

EXCURSUS II

Thomas Land on Culture Becomes a Diplomatic Battleground

A claim by Sri Lanka for the return of a twelfth-century bronze figure from the British Museum became a focal point of political aspirations and international relations in 1976, when many countries launched a campaign for the recovery of cultural treasures now housed in the great museums of the West.

But the delicate idol of the goddess Bodhisattva Tara is still in the museum, on the eve of a fresh drive by the United Nations Educational, Scientific and Cultural Organization (UNESCO). And there the goddess may well remain for a long time, together with the famous Elgin Marbles, sought by the Greeks and other priceless works of art and craftsmanship that are also being claimed by the governments of their places of origin.

For the UNESCO campaign, as it is now conceived, may fail—partly because the great museums of the West are carefully protected from pressure by their own governments and partly because the basic philosophy behind the initiative is based on too many half-truths.

Were it to succeed, the UNESCO drive could empty many of the cultural treasure houses of the West. Last March UNESCO convened in Dakar an expert committee to study the establishment of yet another committee, an intergovernmental one, to be charged with promoting international cooperation toward the return of cultural property. The Dakar committee was directed to report to the Paris conference in November. Amadou Mahtar M'Bow, the UNESCO director-general, meanwhile called on the mass media to prepare public opinion for the return of "irreplaceable cultural heritage to those who created it."

UNESCO's approach is muddled, perhaps because experts sitting on committees about committees are not the best people to understand works of art. Thus M'Bow has called on historians and educators to "help others understand the affliction a nation can suffer at the spoliation of the works it has created," adding that "the power of the *fait accompli* is a survival of barbaric times and a source of resentment and discord which prejudices the establishment of lasting peace and harmony between nations."

The organization's initiative will no doubt be backed by diplomatic maneuvers by quite a few countries. Many Western diplomats privately welcome the prospect of negotiations; they regard the return of art treasures as a cheap bargaining counter in the pursuit of national interests. But they have no influence with their own museum trustees.

The richest public museums of the West—such as the British Museum and the Louvre in Paris—simply are not allowed to part with any legally acquired object of value. Because the figure of Bodhisattva Tara was acquired, in 1815, in strict conformity with the International law of the day, it will not be returned to Sri Lanka without legislation that en-



Winged Victory
of Samothrace
(The Louvre)

ables the trustees of the British Museum to do so—and probably not without subsequent legislation requiring them to do so.

And the great private museums of the West—such as the Metropolitan Museum of New York—are even more sheltered from governmental pressure than the trustees of state-owned property, which they are unlikely to relinquish merely to support their governments' diplomatic efforts. Any measure compelling them to give up legally acquired works would require legislation to provide for their expropriation or compulsory purchase.

Such legislation in either case would have to pass into law by free vote, and in the absence of a coherent philosophy justifying its purpose, it would not attain the requisite support.

For the campaign is essentially concerned with the ownership rather than accessibility of masterworks. It blandly transfers an assumption of the moral right of ownership to the governments now in control of territories in which the works were created—perhaps thousands of years ago and by bygone cultures. And it fails to disqualify governments that show no interest in exhibiting the works' property or are incapable of doing so, and those governments neglecting to support their living artists; and even the numerous dictatorships that owe their very existence to an arrogant *fait accompli* of military power.

Take the example of the Elgin Marbles, the sculpture that adorned the Parthenon in Athens from the fifth century B.C. and which was acquired in 1816 from the Turks, who used it for cannon balls. The Greek Government would certainly reclaim the Elgin Marbles, if it could—even though modern Greece is no more a cultural heir of antiquity than modern Britain, and despite the very considerable current difficulties in safeguarding the rest of the Acropolis from the effects of air pollution.

Ownership is irrelevant in the case of masterworks of universal value, unless they are mistaken for cultural status symbols—as long as they are accessible to the public. The UNESCO campaign is confusing because it offers the wrong solution to a problem that must not be dismissed—the cultural loss to people deprived of the artistic achievements

of the past, it can be overcome given good will and understanding and often some visiting exhibitions. And given the relatively low profile of the world's opinion, it is also far easier than ever before to do so through the establishment of new institutions—such as the UNICEF Commission on Human Rights and the World Commission on Environment and Development—that have the potential to bring together governments and NGOs.

Source: "A Sustainable Future: A Conference on World Affairs from Europe"

EXCURSUS III

David Finkelstein

Letter From Singapore

A short visit is hardly sufficient to understand Singapore's complexities, but it is enough to recognize that thoughtful people here, representing a broad spectrum of political opinion, are troubled about this city-state's political development. One need not cite the opposition—which, in any case, has been pretty effectively silenced—to prove the point. The concern is evident among PAP (People's Action party) politicians. To quote one M.P. as illustrative:

We tell Amnesty International that it's not they who are ultimately responsible to the people of Singapore. This may be all right as far as it goes, but we too are mindful of how often that argument is misused by arbitrary and brutal dictatorships. The current Lee Kuan-yu government is fundamentally liberal. That is, when it takes unpleasant measures, it always does so with great reservations, asking "Is it necessary to go this far?" and "Can it be of shorter duration?" But will succeeding generations be similarly inclined to moderation? In America checks against abuses are enshrined in the Constitution; in Europe they have evolved out of a long tradition. Singapore can rely on neither of these. And Singapore has some very real dangers to face—the subversion of communism and the fragmentation of communism. The crucial issue is how to meet and overcome those dangers while still protecting fundamental civil liberties. This is an urgent matter because before long the current leadership, which has exercised considerable restraint in its use of power, will have departed the scene.

Though not everyone would agree that Lee Kuan-yu has exercised such restraint (certainly not the scores of political prisoners, some of whom have been held in "preventive detention" without trial for as many as nineteen years), most would agree that Singapore, so far at least, has avoided some of the ugliest forms of human rights abuses. There is good reason to believe that some detainees have been

subjected to prolonged interrogations and torture prior to their conviction, but there is no evidence that this is systematic or widespread.

According to several sources, the government depends on the police to carry out its policies, and the police are willing to do so.

In addition, the government has been accused of using酷刑 (torture) to obtain confessions.

While the government denies these accusations, the opposition and human rights organizations do not.

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