

ANCIENT COIN COLLECTORS GUILD

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Statement at Open Hearings of the United States Cultural Property Advisory Committee On a Request from the People's Republic of China Concerning the Imposition of Import Restrictions

Dear Mr. Chairman and distinguished committee members;

The Ancient Coin Collectors Guild (ACCG) is a national nonprofit organization created to promote and nurture the free and independent collecting of coins from antiquity through education, political action and consumer protection. The goal of this guild is to foster an environment in which the general public can confidently and legally acquire and hold, for personal or professional use, any numismatic item of historical interest regardless of date or place of origin. The purpose of this statement is to point out that ancient or antique coins from China, being like all coins in general, are not objects of significant cultural importance. They should be freely available to private ownership, and should not be considered in any request for import restrictions.

Over the past several centuries, private coin collections have served as the primary training ground for prominent numismatists and have been the source of much enlightenment of the past. During this period, ancient coin collecting—which was once a hobby of kings—became accessible to the general public. Today, there are arguably more than 50,000 collectors of ancient coins in the United States alone.² This represents a healthy and legitimate market for collectible coins that would be severely disrupted by the imposition of unnecessary import restrictions.

In this country, institutions of higher learning virtually ignore numismatics. There are no university programs leading to a degree in ancient numismatics, and very few course offerings in the field of numismatics at any level. The few notable exceptions stem from initiatives of private collectors who happen otherwise to be associated with educational institutions or volunteer their time to introduce numismatics into the classroom in the form of guest lectures.³ If it were not for the enthusiasm and effort of collectors, ancient coins would be little more than curiosities in the academic world. Ancient Coins for Education (ACE), an Affiliate Member of the ACCG, is a nonprofit group of private collectors and professional educators founded in 2001.⁴ This group has organized a highly effective nationwide program to introduce ancient coins of all types into elementary through collegiate level classrooms as an aid to teaching Latin, Art and Ancient History. The program has been a great success. About 140 schools are participating in this program each year and the involvement is growing daily. Thousands of genuine ancient coins, donated by ordinary collectors, have been distributed to students as rewards for participating in classroom projects. The annual ACE Essay Contest generates about 300 papers from students nationwide. The program recognizes and rewards teacher excellence as well.

British Arts Minister Estelle Morris recently pointed out that there is a growing appetite for "serious" culture in rural Britain."⁵ This condition is global. Individuals around the world are becoming more interested in history and culture. Hollywood, which has a very good finger on the pulse of America, has invested millions of dollars in the past few years for the production of historical epics. Naturally, this blossoming interest—a modern Renaissance, so to speak—is accompanied by the innate desire to collect, study, admire and own objects that connect us in a real way to the past. It is a basic part of how we function as human beings.

Understandably, the right of individuals to own historical or cultural objects needs, in some cases, to be tempered by the broader interests of society. Cultural property of critical importance to our understanding of the past should be safeguarded and preserved in the most effective way. From as early as the third century BC, museums have provided this service. Private collectors and philanthropists have always been a primary source of museum funding. However, common objects of minimal cultural significance do not warrant the same protections as national treasures. The question that has been posed by some recent antagonists of private collecting is whether individuals have the right to own a piece of the past. Before the World Archaeological Congress in 2003, Dr. Paula Kay Lazrus asked, "The question for us today, is whether the concept of ownership (as opposed to stewardship) continues to be a sustainable or even moral position in our contemporary society..."? The view of some in the field of professional archaeology is that it does not. Conversely, the ACCG believes that there is nothing immoral about ownership, or private collecting. It is a wholesome activity that greatly benefits society. Private property rights are also being assailed by certain factions. Archaeologists Jon L. Gibson and Joe Sanders wrote in the Society for American Archaeology Bulletin "We suggest that just because sites happen to be on private property should not make them privately owned. We also maintain that archaeologists must challenge one of American's most precious rights—the right to do as you please to your own land—if we are going to have any chance of preserving our diminishing heritage.... First, we must press for legislation that places an archaeological lien on private property with significant archaeological sites. Second, archaeologists must be the ones to choose which sites are to be protected. We can not entrust this selection to a governmental board or legislated process, which would give land owners the final word on whether a site will be protected..... Archaeologists must be more than just stewards of the past. They must serve as the public conscience. They must act on society's behalf even when society is insensitive or objects." ⁷

Some supporters of the anti-private-collector community, in an effort to diminish the rights of private citizens, would seek and support broad restrictions against the importation of items defined by the UNESCO Convention of 1970 as "Cultural Property". This is precisely the reason that we are here today. However, the provisions of 19 USC 2600, Convention on Cultural Property Implementation Act, are clear that restrictions should only be applied to "culturally significant" material and not to extremely common items, like coins, for which many multiple examples exist. Archaeologists typically respond that restrictions on coins are necessary to protect the integrity of archaeological sites.

