



Ancient Coin Collectors Guild

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Ms. Katherine L. Reid
Chair, Cultural Property Advisory Committee
c/o Cultural Heritage Center, SA-5, Fifth Floor
Department of State
Washington, DC 20522-0505

By Fax to: 202-632-6300

Subj: ACCG comments regarding Article II of the MOU with Italy.

Dear Ms. Reid;

Thank you for this opportunity to share our views and concerns relative to your forthcoming deliberations on an extension of the Memorandum of Understanding with Italy. The ACCG is a national non-profit organization comprised of more than 600 individual members and 20 Affiliate Member clubs with an aggregate membership of more than 5,000. Although we also have an interest in other elements of the MOU, our comments here are limited to Article II of the MOU and I will try to be brief.

After deliberating in 2000, on the advisability of cultural property import restrictions under this MOU, the Cultural Property Advisory Committee recommended that Italy consider a treasure trove program that would provide incentives for reporting found objects from the past. While the committee's recommendation was not included in the subsequent MOU, the recommendation was valid then and continues to remain valid. Any country with a huge resource of historical artifacts, like those found in Italy, ought to develop a policy that rewards the reporting and preservation of finds rather than discourages it.

This is particularly true in regard to utilitarian objects. It is relatively easy for us to understand that national treasures need to be preserved and protected. It is less easy for the pedestrian finder of a coin or a broken pot to sense any reporting urgency. The enforcement of state cultural property laws cannot, by its very nature, extend to every object of antiquity. Indeed, most cultural property laws, including the Convention on Cultural Property Implementation Act that established CPAC, do not apply to "everything" and were never intended to be draconian nor repressive. The argument that every object in or on the ground is part of an archaeological context may seem noble to some, but it is unrealistic. Literally millions of objects from the past are found every year. Must we record and control all of them? Of course not, and the British have recognized that rather obvious fact in their equitable Treasure Act and Portable Antiquities Scheme for the reporting of finds by the public.

In 2007, the ACCG (through the kind assistance of Representative John Culberson of Texas) hosted a presentation at the U.S. Capitol by the British Museum's head of the Department of Treasure and Portable Antiquities. Dr. Roger Bland addressed a diverse group that included two members of CPAC, representatives from the U.S. State Department, representatives from foreign embassies, the President of the Archaeological Institute of America and a host of other interested parties—including Mr. Culberson himself. Dr. Bland's PowerPoint presentation, "Recording and Preserving the Past: Ten Years of the Treasure Act and Portable Antiquities Scheme in England and Wales", is available online.¹ In 2008, the ACCG and the Field Museum co-hosted Dr. Bland's presentation "A British Approach to Antiquities and Buried Treasure" at the museum in Chicago. The well-documented benefits of this program in Britain could just as easily have been accrued by the people of Italy through the implementation of a similar program. The most notable benefit of the British system is that it encourages and rewards cooperation between amateurs and professionals.

The situation with Celtic coins in Britain is a prime example. The Celtic Coin Index records from 1961-2006 illustrate the practicality and measurable benefit of rational laws and voluntary reporting. Indeed, it is the fruit of a longstanding tradition. The distinguished private collector, John Evans, emphasized the importance of find spots as early as 1864 when he published *The Coins of the Ancient Britons*. Evans was strongly influenced by Darwin as can be seen on p. 27 where he discusses the changes in design of the coins:

"Coincident with this diminution in weight there is remarkable change in the types of the coins, each successive imitation getting more and more remote from the original prototype. Among barbarous nations the laws which regulate the types of a coinage of this kind, consisting of successive copies of copies of a given original, are much the same as those which, according to our best naturalists, govern the succession of types in the organic kingdoms. As with plants or animals of any group or family, there are two tendencies to be traced in these successive copies -- the one to retain the character of their ancestors, the other to vary from it. The main principle is, no doubt, that of 'atavism' or taking the character of the parent; but another principle of more importance, as far as results concerned -- that of the perpetuation of varieties when they are in any way advantageous -- is equally at work in both cases. In nature those varieties appear to have become more or less persistent which, in the "struggle for existence," have presented advantages over the parent forms in their relation to external conditions."

Sharing Darwin's attention to all details, Evans questioned his sources about the find spots of the coins that came to him. In his preface, he acknowledges those who gave him the data:

"... I am also under great obligations; but, perhaps above all, to Mr. C. Roach Smith, who not only furnished me with a large number of casts of British coins, and with notes as to the places where they were found, but also presented me with several scarce coins, and aided me in procuring others.. Mr. Webster, of Russell Street, Covent garden, has also afforded me much aid, both in procuring coins for me, and in furnishing me with notes as to the places of discovery of various specimens which came under his notice."

Evans was a founder of prehistoric archaeology and his way of looking at things was inherited by D. F. Allen, and pretty well by all other British Celtic numismatists. They all had a very friendly relationship with other collectors, coin dealers, museum staff, archaeologists, finders of coins and land owners. This spirit did not exist on the continent and more nationalist-possessive attitudes prevailed there. In 1961, D. F. Allen set to work with Sheppard Frere and started the Celtic Coin Index at Oxford, but Evans sowed the seeds about a hundred years earlier.

One must also credit the legal framework of the British Treasure Trove laws and the more recent Treasure Act for fostering this symbiotic relationship. Consequently, the number of unprovenanced coins in the Celtic Coin Index (38.8% over all) is significantly lower than that of coins from most source countries without such enlightened scholars, collectors and laws. Since the premise that unprovenanced coins are mainly looted coins is widely touted by nationalist advocates for import restrictions, one would think that a viable system for recording finds and provenance would be among their highest priorities. In the single year ending 2007, for example, the following statistics were compiled from the British Portable Antiquities Scheme records:

- 57,000 archaeological objects were recorded.
- 5,585 finders offered their finds for recording.
- 13,390 people attended 360 public presentations about reporting and preservation.
- Archaeological sites newly discovered as a result of PAS reporting included England's first Viking-Age inhumation cemetery at Cumwhitton, Cumbria.
- 90% of finds came from cultivated land, where they are susceptible to damage.
- As a result of education and increased public awareness, the number of objects reported increased to more than double the number reported three years earlier.

The bottom line is that the general public is voluntarily buying into the British program and the results are laudable. In contrast, the Italian approach discourages private ownership, independent scholarship and the broad cultural interaction that is a natural byproduct of private collecting.

Considering that the British model is well known, well tested, transparent and economically feasible, it is advocated by the ACCG as a fair, reasonable and effective approach to the reporting and preservation of portable antiquities. Italy's failure during the past decade to develop any similar program or work toward similar goals is not consistent with their responsibilities under Article II-F of the MOU. Specifically, that article (as adopted in 2001) mandates that "The Government of the Republic of Italy will continue to examine new ways to facilitate the export of archaeological items legitimately sold within Italy." That paragraph was continued verbatim in the 2006 renewal and amendment, highlighting the fact that no improvement in that area had been seen. Today, nearly ten years after the initial agreement, there still is not any improvement in that area. Consequently, the renewal of this MOU seems questionable and any extension to include common utilitarian objects like coins would be totally inconsistent with the terms of the present MOU and of the overall intention of the Convention on Cultural Property Implementation Act.

¹. A copy of Dr. Bland's PowerPoint presentation may be downloaded from the Internet at <http://www.finds.org.uk/congress.zip>

Sincerely yours,



Wayne G. Sayles
Executive Director

