

THE STOLEN ROOM



ROBERT CASANOVAS

NOVEL



Summary

Paris, autumn 1920. Kōjirō Matsukata, a Japanese aristocrat enamored with Western art, acquires Van Gogh's "The Bedroom in Arles." This exceptional canvas enriches a remarkable collection built over decades with love and respect for European art. But the Second World War will upend the collection's destiny. In 1944, in the offices of the French provisional government, one of the most sophisticated artistic spoliations in modern history is hatched. Eighty years later, Pierre Bertier, a professor driven by a thirst for justice, discovers the hidden mechanisms of this spoliation. Armed with determination alone, he embarks on a titanic struggle against the French diplomatic machine. The Matsukata affair, as recounted in this novel inspired by real events, demonstrates that justice is not measured solely by obtaining concrete restitutions, but also and above all by the progressive transformation of public debate. Sometimes, persistently asking the right questions proves more important than immediately obtaining the right answers.

The Author

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NOVEL

WARNING

This historical novel is a work of fiction inspired by real events. The names of deceased characters have been preserved. The names of living characters have been modified. Some fictional characters have been added for narrative coherence. The mechanisms of international bodies referenced in this novel (United Nations Human Rights Council, communication procedures) have been simplified.

The original version, written in French, has been translated into several foreign languages. Translated versions may contain linguistic errors, misinterpretations, or approximations.



English Version
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The Stolen Room

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THE STOLEN ROOM

PROLOGUE

Paris, autumn 1920

October drowned Paris beneath a low, humid sky. Kōjirō Matsukata turned up the collar of his coat, a fine three-piece English suit he was fond of. He slowed his pace, seeking in the gardens that respite which preceded his important appointments. What a peculiar journey his had been. Son of a former Japanese Prime Minister, fortune built in shipbuilding, Yale graduate... And here he was, roaming Parisian galleries like a child in a candy shop. His mother would never have understood his passion. “Why take an interest in the art of these Western barbarians?” she had once said, with the unconscious cruelty of Meiji aristocracy women who knew how to wield humiliation as others wielded fans. She had died without seeing that he might have been right, but also without understanding that his collection was his way of resolving the contradiction that tore him apart: being Japanese in a Westernizing world, being a modern industrialist haunted by traditional aestheticism.

His little red notebook weighed in his pocket. Each acquisition was noted there with meticulous care that revealed his nature. An obsessive perfectionist incapable of letting go, a man who had transformed his vulnerability into strength through methodical accumulation. Over a thousand canvases now. He knew every detail, every story by heart. His phenomenal memory allowed him to shine in society, but prevented him from forgetting the slightest failure. And today, Paul Rosenberg promised him something exceptional.

The gallery on rue La Boétie smelled of varnish and faded roses. Rosenberg had a mania for arranging bouquets everywhere, as if to echo, through color, the exhibited paintings. Refined, but

calculating, he had managed to convert his authentic taste into an instrument of economic power.

—Ah, Monsieur Matsukata! the dealer exclaimed. I hope you're in a generous mood.

Rosenberg wore the charming smile of great merchants. Matsukata appreciated him for his frankness. At least with him, no pretense. One knew one came to buy, he knew he was selling. The brutal clarity of commercial relations provided relief from the hypocrisy of Parisian salons where one pretended to be interested only in pure art.

—Show me this treasure, then, Matsukata replied, poorly concealing the impatience that devoured him.

—Van Gogh. The Bedroom in Arles. Third version.

The name cracked in the air like a whip. Matsukata felt something tighten in his chest. Van Gogh... He had always had a weakness for that mad Dutchman, and his fascination troubled the collector he was. Vincent embodied everything Kōjirō forbade himself. Abandon, creative madness, indifference to social judgment. His way of painting solitude spoke to a man who remained fundamentally alone. An industrialist who amassed art to fill a void that business failed to fill.

The canvas was there, placed on an easel, lit by the gallery's subdued light. The blue walls, the red and white floor, that bed which invited you to lie down... Matsukata approached. He was not one of those collectors who touch, no, he looked, intensely. His physical restraint betrayed his Japanese education, but also a fear, that of soiling by his contact what appeared to him as sacred. Art was a refuge for him.

—He painted it for his mother, Rosenberg murmured, who knew his clientele's weaknesses. Imagine... Vincent, alone in his Saint-Rémy hospital, painting a spare bedroom meant for the woman who had given him life.

Kōsaborō Hiōki, the closest of his advisors—Matsukata surrounded himself with several experts, but reserved the most pointed technical questions for Yukiō Yashirō, the art historian—accompanied him that day and discreetly cleared his throat. A man of shadows by vocation as much as necessity, he had built his career on his ability to divine his master's unexpressed desires, turning into a weapon an inferiority complex born of his modest origins. His loyalty to Matsukata mixed sincere gratitude with subtle calculation. Serving a visionary allowed him to participate in greatness by proxy.

—It has a particular soul, he said in Japanese, choosing the language to create intimacy before the dealer. It could be the centerpiece of your museum.

Matsukata nodded. His museum... That somewhat mad dream of offering Japan a window onto Western art showed what he was. Torn between two worlds, he hoped to reconcile them through harmony. His compatriots took him for an eccentric, but their incomprehension also nourished his pride at being different. There was in Matsukata a taste for challenge that sometimes bordered on excessive pride.

—You know, Rosenberg, the bedroom... it reminds me of mine, in Kyoto, when I was a child. Same simplicity, same quest for peace. Van Gogh sought refuge. So do I, in a way.

Such a confession, rare from someone usually so self-controlled, revealed the collector's flaw. Behind the accomplished industrialist hid a wounded child who had never overcome the austerity of his education. Art had become his language of feelings, the only territory where he allowed himself vulnerability. The dealer knew he had his client. Rosenberg excelled in the art of deciphering the psychological cracks of his buyers. Behind his refinement hid a pragmatism that confused cynicism with lucidity about human nature.

—It's yours for...

They negotiated for an hour. Not about the price—Matsukata had the means—but about details, authenticity, provenance. The important things. His meticulousness masked his anxiety. What if his acquisition, like all the others, failed to fill the void that inhabited him? But it was too late to turn back. The bulimia for works had become a soft drug for him, the only way to give meaning to an existence that social success failed to fully satisfy. That evening, in his apartment in the 7th arrondissement, Matsukata carefully inscribed in his notebook:

“The Artist’s Bedroom in Arles, Vincent Van Gogh, 1889, oil on canvas, 57.3 × 73.5 cm. Acquired at Paul Rosenberg’s, October 15, 1920. A work that has followed me for a long time in my dreams.”

These last words, he had added on impulse. It was not his habit to let his emotions show in his inventories. But something in the canvas had touched him differently. Perhaps its painted solitude that echoed his own, perhaps its candor that contrasted with the torturous complexity of his existence as a cosmopolitan grand bourgeois.

Van Gogh had managed to transform his madness into grace; he attempted to transform his melancholy into a collection.

He could not know that his few scribbled words marked the beginning of a story that would outlast his own life. That the peaceful bedroom painted by a tormented artist would become the object of a fierce legal battle. That governments, lawyers, heirs would dispute for years the image of poignant destitution. The irony of history demanded that a man in search of balance become the protagonist of a conflict that would reveal the most sordid appetites of cultural diplomacy.

Matsukata put down his pen and looked out the window at the lights of Paris. Tomorrow, he would go hunting again. Always his thirst to add a piece to the puzzle, his desperate race toward an aesthetic absolute that constantly eluded him. Always his

conviction that he was building something important for the future. He was right, but not as he imagined. His personal quest would paradoxically engender decades of conflict. His hope for reconciliation would reveal the worst possessive instincts of nation-states.

History cares little for good intentions.

CHAPTER 1: THE CLOUDS GATHER

London, Early August 1939

Kōsaborō Hiōki had an appointment with the manager of the Pantechnicon storage facility. Having arrived early, he waited in an unoccupied office that smelled of mustiness and beeswax.

This odor evoked the old temple in Kyoto. A troubling association: his London exile had cut him off from his spiritual roots.

Through the grimy window, London awakened in the fog. Hurried employees, newspaper vendors shouting headlines: “Hitler refuses all compromise!” As if anyone still doubted it. The obviousness weighed on him. For months, he had perceived warning signs that everyone refused to see, cultivating a lucid pessimism that increasingly isolated him from his optimistic contemporaries.

The wait grew long. Twenty minutes.

He thought back to his first meeting with Kōjirō Matsukata in 1896. He, a small clerk in a bank in Kobe, and the young aristocrat who spoke of revolutionizing art in Japan. At the time, he had been seduced by the audacity of the project, but also by the hope of a social ascension that his modest birth normally forbade him. “Hiōki...” he had said to him during their meeting, “we are going to offer our people the beauty of the West.” The dream risked dying in the flames of war, and with it would collapse the edifice of a lifetime devoted to serving an ideal.

He took advantage of this pause to pull from his pocket a letter he had received a few days earlier. His hands trembled slightly—not because of age, he was only sixty-four—but because of the words he had read and reread more than ten times. The anxiety brought him back to his early years in Japan, when his father had initiated him into the subtleties of calligraphy. “Trembling hands

reveal a doubting soul,” he would tell him. Forty-two years in the service of the Matsukata family, and never had he felt so helpless. He saw only Matsukata’s words, written in the fine handwriting he knew by heart: “Prepare for the worst, my faithful friend. The military have taken power. Our country is sliding toward the abyss, and our collection risks following them.”

The proximity to his master had always flattered him, he, the small employee, confidant of one of Japan’s most powerful men. But today, the intimacy crushed him with responsibilities he had never wished to bear.

What did that mean? Hiōki could turn the phrase every which way, it didn’t become more reassuring. He knew Matsukata well enough to know he never dramatized. If he spoke of abyss, it was because the abyss was already there.

A discreet knock at the door pulled him from his gloomy thoughts.

—Monsieur Hiōki? It’s Morrison. Sorry for my delay, my taxi broke down.

James Morrison had run the Pantehnicon for... when? Twenty-five years? More? A solid type, in any case. One of those Britons who look you straight in the eye when they speak to you. Freemason, like many in his milieu. Member of the United Grand Lodge of England, past Worshipful Master of the City of London Lodge No. 901, he had numerous connections and benefited from information drawn from good sources. Hiōki appreciated him. Morrison treated the Japanese collection with the same respect as if it were the royal family’s private collection. And God knows some of his colleagues were less respectful when it came to “exotic” clients.

—Don’t apologize, mechanics can be temperamental. I was just about to...

—Forgive me for interrupting, but I’m afraid we have a problem. A big problem.

Morrison had a particular way of pronouncing “problem” when things went badly. He wasn’t the type to be alarmed over nothing. The typically British restraint, which contrasted with Hiōki’s Japanese expressiveness, created between them a complicity born from their very differences.

—Tell me everything.

Morrison settled into a green leather armchair that creaked. He looked tired. More than tired, even. Worried. Really worried. Hiōki recognized the signs of exhaustion in the one he suspected of bearing the weight of responsibilities far heavier than his apparent work at the storage facility.

—I received a visit from two gentlemen from the Home Office yesterday morning. Very polite, very proper. Too proper, if you see what I mean. The kind of politeness that hides a trap.

Hiōki saw only too well. He had dealt with such officials in Japan.

—What were they interested in?

—In you. Well, in the collection. They wanted to know what was stored here. The type of questions one asks when preparing... measures.

Morrison paused to pull a small flask from his pocket. He offered it to Hiōki, who refused with a gesture. The Englishman took a swig of whisky before continuing.

—They had files. Files this thick. With your name on them, Monsieur Matsukata’s, the list of all your acquisitions since 1916. They even knew you’d bought the small Degas at Durand-Ruel’s in 1923.

—That’s astounding...

—They asked me very specific questions about the value of the works, your means of financing, your relations with other Japanese collectors in Europe. And above all, they wanted to know if you had contacts with the Japanese embassy.

Hiōki felt sweat bead on his forehead. Of course he had contacts with the embassy. How else could he manage when one was a Japanese national living abroad? But in the current context, contacts took on an entirely different meaning. The obviousness sent him back to his permanent status as foreigner. After so many years in Europe, he remained suspect, condemned to perpetually justify his presence and activities.

—I’m going to be direct with you. If war breaks out, and it will break out, make no mistake, and if Japan chooses the wrong side... the works will be considered “enemy property.” And we know what happens to enemy property in wartime: confiscation, forced sale, or “accidental” destruction.

Hiōki closed his eyes. He had always known this day would come. But knowing and being confronted with reality were different things. Like the difference between looking at a precipice from afar and standing at its edge. The premonitory lucidity manifested in him a form of intellectual masochism. He had complacently prepared for disaster while hoping it would never arrive.

In his head, he saw again all the years spent running through Europe with Matsukata. The Parisian galleries, the Montmartre studios, the auctions in London. His patron’s devouring passion for Western art. The exhilarating memories brought him back to the time when he felt part of a civilizing mission.

“Hiōki...” Matsukata had said to him in 1920 before Van Gogh’s Bedroom they had just acquired, “look, Van Gogh paints a bedroom and makes something eternal of it. That’s Western genius: transforming the everyday into art.” The words had marked Hiōki more deeply than he admitted. They had nourished in him a fascination for European art that sometimes made him despise the aesthetic traditions of his own country.

Everything risked disappearing because of politicians who understood nothing about art and everything about power struggles.

—How much time do we have, in your opinion?

Morrison scratched his chin. It was a tic of his when he was thinking. The familiar gesture paradoxically reassured Hiōki. He found there the humanity of his interlocutor behind the messenger of bad news.

—Hard to say. I'd say three months. Four at most. After that, any property belonging to Japanese risks being seized "preventively." That's the term they use now.

—Three months to move...

Hiōki stopped. How to explain the immensity of the task? Hundreds of works. Monets, Renoirs, Rodin sculptures. A lifetime of passion summarized in a few labeled crates stacked in a London warehouse. The reduction of his existence to a few material objects humiliated and revolted him simultaneously.

He remembered each acquisition. The Monet Water Lilies bought directly from the artist in 1918. Matsukata had been so moved he had tears in his eyes. "It's pure light, Hiōki. Light captured and fixed forever." The shared emotion remained one of his most precious memories, a moment of spiritual intimacy with his master that compensated for all the frustrations of his subordinate condition.

The Rodin too, the magnificent study for the Burghers of Calais. They had negotiated for three hours with the sculptor himself, in his studio in Meudon. Extraordinary Rodin. He had told them the story of each character as if he had personally known them. The meeting had marked him. For the first time in his life, he had felt equal to giants of Western art, an intoxicating sensation that had nourished his hidden ambitions to be himself recognized as a connoisseur.

—Morrison, I'm going to confide something that few people know.

How far could he trust him? But after all, he no longer really had a choice. After years in Europe, Morrison remained his only true friend.

—We have here only part of the collection. The other half is in Paris, in the cellars of the Rodin Museum.

—Good Lord... How many works?

—Nearly three hundred pieces. Perhaps more. Monsieur Matsukata had planned to repatriate everything to Japan in 1925, but...

—But?

—100% customs duties. The Japanese government considered that Western art diverted money from national industry. They wanted to encourage traditional art.

—And you find yourselves caught between two fires.

—That's the least one can say. A Japanese government that considers our collection unpatriotic. European governments that will soon consider it enemy property.

Morrison stood and went to look out the window. In the warehouse with sliding doors, one could see the stacked crates. Each contained a fortune. Each told a story. And perhaps in a few months, all of this would be nothing but a memory. This vision reinforced in Morrison a diffuse impression of guilt. Representative of a system about to despoil his Japanese friend, he discovered himself complicit in an injustice he didn't know how to prevent.

—I'm going to tell you something I perhaps shouldn't tell you. My contacts at the Foreign Office, and I have a few, speak of secret agreements between Berlin, Tokyo, and Rome. Nothing official yet, but the negotiations are supposedly very advanced.

—Secret agreements?

—Military. A tripartite alliance pact, apparently. If it's true, your London works are finished. And probably those in Paris too.

—Are you sure?

Morrison pulled out a letter he handed to Hiōki. The gesture testified in the Englishman to a moral courage that honored him. By thus betraying his sources, he took considerable risks.

—Read. It's a colleague from Birmingham who sent it to me yesterday. He had the same visit as me, for a German client.

Hiōki quickly scanned the letter. The terms were technical, but the message was clear. The British government was preparing to seize all property belonging to nationals of "potentially hostile" countries. How could he have believed that art would transcend political hatreds?

—I can't tell you more about my sources, Morrison continued, but they're reliable enough for London to start drawing up lists.

—Lists of what?

—Of property to seize. People to monitor. Works of art to "protect." You understand the euphemism?

Hiōki understood perfectly. And it nauseated him. All his life, he had believed in laws, contracts, property rights. And here he was being told that all of that was just smoke and mirrors when state interests were at stake. The discovery of realpolitik completed the destruction in him of an idealized vision of the West that had guided his entire existence.

—What do you advise me?

Morrison came back to sit down. He had the grave look they knew from difficult moments. The look he'd had in 1929 when the crisis had nearly closed the Pantechnicon. This gravity worried Hiōki.

—Frankly? Save what you can. Discreetly transfer the most important pieces to France. Monsieur Aubert, the deputy curator of the Louvre's sculpture department and close to the Rodin

Museum, is influential, he might be able to protect them. At least temporarily.

—And if France falls?

—Then pray that the war ends one day. And that someone remembers to whom the works belonged. I started in this business just before the Great War. I saw how the authorities treated German and Austrian collections. Officially, it was “temporary sequestration.” In fact, very few works found their owners again.

—You mean...

—I mean that the British state will invoke reasons of national security to appropriate the works. And that in the chaos of war, sequestration will very easily metamorphose into definitive confiscation.

—But that’s theft!

—No, it’s politics. Theft implies illegality. What I’m talking about will be legal, framed by emergency laws voted in wartime. You won’t even be able to file a complaint.

Hiōki stood up. Outside, London lived its last days of peace. People ran, worked, enjoyed themselves, without knowing that very soon their world would topple.

—Morrison, do you personally know Marcel Aubert?

—He’s respected in the field. And above all, he’s a personal friend of Monsieur Matsukata, isn’t he?

—For nearly twenty years. He’s the one who took over our Parisian acquisitions after the death of Léonce Bénédict, in 1925. An extraordinary man. Cultured, upright, passionate about art. If there’s someone who can help us...

—In that case, you should visit him quickly. Very quickly.

They remained silent for a moment.

Hiōki thought of all the dealers they had met over the years. How many of them would prove to be allies? How many others would profit from the situation to enrich themselves?

—Morrison, one last question. How long will the war last, in your opinion?

The Englishman took his flask again and drank another swig.

—You want my opinion? The war will be different from all those we’ve known. Longer, more destructive, more total. Five years minimum. Perhaps ten.

—Ten years...

—And at the end, the world we know will have disappeared. Empires, borders, the rules of the game... everything will change. Including laws on artistic property.

—You think that...

—I think that in ten years, if we come out of the war alive, the very notion of private collection will perhaps have disappeared. States will get used to controlling art, to deciding what should be seen and by whom. And they won’t want to give up power.

The prospect chilled Hiōki’s blood. A Europe without private collectors, without patrons, without the personal passion that had created the most beautiful collections? It was unthinkable.

—You’re surely exaggerating...

—Perhaps. I hope I’m wrong. But look at Germany. The Nazis control everything: who can exhibit, who can buy, who can sell. They decide what is “degenerate art” and what isn’t.

Morrison leaned toward Hiōki.

—And if the war spreads to the entire world, the model of state control could well become the norm everywhere.

The conversation continued. Morrison pulled from his bag lists of contacts, maps of Europe. He explained possible routes for discreet transfer, people to avoid, those who could be trusted.

There was this Parisian dealer, Henri-Pierre Roché, who knew all the American art lovers. Perhaps he could organize a transfer to the United States? But the costs would be astronomical, and insurers would probably refuse to cover such transport in a period of international tensions.

There was also the Swiss solution. Switzerland remained neutral, and some Geneva bankers agreed to store works of art in their vaults. But again, it would require paying cash, and obtaining export authorizations that risked attracting the authorities' attention.

—And Italy? Hiōki asked.

—Too risky. Mussolini is in the German camp, even if he doesn't admit it yet. If Japan allies with Germany, Italy will apply the same confiscations.

—Spain?

—Barely out of civil war. And Franco leans rather toward Hitler, even if he avoids committing for now.

Morrison spread a map of Europe on his desk.

—Look. In red, hostile countries or those that probably will become so. In orange, those that risk being invaded. In yellow, unreliable neutrals.

Hiōki contemplated the map. Only a few green zones remained, increasingly small.

—We're trapped.

—Not necessarily. There remains a solution we haven't discussed.

—Which one?

—Sell. Sell quickly, discreetly, to American or South American private collectors. Recover the money and place it in safety.

—But Monsieur Matsukata will never want to...

—Monsieur Matsukata will perhaps prefer to recover the value of his collection rather than lose everything. And with the money, he can start again after the war.

The idea was appealing, but Hiōki knew his boss too well. Matsukata didn't collect to get rich. He collected to create his museum.

—No. He'll prefer to take the risk of losing everything.

—Then all you have left is to hope that Aubert will find a solution in Paris.

Morrison closed his files and put away the map.

—I'm going to give you three names. Three people in Paris who could help you. But be careful, in this troubled period, cupidity often replaces friendship.

He scribbled on a paper, revealing in the hasty writing an urgency that impressed Hiōki:

"Paul Guillaume—gallery rue de Miromesnil. Close to American collectors. Daniel-Henry Kahnweiler—Excellent network, knows all the tricks. But of German origin, so also suspect. Ambroise Vollard—Old hand, knows all the tricks. But not necessarily honest."

—Are these people reliable?

—As much as one can be in the profession. Be wary anyway. War reveals people's true character, and not always for the better.

—What do you mean?

—I mean that some might be tempted to profit from your difficult situation to negotiate unreasonable commissions. Or to "lose" a few pieces along the way.

—What world do we live in?

—In a world soon at war. And in wartime, dignity becomes a luxury few people can afford.

That evening, Hiōki returned to his hotel with his head spinning. He had to make decisions that would engage the future of an inestimable cultural heritage.

The Russell Hotel, in Bloomsbury, was one of those Victorian establishments that had known better days—and still remembered them, judging by the prices they continued to charge. Hiōki had been staying there for three weeks, in a small room on the fourth floor that looked onto a dark courtyard. Not very luxurious, but discreet. And above all, the staff didn't ask embarrassing questions about his comings and goings. At least until now.

Mrs. Henderson, the receptionist, handed him his key with a smile that poorly masked her growing curiosity. Hiōki cultivated a façade politeness that allowed him to maintain his distance, but the accumulation of visitors naturally aroused the staff's suspicions.

—A telegram for you, Monsieur Hiōki. Arrived this afternoon.

Hiōki's heart accelerated. A telegram... He hoped for news from Matsukata, tore open the envelope with feverish gestures that betrayed the anguish accumulated for weeks.

"Situation worrying Stop Authorities asking questions about collection Stop Suggest urgent meeting Stop Regards Stop Aubert."

He sat heavily in one of the faded armchairs in the hall. Even Paris was no longer safe. The laconic telegram probably hid developments far more serious than the few neutral words suggested.

He thought back to their last meeting, in June. Aubert had received him in his office at the Rodin Museum, between two sculptures and piles of catalogs that collapsed with each draft. The studious and benevolent atmosphere of the place contrasted with the preoccupations gnawing at the French curator.

“My dear Hiōki,” he had said to him with the measured gravity that characterized him, “I sense that times are changing. Politicians are increasingly interested in our reserves.” At the time, Hiōki had believed it to be a harmless administrative verification. Naive as he was. He realized that Aubert had been right.

He went up to his room and settled at the small table that served as his desk. Outside, London fell asleep in the September fog. Somewhere in the city, officials were probably drawing up lists with his name on them. Somewhere too, Morrison was finishing his day wondering if he had been right to tell him everything.

He took a piece of paper and began drafting his response to Aubert, weighing each word with the care circumstances demanded:

“Situation equally difficult here Stop Meeting with you essential Stop Arriving Paris early next week Stop Prepare for worst Stop Faithfully yours Stop Hiōki.”

Then he drafted a second telegram. For Matsukata, in Japan. The right words escaped him. How to announce to his boss that so many years of work risked going up in smoke? How to explain that Western democracies, countries they so admired for their respect for law, were preparing to confiscate their collection?

“Worrying conversations with local authorities Stop Transfer to Paris considered Stop Awaiting your instructions Stop Respectfully Stop Hiōki.”

He hesitated at length over the terms. The civilized world was finally showing its true face.

He thought back to a conversation with Matsukata in 1935. They were returning from a Picasso exhibition at Paul Rosenberg’s. His boss was thoughtful on the sidewalk of rue La Boétie.

“Hiōki...” he had said to him, “do you think we were right to leave our collection in Europe?”

“Of course, Monsieur Matsukata. How could we have foreseen the Japanese government’s absurd taxation?”

“That’s not what I’m talking about. I wonder if we shouldn’t have brought everything back to Japan as early as 1925, even if it meant paying exorbitant customs duties. At least our works would have been safe.”

“Safe from what?”

“From wars, Hiōki. Europe has an unfortunate tendency to tear itself apart every twenty years. And when the cannons speak, art falls silent.”

How right his boss had been... Hiōki finished his telegrams and went down to deliver them to reception.

Mrs. Henderson promised to send them as soon as possible. She looked at him strangely, with an insistence revealing her growing suspicions.

Back in his room, he took out his diary that he had kept for years. Daily ritual that helped him order his thoughts and endure exile. He wrote:

“London, August 28, 1939. War approaches, and with it the probable end of our dream. Morrison opened my eyes. We are no longer collectors, we are targets. How did we get here?”

Hiōki put down his pen and went to the window. In the courtyard, cats rummaged through garbage with the sovereign indifference of felines. Life continued, unconscious of human dramas. Cats, at least, had no art collection to defend.

His mind drifted to his early years in the service of the Matsukata family. The immediate fascination that his future master’s extraordinary personality had exerted on him.

“Hiōki...” he had said to him during their first meeting, in a sumptuous salon that smelled of incense and precious wood, “look around you. Japan is opening to the world, but only for

technology and industry. Who understands that Monet or Rodin are worth all the commercial treaties in the world?”

The passion was intact in Matsukata. But the world had changed. Art had become an important stake. Works, hostages in power games between nations. The idealism of his youth collided with the brutal reality of international power relations.

A knock at the door interrupted his reflections. He looked at his watch. Ten o'clock at night. Who could possibly... The late hour boded nothing good.

—Monsieur Hiōki? A gentleman wishes to see you downstairs. He says it's urgent.

Hiōki went down warily. In the poorly lit hall, a man in his fifties waited. Well dressed, distinguished bearing, but something in his gaze he didn't like.

—Monsieur Hiōki? I'm Edward Campbell, from Whitehall. May I speak with you for a few minutes?

His blood ran cold. A Foreign Office official, at ten o'clock at night... The coincidence was too perfect to be fortuitous. Morrison had been right.

—Of course. Let's go to the lounge.

Campbell followed him into the small room adjacent to the hall, furnished with threadbare armchairs and a wobbly table. He sat without being invited.

—Monsieur Hiōki, I'm going to be direct. We know you store an important corpus of art at the Pantechnicon storage facility. We also know that your government is currently negotiating a rapprochement with Germany.

Hiōki didn't answer. What could he say? Deny the obvious? His interlocutor manifestly knew all the details and wasn't merely supposing.

—In these circumstances, Campbell continued with the polite tone British diplomats affect, His Majesty's government

questions the advisability of leaving precious objects in possession of nationals of a potentially hostile country.

—Monsieur Campbell, our activity is legal. All purchases were made transparently and...

—I don't doubt it, Campbell cut him off, but legality in peacetime and legality in wartime are two different things.

The distinction made Hiōki shudder. They weren't even bothering to hide their intentions anymore. No more need for pretexts. Law became variable geometry according to circumstances.

—What are you proposing to me?

Campbell smiled.

—We propose that you voluntarily agree to place your collection under governmental protection. Until the international situation clarifies.

—And if I refuse?

—Then we will be constrained to take more... directive measures. For everyone's security.

Hiōki understood he faced a disguised ultimatum. Accept "placement under protection" or undergo confiscation. The hypocrisy gave theft a veneer of legality.

—How much time do I have to decide?

—Let's say... forty-eight hours. Does that seem reasonable to you?

Forty-eight hours... Morrison had spoken of three months. Evidently, events were accelerating faster than anticipated. Or else Morrison had been wrong in his estimates, a hypothesis that was also possible.

—Monsieur Campbell, may I ask what will concretely happen if I accept your proposal?

—Your works will be transferred to a secure government depot. They will remain in good condition there until the end of hostilities. A detailed inventory will be established, and you will receive a receipt. Quite regular.

—And after the war?

—After the war, we will examine each case individually. Depending on the attitude your government will have adopted during the conflict.

In other words, if Japan fought alongside Germany, goodbye to the Matsukata collection. The logic was implacable.

—And if I decided to transfer the works to a neutral country?

Campbell gave a contemptuous little laugh.

—My dear sir, do you believe we would authorize the export of valuable property belonging to Japanese nationals? In the middle of an international crisis?

—But I have the right...

—You had the right, Monsieur Hiōki. Times change. And rights with them.

Campbell stood and carefully smoothed his coat.

—Forty-eight hours, Monsieur Hiōki. After that deadline, we will act according to our legal prerogatives.

He headed for the exit, then turned around with a falsely casual air that fooled no one.

—Ah, I was forgetting. We understood you were considering a trip to Paris in the coming days?

—That's possible...

—I strongly advise against it. International travel risks becoming... complicated. Very complicated.

He left Hiōki alone with his certainties collapsing one by one.

Back in his room, Hiōki collapsed in the armchair. Forty-eight hours... How to warn Aubert? How to organize anything in so

little time? How to work miracles when one is alone facing a government that has decided to crush you?

He took up his notebook again and added:

“10:30 PM—Visit from Campbell (Foreign Office). Disguised ultimatum: 48h to accept ‘voluntary’ confiscation. Paris trip compromised. Trapped on all sides.”

Did he have other options? Could he contact the Japanese embassy? But according to Morrison, the embassy was probably being watched too. And then, what would they do? Protest feebly before yielding to pressure? In the current international context, Japan had no influence over the British Empire.

A private art dealer, perhaps? Someone who could discreetly organize a transfer... But who would take such a risk? And with what money to pay intermediaries? Matsukata’s fortune was blocked between Japanese banks and increasingly monitored European accounts. He suddenly remembered a name mentioned by Morrison: Henri-Pierre Roché. The Parisian dealer who knew all the American collectors. If someone could imagine a solution... Well, if he wanted to and if the risks weren’t too great for him.

Hiōki took a new sheet and began a telegram for Roché, weighing each word:

“Urgent situation Japanese collection London Stop Seeking discreet solution transfer or protection Stop Morrison gave me your name Stop Would you be available for confidential meeting Stop Hiōki, Russell Hotel London.”

It was a risky bet. Roché didn’t know him, had no reason to help him. But it was perhaps his last chance. Unless Roché was already aware and quietly waiting for the works to fall onto the market at rock-bottom prices. He went down to deliver this telegram too to Mrs. Henderson. Three telegrams in one evening, plus the nocturnal visit from a ministry envoy... She must be asking herself serious questions about the nature of his activities.

—Everything all right, Monsieur Hiōki? she asked with the typically British curiosity that hides under polite formulas.

—Yes, thank you. Just some urgent files to settle.

—Of course. Good night.

But her tone clearly said she wasn't fooled.

Back in his room, Hiōki couldn't find sleep. Through the window, he watched sleeping London and wondered if this was the last time he would see the city at peace.

Tomorrow, he would have to make a decision. Accept the disguised confiscation and hope to recover the collection after the war? Or try to organize a clandestine transfer to France? In both cases, he risked losing everything. But at least, by attempting something, he could tell himself he had tried to save Matsukata's objective. It wouldn't make up for much, but it was better than nothing.

He finally fell asleep around three in the morning, wondering if old Japan hadn't been right to mistrust the West. Perhaps his country had been wrong to open to the world. Perhaps isolation was ultimately safer than the so-called Western civilization.

The next day, Hiōki was awakened by insistent knocking at his door. He looked at his watch. Six in the morning. Who could possibly... The early hour boded nothing good.

—Monsieur Hiōki! Monsieur Hiōki! It's urgent!

He recognized Mrs. Henderson's voice.

He opened the door. The receptionist was still in her dressing gown, her hair undone.

—Monsieur Hiōki, you must hear this. It's on the news!

She dragged him to the lounge where a wireless set crackled. The BBC announcer's voice was grave, charged with a solemnity that announced catastrophe:

"...the fire that ravaged the Pantechnicon storage facility in Camden Town. Firefighters fought all night against the flames,

but could not prevent the almost total destruction of the building. According to initial estimates, damages are in the millions of pounds. Several art collections of great value are said to have been destroyed.”

Everything was finished. The London part of the collection had gone up in smoke in one night. What a remarkable coincidence. Campbell had come to see him twelve hours before the fire, and now the Pantechnicon was burning.

Mrs. Henderson brought him a cup of tea that he drank mechanically, without even realizing it. The tea tasted of ashes.

—I’m sorry, Monsieur Hiōki. You told me your belongings were stored there...

He didn’t answer. What could he say? The smoke still rising into the London sky carried with it forty years of passion.

A telegram arrived within the following hour. From Morrison, obviously:

“Everything destroyed Stop My condolences Stop Situation clear Stop Save Paris if possible Stop Good luck.”

Now, only the works stored at Aubert’s remained. If they were still there.

He went back up to his room and packed his bags with mechanical gestures. Paris... He had to go there, despite Campbell’s “advice.” It was his duty to Matsukata. And perhaps his last chance to save something from the disaster.

Closing his suitcase, he thought of Campbell. He had spoken of forty-eight hours to reflect. But since there was nothing left to confiscate in London, the offer fell through. The fire settled the problem more effectively than any negotiations.

Paris remained. And Aubert. And the tenuous hope that in France, things would go differently.

He was wrong.

CHAPTER 2: THE 1944 MACHINATION

Paris, October 1944

The collection had survived all those years, hidden in the cellars of the Rodin Museum, protected by Marcel Aubert. The latter had to employ considerable ingenuity to prevent the Nazis from seizing this treasure. Indeed, his direct superior, Georges Grappe, had openly collaborated with the Vichy regime, which earned him a suspension, then dismissal during the Purge. But in October 1944, things were about to accelerate. The offices at Matignon still retained the smell of the Occupation. In the gilded paneled meeting room, four men were preparing to commit white-collar theft.

Well, not exactly theft. Rather, a spoliation disguised as a patriotic act.

De Gaulle presided in his general officer's uniform. His gaze swept over the files scattered before him. It stopped regularly on the one marked with a red stamp: "Matsukata Collection." The General felt irritation with legal subtleties, he who had always preferred direct action to administrative circumlocutions. Yet he was not unaware that his freshly regained legitimacy required an appearance of irreproachable legality.

To his right, René Pleven, Minister of Finance of the provisional government, nervously consulted his financial estimates. The seasoned economist calculated. In his head, the Japanese works transformed into francs. Many francs. Pleven bore the weight of an exhausted France; each potential source of revenue appeared to him as a lifeline, even if it raised questions he preferred not to probe too deeply.

Opposite, Maître Henry Torrès read his reports. The eminent lawyer sought the loophole. How to make legal what was not? Torrès had built his reputation on his ability to navigate the gray zones of law.

Finally, Jacques Jaujard contemplated photographic catalogs with excitement. The Director of Arts and Letters knew the importance of the works at stake. During the Occupation, he had risked his life to save the national collections. Today, he found himself in the position of the thief.

The Louis XV clock struck five o'clock.

