

## The Pennsylvania Declaration at 50

BY BRIAN I. DANIELS

**ARCHAEOLOGICAL SITE LOOTING** is an ancient problem, but one that intensified after World War II as museums and collectors sought to build significant antiquities collections. Countries witnessing the pillage of their archaeological heritage and its subsequent display in Western museums began to raise public alarm. Some archaeologists joined them in protest. This year marks the 50th anniversary of the culmination of their efforts: the landmark Pennsylvania Declaration and the 1970 UNESCO Convention.

Recognizing that looting for the illicit trade damages the archaeological record, in 1970, the Penn Museum declared that it would no longer purchase art or antiquities without evidence of their legal export. After shepherding through this policy change, then-Director Froelich Rainey joined the U.S. delegation negotiating the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This international law intended to curtail the illicit trade that Rainey and the Penn Museum had already rejected as a source in the institution's own collections policy.

The Penn Museum was not the first institution in the country to state that it would not acquire looted archaeological objects—the Southwest Museum in Los Angeles had done so in 1937, and the American Association of Museums had discouraged museums from this type of acquisition as early as 1925. Despite these early efforts, by the 1960s, museums still purchased or received donations of looted archaeological materials with regularity, often viewing their acts as examples of heroic preservation. However, these acquisitions only encouraged a thriving antiquities market, which, in turn, fueled more looting.

When the Penn Museum declared that it would no longer acquire looted material, it provoked a scandal among American museums and many archaeologists. Brutal headlines made the institution a subject of derision and ridicule, insinuating that the Pennsylvania Declaration, if followed by others, would mark the end of archaeological research and the very purpose of a museum. Nonetheless, the Penn Museum stood by its decision and, in 1978,



Dr. Froelich G. Rainey, Director of the Penn Museum from 1947 to 1977, worked to ensure the adoption of the Pennsylvania Declaration. PM image 102240.

strengthened it, declaring that the institution reserved the right to refuse a loan that violated the tenets of the 1970 UNESCO Convention.

Today, the intersection of the illicit antiquities trade, criminal networks, and archaeological site looting is much better understood than it was in 1970, and the Pennsylvania Declaration has come to be viewed among museum professionals as the gold standard for ethical museum practice.

In retrospect, the year 1970 also marked an important beginning: the first stirrings of a wholesale reevaluation of museum acquisitions. In the years since, museums have started to repatriate antiquities acquired illegally, unethically, or without consent to traditional communities and to countries around the world. Some of these efforts—especially regarding Native American ancestors and sacred objects—are required by law, but other repatriations are undertaken because they are now understood as correcting an historical injustice. The legacy of the Pennsylvania Declaration, as well as the 1970 UNESCO Convention, has been to start this important conversation.

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