

Chapter 4: The Council for British Archaeology: “measures for the care of antiquities”

4.1 Introduction

Chapter 3 introduced some of the global issues concerning the protection of archaeological material, and provided some examples of how this is dealt with in other countries. In England and Wales, and also the UK as a whole, the protection of the physical evidence of the past from threats such as urban development, agriculture and even treasure hunting, has always been a significant area of debate and concern. This has particularly been the case for the CBA. The CBA was set up in 1944, with one of its objectives as the “*safeguarding of all kinds of archaeological material and the strengthening of existing measures for the care of ancient and historic buildings, monuments, and antiquities*” (Heyworth 2006). This naturally included the aim of reforming the law of treasure trove, which until 1996 was the primary legal protection for chance finds of small artefacts in England and Wales (despite its severe limitations). The setting up of the CBA coincided with the ending of the Second World War. This major world event was significant in changing wider public opinions about the protection of heritage: “*As a result of the war, and in particular the aerial bombardment of Britain, the public began to be very concerned about the preservation of ancient monuments*” (Halfin 1995: 8).

According to Bland (2004), despite being a key objective of the CBA from its formation, little progress was made on reforming treasure trove for many years. This was due largely to “*the difficulty of securing an archaeological consensus as to what needed to be done*” (Bland 2004: 273), followed by the added challenge of convincing the Government to take notice. These issues are particularly reflected in the following chapter, which demonstrates, particularly through the charting of the efforts made to improve export controls, the difficulty of reaching an agreement between the different archaeological stakeholders that was then acceptable to decision-makers. This chapter is based on primary evidence from the CBA’s archives, including material produced by Brian Hope-Taylor, which at the time of research was on loan to Bede’s World museum. This section of evidence is particularly significant, given the influence of Hope-Taylor through interest in engaging with the public, for example, he was an

0early 'TV archaeologist' (discussed in the next section). Exemplifying this interest, some of the recommendations that he suggested for raising awareness about the potential significance of chance finds made by the public are analysed and compared with later models for such engagement, such as PAS itself.

The principle structure of this chapter is as a 'chronicle' (Murray Thomas 2003: 18), covering key events, as recorded in the archives, from the late 1940s to the late 1960s. The emergence of metal detecting in the 1960s is dealt with in Chapter 5. The potential distortion of information through the amount and quality of material researched is acknowledged as a disadvantage to the 'chronicle method' (Murray Thomas 2003: 19), however, it is apt for providing historical context to the chapters following on. Brian Hope-Taylor is profiled to give a context to his work on 'archaeological propaganda' in the late 1940s, and his contributions are analysed. His work is particularly significant because of a proposal that he made to provide a facility through which members of the public could record chance finds with professional archaeologists. While the idea did not actually come into fruition at the time, it is clearly a similar concept to what later became PAS, and demonstrates that political conditions had to be conducive to the development of PAS, analysed further in Chapter 6. Significantly, Tony Gregory, who was actively engaging with metal-detector users in East Anglia from the 1970s, is often credited with developing a model on which PAS is based (e.g. Bland 2005b: 442). However, it is clear from the material produced by Hope-Taylor in his proposals to the CBA, three decades earlier, also features elements that are comparable to PAS.

Following the analysis of Hope-Taylor's proposals for raising awareness among the wider public, and encouraging them to record finds, the chapter discusses key concerns held by the CBA with regard to export rules, including attempts to collate evidence of loss of archaeological information through export of low-cost antiquities to other countries are discussed. The chapter provides an historical context for the issues raised by the advent of metal detecting, by drawing attention to some of the concerns held and pursued, in the decades prior to the hobby's emergence, by archaeologists and museum professionals.

4.2 Brian Hope-Taylor and “The Need for Adequate Archaeological Propaganda”

Brian Hope-Taylor (1923-2001) was an artist and an archaeologist. He is probably remembered mostly for his presentation of two television series in the 1960s: *Who were the British?* and *The Lost Centuries* (Graham-Campbell 2001; Taylor 2005: 202-203). As a television presenter, he was responsible for bringing “*archaeology to millions of viewers to whom it was entirely new. Tony Robinson and Michael Wood have much to thank him for*” (Taylor 2005: 207). In the field of Medieval Archaeology, his name is most associated with his excavations at Ad Gefrin (Yeavinger) in Northumberland (O’Brien and Frodsham 2005: 9). Before his work as an archaeologist, Brian Hope-Taylor was already an accomplished artist, and had worked in naval intelligence and the RAF during the Second World War. During this time it is said that his growing interest in archaeology was encouraged by professional archaeologists with whom he worked at Medmenham, making models of targets identified by aerial photography (Graham-Campbell 2001).