—Gentlemen, began de Gaulle in his stentorian voice, we are not here for a routine matter. This concerns the cultural future of France. Our capacity to reconstitute an artistic heritage bled white by four years of misfortune. But it also concerns national sovereignty. The France that is being reborn must assert its rights. All its rights. Including those given to it by its status as a victorious nation.

Pleven launched in first. He had prepared his intervention with meticulous care, masking his nervousness behind a flood of reassuring figures.

—My General, allow me to summarize the situation.

He opened a binder, seeking in the abstraction of statistics a refuge against his own apprehensions.

—The bombings, the Nazi pillaging, various destructions... Our museums have lost several thousand works. To reconstitute our collections would require two billion francs. That is, twenty full years of the pre-war Culture budget.

—Now, continued Pleven, we come upon a providential windfall with the Japanese Matsukata collection, miraculously preserved from before the war, for the most part in the cellars of the Rodin Museum. My services value it at more than four hundred million francs.

—Four hundred million? exclaimed Jaujard. You must be joking, I hope? Van Gogh's Bedroom at Arles alone is worth several tens of millions!

Jaujard's indignation revealed his distress. He had devoted his life to the preservation of art and found himself in the position of one who discusses its price like vulgar merchandise.

Pleven shrugged.

—If we let these works leave for Japan, we lose a unique opportunity. And we offer an enemy country the opportunity to restore its cultural virginity.

Torrès, who had been taking notes from the beginning, finally raised his head.

—Gentlemen, the qualification of the collection poses a problem. De Gaulle frowned. The General hated being suggested obstacles when he had already made his resolutions.

—Certainly, Japan joined the Axis in September 1940. But the conditions under which France entered into war with this State remain... let's say... subject to interpretation.

The General's gaze hardened. He did not like having his decisions questioned. Especially on points of detail he considered secondary. De Gaulle had a tendency to brush aside technical objections when they contradicted his political visions.

—Maître Torrès, specify your thought. Is our declaration of war in December 1941 not sufficient to qualify Japan as an enemy?

Torrès coughed nervously. He perceived the danger of contradicting the General, but his intellectual honesty obliged him to raise the difficulties.

—My General, the problem comes from several elements that cannot be ignored. First, the declaration of war was never published in the Official Journal of Free France. A matter of form. Second, it emanates from the French National Committee, whose legitimacy was... contested at the time. Including by some of our allies.

Only the ticking of the clock could be heard. Pleven exchanged a worried glance with Jaujard.

—There is something more vexing, continued Torrès. Vichy never declared war on Japan. On the contrary, it maintained normal relations with Tokyo until August 1944.

He raised his head, conscious of walking on mined terrain.

—Now, we are the heirs of the French State in its continuity. Including numerous acts of the Vichy regime that cannot be erased with a stroke of the pen.

De Gaulle straightened, his face closed. The General experienced explosive rage each time someone evoked any continuity with Vichy, he who had built his legitimacy on absolute rupture with the National Revolution.

—Maître Torrès! You wouldn't want Gaullist France to recognize the slightest legitimacy to Pétain's acts, would you?

His voice had risen a tone, revealing the exasperation gaining on him.

—An untenable position!

—My General, it's not about legitimizing Vichy...

—Then what is it about?

Torrès began coughing again, aware of digging himself in even deeper.

—About recognizing that numerous acts of the French State under the Occupation still produce their effects. Moreover, that's the reason for maintaining numerous treaties concluded during the period.

Jaujard, an expert on artistic matters, spoke to ease the atmosphere. The director sensed that the General's mood was turning stormy and preferred to bring the discussion back to more familiar ground.

—My General, the question... let's say legal, though important, should not make us lose sight of the exceptional stake.

He opened an album of photographs, finding in the contemplation of the works a comfort against the moral dilemmas assailing him.

—I have examined in detail the content of the collection. A treasure of foremost world importance: Van Gogh's Bedroom at Arles, which the Americans have envied us for years. Three Cézannes from the mature period. A Sainte-Victoire Mountain of striking beauty. Unique Rodins in the world. Several plaster models of The Gates of Hell that the master had never wanted to sell...

—How many works in total? interrupted Pleven.

—Approximately three hundred and fifty pieces of prime importance. Plus a series of Japanese prints. The collection alone could sublimate our national museums.

—Precisely! exclaimed de Gaulle, striking the table. That's exactly why we cannot let such an opportunity escape. Maître, I share your concerns. But we must not let our qualms paralyze the State. Do you have a solution?

Torrès knew how this would end. The General had decided, as always.

—I have prepared three options. Each has its advantages and disadvantages. The first is simple. Adoption of a general ordinance on enemy property. Japan enters the lot, automatically. All their property on our territory comes under sequestration at once.

—The advantages?

—Speed. No parliamentary debate, no public discussion. We apply it, period. Legally unassailable under domestic law.

—And the disadvantages?

—Too broad. We risk protests from neutral countries, embarrassing diplomatic claims. The United States might be moved by such brutality.

De Gaulle brushed aside the objection with a gesture.

—Do the Americans make so many niceties with German property? Did Roosevelt himself not freeze all Japanese assets in 1941?

—Certainly, conceded Torrès, however a general ordinance would draw attention to our practices. The second option is more discreet. A targeted ordinance, solely on the Matsukata collection. We invoke the French State's claim against Japan for acts of war.

—That is to say?

—Indochina. Officially, Japan seized our Asian colonies. We evaluate the damages at... let's say... several billion. The collection becomes a natural compensation.

Jaujard frowned.

—The problem is that Vichy authorized the Japanese occupation of Indochina through the Darlan-Katō agreements of 1941. Legally, Japan stole nothing. It received our authorization.

—Which is why I advise against this path, responded Torrès. There remains the third option, the most subtle. We don't touch the formal ownership. We simply freeze the collection for "protection in wartime." Then, we organize a long negotiation process within the framework of the future peace treaty. So long that, weary of the struggle, they will end up abandoning their rights in exchange for some symbolic concessions.

—How long? asked Pleven.

—Five years? Ten? Who can say? The essential thing is that during this time, the works remain in France. In our museums. Under our control.

The General reflected, his fingers drumming on the table.

—I like the idea. A spoliation disguised as protection. Very French, that. Maître Torrès, draft me an ordinance combining

options one and three. Immediate sequestration, then interminable negotiations.

—My General, I must warn you...

—Warn me of what?

—That this ordinance, if it passes today, will pose problems tomorrow. The day Japan demands an accounting, we will have great difficulty justifying our attitude. Especially if, as I fear, our declaration of war proves legally fragile.

De Gaulle stood, imposing his tall stature.

—Maître Torrès, you worry about tomorrow. I must rebuild France today. This collection represents several years of cultural budget. It can restore to Paris its status as the world capital of the arts. Do you sincerely think that I will let such an opportunity escape through legal scruple?

The tone left no room for reply. Torrès lowered his eyes to his files.

—Very well, My General. I'll draft the ordinance.

The General turned toward Pleven.

—Pleven, I'm counting on you to prepare our negotiating positions with the allies. We must succeed in having it admitted that the treaty gives us the right to keep these works as war reparations.

Pleven sensed obstacles coming from afar.

—Do you believe our allies will accept that?

—Our allies have colossal interests in Japan. The Americans will recover astronomical sums in reparations. They surely cannot refuse us the right to be compensated for our losses in Indochina! Torrès scribbled furiously, trying to follow the chain of the General's ideas while mentally structuring the necessary legal architecture.

—My General, for our strategy to hold up, we will need to document in detail all the prejudices suffered by France due to the Japanese-German alliance. Our losses in Indochina, of course, but also all the damages caused by the Pacific war to our economic interests in the region.

—Excellent remark! approved de Gaulle. I charge the Quai d’Orsay with establishing a file. The thicker it is, the more unassailable our position will be.

Jaujard had listened to the entire exchange, increasingly uncomfortable.

—My General... forgive me, but... aren’t we going to tarnish France’s image somewhat? This risks appearing as a disguised spoliation, doesn’t it? Our country... well, we do have a certain reputation for respecting private property...

De Gaulle’s gaze transformed into an Arctic ice sheet. The atmosphere of the room dropped ten degrees at once. The General harbored a controlled anger in the face of any challenge to his decisions, especially when it emanated from his close collaborators.

—Jaujard! Must I refresh your memory?

He leapt up and began pacing the room like a caged beast. A bad sign. When the General started turning in circles, it meant he was building up pressure, his frustration seeking an outlet.

—We have lost tens of thousands of works, do you hear me? Pillaged, destroyed, “bought” by the Nazis for a song! The Germans emptied our museums, the Americans steal all our artistic markets, and you would want us to let such an opportunity pass?

He pivoted on his heels, eye dark.

—No! France has legitimate rights. It will exercise them.

—But really, my General... The Matsukata fund existed well before the war. Its owner was even a friend of France, it seems to me...

—Precisely! exploded de Gaulle. And where is, today, his famous Museum of Western Art that he was to create in Japan?

His gestures became increasingly theatrical, as if addressing an invisible audience, revealing his temperament as an orator accustomed to grand effects.

—Militarist Japan transformed a country of aesthetes into a war machine! Monsieur Matsukata's good intentions were swept away by the evolution of his country. We are merely preserving these works from militarist barbarity!

Torrès sensed the electrical storm mounting in the room. He tried to bring everyone back to earth before it degenerated, using his experience as a lawyer accustomed to defusing tensions.

—My General, if we proceed as planned, our services will need to mount a solid argument. I suggest constituting a team of experts to evaluate what is in the collection.

—Very good idea! approved Pleven, relieved to be able to divert attention toward technical considerations. We will also need to prepare French and international public opinion. The operation must not resemble an opportunistic confiscation.

—How do you intend to proceed? asked Jaujard, still shocked by the General's explosion.

Pleven had calculated everything in his head.

—By hammering home several key points. First, Japanese war crimes in Asia. Now well documented, impossible to deny. Then, their alliance with Nazi Germany. And then all the damage they caused us in Indochina. Opinion must know that the collection represents just compensation for our enormous prejudices.

—And on the cultural level? insisted Jaujard, who was not disarming.

—On the cultural level, we will explain that these Western works will be better preserved in their countries of origin than in Japan. Where they would risk being neglected in a country ruined by war and preoccupied with its reconstruction.

De Gaulle nodded.

—Gentlemen, I see that you grasp the situation in all its complexity. Our meeting remains strictly confidential. No written trace of our discussions. Is that clearly understood?

He then distributed the roles.

—Maître Torrès, I want the draft ordinance within forty-eight hours maximum. Not a minute more. Pleven, prepare me a detailed memorandum on the financial implications with a precise evaluation of expected benefits. Jaujard, discreetly identify the most interesting works and establish a distribution plan among our great national museums.

—My General, what date do you envisage for the signature? asked Torrès, already mentally drawing up his schedule.

—As quickly as possible. Each passing day increases the risk that the Japanese will attempt to repatriate these works to a neutral country. Or that they find other means to make them escape us.

He sat down again, looking determined, masking behind his displayed resolution the fear that international reactions inspired in him.

—Once the ordinance is signed and published in the Official Journal, they will no longer have any effective recourse.

—And if the Matsukata heirs contest anyway before our courts? insisted Torrès, who was thinking of possible complications.

De Gaulle then displayed his bad-day expression, revealing the coldness hiding behind his patriotic flights.

—Maître Torrès, rather ask yourself the real question: who will agree to defend them? Which French lawyer will have the courage to plead against the superior interests of France in favor

of former Nazi allies? Tell me... And even if they find someone reckless enough, on what basis will they contest? Our ordinance will have the force of law.

Pleven approved with an emphatic nod, the economist in him savoring the elegance of an operation that yielded much without costing anything.

—Their position will be very fragile. And defeated Japan will have no means of pressure on us. On the contrary, it's Japan that will need our good graces for its rehabilitation.

—There's even better, added Torrès. If there is a challenge, it can only come from lawyers who question the legality of our action. We can argue that contesting constitutes an act contrary to the national interest.

The remark hit home. Even Jaujard, though reluctant at first, was beginning to be convinced by the solidity of the apparatus.

The meeting dragged on. All practical aspects were scrutinized. How to place under sequestration, detailed inventory with secure transfer to museum reserves, well-calibrated communication. The kind of details that make the difference between a project that works and a fiasco.

Torrès even presented a tight schedule. Signature of the ordinance in the first week of October, sequestration immediately after, complete inventory before the end of November, transfer to museums before Christmas.

—And the costs? asked Pleven.

—The transportation and insurance costs will be deducted from the estimated price of the collection, responded Torrès. Basically, the works will finance their own confiscation.

—Perfect, commented de Gaulle. A zero-cost operation that yields several hundred million francs worth of artworks.

When Torrès raised the question of the inventory, Jaujard tried his luck. He told himself he might be able to limit the damage, preserve a semblance of ethics in the operation.

—To avoid any subsequent challenge, I propose conducting an inventory by a joint commission. With French and foreign experts. This would give more credibility to the operation.

—Absolutely not! sharply retorted de Gaulle, expressing his mistrust of any external control. We will not give any foreigner the right to control our actions on our territory. The inventory will be exclusively French, conducted by our experts.

—But this risks posing problems of international credibility, timidly objected Jaujard. Other countries will ask questions...

—France's international credibility is not measured by what a few foreign experts think, retorted de Gaulle, revealing his praetorian conception of international relations. It is measured by our capacity to defend our interests.

When the four men parted that evening, the October darkness was falling over Paris. They had just laid the foundations of what would become one of the most scandalous artistic spoliations of the modern era. Each went home with his share of responsibility and his own justification mechanisms.

A spoliation all the more vicious because it would dress itself in the trappings of republican legality. Like a burglar in a suit and silk tie.

In the corridors of Matignon, secretaries and ushers went about their usual business. They knew nothing of the decision that had just been made. Ignorance preserves the conscience.

Outside, in the streets of Paris, life was gradually resuming its normal course. The cafés reopened their doors, the theaters too. People were finally breathing. No one could imagine that an unsavory page had just been written in the hushed offices of the Republic.

On October 5, 1944, as planned, the ordinance was signed by de Gaulle himself. The text left no room for interpretation. All property belonging to Japanese nationals present on French territory was placed under conservatory sequestration “in the superior interest of the Nation.”

The dice were cast. The Matsukata fund had just entered the nets of an implacable mechanism that would never release it again.

In the archives of the Quai d’Orsay, a copy of the ordinance was filed in a folder marked “Japanese Affairs.” Other copies went to the concerned ministries. Each administration received its specific instructions, written in the coded language that bureaucrats adore. Because everyone must understand without anything being said clearly.

In parallel, the intelligence services began monitoring all Japanese nationals still present in France. Their slightest movements, their contacts, their attempts to communicate with abroad were recorded in files. The objective? To prevent any action that could slow the programmed seizure.

On the morning of October 8, three days after the signature, specialized teams from the Ministry of Finance presented themselves at the main storage location. The operation, baptized internally “Autumn Harvest,” had been planned with military precision.

At the Rodin Museum, in the absence that day of chief curator Georges Grappe who was subject to a removal measure for acts of collaboration with the occupier, Marcel Aubert was summoned to his office at seven in the morning by two officials accompanied by a bailiff.

Brutal awakening.

Throughout his career, he had worked for Franco-Japanese friendship, convinced that art could transcend national antagonisms. Seeing his efforts annihilated by this maneuver plunged him into a despondency he struggled to conceal.

—Mister Deputy Curator, the mission chief declared to him, we have come to conduct the inventory and sequestration of Japanese property stored in your establishment.

He held out a document with assurance, masking behind his impassivity a real embarrassment in the face of Aubert's evident distress.

—Here is the ordinance that authorizes us. Everything is there, in black and white.

A life devoted to art and Franco-Japanese friendship collapsed in a few lines. Aubert remembered the evenings spent with Matsukata talking about painting. The nostalgia for the era when art seemed able to unite men beyond their national differences painfully invaded him.

—Gentlemen, he attempted in a voice meant to be firm, these works were entrusted to me by a personal friend. A great lover of French art. Monsieur Matsukata never had the slightest hostile activity toward our country. We spent years building something together...

—Monsieur Aubert, the official interrupted, we are not here to discuss the government's general line, but to apply it.

He closed his briefcase with a sharp snap, a mechanical gesture that allowed him to avoid Aubert's gaze.

—These properties belong to a national of an enemy country. They therefore fall under the ordinance of October 5, 1944.

The second official, younger and clearly immunized against artistic arguments, added in a curt tone.

—Mister Deputy Curator, the origin of the works or the good intentions of their owner matters little. What counts is their current owner. And this owner is Japanese. Do you grasp the nuance? The debate is closed.

The inventory began immediately. For hours, the experts unrolled their lists, photographed each work, affixed seals on all the crates. A meticulous and merciless parade.

Aubert, forced to attend the operation, saw his patient work go up in smoke. Each seal affixed was like a nail driven into the coffin of his dreams. He thought of all the exhibition projects they had imagined with Matsukata, of the cultural university they hoped to build together.

Toward noon, he attempted a final desperate step, moved by a surge of dignity.

—Gentlemen, I must notify Monsieur Hiōki, the Matsukata family's representative in Paris. He has the right to know the fate reserved for the property under his care.

—Monsieur Hiōki was informed this very morning by our services, the mission chief responded laconically, feeling a hint of compassion in the face of his interlocutor's naivety. He can no longer have access to these works.

Indeed, in his small Parisian apartment on rue de Babylone, Kōsaborō Hiōki had received a visit from two French policemen from eight o'clock. He was drinking his tea, as every day, a ritual that reminded him of his native country and gave him the strength to face exile.

Hiōki carried within him all the dignity of the old Japanese generation, educated in respect for forms and self-control. But faced with the collapse of his life's work, he felt his self-control cracking.

He was henceforth forbidden to approach the storage locations. Any attempt to contact Japanese personalities or foreign diplomats would be considered a suspicious act.

Suspicious. The word resonated strangely. He, suspicious? After so many years serving as a bridge between the two cultures?

He understood that his mission was coming to an end. In French acquired over numerous stays in Europe, which he mastered

better than some Parisians, he tried to plead a cause he knew was already lost.

—Monsieur Matsukata is...

—Monsieur Hiōki, interrupted the elder of the two policemen, we are only applying our superiors' orders. We are not here to judge the merits of the decisions that have been made. Sorry. Your personal situation will be examined later by the competent services.

The sibylline phrase chilled his blood. He understood that he was considered an undesirable foreigner. Potentially dangerous, even. The humiliation was all the more stinging because it contrasted with the respect he had enjoyed in Parisian artistic circles.

That same afternoon, the works began to be transferred to the reserves of the Louvre and various museums. Military trucks, escorted by gendarmes, discreetly crisscrossed Paris with their precious cargo.

The operation was given no publicity. Better to avoid embarrassing questions. Journalists had other things to do anyway; the liberation of Paris still captivated all minds.

At the Louvre, Jacques Jaujard personally supervised the arrival of the first crates. He could not help but feel a strange, contradictory feeling.

On one side, the curator's excitement before rare masterpieces that would enrich the national museums. Monets, Rodins! On the other, a dull embarrassment before the methods employed to recover these treasures. Jaujard kept telling himself that the end justified the means, but he could not silence his conscience.

He had saved so many works from the Nazis during the Occupation. Entire nights hiding canvases in cellars, châteaux, to snatch them from Göring's clutches. He remembered the trucks leaving in the middle of the night, the silent complicities. And now? He was participating in a form of organized pillaging.

Times change, he told himself with a disappointment he strove to repress.

—Mister Director...

His deputy carefully opened a crate containing a Monet canvas. He knew what he was handling, but also the ambiguity of the situation.

—...how should we catalog these works?

The question was crucial. It engaged the future of the entire operation and revealed the practical concerns occupying the administration's mind.

—Catalog them as “property under conservatory sequestration, ordinance of October 5, 1944.” No mention of definitive ownership for now. We'll see later, depending on how things evolve.

—And for public exhibition?

The deputy looked impatient, torn between feverishness and anxiety. Normal, with such Monets...

—No exhibition. The works remain in reserve until further notice.

Jaujard sighed. He remembered the time when he could exhibit what he wanted without asking a thousand questions. Blessed era of lost innocence.

—We must give no hold to possible challenges. Absolute discretion.

Meanwhile, at the Quai d'Orsay, officials were preparing the arguments that would serve during future peace negotiations with Japan. A file being constituted scrupulously listed all the prejudices suffered by France due to the Japanese-German alliance.

Economic losses in Indochina were evaluated at 12 billion francs, damages to French interests in the Pacific at 5 billion, and the cost of the military reconquest of Indochina at 3 billion. As for

moral and cultural prejudices, their assessment was incalculable. The total reparations amounted to a minimum of more than 20 billion, much more than the estimated value of the collection.

Matsukata's works would pay for Pearl Harbor and the alliance with Hitler. Even if their owner had nothing to do with it. Even if he collected out of love of art, not by calculation.

The administration's accounting logic did not burden itself with psychological nuances.

And besides, who would verify the accounts?

On the evening of October 8, 1944, de Gaulle received a detailed report on the operation's progress. Everything had gone without notable incident. Everything was secure in French museums, the former Japanese guardian was under surveillance, and no protest had yet reached the Quai d'Orsay.

The General skimmed the document. He had other things on his mind. The Americans, the communists...

—Perfect. We must prepare the next phase. Convert this temporary sequestration into definitive acquisition. As legally as possible, of course.

In his small Parisian apartment, Kōsaborō Hiōki learned by telephone the news of the complete seizure. An anonymous voice, polite but firm, explained to him that Monsieur Matsukata's property was now "protected by the French State."

Hiōki felt a restrained anger. Educated in respect for authority, he could not conceive of open resistance.

That same evening he drafted a telegram for Tokyo:

"Collection entirely seized by French authorities Stop Governmental ordinance of October 5 1944 Stop Desperate situation Stop Request urgent instructions Stop Hiōki."

He reread it three times. Then four. Each word scraped his throat. Each "stop," used in place of periods or traditional punctuation, sounded like a death knell for his life's work.

The response would never come.

Japan? Crushed, ruined. Impossible to defend private interests abroad when the entire country struggled to feed its population. The Matsukata collection had disappeared into the labyrinth of French administration.

Like so many other things in this crumbling world.

What neither Hiōki nor even the French protagonists guessed was that they had just created an explosive precedent. For the first time, a democratic State used its own laws to seize a private collection under the pretext of war.

The Matsukata affair had just been born. It had the future ahead of it.

Three months later, in January 1945. The cold was biting. Jaujard descended into the reserves of the Louvre, seeking in the contemplation of works a comfort against his interrogations.

In the carefully ventilated vaulted cellars, Matsukata's masterpieces were now piled up. Arranged, labeled, cataloged. As if they had always been there. But Jaujard knew well that nothing would ever be as before.

Jaujard stopped before *The Bedroom at Arles*. Van Gogh. The canvas breathed under the artificial lighting, almost alive in its golden frame. It would end up one day, much later, at the Musée d'Orsay. Millions of visitors would admire it. How many would know its dubious origin?

In a few weeks, letters of indignation would pour in. Japanese art specialists. Collectors. Some French as well. All would cry disguised theft.

"The era will judge," he told himself with a fatalism that only half convinced him.

At Matignon, de Gaulle was signing other ordinances, his mind turned toward new challenges.

The pen scratched the paper. Reconstruction of the country obliged. All means were good, even the most questionable. He had long since learned that a nation's greatness was not measured by its scruples, but by its capacity for action.

Scruples? For peacetime. They weren't there yet, far from it.

Torrès, for his part, was preparing other files. Other "regularizations" of enemy property.

At the end of 1944, France had other priorities than qualms.

In Tokyo, in the smoking ruins of the capital, no one thought anymore about the Matsukata collection.

The country had more urgent concerns than mourning a few paintings lost in Paris. First survive. Eat. Rebuild.

Thus three hundred and fifty masterpieces changed owner. Without noise, without violence. Just with the tranquil force of republican law.

CHAPTER 3: THE NET TIGHTENS

Paris, November 1944

The euphoria of the Liberation. The dull anguish of everything that needed rebuilding. Paris tended its wounds as best it could. The gutted buildings still hurt the eyes. Boards barricaded the broken shop windows. In front of the groceries, the queues stretched.

On rue de Rivoli, in the offices of the Domaines directorate, there was effervescence. The same premises that, a few months earlier, had seen Vichy collaborators parade through, conscientiously organizing the pillaging of Jewish property. New Republic, new masters.

Bernard Dorival examined the first crates that had just arrived in the reserves of the Musée national d'Art moderne, where he worked as deputy curator, under the authority of Jean Cassou. He embodied those intellectuals who had traversed the war without losing their love of art, while adopting a patriotic vision of culture.

Behind his veneer of erudition hid a harshness that the war had revealed. He had learned to justify the unjustifiable when circumstances required it, while preserving his conscience through a discourse on art's superior interest.

Facing him, Pierre Jacomet supervised the operation. The Director of Domaines had all the codes. A graduate of the École Normale Supérieure, he knew the workings of his administration by heart.

—Monsieur Dorival...

Jacomet gestured toward the aligned crates. The vast inventory room with its metal shelving gave it the air of a storage cathedral. He walked among the crates, eye greedy, savoring the recognition his efficient management of the operation would earn him.

—Our experts have seen others, believe me. Well, here, they speak of “literally prodigious” quality.

—You know, during all these war years, we watched our national collections dangerously impoverish. The bombings did the rest. Result: faced with the great American or British establishments, we cut a pale figure.

Dorival did not hide his excitement. Internally, a voice murmured that the circumstances of the acquisition mattered little in the face of the beauty of the works.

—Mister Director...

He stopped, searched for his words.

—This acquisition is providential given our gaping gaps in modern art...

He approached a crate, placed his hand on it with an almost religious reverence, as if seeking to absolve himself through communion with art.

—Just imagine. Finally, our museums will be able to rival the greatest world institutions!

—You speak of acquisition, prudently interrupted Jacomet. Let’s recall that officially it’s a conservatory sequestration. These works do not yet belong to the French State. Let’s remain cautious in our vocabulary.

Dorival had a knowing smile.

—Certainly, you’re right about the form. But between us...

He lowered his voice, complicit. A shiver of guilty pleasure ran through him when he evoked the irregularity of their enterprise.

—Do you think de Gaulle will let such an opportunity pass? These works will enrich our national collections, I’d stake my hand on it. It’s just a matter of time.

Jacomet approved with a small emphatic nod. He approached one of the most imposing crates. With a surgeon’s gestures, he

broke the seals. Extreme precautions. Several layers of protective fabric.

—Let's see...

He undid the wrapping with infinite delicacy.

When the work appeared, they stood speechless. Van Gogh's *The Bedroom at Arles*. The canvas radiated with its color intensity so particular to the Dutch master. The unfathomable blues of the bed and walls that married magnificently with the yellows of the chairs and floor.

Dorival's voice was choked.

—It's even more... more striking than anything I could have imagined studying reproductions. Look at those impastos on the pillows! That intensity that grabs you by the guts! And the composition... of apparent simplicity, but of unprecedented sophistication. A Van Gogh of this level in French collections! Do you realize what this represents for our international prestige?

—And this piece alone, what would it be worth on the market?

Dorival threw his arms in the air.

—Such a work is not sold on the ordinary market, it's transmitted. It's universal heritage. If it ever went to auction—which would be sacrilege—it would exceed anything we can imagine.

—That's exactly the discourse we'll need to hold publicly. These works are not vulgar war booty. It's a cultural heritage that France has the moral duty to preserve and make known to the entire world.

The inventory continued. Discovery after discovery. The treasures patiently accumulated by Matsukata during years of passionate accumulation were revealed.

—Look!

Dorival contemplated a canvas that had just been unpacked.

—Cézanne's Montagne Sainte-Victoire. This geometric layout, the analysis of Provençal light... And this Gauguin, *Women of Tahiti*, with these ochres and vermilions that sing like an exotic melody...

After closing the last crate of the series, Jacomet resumed a more confidential tone.

—Dorival, I must inform you that in high places, there's some concern about the manner in which we... let's say proceeded.

—What kind of concerns?

Jacomet instinctively lowered his voice, as if he feared indiscreet ears. He had a taste for secrecy and intrigue, finding in it compensation for the monotony of his functions.

—Well, at the Quai d'Orsay, they fear reactions that our... appropriation might provoke. Voices are rising to reproach us for a form of disguised spoliation, contrary to French traditions.

—What voices?

Dorival's tone hardened. He began pacing the room, betraying a nervousness he strove to conceal under anger.

—Career diplomats, some nitpicky legists, intellectuals who are in contact with the artistic milieu... Nothing very organized for now, but it could gain momentum.

Dorival straightened up.

—Wait, wait! We're talking about a country that led an aggressive expansionist policy throughout the Pacific, that destroyed entire sections of Western civilization in the region. And now, they would reproach us for compensating ourselves with their property?

He became heated, drawing from indignation an energy that freed him from his doubts.

—But really, it's just compensation!

—I completely agree with you on the substance, temporized Jacomet. But you know as well as I do that opinion, particularly

Anglo-Saxon, can be sensitive to sentimental arguments that obscure realities.

—What sentimental arguments?

Exasperation pierced Dorival's voice.

Jacomet pulled from his leather briefcase an imposing sheaf of documents. He liked these moments when he held information, when he could gauge his influence on events.

—Our services have received in recent weeks several letters from the Matsukata family, transmitted by the Red Cross. And letters from Japanese personalities from the art world who plead with... let's say eloquence for restitution.

He unfolded a handwritten letter in French.

—They emphasize the fact that Kōjirō Matsukata was a great art lover, a disinterested patron, that he had constituted his collection for an exclusively cultural and philanthropic purpose.

Dorival cut him off sharply.

—So what? How do these good intentions change anything?

—And so, patiently continued Jacomet, these humanitarian and cultural arguments could find a favorable echo. Our artists, our art critics, our writers are receptive to such sirens. They could see in our action an attack on the sacred rights of artistic property.

—Do you have concrete examples?

—Not yet publicly, but worrying conversations in several Parisian salons have been reported. Personalities like René Gimpel or Jean Cocteau allegedly expressed reservations.

The information made Dorival start. Gimpel and Cocteau... Not just anyone. He felt his certainties waver.

—In that case, we must take the initiative. Control communication around the affair.

Their conversation was interrupted by the discreet arrival of François Mathey. The diplomat from the Ministry of Foreign

Affairs pushed open the door with precaution. He looked somewhat nervous, betraying the tensions agitating the corridors of power.

—Gentlemen...

He waited to be invited to continue.

—I come to inform you of the latest advances concerning peace negotiations with Japan that have direct implications in the Matsukata affair.

—What news?

Jacomet indicated an armchair with a weary gesture. The day had been long and responsibilities weighed on his shoulders.

Mathey settled in and pulled out several sealed envelopes.

—The Americans are already preparing the capitulation. They wish to organize within a relatively brief delay a general peace conference that would settle defeated Japan's fate. The conference should take place in the coming years, probably in San Francisco or Washington. It will necessarily address the crucial question of war reparations.

Dorival leaned forward, eye shining.

—And what is the official French position on these reparations?

—That's precisely the main object of my visit.

Mathey took on a mysterious tone.

—The Minister of Foreign Affairs wishes us to quickly elaborate our complete list of claims. The Matsukata collection fits into this global framework.

—How do you envisage justifying its integration?

—We will present the collection as a reparation in kind for the considerable damages suffered by France and its nationals due to Japanese aggression and actions carried out by their allies against our interests. The Quai d'Orsay specialists are in the process of calculating these damages. They arrive at colossal amounts.

—Can you give us an order of magnitude?

—The first estimates, still provisional, essentially concern the destruction suffered by our nationals established in the Pacific, our sunken ships, our destroyed commercial establishments...

Mathey did a quick mental calculation.

—The collection represents very modest compensation compared to the real prejudices suffered.

Dorival literally jubilated, finding in it confirmation of his own rationalizations.

—You see! It's not an arbitrary spoliation or an illegitimate appropriation, but equitable reparation. The works return to us by full right as war damages!

Mathey tempered the enthusiasm with the reserve of the experienced diplomat. He had seen too many reversals of situation to get carried away, and his mistrust had often preserved him from disappointments.

—Be careful though, nothing is yet acquired. We'll have to negotiate firmly with our allies, especially the Americans, who might have their own views on the distribution of Japanese property available for reparations.

—What do you mean?

A hint of apprehension pierced Jacomet's voice.

—I mean that the Americans tend to consider the entire Pacific as their exclusive zone of influence. They could therefore contest our right to substantial reparations in the region, estimating that our interests there were secondary compared to theirs.

—And our options for countering the objection?

—We have prepared very solid argumentation.

Mathey regained confidence.

—First, it's appropriate to emphasize our ancient rights and our economic investments in various parts of the Pacific. Then, we

must insist on our human and material sacrifices in the war. Our fallen soldiers, our massacred or deported civilians, our destroyed installations, our annihilated commerce.

—And on the cultural level?

Dorival could not help but intervene. His field of predilection offered him terrain where he could shine and justify his position.

—On the cultural level, it's about presenting the collection as an eminent element of artistic heritage, which France, thanks to its long tradition and its world-renowned museums, is particularly qualified to preserve, study, and valorize.

Jacomet looked satisfied.

—The argumentation seems well constructed to me.

Mathey leaned forward, conspiratorial, savoring the effect of his revelations.

—There's even better. We must assert that the collection, essentially constituted of works by French or European artists, returns in some way to its native land. Van Gogh, Gauguin, Cézanne, Rodin... All these artists were born, lived, and created in Europe. Their works are better in their place in European museums, and especially French ones, than in Japan.

The remark electrified Dorival, who found in it the definitive absolution he sought.

—That's a decisive argument! The works are coming home, in a way. We're only repairing an anomaly.

The discussion continued. Mathey presented the latest information concerning Japan's internal situation.

—The country is totally ruined, its government no longer has any room to maneuver.

—And Japanese public opinion?

—Japanese public opinion is above all preoccupied with its daily survival. Famine threatens, cities are destroyed, the economy is

annihilated. A corpus of European art does not figure among its immediate priorities.

—And Japanese intellectuals? Artistic circles?

Dorival insisted, seeking to clear away any obstacle to their enterprise.

—They are either dead in the bombings or completely disorganized. Pre-war Japan was swept away by the conflict. It will take years for it to reconstitute itself.

Toward seven in the evening, as the November night fell over Paris, the three men finally concluded their long concertation. They had laid the foundations of a global strategy that would transform the conservatory sequestration into lasting appropriation, a strategy all the more formidable because it relied on apparently irrefutable arguments.

—Gentlemen...

Jacomet stood, looking satisfied, experiencing the pleasure of work well done.

—...I believe we have all the necessary elements. Mathey, I'm counting on you to closely coordinate our actions with those of the Quai d'Orsay. Dorival, continue the inventory and prepare the integration of these works into our national collections.

In the weeks that followed, the French press began to evoke the "Japanese collection" that was enriching the reserves of our national museums. Public opinion was prepared for the idea that these works now belonged to French cultural heritage.

Carefully written articles appeared in specialized journals. They explained that France was destined to welcome and valorize these masterpieces. Self-styled journalists proclaimed that these works would be better preserved and better studied in French museums than in Japan.

In Tokyo, in a largely ruined city, Kōjirō Matsukata, gravely ill, followed with growing anguish the evolution of the French situation.

In his house in Kamakura, miraculously spared by American bombings, the patriarch contemplated the few works he had kept in Japan. These canvases and sculptures, witnesses to his lifelong artistic passion, cruelly reminded him of the extent of the loss he was undergoing.

—Forty years of collecting...

He murmured to his daughter Hana, who watched over him devotedly. His voice trembled slightly.

—...forty years of travels in Europe, meetings with artists, negotiations with dealers... All that to see my works confiscated by a State that claims to be civilized...

Hana, who had shared her father's artistic passion, tried to console him. But she only half believed it. Deep down, she already knew.

—Father, perhaps it's temporary. When peace returns, when relations are normalized, France will recognize its wrongs and return your collection...

