves to this project and esteemed Slovenian academics.

I would like to express my appreciation to Prof. Dr Jere Jakulin for giving life to such valuable work, which will become notable material for future studies in the restitution of cultural heritage, artworks, and artefacts. Thanks to this book Türkiye and Slovenia share the same sensitivity about preserving cultural heritage and passing it on to following generations.

As a citizen of the Republic of Türkiye, which has abundant cultural heritage and is actively engaged in efforts to preserve and restore artworks, I am especially happy about the publication of this book. I believe Prof. Dr Jere Jakulin's praiseworthy studies in the cultural heritage domain will be crowned with this valuable work.

*H.E the Ambassador of Türkiye to Slovenia, Ms Aylin Taşhan*



# FOREWORD

Cultural and natural heritage has acquired international significance with the emergence of exploration trips, mass tourism, and the admiration of travellers over time. There are many reasons why cultural and natural heritage change places, from archaeological excavations and the exploration of natural heritage to the dangers that have threatened cultural heritage, including art, due to wars and conflicts. The eternal dilemma, which was a typical situation in the past but has been the subject of disputes between countries over time, is the return of alienated cultural and natural heritage. The legitimately appearing question is whether natural or cultural heritage acquired without legal title can still be seen in its natural and cultural environment in the same condition as it was at the time of its appropriation. The present collection of contributions written in 2024, deals with these sensitive issues and possible solutions. The volume has three parts: the first covers the intersection between the humanities and tourism; the second deals with the natural and legal aspects of restitution; and the third overlaps law and tourism.

The first part's summaries relate to the importance of cultural heritage as a source of identity and recognition in the region; it highlights the issue of the restitution of artworks; it explores the theoretical concepts behind the repatriation of cultural heritage and the practice of heritage protection in museums; it discusses the art and cultural heritage in nineteenth and twentieth-century Portoroz-Piran tourism; and it presents the events around the 500th anniversary of Vittore Carpaccio's painting to raise local awareness of its importance.

The second part's summaries relate to international law and claim that traditional archaeological methods must be combined with scientific techniques to test the authenticity of archaeomaterials. It examines the impact of cultural and natural heritage on the EU economy and the issues of private international law in cross-border cultural property disputes. It critically addresses the adequacy of the existing international legal framework and its implementation in practice.

The third part's summaries relate to law and tourism, Slovenian regulations for the restitution of movable property obtained by a criminal offence, the Maltese case of a nineteenth-century stolen sword and dagger, which changed many owners and nowadays in the Louvre, the role of tourism in cultural heritage repatriation, and the systems approach that

could mediate these complex factors and facilitate a more inclusive and sustainable restitution process.

The fourth part of the monograph delves into the intricate interplay and synergy between the thematic elements explored in the preceding chapters. It bridges humanities, law, and tourism, drawing connections and shedding light on their interrelationships. Additionally, this section revisits and clarifies the terminology used throughout the monograph, ensuring a cohesive understanding of the concepts discussed.

*Tadeja Jere Jakulin*

## INTRODUCTION

TADEJA JERE JAKULIN,  
DANE MUNRO AND NURAY EKŞİ

This edited volume, *Law, Humanities, and Tourism: Interdisciplinary Approaches and Discussions to a Restitution of Cultural Heritage, Artworks, and Artifacts*, embarks on a comprehensive exploration of these issues. Returning stolen art to its original owners or countries is motivated by ethical, legal, political, cultural, and economic factors. For instance, Slovenia's dogged pursuit of missing artworks is instructive, as many works of art were brought to safety during WWII but never returned. At the core is the ethical imperative to rectify past wrongs, particularly when art was taken during war, colonialism, or genocide. Many view the return of such works as a necessary act of justice and respect for the cultural heritage and identity of the original owners or countries. This ethical perspective is reinforced by international laws and conventions, as argued by the legal experts in this book, which prohibit illicit trade in cultural property and promote restitution. Legal obligations and proven ownership claims can compel individuals or nations to return stolen works to avoid litigation or penalties.

However, from a political perspective, returning stolen art can serve as a gesture of goodwill that strengthens diplomatic ties, promotes international cooperation, and mitigates criticism. Countries or institutions often act to demonstrate their commitment to justice and to improve their global standing, especially when faced with public pressure. Cultural motivations also play a role, as restitution can foster dialogue, understanding, and reconciliation between cultures. It is sometimes part of broader agreements that involve cultural exchange or collaboration between institutions in the form of indefinite loans. Some solutions given here are based on a perspective of tourism, marketing and branding.

Economic and reputational incentives further influence these decisions. Countries that return art may benefit from increased cultural tourism and international recognition, while museums and private collectors seek to uphold or enhance their reputations as legitimate and ethical entities. By

returning stolen art, they distance themselves from the stigma of possessing looted artefacts and align themselves with global heritage preservation. Essentially, the decision to return stolen art is often shaped by ethical, legal, diplomatic, cultural, and economic motivations.

