



ANCIENT COIN COLLECTORS GUILD

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January 27, 2007

Mr. Jay I. Kislak, Chairman
Cultural Property Advisory Committee
United States Department of State
Room 334, 301 4th St., SW
Washington, DC 20547

Re: Renewal of MOU with Republic of Cyprus and Possible Inclusion of Coins

Dear Mr. Kislak:

The Ancient Coin Collectors Guild (ACCG) appreciates the opportunity to be heard on this issue, even though we are very disappointed in the process by which the addition of coins to the Cyprus request came to our attention. If requesting States are allowed to arbitrarily add elements of substance on the eve of a hearing that has already been closed to comment, the due process built into the Convention on Cultural Property Implementation Act is severely compromised. Proponents of import restrictions appeared at the public hearing on January 25, 2007 with prepared arguments that advocated the addition of coins. If these parties knew in advance that the addition of coins was to be requested, when the numismatic community had been informed otherwise, the fair notice provisions of CPIA were not satisfied. With proper notification, the numismatic community would have commented on many aspects of the issue that, because of time, are no longer possible to address. This is really unfortunate, and serious, because the number of people directly and adversely affected by an inclusion of coins numbers in the tens of thousands. In effect, these American citizens have been disenfranchised. In terms of membership, the ACCG represents more than 5,000 collectors of ancient coins. The total number of ancient coin collectors is arguably closer to 50,000.¹ In practical terms, given the proposal to restrict coins more than 250 years old, ACCG represents the entire World Coin collecting community.

Among the pertinent factors weighed by CPAC is the effect, or potential effect, of import restrictions on individual Americans. I would like to address the impact that restrictions on importation of coins of Cypriot origin would have on American collectors. Few people in the world are more passionate about history and culture than collectors of coins from the past. The private collecting of coins from antiquity has a history in itself that extends back to the end of the 14th century. This tradition was summarized eloquently by the late curator of the National Numismatic Collection (Smithsonian Museum) Dr. Elvira Eliza Clain-Stefanelli.² In her discourse on numismatics, Dr. Stefanelli chronicled the lives of many private collectors who earned acclaim for their contributions to the science of numismatics. It can be argued that coins are not cultural artifacts, since they were essentially "sold" by an issuing authority to the population as bullion in the form of precious metals. But even if one could stretch the imagination to consider them as cultural objects, they certainly cannot be considered "significant" in light of their ubiquitous presence. That they are important to archaeology is undeniable. That they have any greater importance for archaeology than for the disciplines of history, art history, economics, politics, sociology, religion, philosophy or the fine arts, is not the case. Coins should be

studied intently and published extensively for the information that they reveal about the past. If they are recorded *in situ* and forgotten, the greatest share of their historical value is lost. Typically, that is exactly what happens to coins found during archaeological excavations. In contrast, the record of private collectors of ancient coins in reconstructing history through the study of coinage is unsurpassed. Restricting collector access to ancient coins from Cyprus would seriously impact the independent scholarship that has made numismatics an important science.

Every day, private collectors in America make contributions to the world's understanding of the past. Many noted academics understand and have acknowledged this fact:

Professor David MacDonald in his study of the coinage of Aphrodisias noted that "Private collectors, above all H. Bartlett Wells, have shared with me their knowledge and coins, both of great importance to this study. Coin dealers Simon E. Bendall, Dennis Devine, Frank L. Kovacs, Brian Kritt, Dennis Kroh, and particularly Harlan J. Berk, have gone to considerable trouble without any hope of profit to bring material to my attention."³

Ute Wartenberg (Executive Director of the American Numismatic Society) and Martin Price (former Curator of Greek Coins at the British Museum) acknowledged the contributions of scores of dealers and collectors of coins in their 1994 compilation of coin hoards: "*Coin Hoards* is largely compiled from information from outside sources. We wish to thank all the contributors to this publication and hope that their assistance will continue." A list of 80 names is appended, the vast majority of whom are private collectors or ancient coin dealers.⁴

The great scholar and historian, Michael Grant, in his seminal work on the development of Roman Imperialism wrote: "I want, too, to express my thanks to the following private collectors who have generously shown me their coins....(he names nine)... I must also record the use of other private collections, past and present...(he names 50 others). Reference to other collections has been possible through sale-catalogues, and I am grateful to the dealers who produced these catalogues and who have given me a kind welcome."⁵

Among those listed by Cambridge scholar Michael Crawford in his acknowledgments for contributions are numerous private collectors and two members of a Swiss numismatic auction firm.⁶

