
Editorial

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The aim of this Journal is to promote scholarship on questions of cultural property. It proceeds on the conviction that the enlightenment of such issues is cardinal to all nations. We trust that its foundation will encourage all who are concerned with cultural property to share their learning and submit their judgments to debate. In few areas can such debate be more urgently required.

Our declaration of editorial policy sets out the concerns we aim to address and the disciplines we intend to serve:

“The Journal is an organ of communication among people throughout the world who are interested in questions of cultural property policy, ethics, economics and law. In addition to referred articles it publishes documents, judicial decisions, correspondence, bibliography and information about meetings and events. Its pages are open to all responsibly held and courteously presented points of view.”

These are ambitious objectives. In attempting them, we are emboldened by two considerations: the vast public and professional concern that contemporary issues of cultural property have generated, and the clear demand for cross-disciplinary communication. Within our pages the economist, the conservator, the politician, the art historian, the dealer, the auctioneer, the anthropologist, the ethnologist, the archaeologist, the lawyer, the arts administrator, the museum director, the public servant and the private collector can defend their policies, compare their philosophies and share their concerns. While local issues will not be neglected, the Journal will aim to examine such matters from a comparative and international perspective. For this, we depend vitally on contributors from all jurisdictions and from all cultural groups.

One ambition to which we attach particular importance is the establishment of a Journal of record: a compendious source of reference for all events and transactions within our province. The realisation of this aim depends, again, upon participation from all cultures; we earnestly invite such participation. To this end, we have

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established a network of national correspondents, to whose vigilance and energy we owe a continuing debt.

The challenges posed by modern transactions in cultural property are diverse and complex. Each day witnesses some new report of a sculpture refused an export licence, a mosaic looted from its site and smuggled abroad, a painting alleged to have been misattributed, an historic site threatened by development, a work of art damaged by vandalism, war or neglect. Within Europe, the arrival of the single market poses massive questions for those concerned with national export laws. Elsewhere, exigent problems of protection and retrieval are being resourcefully debated. Public museums and galleries have attracted political controversy to an extent which would have been unimaginable a decade ago. Budgetary and managerial reorganisation, the security and accessibility of collections, the propriety and purpose of international exhibitions, the prospect of enhanced powers of disposal, and the equilibrium between ethical and effective acquisition policies continue to be keenly debated. Many transactions in cultural property are litigated and become precedents: examples chronicled in our inaugural issue include the claim by the Republic of Cyprus and the Autocephalous Greek Orthodox Church of Cyprus for the return of a looted Byzantine wall mosaic detached from the walls of a church which is situated in the now occupied part of the island and resold abroad, the recent prosecution of a 'treasure hunter' for an alleged theft of treasure trove, and a libel action over the authentication of a Michelangelo statuette.

Some understanding of law is crucial to all who are concerned with dealings in cultural property. To impart such understanding is one of the aims of this Journal. But law is only one of the disciplines which bear upon cultural property, and forensic contests are only part of our concern. No less important are the aesthetic, ethical, historical, philosophical and anthropological questions that law alone, with its limited assumptions and perspectives, cannot begin to address.

The articles in our inaugural issue reflect the range of scholarly perspectives which can illuminate a single question of cultural property. Our authors are drawn from a wide spectrum of disciplines: history, psychology, literature and law. Each of them has embraced questions far wider than those suggested by his or her immediate discipline, and each has recognised the demands of conflicting cultural positions. Few readers will emerge from Jane Hubert's article secure in the conviction that claims for the restitution of human remains can be adequately resolved by a conventional analysis of title. Andrew Gurr recounts a Shakespearean scholar's reaction to the legal and political controversy surrounding the Rose and Globe theatre sites, and exposes some interesting tensions: not merely the recurrent collision between urban development and conservation,

but the rival protective claims of contiguous sites from different periods.

In no area is the need for community of scholarship more pronounced than that of authenticity. The law can be both ambivalent and simplistic. It grants the occasional nod of recognition to the legend that the art world deals in opinions rather than facts, but it accepts (if required to) that there is an ultimate, indivisible truth to be identified: is this bust the work of Bernini, is this the original Bentley Number One car? From other perspectives, however, the varying interpretations of 'truth' may constitute the very essence of the inquiry. In this issue two scholars, a lawyer and a historian, ponder the meaning of truth and falsehood in art, and the merits and morality of 'counterfeit' art.

What follows is simply a beginning. We hope that it will also prove an awakening. If scholarly discourse is enhanced, and if the issues of cultural property receive candid and sympathetic debate within these pages, our purpose will be well served.