The old man sadly shook his head. He had always been lucid. Too lucid.

—No, my daughter. I know well how States function. When they hold something precious, they don't let it go. My works are lost forever to our family.

His works, acquired with so much love, had become the pawns of a pitiless game that would make them disappear from his family heritage.

More serious still, the affair was creating a major precedent in international art law.

The precedent would set a pattern and inspire many other spoliations. Each time dressed in the same respectable

arguments: justice, superior cultural interest, return to artistic sources.

At the Quai d'Orsay, a special cell, directed by a seasoned diplomat, had been created to manage this sensitive file. Its objective was clear. Change the *de facto* appropriation into official victory.

—The art of diplomacy..., explained the cell chief to his collaborators ...consists of dressing our national interests in the appearances of international law. We don't take, we recover. We don't confiscate, we repair. We don't despoil, we return Western art to its native land.

Nice formula. He was proud of it, savoring his semantic pirouette that transformed theft into an act of justice.

Such rhetoric was soon taken up by all the French actors concerned. In communications, in authorized press articles, the same vocabulary constantly returned: "restitution," "reparation," "legitimate return," "justice."

Most notable was the ease with which the terminology imposed itself in all concerned circles. Museum curators spoke of "repatriation" of works. Jurists evoked a "regularization" of the situation. Diplomats mentioned a "normalization" of cultural relations.

No one pronounced the word "confiscation" anymore, it had become taboo.

The semantic mutation owed nothing to chance. It resulted from a communication plan thought out in the smallest details. Precise instructions had been transmitted. Proscribe all vocabulary that could evoke a forced appropriation, privilege neutral terms, insist on the cultural and educational dimension of the operation.

In a few months, the Matsukata affair had become in French opinion a success story. France had known how to defend its interests while enriching its artistic heritage. Possible criticisms were drowned in a concert of congratulations.

Only a few disgruntled spirits, in Parisian intellectual circles, continued to express doubts. But their voices were easily stifled by the official discourse, especially since most French people knew nothing of the affair's details.

René Gimpel himself, though initially reluctant, had ended up rallying to the governmental position. Social pressure and his own worldly ambition had overcome his hesitations: "These works find in France their true spiritual homeland. Art has no nationality, but it has a chosen homeland."

His declaration during a public conference caused a sensation. The last resistances fell one by one.

Jean Cocteau, seduced by the idea of seeing Van Gogh masterpieces exhibited at the Louvre, withdrew his initial objections. Art critics, enticed by the prospect of studying up close previously inaccessible works, transformed into enthusiastic supporters.

The lure of Van Gogh. Irresistible, even for the most delicate consciences.

At the end of December 1944, the operation was completed on the domestic level. All the works were inventoried, stored, administratively integrated into the national collections. No French voice rose any longer to contest the appropriation.

There remained consolidating the victory on the international level. That was the most difficult challenge, because the allies had to be convinced of the soundness of the French position.

The first unofficial contacts with Washington were encouraging. The Americans, occupied with preparing the end of hostilities and the reconstruction of Asia, had little time to devote to the question. They saw no major objection to France recovering works by French artists acquired by a Japanese collector.

The presentation of facts, however tendentious, had the advantage of limpidity. Van Gogh was European, Gauguin and

Rodin were French... It was logical that their works be preserved in Europe rather than Japan.

The British, traditionally concerned with questions of private property, showed themselves more reserved.

But their objections bore more on form than substance. They wished that the French procedure scrupulously respect appearances.

“No problem..., responded French diplomats with assurance. We will act within the strict framework of the law of war reparations. Everything will be regular.”

The assurance sufficed to reassure London, especially since the British had themselves proceeded with similar operations with German property present on their territory.

At the beginning of 1945, the French position was therefore consolidated on all fronts. Internally, unanimity was acquired and the allies opposed no prohibitive objection. Only Japan could have protested, but Japan no longer existed as an independent actor.

Was the Matsukata affair therefore finished? Far from it. It was only entering its longest phase. That of a posteriori justifications and accommodations with reality.

Because one day or another, the world would have to be explained how and why the French Republic had appropriated the property of a private person whose only crime was being born Japanese.

But for the moment, as Europe slowly emerged from the most destructive war of its existence, moral considerations mattered little. The essential was acquired. France possessed one of the most beautiful collections of modern art in the world.

That the collection had been constituted by a Japanese patron, that it had been acquired in good faith, that it had been confiscated by force, all that now belonged to the past. History, as always, was written by the victors.

And the victors, in this case, were the French curators who saw their museums enriched with masterpieces, the French diplomats who had known how to defend national interests, the French leaders who had known how to turn a military defeat into cultural revenge.

Only the losers, an old sick aristocrat in his house in Kamakura and his grieving family, measured the true human cost of this “pillaging.”

In Parisian salons, people began to speak greedily of future exhibitions.

—Do you realize? A Van Gogh at the Louvre!

The socialites rubbed their hands. Art critics prepared their dithyrambic articles. Art students imagined being able to study these mythical works up close.

No one asked where they came from. Or rather, they preferred not to ask the question too much.

Dorival, for his part, had begun to reorganize the rooms of the Museum of Modern Art. He imagined the arrangement of canvases, the ideal lighting that would highlight Van Gogh’s colors, the ideal location for Rodin’s sculptures. It was his curator’s dream coming true.

He no longer questioned the provenance. Or only very quickly, before moving on to something else.

Jacomet, for his part, polished the final details. Each work had to be listed, cataloged, integrated into the national inventory.

Mathey continued his shuttles between Paris and allied capitals. Pressure had to be maintained, ensuring that no one would challenge the French acquisition.

In Japan, Matsukata weakened day by day. The news reaching him from France completed his despair.

His daughter Hana tried to keep hope. She wrote letter after letter to French authorities, pleaded her father’s cause, recalled his

good intentions, his sincere love of Western art. But her letters were lost in the meanders of French administration. When they arrived at their destination, they were filed without follow-up. Sometimes even without being read. Not enough time for Japanese qualms.

The gearing was in motion. Nothing could stop it anymore.

In a few months, a few years at most, the Matsukata collection would be French. Art specialists would write theses on these works “obtained” after the war. Tourist guides would tout the marvels of French national heritage. Schoolchildren would learn that France possessed one of the most beautiful Impressionist funds in the world.

And no one would remember anymore that Japanese man who had been mad enough to love art to the point of devoting his fortune to collecting it.

The era was going to erase Kōjirō Matsukata. Only his works would remain, become French for eternity.

Or almost.

CHAPTER 4: SECRET NEGOTIATIONS

San Francisco, Summer 1951

The Fairmont Hotel in San Francisco buzzed with activity in the summer of 1951. The palace, perched on Nob Hill, had been hosting for weeks the delegations of fifty-one nations that had come to negotiate the peace treaty meant to close the Pacific War. Officially, at least.

Behind the protocol pomp and fine speeches about reconciliation, everyone was eyeing their share of the pie. Six years after Hiroshima and Nagasaki, the spoils of the Japanese Empire had to be divided. Appetites were fierce, even if nobody dared say so out loud.

In the Laurel Room on the fifth floor, the windows offered a breathtaking view of the bay and Alcatraz Island. Four men had settled around a long table. The stakes of their meeting? The ‘questions relating to war reparations.’ The reality was cruder: finalizing Article 14 of the future treaty that would determine who would get what from Japanese assets scattered around the world.

Maurice Schumann symbolized France’s post-war ambition. Minister of Foreign Affairs, former resistance fighter, he belonged to a generation that had seen everything and fully intended that France regain its place. His documents were covered with handwritten annotations. He carried the wounds of a humiliated country, and behind his diplomatic veneer lurked a thirst for revenge. He had lived in the shadow of the 1940 defeat, and each negotiation offered him the opportunity to restore a tarnished coat of arms. His courtesy barely masked an inflexible determination, forged in the Resistance where compromises often cost human lives.

Facing him, John Foster Dulles was preoccupied. President Truman’s special representative, future right-hand man to

Eisenhower, knew that the decisions made in this room would prove crucial. A lawyer by training, he mastered the subtleties of international law. For him, moral criteria had to give way to political necessities. He had learned, in the corridors of Washington, that sentimentality had no place in affairs of state. His impassivity nonetheless masked a deep anxiety about the rise of communism in Asia.

Sir Oliver Franks, to his right, defended British interests with the affability that made the Foreign Office's reputation. A City alumnus as much as one from Whitehall, he juggled between commerce and geostrategy. The British wanted both to accommodate Japan, a future ally against the Soviets, and preserve their economic positions in Asia. Franks reflected the British art of reconciling the irreconcilable. His sartorial elegance and impeccable manners concealed a harshness inherited from his years in London's financial circles. He knew the British Empire was crumbling, and each negotiation constituted a rearguard battle to preserve London's influence.

Facing the three Westerners, Shigeru Yoshida cut the figure of a resigned defeated party. The Japanese Prime Minister bore with dignity the burden of an occupied country. A former ambassador, he knew the rules of the game. But his room for maneuver amounted to almost nothing. Japan under American tutelage was not in a position to negotiate. Yoshida hid genuine bitterness beneath his polite manners. A diplomat of the old school, he had constantly believed in the virtues of negotiation. Now, he had to pay for faults that were not his own, defend a country whose militarist leaders had destroyed all his hopes for peaceful greatness.

Everyone knew that beyond the hollow formulas, they were dividing up thousands of Japanese assets, notably the Matsukata collection that had obsessed Paris for seven years.

Dulles broke the silence. His voice expressed a weariness—weeks of repetitive negotiations had exhausted his patience.

—Mr. Schumann, I must confess that your position on private Japanese assets poses some difficulties for us. The Truman administration wishes to make Japan a reliable ally against the communists. Too severe an approach risks creating resentment in Japanese public opinion. That would be counterproductive.

Schumann replied with a smile that gave nothing away about his true intentions. He had learned to mask his thoughts.

—Mr. Dulles, I wish to remind you of a few facts that are sometimes forgotten in the euphoria of reconciliation. France suffered considerable material and human damage as a result of Japanese aggression in Indochina. Not to mention Japanese complicity with Nazi Germany. Our claims respect international law, the very law that the United States helped develop after 1918.

In the secret of his conscience, the French minister knew that France had to strike hard or accept remaining a second-rate state. The humiliation of 1940 still haunted him, and each concession wrested from former enemies constituted a small revenge on the past.

He opened before him a cardboard folder marked ‘Confidential – Damages in Indochina.’

—Our services have calculated the damages at more than twenty billion francs. Infrastructure destruction, production losses, massacres of French civilians... The list is long. It’s normal that we recover part of these sums in the form of Japanese assets present on our territory.

Sir Oliver intervened with thoroughly British distinction. But his remark was less innocent than it appeared.

—We all want to make Japan a bulwark against Soviet expansionism in Asia. This implies a certain... magnanimity on our part.

Franks weighed each word. Behind his affable façade simmered a dull frustration. The British Empire was disintegrating, and he had to deal with Americans who dictated their will. He who had

known the greatness of the Victorian Empire watched powerless as it declined. Each negotiation reminded him that London was now only a junior partner to Washington.

He turned toward Yoshida.

—Moreover, Mr. Prime Minister, we would like to know your position on the question of private assets.

Yoshida had listened to the exchange, weighing each word. He spoke with the extreme circumspection of a leader of an occupied country. His voice carried the weight of all his disillusion. He had spent his career believing in Western civilization, in its values of justice and fair play. The war had disabused him, revealing that democracies could be as ruthless as authoritarian regimes when their interests were at stake.

—Gentlemen, the Japanese government understands the legitimacy of your claims concerning war reparations. We are prepared to assume our responsibilities for the damage caused by our country's aggressive policy between 1937 and 1945.

He sought to express an objection without appearing to contest the victors' will. He who had advocated moderation was witnessing the dismemberment of his country by men who wrapped themselves in virtue.

—However, a distinction must be established between Japanese state assets, which can legitimately be confiscated as public reparations, and the private assets of our nationals, which come under a different status according to Western legal traditions.

The remark, formulated with deference, made Étienne Vasseur jump. The French deputy representative had mastered the file inside out—he had been chosen for this reason. Vasseur had the disappointed ambition of someone who had hoped for the highest positions but had settled for supporting roles. He compensated with excessive zeal in executing his missions.

—Mr. Prime Minister, this distinction is not as obvious as you claim. There are numerous cases where officially private assets

have served to finance your country's war effort, or were built up through profits drawn from your military conquests. Let's take a concrete example: the famous collection of Western art assembled by Kōjirō Matsukata is currently on French territory where it has been legally placed under sequestration since 1944.

Yoshida grimaced. A hint of irritation that he could no longer conceal crept into his voice.

—Monsieur Vasseur, are you suggesting that all Japanese private assets are suspicious in character and could be confiscated on the grounds that they contributed to our war effort?

—No, we're not pursuing a logic of blind confiscation, Vasseur replied with false bonhomie that fooled no one. But regarding the Matsukata collection, it was built up by an industrialist whose steel and naval companies largely contributed to the Japanese war effort. Matsukata directed the Kawasaki shipyards, which built a significant part of your war fleet. Several battleships and aircraft carriers that participated in Pearl Harbor and the Pacific campaigns came from his shipyards. It is therefore equitable to consider that his private fortune, and thus his art collection, were built up through profits from the war industry.

The argument revealed all the sophistry of which Vasseur was capable. He excelled at transforming approximations into certainties and correlations into causalities.

The argument made a sensation. Dulles felt he should intervene, less out of sympathy for the Japanese than out of concern to preserve regional balance.

—The collection you mention, Monsieur Vasseur, what is its current status?

Schumann, who wished to answer in Vasseur's place, turned to one of his advisors who handed him a four-page note prepared specifically for the occasion.

—Mr. Dulles, this unique collection was legally placed under sequestration by the French authorities pursuant to the

ordinance of October 5, 1944 relating to enemy assets. It comprises several hundred works of Western art of inestimable value.

—And you consider it should be confiscated as war reparations? Sir Oliver asked.

—Exactly, Schumann confirmed. It represents a justified reparation in view of the considerable damage suffered by France. Moreover, it's logical that these works by French or European artists remain on their continent of origin.

The French minister deployed all his rhetorical talent. Behind his arguments lurked a firm opinion. France had the right, indeed the duty, to recover what the war and occupation had cost it. For Schumann, ethical imperatives were a luxury only definitive victors could afford.

Yoshida protested with a vehemence unusual for this measured diplomat. His last illusions about Western probity had just collapsed.

—Gentlemen, I must remind you of some essential facts. Matsukata was a great lover of Western art, an enlightened patron who had built up his collection for purely cultural purposes.

The Japanese Prime Minister realized he was witnessing the triumph of force over law, despite all the legal artifices used to dress it up. He who had believed all his life in the virtues of diplomacy was discovering its true nature: a power struggle disguised as a debate of ideas.

Vasseur had an ironic grimace that spoke volumes about what he thought.

—Mr. Prime Minister, Mr. Matsukata's good intentions, however respectable they may be, unfortunately do not erase the objective fact that his collection was built up through profits from heavy industries that subsequently massively served your military apparatus against the Western democracies.

He leaned toward Yoshida with a falsely compassionate expression. Vasseur savored this moment of domination. His entire career, he had had to bow to those more powerful than himself. Now, he finally held the opportunity to exercise this authority.

—France is merely recovering what is due to it as reparations. There is no personal animosity toward Mr. Matsukata in this.

The true stakes of the negotiation appeared in broad daylight. Dulles, concerned with preserving the balance of the conference, tried to refocus the discussion. The American was beginning to lose patience. These European quarrels over questions of cultural prestige seemed derisory to him in the face of the challenges of the nascent Cold War.

—Gentlemen, I propose that we approach the problem from a more concrete angle. The real question is whether Article 14 of the treaty should give the Allied countries a right of confiscation over all Japanese assets present on their territory, or whether it's appropriate to establish distinctions according to the nature of these assets.

Schumann immediately seized the opportunity to generalize the debate to better advance his particular position. The French minister knew how to fashion specific cases into general principles.

—Mr. Dulles, that's what we've been proposing from the start. Article 14 must clearly stipulate that each Allied power has the sovereign right to retain all Japanese assets located under its territorial jurisdiction, without exception and without restriction.

—But this wording seems excessively broad to me, Sir Oliver objected. It would theoretically allow arbitrary confiscations, without control or recourse.

Franks was expressing a sincere concern there. The former banker knew that trust constituted the foundation of any

international economic system. Overly systematic confiscations risked destabilization.

—No, Vasseur retorted, because these confiscations would be governed by the national legislation of each Allied country. There would therefore be guarantees of recourse before the competent national courts.

Yoshida shook his head with an acrimony he no longer tried to conceal.

—Monsieur Vasseur, the guarantees you speak of would be purely theoretical and therefore illusory. In practice, no national court will ever rule in favor of a Japanese national against its own government.

The remark momentarily embarrassed the French delegation. Yoshida had just put his finger on the fundamental hypocrisy of the proposed system.

Schumann quickly regained the initiative.

—Mr. Prime Minister, you're dramatizing the situation. French courts are independent and strictly respect property rights. But they also respect the legality of governmental acts taken in the Nation's supreme interest.

—In other words, Yoshida murmured with disillusioned lucidity, our nationals would ultimately have no effective recourse against your confiscation decisions.

—You're presenting things too negatively, Schumann defended himself. This is simply about applying the classic international law of war reparations, as it has existed for centuries in relations between civilized states.

The French minister used the great argument of the era: invoking 'civilization' to justify the unjustifiable. Schumann was not fooled by his own sophisms, but reason of state took precedence over moral considerations. France had to reclaim its place, whatever the means.

Dulles, who had listened attentively to the revealing exchange, weighed his words. The American statesman realized he was witnessing the elaboration of a mechanism of legalized spoliation, but necessities outweighed moral scruples.

—Gentlemen, after having carefully considered the arguments presented by both sides, I think we can find a reasonable agreement that reconciles the interests of the different parties.

He consulted with his advisors before continuing.

—Article 14 could give Allied countries the right to retain Japanese assets present on their territory as war reparations, but specifying that this right must be exercised in accordance with their respective national legislation and in respect of their traditions.

—This specification changes nothing about the substance of the problem, Yoshida protested. It even constitutes an aggravation since it gives an appearance of legality to confiscations that will remain arbitrary.

The Japanese Prime Minister felt the ground giving way beneath his feet. His entire vision of the world was collapsing. He who had believed in Western ideals was discovering that they were merely a veneer covering quite earthly appetites.

—Perhaps, Dulles admitted with a frankness that surprised the assembly, but it has the advantage of preserving appearances and maintaining a minimal framework. Each Allied country will remain sovereign to apply its own conception of justice.

The American illustrated there his entire philosophy. What mattered were not convictions as long as forms were respected.

Sir Oliver approved with visible relief.

—This compromise seems reasonable and balanced to me. It preserves the interests of the Allied countries while maintaining a framework that avoids pure arbitrariness.

Schumann was jubilant internally. He was obtaining exactly what he had come to San Francisco to get. An indisputable international basis to legitimize the confiscation of the Matsukata collection and all other Japanese assets present in France.

—Mr. Dulles, all of this suits us absolutely.

Yoshida realized he was losing the battle. His final arguments had failed to weaken the Westerners' determination. Defeated and occupied Japan no longer had the means to protect the private assets of its nationals abroad. The disappointment that overwhelmed him was proportional to the hopes he had nurtured for this conference. He had naively believed he could appeal to Western conscience. He was discovering that conscience had geographical limits.

The following days were devoted to refining the final details. The formal agreement of all delegations on the definitive text had to be obtained. Each comma counted. Each nuance could cost millions.

On September 8, 1951, San Francisco's opera house was transformed into a theater of hypocrisy. Forty-eight nations solemnly signed the peace treaty before hundreds of journalists. Article 14.2.1, the fruit of bitter bargaining, stipulated in its definitive version that each Allied power had the right to 'seize, retain, liquidate or otherwise utilize all property, rights and interests of Japan and Japanese nationals present on its territory.'

An apparently innocuous sentence, buried in the mass of provisions on reparations. In reality, it sealed the fate of the Matsukata collection and thousands of other Japanese assets scattered around the world. These assets would never return to their owners, now deprived of any recourse.

Shortly after the signing, the French press orchestrated a veritable festival of bad faith. The official services had well briefed their contacts. *Le Figaro* headlined boldly: 'France Recovers Japanese Masterpieces.' *Le Monde* learnedly explained

that ‘these works by French artists return to their native land.’ L’Humanité itself applauded a ‘democratization of access to art transferring private collections to national museums.’

French public opinion, largely ignorant of the true stakes, massively approved. Who could contest France’s right to compensate itself at the expense of its former enemies? A few isolated voices, in the better-informed artistic circles, timidly dared to question the moral legitimacy of this massive appropriation.

The mechanism set up with such skill had just reached its perfection. The Matsukata collection was lost to its heirs, caught in the meshes of a net so well woven that it would take decades to unravel all its devious mechanisms.

More serious still, the affair created a major precedent that would inspire numerous other ‘legal’ spoliations. Whenever a state wished to appropriate foreign assets, it could refer to the Treaty of San Francisco and the French interpretation of Article 14.

In the following months, the jurisprudence was invoked everywhere. The British used it to confiscate German plantations in Malaya. The Australians used it to appropriate Japanese assets in the South Pacific. Even some South American countries referred to it to nationalize foreign companies.

The Matsukata affair had created, almost by accident, a new concept: ‘cultural reparation.’ According to the theory constructed after the fact by French jurists, a state victim of aggression could appropriate the cultural assets of the aggressor, not only as financial compensation but also to ‘enrich the national cultural heritage.’

The doctrine was systematized in several doctoral theses. Scholarly articles in specialized journals. Teaching in public international law courses. In a few years, what had initially been merely opportunistic appropriation had become a respectable

theory. The genius of the French operation lay in transforming an act of force into a principle of law.

In Japan, the human consequences of this theft were being cruelly felt. The Matsukata family, bereaved by the patriarch's death in June 1950, watched helplessly as their artistic inheritance was liquidated.

Hana Matsukata, eldest daughter of the deceased collector, often gathered the surviving family members in the ancestral residence in Kamakura. These meetings, imbued with infinite melancholy, testified to a family's distress in the face of the force of the machine that had been set in motion against them.

—My dear brothers, she declared at one of these meetings in the fall of 1951, scanning the newspapers that reported on the treaty signing, the press explains that the government has accepted the Allies' conditions. They say it's for the country's reconstruction, for our future. But we know what that means: our father's collection is lost. Definitely lost.

Bitter resignation permeated her voice. Hana had inherited from her father his passion for art, but also his lucidity about international power struggles. She knew her family was paying for the errors of a militarist regime she had always disapproved of.

Hiroshi Matsukata, youngest son and heir to the family businesses dismantled by the occupier, looked at the few Western works rescued from the war that still adorned the living room. He held in his hands a crumpled letter, one of the last their father had written before his death.

—Our father was right to worry these past months. You remember, Hana? He couldn't sleep anymore, he paced around the house. He sensed that the French would never return his works. He often told me, toward the end: 'They've found the means to transform a theft into a legal act, Hiroshi. It's

diabolically elegant.’ I thought he was exaggerating, that illness was making him pessimistic... His voice carried the weight of a dull guilt. Hiroshi blamed himself for not having taken his father’s anxieties seriously. He had believed that artistic questions were secondary to the economic stakes of reconstruction.

Kōsuke, the youngest of the brothers, intervened with the touching naivety of the youngest children.

—But surely, couldn’t we appeal to the French courts? Hire lawyers? Plead our case? There must be a way... Papa was respected in France, he had connections, friends in artistic circles...

Hana sadly shook her head. She had already explored all these avenues, discreetly contacted a few acquaintances in Paris. Her disappointment was proportional to the hopes she had nurtured.

—With what money, my poor Kōsuke? Our assets have been confiscated, our companies dismantled, our family ruined. And even if we had the means, which we don’t, believe me, do you imagine that a French court would rule in favor of Japanese people? We’ve become pariahs, former enemies barely tolerated.

She rose and walked to the veranda overlooking the family garden where a few Western sculptures still testified to their father’s passion. Seeing them there, abandoned to the elements for lack of means to maintain them, broke her heart.

—My brothers, it’s not really the collection itself that matters to me anymore. Well, yes, of course it pains me. But what revolts me most is the idea that a civilized country like France can appropriate a private collector’s assets... Papa so admired that country. He had his friends there, his habits. And this is how they thank him. It’s the death of art transcending borders and national hatreds.

The conversation illustrated the human drama hidden behind the Matsukata file. But who cared?

The French authorities, busy managing the practical aspects of their appropriation, had little time for these lamentations. The hour was for organizing the integration of the collection into the national heritage. Concrete, visible things had to be done.

From the fall of 1951, Jacques Jaujard launched a vast program of restoration and cataloging of the confiscated works. Teams were formed to assess the condition of each piece, establish detailed cards. The great administrative upheaval was set in motion.

—Gentlemen, Jaujard declared, we have the responsibility, I insist on this word, to preserve and promote this heritage. We must show the whole world that France was the country best qualified to receive these masterpieces. No question of letting people say we seized war booty.

Behind his public assurance, Jaujard harbored scruples that tormented him at night. A resistance fighter during the Occupation, he had risked his life to save national collections from Nazi appetites. Now, he found himself in the position of the despoiler he had fought. The irony of the situation did not escape him, but he repressed it in the name of France's supreme interest.

Bernard Dorival, charged with supervising the operation, was very involved. He polished a devouring passion for modern art that bordered on obsession.

—We have here a unique opportunity to revolutionize our national holdings! With these works, our museums will finally be able to compete with the MET, MOMA, the National Gallery...

Dorival concealed a persistent personal frustration. A second-tier curator his entire career, he saw in the Matsukata affair the opportunity to leave his mark on French art. His disappointed ambition finally found an outlet in this large-scale project.

In June 1952, the Louvre opened its doors to an exhibition entitled ‘Rediscovered Masterpieces: Western Art in the Service of French Culture.’

The Minister of National Education came in person. All of Parisian high society paraded through the museum’s corridors. Art critics, society people in search of culture, the usual fauna of prestigious openings.

‘Magnificent enrichment!’ headlined France Dimanche. The other newspapers echoed in chorus. The same enthusiasm from visitors who crowded before the canvases. Many were discovering works they would never have hoped to see on this side of the Atlantic.

In specialized journals, experts competed in erudition. Thorough analyses of the collection’s importance, learned remarks on its contribution to French heritage. Unanimity reigned.

Well, almost.

A few troublemakers, mainly from the far left, discreetly recalled the dubious conditions of this ‘enrichment.’ But their protests were lost in the hubbub of official congratulations. Besides, who wanted to hear killjoys when one could admire Monet and Renoir?

French public opinion quickly adopted the Matsukata collection. As if it had always been part of the national cultural landscape. Mission accomplished, then.

The *fait accompli* created its own legitimacy.

But every fine mechanism has its flaws. And this one rested on a significant lie.

Contrary to the assertions of official propaganda, Kōjirō Matsukata was nothing like a ‘war profiteer.’ His companies had indeed participated in Japan’s industrial effort. But like all companies in his country, without him having the slightest choice when faced with a dictatorial militarist regime.

More embarrassing still, his collection dated from before the war. Far from embodying Japanese aggression, the collection symbolized a Japan open to the world, respectful of other cultures.

The truth, stifled by the official French version, would remain in the shadows for a long time.

Meanwhile, in the climate-controlled reserves of the Louvre and other French museums, the confiscated works silently testified to a human drama that no one wanted to see. Or hear.

For now, at the end of 1952, the file seemed closed. The Matsukata family, bereaved and ruined, could only mourn the memory of their patriarch.

Kōjirō Matsukata's death had deprived the family of its most respected chief. Only his children would keep the bitter memory of the whole affair.

Hana Matsukata would devote the rest of her life to it. Patiently gathering all documents relating to her father's collection. In the hope that one day the truth would triumph. A hope that seemed quite derisory in 1952. It would take until the end of 1958 for things to begin to move.

CHAPTER 5: THE COMEDY OF RESTITUTION

La Boisserie, Colombey-les-Deux-Églises, December 1958

The appropriation of the entire Matsukata collection after the Treaty of San Francisco satisfied no one. The French State could keep everything, certainly. But for some months now a gesture to maintain good relations with Japan seemed opportune. A partial restitution was being considered. It would be a voluntary act, presented as generous...

General de Gaulle, returned to office a few months earlier following the Algiers putsch of May 13, 1958, was now President of the Council of Ministers. He had spent the weekend at his private residence 'La Boisserie' in Colombey-les-Deux-Églises. The stay had been studious. The entire Saturday had been devoted to reading numerous files, notably a draft ordinance concerning the Matsukata collection that Michel Debré, Keeper of the Seals, had prepared.

On this Monday morning, the General was preparing to return to the Hôtel de Matignon, where the head of Government sat.

Around 8 a.m., the DS 19, driven by his chauffeur Francis Marroux, was ready. The General got in and sat in the back right of the vehicle. This was usually the seat reserved for his wife Yvonne. But the latter being unwell, she was not part of the journey that day. In front, the aide-de-camp, Colonel Gaston de Bonneval, gave the signal to depart. A Saint-Cyrien, he had first served in the Levant before joining the Resistance. Arrested by the Gestapo in 1943, he had been deported to Mauthausen camp and liberated in 1945. A confidant of the General, he had been his faithful companion during the 'crossing of the desert,' that difficult period during which de Gaulle had exercised no governmental responsibility and had withdrawn from active political life.

The General had trouble getting used to the hydropneumatic suspensions of his new vehicle which made him nauseous. He much preferred the front-wheel drive 15 hp 6-cylinder he had used previously. Yet it was this DS 19 that would save his life a few years later during the Petit-Clamart assassination attempt. Despite two tires riddled with bullets, the Citroën had continued on its way to Villacoublay airport, thanks to the automatic leveling of the suspensions and the independent wheel system.

The convoy, composed of a following car and two gendarmerie motorcyclists, had been driving for nearly an hour.

The General signaled to Bonneval, requesting a stop to stretch his legs. When about to leave again, he invited him to come sit at his side. Bonneval was flattered when the great man showed him such proximity.

—Bonneval, I have a few questions to ask you about a matter that concerns me.

De Gaulle, about twenty years older than his aide-de-camp, often solicited his opinions. The generational difference was precious to him for having another perspective.

—My General, I am at your entire disposal.

De Gaulle quickly explained to Bonneval what it was about. He summarized the draft ordinance proposed by Debré.

—Bonneval, if we were to return to the Japanese part of the works we hold, do you think public opinion would be shocked? That the press would react unfavorably?

—My General, I am not at all a specialist on the subject. I very much fear that my point of view will not be of great help to you. But I think that at the moment the population is more concerned about events in Algeria. Mothers are worried that the army has mobilized draftees. Every day dozens of soldiers die or are wounded in skirmishes. As for the press, it is generally hostile to you on principle. This Japanese affair will not fascinate many people. Public opinion has many other priorities...

—Yes, but at the international level, doesn't this risk working against us?

—My General, since last November all the chancelleries have been tormented by Nikita Khrushchev's Soviet ultimatum to the Western powers to withdraw their forces from West Berlin within six months. It's unlikely that, in this context, the secondary question of the Matsukata collection will cause a stir.

—Thank you, Bonneval. As usual, your vision of things is marked by good sense...

It was 11:30 a.m. The two hundred sixty-three kilometers separating 'La Boiserie' from the Hôtel de Matignon had been covered without hindrance.

De Gaulle immediately joined his office where a meeting had been scheduled. In the anteroom, several collaborators had been waiting for half an hour. After the usual greetings, the discussion could begin.

—My General, Debré declared, pointing to the bound document spread out on the desk, with this text, which I communicated to you last week, we will be able to resolve the thorny question of the Matsukata collection. While preserving, of course, our essential cultural interests.

Debré was a jurist by training, but a politician by vocation. De Gaulle, who had already had to personally deal with this thorny file in 1944 during its sequestration, was once again reviewing the articles of the draft ordinance with the attention he devoted to questions of national sovereignty.

—Mr. Keeper of the Seals, remind me of the terms of the agreement that our people negotiated with the Japanese. I want to be sure we're not giving anything that could compromise our position.

—My General, the agreement we obtained is favorable to our interests. The most crucial aspect is the definitive and irrevocable

renunciation we obtained from the Matsukata heirs on the entirety of the collection, including the works we're keeping. The agreement also covers all formal aspects. It will be ratified by the competent Japanese authorities and registered according to appropriate international procedures.

André Malraux, Minister Delegate in charge of Information, had listened attentively. He then spoke with the emphasis that characterized all his speeches on art. With him, aesthetic passion cohabited with an immoderate taste for grandiloquence that bordered on the ridiculous.

—My General, this agreement intelligently preserves the essential of our acquisitions while giving us the appearance of international generosity. France retains the eighteen most important works. In exchange, we 'offer' Japan the rest of the collection. That is, about three hundred works of lesser importance, to be exhibited in a museum specially built in Tokyo. We thus transform a forced restitution into a magnificent gesture of reconciliation.

—Tell me more about the heirs' acceptance of this arrangement, de Gaulle asked with the suspicion of a head of government who had learned to be wary of reversals.

Maurice Couve de Murville, Minister of Foreign Affairs and cautious diplomat, ceremoniously took from his leather briefcase several official letters adorned with three-dimensional seals.

—My General, we have obtained a clear and unassailable renunciation from the heirs. Here is the solemn letter signed by their representative Saburō Matsukata. In this document, he expressly and definitively renounces all present and future rights to the entirety of his late father's collection.

He carefully unfolded the document.

—We negotiated for months to obtain this paper. It covers not only the works we're returning, but also and especially those

we're keeping. The heirs formally forbid themselves any subsequent challenge, before any jurisdiction.

De Gaulle carefully examined the document, scrutinizing each word. He detested these bargainings where his fantasized grandeur collided with the pettiness of daily life.

—Does it seem solid and definitive to you, this renunciation? Have our litigation services verified all aspects?

—Assuredly, affirmed Georges Pompidou, then the General's chief of staff. We've gone through all the formal aspects. No flaw can be invoked.

Pompidou, a normalien and agrégé in classical letters, had begun as a teacher in a Marseille lycée before entering the Council of State then Rothschild. His time in banking had taught him the skill of profitable transaction, but had also nurtured in him a troubled fascination with money that contrasted with his refined literary tastes. He had personally supervised the financial aspects of the negotiation. He knew the market price and knew France was making an advantageous operation there.

—Moreover, he added, the eighteen works we're keeping alone represent more than 80% of the total value. We're keeping the cream and returning the whey, if I may say so.

Malraux expounded with lyricism his conception of the operation.

—My General, this file illustrates the greatness and cultural generosity of eternal France! We're not content to selfishly keep these masterpieces in our reserves like vulgar private collectors. We're making a gift of them to the Japanese people so they may discover Western art, while keeping the most representative pieces to enrich our national heritage.

He gesticulated with passion, blinking his eyes frenetically, a tic that intensified when he got carried away.

—This is cultural diplomacy at the highest level, my General! France fully assumes its role as a civilizing nation and transforms a dispute into an instrument of influence!

—Malraux, de Gaulle intervened, you know as well as I do that we're not 'making a gift' of anything. We're merely returning what we can no longer morally keep while keeping what interests us most.

The General's acerbic remark momentarily silenced Malraux, who merely nodded in embarrassment. An imperceptible redness betrayed his discomfort. Even in his most sincere outbursts, he retained enough lucidity to gauge the limits of his rhetoric. Debré, concerned with refocusing the discussion on practical aspects, approved de Gaulle's lucidity while admiring this capacity of the General to cut to the quick.

—My General, you've grasped the real stakes of the operation. But the important thing, for national and international communication, is that the partial restitution appears as an authentically generous gesture by France toward Japan. This will contribute significantly to the rapprochement between our two countries at a time when we need allies in Asia.