In the field of archaeology, coins are useful mainly as a way of dating the strata in which they are found. However, even this is of tentative value since coins, like diamonds, arrowheads, and rocks in general (as any farmer knows) tend to migrate to the surface over time. Thus, the accuracy of dating a stratum by coin finds is only reliable when the coins are in some way part and parcel of a fixed object. This is seldom the case, since most coins found in archaeological excavations are scattered finds. Large hoards of coins were generally buried in more obscure locations. Once an ancient coin is removed from the ground, it is of little or no archaeological interest. Consequently, archaeologists generally pay little attention to coins, and do not study them to any great extent, nor do they go to any trouble to preserve them. There are countless anecdotes of buckets full of ancient coins sitting in the dank basements of archaeological museums and storage sites, simply rotting from bronze disease. Yet they vehemently refuse to sell them to collectors to raise funds for continued work or better facilities. The logic, perverted as it may seem, is that doing so would merely enlarge the market and encourage site looting. Over the past 400 years, private collectors have produced through their own effort, and at their own expense, a huge body of reference works that are widely available to, and used by, scholars of all disciplines and educational levels. They have preserved millions of coins through careful and loving attention and have led the world in numismatic research.

Even if coins were of archaeological interest, the only coins that legitimately should be restricted from importation would be those proven to have been removed from a scheduled archaeological site—and those by definition would have to have been stolen. Sites and storage facilities should be under the protection and control of the Chinese government. There would be no reason to suspect that Chinese coins entering the U.S. market were illicit unless China reported that they had been stolen. In any case, import restrictions would not be the appropriate remedy. In spite of harsh penalties, internal corruption among those charged with protection of China's cultural heritage is a major part of the problem. The head of the Cultural Relics Protection Department of the UNESCO listed World

Heritage Site at Chengde Mountain in China was recently sentenced to death for stealing 250 relics from temples of the former Qing Dynasty palace.⁸ U.S. import restrictions would do little to deter illicit sales of antiquities if the threat of capital punishment does not. Part of the problem is that China does not enforce its own laws with consistency, as I will illustrate below.

Most Chinese coins are quite common. For example, a seven-ton column of corroded coins dating back to the Southern Song Dynasty (AD 1127 -1279) was found in the town of Suishui in southwestern China's Sichuan Province. The number of important new discoveries each year in the field of numismatics is a tiny percentage of the number of coins bought, sold and traded in the legitimate market. There are literally millions and millions of ancient coins circulating around the world today in private collections and residing in museums. There are about 30,000 different types of Chinese coins, spanning a period of 3,000 years. In addition to recirculation in the market of coins from old private collections, ancient coins are often deaccessioned by museums and sold to the general public. A few notable examples in recent years are the sale of assets from the Metropolitan Museum of Art, the Chrysler Museum, the Santa Barbara Museum of Fine Art and the Phoenix Art Museum. Just last month, the Boston Museum of Fine Arts sold 1,620 ancient coins at auction in New York City.

It is virtually impossible to determine where most of these coins were found. Just because a coin was originally made in China does not mean that it stayed there. From the earliest days of coin production, before 600 BC, long distance trade and population movements led to the large scale distribution of coins well beyond the geographic regions in which they were originally manufactured. This is a universal phenomenon that certainly includes China. As Dr. Michael Mitchiner points out, few places were economically or culturally isolated by the time coinage was introduced to the world.¹² Through the evidence of coin migration, Dr. Michiner documents an extensive trade between East and West during the Viking - Samanid period of the 10th century. This resulted in "a massive flow of Samanid (Persian) silver dirhems to Sweden."¹³ Some of these trade coins became so commonplace in distant lands that they were imitated by local mints. Coins of Indo-Greek rulers in what is now Afghanistan, for example, were imitated by the Yueh Chi in Western China. The Khwarezmians and Volga Bulghurs struck Samanid style dirhems in their own mints. These same coins were imitated by various Turkish tribes in southern Russia. Silver coins of the 12th century Bulgarian King Ivan Alexander replicate contemporary Byzantine silver issues from Constantinople so closely that only an expert can distinguish one from the other. Local coins emulating the Byzantine style are also found in such diverse localities as Sicily, North Africa, Hungary, Mesopotamia and the Crusader states of the Levant. The Han Dynasty of China (206 BC - AD 220) maintained a strong military presence in Turkestan, where their coins are still found. Some 2,000 years later, a series of revolts in Turkestan led to the production of Chinese-style coins with Turkish inscriptions. Other coins of the 19th century from Chinese Turkestan copy the contemporary issues of the Khanates of Bukhara and Khokand in Russian Turkestan. ¹⁴ Distinguishing between these and ordinary Chinese coins is difficult enough without trying to determine if they came from China or Central Asia. Ancient Chinese coins even came to America with 19th century immigrants and have been found in California among other places.¹⁵ About 30 kilograms of ancient Chinese coins were recently found by construction workers at Ouy Nhon city in Viet Nam and several hoards of ancient Chinese coins have been found in India.