Reverend Edward A. Sydenham was himself a private collector, but his work is considered among the most scholarly of its time. He was for some time the President of the Royal Numismatic Society. The forward to this book, by Dr. C.H.V. Sutherland (Dept. of Coins and Medals, British Museum) lauds Rev. Sydenham's expertise and dedication. In the author's preface to his ground breaking *Coinage of the Roman Republic*, Rev. Sydenham acknowledges "Messrs. Spink and Son, Ltd. and Messrs A.H. Baldwin and Sons, Ltd, [ancient coin dealers] for supplying me with several thousands of specimens for study (particularly during the war-years when museum collections were not available), and to Dr. L.A. Lawrence [a private collector] for giving me free access to his extensive collection at all times."⁷

These are but a few of the praises heaped upon private collectors for the work they have done in the field of numismatics, both privately and in support of academia. There are relatively few publications that deal with the coins of Cyprus. However, those that do were almost exclusively produced by the collecting community. The catalogue of coins from Cyprus in the British Museum, itself more than 100 years old, remains a primary reference to this coinage. In the introduction, George F. Hill credits the strength of its cabinet of coins from Cyprus to Sir R. Hamilton Lang, a collector. Lang also greatly enriched the cabinet of the Louvre in Paris.⁸

The question seems to be, why should this work be stifled? In order to keep poachers from digging for treasure on archaeological sites? The destruction of any archaeological site is deplorable, and ancient coin collectors in unison are appalled by the prospect of such a barbarous act. But cutting off the access of true scholars to source material is not going to stop any search for treasure. If there were no market for ancient silver and gold coins they would simply be melted down by the finders and lost forever. The proposed cure is worse than the disease. The implication that scholarship is an institutional phenomenon is not only untrue, it is dangerous. It suggests a stratification that goes completely against the grain of American ideals and values. The promotion of cultural awareness and interaction is part of the charter of the State Department. Should independent scholars and private museums be treated differently than institutional scholars in their pursuit of knowledge and cultural awareness? That is precisely the scenario that import restrictions will create. In this regard the impact of restrictions on the importation of ancient coins from Cyprus is huge.

Another consideration to be weighed by CPAC is the extent of self-help measures taken by requesting countries, including their nature and effectiveness. We humbly submit that the Republic of Cyprus has not itself adequately addressed the problems that are used as justification for import restrictions. Part of the reason that sites are looted in source countries is that local laws or law enforcement are inadequate to control the local population and/or supposed professionals. The Association of Cypriot Archaeologists recently called on the President of Cyprus to rewrite the laws on archaeology and antiquities because it is in his words “hopelessly inadequate”.⁹ In recent remarks, association president Andreas Demetriou was not bemoaning the loss of the past due to looters, but rather due to poorly trained archaeologists, especially from outside Cyprus. Dr. Demetriou said the number of licensed digs per year was a contributing factor to the waste involved. He said nothing was being left for future generations and suggested the number of digs per year be limited. He commented on the deplorable loss due to poor archaeological management, saying “We dash everywhere in Cyprus to dig and then we dump things.” His examination of several licensed excavations revealed chronic problems with record keeping and he was reportedly angered by “hundreds” of unrecorded artifacts discarded in junk heaps. It is common knowledge among archaeologists, and often a complaint, that local peasants search these junk heaps for coins and other small objects. He further complained that glaring gaps in the current law show that there is no clear government policy on the protection of archaeological sites.¹⁰

According to a recent report by the Archaeological Institute of America (AIA), protection of cultural heritage by the Republic of Cyprus (R.O.C.) takes a back seat to politics. An international effort headed by archaeologist Uwe Müller of Eastern Mediterranean University in Northern Cyprus to salvage a looted Bronze Age site in the Turkish north have been repeatedly obstructed by the Republic of Cyprus. Because the north is under Turkish “occupation”, the south holds the position that not only the archaeological salvage operation but the university itself is “illegal”. According to the AIA report, Ernst Pernicka of Tübingen University in Germany, a member of Müller’s international team, was threatened with “academic suicide”. An email from Vassos Karageorghis, former R.O.C. Director of Antiquities, charged “serious repercussion not only on your university but on all German archaeologists working in Cyprus and Greece”. Pernicka is now director of excavations at Troy. There has been little if any international protest, however. Patty Gerstenblith, co-chair of the American Bar Association International Cultural Property Committee states regarding the legality of the R.O.C.’s position, “It’s a gray area” and asks “How can Turkish Cypriots occupy their own country?” Müller maintains that the site remains in peril and continues to excavate, despite pressure from the R.O.C. According to Müller, “There are people who want to stop us, and their arguments are simply politics and propaganda. They are willingly accepting the loss of cultural heritage to make a point”.¹¹

Yet another consideration to be weighed is whether application of U.S. import restrictions would be of substantial benefit in deterring a serious situation of pillage. The implication of arguments by advocates for import restriction is that the market for Cypriot coins in the United States spurs site looting. There is no basis in fact for this claim. Although common in absolute terms, and particularly in relation to other classes of objects from antiquity, Cypriot coins comprise only a tiny fraction of the coins offered in the ancient coin market. The largest single venue for ancient coin sales in the United States is the New York International Numismatic Convention (NYINC) held each year during the month of January. At the 2007 convention there were seven auctions held over a one-week period. The following summary details the number of ancient coins offered and the number of coins from Cyprus included among them:

Gemini III, January 9, 2007: 697 lots, 2 coins + 2 small group lots with 1 or more coins from Cyprus

Triton X, January 9-10, 2007: 1,709 lots. 2 coins from Cyprus.