Couve de Murville, concerned with long-term implications, specified the stakes underlying the entire negotiation.

—The affair fits into the broader framework of our new Asian policy, my General. Japan is becoming an economic partner of primary importance for Europe. We have a major interest in maintaining excellent relations with Tokyo in the face of rising Chinese power. Our French exporters are seriously establishing themselves in the Japanese market, our industrialists are signing important contracts with their Japanese counterparts, our banks are opening subsidiaries in Tokyo. In this context, it would be stupid to let a cultural dispute drag on that poisons our bilateral relations. For a few canvases we never take out of our reserves... I have discreetly contacted Maurice Schumann, chairman of the

National Assembly's foreign affairs committee. He knows the file well since he represented France during the San Francisco peace treaty negotiations in 1951. His opinion is clear: our current interests require returning the major part of the collection to Japan.

—Very well, de Gaulle declared. But let's return to the constitutional aspects of the operation. Why are we proceeding by ordinance rather than through the normal legislative route?

The direct and embarrassing question provoked visible unease around the table. Debré exchanged an uncomfortable look with Pompidou. His personal ambition pushed him to satisfy de Gaulle, but his legal background whispered to him the dangers of authoritarian drift.

—My General, the normal legislative route would have required months, even years of parliamentary discussions. With all the hazards that entails. The ordinance, which falls under regulatory power, allows us to go much faster and avoid a public debate that could become embarrassing for the government. Can you imagine the communist deputies seizing the file? Or worse, the early Gaullists who would reproach us for 'squandering national heritage'?

—Embarrassing? In what precise sense, Mr. Keeper of the Seals? de Gaulle insisted with his pitiless curiosity. He had this special gift for sensing when something was being hidden from him.

Debré hesitated. The lawyer in him struggled against the courtier.

—Well, my General... opposition deputies might want to pry. And perhaps even some from our own majority. They risk questioning the exact conditions under which we appropriated the collection in 1944. Might as well avoid reviving these old controversies that lead nowhere.

Couve de Murville intervened discreetly, his reserve momentarily taking precedence over his loyalty.

—And then, a parliamentary debate would inevitably give a platform to the Matsukata heirs. And to all those who would want to challenge our version of the facts.

De Gaulle scowled. Dangerously. Those who knew him understood what this meant. His ego could not bear having his past decisions questioned, especially those made in the chaos of the Liberation.

—Gentlemen, I sincerely hope you're not suggesting to me that the 1944 appropriation, which I myself decided and assumed, was shaky? Or morally questionable?

—No, of course, my General! Debré replied. Absolutely not! But you know how parliamentary debates are... They often drift toward secondary considerations. And our adversaries love that.

Malraux felt he had to defuse the atmosphere. The Minister of Culture had mastered bringing discussions back to more favorable ground, his intellectual vanity paradoxically serving collective interests.

—My General, the ordinance also presents a considerable advantage. It's not a routine administrative measure, but a major political act. Which fits into your vision of French grandeur and our country's cultural influence in the world.

De Gaulle seemed appeased. Well-turned compliments had always had this effect on him, feeding this need for recognition that strangely coexisted with his displayed contempt for opinion.

—Very well, gentlemen. But does the ordinance respect the provisions of our Constitution?

Everyone realized they were walking on slippery constitutional ground. But none dared admit it openly before the General.

Pompidou, with skill, took the plunge. His banker training had taught him to bypass legal obstacles without compromising himself.

—My General, the Constitution is a living text. It must adapt to the concrete requirements of governmental action. The ordinance fits into the spirit of our institutions.

—Pompidou, de Gaulle retorted, the Constitution is not an accordion that one stretches according to circumstances. It was drafted with precision to frame the action of public authorities.

Debré understood the situation was becoming critical. He decided to put his cards on the table.

—My General, we all want you to sign, because it resolves a problem that bothers us. And that is beginning to weigh on our relations with Japan. On the strictly constitutional level... the ordinance may not be totally orthodox, but it indisputably serves France's supreme interests.

This brutal frankness paradoxically reassured de Gaulle. He appreciated being spoken to directly, preferring crude truth to diplomatic circumlocutions that displeased him.

—Mr. Keeper of the Seals, I'm grateful to you for your sincerity. Very well. But do not ask me to believe that the procedure is exempt from reproach on the constitutional level. We all know that's not the case.

Debré immediately seized the opportunity.

—My General, does this mean you agree to sign?

De Gaulle weighed the pros and cons of his decision. His realism forged in trials finally prevailed over his ideals.

—Yes, Mr. Keeper of the Seals, I agree to sign. But on one absolute and non-negotiable condition: the ordinance must be drafted in a way that fully preserves France's honor and dignity. We must never appear as vulgar despoilers or arbitrary confiscators.

Malraux hastened to reassure de Gaulle on this crucial point, his patriotic fiber vibrating in unison with that of the General.

—My General, the preamble of the ordinance insists on France's traditional greatness and its civilizing role. We expressly emphasize that the partial restitution is carried out 'in a spirit of reconciliation and cultural cooperation between France and Japan.' It testifies to French generosity toward a former adversary.

—And concerning specifically the eighteen major works we're keeping?

—We solemnly specify that they are destined to 'enrich French cultural heritage for the greatest benefit of all.' And that they will be 'exhibited in our most eminent national museums for the artistic education of our citizens and visitors from around the world.' No one will ever be able to reproach us for acting in a petty or selfish spirit.

De Gaulle nodded, convinced by the formulation that preserved France's image. He had found the means to reconcile his political interests with his conception of French grandeur.

—That suits me, gentlemen. The Matsukata affair is settled.

He took his gilded pen bearing the arms of the Republic and signed the ordinance with a firm and definitive gesture.

But a few hundred meters from Matignon, in a small annex of the Palais-Royal, the atmosphere was much less triumphant. André Bougival, advisor to the Ministry of Culture, was rereading for the tenth time the text of the ordinance. A fussy professional conscience, inherited from his magistrate training, forbade him from closing his eyes to the most blatant irregularities. Facing him, in the room with walls lined with shelves overloaded with files, Pierre Moinot, Inspector General of Museums, openly shared his concerns. He had built his reputation on an integrity that verged on rigidity, but which had earned him the respect of all his peers.

—André, Moinot declared, this ordinance makes me very uncomfortable on the ethical level. We are objectively validating

a constitutionally dubious procedure to cover an appropriation that was equally so.

Bougival agreed with bitterness, his features hollowed by weeks of insomnia.

—That’s what I’ve been thinking for weeks, Pierre. Article 92 of the Constitution cannot decently serve as a legal basis for this artistic donation operation. It would require a law properly voted by Parliament, with public debate and possibility of amendments.

—And what do we risk concretely if the ordinance is one day challenged before the Council of State? By the heirs or by independent jurists?

Bougival reflected at length.

—Frankly, Pierre, I don’t know what would happen. And that’s what worries me. The Council of State has a tradition of respecting governmental prerogatives in matters of foreign policy. It avoids interfering in the details of our diplomacy. But it’s also generally very attached to respect for constitutional procedures. And it doesn’t hesitate to censure abuses of power. The problem is that we find ourselves in a gray area. This file amalgamates aspects of property law, constitutional law, international law... There’s no clear jurisprudence on this type of hybrid situation.

—And from a legal point of view, what is in your opinion our weakest position? The one most likely to cause us problems in the long term?

Bougival didn’t hesitate for a second.

—Without any doubt, the fundamental question of the declaration of war on Japan. The more I study the facts carefully, the more I realize that our official belligerence with Japan rests on extremely fragile bases. Even nonexistent.

Moinot opened before him a thick binder stuffed with archival documents and yellowed telegrams. His sense of detail had led him to troubling discoveries.

—I've had research done. It confirms the flaws identified concerning the absence of official publication of the declaration of war.

He pulled out several sheets.

—More serious, the declaration was never even officially notified to the competent Japanese authorities. Neither directly nor through the intermediary of a third nation. In strict international law, a declaration of war that is neither published nor notified has no value.

—Which means we were never legally at war with Japan? Bougival asked with growing stupefaction.

—Exactly, André. And if we were never officially at war with Japan, then the 1944 ordinance that qualifies the Japanese as 'nationals of an enemy state' totally lacks legal basis. The entire edifice of confiscation collapses.

Bougival stood and walked to the terrace overlooking the gardens of the Palais-Royal.

—Pierre, we're witnessing the construction of an apparently solid scaffolding, but which rests on shaky foundations.

—What do you mean?

Bougival came back to sit and spread out his files on the table.

—Think carefully about the logical sequence. The 1944 ordinance is based on a state of war with Japan that never legally existed. The 1951 Treaty of San Francisco applies to 'enemy property,' but if we were never at war with Japan, then Japanese assets present in France are not 'enemy property' in the sense of international law. The ordinance validates a donation of artworks that should fall under the exclusive competence of the legislator...

—Do you seriously think this whole edifice could one day collapse like a house of cards?

—I think we've built an unstable structure. It will suffice that one day, in ten, twenty or thirty years, someone has the courage, the

financial means and the necessary support to seriously challenge this arrangement before the competent courts. And everything will collapse.

Their conversation was abruptly interrupted by the arrival of Bernard Anthonioz. The General's nephew by marriage—charged with a mission in André Malraux's cabinet for cultural affairs—arrived with the latest instructions from the head of Government. He looked hurried and not really in the mood to discuss.

—Gentlemen, the Matsukata affair must be closed. The General no longer wants to hear about challenges, in any form.

Anthonioz spoke like someone who wouldn't tolerate being contradicted. Bougival sensed he had to go gently.

—Mr. Anthonioz, we have some... concerns about the solidity of this whole arrangement in the long term.

—What concerns?

Impatience showed in his voice. Moinot launched into his explanations, detailing each flaw, each inconsistency he had spotted. Anthonioz listened. But his face boded nothing good.

—Gentlemen, these trifles are certainly interesting on the intellectual level. But let's not lose sight of the major stakes and France's supreme interests.

Ah, the 'supreme interests'... Bougival was not fooled.

—What stakes?

—First, Anthonioz explained with the condescension of the privileged of the inner circle, the Matsukata collection represents a considerable enrichment of our heritage. The eighteen major works we're keeping are worth several tens of millions of francs. Perhaps more if we consider their unique character. Next, our museums will attract a considerable number of foreign visitors thanks to these masterpieces. Cultural influence, international prestige...

—And on the external relations side? Moinot asked.

—The partial restitution shows our magnanimity toward a former enemy. This facilitates our rapprochement with Japan, an increasingly important economic partner for Europe.

Anthonioz rattled off his argument like a lesson learned by heart. Magnanimity... the word was savory when one kept the most beautiful pieces.

—Certainly, Mr. Anthonioz, but if the bases of the whole operation are fragile..., Bougival insisted with a courage he didn't know he had.

—Mr. Bougival, I must recall a reality. General de Gaulle signed the ordinance this morning. It therefore has force of law throughout French territory. No one can call it into question.

Anthonioz's gesture was final. But Moinot didn't let himself be intimidated.

—We cannot simply ignore the constitutional rules of our Republic!

—Mr. Moinot, the Constitution must serve France's greatness, not hinder it through formalistic considerations. The ordinance serves the nation's interests.

The two men realized they were confronting a logic that went far beyond their concerns. A Bonapartist conception where reason of state transcended all rules.

On December 18, 1958, the ordinance was solemnly published in the Official Journal. With its grandiloquent recitals about Franco-Japanese reconciliation and French cultural generosity. Propaganda immediately set to work.

Contrary to what Colonel de Bonneval had anticipated, the French press, largely inspired by government services, hailed the 'generous presidential initiative.' *L'Aurore* headlined across its entire front page: 'De Gaulle Generously Offers Masterpieces to

Japan.’ La Croix explained in a half-page editorial that ‘the noble initiative testifies to France’s universal vocation and its civilizing role.’ France-Soir approved, speaking of ‘democratization of access to art.’ L’Écho d’Alger even published an illustrated report with color photos and interviews that emphasized on the front page ‘French greatness.’ A few opposition voices timidly dared to question the initial acquisition conditions of the collection. But these discreet criticisms were quickly drowned in the concert orchestrated by government communication.

In Tokyo, in the atmosphere of a traditional tea room in the Ginza district, Shigeharu Matsumoto, son-in-law of Kōjirō Matsukata and principal Japanese negotiator, reread the terms of the renunciation he had been forced to sign. A dull rage consumed him. Accustomed to refinements, he was discovering the limits of courtesy in the face of the brutality of power struggles. Master Takeshi Yamamoto, one of the most respected lawyers at the bar, tried to reassure him. He too had his doubts about the validity of this forced transaction, but his wisdom inclined him toward realism.

—Mr. Matsumoto, you objectively had no other choice in this negotiation. France had all the trumps, we were in a position of absolute weakness.

Yamamoto slowly drank his green tea.

—Maître Yamamoto, I fear I’ve squandered my father-in-law’s cultural heritage. These eighteen works they’re keeping, that’s the heart of the entire collection.

He pulled the detailed list from his briefcase.

—Van Gogh, Gauguin, Cézanne, Rodin... Everything that gives the collection its international importance remains in France. We’re recovering three hundred works, certainly, but they’re minor pieces, preparatory studies, works by less-quoted artists...

—I understand your sadness, Yamamoto sympathized. But let's look at things head-on. Without this agreement, even imperfect, you would have recovered strictly nothing. At least, the rest will return to Japan and can be exhibited in the future Museum of Western Art in Tokyo.

—Under what humiliating conditions! We have to build a museum ourselves specifically for these works, renounce our rights to the pieces kept by France, accept that this partial restitution be presented as a generous gesture by the French authorities...

He brutally put down his cup, his anger taking precedence over his refined education.

—It's a slap in the face, Maître Yamamoto! We're obliged to thank our despoilers for having returned to us part of what they stole from us!

Yamamoto nodded, aware of the injustice. His long experience with law had instructed him on the limits of the international system in the face of brute force.

—Mr. Matsumoto, we find ourselves unable to effectively challenge French decisions. The Treaty of San Francisco apparently gives them all rights over Japanese assets present on their territory.

—But is this treaty really applicable to our situation? Matsumoto suddenly asked with renewed hope.

The question surprised the lawyer, who looked up with interest.

—What do you mean?

—Well, I've had some discreet research done by my most competent collaborators. It seems that France was never officially at war with Japan. Under these conditions, Article 14 of the Treaty of San Francisco should not apply to my father-in-law's private assets.

Yamamoto leaned sharply forward. A path he had never explored.

—Can you explain your analysis? What documents are you relying on?

Matsumoto pulled a folder from his briefcase. His hands trembled slightly—not from nervousness, but from excitement.

—Look at this, Master. We spent months combing through Japanese archives and declassified American documents.

Matsumoto launched into a detailed explanation of the flaws that the French authorities thought they had so well camouflaged. Yamamoto listened. He mentally calculated the chances—slim—of a possible challenge against the French machine.

—Mr. Matsumoto, such a confrontation would last years. And above all, the entire French state apparatus would band together against us. Are you sure you want to embark on such an adventure?

Matsumoto stared him straight in the eyes. His voice hardened, revealing a determination that his polite manners usually concealed.

—For my father-in-law's honor, yes. For the memory of his collection too. And then... for the truth, Maître Yamamoto. I'm ready to wage the fight to the end. Even if it ruins me.

This idea was slowly germinating in the minds of the Matsukata heirs. They were finally beginning to realize that the spoliation—so skillfully disguised—rested on foundations far more unstable than people wanted to make them believe.

Only here's the thing: in 1958, they had neither the money, nor the support, nor the necessary address book. De Gaulle in power, the Hexagon triumphant, French grandeur in full swing...

In the cellars of the Louvre and other temples of French art, the eighteen masterpieces kept by France continued their silent life.

The ordinance of December 18, 1958 officially sealed the fate of the Matsukata collection.

Yet the ordinance contained within itself the seeds of its own challenge. By officially authorizing the ‘restitution’ of a few minor works while keeping the most beautiful, it recognized that France perhaps didn’t have an absolute right to the whole. A small breach in the fine French edifice. A crack that would be exploited many years later by others, more tenacious and better armed.

By proclaiming French ‘generosity,’ the ordinance drew attention to an affair that Paris would have preferred to see disappear into History’s dungeons. Involuntary publicity for a dispute that the authorities hoped to have buried.

Finally, by relying on a constitutionally more than dubious procedure, it created a fragile precedent. A game of pick-up sticks that could collapse at the slightest change in jurisprudence.

All these elements of weakness completely escaped the French authorities.

The Matsukata affair was far from over. It was merely entering a new phase. That of digestion and maturation. Long, very long. The protagonists of 1958 would disappear one by one—death doing its work—but their decisions would continue to poison the existence of their successors.

The file raised questions that go far beyond eras and regimes. Can one appropriate the cultural assets of others in the name of reason of state? Does the end justify all means when it comes to cultural policy? Does a state that claims to be democratic have the right to violate its own principles as soon as its interests are at stake?

Embarrassing questions, of course. But who cared in 1958?

The ‘comedy of restitution’ had worked marvelously.

One would have to wait for the upheavals of the late twentieth century—the fall of the Berlin Wall, globalization, the emergence

of new international norms regarding cultural property—for the Matsukata affair to rebound.

But that's another epic. An epic that would unfold in a world very different from that of 1958. A world where states could no longer so easily appropriate their neighbors' treasures by invoking their sacred interests.

CHAPTER 6: THE YEARS OF OBLIVION

Paris, 1975

The clatter of jackhammers echoed through the immense hall of the old Orsay station. Clouds of plaster dust floated in the air. The place resembled an architectural battlefield: twisted metal beams, gutted walls, demolished floors. It was there, in this chaos, that the future temple of French art was to be born.

Françoise Cachin, chief curator and future director of the Musée d'Orsay, carefully stepped over the rubble, her heels clicking on the cracked concrete. She wore her eternal black suit, the one she reserved for important meetings, and clutched against her a yellow folder marked "Matsukata Collection." At her side, Michel Laclotte, director of the Museums of France, advanced slowly. His impeccable suit contrasted with the apocalyptic décor surrounding them.

Cachin observed the construction with a fascination mixed with apprehension. Daughter of a renowned surgeon and granddaughter of the famous communist activist Marcel Cachin, she had studied at the Institute of Art and Archaeology, developing from an early age a consuming passion for art.

—Michel, look at this, Françoise Cachin announced, gesturing broadly at the immense central nave. We could install the entire Impressionist collection here. The Monets facing the Renoirs, the Degas in the alcove at the back... And this light! This natural light falling, it's exactly what we need for the pastels.

Laclotte nodded distractedly, his gaze scanning the plans he held in his hand. He was preoccupied. A bureaucrat par excellence, he had climbed every rung of the cultural administration ladder through a savvy combination of real competence and assumed opportunism. He excelled in the art of compromise, that intellectual gymnastics that allows one to reconcile the irreconcilable.

—Françoise, we need to talk seriously about the presentation of the Matsukata works. I received a call from the minister's cabinet last night. They're... how shall I say... concerned about the visibility we might give to this provenance.

—Concerned? Cachin repeated with a hint of irony. What concerns them? That we have the most beautiful Van Goghs and Gauguins in the world in our collections?

A worker passed near them, pushing a wheelbarrow full of debris. Laclotte waited until he moved away before continuing, instinctively lowering his voice.

—You know very well what I'm talking about, Françoise. This collection is a time bomb. If journalists start digging into the conditions of its acquisition...

—Its acquisition? You mean its confiscation, Michel. Let's call a spade a spade.

Laclotte grimaced. He hated when Cachin became so direct. In their circles, people preferred euphemisms, circumlocutions, anything that allowed them not to name things too bluntly. This propensity of his colleague for verbal insubordination made him uncomfortable.

—Precisely, he resumed, casting a nervous glance around him. That's the kind of word we need to avoid. Listen, I've prepared a memo. I'm going to read it to you.

He took a typed document from his briefcase and began reading in a monotonous voice.

—“Directive regarding the presentation of works from the former Matsukata collection. In accordance with instructions from the Ministry of Culture, it is recommended to adopt neutral nomenclature concerning the provenance of these works. The following designations are to be favored: 'National Collection,' 'Acquisition by the French State,' 'Anonymous Donation.' Any explicit reference to the Matsukata collection must be subject to prior validation by the directorate of the Museums of France.”

Cachin interrupted him with a strained laugh.

—Anonymous donation? You're joking, I hope? We're talking about a collection of several hundred major works, not a painting offered by an old aunt!

—I know, Laclotte sighed, putting away his document. If we start telling everything—the sequestration during the war, the shaky negotiations after the war, the 1958 charade—we're going to find ourselves with a monumental controversy on our hands. And that, the new museum really doesn't need.

They walked on, skirting scaffolding where workers were busy reinforcing an arcade. The noise was deafening, but paradoxically it offered intimacy to their conversation. Cachin felt rising within her that anger that seized her when faced with the compromises of her profession. An anger mixed with disgust for herself, because she knew she would end up yielding.

—Do you know what bothers me most about all this? Cachin finally said. It's that we're doing exactly what we reproach the Germans for with Nazi spoliations. We conceal, we minimize, we act as if nothing happened.

—The comparison is excessive, Françoise. The circumstances have nothing in common.

—Really? A foreign collector builds a collection in France. War breaks out. The State seizes his property. The war ends. The State keeps the property. Explain to me the fundamental difference, I'm listening.

Laclotte stopped short and turned toward her. This conversation awakened doubts in him that he preferred to keep buried. His entire career rested on his ability to serve the State faithfully, whatever its contradictions. Questioning this loyalty frightened him more than he wanted to admit.

—The difference is that Matsukata was Japanese, that Japan was the enemy, and that there was an international treaty in due and

proper form. The Treaty of San Francisco, does that ring a bell? Everything is legal.

—Legal, perhaps. Moral, certainly not.

—Since when has morality guided politics? Laclotte retorted.

They arrived in what would become the great Impressionist gallery. The space was immense, bathed in golden light filtering through. Cachin stopped in the center of the room, slowly turning to take in the entire volume with her gaze. In these moments, her passion for art resurfaced.

—This is where I want to put The Bedroom in Arles, she declared. Right in the center, with zenithal lighting. It will be the highlight of the collection.

—Excellent idea, Laclotte approved. That Van Gogh is exceptional. The vibration of the yellows, the twisted perspective of the room... It's an absolute masterpiece. Visitors will flock to see it.

—And we won't mention anywhere that it comes from the Matsukata collection?

—We'll mention what needs to be mentioned: "Oil on canvas, 1888, Musée d'Orsay collection." That's all.

A dull noise interrupted them. A worker was drilling through the wall a few meters away, raising a cloud of white dust. They moved away coughing. Laclotte felt the weight of these State lies he was helping to perpetuate. A moral weariness that showed through in his gestures, his silences, those moments when his mask of zealous functionary imperceptibly cracked.

—Last week, I met Coullonges, the curator of the paintings division, Cachin resumed once they were sheltered. He told me an interesting anecdote. Apparently, in the sixties, one of the Matsukata heirs came to the Louvre to see the works from the collection.

—And?

—He cried. Literally cried in front of a Cézanne that had belonged to his grandfather. Coullonges, then deputy curator, didn't know what to do. He offered him a handkerchief and escorted him to the exit, promising him that the works would be well maintained.

—That's touching, Laclotte commented. But it doesn't change the situation. These works are French now.

Thousands of miles away, in the residential district of Daikanyama in Tokyo, Saburō Matsukata contemplated the Zen garden from the veranda of his traditional house. He held between his hands a yellowed photograph. His father, Kōjirō Matsukata, posing in front of his Parisian collection in the 1920s. One could see, hanging on the wall behind him, several of the paintings that now adorned French museums. Saburō was one of those Japanese marked by defeat, torn between ancestral pride and national humiliation. A man of honor according to traditional codes, he had nevertheless had to learn the art of compromise in the face of realities. This duality devoured him. Maintaining family dignity while accepting powerlessness. The loss of his father's collection symbolized for him all the capitulations of his era. His wife, Michiko, approached silently and placed a cup of hot sake beside him. Her painful resignation was that of Japanese wives, accustomed to tending their husbands' wounded pride without ever judging them. Yet sometimes, dejection showed through in her gaze when faced with Saburō's memory-haunted obsessions.

—You're looking at those photos again, she murmured tenderly. It only serves to reawaken the pain.

—How can I forget, Michiko? he replied without taking his eyes from the photo. Father devoted his life to this collection. He wanted to create a museum in Japan, to educate our people about Western art.

—Saburō, you must turn the page.

He slowly shook his head. This obstinacy in rumination signaled in him an inability to mourn.

—Turn the page? When every year, millions of tourists admire our paintings in Paris without even knowing they were stolen from us? No, Michiko. I cannot turn the page. Not as long as justice has not been done.

He set down the photo and took the sake cup between his wrinkled hands, savoring the warmth spreading through his palms.

—I received a letter from the curator of the Rodin Museum yesterday, he resumed. They're organizing an exhibition on nineteenth-century French sculpture. They want to borrow several of the works they "generously returned" to us in 1958. They keep the masterpieces and ask us to lend them the crumbs they deigned to give us back.

—What are you going to answer?

—Nothing. I won't answer anything. Let them manage with their conscience, if they have one.

Silence settled between them, disturbed only by the splashing of the small bamboo fountain in the garden. Michiko finally sat down beside her husband, gently placing her hand on his. This gesture, repeated a thousand times over the years, betrayed both her unfailing love and her exhaustion in the face of Saburō's ruminations.

—Kenji is growing up, she observed. He's asking more and more questions about his great-grandfather. The other day, he asked me why we don't have any Western paintings in the house when Kōjirō was a great collector.

—What did you tell him?

—The truth. That they're in France. But I didn't have the courage to explain to him how they got there. It's up to you to do it, it's your family heritage.

This responsibility of transmission crushed him. How to preserve memory without contaminating innocence? How to transmit truth without inoculating hatred?

—How do you explain to a ten-year-old child that the world is governed by the law of the strongest? That the fine notions taught to him in school—justice, equity, respect—are only empty words when it comes to relations between nations?

—He'll understand. Children understand more things than we think.

—Perhaps. But I'd like to spare him this pain as long as possible. Let's let him believe a little longer that the world is just.

Paris, Directorate of the Museums of France, 1976

The meeting room of the Directorate of the Museums of France, on rue de Valois, had the air of a war council. About ten senior officials and museum curators were attentively listening to Léon Thuillier, the director, present the plan he had developed with the ministry's secretary general.

Thuillier belonged to that breed of senior civil servants who had made the State their religion. A graduate of the École Normale Supérieure, with an agrégation, he venerated the institution with the fervor of a believer. This absolute devotion had led him to the top. In the Matsukata affair, he saw only a communication problem to solve, deliberately obscuring the ethical aspects.

—Ladies and gentlemen, he began in his grave, measured voice, we face a thorny challenge. We have in our national collections works that are the pride of our museums. But we must manage the complex legacy of their acquisition. The minister's cabinet has asked us to define a clear and coherent line of conduct.

He stood up and began pacing. This ritual of walking testified to a nervousness he strove to conceal.

—The Matsukata collection represents major works, he continued. We're talking about a group of considerable market

value. But beyond the financial aspect, our international reputation is at stake.

Jacques Quoniam, inspector general of Museums, felt he should intervene. He had weathered several crises and adopted a philosophy that allowed him to relativize moral issues.

—If I may, I think we're unnecessarily dramatizing the situation. What is the cabinet's recommendation?

Thuillier returned to his seat, adopting that solemn posture he reserved for important announcements.

—The secretary general proposes a clear approach: progressive erasure. We are going to, over a period of ten years, make all reference to the Matsukata collection disappear from our public documents. The works will remain on display, of course, but their provenance will be progressively... let's say... neutralized.

—Meaning? asked a Louvre curator.

—Meaning we're going to integrate them completely. No more special mention, no more distinction. They will become "works of the Louvre Museum" or "of the Musée d'Orsay." As if they had always been there.

—But the archives? The existing catalogues? Quoniam objected.

—The archives will remain accessible to specialized researchers, of course. We're not in the Soviet Union. As for the catalogues, they will be replaced by new editions... purged.

Louis Bazin, former head of service at the Louvre, who had been invited as an advisor, spoke up. An octogenarian, his great age conferred upon him a freedom of speech that his juniors did not allow themselves.

—I was there in 1951 during the treaty negotiations. I was younger at the time, but I attended certain meetings. What we did was... how shall I say... creative from a legal point of view. We took advantage of defeated Japan's weakness to legalize what was, let's be honest, pure and simple confiscation.

—Monsieur Bazin, Thuillier interrupted, we're not here to redo history, but to manage the present.

—Precisely, Bazin retorted with that impertinence that age confers. Managing the present implies understanding the past. And the past tells us that we're navigating in troubled waters. The Japanese are recovering economically. They won't remain silent forever.

—All the more reason to act while they still are, the director concluded.

The meeting continued. They discussed practical modalities. How to modify the works' labels, how to brief museum personnel, how to respond to potential questions from journalists or researchers. Thuillier directed the debates with an authority that poorly masked his own questions. He kept, in his moments of solitude, a clear conscience of the imposture he was helping to organize.

Musée d'Orsay, 1978

The museum was still under construction, but several rooms were beginning to take shape. In the future post-Impressionist gallery, a team of technicians was busy around a monumental wooden crate. Inside, *The Bedroom in Arles* by Van Gogh, arriving from the Louvre's reserves.

Jean-Pierre Moisin, a recently appointed curator, supervised the operation with palpable nervousness. It was the first time he was handling a work of such importance. Son of small shopkeepers, he had climbed every rung thanks to his talent and determination, expressing along the way that particular susceptibility of parvenus.

—Gently! he shouted to the movers. It's a Van Gogh, not an Ikea buffet!

The men, accustomed to curators' whims, continued their work with expert phlegm. Slowly, carefully, the painting was extracted from its crate and placed on a specially designed easel.

Moisin approached, fascinated. The violence of the yellows, the strangeness of the perspective, the palpable withdrawal emanating from this empty room... Everything was there, intact, overwhelming.

—Monsieur Moisin?

He turned around. A young woman in a white coat stood behind him.

—Yes?

—Charlotte Chenier, documentation service. I need to verify the information for this work's label.

She opened her folder and began reading with that application of novice archivists.

—So... Vincent Van Gogh, *The Bedroom in Arles*, October 1888, oil on canvas, 57.3 x 73.5 cm. For provenance, I have “Matsukata Collection, Paris, acquired around 1921; confiscated by the French State, 1944; Louvre Museum, 1951; deposited at the Musée d'Orsay, 1978.” Is that correct?

Moisin, visibly embarrassed, blushed slightly. A young idealist, Charlotte Chenier represented everything he had been before learning the rules of the museum game.

—Actually, we've received new directives concerning provenances. For this work, it should read “Musée d'Orsay Collection.”

The archivist looked at him with astonishment.

—But... that's false. This work has a provenance, a documented chronology. We can't erase it!

—These aren't my orders, Mademoiselle Chenier. It comes from above. Very high up.

—But it's absurd! she protested. Any art student knows this painting comes from the Matsukata collection. There are dozens of publications that mention it!

Moisin approached her and lowered his voice.

—Listen, I understand your frustration. It bothers me too. But we have very clear instructions. The Matsukata collection, officially, no longer exists. These works have always belonged to French museums. That's the new truth.

—The new truth? she repeated, incredulous. Are we in Orwell's 1984 or what?

—Mademoiselle Chenier, if you want to keep your position, I advise you to follow the directives without asking questions. That's friendly advice.

The young woman closed her folder, her idealism cracking under the shock of this first confrontation with institutional hypocrisy.

—Very well. "Musée d'Orsay Collection." But don't ask me to be proud of this lie.

She turned on her heel and walked away angrily. Moisin watched her leave. He remembered his own indignation when he learned the truth about these works. But with time, one gets used to it. This capacity for moral adaptation was perhaps what frightened him most about himself.

That's the real lesson of the museum world.

Tokyo, 1981

Kenji was now sixteen years old. Tall for a Japanese, with round glasses that gave him a studious air, he spent most of his free time at the Shibuya municipal library. That day, he was leafing through a book on Impressionism when he came across a reproduction of *The Bedroom in Arles*. The caption indicated "Musée d'Orsay, Paris."

Intrigued by something he couldn't define, he continued browsing the work. Further on, in a chapter on collectors from the early twentieth century, he found a black and white photograph. His heart stopped beating. It was his great-grandfather, Kōjirō Matsukata, posing in front of a collection of paintings. And among those paintings, clearly visible, *The Bedroom in Arles*.

He looked again at the caption of the reproduction. “Musée d’Orsay, Paris.” No mention of Matsukata. Nothing. As if his great-grandfather had never existed.

That same evening, he confronted his grandfather. Kenji had that impatience of youth faced with family secrets, but also that particular intuition that allows one to detect adult lies. He had inherited his great-grandfather’s obstinacy, but without yet knowing its intimate motivations.

—Ojii-san, I found something strange at the library.

Saburō Matsukata looked up from his newspaper. He had dreaded this moment for years, oscillating between the desire to preserve his grandson’s innocence and the duty to transmit family memory.

—Oh yes? What?

Kenji placed the open book in front of him.

—This is great-grandfather in this photo, isn’t it? With all these paintings?

He paled slightly but kept his calm.

—Yes, it’s him.

—And this painting there, it’s the Van Gogh that’s at the Musée d’Orsay, right?

—Yes.

—Then why doesn’t the museum mention that it belonged to us?

Saburō slowly folded his newspaper. The moment he had been dreading had arrived. He had to tell his grandson the truth. This painful transmission represented both his burden and his responsibility.

—Sit down, Kenji. It’s a long story. A painful affair.

For two hours, he told everything. His voice trembled, revealing the emotional weight of this account he had rehearsed a thousand times in his head.

Kenji listened, fists clenched. This adolescent was brutally discovering that the world was not governed by justice, but by force. This revelation marked the end of his innocence, but also the birth of a will that would carry him his entire life.

—But... but it's theft! he exclaimed when his grandfather had finished.

—Yes. But a theft legalized by an international treaty. Which makes it unassailable.

—Unassailable? Nothing is unassailable! We could hire lawyers, alert the international press, create a scandal!

Saburō sadly shook his head. So many years of failures had made him fatalistic, perhaps too fatalistic in the face of youth's energy.

—I tried, Kenji. For years. But the French erased the traces, rewrote history. For them, these works have always been French.

—So we give up? We let them win?

Saburō looked his grandson in the eyes. He saw there a fire that reminded him of his own father. This flame was both his hope and his fear: hope of seeing justice finally done, fear of seeing Kenji consume himself in a quest that had already poisoned his own existence.

—No, we don't give up. We wait. We prepare. One day, the opportunity will present itself. And that day, we must be ready. That's why you must study, Kenji. Learn law, foreign languages, discover how the world works. Strength isn't enough to recover what was stolen from us. We need intelligence, patience, and above all, we must know the enemy better than he knows himself.

Paris, Grand Palais, 1985

The exhibition "A Century of French Art: 1885-1985" at the Grand Palais was the cultural event of the year. President François Mitterrand himself was to inaugurate it. Behind the scenes, it was a hive of activity. Françoise Cachin, now director

of the Musée d'Orsay, supervised the final preparations with her team.

Cachin had reached the pinnacle of her career. Each professional success reminded her of the compromises she had accepted to get there.

The Matsukata affair crystallized her internal contradictions. The art lover versus the careerist, the intellectual versus the civil servant.

—What do you mean, the Gauguin's label isn't ready? she exclaimed, glaring at her assistant.

—That is to say... We have a small problem, Madame Director. In the 1979 catalogue, this Gauguin is listed as coming from the Matsukata collection. But in our new documents, there's no mention of this provenance anymore. Journalists might ask questions...

This Matsukata file was becoming burdensome. At every exhibition, every loan, it resurfaced like an accusing ghost. She felt the gaze of the works themselves, as if they were demanding justice.

—Listen, it's clear. The 1979 catalogue contained an error. That's all. If they ask you, you say that more thorough research has established the true provenance of the work.