In the intricate tapestry of human civilisation, cultural heritage is a testament to our shared history, collective identity, and the diverse narratives that shape our existence. The restitution of cultural artefacts, artworks, and heritage sites is not merely a legal or administrative process; it is a profound ethical and philosophical endeavour that raises questions about ownership, authenticity, and the legacy of historical injustices. This book has specific chapters highlighting the context of Slovenia, Italy, Malta and Türkiye. Other chapters discuss aspects of Türkiye's rich historical and legal narratives, while Germany's robust legal mechanisms for restitution highlight the different strategies used in these global efforts. The unique positions of the US and Austria enrich the dialogue and underline the importance of protecting cultural heritage while respecting the rights of those seeking its return. In addition to the countries of the former Soviet Union, France, Kenya, Ghana and Romania are also actively engaged in these issues, reflecting a broader international movement towards recognising the importance of cultural property in shaping national identity. Discussions of this kind are taking place in West Asia, Australia, Argentina and Belgium, reflecting a complex web of cultural restitution efforts. A feeling of worldwide solidarity is fostered by Canada, with its rich cultural history; the Czech Republic, Finland, and Hungary all contribute unique contexts and difficulties to this important discussion.

Restitution is difficult for nations with complicated histories, like Israel, Japan, and Liechtenstein. South Africa, Singapore, and Switzerland are all on similar paths, highlighting the need to work together across borders and foster mutual understanding. By employing an interdisciplinary and systems-thinking approach, we can better appreciate the interconnectedness of legal, cultural, tourism, and ethical dimensions in cultural heritage discourse. The big picture point of view or systems thinking in this dialogue and collaboration is crucial for a more comprehensive understanding of cultural heritage.

Furthermore, there is an ongoing debate about the scope of terms used in the edited volume by various authors with a legal background, such as 'cultural property,' 'cultural goods,' 'cultural objects,' 'cultural assets,' and 'cultural heritage.' While these terms are often used interchangeably, some scholars argue that 'cultural property,' 'cultural goods,' 'cultural objects,' and 'cultural assets' generally refer to tangible items, whereas 'cultural heritage' encompasses tangible and intangible elements. All these terms are

used interchangeably in the articles compiled in this book. The comment above also applies to the distinction between ‘return’, ‘repatriation’ and ‘restitution’, ‘recovery’ of cultural property unlawfully exported abroad. As editors, we did not interfere with the terminology our valued authors chose.

The book's chapters, written in the period 2023 and 2024, are organised in four sections. It starts with *Humanities and Tourism*, in which three chapters present the importance of a good integration of tourism and cultural heritage. The journey commences in Slovenia, where Salvator Žitko in Chapter 1 presents an in-depth examination of the cultural heritage of the coastal towns of Koper, Isola, and Piran. This chapter highlights the pressing challenges associated with the restitution of artworks housed in local museums, churches, and monasteries. Here, we are invited to reflect on the philosophical implications of cultural ownership: What does it mean to possess a fragment of history? The artefacts in these locations are not mere objects; they embody the stories, memories, and identities of the communities they belong to. The restitution process thus transcends legal frameworks, becoming an ethical imperative to address historical injustices and restore cultural integrity. Žitko's analysis underscores the importance of recognising cultural heritage as a living entity, constantly shaped by the experiences of those who engage with it. Žitko sets the stage for a broader dialogue on the role of cultural heritage in shaping identity, collective memory, and the moral responsibilities of custodianship. In Chapter 2, Neža Čebtron Lipovec, Irena Lazar, Zrinka Mileusnić, and Alenka Tomaž explore the potential of an agonistic interpretation of heritage. This perspective challenges the conventional understanding of heritage as a static entity, advocating for a view that acknowledges cultural narratives' dynamic and contested nature. The authors argue that returning cultural heritage can catalyse critical dialogues, allowing communities to confront their histories and reshape their identities. The term ‘agonistic interpretation of heritage’ refers to a perspective that sees heritage as a dynamic and contested entity rather than a static one. They prompt us to consider the philosophical dimensions of heritage: How do conflicting narratives coexist, and what does it mean to honour these diverse voices? The agonistic approach emphasises that heritage reflects consensus and a complex interplay of power, memory, and identity. By engaging with multiple perspectives, stakeholders can navigate the intricate terrain of cultural heritage, fostering a more inclusive understanding that honours the diversity of human experience, reinforcing the necessity of a systems approach that recognises the interconnectedness of cultural narratives and the ethical implications of restitution. Tomi Brezovec and Aleksandra Brezovec, in Chapter 3, examine the role of tourism in shaping cultural narratives through the lens of art in

the guidebooks of Portorož-Piran. These guidebooks serve as informative resources and narrative constructs influencing how visitors perceive and engage with local culture. The authors argue that tourism can enrich and commodify cultural heritage, raising important philosophical questions about representation and ownership. How do narratives shape our understanding of culture, and who controls these narratives? This challenges us to consider the ethical dimensions of tourism, advocating for a systems approach that prioritises community involvement and cultural integrity. By examining the intersections of tourism and cultural heritage, we can better understand how local identities and global perceptions are intertwined. The authors highlight the crucial role of ethical tourism practices that empower communities, ensuring that cultural narratives are shared in a manner that respects their origins and significance.