Further evidence of widespread international trade in antiquity is confirmed by a huge number of documented coin hoards. One such hoard, found in northern Afghanistan near the ancient Baktrian capital of Balkh, consisted of a large number of Greek coins from various cities. A sampling of 20 coins from the hoard reveals an extraordinary distribution. Specimens were recorded from such diverse polities as: Lete in Macedon; Uncertain Thraco-Macedonian Tribes; Athens; The island of Aegina; Cnidus in Caria; Phaselis in Lycia; Celenderis, Soli, and Tarsus in Cilicia; Citium and Salamis in Cyprus and Tyre in Phoenicia. Dr. Troxell illustrates in this article that coined silver was "a major export of the Greek world in the late sixth and the fifth centuries [BC]". Howard L. Adelson, in his study of 6th and 7th century Byzantine gold coinage, found that "In the overwhelming majority of cases the find spot was clearly in an area removed from Roman control." In other words, the coins were found in a geographical location populated by a culture other than the one that produced them. Although the coins being studied were originally struck in Constantinople, hoard find sites ranged from the Balkans and northern Italy to Russia, Frisia and Britain—that is, along the trade routes. This study was confirmed by the subsequent work of Joan M. Fagerlie in

1967. ¹⁸ Some 800 gold Roman and Byzantine coins were analyzed and the conclusion was that these finds represented a steady stream of trade between the Mediterranean and Scandinavian countries. Dr. Fagerlie mentions in her introduction that thousands of Roman silver denarii from the 2nd century have also been found in Sweden. A review of the *Coin Hoards* series, published by The Royal Numismatic Society, ¹⁹ reveals that hoards of Greek coins, for example, have been found in Egypt, Bahrain, Syria, Azerbaijan, Lebanon, Yugoslavia, Bulgaria, Romania, Ukraine, Russia, Tunisia, Serbia, Afghanistan, Israel, Yemen, Poland, Georgia, France, Austria, Czechoslovakia, England, Albania, Turkey, Italy, Spain, Iraq, Switzerland, Germany and of course Greece. Roman, Byzantine and Islamic coins have been found in equally diverse locations. The Silk Road to China was one of the world's oldest and most important routes historically. Trade along this route led to the dispersal of coin in both directions. Coins of the Romans, Byzantines and Western Turks have been found in China, and coins of Western Chinese provinces and of the Mongols are often found in the West. ²⁰ A current exhibit at the Arthur M. Sackler Gallery of the Smithsonian's National Museum of Asian Art, "Iraq and China: Ceramics, Trade and Innovation" is testimony to the extent of this prosperous trade.

Ancient coins from China are not as widely popular among collectors in the United States as classical coins are, but the nature of their production and use is identical—as are the arguments against restricting their importation. Oddly enough, one of the wealthiest capitalists in China has made a fortune selling ancient Chinese coins—not to collectors, but to tourists. According to a *Forbes* article, Wang Gang's business associate is the state run Bank of China.²¹ He reportedly owns some 500 tons of ancient coins, estimated at about 90 million pieces and representing about 70% of China's supply. It seems ludicrous that the Bank of China would sell genuine ancient Chinese coins to tourists, and then ask that the U.S. restrict the importation of these same coins. If the Chinese government feels that the loss of ancient coins places their cultural patrimony in jeopardy, then why do they allow the wealthiest of Chinese citizens to amass huge quantities of them and sell them commercially?

Coins, whatever their origin, ought to be considered for what they were and are—monetary instruments meant to traverse boundaries and borders without respect to cultural influence. To restrict the importation of Chinese coins would do nothing to further our knowledge of the past and would do nothing to protect the cultural heritage of China. Restrictions would remove one of the few ways that U.S. citizens are inspired by direct contact to learn about China's illustrious history and its ancient cultures. They would also impact negatively the existing free and legitimate trade in Chinese coins, that does not violate any laws of the United States or China. The practical effect of import restrictions is to shift to the collector or dealer the burden of proof to show the "provenance" of an item. This makes the unreliable and improper assumption that the coin in question actually came from the country with restrictions, and makes the further assumption that the importer might actually be able to meet the burden of proof on provenance. Coins typically do not have a provenance so this is a burden that would be virtually impossible to meet.

The Ancient Coin Collectors Guild urges an exemption of coins from any import restrictions presently under consideration, just as they were exempted earlier before this committee in the cases of requests from Italy and Cyprus.