In the aftermath of the Second World War, many of Britain’s towns and cities had to be rebuilt. It was apparent, with the rapid redevelopment, that a significant amount of urban archaeology had been uncovered by the damage caused to British towns and cities and by bombing and also by subsequent re-use of sites for new buildings. This was reflected on an international scale by the shock felt at the destruction of cultural property, including ancient monuments as well as fine art and museum collections, due to the Second World War (Toman 1996: 20). Brian Hope-Taylor in particular was concerned about archaeological information being lost in the form of artefacts, which were not being recognised as archaeology, and subsequently were not being recorded or declared by the public. In a proposal (*undated a*) to the recently-formed CBA he wrote:

“Public apathy is the pernicious anaemia of British Archaeology: it deprives research of the data and financial support which constitute its bloodstream.

There is no cure for the malady, other than enlightened education: this is a long-term treatment, and in the meantime the symptoms must be relieved. As was noticed above, an enormous amount of material has undoubtedly been

*destroyed through non-recognition by an ignorant and indifferent public:
post-war expansion on a large scale, of building and industry, threatens to
destroy a great deal more if public sympathy is not encouraged and enlisted.”*

(Hope-Taylor undated a)

In this unpublished document he went on to recommend the use of a series of posters “...*primarily because the poster is the most effective form of printed propaganda*” (Hope-Taylor undated a), and the distribution of a leaflet. The main purpose of these media seems to have been to help the public recognise common archaeological objects and features in the ground that may come to light as chance finds, such as flint implements, pots, and post-holes.

Additionally, Hope-Taylor seems to have felt that archaeology had at that time a negative public image of being “*“fusty” and old-fashioned... dull and exclusive*”, which he felt could be altered by “*cheerful propaganda*” (undated a). This observation of archaeology’s appearance to a wider public as uninteresting, even inaccessible, reflects comments in later decades by other archaeologists (e.g. Shanks and Tilley 1992: 24-5).

The Imperial War Museum (2006) defines the term ‘propaganda’ as “*a message designed to influence – aimed at persuading a group or individual to behave or think in a certain way*”. In the 1940s, it did not have the same negative connotations associated with the word today, which have come about due to its extensive use in wartime and by extreme governmental doctrines. The title of Hope-Taylor’s proposal, *Archaeological Propaganda* (undated a), is “*evocative of the then still recent wartime Government-led public information campaigns*” (Sole 2005: 226), and may reflect Hope-Taylor’s own recent military background. All the aspects of Hope-Taylor’s archaeological propaganda, from design, finance, distribution, and even the possibility of reducing the amount of material produced if necessary, were addressed in the proposal. For example, Hope-Taylor listed what he felt were the main points of distribution in order of priority. These were:

“(a). All public libraries in the country (this is an ideal that may be modified to “major” public libraries).

(b). All museums.

(c). Selected senior schools.

(d). Post Offices in the largest towns and in those areas where the public library is not a sufficiently central position or is otherwise unsuitable (there will be few such areas).”

(Hope-Taylor undated a)

The priority was given to libraries and museums, as it was in these institutions that Hope-Taylor felt that contact could be made with *“the very members of the public that we need most: those with the energy to visit museums and libraries, and the leisure that membership of a library implies”* (undated a). There would probably be criticism of this explanation today, due to its apparent implication of social exclusion of those who do not visit museums or libraries. The reasons for non-visits themselves can be more diverse than simply a matter of leisure time, such as public transport problems, admission charges, and possibly a lack of knowledge about what the museum has to offer (Museums and Galleries Commission and MORI 1999: 13).

In addition to the paper to the CBA, Brian Hope-Taylor also created a series of drafts for the posters, notably the *“Father Time has buried a jigsaw”* design intended for a leaflet or poster (Figure 4.1, undated b), the *“History in the Ground”* poster (Figure 4.2, undated c), and a draft leaflet titled *“The future of the Past”* (undated d).



Figure 4.1 “*Father Time has buried a jigsaw*” design by Brian Hope-Taylor, (undated b).
Photograph: Laura Sole

These posters were intended by Hope-Taylor to appear as part of a series of four; “each concerned with one class of archaeological discovery” (Hope-Taylor undated a). For “*History from the Ground*” poster (Figure 4.2), the text beneath the illustration reads:

“Ancient pottery fragments and other objects such as these may be found wherever we dig into the ground.