From Humanities and Tourism, we move to the *National and International Law section*, where four authors critically explore legislation connected to cultural property and international conflicts due to disrespecting the international legal framework. Transitioning into the legal realm, Gonca Dardeniz's Chapter 4 deals with fake, forgery, and authenticity, inviting us to confront the philosophical dimensions of cultural property. Examining archaeological science in discerning authenticity raises critical questions about what constitutes 'true' heritage. Authenticity is not merely a static quality, but an evolving narrative shaped by historical context, cultural significance, and societal perceptions. Here the emphasis is on the importance of interdisciplinary collaboration, where scientists, historians, and legal experts converge to navigate the complexities of provenance and authenticity. By employing a systems approach, we can cultivate a more nuanced understanding of cultural heritage that acknowledges the diverse narratives surrounding authenticity. Furthermore, the chapter compels us to reflect on the moral implications of authenticity and the value we assign to cultural artefacts, prompting a deeper inquiry into the ethics of representation and ownership. Ayşe Elif Ulusu's overview of applicable law in cross-border loan agreements concerning cultural property, in Chapter 5, extends the conversation into the international legal landscape. She highlights the challenges and opportunities presented by legal frameworks that govern cultural exchange. The philosophical implications of ownership and stewardship are brought to the forefront as Ulusu prompts us to consider the ethical responsibilities of nations in facilitating cultural exchange. In this context, law serves both as a tool for protection and a potential barrier to restitution, raising important questions about equity and justice. Advocating for a systems approach prioritises collaboration among nations, emphasising that cultural heritage is a shared

responsibility that transcends borders. By navigating the intricate web of laws and agreements, stakeholders can work toward equitable solutions that honour the cultural legacies of all involved. Chapter 6 displays Nuray Ekşi's examination of immunity from seizure for cultural objects on loan for international exhibitions further illuminates the legal complexities surrounding cultural heritage. 'Immunity from seizure for cultural objects' refers to the legal protection that prevents cultural objects on loan for international exhibitions from being confiscated or seized. Underscoring the critical importance of legal protections facilitates cultural exchange while safeguarding heritage. However, as Ekşi argues, these protections can be contentious, raising essential questions about who benefits from these legal frameworks and at what cost, serving as a reminder that while legal protections are essential, they must be accompanied by ethical considerations prioritising cultural integrity and respect for local narratives. By employing a systems approach, we can deepen our understanding of the interconnectedness of cultural heritage's legal, cultural, and ethical dimensions, ensuring that our practices reflect a commitment to justice and equity. As we confront the realities of armed conflict, Vasilka Sancin's Chapter 7 examines the (dis)respect for international legal frameworks protecting cultural property. In times of war, cultural artefacts often become collateral damage, raising urgent questions about the value we place on cultural heritage in the face of violence. Sancin's work calls for a collective recognition of the intrinsic value of cultural heritage, emphasising that protecting cultural property is not merely a legal obligation but a moral imperative. The chapter underscores the necessity for international cooperation and legal frameworks that transcend borders, advocating for a systems approach that integrates humanitarian principles with legal obligations. Recognising the profound connection between cultural heritage and human dignity, we can cultivate a shared commitment to preserving our collective legacy, even in the darkest times.

The third section reflects discussions and research on *Tourism and Law*. In the context of Slovenian law, in Chapter 8, Vid Jakulin's examination of the restitution of stolen art highlights the significance of local legal frameworks in addressing historical injustices. Restitution processes are not only legal matters but also a deeply personal and cultural ones. The philosophical implications of restitution raise questions about identity, belonging, and the moral obligations we must rectify past wrongs. Jakulin's work invites readers to engage with the complexities of cultural heritage restitution, emphasising the importance of local narratives in the broader discourse. By integrating local perspectives into the global conversation, we can forge a more equitable understanding of cultural heritage that honours