—But Madame, specialized journalists know about this affair. Paul Jourdan from *Le Figaro*, for example, wrote several articles on the Matsukata collection in the seventies...

—Then he'll understand that it's in his interest not to revive old controversies, she replied. The Musée d'Orsay has excellent relations with *Le Figaro*. We regularly lend them works for their events. It would be a shame if that changed, don't you think?

The message was clear: the carrot and the stick. Those who played the game would be rewarded. The others... This way of exercising power showed in Cachin a hardness she hadn't always had. The system had transformed her without her knowing.

On the evening of the inauguration, all of cultural Paris was present. Ministers, ambassadors, collectors, art critics... In his speech, François Mitterrand celebrated “French genius” and “Paris, world capital of art.” Not a word about the confiscated foreign works that constituted a significant part of the exhibition.

In the crowd, a man observed the scene with a bitter smile. Yukio Tanaka, correspondent for the Asahi Shimbun newspaper in Paris, was taking notes. He had mastered French, he knew the Matsukata collection affair in its smallest details. His maternal uncle had worked for Kōjirō Matsukata in the 1930s. Tanaka was one of those Japanese journalists nourished by both respect for French culture and resentment in the face of injustices suffered. This duality was reflected in his work: admiration for Western art, indignation in the face of spoliations. He had made the truth about Matsukata his personal crusade.

After the speeches, he approached Françoise Cachin during the cocktail reception.

—Madame Director, allow me to introduce myself: Yukio Tanaka, Asahi Shimbun. Magnificent exhibition. I’m particularly taken with the post-Impressionist section.

—Thank you, Monsieur Tanaka. The Musée d’Orsay is proud to possess one of the finest collections in the world.

—Indeed. Several of these works have a fascinating journey. This Gauguin, for example, wasn’t it part of the collection built by my compatriot Kōjirō Matsukata?

Cachin’s smile froze imperceptibly. She recognized this journalistic maneuver. The gentle approach before the thrust.

—I believe you’re mistaken, Monsieur Tanaka. This Gauguin has always been part of the French national collections.

—Really? Yet, I have here a reproduction of the catalogue from the 1927 exhibition at the Georges Petit gallery, where this work is clearly identified as belonging to Matsukata...

He took a photocopy from his pocket and handed it to the director. She barely glanced at it, adopting that haughty expression she reserved for troublemakers.

—Period catalogues often contained errors, Monsieur Tanaka. Our current research is much more reliable.

—I see, the journalist replied with a smile that boded nothing good. Errors. How convenient. Tell me, Madame Director, how many works from the Matsukata collection currently adorn the walls of your museums?

Cachin stiffened. This journalist was beginning to seriously annoy her. She felt rising within her that anger that seized her when faced with challenges to her authority.

—Monsieur Tanaka, I don't know what you're trying to insinuate, but...

—I'm not insinuating anything, Madame. I'm asking a clear journalistic question. A question you prefer not to answer. That's your right. But it's also my right to investigate what looks very much like organized spoliation.

—I advise you to be very measured in your writings, Monsieur Tanaka. Defamation is punishable under French law.

—And theft? Is theft punishable under French law, Madame Director?

With these words, he bowed politely and walked away, leaving Françoise Cachin seething with rage. She signaled to Michel Laclotte, who was in conversation with the Italian ambassador.

—Michel, we have a problem. That Japanese journalist, over there. He's snooping around the Matsukata affair.

Laclotte frowned. The approach of retirement made him less combative in the face of controversies. He aspired to end his career in serenity.

—Tanaka? Yes, I know him by reputation. A first-class troublemaker. What does he want?

—Apparently, to create a scandal. He has period documents, he's asking questions...

—I'll take care of it. I have good contacts at the Japanese embassy in Paris. They have no interest in this affair resurfacing. Franco-Japanese relations are excellent at the moment, they're not going to alter them for a few paintings.

A few days later, Yukio Tanaka received a call from his editor-in-chief in Tokyo. The message was clear: no article on the Matsukata collection. "Bilateral relations" took precedence over investigative journalism. Tanaka understood that he had touched a sensitive chord. This censorship only strengthened his determination, but he had to postpone his revelations to more favorable times.

Kamakura, 1990

Kenji was now twenty-five years old. A law graduate from the University of Tokyo, he had just been accepted to Harvard. But before leaving for the United States, he wanted to have one last conversation with his grandfather, whose health was declining.

The latter was bedridden in his room. His gaze remained sharp and determined. Saburō felt his strength abandoning him, but this physical weakness was accompanied by a psychological liberation. Close to death, he was no longer afraid to transmit his truth, however bitter it might be.

—Kenji, come closer, he murmured in a weak voice.

The young man knelt beside the futon. Kenji carried within him that impatience of the age that wants everything, immediately. But faced with his dying grandfather, he was learning patience. This lesson in temperance would be precious for the battles to come.

—Yes, Ojii-san?

—In the safe, over there... There's a black lacquer box. Bring it to me.

Kenji complied. The box was heavy, adorned with golden motifs representing cranes in flight. Saburō opened it with difficulty, revealing bundles of documents.

—Here is everything I could save concerning the collection. The original inventories, correspondence with Parisian dealers, photos... And above all, this.

He pulled out an official document bearing the seal of the French government.

—The sequestration order of 1944. Signed by a certain Paul Dumont, provisional administrator. This document proves that France did confiscate the collection. They can tell whatever they want, this piece is irrefutable.

—Ojii-san, with this, we can...

—Wait. That's not all.

He pulled out another bundle of papers.

—The confidential minutes of the 1951 and 1958 negotiations. A sympathetic Japanese diplomat transmitted them to me in the sixties. They clearly show how the French manipulated the negotiations, how they took advantage of our post-war weakness to legalize their theft.

Kenji browsed through the documents, stunned. This documentation represented far more than a family legacy. It was a complete legal arsenal for waging the battle of truth. But also a terrible burden for a twenty-five-year-old young man.

—But this is enormous! We can create an international scandal!

—Perhaps. But we must be effective. The French are powerful, they're used to this kind of controversy. We'll have to choose the right moment. And above all, we'll need allies. Alone, we can do nothing.

He took his grandson's hand. This simple gesture carried all the weight of generational transmission: hopes, regrets, responsibilities.

—Kenji, I probably won't see the end of this affair. But you, you have time. You have intelligence. You have determination. Promise me never to give up. Promise me to bring justice to Kōjirō's memory.

—I promise you, Ojii-san. I'll recover our collection. Or at least, I'll bring the truth to light.

Saburō Matsukata died three weeks later. His funeral was sober, in accordance with his wishes. But in Kenji's heart burned an inextinguishable flame...

Paris, Musée d'Orsay, 1993

Sophie Martinet was a young doctoral candidate in art, specializing in French museum collections. For her thesis, she was interested in the provenances of post-Impressionist works. One day, while consulting the archives of the Musée d'Orsay, she stumbled upon a disturbing anomaly.

Sophie, from a middle-class family, approached art with sincere passion, devoid of the social calculations that motivated her elders.

—Excuse me, she asked the archivist, a sexagenarian with a severe chignon. I'm looking for the acquisition files for this group of works, but I only find documents after 1960. Where are the originals?

The archivist glanced at the list. She had spent thirty years in this institution, navigating between the demands of research and administrative constraints. This experience had made her cautious.

—Ah, those works... The original files are in special reserve.

—In special reserve? Why?

—They're sensitive documents. You need authorization from the directorate to consult them.

—Sensitive? How can acquisition documents fifty years old be sensitive?

The archivist hesitated, then leaned toward her, lowering her voice. She had kept, despite years of conformism, a professional conscience that honored her. She knew how to distinguish the institution's interest from that of truth.

—Listen, mademoiselle, a word of advice: don't insist on those works. Focus on something else for your thesis. It will save you trouble.

—Trouble? What are you talking about?

The archivist looked around to make sure they were alone.

—The last doctoral student who wanted to dig into these files had her thesis rejected. Officially for "insufficient methodology." Unofficially... let's say she put her nose where it shouldn't be.

—Are you telling me there's active censorship on certain subjects in this museum?

—I'm not saying anything at all. I'm giving you friendly advice, that's all. If you want to consult these documents, make a written request to the directorate. But don't be surprised if it's refused.

Sophie left the archives, troubled. She who believed she was working in the temple of knowledge and culture was discovering a much darker reality. That same evening, she talked about it to her thesis advisor, Professor Bernard Druesne.

Druesne was one of those academics who had gone through May '68 while keeping their ideals intact. Upright, he oscillated between bitter skepticism and residual hope of seeing truth triumph one day.

—Ah, Sophie, you've put your finger on one of the best-kept mysteries of the French museum world: the Matsukata collection.

—You're aware of it?

—Of course I'm aware of it. All specialists are. But it's a taboo subject. We don't talk about it.

—But it's scandalous! It's contrary to all ethics!

The professor looked at her with weariness. So many years of seeing brilliant students break against the realities of the university system...

—Sophie, you're young, idealistic. That's good. But let me explain how our little world works. French museums are powerful structures. They have close ties with political, economic, media power. Those who dare question their practices very quickly find themselves marginalized. No grants, no positions, no publications. Academic death, in short.

—So we stay silent? We accept the lie?

—We compromise. We work around it. We study something else. Or, if we're brave, we wait. We accumulate evidence, and one day, when the context becomes favorable, we strike. But that day hasn't come yet, believe me.

—And when will it come?

Druesne smiled sadly. This question, he had been asking himself for a long time.

—When the Japanese are economically powerful enough to apply pressure. When international public opinion is sensitized to these questions. When the old curators who built their careers on this lie are dead. Patience, Sophie. Truth always ends up triumphing. But sometimes, it takes its time.

Boston, Harvard Law School, 1995

Kenji was now in his final year of doctoral studies.

His thesis focused on "Restitutions of Art Works in International Law: Case Studies." Officially, it was a neutral subject. Unofficially, it was a war machine against France.

Harvard University had transformed Kenji. The shy student had become an accomplished strategist, perfectly mastering the codes of Western power. But this transformation had been accompanied by a painful loss of innocence. He had learned to

hide his emotions, to calculate his effects, to instrumentalize his relationships.

His thesis advisor, Professor Robert Crawford, a recognized specialist in international law, had warned him. He was part of that American university elite, brilliant but timorous, concerned with preserving its reputation more than defending justice.

—Kenji, your work is relevant. But you're walking on eggshells. France is very sensitive about these questions. If you want to publish your thesis, you'll need to be very measured in your formulations.

—Professor, with all due respect, reserve has gotten my family nowhere for fifty years.

—What do you propose?

—An indirect approach. Instead of attacking France head-on on the Matsukata collection, I'm going to establish precedents. Show how other countries have returned works confiscated during the war.

Crawford smiled, admiring his student's skill.

—That's good. But it will take time.

—I have time. And above all, I have something my grandfather didn't have. Access to international networks. Harvard is a passport to the whole world. Graduates from here are everywhere: in law firms, the media...

—You want to create a network?

—Yes. A network of sympathizers, potential allies. People who, when the time comes, will be able to relay our cause.

Over the following months, Kenji implemented his strategy with determination. He participated in all colloquia on heritage law, making contacts, discreetly sowing the seeds of his future campaign. He met journalists, lawyers, academics. To each, he told the story of the Matsukata collection affair, without insisting, just enough to awaken their curiosity.

One evening, at a conference in New York, he met Sarah Fieldman, a lawyer specializing in restitutions of works spoliated during the Shoah.

Sarah carried within her that particular guilt of survivors, transformed into militant energy for restorative justice. She immediately recognized in Kenji that same transmitted wound, that same thirst for reparation that animated her.

—You remind me of our own struggles, she told him after he had presented the Matsukata case to her. The difference is that we have the sympathy of public opinion. The Holocaust, everyone perceives the injustice. But a Japanese collection confiscated... You know, I have contacts in the American media. If you want, I can start circulating this story. Discreetly, for now. Just to prepare the ground.

—Thank you, I accept your help.

This alliance marked the beginning of a new phase in the Matsukata family's fight.

Paris, Directorate of the Museums of France, 1997

In his wood-paneled office at the Directorate of the Museums of France, Louis Monnier, the new director, listened carefully to his advisors' report. He had succeeded Thuillier with the ambition to modernize, but found himself confronted with the same dilemmas as his predecessor. At his side, Françoise Armand, deputy secretary general of the ministry, was taking notes assiduously.

Monnier belonged to those senior civil servants trained in modern management methods, but confronted with the inertia inherited from the past. He oscillated between a desire for transparency and corporatist reflexes, between displayed modernity and assumed conservatism.

—We have a potential problem. Our media monitoring services have detected a rise in the “Matsukata Collection” subject in the

Anglo-Saxon press. Several articles have appeared in recent months in specialized American and British journals.

—What is this about? asked Françoise Armand, who had just been appointed to this position.

Monnier spoke.

—It's an old file, Madame Secretary General. A Japanese collection confiscated during the war and integrated into our national collections. Legally, everything is in order. The 1951 San Francisco Treaty gives us all rights. But...

—But?

—But from an ethical and media standpoint, it's more complicated. If the affair gains momentum, we risk finding ourselves in the same situation as Swiss museums with Nazi gold. A catastrophe for our image. The minister's cabinet is worried.

Françoise Armand, recently arrived from the central administration, was discovering these gray areas that the ENA hadn't taught her. This initiation into the realities of power troubled her more than she wanted to admit.

—What are our options?

—First option. We do nothing and hope it passes. Risky, but possible. Second option. We take the initiative. We communicate on the subject, we assume it, we explain the context. Third option. We negotiate discreetly with the Japanese. We return a few symbolic works to them in exchange for their silence on the rest.

—What is your recommendation?

Monnier hesitated.

—Personally, I would lean toward the third option. But it's a decision that exceeds our level. We would need the cabinet's approval.

—Who are the current heirs? Are they litigious?

—The main heir is named Kenji Matsukata, great-grandson of Kōjirō Matsukata. A Harvard-trained lawyer, currently a partner

in a major Tokyo firm. According to our information, he's the one trying to orchestrate a low-key media campaign.

—Can we meet him?

—We can try. But from what we know of him, he won't settle for crumbs. He wants to recover everything. Or at least public recognition of the harm done.

—Let's start by evaluating what we have from this collection. How many works, their value, their importance for our museums. Then, see if a discreet meeting is possible. But above all, prepare a defensive communication plan. If the affair explodes, we must be ready to respond. I'll inform the cabinet.

—Very well, Madame. But this file reveals a broader problem. Our museums are full of works with questionable provenance. If we give in on Matsukata, we create a breach through which everyone will rush.

—I know. But we're in 1997, not 1951. The world has changed. We must adapt or suffer. The minister is aware of this.

Tokyo, Yamamoto & Associates Law Firm, 1998

Kenji Matsukata, now a partner in one of Japan's most renowned law firms, had called a meeting. Around the table, his team consisted of two young Japanese lawyers, an art specialist, and Sarah Fieldman, who had come specially from New York.

Kenji's transformation was striking. The passionate young man had become an accomplished jurist.

—Where do we stand? Kenji asked.

The art specialist, Professor Yamada, spoke.

—I've completed the complete inventory of the collection based on your grandfather's documents.

—Estimated price?

—At the current market rate, the works still in France are worth between 800 million and 1.2 billion dollars. The Bedroom in Arles alone is estimated at over 100 million.

Sarah Fieldman intervened.

—It's not just about money. It's the cultural heritage of a visionary that was spoliated.

—Exactly, Kenji approved. That's the angle we need to emphasize. Not the financial aspect, but the moral, cultural, human aspect.

One of the young lawyers, Nukaga, asked with that audacity that inexperience confers.

—Master, I studied the Treaty of San Francisco. Article 14 seems to favor the French. How do we get around this legal obstacle?

Kenji smiled. This question, he had worked on for years at Harvard, constantly refining his argument.

—I've thought about it a lot. We can't attack the treaty itself, that's true. But we can argue that France exceeded what the treaty allowed. The treaty spoke of "war reparations." But the Matsukata collection was not war property. It was a private collection, built long before the conflict, through legitimate purchases. France had no right to consider it as "reparations."

—That's brilliant! Sarah exclaimed. You're not contesting the treaty, you're contesting its abusive application.

—And I have something else. Look at this document.

He projected an official letter dated 1946 on the screen.

—This is a letter from the French government to my grandfather, acknowledging that the collection was "under temporary protection." This letter proves that even France initially recognized that the collection should be returned.

—Then why wasn't it? Nukaga asked.

—Opportunism. Between 1946 and 1951, France realized the value of what it held and changed its position. That's blatant bad faith.

Professor Yamada added.

—I also discovered something interesting in the archives of the Quai d’Orsay. Internal memos where French diplomats acknowledge that the seizure of the Matsukata collection is “legally fragile,” but “politically opportune.” They knew they were stealing, but they did it anyway.

—Excellent, Kenji concluded. We have the evidence. Sarah, how do you see what comes next?

Sarah thought for a few moments.

—We must continue building media pressure. I have contacts at the New York Times who would be very interested in a major article. But we also need a triggering event. Something that will force the French to react.

Paris, Musée d’Orsay, 2000

It was a November morning. The museum had just opened and the first visitors were beginning to arrive. Among them, an elegant visitor in his black overcoat, advanced with a determined step.

Kenji Matsukata stopped in front of *The Bedroom in Arles*. For the first time in his life, he saw with his own eyes the painting that had belonged to his great-grandfather. Emotion overwhelmed him. The brilliant yellows, the crooked perspective, the solitude emanating from this empty room... All of this should have been in a museum in Tokyo, accessible to the Japanese people.

He remained there, motionless, for long minutes.

—Moving, isn’t it?

Kenji turned around. A woman, elegant, was looking at him with a slight smile. He instantly recognized Françoise Cachin, the museum’s former director. She had been informed that Kenji Matsukata was in Paris for forty-eight hours and hoped he would come to the Musée d’Orsay. She desperately wanted to meet him, undoubtedly to ease her bad conscience. She had been watching for his visit for hours.

—Madame Cachin, I presume?

—You know me?

—I know who you are. Just as you know who I am, I imagine.

Cachin's smile faded. Age and retirement had made her less combative.

—Monsieur Matsukata. I suspected you would come one day.

—And what do you feel, Madame, seeing me in front of this painting that was stolen from my family?

Cachin stiffened, but a new vulnerability showed through in her gaze.

—Stolen is an excessive term, Monsieur. This work was legally...

—Spare me the official speech, Kenji interrupted. We both know what happened. My question is: how do you live with that?

Cachin remained silent for a moment, then replied in a softer voice.

—Monsieur Matsukata, I've devoted my life to art. To preserving it, showing it, making people love it. These works, whatever their provenance, are an integral part of French cultural heritage. Millions of people have seen them, studied them, loved them. Isn't that also a form of justice?

—Justice built on injustice remains injustice, Madame. My great-grandfather wanted to create a museum in Japan. You destroyed his dream.

—I destroyed nothing, Monsieur. I inherited a situation created long before me.

—By erasing all reference to their true owner?

Cachin had the honesty to appear embarrassed.

—That was... a directive. I didn't agree, but...

—But you applied it. Like all the others. Out of cowardice, out of self-interest, it doesn't matter. You're all accomplices.

He turned back toward the painting.

—One day, Madame, this Van Gogh will return to Japan. Perhaps not in my lifetime, but one day.

—Perhaps, Monsieur Matsukata. But in the meantime, it's here. Isn't that better than in a private safe?

—False dilemma, Madame. It could be in a museum in Tokyo, accessible to Japanese people who will never have the means to come to Paris. But that, your Eurocentric vision cannot conceive, can it?

With these words, he turned on his heel and walked away, leaving Françoise Cachin alone before the painting. She felt something that wasn't far from guilt. This direct confrontation with one of the victims had cracked her moral defenses.

That same evening, she called Michel Laclotte.

—Michel, I met Kenji Matsukata this morning. At the museum.

—And?

—He won't let go, Michel. It's a question of honor for him. Of justice. He'll go all the way.

—What do you suggest?

—Perhaps it's time to... reconsider our position. Make a gesture. Before the scandal breaks out.

—You're becoming sentimental with age, Françoise. We won't return anything. These works are French. There's no discussion possible.

Cachin hung up, troubled. She was doubting. Had they made the right choice all these years? Or had they only been the guardians of a crime disguised as legitimate acquisition?

Time passed. Nothing moved. Discreet but effective pressures kept the Matsukata affair under wraps. Little by little, Kenji Matsukata's fierce determination was inexorably wearing down. After years of struggle, Kenji Matsukata, with a heavy heart, would end up giving up, exhausted in the face of the immensity of the task. He had not been able to keep the oath he had made

to his grandfather: to devote all his energy so that the collection would finally return to Japan. The era was not yet ripe for the question of spoliations to become a major societal issue... It would take until the 2020s for the file to rebound... finally.

CHAPTER 7: THE RENAISSANCE OF A BATTLE

Céret, Offices of the NGO Return and Restitutions, August 2024

In the premises of Return and Restitutions, the air was fragrant with Mediterranean sweetness. Pierre Bertier had founded this NGO in 2019 with an objective that fit on one line: to recover what had been stolen.

Over time, his team had refined its methods. The scientific council was expanded: art specialists, lawyers, experts in work provenance...

Pierre Bertier reigned over this small world with the passion of the converted. A recently retired tenured professor, he had traded his classes for a personal crusade that finally gave him the impression of truly existing.

He was a living paradox. On one hand, his intellectual rigor and work capacity commanded respect—he could spend entire nights poring over archives, driven by an insatiable curiosity that had made him brilliant in his discipline. His phenomenal memory and gift for synthesizing masses of complex information made him a formidable adversary. But this same intensity concealed flaws. A perfectionism that bordered on obsession, an instinctive mistrust of anyone who didn't embrace his views, and above all this tendency to consider himself the sole holder of truth.

Bertier maintained a form of intellectual arrogance that showed through in his human relations. He listened poorly, often interrupted, and displayed visible impatience as soon as someone didn't immediately follow his reasoning. His collaborators appreciated his competence but dreaded his mood swings when a detail escaped him. He corrected others' errors with poorly concealed pleasure, as if he collected proof of his superiority. Paradoxically, this same exigency that made him difficult on a daily basis also constituted his strength. Nothing escaped him, no official lie resisted his analysis.

His office resembled that of a military officer preparing the final offensive. On the walls, world maps bristling with colored pins. Red for Nazi spoiliations not yet settled, blue for what the colonizers had taken in their luggage, green for State confiscations, yellow for “questionable acquisitions” by major museums. A geography of global plunder that made one dizzy.

On the desk, piles of carefully labeled files. International law treaties sat alongside exhibition catalogues annotated in his hand. His correspondence with researchers from around the world proved he had patiently woven his web. On the wall, a reproduction of *The Bedroom in Arles* seemed to watch over his research. A daily reminder that behind each file, there were men, women, and ravaged beauty. Bertier often contemplated this painting, drawing from it a form of comfort that compensated for his personal solitude—for his struggle had gradually cut him off from a normal social life.

Bertier looked up when his secretary knocked. Recruited from the beginning, she shared his passion for lost causes. He appreciated in her this unwavering loyalty.

—Monsieur Bertier, Taro Hagiuda from Tokyo is on the line. About the Matsukata affair.

This call, he had been waiting for it for a week. A mixture of impatience and apprehension invaded him.

—Perfect, put him through.

Bertier picked up the receiver. Hagiuda, doctor of history and eminent specialist in modern Japanese culture, was part of that network of researchers who refused to forget. The stakes far exceeded an ordinary consultation.

—Dr. Hagiuda, hello. Thank you for calling me back.

The voice that answered him carried the weight of his frustration. The slight delay of the satellite connection didn't attenuate anything.

—Monsieur Bertier, it's I who thank you. Your research on spoliation, we know it well here. We follow your struggles with great interest... and hope, I must say.

Hagiuda's tone betrayed the magnitude of the trauma. Matsukata wasn't just a name in a catalogue. It was a national wound that refused to close.

—As for the collection, I must tell you the truth. It's our gaping wound. Eighty years later, it still hurts us. Kōjirō Matsukata was a genius, a visionary who wanted to bring our cultures together. What the French did to him...

His voice broke slightly.

—...we experienced it as a stab in the back.

Behind the legal aspects hid broken destinies. Matsukata had wanted to build bridges, they had stolen his stones.

—I understand the emotional aspect. But I need concrete elements. Otherwise, we'll only be blowing smoke in front of the courts.

Bertier had learned the hard way that indignation wasn't enough when facing museums. He needed solid, verifiable, incontestable evidence. His natural mistrust, sharpened by years of lost battles, imposed this rigor on him.

—What exactly do your national archives contain? Original unpublished documents? And above all—crucial question—have you managed to find the heirs?

A sigh reached him from Tokyo. If the injustice was clear, its reparation ran into the realities of passing time.

—That's the tragedy, Monsieur Bertier. The Matsukata family has... evaporated. Scattered to the four winds by the catastrophes of the twentieth century.

The explanation that followed revealed all the cruelty of fate. The Pacific War, the defeat of 1945, the American occupation that

lasted seven long years, social upheavals. Everything had conspired to scatter Japanese families like dead leaves in the wind.

—A few descendants still live in Japan, but in different prefectures. The wives have changed names, which complicates everything. Others fled to America in the 50s and 60s, when the country was still on its knees. There are also some in Europe, a few in France and Germany. But the worst, Monsieur Bertier, is that many don't even know they have a right to something.

The situation was that of an involuntary diaspora, fruit of the traumas of modern Japan. Families had scattered out of necessity, surviving as they could from the ruins of their world.

—Natural ignorance or voluntary amnesia? asked Bertier, his curiosity taking precedence over his compassion.

—Both, alas. The war broke family ties, that's a fact. In the United States, certain descendants are well identified and mobilized toward the end of the 1990s, notably a certain Kenji Matsukata who now lives in Japan, but who seems no longer active on this file. Yet he had seized the press, given conferences, written articles, moved heaven and earth... But for fifteen years nothing. Many others also chose to forget. Turn the page, concentrate on the future, bury a past too heavy to bear. You know, after 1945, surviving counted more than claiming.

Bertier knew this mechanism. He had observed it in other spoliation cases. Victims preferred amnesia to confrontation with too-painful memories. A denial that suited the spoliators well. This reality irritated and saddened him at once—he who had never been able to forget the slightest injustice.

—Concretely, does this block everything?

—Not necessarily, but it complicates things. How to claim on behalf of people who are unaware of their rights? How to mobilize heirs who don't even know they have an inheritance? French authorities can say: "No one is claiming anything, so everything is fine."

—I may have a lead. In French law, and here, forgive my jargon, there exists a notion we call “gestion d’affaires.” Articles 1301 and following of the Civil Code.

Inherited from Roman law and refined by two centuries of jurisprudence, it allows someone to act usefully on behalf of another, even without their knowledge. A mechanism that can elegantly bypass the obstacle of scattered heirs. In summary, it’s possible to act without a mandate, but in the interest of the one being represented. Provided one proves that it’s in the interest of the Matsukata descendants, even if they’re unaware... This could theoretically allow my NGO to act legally on behalf of the heirs. Even without their explicit agreement, as long as the action has a character of utility for them, Bertier explained.

A thoughtful silence greeted the proposal. Hagiuda finally resumed, with obvious curiosity in his voice.

—The approach is interesting, I grant you. But I’d like to ask you a question that personally concerns me...

—I’m listening.

—Are you sure that the heirs would really want to see such a painful affair resurface publicly? Eighty years have passed, Monsieur Bertier. Many have rebuilt their lives, constructed other projects. Why stir all this up?

Bertier took a few moments to reflect, weighing his words. This question sent him back to his own motivations. Was he acting for the victims or to satisfy his personal need for justice? The boundary sometimes remained blurred.

—Your question reveals your respect for the victims. That’s to your credit. But you see... beyond the private interests of the heirs, this file raises questions that far exceed the individual case of the Matsukata family. Can we morally leave unpunished acts of State spoliation, even old ones? Can we accept that organized forgetting and the passage of time erase the most flagrant cultural crimes? Isn’t there a duty of memory, an obligation to reestablish

truth? If only to honor the memory of victims and prevent such injustices from happening again... The question infinitely exceeds the framework of the Matsukata family. It engages the future of international cultural justice.

Hagiuda slowly nodded his head.

—Your point of view touches me. The injustice continues to concern us in Japan, you know. It's part of those collective wounds that never close. Our intellectuals, our researchers still talk about it regularly.

Bertier felt his heart racing. This recognition of the dimension of Japanese trauma comforted him in his approach.

—But concretely, Hagiuda continued, how do you plan to proceed? The French government won't easily renounce works of such importance. These canvases are part of the jewels of your national museums, they attract many visitors. The economic and cultural stakes are considerable, aren't they?

The objection was sensible. And terribly accurate.

—I first seriously considered directly seizing the competent French courts. It was the most natural route, the one recommended by classical doctrine.

—And you abandoned this approach?

—Alas yes. For concrete and... how shall I say... discouraging reasons.

Bertier had discovered that French justice practiced systematic hostility toward actions contesting national spoliations.

—My recent experiences with the French Conseil d'État convinced me that the route was not only without issue, but would even expose me to dissuasive financial sanctions. This jurisdiction refuses to recognize my organization's standing to sue in this type of affair touching on national heritage, he explained.

—Can you give concrete examples?

Bertier opened his files with the precision of a researcher accustomed to documenting his assertions. But also with the pent-up rage of one who has been shown the door. These failures had wounded him in his pride as a jurist.

—I recently seized the Conseil d’État in two comparable affairs. In the first, concerning the pillage of the Summer Palace in Beijing by Franco-British troops in 1860, a ruling of November 23, 2022 declared my petition inadmissible.

—On what grounds?

—Ah, the grounds! Bertier replied with a dry laugh. On the peremptory grounds that only “persons who believe themselves to be the legitimate owners” would have standing to sue to contest the inscription of property acquired in the context of war operations in national museum inventories. Do you grasp the nuance? By requiring victims to manifest themselves personally, while knowing perfectly well that most are unaware of their rights, French courts quietly organize the impunity of spoliation.

The formulation revealed all the artificiality of the French system to protect itself from embarrassing claims.

—In the second affair, Bertier continued, concerning the appropriation of the portrait of the Mona Lisa by François I in 1519, the Conseil d’État confirmed its jurisprudence with an even more severe ruling of May 14, 2024.

—More severe in what sense?

Indignation exploded despite himself.

—Not only did the jurisdiction reaffirm its position, but it specified that my organization “cannot maintain that it would have a vocation to represent these persons under gestion d’affaires.”

And get this... it inflicted a 3000 euro fine on us for abusive recourse!

—A fine! Hagiuda exclaimed. That’s revealing!

—The fine testifies to an assumed ideological hostility. The Conseil d'État considers that contesting French spoliation constitutes abuse of rights.

Far from the displayed impartiality, the courts practiced variable-geometry justice according to the interests at stake.

—Then what alternative are you considering?

Bertier opened a folder marked “International Strategy.”

—Faced with the hermetic closure of internal recourse routes, we have made the decision to bring the dispute directly before competent international bodies. More precisely before the United Nations Human Rights Council in Geneva.

The approach presented several decisive advantages and Bertier knew it. First, it placed the debate on the terrain of fundamental rights rather than on that of French national interests. Then, it allowed bypassing the blockages of French justice. Finally, it gave international visibility to the file.

—On what precise foundations do you plan to rely? Hagiuda asked.

Bertier opened his copy of the Universal Declaration of Human Rights, abundantly annotated over the course of his nocturnal research. He loved this sensation of mastering his subject in the smallest details.

—The argument will rest on two complementary violations of fundamental rights. First, the violation of Article 17 of the Universal Declaration, which states that “everyone has the right to own property” and that “no one shall be arbitrarily deprived of his property.”

—And the second violation?

—The violation of Article 10 of the Universal Declaration and Article 14 of the International Covenant on Civil and Political Rights, which enshrine the right to a fair trial. The French Conseil d'État's refusal to examine on the merits this type of affair,

without sufficient motivation and by inflicting dissuasive sanctions constitutes a flagrant attack on this fundamental right.

—The argument seems solid to me, Hagiuda approved.

—By refusing effective access to justice to victims of cultural spoliations, Bertier concluded, France fails in its international obligations and betrays its own republican principles. It's as simple as that.

—And concerning the facts themselves, what is your analysis of the spoliation?

The question allowed Bertier to present the fruit of his investigations. Months of relentless research, sleepless nights spent in archives.

—The spoliation rests on three successive acts, all tainted with serious irregularities. But cleverly concealed, of course.

—Can you detail these three acts?

Bertier precisely explained the entire process that led to the spoliation of the Matsukata collection.

The conversation continued. Hagiuda provided details on Kōjirō Matsukata's personality and the circumstances of the constitution of his collection, while Bertier presented his approach in its smallest details. Two men that everything separated, but who were united by the same thirst for justice.

—Dr. Hagiuda, Bertier concluded, your moral and scientific support counts enormously in an enterprise that will be long, costly, strewn with pitfalls... but absolutely necessary.

—Monsieur Bertier, you can count on my total support, as well as that of my Japanese colleagues. The cause is close to our hearts and symbolizes much more than a restitution of art works. Our dignity is at stake.

When they hung up, the French professor was comforted in his decision to bring the case before international bodies. This Japanese support gave him invaluable additional legitimacy. And

above all, he no longer felt alone facing the windmills of the French administration. This international solidarity moved him more than he wanted to admit.

That same afternoon, Bertier received Maître Béatrice Klein. A lawyer specializing in private international law questions. He appreciated in her this combination of sharp expertise and pragmatism—even if her direct manner destabilized him.

—Monsieur Bertier, she said, your secretary explained that you wanted my opinion on a cultural spoliation dispute.

She took a notebook from her briefcase, the mechanical gesture of people in the profession.

—The subject interests me. I've handled several similar files recently before European bodies. Attacks on cultural rights, that's becoming fashionable.

Bertier handed her his file, not without a hint of apprehension. He dreaded specialists' judgment of his work.

—Maître Klein, thank you for finding the time. The affair I want to bring before the Human Rights Council isn't simple.

He enumerated the difficulties.

—We have French constitutional law, public international law, administrative, civil for property...

Maître Klein browsed through the first documents. Then she looked up with that expression that experienced lawyers have when they smell a problem.

—The file seems well put together. But before getting into the details, I have a question that's going to annoy you.

—Which one?

—Have you exhausted all recourses in France? Because you know very well that's rule number one for seizing international bodies.

Her tone had become professorial, the one she must use with young colleagues a bit too hasty.

—Maître, that's the whole problem. Officially, I haven't seized the Conseil d'État on the Matsukata file. But I have excellent reasons to think that such a recourse would serve no purpose, except to cost us dearly in fines. The jurisprudence is now clear. Bertier had discovered at his expense that French justice practiced *omertà* when it came to sensitive heritage. Even to repair an injustice. This reality still revolted him.

—Can you be more precise? Because the exhaustion of internal recourse routes is the first argument that the French government is going to pull out in its observations, Maître Klein asked.

Bertier repeated his usual speech about his run-ins with the highest French administrative body. He reread the juiciest passages from the two rulings.

Maître Klein analyzed the passages from the rulings that had just been read to her. She immediately grasped the anomaly of these decisions with regard to international standards.

—The jurisprudence is severe, that's the least one can say. The fine seems unjustified to me. The Conseil d'État categorically refuses to recognize your standing to sue, even under *gestion d'affaires*, which is nevertheless a well-established practice in French law. Under these conditions, it's reasonable to consider that a new recourse in the Matsukata file would have been doomed to failure and would have exposed you to a new sanction, perhaps even heavier.

The validation by an international litigation specialist comforted Bertier. He wasn't an obsessive litigant who was persisting, but someone pragmatic who was drawing the logical consequences of French justice's systemic hostility. This recognition reassured him in his choices.