*They alone can tell the story of mankind before history was written.
Watch for them and bring likely finds to expert attention”*

(Hope-Taylor undated c)

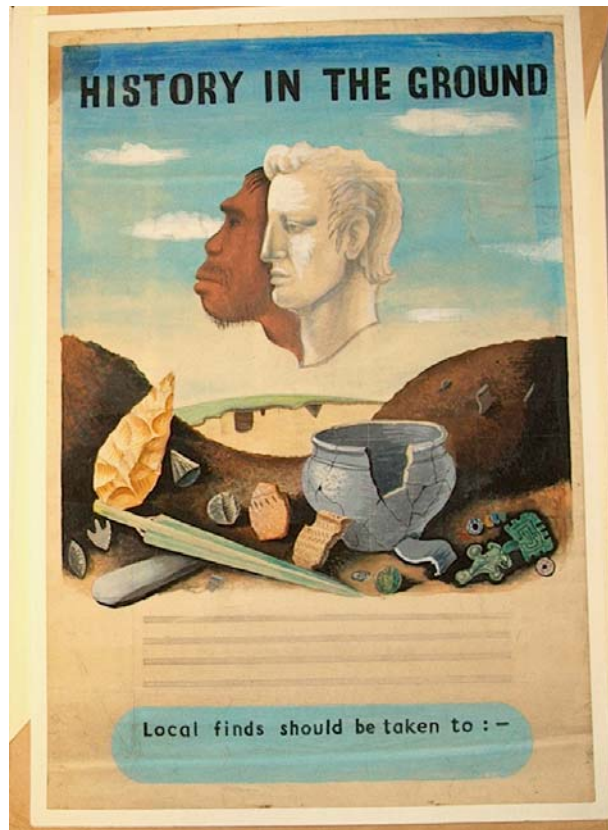


Figure 4.2 “History in the Ground” poster design by Brian Hope-Taylor, (undated c). Photograph: Laura Sole

The “*expert attention*” phrase of this text is especially significant. Two versions of this poster have survived, the earlier of which is reproduced above. The text is the same in both, but unlike the later draft, this poster also has a section at the very bottom, which was left blank in order to fill in with the name and location of, presumably, a local expert in archaeology who could identify and record the find, and provide the “*expert attention*”. Unfortunately, there were not enough resources available to provide these specific individuals to cover the whole country and take on what would be very similar to the role of a present-day FLO under PAS. However, as Sole (2005: 229) has argued, the initial idea behind PAS could arguably be traced back to Hope-Taylor’s proposals, some fifty or more years earlier. Hope-Taylor’s leaflets were never used, but the amended poster without this provision for a local contact was displayed in public libraries and similar institutions nationally (Heyworth, 2006). They are even mentioned in 1952, in a correspondence discussing how to dissuade local people in Norfolk from selling artefacts to American servicemen (de Cardi to Clarke, 26th November 1952), an issue discussed later in the chapter.

In the text of the “*draft for leaflet to introduce and supplement the four proposed archaeological posters*”, from a similar date as the posters, Hope-Taylor (undated d) identifies two factors contributing to loss of archaeological information. He identifies these as “*the enormous development of industry and domestic building*”, and that “*the second, and most dangerous, factor is the inability of the general public to recognise such remains when they are accidentally revealed by building or industrial workings*” (Hope-Taylor undated d).

The leaflet goes on to describe the places where antiquities might be found, and how to identify some of them. The final section covers what to do if any discoveries are made. Significantly, it is recommended that, “*if you find anything you suspect to be of importance, send it to your local archaeological observer, whose address is shown on our posters in your district*” (Hope-Taylor undated d). The reader is also assured that any report made, based on the find, will state the name of the discoverer. Other advice in this section includes techniques for recording the find-spot, and how to store a find if it is necessary to remove it from the ground.

It is easy to criticise the style of language in this draft for its tendency to distinguish between ‘we’ archaeologists and ‘the general public’, implying perhaps a patronisation of non-archaeologists in the way in which they are addressed. This may in part be due to the different language style used in the 1940s, but also seems similar to issues identified years later in the presentation of archaeology to the public, especially with regard to the growing metal detecting hobby, where the public notion of archaeology as an elitist and exclusive discipline seems particularly visible (e.g. Gregory 1983a). This type of dichotomy between archaeologists and the public is also criticised by authors concerned with public participation and education in archaeology (e.g. Stone 1994; Jameson 2003).