communities' diverse experiences and histories. Chapter 9 follows Dane Munro's innovative proposal for a tourism-based long-term interinstitutional loan of ceremonial weaponry between Malta, France, and the Order of Malta in a compelling case study in creative restitution solutions. Tourism illustrates that it can be leveraged as a tool for cultural exchange and reconciliation, prompting philosophical reflections on the nature of the ownership and the ethics of cultural artefacts. Munro's work challenges us to rethink the boundaries of restitution, emphasising that solutions must be context-specific and rooted in collaboration. By exploring the intersections of tourism, culture, and legal frameworks, the argument reinforces the need for interdisciplinary dialogue that prioritises ethical considerations and community engagement. Miha Bratec's exploration, in Chapter 10, of Slovenia's regulatory framework within international law and cultural heritage protection further reinforces the importance of interdisciplinary approaches. By analysing the intersections of national and international laws, Bratec sheds light on the complexities that arise in the context of cultural heritage restitution. Bratec underscores the necessity for cohesive policies reflecting local realities and global obligations, advocating for frameworks prioritising cultural preservation and ethical considerations. By employing a systems approach, we can navigate the intricate relationships between legal, cultural, and tourism narratives, fostering a more comprehensive understanding of cultural heritage restitution. The role of media discourse in tourism and the repatriation of cultural heritage is critically examined in Chapter 11 by Daša Okrožnik and Daša Fabjan. Their analysis reveals how media representations shape public perceptions of cultural heritage and influence policy decisions. The authors invite readers to consider the ethical implications of representation and narrative construction by engaging with the media's role in framing discussions around restitution. They emphasise the importance of interdisciplinary collaboration in fostering a more nuanced understanding of cultural heritage, advocating for responsible media practices prioritising inclusivity and accuracy. The philosophical dimensions of media representation challenge us to reflect on the narratives we create and the power dynamics at play in cultural discourse. Tadeja Jere Jakulin, Ljudmila Sinkovič, and Taja Maček present in Chapter 12 the systems thinking approach as a mediating framework for cultural heritage restitution. This is a pivotal bridge among the diverse themes explored throughout the book, highlighting the interconnectedness of legal, cultural, and tourism perspectives. By employing a systems thinking approach, the authors advocate for holistic solutions that transcend disciplinary boundaries and foster stakeholder collaboration. Their point of view serves as a clarion call



for interdisciplinary engagement, urging readers to recognise the complexity of cultural heritage issues and the necessity of innovative, inclusive approaches to restitution.

The fourth and last section discusses *Humanities and Law*. In chapter 13, Mert Ülgen delves into the intricacies of cultural heritage through the lens of law and linguistics. Ülgen's exploration of the crime of taking cultural and natural properties abroad emphasises the legal frameworks that govern cultural heritage conservation. His analysis underscores the importance of understanding the legal implications of cultural property displacement, inviting readers to consider the ethical responsibilities of nations in protecting their heritage. Similarly, in chapter 14, Frank and Lovec's examination of key terms in heritagisation and repatriation invites a deeper understanding of the language that shapes our discourse surrounding cultural heritage. The authors highlight how language can reflect and shape our understanding of cultural identity and ownership by unveiling these concepts' lexical and sociolinguistic dimensions. These chapters reinforce the need for interdisciplinary dialogue, demonstrating how law and language intersect to inform our understanding of cultural heritage. Finally, Senija Čaušević's exploration of the Taj Mahal and Hagia Sophia in Chapter 15 is a poignant conclusion to our interdisciplinary journey. These iconic monuments encapsulate the complexities of cultural heritage, ownership, and the ongoing challenges of restitution. At once, they represent the cultural heritage of the world. Still, also destinations of overtourism, which prevent. As we reflect on the colonial legacies that inform our understanding of these sites, we must confront the ethical implications of authenticity and representation. Čaušević invites readers to consider the broader context of cultural heritage in a post-colonial world, emphasising the need for a critical, interdisciplinary approach that acknowledges historical injustices while fostering dialogue and understanding. The philosophical challenges these monuments pose compel us to confront our responsibilities as custodians of cultural heritage that 'urges us to engage with the intricate narratives that shape our collective identity'. Both cultural sites are UNESCO World Heritage Sites and destinations of overtourism, which have lost their function over time. This chapter is special because it is about restitution in an intangible sense. The Taj Mahal and the Hagia Sophia are not the object of restitution; their purpose is the object of restitution. As we embark on this captivating intellectual journey within the captivating pages of this enriching book, we extend a warm invitation to you, the reader, to immerse yourself in the rich and diverse narratives presented herein. By embracing an interdisciplinary and systems-oriented perspective, we endeavour to skilfully navigate the

intricate complexities of cultural heritage restitution and preservation, thereby nurturing a more comprehensive and just understanding of our collective cultural legacy. The task is not simply to repatriate cultural heritage but to actively partake in a profound dialogue about the essence of identity, the significance of belonging, and the enduring values that influence our world. Together, let us delve into the intricate tapestry of cultural heritage and chart the course towards a more equitable and inclusive future, recognising that our evolving comprehension of cultural heritage mirrors our past and illuminates the path for our shared journey ahead.

*The editors*

# **PART 1**

## **HUMANITIES AND TOURISM**

The Humanities and Tourism chapter covers the broad field of the humanities and tourism. The authors deal with cultural heritage and its importance in the culture of a nation in a multifaceted way: historically, archaeologically, art historically, from the perspective of tourism, events and the terminology used in the monograph. The chapter brings together two strong faculties: Humanities and Tourism Studies. The former is the UNESCO Chair of Interpretation and Education for Enhancing Integrated Heritage Approaches, and the latter is a member of the UNESCO UniTwin network of higher education institutions.