—That's what I think. International human rights jurisprudence recognizes that the obligation to exhaust internal recourse routes doesn't apply when these recourses are clearly ineffective or expose the applicant to disproportionate risks.

—Agreed. The preliminary question seems settled to me, Maître Klein acknowledged. Let's move to the substance. On what precise articles of international instruments do you plan to base your communication?

She leaned forward with interest. The choice of foundations largely conditioned the chances of success before the Council. Klein appreciated this type of intellectual challenge.

Bertier repeated what he had presented to Dr. Hagiuda. By invoking denial of justice, Bertier transformed the apparent weakness of his position—the absence of direct recourse in the Matsukata affair—into a substantive argument against the French judicial system itself.

—Your argument seems well constructed to me. The attacks you invoke are characterized and documented. But I want to insist on a practical difficulty that the French government will surely raise. How are you going to justify your standing to act on behalf of the Matsukata heirs? The Council is very attentive to the effective representation of victims.

The question touched the Achilles' heel of the entire enterprise. Without clear representation of victims, even the most brilliant argument risked collapsing.

—That's where *gestion d'affaires* comes in centrally, Bertier replied.

—Continue, please.

Bertier presented the same arguments he had explained to Dr. Hagiuda on this precise point.

—What are the conditions for your argument to hold water on this question?

Bertier unrolled his reasoning with meticulousness.

—First, the intention to act for others and not for oneself. Second, the objective utility of the action for the beneficiary. Third, the absence of known opposition from the heirs.

—And you consider that these three conditions are met?

—Completely, Bertier affirmed. In my communication, I'll demonstrate that all legal conditions are satisfied. The intention to act for others clearly results from my NGO's statutory purpose, which is to ensure the legality of museum collections and work for the restitution of spoliated property. The utility of the action is patent since it involves repairing a major injustice.

—And the third condition?

—There exists no known opposition from the heirs, who aren't even all formally identified to date.

The absence of opposition didn't result from tacit agreement, but from the ignorance of the rightful claimants, themselves victims of the dispersion organized by History. A paradox that Bertier transformed into an asset.

Maître Klein seemed convinced, although part of her remained skeptical about the real chances of success.

—The approach is ingenious and testifies to an extensive knowledge of French civil law. Especially since you can invoke your NGO's explicit statutory purpose, which corresponds exactly to this type of action. Gestion d'affaires could be recognized by the Council as a valid foundation for your standing to sue. But concretely, how do you plan to structure and draft the communication?

The lawyer knew that the best causes could fail on drafting defects or clumsiness.

Bertier showed her the conclusions he had begun preparing. The document, organized in distinct sections with a system of cross-references, testified to meticulous preparation.

—I've drafted a complete draft communication of about sixty pages. The argument follows a logical plan, designed to convince international jurists.

—Can you summarize the structure?

—Of course. First a detailed and chronological factual presentation of the spoliation and its mechanisms, with all necessary archive references. Then an analysis of characterized attacks, with citation of relevant international jurisprudence. Finally the circumstantial presentation of reparation demands.

Each element logically articulated with the others to form a coherent and convincing whole.

—And what are your concrete demands?

Bertier opened the last section of his file.

—I want the Council to officially note the violation of the Matsukata heirs' rights and expressly recommend to the French Republic that it proceed with the immediate and complete restitution of the spoliated works.

—Do these recommendations have binding force?

—No, UN recommendations aren't binding in the strict sense, but they have considerable moral force, especially when they emanate from the United Nations.

Unable to constrain France through the force of law, Bertier was betting on international pressure to win his case. This indirect approach corresponded to his personality: bypass rather than confront.

Maître Klein nodded approvingly, even if she kept her reservations about the real effectiveness of the method.

—An official condemnation by the United Nations would create strong moral constraint.

—It will be complicated for the French government to publicly ignore a UN condemnation.

—That's the bet you're making. France won't be able to justify maintaining a spoliation officially condemned before world public opinion and media.

An intellectual complicity was establishing itself between the two jurists. Maître Klein understood the logic of the enterprise that

far exceeded the Matsukata collection case. She admired this determination, even if she judged it naïve.

Their discussion continued further. The lawyer brought clarifications on the procedure before the Human Rights Council, suggesting some drafting improvements and alerting to pitfalls to avoid. Her experience proved precious for navigating in the labyrinth of UN bureaucracy.

—Monsieur Bertier, she concluded, all this seems remarkably well prepared to me. But never forget that the French government will mobilize its best jurists and all its means to contest your communication. France won't let such a serious accusation pass without reacting.

The struggle promised to be tough and unequal. When she took her leave around six o'clock, Bertier had a clear roadmap to finalize his communication. Maître Klein's analysis had allowed refining the last details and anticipating French objections.

That same evening, faithful to his nocturnal work habits, Bertier was calling his friend Jean-Michel Durand.

A professor of public international law, Durand enjoyed a reputation that far exceeded French borders. Their friendship dated from university, a time when they shared the same ideals of justice.

—Jean-Michel, good evening. I hope I'm not disturbing you too late? I know you've kept your night owl habits.

Jean-Michel Durand's voice crackled in the receiver, tinged with that benevolent humor he had wielded since their years on law school benches. They knew each other too well for the usual politeness.

—Not at all, Pierre. You know me, I'm a moth! And besides, with your twisted files, I rarely have time to be bored. What's troubling you again?

Bertier smiled. Durand had the gift of deflating his certainties with three well-placed words. He respected his friend, even if he took him for a gentle dreamer.

—I'd like you to take a look at a file I plan to bring before the UN. A French cultural spoliation dating from the war, but with ramifications today...

—Ah! You don't change. Always wanting to wake the dead. Tell me about it, you know I love it when you take on the big fish.

Durand's interest wasn't feigned. For years, he had been dissecting stolen heritage affairs with passion.

Bertier then launched into a lengthy account. Fifteen minutes of monologue where he unrolled his plan. Durand listened, grunted from time to time, asked his specialist questions.

—Pierre, everything seems to hold up. It's even quite impressive. They did anything, it's organized theft.

The approval did him good. Durand wasn't the type to distribute praise to please—quite the opposite. His validation reassured Bertier about the solidity of his work.

—But well... Don't you think there's a small timing problem? Eighty years, that's starting to be a lot. Courts don't much like resurrecting Methuselah, even for a good cause.

Bertier was expecting the objection. He had prepared his parry long ago, aware of this apparent weakness.

—Jean-Michel, serious attacks on human rights never prescribe.

—In theory perhaps, but in practice...

—The spoliation continues every day since 1944, since France obstinately keeps what doesn't belong to it.

The argument hit home. Durand appreciated this type of intellectual pirouette that transformed a weakness into strength.

—Not bad at all, Pierre. You transform a grandfather's crime into a daily flagrant offense. But what do you expect? That they're going to thank you?

—Obviously not! France will never let go of the piece of its own accord. It's had almost a century to clean house, it hasn't done it. Now, we're going to help it.

Durand was beginning to grasp the logic. Bertier wasn't playing white knight, he was coldly calculating. International embarrassment as a leverage. Not very romantic, but effective.

—Pierre, at first, your affair seemed a bit crazy to me. But ultimately... Yes, it can work. It's risky, but at least you're placing the debate where it should be.

The final adhesion of his friend completed Bertier's reassurance. This validation confirmed his intuitions.

In the following weeks, Bertier decided to give visibility to the affair. He published, under his signature, several articles online on specialized internet sites: Academia, the Leibniz Institut, the Village de la Justice... These articles totaled thousands of readers. Quickly telephone calls and emails multiplied. American professors, British historians, German specialists, association activists. A small international network was spontaneously weaving itself. Each new contact confirmed to Bertier that he wasn't conducting his struggle alone. The Matsukata affair was becoming a symbol—the full-scale test of international law's capacity to correct past errors.

This international recognition flattered his ego, even if he defended himself against it. After years of academic obscurity, seeing his work cited and debated around the world gave him a pleasure he didn't dare admit.

On March 26, 2025, Bertier placed his signature at the bottom of the final document. The most complete indictment file ever assembled against a State spoliation. Contemplating the copies destined for Geneva, he realized he had just passed a milestone. The affair was escaping him by entering the gears of international justice. With its legendary slowness, its hazards, but also—who knows?—its prospects for reparation.

His entire life had been built around this type of struggle. Now that he had launched the most important of them, he wondered if he would have the strength to see it through to the end.

—Kōjirō Matsukata, he murmured, looking at the reproduction of *The Bedroom in Arles* hanging on the wall, your struggle is only beginning. I dedicate this battle to you.

CHAPTER 8: THE INTERNATIONAL BATTLE

Geneva, United Nations headquarters, June 2025

Lake Geneva reflected its golden shimmer that morning, as if trying to make one forget the studious atmosphere weighing upon the offices of the High Commissioner for Human Rights. In the conference room, the working group examined the monthly communications with that routine imposed by international bureaucracy, even in the face of the most poignant human dramas.

The exercise repeated itself with Swiss clockwork regularity. A dozen experts bent over complaints from individuals or organizations who felt they had been wronged by States. A discreet but essential cog in the system of protection of fundamental rights.

Carmen Vásquez presided over the assembly with an authority that barely masked her own doubts about the real effectiveness of her institution. She had seen everything: broken promises, buried reports, ignored recommendations. A former magistrate of the Spanish Supreme Court, she was representative of those jurists trained in the post-Franco era, nourished by an ideal of justice that transcended national borders.

Yet twenty-three years spent untangling the most twisted cases had made her skeptical about States' capacity to reform spontaneously. She had learned that governments never yielded out of goodness of heart, but only under pressure from public opinion or their economic interests. This progressive disillusionment had hardened her, but also made her more determined to use the meager powers at her disposal.

Her graying hair framed a fine-featured face that never revealed her feelings—a facade she had built to survive in an environment where showing weakness was tantamount to losing all credibility.

Her colleagues respected her without liking her, recognizing in her a woman who had been forced to sacrifice her femininity on the altar of efficiency.

As she reviewed the agenda, she felt that familiar weariness that assailed her in the face of accumulating injustices. Each file represented broken lives, dashed hopes, betrayed promises.

—Our agenda includes the preliminary examination of twelve new communications.

Her diction, slightly tinged with a Castilian accent, carried naturally through the room's space. She knew how to modulate her voice to maintain her audience's attention without ever seeming to force it, a talent acquired during years of hearings where she had learned that persuasion was worth more than intimidation. But today, a hint of fatigue pierced through her usual tone.

—The first of these, referenced under number 421/2025, comes from a French non-governmental organization and concerns a collection of artworks acquired by France in the immediate post-war period. I must say that this file presents characteristics from the outset that command attention.

Vásquez was accustomed to preparing each session carefully, thus compensating for her powerlessness in the face of major issues.

—The petitioning NGO alleges a denial of justice and violations of property rights which, if proven, would constitute serious breaches of France's international commitments. But let's not prejudge anything and allow our rapporteur to present the facts.

Around the table, the six jurists present showed courteous attention. Each of them had already examined hundreds of communications, acquiring a particular ability to quickly assess the relevance of an argument.

This cosmopolitan assembly reflected the diversity of the UN system: jurists trained in different traditions, recycled diplomats,

academics seeking international recognition. All shared this ambition to change the world through law.

Klaus Weber, designated as *rapporteur*, opened the file resting before him. He personified German rigor. An associate professor at the University of Potsdam and author of several reference works on international litigation, he enjoyed a reputation for rigor in academic circles. His approach privileged factual analysis over general considerations. His work on Nazi spoliation, then on colonial appropriations, had established new standards. But he maintained that observer's distance that prevented him from being indignant. For Weber, injustice was above all a conceptual problem to solve, not human suffering to heal.

Leafing through the Matsukata file, he had a favorable bias toward the intellectual construction deployed by the petitioner. This case presented exactly the type of complexity he favored, a tangle of constitutional questions, international law, and administrative procedure that required fine analysis.

—Madam President, Weber began, I have devoted the last few days to a complete study of this communication, and I must confess that it presents characteristics that merit our sustained attention.

Weber loved these moments when he could deploy his encyclopedic knowledge before a captive audience.

—We are seized of a petition that contests the legality of France's acquisition of a collection of Japanese art belonging to a certain Kōjirō Matsukata, a collector who died in 1950. The circumstances of these works' disappearance are... to say the least troubling.

The precision of the opening statement created in the assembly that atmosphere of concentration that preceded examination of the most substantial cases. The working group members had learned to quickly distinguish meritorious communications from the fanciful petitions that sometimes cluttered their agenda. The

latter generally ended up in the wastebasket after a diagonal reading.

Isabella Pereira raised her hand to speak. This former deputy director at the Portuguese Ministry of Culture carried on her shoulders the weight of an exemplary but frustrating career. Her path was classic—perhaps too classic for someone who secretly aspired to less conventional adventures. A graduate of the University of Coimbra, she had first practiced as a lawyer specializing in civil litigation before joining public administration. This career change was the fruit of sincere vocation, but also of resignation in the face of disillusionment with the private sector where she had discovered that money often trumped justice. Her expertise in restitution disputes, acquired in handling several sensitive files involving former Portuguese colonies, conferred upon her recognized authority within the Council. Pereira was a thwarted idealist, disappointed by the frustration of serving a system she knew to be imperfect.

—Mr. Weber, does the French NGO have standing to act on behalf of Japanese heirs it does not explicitly represent? This is generally the stumbling block for most communications of this type. I've seen so many files solid on the merits collapse on questions of representation...

She interrupted herself, realizing she was letting her pessimism show through.

Weber consulted his handwritten notes—he obstinately refused to go digital, claiming that writing by hand favored reflection, but mainly hiding his fear of modernity that overwhelmed him. His sheets covered with his small, tight handwriting testified to precise work.

—Madam Pereira, your question touches the heart of the difficulties raised by this communication. But the petitioner anticipated the objection.

Weber paused, savoring this moment when he would reveal the argument he had studied.

—The NGO *Retour et Restitutions* invokes “gestion d’affaires,” provided for in Article 1301 of the French Civil Code, which allows one to act usefully on behalf of another without having an explicit mandate from them. It’s clever, I must admit.

Weber couldn’t help but admire the finesse of the reasoning.

—They rely on the fact that the Japanese heirs would be in practical impossibility of acting themselves against the French State.

He leafed through his notes with that slowness that exasperated his colleagues, but which allowed him to master every detail.

—The NGO produces a thirty-seven-page memorandum on this question of admissibility alone, with one hundred twelve jurisprudential references. Professional work, really. They cite several judgments of the European Court of Human Rights that recognize standing for associations in similar circumstances.

The working group members appreciated the rigor with which some petitioners prepared their communications. It was a change from the hastily prepared petitions they received too often, simple outlets for personal frustrations without solid foundation.

Thomas Harrison frowned slightly upon hearing the explanation. He symbolized the Anglo-Saxon tradition that privileges realism over conceptual elegance—a way to mask his irritation at continental subtleties he judged Byzantine. His Prince of Wales suit, tailored by a good maker on Savile Row, betrayed the City’s influence and underscored the discreet—but certain—chic of the British university establishment. His works on the differences between common law and Romano-Germanic family law were authoritative in English-speaking universities, but also betrayed an ignorance of the specificities of civil law that he claimed to analyze.

—An interesting analysis, he conceded, which seems to me fragile in light of usual international standards. The French tend to believe their civil law applies everywhere. It's a recurring trait of their mentality, this inability to conceive that other systems might be more effective. I've already seen similar arguments collapse before our bodies, although I must acknowledge that this one shows real inventiveness. But inventiveness cannot replace conceptual solidity. Allow me to pose a question that has puzzled me since the beginning of your presentation. How can the organization claim to know and defend the true interests of Japanese heirs it has never met and who have never entrusted it with the slightest mandate? Such a presumption of representation seems to me... rather bold. In the common law system, we are much stricter on these questions of mandates and representation. One cannot claim to act for another without their explicit consent.

The objection hit the mark and Harrison knew it. For international law may be flexible on many points, but it remains intransigent on one detail: the presumed victims must be clearly identified and represented. A detail that often sinks the finest lawyers' pleadings, when the beneficiaries have evaporated to the four corners of the planet.

Carmen Vásquez noted the observation in her notebook, appreciating in passing the finesse of the British thrust.

—Mr. Harrison, your objection certainly merits our attention, she intervened in a measured voice. But we will need to examine the question of admissibility with the greatest care during our detailed evaluation. However, I notice that you raise this question even before having heard the complete factual presentation. Would it not be wiser to first examine the substance of the allegations before ruling on formal aspects?

The reproach was polite, but firm. Vásquez had had enough of seeing debates drift toward procedural reflections that allowed avoiding embarrassing substantive questions.

—Before addressing formal aspects, it might be useful for our rapporteur to present us with the real, observable, and objective circumstances on which the petitioner relies. Mr. Weber, the floor is yours.

The German jurist approved with a nod.

—The petitioner’s argument is structured in a remarkably organized manner around the contestation of three successive official acts, he began, looking for the most significant passages. Each of them would be, according to her, tainted by substantial irregularities that call into question the validity of the French appropriation.

Weber opened his file to a page marked with a red bookmark.

—First contested act. In October 1944, an order by General de Gaulle placed the Matsukata collection under sequestration as “enemy property.” However, the petitioner contests this qualification, arguing that France never formally declared war on Japan. If this analysis were correct, it’s the entire French edifice that would waver from its origin.

The NGO produces in support of its allegations copies of archival documents that appear authentic, diplomatic correspondence, encrypted telegrams, minutes of governmental meetings...

Rafael Morales, who until then had been scribbling distractedly in his notebook, suddenly raised his head. This former Chilean foreign affairs advisor had acquired his reputation in handling cases of spoliations linked to South American military dictatorships—a past that still haunted him and nourished his suspicion of all States, even democratic ones. Truth and reconciliation commissions had been his field of predilection, but also the theater of his greatest disappointments in the face of organized impunity. Morales had seen too much evidence disappear, too many witnesses retract, too many officials escape prosecution to still trust fine speeches.

—Mr. Weber, he intervened, can such a serious allegation concerning the state of war between two allied nations be verified independently by our services? Because we cannot be satisfied with only the documents produced by the petitioner, however appealing they may appear at first glance. I've seen too many false proofs in my career not to be mistrustful.

Morales knew what he was talking about—too many forged documents had crossed his desk during the Pinochet years. In this type of litigation, authentication of documentary evidence often determines the final outcome, and he had learned to mistrust evidence that was too good to be true.

—Your observation is not only pertinent but indispensable, Weber replied, relieved that someone shared his caution. You are a thousand times right to emphasize that independent authentication constitutes an indispensable prerequisite to any serious evaluation. I took the liberty of contacting my former colleague Hoffmann, at the German Federal Archives, who has developed very reliable methods of documentary expertise. Verification could easily be carried out with the French National Archives, which preserve all documents from Free France and the provisional government. An official request from our Council would suffice, through the usual channels of inter-institutional cooperation, to obtain definitive confirmation or refutation of the presented allegations.

The suggestion was clever, and everyone understood immediately. Weber had just turned the burden of proof toward the French authorities themselves.

If Paris agreed to communicate the requested documents, their content would settle the disputed question. If the authorities refused such communication, the refusal could be interpreted as an indirect admission of the fragility of their position.

Isabella Pereira gestured, indicating she wished to intervene.

—Does the petitioner advance elements concerning the motivations that would have pushed France to maintain ambiguity on this question of declaration of war?

—Excellent point, Madam Pereira. The NGO develops a thorough analysis of what would be a deliberate strategy.

Weber turned several pages, looking for the appropriate passage.

—The government of Free France would have voluntarily maintained confusion between its status as a resistance movement and that of a sovereign State. This ambiguity allowed it to claim the prerogatives of a legitimate government while avoiding the constraints of international law.

Carmen Vásquez approved the proposal with a nod.

—We will indeed note the necessity of documentary verification in our preliminary conclusions. But continue your presentation, Mr. Weber. What are the other acts contested by the petitioner?

—Second act called into question by the NGO's argument. The application of the 1951 San Francisco Treaty. This treaty should not have concerned the property of a country with which France was not formally at war. The petitioner raises here a fundamental contradiction: the treaty by definition applies only to "enemy property" in the strict sense of public international law. Now, if France was not formally at war with Japan, as the first part of the argument suggests, Japanese property present on French territory cannot be so qualified. And therefore the San Francisco Treaty becomes inapplicable to the French situation.

Thomas Harrison straightened in his chair, expressing an interest he was trying to conceal.

—This analysis assumes that the drafters of the San Francisco Treaty did not take this possible ambiguity into account. Isn't that giving little credit to the intelligence of the diplomats of the time?

—It's an interesting objection. But the NGO produces excerpts from the preparatory debates of the treaty that show the question of France's exact status vis-à-vis Japan was never settled.

Weber leafed through his notes, looking for precise references.

—According to their research, the American negotiators would have deliberately avoided raising this question so as not to compromise the unity of the Allied camp. A form of consensus through silence, in a way.

Isabella Pereira showed her curiosity about the argument by leaning toward her documents.

—The analysis seems troubling to me in its internal coherence. If the factual premises are accurate, the contradiction identified by the petitioner seems difficult to contest on the plane of pure logic. But tell us, what is the third act incriminated by the argument? For I imagine the demonstration doesn't stop at the contradiction concerning the San Francisco Treaty.

—You're not mistaken, Madam Pereira. The third and final contested act is the 1958 order that would have been taken in violation of constitutional rules, definitively ratifying the appropriation of the disputed collection. The order would have been adopted in flagrant violation of the 1958 French Constitution, which only permitted the use of governmental orders in case of emergency, and not for international donations of artworks normally falling under parliamentary competence.

The argument stirred murmurs of interest in the assembly. Beyond the substantive questions about the legitimacy of the initial appropriation, the file raised constitutional form questions that touched the very foundations of the organization of French public powers.

Rafael Morales took the floor.

—If I'm not mistaken, we would be confronted with an appropriation that would be illegitimate on three levels. The initial 1944 act without legal basis, the abusive application of an

international treaty in 1951, and a constitutionally irregular regularization in 1958?

—That’s exactly it. The NGO speaks of a “cascade scheme” where each act tries to justify the previous one, but where the initial fragility contaminates the whole.

Thomas Harrison expressed himself with the moderation that usually characterized his interventions, but which poorly concealed his excitement at the prospect of seeing France put in difficulty. He never got worked up in public, preferring to distill his remarks with an entirely British phlegm.

—Mr. Weber, if your analysis of the petitioner’s argument is faithful—and I have no reason to doubt it—we would be confronted with a characterized violation of property rights, coupled with a denial of justice by French courts. Does the situation merit, in your opinion, examination on our part? For it seems to me that we’re touching here on the very foundations of the rule of law in a Western democracy.

The British representative’s question hinted at his unavowed satisfaction at seeing a continental rival in embarrassment. Beyond the fine analysis of the arguments presented, the experts had to determine whether the communication presented sufficient serious elements to justify engaging in adversarial proceedings with the French State.

—That’s my preliminary assessment, Weber confirmed. The communication raises factual questions that far exceed the usual framework of petitions we receive.

Weber felt an excitement rising in him that he hadn’t experienced in a long time. The case combined all the elements he favored. Legal complexity, historical stakes, international dimensions.

—The quality of the documentation and the gravity of the alleged violations seem to me to justify adversarial examination, the NGO having exhausted available internal remedies.

Weber had just set the tone, revealing a determination that was not known in him. The Matsukata affair was not just another petition among others. The French would have to explain themselves.

—Especially since the petitioner insists on the ineffectiveness of remedies in French law. The NGO invokes two recent rulings by the French Council of State that show how French courts practice denial of justice.

The precision fell at the right moment. The assembly was beginning to sense the wind turning against France. Rafael Morales, who hadn't opened his mouth for a while, straightened in his chair.

—Mr. Weber, could you detail a bit this famous denial of justice? This accusation seems extremely serious concerning a country that presents itself as the birthplace of human rights.

His voice carried that indignation of someone who had devoted his life to fighting impunity.

Weber loved this kind of moment when the evidence lined up like dominoes.

—The petitioner presents us with two particularly revealing Council of State rulings. The first dates from November 23, 2022, the second from May 14, 2024. In both cases—and the circumstances are strictly identical to the Matsukata affair—the highest French administrative body declared the petitions inadmissible. Without even examining the merits of the files. In one of the two files, the Council of State, without explicit justification, imposed a fine of three thousand euros on the petitioners. A way to intimidate those who would dare to contest State appropriations.

The two rulings from the highest French administrative body had that effect: they made the accusation of denial of justice devilishly concrete. The group members all shared an obsession, effective

access to justice. It was their common religion, their democratic rallying point.

Isabella Pereira couldn't restrain a gesture of indignation.

—Three thousand euros fine for having dared to ask for justice? But that's pure and simple intimidation! How can France justify such methods?

Pereira had seen too many victims abandoned by justice not to be moved by these practices.

—Exactly, Madam Pereira, Weber approved. The NGO cites in its memorandum consistent jurisprudence from the European Court of Human Rights that condemns this type of dissuasive practice.

Carmen Vásquez glanced discreetly at her watch, torn between her duty of efficiency and an intellectual curiosity she was trying to control. Already an hour and a half on one communication when twelve files were waiting for them! The Matsukata affair was definitely monopolizing attention.

She felt a form of sympathy for this NGO that had managed to build such a solid file. In her long career, she had rarely seen such thorough argumentation from a civil society organization.

—Given the time passing, I propose that we vote immediately on the *prima facie* admissibility of the case. We'll postpone the rest of the files to the next session, too bad.

Her proposal said much about the importance she attached to the Matsukata case, revealing a passion she usually strove to contain. Because Carmen Vásquez, usually, didn't disrupt her agenda for a single file, however well assembled.

—As far as I'm concerned, she added, sweeping the assembly with her gaze with her natural authority, the communication seems to me sufficiently solid and documented to justify official notification to France. After all, that's the procedure. The French State will have its regulatory deadlines to present its defense on admissibility and on the merits.

She paused, weighing her words carefully.

—I confess to being curious to see how Paris will justify what strongly resembles an organized spoliation, disguised as a legal act. For after all, even if we admit that France was at war with Japan—which remains to be proven—does that justify the confiscation of cultural property belonging to a private collector? The nods that followed betrayed the unanimity that had settled in over the course of the debates. Even Thomas Harrison, though skeptical at the start, had ended up yielding to the evidence.

—I must acknowledge that I was dubious at the outset, Harrison admitted. My reservations on formal aspects, you know them. But it must be admitted that the petition raises sufficiently serious questions to merit adversarial examination.

Isabella Pereira nodded.

—The documentation is of quality, the argument holds up. The case merits our serious attention, that's undeniable. And then, there's this symbolic dimension that goes beyond the French case. If we let such practices pass, we send a disastrous signal to other States.

Rafael Morales rallied to the general opinion.

—The extent of the violations presented to us amply justifies our engaging in real adversarial proceedings. Especially since the attitude of the French Council of State reveals a form of contempt for our principles that cannot remain unanswered.

Weber approved with an energetic nod.

—My dear colleagues, I believe we are facing a textbook case. This affair could set precedent and establish new standards in cultural restitution matters. We have here the opportunity to show that individual rights can prevail over State interests, even the most powerful.

The vote followed its usual course. Result without appeal. Unanimity for *prima facie* admissibility of the communication. Zero against, zero abstentions.

Consensus of this importance testified to the persuasive impact of Pierre Bertier, but also to each person's unavowed pleasure at finally having a file that allowed calling a recalcitrant State to account.

Carmen Vásquez could not conceal her satisfaction in proclaiming the result.

—Communication 421/2025 is therefore declared admissible unanimously. Mr. Weber, I charge you with preparing the official notification to the French State. We give them six months to present their observations, the usual deadline, but which may be extended upon reasoned request. My dear colleagues, I thank you for the quality of your interventions. This session will remain in my memory as one of the most intellectually stimulating.

Of course, this was a matter of principle admissibility, provisional at this stage. Nothing was decided. Everything could still tip according to the relevance of the French counterattack that would surely come.

But for the first time in a long while, the Council members thought they were serving some useful purpose. They knew they had just crossed an important step in asserting international law against reasons of State. Leaving the room, Weber couldn't help smiling. The Matsukata file would occupy his coming months in a fascinating way. For once, he would have the opportunity to demonstrate that German precision could serve justice, not just bureaucratic efficiency.

Within a few days, the information traveled up the French administrative hierarchy at lightning speed.

CHAPTER 9: THE FRENCH REACTION

Geneva, Permanent Mission of France to the United Nations, April 2025

The NGO's communication arrived through official channels to the French authorities in April 2025. In the corridors of diplomacy, where each document follows circuits established since time immemorial, it seemed at first glance just another administrative file. Yet behind the apparent banality lay a fundamental questioning of practices that the State considered definitively acquired.

The permanent mission of France occupied the villa "Les Ormeaux," a nineteenth-century building in the diplomatic quarter. An imposing construction in gray stone, republican coat of arms prominently displayed, it embodied a French tradition of representation that left nothing to chance. The state rooms overflowed with period furniture and carefully chosen artworks, testimonies to a heritage that the Republic intended to preserve and exhibit.

Laurent Mérieux had directed the service for relations with human rights protection bodies for six years. A graduate of ENA, having passed through Sciences Po Paris, he cultivated a discreet but expensive sartorial elegance. After a stint at the directorate of international legal affairs at the Quai d'Orsay, then in the cabinets of two successive ministers, he harbored doubts about the solidity of the French positions he was charged with supporting. His role consisted of defending France, whatever his personal qualms, but the years had made him expert in the ability to distinguish defensible files from those that were not.

That morning, Mérieux was carefully reviewing the notification from the High Commissioner. He was well-versed in procedures, and this one didn't seem, at first glance, likely to shake his optimism. After all, individual communications against France

numbered in the dozens each year, and most resulted in resounding failures for their authors.

As he progressed in his reading, his brow furrowed imperceptibly. Mérieux felt that familiar unease rising in him that invaded him each time a file threatened to reveal the underbelly of governmental action.

He picked up his phone and dialed his secretary's number.

—Madame Perrin, could you convene the restricted team in the conference room immediately? And contact the ministry, I'll need to speak with deputy director Claire Fontaine before the end of the morning.

—Very well, counselor. Should I classify the meeting as absolute urgency?

—Let's say... normal urgency, but with priority over all other files. And warn our colleagues that we may finish late.

Having hung up, he observed for a moment the rain beating against the windows. In a few minutes, he would have to announce to his team that a new storm was looming on the horizon. And this time, unlike other files he had managed, he wasn't certain of having all the assets in hand.

The conference room was filling up. Only the most experienced collaborators had been called for the first assessment. The room itself reflected the quest for luxury: solid oak parquet, mahogany table, burgundy leather armchairs. The walls were adorned with reproductions of masterpieces preserved in national museums—irony of fate, some of these works were perhaps among those whose legitimacy was being contested.

Élise Laignel was the first to arrive, her file under her arm. A graduate of the Sorbonne and King's College London, she navigated with equal ease between continental and Anglo-Saxon systems. After a brilliant start in a Parisian firm, she had surprised her former partners by joining the State. A decision motivated by republican fervor, certainly, but also by that taste for power

offered by senior civil service. Trained in the cult of excellence and personal success, she nevertheless aspired to serve the general interest. Her years of experience had taught her that the two did not always coincide.

Nicolas Blanchard followed her closely. A cultural attaché for four years, he brought to discussions a practical knowledge of museological issues that was often lacking in legal minds. Blanchard was the very type of conscientious civil servant, driven by a love of art that made him uncomfortable with the more sordid aspects of cultural diplomacy. He had chosen this profession out of passion for works and artistic exchanges, gradually discovering that culture also served as an instrument of power.

The last to enter was Jean-Marc Roussel, specialist in Asian questions within the mission. A sinologist by training, he had spent ten years posted to Tokyo in the 1990s and knew intimately the subtleties of Franco-Japanese relations. His presence was not trivial. Mérieux suspected that the file could have ramifications beyond purely legal litigation. Roussel had that particularity of field diplomats, he discerned cultural and human stakes behind the most abstruse files. His Japanese years had marked him; he retained real affection for this country and its inhabitants, which made him sensitive to questions of honor and face so important in Japanese culture.

—We have just received notification of a new communication filed against France before the Human Rights Council. The Matsukata affair, of which we had wind these past weeks, is taking on an official dimension.

The tone was deliberately neutral, as if the notification were just another administrative formality.

—Before going into details, Mérieux continued, I'd like each of you to give me your first impression. Mr. Roussel, you who know the Franco-Japanese context, what does this inspire in you?

—Counselor, I must say the timing puzzles me. Japan is currently going through a phase of nationalist renewal. Its government has made the recovery of Japanese cultural heritage dispersed throughout the world one of its priorities. There have been recent precedents. Negotiations with the British Museum for Hokusai prints, discussions with the Americans about art objects seized after 1945...

Roussel spoke with restraint. He knew that behind the veneer of courteous bilateral relations lay tenacious resentments.

—Do you think there could be a political dimension behind the communication? Mérieux interrupted.

—It's quite possible. The NGO attacking us presents itself as French, but nothing says it's not acting in coordination with Japanese interests. In my career, I've often seen apparently independent organizations serve as screens for broader state aims. Élise Laignel raised her hand. Her temperament frequently led her to privilege objective analysis over geopolitical speculation.

—May I make an observation? Even if the communication were orchestrated by Tokyo—which remains to be proven—that changes nothing about the solidity of the arguments. I spent the weekend poring over the file, and I must acknowledge it's very well documented.

—Please elaborate, Mérieux requested.

—They clearly had access to archives we thought were confidential. Internal correspondence from 1944, expert reports from the time, and even... hold on tight... telegrams from 1951 that we ourselves never deposited in public archives.

A heavy silence settled in the room. Laignel felt the anxiety that seized her each time she discovered a remarkably prepared file. She knew how to respect competent adversaries, even when they thwarted her interests.

Nicolas Blanchard was the first to break the silence.

—How is that possible? These documents are supposed to be classified.

—That's the question I'm asking myself, Élise Laignel replied. Either we have a leak in our services—which would be extremely serious—or these documents were obtained by other means. Family archives, private collections, perhaps even foreign archives...

Mérieux took notes quickly. The hypothesis of an internal leak concerned him. In an environment where trust was the basis of all teamwork, suspicion could durably poison relations.

—We'll need to dig into the question. Madam Laignel, in the meantime, can you present us with the substance of their arguments?

—Gladly. She explained in detail what it was about.

Jean-Marc Roussel instinctively measured the implications of such a methodical attack.

—They didn't pull their punches. If their arguments are founded, we risk having a major problem on our hands.

—That's what worries me, Mérieux agreed. Mr. Blanchard, from a museological point of view, what are the stakes?

Nicolas Blanchard opened his own file.

—The stakes are considerable. These are emblematic pieces of our collections. Their disappearance would create gaping voids in our exhibition routes. And symbolically, it would be a veritable disaster. These works appear on our tourist brochures, our postcards, our international catalogs...

Mérieux massaged his temples. He felt the onset of one of those migraines that assailed him in moments of tension.

—Not to mention the implications for other Western museums. If we give in, it will create a precedent that our British, German, American colleagues will never forgive us for.

—Precisely, Jean-Marc Roussel intervened, I've had informal feedback from my contacts in London and Berlin. They're following the file very closely. The British Museum is living through hell with the Parthenon marbles and Benin bronzes. If we crack on Matsukata, they fear a cascade effect.

Roussel was expressing a concern that personally tormented him. Having devoted his career to international cultural exchanges, he saw looming a world where mistrust would replace cooperation.

—What do you suggest? Mérieux asked.

—We must avoid appearing to yield to pressure. But at the same time, we cannot afford a defeat. We need to find a third way.

Élise Laignel raised a skeptical eyebrow.

—Which one? Our options are limited. Either we defend ourselves tooth and nail before the Council, or we negotiate a settlement agreement upstream. But I have trouble seeing how we could negotiate without implicitly recognizing the validity of their claims.

