If you happen to unearth an ancient coin while gardening in the backyard of your rental home, does it belong to you, to your landlord, or to the government? Farmers, who constantly tilled land they didn’t own, were responsible for most archeological finds well into the nineteenth century, before the emergence of professional archeology. The question of who owns the remains of the past was hotly debated in the 19th century, especially as the Napoleonic Wars forced deep reforms in Europe’s traditional political and legal systems. Napoleon famously looted many artistic treasures, including Paolo Veronese’s Wedding at Cana (1563), claiming to be saving them from ignorant and despotic rules, and sending them to the Louvre where they would be better conserved. Could Napoleon legally claim to own his war loot, or could he only hold it in usufruct until it could be safely returned to its country origin? De Vattel had contemplated this question of international law in 1758, but it was hardly settled. By the time Napoleon entered Italy in 1796, Carlo Fea was already a well established lawyer and forerunner of the idea that antiquities needed legal protection, in addition to the technical care of preservation architects and artists. Fea was born in 1753 in Pigna, Italy. Trained in Rome as a lawyer and ordained a priest, he edited an Italian version of Winckelmann's History of Ancient Art in 1783, and in 1791 began his archaeological career at excavations at Ardea, south of Rome. In 1799, he was exiled to Florence, imprisoned in Rome as an accused Jacobin by Neapolitan Bourbon forces occupying the city, and finally freed. Napoleon’s initial withdrawal in 1800 restored the Papal States. Pope Pius VII appointed Fea as Commissioner of Antiquities. In 1802 Fea authored regulations governing archaeological excavations and the trade in antiquities, and undertook investigations of the Pantheon and other ancient Roman sites. His legal briefs provided the legal grounds for the repatriation of artworks to the Papal States, justifying various diplomatic actions, including the sculptor Antonio Canova’s mission, as Papal Inspector of Beaux Arts, to London to thank the British for their financial support in fighting the French, and also to lobby for the return of Roman artworks to Rome. Also an archeologist, Fea wrote an important guide to Roman antiquities, the Nouva Descrizione de' Monumenti Antichi (1819). The two volumes of his Miscellanea filologica, critica, e antiquaria were published in 1790 and 1836. Fea died in Rome in 1836.

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