# CHAPTER 1

## THE CULTURAL HERITAGE OF THE COASTAL TOWNS OF KOPER, ISOLA AND PIRAN AND THE PROBLEM OF RESTITUTION OF ARTWORKS FROM LOCAL MUSEUMS, CHURCHES, AND MONASTERIES

SALVATOR ŽITKO

### **Introduction**

One of the most important contemporary aspects of the identity and recognition of the Slovenian coastal area bordering Italy, centred on the towns of Koper, Izola and Piran, is its cultural heritage. This forms the basis for cultural and environmentally conscious development, especially in the field of cultural tourism. Since the turn of the century, tourism has become an important economic sector that has significantly accelerated the process of development and growth in the coastal region. Among all the different ethnic groups, cultural and linguistic elements, there are two cultural spheres that have intertwined over the centuries on the entire Istrian territory, where the Dragonja River now connects Slovenian and Croatian Istria. One of these cultural spheres is predominantly Romanic, and the other is Slavic, the latter found in the hinterland of rural towns along the coast. For both, cultural heritage is a necessary and potentially lucrative source of development for the tourism industry. At the same time, however, cultural tourism has the potential to create opportunities for both local and international individuals, fostering a sense of hope and inclusiveness. Such refinement of cultural heritage is only possible through knowledge of its cultural content, history, current image and offer, and this is also the main intention of this chapter, to inform about the role and importance of the historical centres of Koper, Izola and Piran, with their hinterland, and the works of art which have been taken from them.

Additionally, also here presented is a further intertwining of the Roman and Slavic worlds by adding a Turkish aspect, by presenting some of the *Turkerias* that today serve as part of the cultural tourism offer of Poreč in Croatian Istria. On the other hand, representations of Koper and Izola can also be found in the maritime atlas *Denir Kitabı* from the middle of the seventeenth century, during the reign of Sultans Murat and Ibrahim, by Turkish sailor and researcher, Sejjid Nûh.



Figure 1: Izola is represented on the maritime atlas of the Turkish sailor Sejjid Nûh, middle of seventeenth century (Regional Museum of Koper).



Figure 2: ditto.

### Art Historical and Cultural Connections: The Venetian Influence on Istria

Until the eighteenth century, the history of Slovenian Istria was closely entwined with the history of the *Serenissima*, the Venetian Republic, which today is in Italy. One of the recent publications regarding Venice, by historian Frederic Chapin Lane translated into Slovenian in 2020, speaks amply about its maritime power, commerce, and traffic in the Mediterranean Sea. He also includes the Levant and the OtTomažn Empire (Lane, 1973).

## Art removed from Koper, Piran and Izola

Amongst many geographical visual representations of Istrian peninsula and her coastal towns in the Venetian period, for example, *Istria olim Iapidia* by Giovanni Blavio, 1663, *Istria* by Giovanni Valle, 1790, and some examples of Koper, the oldest representation of Koper on the altar piece *The Enthroned Madonna with Child and the Saints* painted by Vittore Carpaccio in 1516, which is now in Padua, Italy. Kneeling among the saints is also Koper patron St Nazarius wearing bishop clothes and holding a miniature in his hands; next is a panorama *Inter utrumque tuta*, 1589, Venetian Koper of the end of eighteenth century, Koper on the votive imaging of the servits fraternity from 1738 in Regional Museum of Koper. Also, the former Piran with the walls appears in the famous painting by Vittore Carpaccio, *Madonna on the Throne with Child and the Saints*, 1518. Later, in Piran's lithography, a short romantic description appears on the rich itinerary by Joseph Lavallée: *Voyage picturesque et historique de l'Istrie e de la Dalmatie* (1782).

Many artworks explain the story, culture and art of Istria and the history of the towns. Some objects (cross-border projects) are dedicated to this region (Calo et al, 2008; Zanetto et al, 2004; Darovec et al, 2008; Darovec, 1998).

The Venetian architects, sculptors and painters belonged to the social class of craftsmen- artisans and were the members of guild-stonecutters. The influences from East and West were incorporated in compliance with their gift. Venice had no independent school, like in Florence, but we can mention the Venetian painting school. In the churches, monasteries and museums of Koper, Izola and Piran, many paintings were made by Venetian Late Renaissance and Baroque painters. One of these masters, Vittore Carpaccio, was creative in his late years, especially in Koper and Piran. His masterpieces adorn the Cathedral in Koper (1516-1523) and the Monastery of Saint Francis in Piran (1518) (Romanelli & Lugato, 2015; Šamperl et al., 2001).

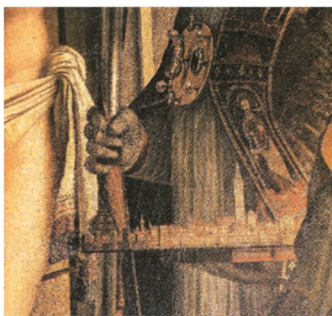


Figure 3: V. Carpaccio: Sacra Conversazione, Assumption Cathedral, detail of Koper.



Figure 4: Unknown painter: Panorama of Koper, the end of the sixteenth century. Regional Museum of Koper.

