
Editorial

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The past half-year has been a volatile time for our subject. In New York, the successful interpleader appeal by Sotheby's in the Sevso silver case was shortly followed by the court's dismissal of the claims of Croatia and Hungary and the award of the treasure to the Marquess of Northampton. At around the same time the Metropolitan Museum of Art finally agreed to return to Turkey the alleged 'Lydian hoard'. Turkey has now mounted a vigorous programme to retrieve other works from foreign possession, a principal example being the Mausoleum of Halicarnassus in the British Museum. Other target nations are the United States, Germany and Switzerland. The United Kingdom has been the object of other campaigns, not the least ambitious being that of Mr Bernie Grant, Labour MP for Haringey, to secure the despatch of the Crown Jewels to Africa in recompense for the transgressions of colonialism. In Greece, the PASOK election victory and the re-appointment of Melina Mercouri, after a gap of four years, to the Ministry of Culture has revived some familiar restitutionary themes. In Switzerland and New York, Romania has issued writs for the recovery of pictures removed by King Michael on his departure. On the West Bank, Israeli archaeologists are said to be engaged in a race against time to excavate graves and other sites before cession to the Palestinians. And in Bosnia-Herzegovina, the destruction of the sixteenth century Ottoman bridge at Mostar, a World Heritage Monument, has been almost universally deplored as a cultural tragedy. The pace of events may have intensified, but the prevailing atmosphere is one of 'plus ça change'.

These graphic witnesses to cultural nationalism are reflected in our leading essays. John Merryman advocates a critical response to those 'Byronic' appeals by which certain States seek to extend their concept of inalienable national patrimony to all culturally-significant objects within their borders, irrespective of private or domestic title, or indeed of artistic origin. He analyses the aims and techniques of laws for the retention of cultural property and exposes the rhetorical tenor of certain forms of declaratory state property. While conceding that peculiar national bonds may justify lending international support

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to retention or retrieval in extreme cases, he advocates a sharper general focus on the security and accessibility of the object itself. Jonathan Franklin examines the difficulties of identifying the particular cultural affiliation of a cultural object when its repatriation is in issue. He approaches the question by specific reference to the situation of coastal Alaska Eskimo, examining the difficulties for cultural conservation which arise from the policy of creating native corporations. He concludes his assessment of ANSCA with the melancholy reflection that the legislation's corporate structure has imperilled the very heritage that it was designed to protect. Those who recall Linda Pinkerton's description of the Native American Graves Protection and Repatriation Act 1990 in our second issue may find material for comparison here, though, as Jonathan Franklin points out, the cases differ at least in that there is no general market for human remains.

Papers by Etienne Clement and Keith Eirinberg discuss aspects of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, a subject no less topical than cultural nationalism at large. Etienne Clement discusses the level of contemporary political support for the Convention and at its practical operation in such theatres as Iran and the Balkans. Keith Eirinberg focusses on the stance of the United States and the current prospects of its implementing the Convention. Public concern at the ravages inflicted on historic sites and buildings by armed conflict has been much sharpened, even since our last issue, by the catastrophe of the Mostar Bridge. This has provoked the formation in London of the Bosnia-Herzegovina Heritage Rescue Foundation and a renewed appeal for a more effective international regime.

In our legislation section, J David Murphy of the University of Hong Kong provides a chronological list of the cultural property statutes of the People's Republic of China. This will be followed in due course by critical narrative of PRC efforts to regulate the market in cultural artefacts. Caroline Forder analyses the provisions of the (United Kingdom) Museums and Galleries Act 1992, and contributes a current assessment of the litigation between Daniel Goldreyer and the Amsterdam Stedelijk Museum in the celebrated dispute over Goldreyer's restoration of the Barnett Newman picture 'Who's afraid of red, yellow and blue III'. The problems caused by a merging of cultures are vividly exemplified in Christine Irsheid's essay on the post-unification protection of historic monuments in Berlin, while the challenge of conferring a recognised legal status on portable antiquities is addressed in the Statement of Principles jointly promulgated by the Council for British Archaeology, the Museums' Association and the Society of Antiquaries of London. Few would dissent from the sponsors' opening proposition that in Britain today "there is no coherent statutory provision for the management of our archaeological inheritance".