—There might be another way out, Nicolas Blanchard suggested. We could propose a cultural partnership with Japan. A way to honor the spirit of their claims without yielding on ownership.

Blanchard clung to this idea and refused to see his ideals of international cultural cooperation collapse.

Mérieux noted the idea.

—Interesting. But that wouldn't solve the fundamental problem. If their arguments are solid, the Human Rights Council won't be satisfied with half-measures.

—Hence the importance of in-depth analysis, Élise Laignel insisted. We must mobilize our best specialists to dissect their claims point by point. And above all, we must discover how they gained access to these confidential documents.

Jean-Marc Roussel approved.

—And we must also prepare the ground upstream. I suggest discreetly contacting the Japanese embassy in Paris. If there's a political dimension behind the affair, better to handle it through official channels.

Mérieux consulted his watch. He felt the need to regain control of the situation through action.

—Very well. Here's how we'll proceed. Madam Laignel, I'm charging you with coordinating our response with the ministry's services. I want an exhaustive analysis within fifteen days.

—Mr. Blanchard, make contact with the heads of the Louvre and Orsay. We need a complete museological assessment and all available elements on these acquisitions.

—Mr. Roussel, discreetly sound out our European partners and our Japanese contacts. I want to know if they've got wind of the affair and what their position is.

He stood up, signifying the end of the meeting.

—We'll meet again tomorrow at the same time for a first progress report. And I say it clearly: the affair is henceforth our absolute priority. Everything else takes second place.

The next morning, Élise Laignel had been at her desk since seven o'clock. She had spent the night poring over international jurisprudence on cultural restitution, and her conclusions were far from reassuring. On her desk piled up rulings from the European Court of Human Rights, advisory opinions from the International Court of Justice, and an impressive collection of decisions from international arbitration tribunals. The whole composed an unflattering picture for traditional French theses.

Laignel's phone rang. It was Claire Fontaine, the ministry's deputy director.

—Élise? I received your note this morning. Can you summarize the situation for me in a few words?

—Hello, Claire. In summary, we have a big problem. The NGO attacking us has arguments much more solid than we initially estimated.

—To that extent?

—Alas! They've identified weak points that no one had noted. And above all, they've gotten their hands on documents we thought safe from prying eyes.

Fontaine took the blow with the resignation of someone who had already lived through other crises. A former HEC graduate, her experience showed that the most serious problems were often those discovered latest.

—We need to see each other quickly. Can you be in Paris this afternoon?

—Of course. Should I prepare something?

—Bring everything you have. The minister has been personally interested in the file since this morning. And believe me, that's not a good sign.

Élise Laignel hung up, perplexed. That the minister was interested so quickly in the file meant either that he had had feedback through other channels, or that the Élysée was following the file. In both cases, pressure would rise a notch. She knew the State's mechanisms well enough to know that ministerial attention transformed the most innocuous files into major issues.

Her computer dinged. A message from Nicolas Blanchard. "Élise, I had Claude Vatrín, the chief curator of Orsay, on the phone this morning. He agrees to receive us tomorrow, but he seemed very embarrassed when I mentioned the Matsukata affair. He even spoke of a 'sensitive file.' I sense there are things they haven't told us. NB."

She responded immediately: "I'm going up to Paris this afternoon to see Claire Fontaine. Can you organize the meeting with Vatrín tomorrow morning? And try to find out if there are

other people who could enlighten us on the acquisition conditions. ÉL.”

At the Louvre, a telephone conversation was taking place in the office of Francesca Bonini, chief curator of the Asian Arts department.

—Claude? It’s Francesca. I just received a call from the permanent mission in Geneva. They want to meet with us about the Matsukata works.

—Ah, Claude Vatrín said on the other end of the line. I was expecting this call since I read the article in *Le Monde* last week. Do you remember the 1958 acquisition?

—Vaguely. It was before our time. But I consulted our archives last night after reading the article. There are elements... let’s say, troubling.

Bonini felt that unease that invaded her each time she discovered the wanderings of the institution she served. Daughter of academics, raised in the cult of truth and probity, she bore poorly the accommodations with facts.

—What kind?

—Letters of protest from private French collectors who claimed to have rights over several pieces. Contested expertises. And above all, an internal report from 1959 that mentions “irregularities” in the incorporation of these works into the national heritage.

Claude Vatrín sighed.

—I was hoping we could keep quiet about certain sides of this affair. But if an NGO has assembled a serious file, we won’t have a choice.

—The question is: how far are we prepared to go in transparency? These works represent masterpieces of our collections. Their departure would create considerable voids.

—I know. But we can't lie to the supervisory authorities. If we're questioned, we'll have to tell the truth.

—The whole truth?

Vatrin measured the implications of his response.

—Francesca, we're curators, not politicians. Our role is to preserve works and present them to the public, not to cover up past errors. If these acquisitions are tainted by irregularities, it's better that it come out now rather than in ten years before an international tribunal.

—You're right. But we're going to make some people unhappy.

—Probably. But our conscience will be clear.

That same afternoon, Élise Laignel took the TGV to Paris. During the journey, she reread one last time the most problematic arguments from the NGO's file.

The Ministry for Europe and Foreign Affairs was in full effervescence when she arrived. The corridors buzzed with hushed conversations, and several colleagues she passed avoided her gaze. The Matsukata affair was the subject of numerous speculations. Laignel recognized the warning signs of administrative crises. That particular electricity that runs through corridors when a sensitive file begins to make waves.

Claire Fontaine was waiting for her, accompanied by Olivier Lecomte, head of the multilateral cultural affairs service.

—Élise, thank you for coming so quickly. Olivier spent the day poring over our internal archives and his conclusions are... concerning.

Olivier Lecomte looked exhausted. He carried on his shoulders the weight of revelations he would have preferred never to make.

—I consulted all available files, including those never deposited in the National Archives. And I must tell you the situation is even more terrible than we thought.

—How so? Élise Laignel asked, settling in.

—To start with, there exist documents that should never have left our safes and which are in the NGO's hands. Telegrams, correspondence with Japanese services...

Claire Fontaine interrupted him.

—Do you have an idea how they could have obtained them?

—Several hypotheses. Either someone on the inside transmitted them—which would be dramatic—or they come from private archives.

—And the substance? What do these documents say?

—They reveal that the French authorities at the time were aware of the questionable character of the appropriation. There's a telegram from our ambassador in Tokyo, in 1951, who writes: "The Matsukata heirs formally contest our property rights over the collection, and their arguments are not without foundation."

Élise Laignel felt her stomach tighten. The information confirmed the weakness of the French position.

—And what did Paris respond?

—The Quai d'Orsay gave instructions to "firmly maintain our positions without entering into detailed discussions that could only complicate the situation."

—Which means we won't be able to plead good faith. If these documents aren't questionable, they demonstrate that France knew it was in the wrong.

—That's not all, Olivier Lecomte continued. I found an internal memorandum from 1958, drafted by our services, which recommended "regularizing the situation of these works as quickly as possible by legislative means to avoid possible later contestations." The 1958 order, which was regulatory in nature, was therefore not a routine administrative act, but indeed an attempt to hastily cover up a questionable appropriation.

Élise Laignel closed her eyes for a few seconds. She measured the collapse of the defense she would have to build.

—We're going to have great difficulty justifying our positions.

—That's an understatement, Claire Fontaine agreed. The question is: what do we do?

—We have several options, Élise Laignel reflected aloud. First possibility, we defend ourselves tenaciously hoping the Council won't follow up on the communication. But given the documentation the NGO has, that's unlikely.

—Second possibility? Olivier Lecomte asked.

—We negotiate a settlement agreement upstream. We implicitly recognize the heirs' rights, but we find a solution that allows us to save face. Long-term loans, traveling exhibitions, cultural partnership...

—And the third? Claire Fontaine asked.

—The most radical, we recognize our errors and we return the works. That would hurt us at the moment, but it could spare us an international condemnation that would be even more damaging.

Fontaine shook her head firmly. Her instinct told her that certain options were simply not conceivable:

—I need to refer this to the minister. The decision far exceeds our level of competence. Élise, can you prepare a summary note for tomorrow morning? All the elements, hiding nothing.

—Of course. But I must warn you. If we choose confrontation, we risk losing. And if we lose, the consequences will far exceed the French case.

Olivier Lecomte approved.

—Élise is right.

—Hence the importance of preparing our strategy well, Claire Fontaine concluded. We need to be impeccable on all fronts: legal, diplomatic, and communicational.

The next day, Claude Vatrin welcomed Nicolas Blanchard and Élise Laignel to the Musée d'Orsay. He was nervous, his hands

betraying an agitation he was trying to mask. Vatrín had devoted his life to serving art, discovering belatedly that this noble mission accommodated blind spots he preferred to ignore.

—Mr. Vatrín, Nicolas Blanchard began, we need your expertise on the exact circumstances of acquisition of the Matsukata works preserved in your collections.

—Listen, I'll be frank with you. This affair has made me uncomfortable for years. When I took up my duties in 2018, I wanted to take stock of all our post-war acquisitions, and the Matsukata case immediately appeared problematic to me.

—Problematic in what sense?

—First, the acquisition conditions themselves. In 1944, we recovered these works in the cellars of the Rodin Museum where they had been stored since the start of the war.

—You mean we helped ourselves? Nicolas Blanchard was astonished.

—It's a bit caricatural, but not entirely false. The Domains services established lists, but without serious expertise or verification of provenances. I must say the time wasn't conducive to administrative minutiae.

Claude Vatrín went to his safe and took out a dusty file.

—And then there were contestations as early as 1946. I found letters from Parisian art dealers who claimed to have rights over certain pieces. They claimed to have bought them from Matsukata before the war, with contracts in proper form.

—What happened? Élise Laignel asked.

—The authorities at the time swept these claims aside. Officially, all of Matsukata's property was considered "enemy property" and therefore seizable.

He opened the file and took out several yellowed letters.

—Look, see this 1947 correspondence between our director at the time and the Ministry of Culture. Our director wrote: "These

acquisitions could be subject to later contestations if heirs came forward with solid proof.”

Nicolas Blanchard paled. He was discovering that the institution he served with devotion rested on less noble foundations than he had imagined.

—And what did the ministry respond?

—That it was necessary to “regularize the situation as quickly as possible to avoid any trouble.”

Élise Laignel measured the importance of these revelations for the continuation of the proceedings.

—Mr. Vatin, would you agree to testify to these elements if we were led to defend ourselves before an international body?

He hesitated, weighing his words carefully.

—Listen, my role is not to defend the French State’s positions at all costs. It’s to preserve the scientific and ethical integrity of the service I direct. If you ask me the question officially, I’ll answer according to my conscience.

—Which means?

—Which means I’ll tell the truth about the acquisition conditions of these works, even if this truth doesn’t serve France’s interests. I can’t lie about proven facts.

Nicolas Blanchard and Élise Laignel exchanged a knowing look. They had just realized they couldn’t count on the unconditional solidarity of curators. Vatin’s integrity singularly complicated their task.

—There’s something else, Vatin resumed after hesitating. Francesca Bonini, at the Louvre, discovered yesterday even more embarrassing elements in her own archives.

—What kind of elements? Élise Laignel asked.

—Expertises from 1959 that called into question the authenticity of certain attributions. Apparently, in the haste of 1944, our

predecessors attributed to famous masters works that were in reality copies or workshop pieces.

Nicolas Blanchard straightened suddenly. He felt a form of vertigo before the progressive collapse of his certainties.

—You mean we fought to keep fakes?

—Not fakes, but works whose artistic and market value was largely overestimated. There's notably a supposed "Van Gogh" that's probably a work of the Pont-Aven School, and a "Cézanne" that could be an early twentieth-century pastiche.

Élise Laignel took furious notes, measuring the implications of these revelations.

—Were these expertises transmitted to the supervisory authorities at the time?

—That's where it becomes truly embarrassing. According to what we've reconstructed, these reports were buried to avoid scandal. Imagine the controversy if public opinion had learned that the French State was clinging to works of doubtful origin!

—And now? These reports still exist?

—Francesca found them in the department archives. They were never deposited in the National Archives.

Nicolas Blanchard put his head in his hands.

—Not only do we risk losing on the legal plane, but on top of that we're going to look like idiots who clung for years to second-rate works.

—I suspect that may be the case for certain works, Claude Vatrin confirmed. Fortunately, the three Monets, Van Gogh's "Bedroom in Arles" and the two Renoirs are authentic, that at least is certain. But that doesn't change the fundamental problem. Élise Laignel put away her notebook.

—Mr. Vatrin, would you agree to transmit copies of all these documents to us? We need them to prepare our defense.

—Of course. But I warn you. If the affair explodes publicly, we won't be able to avoid a complete reassessment of our post-war collections. And that risks revealing many other problems.

Back in Geneva that same evening, Élise Laignel immediately convened an emergency meeting. Laurent Mérieux, Nicolas Blanchard, and Jean-Marc Roussel met in the conference room, but the atmosphere was very different from the day before. The Parisian revelations had cast a chill over the entire team.

—I think we need to take stock of the situation as it presents itself after the consultations of these last forty-eight hours. Madam Laignel, would you summarize where we are?

—The situation is even worse than we initially feared. Not only does the NGO have compromising documents we thought were confidential, but our own curators aren't disposed to support us unconditionally. And as if that weren't enough, they've discovered elements that considerably weaken our position.

She opened her file with the precision of a jurist accustomed to difficult files.

—First, the French authorities at the time knew the appropriation was questionable. The archives prove it in black and white. Then, there were contestations as early as 1946 that we deliberately ignored. Finally, works we defend tooth and nail aren't even authentic.

Jean-Marc Roussel couldn't help intervening. He dreaded the implications of these revelations.

—My God! How could our predecessors have created such an imbroglio?

—Things must be put in context, Mérieux tempered. We were coming out of the war, the administration was disorganized, priorities were elsewhere. But the decisions made at the time pose insoluble problems for us today.

Mérieux stood up, seeking in movement an outlet for his frustration.

—We need to look ahead. Beyond the specific case of Matsukata works, it's our entire model of cultural diplomacy that's in question. Are we ready to call it into question?

—Precisely, Élise Laignel intervened, I received a call this morning from our British counterpart. The Foreign Office is following the affair. They fear that an unfavorable precedent might relaunch other claims.

—What do they suggest?

—European coordination of our defense. The idea would be to present a united front before the Human Rights Council, with harmonized arguments among all concerned countries.

—That could be effective. But it risks resembling a conspiracy of former colonial powers against countries deprived of their heritage.

—That's the risk, Mérieux agreed. We must find a balance between Western solidarity and respect for founded claims.

—I might have an idea, Nicolas Blanchard suggested. Why not propose the creation of an international cultural restitution fund? Western countries would contribute financially to a mechanism that would allow compensating despoiled countries while keeping works in their current collections.

Élise Laignel shook her head. Her realism led her to reject solutions that avoided the fundamental problem.

—That's interesting in theory, but it wouldn't solve the fundamental problem. If our adversaries are right on the law, they won't be satisfied with financial compensation.

—Especially since in the Japanese case, money isn't the problem, Jean-Marc Roussel added. Japan could easily buy back these works at market prices if it were a commercial transaction. No, there's clearly a symbolic and political dimension.

Roussel was expressing a truth that his colleagues struggled to accept.

Mérieux consulted his watch. He felt the need to regain control through planning.

—A decision imposes itself on us. We don't have time to dwell on hypothetical solutions. Here's what I propose: we simultaneously prepare the three options. Maximum defense, transactional negotiation, and recognition of error with restitution. In parallel, I'll sound out reactions in Paris and with our European partners.

—And who makes the final decision? Nicolas Blanchard asked.

—It won't be us, in any case. A case of this importance necessarily goes up to the ministerial level, even to the Élysée. Our role is to prepare the elements and present the options objectively.

Élise Laignel closed her files.

—In that case, to work. I have fifteen days to assemble an irreproachable defense, even though I don't really believe in it.

—And I'll prepare the elements of a transactional negotiation, Nicolas Blanchard added. You never know, the NGO might be sensitive to our arguments.

—As for me, Jean-Marc Roussel concluded, I'll discreetly sound out the Japanese state of mind. If we can settle the dispute through traditional channels, it will be much better than a conflict with a hazardous outcome.

While the Geneva team prepared its defense, other actors were active. In Paris, Claire Fontaine multiplied discreet consultations with the State's highest authorities, seeking a guideline in a file that was escaping all control.

The Élysée advisor's office was plunged in semi-darkness when she was received there, one Wednesday evening in mid-April. Arnaud Prigent, a former ambassador who had become one of the President's close collaborators, welcomed her with appropriate gravity.

—Claire, thank you for coming so late. The Matsukata affair is starting to make waves all the way here. The President has been personally interested since he received a call from the Japanese Prime Minister yesterday morning.

Claire Fontaine felt her pulse quicken. She measured the dimension the file was taking.

—The Prime Minister contacted the Élysée directly?

—Officially, it was a courtesy call to prepare the June G7 summit. But the Prime Minister slipped an allusion to “certain disputes that would merit resolution in a spirit of mutual cooperation.” Message received loud and clear.

—In other words, Tokyo is blackmailing us?

—It’s more subtle than that. They’re making us understand that a negotiated solution would be preferable to a public confrontation. And they’re probably right.

Arnaud Prigent opened a file marked “Confidential Defense.” His gaze expressed the weariness of someone who must manage the consequences of errors committed long before his arrival.

—I had our intelligence services conduct an assessment of the NGO “Retour et Restitutions.” The conclusions are... enlightening.

—In what sense?

—The organization is French and its leaders are honorable. But it received significant funding from a Japanese cultural foundation linked to the Tokyo government. Not illegal, but revealing.

Claire Fontaine mentally noted the information. She guessed the affair exceeded the framework of a simple associative claim.

—That confirms what we suspected. There’s likely a political dimension behind all this.

—That completely changes the situation. We're no longer facing an NGO claim, but perhaps a Japanese maneuver. Which can also be an opportunity.

—How so?

—If Tokyo wants to negotiate, we can broaden discussions beyond the Matsukata case alone. Trade relations, technological cooperation, cultural projects... There must surely be a way for this crisis to be an opportunity for rapprochement.

Prigent was expressing that Élysée vision that consists of making every difficulty an instrument of national grandeur.

—That supposes we're ready to make substantial concessions on the cultural file.

—That's the question the President asked me to study. How far are we prepared to go to preserve our relations with Japan? And what would be the consequences on our relations with our other partners?

—Our European allies wouldn't forgive us for letting go without consulting them.

—Hence the importance of the coordination you're preparing with London and Berlin. If we move, it must be together. Claire, I'll be direct with you. The President is not favorable to a restitution of the works. But our national collections surely aren't worth a crisis with Japan. That's where your role becomes crucial. You must find a formulation that allows satisfying the Japanese without creating a dangerous precedent. Very long-term loans, reinforced museological cooperation, symbolic recognition of rights... There must be a creative solution.

Fontaine measured the complexity of her mission. She had to reconcile contradictory requirements with the limited means at her disposal.

—I need to know what limits we're setting ourselves. Are we prepared to consider restitution if no other solution is found?

—No, restitution is totally excluded.

Prigent's affirmation fell like a cleaver, revealing the red lines the Élysée would not cross under any circumstances.

Meanwhile, Jean-Marc Roussel was conducting his own discreet consultations. A former diplomat posted to Tokyo, he had kept numerous contacts in Japanese governmental and cultural circles. His address book would prove precious for identifying the true stakes of the affair. He had arranged to meet Kyotaka Yamagata, cultural attaché at the Japanese embassy in Paris, in a small discreet Japanese restaurant in the 7th arrondissement. They had met ten years earlier during an exhibition on Japanese art at the Petit Palais, and had maintained friendly relations. This personal relationship allowed franker exchanges than official channels usually authorized.

—Kyotaka, thank you for agreeing to see me in such... particular circumstances.

—Jean-Marc, you know well that our personal relations transcend contingencies. But the moment is delicate.

They ordered in Japanese—a habit Jean-Marc had kept from his Tokyo years—then cautiously approached the subject occupying them. Roussel appreciated these moments when diplomacy rediscovered its human dimension.

—This Matsukata affair... You're aware, of course?

—Difficult to ignore. It's been making headlines in the Japanese press for a week. And not in a good way for Franco-Japanese relations, I must say.

Jean-Marc Roussel sipped his tea, savoring this ritual that helped him rediscover the state of mind necessary for arduous negotiations.

—What is your government's official position?

—Officially? We have no position. It's a private initiative by a French NGO, and we have no business getting involved.

—And unofficially?

Kyotaka Yamagata smiled.

—Unofficially, everyone knows the collection represents an important symbol for our country. Matsukata was one of our great cultural patrons, and seeing his works dispersed in foreign museums has always been painful for Japanese public opinion.

—To the point of creating an incident?

—No one wants an incident. But Japanese public opinion is very sensitive to questions of cultural heritage. If the affair were to turn badly, it could affect our relations.

Jean-Marc Roussel put down his chopsticks. He felt it was necessary to get to the bottom of things.

—Let's speak frankly. What would it take to obtain an amicable settlement?

—France would need to recognize, at least symbolically, that the 1944 appropriation was... let's say, questionable. Not necessarily illegal, but questionable.

—And then?

—Then, we'd need to find a solution that allows Japan to recover a link with this heritage. Not necessarily immediate restitution, but at least a medium-term prospect.

—Of what type?

—I'm thinking of creating a Franco-Japanese cultural center... long-term loans... Possibilities aren't lacking if both parties show creativity.

Jean-Marc Roussel mentally noted these proposals. He measured the margin for maneuver that still existed for a negotiated solution.

—And if France refused any concession? If we were content to defend ourselves on the basis of texts?

Kyotaka Yamagata's face hardened imperceptibly. Roussel recognized that change of expression he had often observed in his Japanese interlocutors when they evoked questions touching their national dignity.

—That would be regrettable. For our bilateral relations, but also for France's international image. World public opinion is increasingly sensitive to questions of cultural restitution.

—You're thinking of other similar disputes?

—Obviously. If France practiced systematic obstruction on these questions, it could encourage other countries to radicalize their claims. Egypt for antiquities, Africa for primitive arts, Greece for its marbles... You could find yourselves on the defensive everywhere at once.

This was what French authorities feared: the domino effect. Jean-Marc Roussel changed the subject, seeking to evaluate the scope of Japanese mobilization.

—And on your public opinion side? How is the affair perceived?

—There's real popular support for restitution claims. The Japanese consider that their cultural heritage was massively plundered during the twentieth century, first by Western powers, then during the war. Recovering the Matsukata collection would be perceived as a form of justice.

Leaving the restaurant, Jean-Marc Roussel had a clearer vision of the stakes. Japan wasn't in a confrontational logic, but it wouldn't back down either. A solution had to be found that would allow both countries to save face.

Parallel to Franco-Japanese consultations, intense activity was developing between European capitals. The Matsukata affair was no longer just a Franco-Japanese dispute, but a test of Western solidarity in the face of cultural restitution claims.

In London, the Foreign Office had organized a meeting with French, German, and Italian representatives. The conference room of the British Foreign Ministry, with its Victorian

woodwork and portraits of former ministers, offered an appropriate setting for these discussions among old colonial nations. The architecture itself recalled an era when questions of cultural legitimacy didn't arise with the same acuity.

Sir William Pemberton, Under-Secretary of State for Cultural Affairs, chaired the session. He transformed crises into opportunities for cooperation, a talent that made him an appreciated interlocutor in European diplomatic circles.

—We're gathered to discuss a file that concerns us all, even though it directly targets only our French friends.

Claire Fontaine, representing France, nodded.

—We thank you for taking the initiative for this consultation. The Matsukata affair exceeds French interests alone.

—Can you give us a status update? Hans Mueller, the German representative, asked.

Mueller was one of those German diplomats trained in managing memorial disputes. His country had acquired particular expertise in handling restitution questions, experience that gave him particular legitimacy in this type of discussion.

—The situation is concerning. The NGO attacking us has solid arguments. Our chances of prevailing are slim.

Giuseppe Bianchi, the Italian delegate, addressed his interlocutors.

—And if you lose, what would be the consequences for the rest of us?

—A very unfortunate precedent, Claire Fontaine responded bluntly. All your collections of dubious origins could be subject to similar claims.

Sir William Pemberton joined his hands.

—That's what we fear. If the UN created a precedent in favor of restitutions, we'd be overwhelmed with requests.

Hans Mueller approved vigorously. His German experience gave him an acute vision of the risks.

—Germany is also exposed. Our museums overflow with works acquired in circumstances that can today be qualified as ambiguous. If international law evolved toward a general principle of restitution, we'd be in an uncomfortable situation.

—Not to mention the financial aspect, Giuseppe Bianchi added. Compensating all despoiled countries would cost European States billions of euros.

Claire Fontaine seized the opportunity to propose the coordination she had come to seek.

—That's why we need to be coordinated. If we present a united front, we'll have more chances of preserving the status quo.

—What do you propose concretely?

—First, harmonization of our arguments. We must all defend the same principles: acquisitive prescription, good faith in acquisitions, public interest of collections...

—Then? Hans Mueller asked.

—Permanent consultation on all restitution files. If one of us is attacked, the others provide their support and their arguments.

Giuseppe Bianchi shook his head.

—That's a bit theoretical. In the Japanese case, for example, what could we do concretely?

Claire Fontaine had prepared her response.

—You could file third-party observations before the Human Rights Council, explaining that the NGO's claims threaten the international balance of cultural exchanges. That would give more weight to our defense.

Sir William Pemberton appeared interested. He measured the cleverness of the French proposal.

—That's conceivable. But in exchange, should France commit to supporting us if we ourselves were attacked on the Parthenon marbles or other disputes?

—Absolutely. That's European solidarity.

Giuseppe Bianchi showed himself doubtful. His experience had made him mistrustful of fine speeches about international cooperation.

—The problem is that no one will be fooled. Everyone will think we're closing ranks to avoid returning our artistic treasures.

Sir William Pemberton concluded the session with usual British restraint.

—I think we agree. We have an interest in coordinating our positions on these cultural restitution questions. But we'll need to be very skillful in implementation to avoid appearing corporatist.

—We'll prepare a draft common declaration on the importance of preserving the integrity of European public collections, Claire Fontaine proposed. You can send us your observations in the coming days.

Leaving London, Claire Fontaine had the conviction of having obtained support from her European partners. But she also knew this support risked proving very fragile if the Matsukata affair turned badly for France. European solidarities resisted trials of strength poorly.

Back in Paris, she was urgently summoned to the Ministry for Europe and Foreign Affairs.

Bernard Vallier, the minister's chief of staff, was a wily senior civil servant. He knew how to identify dangerous files even before they exploded, a talent that had allowed him to survive political alternations.

—Claire, sit down. I received three phone calls this morning. First the Élysée, which is getting impatient. Then my Japanese

counterpart, who didn't hide from me that Tokyo was expecting gestures on our part. Finally the Louvre, which is worried about repercussions on our other collections.

Claire Fontaine took out her files. She perceived in Vallier's behavior the warning signs of a pressure increase that would singularly complicate her mission.

—Chief of staff, the situation requires caution. But we've identified several options.

She presented to Bernard Vallier the three options suggested by Élise Laignel: maximum defense, transactional negotiation, or recognition of error with restitution. Vallier listened attentively. He knew the decisions made in the coming hours would durably engage the French position.

—This third option is politically unthinkable. The Élysée formally opposes it. Imagine public opinion's reaction if we announced we were returning masterpieces from our national museums to Japan! The opposition would come down on us with both fists.

Vallier was expressing the constraints weighing on the entire affair. He had an ability to anticipate public opinion reactions that made him a respected advisor.

—I understand. But we must also think about long-term consequences. If we lose after being obstructive, our international image will suffer durably.

—What is your personal recommendation?

Claire Fontaine hesitated a few seconds. She measured that her response would orient France's entire strategy.

—Transactional negotiation with the NGO. We still have a window to find an honorable agreement. If we wait too long, we risk finding ourselves with our backs against the wall.

—And our European partners? Will they accept that we let go?

—They'll prefer a negotiated solution to a resounding defeat. If we find a creative approach that preserves the essential while satisfying the Japanese, they'll accommodate it.

Bernard Vallier picked up his phone and called the minister directly. He presented the situation in detail. After ten minutes, the conversation was over. Bernard Vallier then addressed Claire Fontaine with an expression that left no room for ambiguity.

—The minister was categorical. Orders come from above. The situation has evolved. For the President, there's no question of negotiating anything with the NGO and even less of returning the works. So only the first option remains: maximum defense. Is that clear?

—Very clear, chief of staff.

Fontaine took the blow. She saw her last hopes of an arranged solution vanish.

—And keep me informed, I can't afford surprises.

The contentious path having now been privileged, all protagonists set to work perfecting France's defense. Paradoxically, this clarification lowered the pressure. French State servants rediscovered familiar ground. That of tenacious defense of national positions, whatever their intrinsic weaknesses. Law not being an exact science, but a simple technique, it sufficed to dismantle the NGO's arguments one by one. The French administration excelled in this type of exercise.

But at the same time, another project was advancing in the corridors of power, a project that would reveal all the complexity of governmental calculations.

CHAPTER 10: THE LEGISLATIVE IMPASSE

Paris, Ministry of Culture, July 15, 2025

Rue de Valois, the offices were stifling. A particularly hot summer was bearing down on Paris, and even the old seventeenth-century walls could no longer maintain their coolness.

In the imposing building, activity was in full swing. The corridors echoed with the clicking of heels on the old parquet floors, punctuated by the rustling of files and the incessant murmur of telephone conversations. A reform was being prepared. Not just any reform. Since the famous presidential speech in Ouagadougou on November 28, 2017, the French administration had been working on a commitment that had caused quite a stir. “I cannot accept that a large part of the cultural heritage of several African countries is in France,” the President of the Republic had declared before African youth.

A thunderclap. Museum circles had jumped, diplomats had grimaced, legal experts had rushed to their codes. Some saw genius in it, a bold vision capable of redefining postcolonial relations; others detected nothing but pure demagoguery, a communication stunt with no follow-through. No matter. The course was set; the state services would have to follow.

So they had followed. Years of endless deliberations, consultations with all the country’s heritage specialists, negotiations without end. All to deliver a minimal legislative framework, stripped of its most disturbing rough edges. After the two previous framework laws on anti-Semitic spoliation and the restitution of human remains, this bill on restitutions to states was completing the cycle. An approach that allowed all the boxes to be checked without upsetting the established order.

The Matsukata affair had become secondary since the litigation route had been chosen. At least that’s how certain officials

perceived it. The NGO Return and Restitutions had certainly succeeded in making noise with its UN procedure, but the competent services had regained confidence. Their positions were solid, their arguments polished.

On the fifth floor of the ministry, a working meeting had been convened in the conference room. They needed to take stock of the bill's progress and see how it articulated with ongoing litigation. The oval table gleamed under the neon lights, surrounded by solemn portraits of former ministers who seemed to benevolently observe new servants of the state.

Antoine Delacroix was presiding. The chief of staff had brought out his summer linen suit in beige and his light tie, a sartorial concession to the temperatures that in no way diminished his natural presence.

The Ouagadougou presidential commitment? A constraint to manage, nothing more. His skill consisted in giving the illusion of revolutionary ambition while preserving the essence of established balances.

—My dear colleagues, we are gathered to take stock of the completion of one of the most important projects of this term in cultural matters. The bill that the minister presented yesterday constitutes the direct application of the commitments made by the President in Ouagadougou in November 2017. We are creating an exception to the rule of inalienability for works that were the subject of illicit appropriations between 1815 and 1972. This responds to the presidential will to renew our relations with our African partners on more equitable bases.

The evocation of the Ouagadougou speech had its little effect around the table. Everyone remembered. It wasn't just another administrative reform; it was the embodiment of a vision that was supposed to durably modernize the French approach to international heritage issues.

Henri Ravanel took the floor. The adviser, a graduate of the *École normale supérieure* with an *agrégation* in public law, had supervised the drafting of the bill in coordination with the Council of State and the Prime Minister's services. He embodied the quintessence of the intellectual in power, nurtured by the best schools of the Republic and versed in the subtleties of constitutional law. Ravanel possessed that mixture of erudition and opportunism that characterizes the French elite. His bill constituted for him a masterpiece of balance, a demonstration of his know-how in the art of satisfying contradictions. No matter if the final result emptied the presidential commitment of its substance; the essential lay in the elegance of the reasoning.

—Mr. Chief of Staff, this bill is remarkable.

Ravanel loved this moment. After months of examining texts and negotiating each comma with an army of nitpicking lawyers, after surviving interministerial meetings where everyone defended their turf, he could finally present his baby.

—The geographical scope we have retained allows us to address all the issues of restitution to states. Our African partners, of course, but also all other countries that might claim works belonging to their national heritage. Egypt, Greece, Italy, the entire Mediterranean basin... Our approach is intended to be universalist.

He leaned over the text.

—The period retained, from 1815 to 1972, corresponds to the most questionable appropriations of our past, from the Napoleonic conquests to the entry into force of the 1970 UNESCO Convention. We have built a modern and effective instrument that will allow us to coherently address all state claims.

Delacroix nodded approvingly. The presentation held up, on paper at least. It remained to be seen how it would withstand the test of the field and political pressures. Delacroix was not ignorant of the bill's shortcomings. It created *de facto*

discrimination between states and individuals that could prove explosive.

—And what is your assessment of the number of cases we might have to handle in the coming years?

—Our most reasonable estimates mention about fifty potential claims over the next ten years, Ravel replied without hesitation, mainly from our African partners. Benin, Mali, Senegal have made their intentions known. It's a manageable volume for our services, especially since the procedure provides for the establishment of bilateral scientific commissions that will guarantee the objectivity of our decisions.

Fifty cases. The figures had the merit of reassuring the audience. Far from the apocalyptic predictions of many detractors who already saw French museums emptied of their collections, far from the nightmares of curators who feared a legalized pillaging of their reserves, the administration anticipated controlled implementation. Progressive, methodical, controlled.

Catherine Dubois, director of the Musée d'Orsay for eight years, represented the viewpoint of museum institutions. A former curator at the Louvre, she had been closely involved in preparing the reform, which gave her particular legitimacy to speak on behalf of her colleagues. Her expertise was respected, her analyses heard. She worshipped the artistic education of the masses. But her love of works made her possessive, almost maternal toward the collections in her care. Restitution claims appeared to her as profanations, attempts to dismember a universal heritage. Her sharp intelligence was therefore employed to intellectually justify what was primarily a protective reflex.

—Mr. Chief of Staff, she intervened in a measured voice, by limiting the scope to state claims, we preserve our collections from the unmanageable influx of individual requests that could have resulted from a less targeted approach. Heirs, despoiled

collectors, communities... Imagine the chaos if we had opened the floodgates.

The serenity that Dubois displayed spoke volumes about the quality of the preparatory work. The curators had been heard, their objections integrated. The administration had succeeded in reconciling presidential ambitions with the operational constraints of museums. A fragile balance, the fruit of months of negotiations in small committees.

—We have also provided, Ravanel added, solid safeguards. Each request must be documented, supported by irrefutable evidence. The expert commissions will examine each file with the rigor that the stakes demand.

Jean-Claude Gomez, director of legal affairs, spoke. Discreet, he was nevertheless one of the linchpins of the system.

Gomez was the type of senior civil servant who prefers shadow to light, backstage to tribunes. An accomplished technician of international law, he compensated for his lack of charisma with encyclopedic knowledge of treaties and conventions. His discretion hid real clairvoyance. More than his colleagues, he sensed the dangers of the construction they were building. But his character prevented him from openly expressing his doubts, contenting himself with slipping in warnings here and there that no one seemed to hear.

—The procedure also provides for a right of oversight by the Ministry of Foreign Affairs on each request. We cannot dissociate these heritage issues from broader stakes. A restitution is also an act of foreign policy.