The 700<sup>th</sup> anniversary of the founding of the Minorite Monastery in Piran aroused a wish to collect, review, and evaluate the entire collection of the paintings that adorn the monastery Church of St Francis. The collection comprises 63 works of art (including the three paintings transported to Italy in 1940), mostly the creations of less reputed masters of Venetian Art of the seventeenth and eighteenth centuries.



Figure 5: V. Carpaccio: Mary with Child and Saints 1518, oil, canvas. Artwork from Koper, Izola, Piran retained in Italy, Piran-Ljubljana, 2005, 108.



Figure 6: D. Tintoretto: View of Piran. Fragments from the painting *Madonna with Child and town Councillors*, 1578. Artwork from Koper, Izola, Piran retained in Italy, Piran-Ljubljana, 2005, 108.

The documented art historical heritage in Izola is more limited compared to Koper and Piran. Izola was mentioned and described in 1611 by Nicolò Manzuoli in his work *Nova descrizione della Provincia dell'Istria Venezia 1611* (Manzuoli, 1979).

Concerning the abovementioned Turkish themes in the Venetian art in Istria, it is worthwhile mentioning the Venetian embassy and its activity in Istanbul (Venetians bailo), which was taking care of the ratification of peace agreements, especially the role of their companion – named Dragomans, for the most part from the aristocratic rank, who fluently spoke Arabic, Persian and Turkish, released the new fashion and style of clothing.

The influence of this fashion was observed in almost all the country's involved in the political and commercial relations with the OtTomažn Empire. The new fashion is also reflected in art. The paintings and graphics frequently decorated the castles and palaces. In Venetian Koper, the portraits and life-sized portraits adorned the palace Tarsia and Carli, whose members were the Dragomans by Venetian bailos in Istanbul. Among them was the most important, Thomas Tarsia – the great Dragoman on Turkish court (1680); in 1683, at the Turkish siege of Vienna, he was the diplomatic ambassador of the Turkish army and, in greater detail, described their defeat and retreat from Vienna. Today, many of these portraits decorate the museum's collections in the Poreč museum, about fifty km distanced from Koper, in Croatia. The portraits of Dragoman Gian Rinaldo Carli and his wife Caterina Carli, who left with her husband in Istanbul and, like other



Dragomans, dressed in Turkish clothes. Her clothes are, as we can see, very rich and costly. On the head, she is wearing a great turban adorned with pearls, precious stones and plumes. Her clothes are also precious, but her wealth is most evident in her pearly necklace and bracelet. Today, these interesting paintings and precious family libraries belong to the Town Museum in Poreč (Gardina, 2005).

We find another testimony from the Turkish period on a flight of steps in the Gravisi-Barbabanca palace. The walls were decorated with eminent persons connected with the Turkish siege of Vienna in 1683: Austrian Emperor Leopold I, the Polish king Jan Sobieski III, Duke of Lorena, Karl V, and Prince Eugen of Savoy. Four equestrian portraits depicting some of the most prominent personals in Europe in that period were involved in the victorious campaign against the Turks in the following years. None of the paintings has ever been the subject of more detailed research and publications; thus, they remain, to this day, a silent witness to the artistic language of that period as well as the cosmopolitanism, prestige, and the connections of the Gravisi family with some of the most prominent people in Europe, who have influenced the political development of the time and the balance of power in Europe (Žitko, 2012).



Figure 7: Portrait of Dragoman Gian Rinaldo Carli, Poreč /Parenzo, Regional Museum. Photo: P. Vidmar.



Figure 8: Portrait of Catarina Carli (right), Poreč /Parenzo, Regional Museum. Photo: P. Vidmar.

The economic, social, and cultural life in Istria was very important and resounded in the First Istrian regional exhibition, exhibited in Koper in 1910 (Knez, 2010). For the further development of culture and art, this range took an important place in the exposition of old and modern art. This exposition contributed to the foundation of the Town Museum of History and Art in Koper (1911). Only after the First World War did it obtain its stable seat in the old palace Belgramoni-Tacco. The museum collection of artworks was always rising between the two world wars. After the first war, Italy distributed paintings over the Austrian Littoral territory (named Julian March) after Rapallo's agreement (1920) was acquired from the Habsburg monarchy. Most of the artworks from Vienna were placed in the new art collection of the Koper Museum. One of the most important paintings of the sixteenth century was the artwork of famous Venetian painter Domenico Tintoretto, *The Battle by Savudrija*, 1177 (Žitko, 1999). The painting was placed in the main hall in the town palace of Piran and was probably transported to Vienna in 1802 or 1803, disappearing without leaving any trace. Fortunately, Piran reminds me of another monumental artwork painted by Domenico Tintoretto, *Madonna with Child, and the Piran City fathers at prayer* in 1578. It was previously exhibited in the Maritime Museum and now hangs in the town hall).