Sincerely yours,

Wayne G. Sayles,

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Executive Director

¹ Information about the ACCG, its bylaws, its mission and its activities is available online at http://accg.us

² Sayles, Wayne G. "How many coins survive?", *The Celator*, Vol. 17, no. 2, February 2003, p. 47.

- ³ At the University of Texas Austin, in an innovative program to reduce the intimidation of a large campus, Professor David T. Allen teaches a freshman seminar titled *Introductory Coin Collecting*. Dr. Allen normally teaches Chemical Engineering, but he is a private collector of ancient coins and shares his love of the past with students having a variety of interests. Many private collectors have given of their time and expertise to enrich university programs by showing the importance of ancient numismatics in the study of Social Sciences. For example, Mr. David Kellog, from Fayetteville, NY, has created a series of guest presentations for classes at Colgate University. Dr. Scott Rottinghaus, an award winning Young Numismatist and now a successful M.D., has delivered several lectures about ancient coins to Latin and Greek classes, as well as to Honors Seminars, at Kansas State University. Rev. Gary Waddingham, of Billings, Montana, has given lectures at a local Community College. Wayne G. Sayles has lectured about ancient coins at Classics and Art History seminars at the University of Wisconsin-Madison. Similar lectures by private collectors have been delivered at Transylvania University in Lexington, KY; Clark University, Worcester, MA; Marshall University in Huntington, WV; Troy State University in Troy, AL; St. Joseph's University in Philadelphia, PA; University of Buffalo in Buffalo, NY; Villanova University in Villanova, PA; Ashland University in Ashland, OH; Southern Utah University at Cedar City, UT and many others.
 - ⁴ The ACE program and its accomplishments are detailed at http://www.bitsofhistory.com/ace/
 - ⁵ BBC News, "Minister warns "hoarding' museums", http://news.bbc.co.uk/1/hi/entertainment/arts/4211053.stm
- ⁶ Lazrus, Paula Kay. "Supporting and Promoting The Idea Of A Shared Cultural Patrimony", *Collecting Material Heritage: Past and Present Orthodoxies*, World Archaeological Congress 5, June 21-26, 2003, Washington, DC.
- ⁷ Gibson, Jon L. and Joe Sanders. "The Death of the Sixth Ridge at Poverty Point: What Can We Do?", *Society for American Archaeology Bulletin* 11:5:7-9, 1993.
- ⁸ BBC News. "Execution for China relics theft." August 18, 2004, online at http://news.bbc.co.uk/2/hi/asia-pacific/3575500.stm
 - ⁹ China Internet Information Service. July 4, 2003. http://www.china.org.cn/english/culture/68965.htm
 - ¹⁰ Ibid, note 3.
 - ¹¹ Gemini, Auction I. January 11-12, 2005, Waldorf-Astoria Hotel, NY, NY.
 - ¹² Mitchiner, Michael. *Ancient Trade and Early Coinage*, 2 vols. Spink, London, 2004.
 - ¹³ Mitchiner, Michael. Oriental Coins and Their Values, The World of Islam, Hawkins, London, 1977, p. 317.
 - ¹⁴ Cribb, Joe, Barry Cook and Ian Carradice. *The Coin Atlas*, Facts on File, NY, 1990, p. 204.
 - ¹⁵ Alcalá, Carlos. "Preserving our Past", *Sacramento BEE*, Sacramento, CA, April 26, 1999.
- ¹⁶Troxell, Hyla A and William F. Spengler, "A Hoard of Early Greek Coins from Afghanistan", *Museum Notes 15*, American Numismatic Society, New York, 1969, pp. 14-15. Troxell's views are supported by E.S.G. Robinson in "A 'Silversmith's Hoard' from Mesopotamia", *Iraq* XII, p.50 and by D. Schlumberger, "L'Argent grec dans l'empire Achémenide" in *Trésors monétaires d'Afghanistan*, Paris, 1953, p. 35.
- ¹⁷ Adelson, Howard L. "Light Weight Solidi and Byzantine Trade during the Sixth and Seventh Centuries", *Numismatic Notes and Monographs* 138, American Numismatic Society, New York, 1957, pp. 78-103.
- ¹⁸ Fagerlie, Joan M. "Late Roman and Byzantine Solidi Found in Sweden and Denmark", *Numismatic Notes and Monographs* 157, American Numismatic Society, New York, 1967.
 - ¹⁹ Price, Martin Jessop et al. Editors. *Coin Hoards*, 1975-1985, 7 vols., Royal Numismatic Society, London.
- ²⁰ Yin, Lin. "Western Turks and Byzantine gold coins found in China", *Transoxiana*, 6 July 2003. Online at http://www.transoxiana.com.ar/0106/lin-ying_turks_solidus.html
 - ²¹ Flannery, Russell. "Reverse Migration", Forbes Magazine, 22 December 2003.