The New York Sale, January 10, 2007: 856 lots, 2 coins from Cyprus

Ponterio Auction, January 12-13, 2007: 513 lots, no coins from Cyprus

Heritage Auctions, January 14, 2007: 241 lots, no coins from Cyprus

La Galerie Numismatique Auction IX, January 14, 2007: 670 lots, 1 coin of Cyprus

Stack’s, January 15, 2007: 206 lots, 1 coin from Cyprus

Of 4,892 auction lots of ancient coins, less than a handful of Cypriot coins were offered. By contrast, the British museum, when the current catalogue of coins from Cyprus in their collection was published in 1904, recorded 384 individual coins in their possession. The number of coins acquired by the museum since then is obviously considerable. This number includes only the Greek coins while the auction numbers above include even the Medieval and early modern coins that are more than 250 years old. A search of the online database of the American Numismatic Society museum for coins of Cyprus in the Greek department alone reveals 1,654 coins. A search for “Medieval” coins returned an additional 471 coins and for “Byzantine” coins yet another 49 coins (2,174 total). The overwhelming majority of these coins were accessioned

in the 1940s and 1950s.¹² While these two museums, and the 2007 New York auctions, admittedly do not constitute a comprehensive analysis, they do represent the largest and most significant examples from within their fields. The conclusion seems inescapable that ancient coins from Cyprus are relatively common and are well represented in major museum collections, but are not a significant factor in the numismatic trade.

This brings the motivation for proposing and supporting import restrictions into question. If the largest assembly of ancient coin auctions in the United States, actually in the world, presents in aggregate only a handful of coins from Cyprus then what really is the motivation for import restrictions? According to the Archaeological Institute of America (AIA) web site, the advocacy group Saving Antiquity For Everyone (SAFE) is a “sister organization” of the AIA.¹³ In an internet discussion list operated by and for archaeologists, SAFE director Cindy Ho wrote: “The outcome of this request does not only affect Cyprus, it will set a precedent for other pending and upcoming bilateral agreements such as China’s, for one. So let’s work together and rally some support to protect your profession and everyone’s past.”¹⁴ These words are insightful and may reveal the motivation that otherwise seems lacking: 1. “set a precedent”, 2. “protect your profession and everyone’s past.” Neither of these goals are justification for import restrictions under the provisions of CPIA. It appears to collectors that the addition of coins to the request from Cyprus is not about site looting in Cyprus, it is about the broader political objectives of international archaeologists and cultural property nationalists.

The imposition of import restrictions seems, superficially, to be an easy proposition. All that need be done is to create an illustrated list and provide it to U.S. Customs for screening incoming objects. Unfortunately, it is not that simple. Ancient coins of Cyprus are notoriously difficult to attribute even by numismatic specialists. The iconography of early Cypriot coins is very similar to that of contemporary coins from the southern and western coasts of Asia Minor and from the Levant. In many cases, the distinction between them, and the identification of mints at which they were struck, has been a subject of controversy for more than 100 years. In the *Catalogue of the Greek Coins of Cyprus*, George F. Hill wrote: “... in the Cypriote series the difficulty of decipherment and classification lends importance to the minutest differences.” In that same catalogue, concerning difficulty of attribution, the eminent Barclay V. Head wrote “The extreme difficulty of distinguishing many of these syllabic signs from one another, owing chiefly to imperfect striking from worn dies, makes transliteration frequently impossible or very hazardous.”¹⁵ It would be literally impossible for a customs agent to identify these coins with any degree of certainty. It is possible, if not probable, that coins appearing similar to those in a rudimentary photo would be detained and that the burden of proof would improperly shift to the importer. It is a well established fact that ancient coins of Cyprus circulated outside of the island with regularity both in antiquity to facilitate trade and in modern times as collectibles. For more than two thousand years there have been no controls whatever on the export of these coins and they are very widely dispersed. No records of provenance or transfer of ownership have been required. The detention of these lawfully owned objects in the course of free trade would certainly be unfair, counterproductive and ultimately costly for both the importer and the U.S. government. The only legitimate detention of such an object would be one in which there was reasonable cause to believe that it was stolen. Merely claiming that everything without an export certificate is by default “stolen” is neither practical nor acceptable in the American concept of justice. If no other factor existed, the fact that import restrictions on coins from Cyprus could not be implemented in a fair and consistent manner in itself makes that remedy inappropriate and ineffectual.