Between the two world wars, these and many other artworks enriched the Museum of Koper and embellished the churches and monasteries of Koper, Izola, Piran, and Poreč. Why did the inspectorate for the monuments and galleries in Julian March (*Soprintendenza ai monumenti e alle Gallerie della Venezia Giulia e del Friuli*) in Trieste decide in June of 1940 to follow the orders of the Ministry of Education and Foreign Office to evacuate the greater part of artworks, in the year 1944, including some archives and precious library collections? The artworks were transported to the spacious Villa Manin near Passariano, and the archives and books were transported to Venice. Above all, this happened, and the reasons of the Italian authorities were disclosed at the recent exposition in Villa Manin titled 'The war against art! Cultural heritage from Friuli Julian March between the protection and destruction' (Cassanelli and Sommer, 2022).

### **Protection Context: The Removal of Artworks during World War II**

The political situation in 1940-1945 and the reasons for removing the works of art from Koper, Izola and Piran (towns of Slovene Istria) to Villa Manin and San Daniele del Friuli. Carlo Someda de Marco undertook, at the beginning of June 1940, a large-scale campaign to collect and transport the

artworks of Friuli, Trieste and Istria to the Villa Manin in Passariano, what he wrote in his diary. Whether his actions were based on state decrees or legal provisions remains. To better understand the issue, it is necessary to consider it in more than a few broad terms and to place it in the context of the time and place. In his diary entry of 10 April 1940, he states that in the event of the outbreak of war, which, in all likelihood, will hit Friuli first because of the proximity of Yugoslavia, the plan is to protect the works that may be destroyed and to preserve them in a place to be determined. Even more significant is his diary entry of 17 May 1940, when he says, among other things:

I am driven to this by my great love for our monumental heritage and my desire to help my country at this difficult moment. It is threatened by war, which will be particularly dangerous for those of us who live on the frontier with Yugoslavia (sic!).

Then, on 31 May 1940, he continues:

The Superintendent, Fausto Franco, has informed me that the Ministry has approved in principle the choice of the monastery of S. Maria della Spineta, in the municipality of Fratta Todina, in the province of Perugia, as the definitive seat of the collection centre for works of art in the event of war with Yugoslavia. The collection centre will first be set up in Passariano. Everything is in place to transport the artworks, but we will only start work if we are ordered to do so by the higher authorities.

On 6 June 1940, the following is an indication that, by the instructions of the Ministry of National Education, the Superintendent, Fausto Franco, had issued an order that, in the event of a state of emergency and an order from the higher authorities, the withdrawal of works of art from public and private institutions in the Province of Udine should begin. Still, the key point is made in his diary entries of 10, 11 and 12 June 1940, where he first states:

Today, Italy's entry into the war on the side of Germany has been declared. Italy is at war! How much fear and worry are we causing ourselves? What position will Yugoslavia take? Given the border's proximity, getting as many works of art as possible to safety is necessary.

The next day (11 June 1940), he mentions that the Ministry has determined that the collection centre for works of art from Friuli-Venezia Giulia is at Villa Manin in Passariano. In his diary entry of 12 June 1940, he adds that the Ministry, in Circular No. 3959 of 5 June 1940, had ordered immediate measures to protect the monumental heritage. The

Superintendence issued instructions to that effect. We are thus beginning the extensive work of implementing numerous and complex procedures for protecting and preserving the precious monumental heritage of our beautiful and great Italy, and we wish to hand down the works of art to future generations.

Therefore, although Sameda's diary is quite eloquent, it is necessary to understand it better and, in particular, to give a more objective picture of the situation at the time, to place some of its references in a broader context and to add appropriate commentary, which is sorely lacking in the present work. It should be clarified that as early as 1934, the fascist regime had already begun to draw up the relevant legislation on air-raid protection to safeguard the immovable and movable cultural heritage on Italian soil. The *Regolamento per la Protezione antiaerea del territorio nazionale e della popolazione civile* (Regulations for the air-raid protection of national territory and the civilian population) was issued on 5 March 1934 and signed by the then Minister of Defence. The regulation provided for the organisation of the protection of cultural heritage and scientific establishments which might be threatened by enemy aircraft. Article 6 of the regulation established provincial and municipal anti-aircraft protection committees and their powers. The provincial committees were to be headed by prefects, who ensured the functioning of the committees through the competent civil offices, among which the supervisory offices (*Soprintendenze*) played a fundamental role. Among the provincial committee members, the 'local royal superintendent' (*locale Regio Soprintendente*) was, therefore, to play a key role. By circular of 21 June 2001, the 'local royal superintendent' (Circ. 21. 2004) was to be appointed to the committee. The Provincial Committee of the Province of Pula, which covered the Istrian area, included Ferdinando Forlati, who chose Attilio Degrassi, the Inspector of the Superintendency, as his delegate (Spada, 2014/15, 248).