Gomez's observation echoed the concerns of several participants. The Matsukata affair was mentioned as one point among others, without particular dramatization. For the administration, the UN procedure belonged to another logic, another framework, without calling into question the coherence of government action. Two parallel worlds that absolutely must not collide.

—My dear colleagues, Delacroix observed, we should also discuss the articulation between our new legislation and ongoing private litigation. Notably the procedure initiated by the NGO Return and Restitutions.

Everyone knew the file, but no one wanted to talk about it. It was the thorn in the side, the grain of sand that could jam the beautiful administrative machinery.

Ravanel jumped at the opportunity. It was his terrain of predilection, the refinements of law and learned distinctions between different types of litigation.

—Mr. Chief of Staff, the limitation to state claims corresponds to a choice consistent with the commitments made by the president. He specifically targeted relations between states, cultural diplomacy, not disputes between private persons and public authorities.

Catherine Dubois knew the museum and media world well enough to know that legal distinctions don't always withstand the test of public opinion and journalistic criticism. She cut off Ravanel.

—But Henri, doesn't the limitation risk being perceived as a blatant inconsistency? If we recognize the principle of restitutions for states, why do we exclude private beneficiaries? How do we explain a difference in treatment?

These questions attacked the essential. In reality, it concealed a major political choice: to circumscribe the scope of the reform.

Ravanel brushed aside the objection with a wave of his hand. He had heard this argument dozens of times and his response was well-rehearsed, refined through preparatory meetings.

—Not at all, Catherine. State claims fall within a logic of bilateral relations. This justifies specific treatment, adapted procedures. Private disputes, on the other hand, fall under other mechanisms, other instances. Existing civil procedures guarantee the rights of

claimants. The judicial court, the court of appeal, the Court of Cassation... A whole arsenal is already in place.

—And concerning the Matsukata file more specifically? Delacroix insisted, leaning slightly toward Ravel.

—The affair is taking its course before UN bodies, Ravel replied in a tone intended to be reassuring. Our lawyers at the Quai d'Orsay are preparing a solidly argued defense. Moreover, notably, the Japanese authorities are not officially supporting the NGO in its approach. This says a lot about the marginal nature of this initiative.

Jean-Claude Gomez thought it appropriate to intervene to clarify the French position.

—Not officially, but perhaps unofficially...

—That's not the question. Let's not mix everything up, Delacroix cut in. Continue, Jean-Claude.

—We have analyzed the procedure in detail. The United Nations Human Rights Council has no binding competence in this matter. Its recommendations, if there are recommendations, will remain in the symbolic domain. We have solid precedents to justify our position.

Catherine Dubois, who had been mechanically fidgeting with her pen since the beginning of the meeting, decided to intervene for the second time.

—As far as we're concerned at the museum, our collections maintain their usual status. The eighteen Matsukata works in question continue to be an integral part of our permanent collections. We exhibit them, we lend them to our partners, we conduct our normal cultural policy. No need to take emergency measures or modify our programming.

This declaration reflected the administration's state of mind. Business as usual. The Matsukata case? A detail unrelated to the current reform.

Henri Ravel settled comfortably in his chair.

—Let me explain why we couldn't include individuals in our legislative system, he declared, articulating each word. Our analyses—and believe me, we spent entire months on this—show that opening up to private claims would have meant potentially fifteen to twenty thousand works concerned throughout French public collections.

He let this figure have its effect before continuing, satisfied with his little flourish.

—Imagine the situation: there would have been a deluge of requests that would have literally overwhelmed us. Our teams, already overworked, would have collapsed under thousands of claims of all kinds. Heirs of the Russian aristocracy claiming their icons, descendants of collectors despoiled during the war, Italian families claiming their paintings confiscated under Napoleon... Total administrative chaos.

Catherine Dubois nodded vigorously.

—Not to mention the practical impossibility of processing all these files. Each request involves thorough research in national, departmental, sometimes foreign archives. Detailed artistic expertise to authenticate the works and document their provenance—and that costs a fortune, between expert fees, scientific analyses, travel. Specialized consultations to untangle the skein of successions, sales, donations... The budget would have exploded. And our curators, instead of doing their real work—research, exhibition, cultural mediation—would have spent their time rummaging through dusty archives to find out if Mrs. So-and-so's grandfather really had his Louis XVI chest of drawers despoiled in 1815. Our museums would have been transformed into investigation bureaus.

Henri Ravel added to this.

—Opening up to natural persons would have created permanent paranoia about all our collections. Every work acquired before

1972 could have been called into question overnight, on the basis of the slightest suspicion, the slightest rumor. Impossible to program an exhibition serenely, impossible to lend abroad without wondering if we would recover the works, impossible to conduct a coherent cultural policy. Hell, basically.

—And what about the finances concretely? Delacroix insisted, concerned about budgetary aspects, but also secretly worried about the increasingly defensive turn of their arguments.

—Several million euros just to process all the potential files, not to mention the market value of the works we would have had to return. The state simply didn't have the means to afford this luxury, especially in the current budgetary context.

Jean-Claude Gomez added another dimension, with a heavy heart.

—Not to mention the risks of appeals before administrative courts, emergency procedures, summary proceedings... Each decision to return or refuse could have been challenged before the competent authorities. Our litigation services would have been overwhelmed, paralyzed.

Everyone was satisfied with this demonstration by the absurd. The administration had found its line of defense. Respond to presidential commitments without shooting itself in the foot. A balance between ambition and managerial realism. But deep down, several participants felt a diffuse unease that they dared not express.

Delacroix, sensing consensus forming around the table, concluded the session with the obligatory optimism for this kind of exercise.

—We can congratulate ourselves on having found the right balance between our ambitions and the reality on the ground. The reform is part of a progressive, responsible approach that preserves the general interest while meeting the expectations of our international partners.

He distributed assignments with the natural authority of the leader who knows that everything is already decided, but who maintains the forms of consultation.

—Henri, you coordinate closely with the Parliament's services so that the law passes within the allotted timeframe. The legislative agenda has been tight since the last dissolution of the National Assembly, but we have good reasons to be optimistic. Catherine, your teams are preparing now for the new procedures. We'll need to train personnel, adapt information systems, anticipate the first requests in advance.

The meeting dispersed in a climate of mutual self-satisfaction, each leaving with the certainty of duty accomplished.

In the following days, the administrative steamroller set in motion with its well-known mechanical efficiency. Henri Ravel supervised this whole ballet, entirely obsessed with the operational implementation of his reform. No more philosophical debates about the merits of restitutions, no more moral arguments about colonial heritage. It had to work, procedures had to be smooth, deadlines had to be met. His career as a senior civil servant was at stake on this project.

In his moments of nocturnal lucidity, when administrative agitation gave way to solitary reflection, Ravel wondered if he wasn't making a mistake. This distinction between states and individuals that he defended so brilliantly in meetings appeared to him, in the silence of his office, as sophistry designed to mask the unjustifiable. But these doubts evaporated as soon as morning came, chased away by the intoxication of action and the architect's pride in contemplating his work.

—The essential thing, he explained to his collaborators during weekly briefings, is to demonstrate that we control the process. Neither haste nor immobility. A progressive ramp-up that reassures everyone.

The curators, who had initially been alarmed at seeing their collections melt like snow in the sun, had regained their serenity upon learning that only states could present official claims. Catherine Dubois, initially reluctant about the bill's limitations, no longer hid her relief during coordination meetings.

—In the end, our masterpieces risk nothing with the foreseeable first requests. They will likely concern ethnographic objects, masks, ritual statues... certainly important pieces, but less central. We'll be able to manage these restitutions without fundamentally calling into question our public service mission.

The analysis aligned with the preparatory studies. The first claims would indeed concern African artworks, acquired in often dubious circumstances during the colonial period, but which didn't occupy a place of honor in the permanent collections of major Parisian museums.

In the reserves of the Quai Branly, the Musée d'Orsay, the Louvre, discrete inventories had been conducted to identify potentially affected works. Nothing alarming on the horizon. A few hundred pieces at most, catalogued, documented, evaluated. A manageable stock that would allow state requests to be satisfied without emptying the display cases.

In Céret, Pierre Bertier sensed this little theater with the amusement of an old veteran who had seen many superficial reforms and aborted revolutions pass by. The professor had predicted that the administration would choose avoidance by contenting itself with the least disturbing state claims.

He mixed sharp intelligence with a form of disillusioned misanthropy that showed through in his finest analyses. Decades of struggle had hardened him without embittering him. He retained that particular capacity of great idealists to discern human imperfections while keeping faith in the justness of their cause. His apparent harshness masked a sensitivity that he only let filter through in the intimacy of his cathedral-like office,

facing the reproduction of “The Bedroom in Arles” that presided over his reflections. Pierre Bertier was one of those who draw their strength from their wounds and their lucidity from their disappointments.

—My friends, he explained with a knowing smile during the NGO’s monthly coordination meeting, this bill announced in the council of ministers’ latest communiqué confirms what we’ve thought from the beginning. By deliberately excluding private persons from its scope, the state implicitly admits that it recognizes the principle of restitutions... but not for us. Pure and simple discrimination.

Véronique Fournier, who took care with an archivist’s meticulousness to gather all the organization’s documentation, couldn’t help but smile as she filed the day’s press articles. She had joined the team out of militant faith, but was discovering with fascination the arcana of power. Her fresh perspective on the political-administrative microcosm enriched Pierre Bertier’s analyses.

—The blatant inconsistency really works in our favor in the UN procedure. How are they going to explain to the Human Rights Council experts that they’re creating a specific system for states from which private persons are excluded? How to justify a difference in treatment?

Gérard Lenfant, the lawyer following the legal aspects of the file, always asked the right questions at the wrong time, with the habit lawyers have of complicating seemingly simple situations.

—Does our procedural strategy still hold in this new legislative context? Don’t we risk seeing our arguments weakened by an evolution in French law?

—On the contrary, this bill strengthens our position without us needing to change anything about our approach, Bertier replied. The UN procedure we launched remains appropriate, perhaps even more relevant than before. You see, international experts

know how to distinguish between beautiful declarations of intent displayed and their concrete application. If the law is voted by Parliament—and it will be—this will illustrate that it's indeed deliberate discrimination. Same issue, but differential treatment according to the applicant's status. This is what international human rights conventions denounce.

The Matsukata affair was entering a new phase where everyone was camping on their positions with fine assurance. The French administration congratulated itself on having found the balance between its major humanist values and its well-understood petty interests. Pierre Bertier and his team continued their intellectual guerrilla warfare by pointing out governmental inconsistencies and contradictions.

The adoption of the law on restitutions to states would mark the formal completion of the commitment made in Ouagadougou, but would also reveal its intrinsic limits in the face of private claims.

In the following weeks, Henri Ravel multiplied trips between the ministry and the Palais Bourbon. The parliamentary shuttle promised to be perilous, not so much because of political opposition—the text enjoyed broad consensus—but because of the amendments that deputies concerned with marking their territory would not fail to propose.

Ravel felt apprehension at the idea of seeing his work subjected to parliamentary scrutiny. He spent his nights anticipating all possible objections, preparing batteries of arguments to defend each comma of his text.

The office of the National Assembly's cultural affairs committee buzzed with usual conversations. Rapporteur of the text, Sylvie Pottier, Socialist deputy from Gironde, knew the stakes well.

A former curator, Sylvie Pottier was a woman of the field. She had kept from her museum years a pronounced taste for precision and sincere respect for expertise. But her passage into

politics had also endowed her with a formidable flair for detecting flaws in the most tangled administrative labyrinths.

—Henri, she told him upon welcoming him, I've gone through your text in the finest detail. Overall, it's good work. But I have some questions that are likely to come up in session.

Ravel settled in comfortably.

—I'm listening, Sylvie. What are your main concerns?

—The question of burden of proof, first. Your text provides that the requesting state must provide proof of illicit appropriation. But how to define this notion? Were the Napoleonic conquests illicit under the law of the time? Colonial acquisitions? Where do we place the cursor?

The deputy had put her finger on one of the potential weaknesses of the system. Ravel had anticipated the question.

—We rely on contemporary international standards. The 1954 Hague Convention, the 1998 Washington Principles, the 1970 UNESCO Convention... A solidly established corpus that allows us to objectify these notions.

—Second point, Sylvie Pottier continued without being deterred. You exclude private claims, fine. But how to handle the case of states that would become spokespersons for private interests? If a government decided tomorrow to officially support an NGO's claim, would your system apply?

The question was embarrassing and Ravel knew it. He paused for a moment that didn't escape his interlocutor.

—The procedure provides for examination of the legitimacy of each request by bilateral scientific commissions. If a state claim conceals private interests, this will be detected and sanctioned.

—Detected how? By whom? According to what criteria? the deputy insisted.

Ravanel felt the ground slipping away. He needed to regain the initiative, even if it meant muddying the waters with conventional discourse about the spirit of the reform.

—Sylvie, we must recall the spirit of this reform. We are in a logic of cultural diplomacy, of reconciliation of national memories. The African states that have notified us of their expectations are not seeking to instrumentalize private claims. They act in the interest of their peoples, for the reconstitution of their dispersed national heritage.

The argument partially carried. Sylvie Pottier nodded while keeping her reservations. She wasn't fooled by the maneuver.

—I'm not saying otherwise, Henri. But we must anticipate edge cases, possible misuses. My role as rapporteur obliges me to foresee the objections that will inevitably arise in public session.

In the corridors of Parisian museums, the community of curators was experiencing this transition period with mixed feelings. If the exclusion of private claims had largely reassured minds, some still wondered about the concrete implications of the reform.

At the Musée d'Orsay café, Catherine Dubois had arranged to meet with some colleagues for an informal working lunch. Around the table, the directors of major Parisian establishments exchanged their viewpoints.

—Catherine, asked Philippe Camdessus, director of the Musée Guimet, how do you perceive the evolution of the Matsukata file in this context? Doesn't the UN procedure risk creating an embarrassing precedent?

Catherine Dubois sipped her coffee before responding.

—Frankly, Philippe, I'm not worried. Our eighteen works are solidly documented, integrated into our collections. They're part of our museum identity. Visitors know them, appreciate them. We're not in a situation of concealment or dubious acquisition.

—Certainly, but the moral argument can carry weight, intervened Marie-Claire Comelade, director of the Museum of African and

Oceanic Arts. If UN experts recognize the validity of the claim, it will create considerable pressure on the government.

—Purely symbolic pressure, Catherine Dubois tempered. We have enough examples of countries that have turned a deaf ear to this type of injunction.

Yves Salomon, curator at the Louvre, brought what he hoped was a reassuring perspective.

—We mustn't forget either that Matsukata was a private Japanese collector, not an official representative of the Japanese government. His acquisitions were part of a personal approach, even if they fit into the context of Japan's opening to Western art. We're not dealing with a colonial spoliation issue.

The analysis comforted the audience. The Matsukata affair presented specific characteristics that distinguished it from classic African claims.

—And besides, Catherine Dubois added with a smile that poorly masked her doubts, our friends from the NGO Return and Restitutions may have overestimated their capacity for influence. Making noise is one thing. Obtaining concrete results is another.

In Céret, Pierre Bertier had not remained inactive. Aware that everything would be played out as much on the terrain of opinion as in legal arenas, he had launched a skillfully orchestrated media offensive. His address book proved valuable.

—Véronique, he said to his collaborator while going through the list of press contacts, we need to hit hard. The bill on restitutions to states offers us a golden opportunity to denounce governmental hypocrisy.

Véronique Fournier, who had a real talent for alternative communication, nodded while consulting her laptop.

—I've contacted the specialists at *Le Monde*, *Libération*, *Télérama*. They're interested in a critical angle on the reform. And internationally, our contacts at the BBC and the New York Times are also interested.

The NGO team had learned to handle media codes. Hard-hitting press releases, impeccable documentary files, declarations calibrated for television news. A war information machinery that was beginning to bear fruit.

G rard Lenfant was coordinating the European dimension of the campaign.

—I’m getting positive feedback from the European Parliament side. Several deputies are interested in restitution issues. A public hearing on this subject could create additional pressure on French authorities.

—Excellent idea, Bertier replied. We need to Europeanize the debate, give it a broader dimension. France can no longer content itself with managing these issues in isolation.

Each media intervention, each public position was part of a global strategy aimed at isolating the French position.

But the all-out offensive was also beginning to reveal the first breaches in the governmental system. At the Ministry of Culture, the communication services were upset by the turn the debates were taking.

Marie Moreau, director of communication, made no mystery of her concerns during an emergency crisis meeting. She had been through enough media storms to know how to recognize the warning signs of a major crisis.

—Antoine, we have a narrative coherence problem. On one hand, we tout the merits of our restitution policy to African states. On the other, we firmly resist a fully documented private claim. The inconsistency is becoming increasingly difficult to maintain in the media space.

Delacroix appeared reassuring.

—Marie, our position is solid.

—But that’s just it, Antoine, the general public doesn’t perceive these subtleties. For them, a cultural restitution is a cultural

restitution. Our explanations about the differences in status between states and individuals seem Byzantine.

Henri Ravel, present at the meeting, tried to defend his system. —We must hold firm. If we give in, we open Pandora's box. Tomorrow, it will be thousands of beneficiaries knocking on our doors. This is what we wanted to avoid with the law.

—But Henri, Marie Moreau objected, the all-or-nothing logic works against us. It makes us look like technocrats insensitive to moral questions. The NGO Return and Restitutions understood this well; it's attacking us on symbolic terrain, not on legal terrain. The analysis hit home. The administration, accustomed to evolving in the universe of negotiations, was discovering the merciless rules of modern communication. In media space, the most solid arguments didn't weigh much against well-crafted narratives. The battle for public opinion had just begun, and the weapons were not equal. An administration sure of its rights, but entangled in its contradictions. An agile and determined NGO, fully mastering the codes of alternative communication. The fight promised to be more difficult than expected for state services. Despite this media turbulence and opposition criticism, Parliament ended up adopting the bill at the end of heated but predictable debates, and it was promulgated by the President of the Republic on March 9, 2026.

CHAPTER 11: THE LONG BATTLE

Geneva, Palais des Nations, September 2027

In the offices of the High Commissioner for Human Rights, exasperation was beginning to become perceptible. Thirty months since the Matsukata affair had been officially notified to France. Thirty months, and still nothing. Not the slightest detailed observation on the merits.

Carmen Vásquez, who was presiding, looked at Klaus Weber, the rapporteur, with circumspection. Behind her mask of patience, she was boiling with frustration that she had learned to conceal over the years. A former magistrate accustomed to defendants who tried to drag out trials, she recognized the signs. But here, the impunity was almost total.

—Klaus, we're at the sixth reminder request. The sixth! For a country that lectures the whole world, that's quite a lot.

Weber was reading his notes with his habit of classifying everything, a vestige of a Prussian childhood where order had become refuge against chaos. His meticulousness hid a muted rage against these dilatory maneuvers that transformed international justice into farce.

—You know, Carmen, I've studied all their responses. It's high art. First, they invoke the "exceptional complexity of the file." Six months of additional delay. Then the "unprecedented" scope of the necessary research. Another six months. They have a plethoric repertoire, I must admit.

He continued turning pages, revealing correspondence that reeked of bad faith.

—And here, watch out. Suddenly, their internal services are no longer "sufficiently competent." They need external consultants of "international renown." Six more months, obviously. For nine months now, they've had "difficulties accessing the national archives."

Carmen Vásquez had that little laugh she reserved for moments when absurdity reached heights.

—The snail strategy, as we say back home. They're betting on attrition, that's clear. In their minds, either the file ends up in oblivion, or the media tire of it.

Weber nodded. One could sense the fatigue of someone who had too often seen international justice flouted by *realpolitik*.

—They know we have no means to compel them. They can drag this out for years.

The admission was brutal, but realistic. The UN system for protecting human rights resembled a paper tiger: impressive, but powerless in reality.

Paris, November 2027

At the Quai d'Orsay, Claire Fontaine was orchestrating this ballet of delays. Her office, with walls lined with diplomatic maps, testified to a career devoted to elegant evasion.

—My dear friends, she explained to her collaborators, our objective is simple. Stretch out the procedure as much as possible. Time is our best weapon. In four or five years, when the Council renders its decision, no one will remember Matsukata.

Olivier Lecomte, who headed the multilateral cultural affairs service, didn't lack creativity.

—Concretely, we've identified eight stages where we can request delays without appearing to be bad players. In-depth expertise, interministerial consultation, validation by the Council of State, European consultation... Each stage gains us six to nine months.

At the Ministry of Culture, rue de Valois, Antoine Delacroix was multiplying dilatory maneuvers.

—Our curators must admit one thing: each month gained is a little less pressure on our collections. This litigation will eventually settle down, like all the others. We just need to be patient.

Catherine Dubois, who was accustomed to tempering her colleague's ardor, couldn't help playing the troublemaker. Her natural moderation, forged by twenty years of museum experience, whispered to her that Delacroix's optimism perhaps bordered on blindness. She bore the weight of dual loyalty: to her institution and to an ethic she felt was compromised.

—Antoine, I agree in principle, but we're not naive. Pierre Bertier's NGO isn't going to remain passive. It will inevitably react, intensify its press campaign. This could become more complicated to manage...

Céret, January 2028

Pierre Bertier had widely distributed to the press a complete copy of the file, emphasizing the administration's inertia. At *Le Monde*, Justine Boucher—whose convictions were forged by a decade of investigative journalism—was preparing an article that would make teeth grind on rue de Valois.

"The Matsukata affair finally reveals the true face of our beautiful French cultural policy. Generous in speeches, petty in actions," she typed with a rage that showed through in every word.

At *Le Figaro*, the tone was equally ferocious, even if the packaging remained more polished. A columnist, an old hand at international relations, deployed the biting irony that his established position allowed him.

"By refusing to seriously handle the Matsukata affair, France is sawing off the branch it's sitting on. Our ambassadors ridicule themselves when they give advice on transparency to other countries. Difficult to preach the good word when you yourself are playing ostrich at the UN."

The criticism found an echo in the small Parisian intellectual world, fond of well-crafted polemics. At the Sorbonne, Professor Georges Pelletier was even organizing a colloquium on "states' avoidance strategies in the face of international bodies." A pompous title to say that governments know very well how to

turn a deaf ear when it suits them. Pelletier, a Marxist converted to geopolitical analysis, found in it confirmation of his theses on bourgeois hypocrisy.

Professor H  l  ne Fabre, director of the comparative international law review, presented her analysis with obvious pleasure. A strong-willed woman who had had to fight to impose herself in a male environment, she savored these moments when her analyses proved judicious.

“The French position puts its finger on a glaring problem: the UN can moralize to member states all it wants, it has strictly no means to compel them to cooperate. The Matsukata affair crudely shows that international law, faced with a state that doesn’t want to listen, remains purely powerless.”

Pierre Bertier observed the evolution of the situation. At sixty-eight, he felt the weight of years, but also the satisfaction of a strategist who sees his plan unfold. His deep wrinkles testified to a life devoted to lost causes—and sometimes won against all odds. He drew from it a form of serenity.

—My dear friends, he began with that teacher’s patience that inhabited him, the French authorities’ pirouettes don’t surprise me one bit. I would even have been surprised if they had acted otherwise. And besides, between us, their obstinacy serves us in the long term.

V  ronique Fournier didn’t hide her perplexity. She had joined the team with illusions about the speed of justice, illusions that months of struggle had seriously tarnished. A dynamic thirty-something from the private sector, she was discovering with bitterness the slowness of change. Her neophyte’s impatience clashed with the old militant’s experience.

—Mr. Bertier, excuse me, but I’m having trouble following your reasoning. How can their obstruction work in our favor when we wanted a quick decision at the start? The longer this drags on,

the more we risk ending up in oblivion. Mobilization runs out of steam when people don't see concrete results.

Pierre Bertier stood up and moved toward the wall where press clippings accumulated over the years were spread out. His slightly stooped gait betrayed age, but his gaze retained that acuity that had always characterized him. He found in this documentary accumulation a form of archivist's pleasure.

—Véronique, look carefully at the evolution of our little fight from the beginning, he said, pointing to the most telling headlines. At the start, we were confined to the culture pages of newspapers, a few lines in specialized journals that no one reads. Today, cultural spoliations regularly make the front page in more than twenty countries. Not bad for an affair that was supposed to remain discreet, right?

He pointed to several particularly evocative titles that testified to the progressive internationalization of their cause. In his gestures, one could sense the tactician's pride in seeing his approach bear fruit.

—“Is France fleeing its responsibilities?”, “The French state facing its spoliations”, “Matsukata: when Paris plays systematic obstruction”... Each additional month of delay fed public debate.

Gérard Lenfant, who had gotten into the game over the months, was beginning to glimpse the subtlety of Pierre Bertier's reasoning. He had initially been skeptical about the NGO's methods, preferring classic litigation avenues. With advancing age—he was approaching fifty—he maintained a form of constructive criticism that amused even himself.

—Mr. Bertier, are you saying that French obstruction transforms our file into a symbol of state spoliations? That's the plan?

—Exactly, Bertier confirmed. By obstinately slowing down the UN procedure, the French administration is spectacularly going astray. It strengthens our moral legitimacy. Each new delay it requests, each bureaucratic pretext it invokes, each maneuver

revealed by the press contributes to demolishing the image of respectability that our beautiful French diplomacy traditionally cultivates. In the end, their obstruction turns against them by revealing their bad faith. It's almost too easy.

Véronique Fournier, a bit worried when grand speeches took precedence over reality, brought her colleagues back to earth with a direct question. Her managerial side was taking over.

—Mr. Bertier, concretely, with their systematic obstruction, how much longer do we have?

Bertier made a resigned grimace.

—If I'm realistic... —you know I hate false hopes— ...we won't have a final decision before 2031 or 2032. At best.

A few sighs of discouragement ran through the small assembly. Bertier hastened to put things in perspective with the somewhat irritating wisdom of old militants who have seen fashions and impatiences pass.

—My friends, this duration, we absolutely mustn't see it as a punishment. On the contrary! It gives us time to consolidate our position, to amplify our impact. Each year that passes strengthens our claims and weakens their shaky arguments.

Gérard Lenfant, who had a gift for pointing out practical problems that others preferred to ignore, made a gesture of annoyance. As a lawyer, he had a less romantic vision of ideological conflicts.

—But how do we maintain media attention for five or six years? Public opinion isn't going to stay focused on our file forever. People tire, it's human.

Bertier moved toward his computer. He loved figures when they proved him right. This professor's habit had always accompanied him, a vestige of his teaching years when one had to convince through demonstration.

—You're on the wrong track. Our vocation is not to play entertainers to keep the show going. Our Matsukata affair is just the lever to raise the whole question of French and Western cultural spoliations.

He opened a rigorously maintained file, a true war treasure.

—Since we launched our UN initiative, we've received ninety-three requests for help concerning other despoiled collections. Ninety-three! Jewish families, private collectors victimized by the Nazis, African villages, Native American communities, Armenian organizations...

The Matsukata affair had created a ripple effect.

Véronique Fournier, who was beginning to grasp the scale of the phenomenon, reformulated.

—If I understand correctly, we've opened a breach into which all spoliation victims are rushing? We've created a precedent?

—That's right, Véronique. The Matsukata affair proves that one can challenge state spoliations, even the oldest ones. We've demonstrated that victims have instruments to compel the most powerful states to account for their dubious appropriations.

Subsequent events would confirm these predictions with troubling precision. The Matsukata affair was spreading around the world, creating a protest movement that far exceeded French borders. In England, associations from former colonized countries were filing communications to demand the restitution of African art objects held at the British Museum. In the United States, tribes were challenging several nineteenth-century museum acquisitions and demanding their sacred objects.

The movement found an echo in academic circles, quick to turn polemics into seminars. At Harvard, Professor David Messing was organizing a course entirely devoted to contemporary strategies for challenging institutional cultural spoliations:

“The Matsukata affair illustrates how rigorously constructed argumentation can transform a specialist litigation into an

international political movement of scale. Pierre Bertier succeeded in politicizing a question that was confined to expert circles and giving it a symbolic dimension.”

At Oxford, Professor Jennifer Brandon analyzed the implications with the critical perspective of the British school. This woman, who had devoted her career to studying postcolonial inequalities, found in it a validation of her theses:

“The affair brutally reveals the contradictions of contemporary Western cultural policies. How can museums claim an educational mission while keeping works acquired through proven spoliation? The Matsukata affair frontally poses the question of the moral legitimacy of our cultural institutions.”

In France itself, the debate was progressively gaining all cultural structures, creating divisions within the traditionally united museum world through corporatist solidarity. Some curators were beginning to courageously question several acquisitions, despite pressure from their hierarchy.

Paris, February 2029

At the Musée d’Orsay, Catherine Dubois was discreetly organizing reflection meetings with her teams to anticipate other claims. The times were changing, and she sensed that adaptation was necessary. Her managerial training whispered restraint, but her conscience dictated openness.

—We must accept the fact that the Matsukata affair has fostered a period of general questioning of our most dubious acquisitions. We need to prepare for other similar challenges and establish a coherent doctrine.

At the Louvre, Henri Loyrette, head of the paintings department, expressed similar concerns. He had climbed all the conservation ranks and retained an irrational attachment to the integrity of collections, while understanding the ethical stakes.

—We must imperatively address provenance questions without calling into question the fundamental integrity of our collections.

At the École du Louvre, conservation students were passionately debating the implications of the Matsukata affair. Nourished by postcolonial questions, they no longer shared the museum certainty of their elders.

—How can we accept to work in institutions that obstinately refuse to recognize spoliations? wondered Marie Chevalier, a master's student in museology, with an indignation peculiar to youth.

—We must distinguish current responsibilities from those of the past, responded her classmate Cédric Camilleri. The works have been part of French heritage for eighty years.

—Eighty years of concealment, you mean, Marie retorted. Just because you keep something a long time doesn't mean it belongs to you.

The debates revealed the lasting impact of the Matsukata affair on the evolution of French consciousness.

Céret, March 2030

The professor measured the scope of the movement he had helped trigger with a modesty that contrasted with his international impact. A life devoted to defending lost causes had taught him that social transformations operate over the long term.

—My friends, we have largely achieved our main objective: transforming a pointed restitution question into a societal debate, he declared during the NGO's annual review meeting, a cold coffee in hand.

He moved toward the wall where thousands of press clippings devoted to cultural spoliations around the world were now displayed. This documentary accumulation testified to an obstinacy that amused even himself.

—Look at the evolution. Not a week goes by without a media outlet somewhere mentioning cultural restitutions. We've liberated a voice that was stifled by resignation and intimidation.

Véronique Fournier, armed with her statistics, took stock of concrete repercussions.

—Mr. Bertier, our website receives more than fifteen thousand visitors per month. And I'm not talking about social media where we're mentioned everywhere.

Gérard Lenfant mentioned future prospects with an optimism he hadn't known himself a few years earlier.

—The question of cultural spoliations is durably inscribed in global democratic debate. Western governments will no longer be able to ignore it.

Pierre Bertier approved while maintaining intellectual caution in the face of premature enthusiasms. Age had made him wary of too-easy victories.

—You're right to emphasize our successes, but let's guard against any triumphalism.

Françoise Martin posed the question that naturally concerned the whole team. A former journalist converted to the associative sector, she retained that professional lucidity of media professionals.

—Mr. Bertier, how do we maintain momentum over the very long term? How do we avoid the movement running out of steam before obtaining concrete results?

—Françoise, our role is no longer to personally carry this fight indefinitely. It's up to others to take up the torch in their respective fields. The movement exceeds us, and that's all for the best.

He moved toward his library and pulled out a thick file of correspondence. His habit of archiving everything took on full meaning here.

—I've received in the last six months the statutes of eleven new associations created in different countries to fight specifically against spoliations. All are directly inspired by our experience.

The movement is acquiring autonomy; it no longer needs us to live.

The revelation marked a turning point. From an isolated fight by a small provincial NGO, the file had become the symbol and catalyst of an international movement that was durably transforming power relations.

Two years later, in December 2032, Pierre Bertier could allow himself a knowing smile. His analysis had proven correct across the board. The Matsukata litigation was still bogged down in the dusty workings of the UN. But French temporization had produced the opposite effect from the one expected. The more Paris dragged its feet, the more the file took on a planetary dimension. Everywhere in the world, dozens of organizations modeled on Return and Restitutions had sprung up. Same arsenal, same determination to track down other spoliations. The movement had taken on such proportions that UNESCO had ended up creating a permanent special commission. Official title: “cultural reparations in contemporary international relations.”

The UN Secretary-General himself had gotten involved, mentioning in his annual speech the necessity of “international cultural reconciliation.” A barely veiled reference to movements inspired by the Matsukata affair.

Céret, December 2032

In his house that smelled of lavender and old books, Pierre Bertier savored his moral victory, yet he felt his time was ending. His body was failing him, year after year. But it didn’t really matter. The movement he had launched would survive him largely. This perspective brought him a serenity he had never known, he who had always doubted the usefulness of his struggles.

His declining health forced him to entrust the heaviest tasks to his collaborators. His influence on the movement remained considerable—no one dared question his orientations—but he

sensed he was progressively becoming a symbol more than an actor.

—My friends... he told them during what would be his last intervention, ...we’ve done the work.

He paused and glanced at the reproduction of Van Gogh’s “The Bedroom in Arles” that had reigned on his office wall from the beginning.

—So yes, perhaps the Human Rights Council will rule against us. Perhaps we’ll never officially prevail. But that’s not essential. What matters is that we’ve launched something irreversible.

In the gardens of Céret, under the December sun that still warmed the stones, the old professor contemplated the path traveled. The French administration had been unable to prevent the transformation of consciousness. A new international balance of power was born. Bertier found in it a form of fulfillment he had never hoped for in his idealistic youth.

Somewhere in the climate-controlled rooms of the Musée d’Orsay, Van Gogh’s “The Bedroom in Arles” continued its mute testimony. Now it represented much more than the eternal beauty of art. It symbolized the patience necessary for justice to finally prevail.

Because in the fight for truth—Pierre Bertier had understood this long ago—only perseverance and trust in time count.

Two years later, in 2034, when the Human Rights Council finally rendered its decision after years of procrastination, effectively sanctioning France for violation of property rights and denial of justice, the event made only a few lines in international newspapers. The case had become so emblematic that its official conclusion mattered less than its transformative impact on global mentalities.

Pierre Bertier was no longer there to savor his final victory. He had passed away peacefully a year earlier, in his sleep, surrounded by his books and files. France, cornered after its UN

condemnation, had ended up negotiating. Six works from the Matsukata collection would return to Japan; Paris would keep the rarest pieces in exchange for substantial cultural and financial compensation. A French compromise that half-satisfied the claims while preserving the essence of national collections.

Western museums had been forced to create departments specialized in provenance questions. They had developed unprecedented transparency policies, under pressure from public opinion and this new generation of curators trained in the post-Matsukata spirit.

Western universalism had not disappeared.

But it had adapted to contemporary demands for justice and respect for peoples' rights. The Matsukata affair had proven that a single man, surrounded by a few faithful and armed only with truth, could challenge the most powerful states. The long battle for international cultural justice continued, carried by thousands of new fighters.

At the Céret cemetery where Pierre Bertier now rested, a commemorative plaque recalled his favorite motto: "Truth is slow, but it is sure." The Matsukata affair had magnificently illustrated the accuracy of this formula. Time had proven the old Catalan professor right.

EPILOGUE

This novel that ends, inspired by real events but transposed into a fictional framework, illustrates the complex mechanisms of state cultural spoliation and the long march toward restorative justice. It pays tribute to all those who, like the NGO Return and Restitutions, fight courageously so that truth triumphs.

The Matsukata affair, as it is recounted here, demonstrates that justice is measured not only by obtaining concrete restitutions, but also and above all by the progressive transformation of public debate. Sometimes, persistently asking the right questions proves more important than immediately obtaining the right answers.

May this novel inspire other real actions in favor of justice and contribute to the advent of a more equitable world in the domain of culture and the arts.