The final point that I would like to make is that coin collecting is a natural cultural bonding agent. Since the end of World War II, there has been an increasing emphasis in industry, commerce, politics and society toward globalization. This has led to a dramatic rise in international transactions, ranging from the growth of multi-national corporations and worldwide financial markets to the free and immediate flow of information through modern communications technologies. Along with this growth of cross-cultural contacts a new interest in peoples of other lands has emerged. Inevitably, that interest leads to a rendezvous with history. Ancient coins are an excellent source for information about distant people and places and are used by schools across the country through the collector-sponsored program Ancient Coins for Education (ACE). In the past six years, ACE (a non-profit organization and affiliate member of the ACCG) has placed more than 50,000 genuine ancient coins in the hands of nearly 35,000 teachers and students at approximately 550 separate schools and venues in the United States. The affinity for coins knows no political boundaries. Not only does the legitimate market for ancient coins extend around the globe, the participants in Internet discussion groups focused on numismatics represent a truly global community. Import restrictions run counter to this developing positive trend.

In general, the imposition of restrictions on the importation of coins more than 250 years old would effectively eliminate the entire spectrum of independent scholarship that is the basis of numismatics as a science. Contributions of coins to museum collections would wither and die. The problems being experienced by the Republic of Cyprus would continue unabated and could conceivably worsen if the perception of value increases due to restricted market supply. Since it is an innate human activity, no amount of legislation would ever eliminate collecting entirely. Implementing import restrictions with any degree of equity would be nightmarish considering the complexity of identifying ancient Cypriot coins and the

impossibility of confirming the provenance of countless coins that have been in the licit market for 50 to 500 years. The good will that numismatics generates between people of many nations would be lost if import restrictions became a tool for repression of the market and the hobby.

For these reasons, the ACCG opposes the imposition of import restrictions on coins more than 250 years old from Cyprus and urges you to do the same. If the existing agreement is continued, please recommend that the exemption for coins granted in the initial agreement is also continued.

Sincerely yours,



Wayne G. Sayles
Executive Director, ACCG

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- ¹ Sayles, Wayne G. "How many coins survive?", *The Celator*, Vol. 17, no. 2, February 2003, p. 47.
- ² Clain-Stefanelli, E.E. *Numismatics an Ancient Science*, U.S. Government Printing Office, Washington, D.C. (1965).
- ³ MacDonald, David. *The Coinage of Aphrodisias*, Royal Numismatic Society Special Publication No. 32, London, 1992. p. vii (David MacDonald is Professor Emeritus, Department of History, Illinois State University, Normal, Illinois.)
- ⁴ Wartenberg, U., M. Jessop Price and K.A. McGregor. *Coin Hoards Volume VIII, Greek Hoards*. Royal Numismatic Society, London, 1994. Printed under the auspices of the International Numismatic Commission. p.viii.
- ⁵ Grant, Michael. *From Imperium to Auctoritas*. Cambridge University 1946 and 1969. p. xii.
- ⁶ Crawford, Michael. *Coinage & Money under the Roman Republic*. University of California, Berkeley. 1985.
- ⁷ Sydenham, Edward Allen. *The Coinage of the Roman Republic*. Spink & Son, London, 1952.
- ⁸ Hill, George Francis. *Catalogue of the Greek Coins of Cyprus*, British Museum, 1904, p. xvii. ; A. Caubet, "La Collection R. Hamilton Lang au Musée du Louvre: antiquités de Pyla," *RDAC*, 168-77.
- ⁹ Cristou, Jean. "Too much digging is damaging our heritage", November 29, 2005, online at <http://www.cyprus-mail.com/news/main.php?id=23075&archive=1>
- ¹⁰ *ibid.*
- ¹¹ Romey, Kristin M. "Insider: The Long Arm of Politics. On working in northern Cyprus. *Archaeology*, Vol. 60, No. 1, January/February 2007, pp. 18, 60 & 62.
- ¹² Online at <http://numismatics.org/search/>
- ¹³ Web site extract: "The AIA's sister organization SAFE (Saving Antiquities for Everyone) is organizing a petition urging renewal of the [Italy] agreement and has provided a sample letter which may be adapted by those wishing to write their own statement." <http://www.archaeological.org/webinfo.php?page=10314>.
- ¹⁴ Online discussion group: iraqcrisis@listhost.uchicago.edu, Iraqcrisis digest, Vol 1 #774, January 29, 2007.
- ¹⁵ *Ibid.* Hill, p. xvi