In January 1935, lists of works of art and monuments to be protected in the war had already been drawn up for Udine, Gorizia, Trieste, Puglia and Rijeka, with cost estimates added. Still, none of these provinces, because of their frontier character, as Forlati pointed out, was envisaged as a collecting centre for works of art or movable cultural heritage. In a war situation, these would have to be transported to the Venice area, and it was to this end that he informed the competent Ministry that he had already begun discussions with the Venetian Superintendency of Medieval and Modern Art (*Soprintendenza d'Arte and medievale e moderna di Venezia*).

The haste with which Forlati dealt with the issue showed his familiarity with the situation and the experience of World War I, particularly in the areas where the Soča front had once been fought. The 1930s, on the other

hand, could not yet have predicted with certainty the outbreak of a new world war. Still, as we shall see below, certain foreign policy moves by fascist Italy or Mussolini led to an escalation of the conflicts in the wider Mediterranean and the northern Adriatic, particularly about the Kingdom of Yugoslavia, Albania and Greece.

The Istria and Rijeka areas, which had been officially annexed to Italy by the Treaty of Rapallo in 1920 and 1924, respectively, were in Forlati's eyes rather fragile or vulnerable and exposed to strong pressure from the Yugoslav state, which is why many articles and instructions on air-raid protection were already published at this time, aimed at the civilian population. Before drawing up lists of works of art and monuments to be protected when war broke out, he had insisted in contact with the relevant Ministry that these areas would be theatres of war and, as such, unsuitable for protection. In this context, he, therefore, insisted that the bulk of the movable cultural heritage should be removed deeper into Italian territory, as their accumulation and collection in the Istrian territory itself would be rather delicate and dangerous for the following reasons:

Taking into account the specific conditions of the landscape, where the bulk of the population is concentrated in the urban centres, while the countryside is more or less sparsely populated, and also taking into account the distinctive ethnic character of the population, which is purely Italian along the coastal strip and in the major centres, and Slavic in the countryside or poor rural centres, the Office considers that it would be inappropriate to transport and concentrate the works of art in buildings of concern in the countryside or amid a Slavic population which, even in cases where it is not incited against us and in a hostile mood, cannot be assured of absolute certainty and security. We, therefore, expect and demand that the provinces of Rijeka, Pula, Trieste and Gorizia be exempted from those measures advised during World War I and that the transfer of works of art to the interior of the Italian Kingdom be started (Spada, 2014/15, 252).

The Ministry fully accepted Forlati's proposals that it was better to transport the art objects deeper into Italian space than to collect them somewhere in the Karst or Istrian area, where the local population could not be trusted. On top of that, these areas could be the scene of military confrontations in the event of war. With the authorisation of the competent Ministry, Forlati began in March 1935 to seek the agreement of the abovementioned Superintendence in Venice to find a suitable location in this area. The original site was chosen in May of that year by Superintendent Gino Fogolari near Este. Still, the location soon proved unsuitable, owing to questionable statistics and the purpose of the building itself, owned by the Counts of Carminati.

By the new measures envisaged by the Provincial Air Defence Committee of Trieste (*Comitato provinciale protezione anti aerea di Trieste*), the provinces of Vicenza, Padua or Treviso were considered as potential areas for the import and protection of works of art from the border areas of Istria and the Karst. Accordingly, the Director of the *Gallerie dell'Accademia di Venezia*, Vittorio Moschini, sent a copy of a letter sent by the Directorate-General about a month earlier, in which it expressed its sympathy with Forlati's proposal to disperse those above movable cultural heritage or works of art in the Veneto area, and in which it accepted the possibility of collecting and concentrating their works of art in the locations above.

The first list of Istrian works of art to be transported and protected, drawn up by the Royal Superintendency of Antiquities and Art of Trieste (*Regia et al. e d'Arte di Trieste*), was sent to the General Directorate of Antiquities and Fine Arts (*Direzione generale and Antichità e Belle Arti*) on 21 March 1935. This list divided the movable cultural heritage objects by province and, at the same time, anticipating the risk that too many works of art might disappear and be claimed without possibility of return, as had already happened in the first period after the end of World War I on Istrian soil, included not only the most valuable works of great artistic value but also less valuable and smaller works, such as religious vestments, decorations, jewellery and the like, and therefore also the most valuable works of art of great artistic value.

Regarding monuments, according to the Ministry's instructions, only those of the greatest value and interest were included in the list and should also be protected from possible despoliation and looting. An important innovation in completing the forms, about those dating from World War I, was the consideration of private ownership. Otherwise, as far as the selection of objects pre-selected for protection in the event of war was concerned, the directives of the central authorities covered and included all those works that proved to be suitable by Law 364 of 20 June 1909 (Spada, 2014/15, 254). In January 1936, the new Superintendent Giovanni Brusin, who had succeeded Forlati and had been transferred to the *Direzione della Soprintendenza all'Arte Medioevale e Moderna di Venezia*, sent a provisional list of privately owned works of art, which were thus for the first time taken into account or included in the general list of works of art to be protected in the event of war. For now, the lists included collections rather than individual works, as the authorities were aware of the relative ease and frequency with which ownership changed hands and the consequent reduced chances of providing reliable information.