Although only the posters were ultimately used, it is significant that even in the late 1940s archaeologists were searching for ways to increase public awareness and senses of responsibility towards archaeological heritage. In this case, as with other campaigns such as STOP in 1980 and even PAS, financial support proved crucial for deciding whether such schemes would come into fruition, and on what scale they could operate. Although there seems to be no evidence of this in the sources consulted

for the thesis, contemporaries of Brian Hope-Taylor might also have felt concern that the leaflets he designed, describing where archaeological material might be found, could potentially encourage treasure hunting, effectively showing would-be searchers what to look out for. A similar argument about the risk of encouraging treasure hunting by drawing attention to it was made in 1970, when a proposal for the CBA to collaborate on a code of conduct for metal detecting was rejected, because such collaboration might be misinterpreted as endorsement of the hobby (Graham-Campbell to de Cardi, 27th November 1970). Certainly too, endorsement or encouragement is something that the current arrangement of rewarding finders under the *Treasure Act* 1996 has been accused of (e.g. APPAG 2003: 25). In the time of the STOP Campaign (see Chapter 5), strategies were discussed to prevent the disclosure of information to metal-detector users of the locations of known archaeological sites for the same reason (STOP Committee Minutes, 10th June 1980). In the case of STOP, justifications were more understandable. There is evidence that attempts had been made by some metal-detector users in the years prior to the launch of STOP to gain CBA regional group membership in order to present an ‘official’ facade to landowners when asking for permission to search their land (e.g. ‘Robin’ to de Cardi, 6th January 1970). This is also covered more fully in the next chapter.

4.3 The 1950s: The Waverly Report and American G.I.s

In 1950, the Chancellor of the exchequer, Sir Stafford Cripps, set up a committee under First Viscount Waverly in order:

“...to consider and advise on the policy to be adopted by His Majesty’s Government in controlling the export of works of art, books, manuscripts, armour and antiques and to recommend what arrangements should be made for the practical operation of policy.”

(DCMS 2004b: 9)

Two years later the Waverly Report, including the so-called ‘Waverly Criteria’ (Appendix 14) was published, and is still used for terms of reference for the

Reviewing Committee on the Export of Works of Art when deciding whether significant works of art or antiques (including antiquities) are of a high enough significance to be prevented from leaving the country (DCMS 2004b: 10). One of the criteria, for example, asks whether the object is “*so closely connected with our history and national life that its departure would be a misfortune*” (DCMS 2009).

The activities of the Waverly Committee, also on occasion referred to as the Anderson Committee (e.g. Grimes to Parnis, 1st March 1951), were naturally a cause of concern and interest to the CBA. Correspondences to and from the CBA at this time indicate anxieties about the prevention of potentially important antiquities from being exported before adequate research was carried out, and time was spent trying to create a memorandum to send to the Waverly Committee to that effect (e.g. Grimes to Bruce-Mitford, 29th March 1951). The key issue for archaeological material at that time was that the majority of such material was not of a particularly high financial value, especially if compared to objects of fine art or collectable antiques. Thus, archaeological material would not necessarily even qualify for application for an export licence, which was only a requirement (at this time) for items valued at £500 or more. The focus of the Waverly Criteria on items of national importance also precluded many archaeological items that perhaps had a significance only on a regional or local level.

The proposed memorandum was intended to stress to the Waverly Committee the importance of archaeological material in the development of knowledge about the nation’s past. Correspondence suggests that the memorandum was carefully debated for some months with colleagues from other organisations such as the British Museum (e.g. Grimes to Bruce-Mitford, 29th March 1951) and the National Museum of Antiquities of Scotland (Stevenson to de Cardi, 2nd April 1951). It appears that Robert Stephenson, of the National Museum of Antiquities of Scotland, in particular, felt that the content of the memorandum should have been firmly against archaeological material of any sort or value leaving the UK, even if it had already been analysed and recorded (Stevenson to de Cardi, 2nd April 1951). The CBA view, however, was that they were prepared to allow some export under certain conditions, part of which needed to be an adequate record of the antiquity being kept (Grimes to Bruce-Mitford, 20th April 1951). Evident here is the inability of the different

archaeological organisations to work together efficiently enough to influence the treatment of archaeological material in the Waverly Report before it was published, and the decisions, effectively, being made. A memorandum was eventually sent to the Chancellor of the Exchequer in 1952 (CBA c.1960), *after* the publication of the Waverly Report. This memorandum included the following section, reiterated to the Chancellor in a letter the following year:

“The Council for British Archaeology having studied the proposals of the Waverly Committee and the practical measures arising therefrom, notes with profound regret the failure to deal satisfactorily with the problem of scientific and historical material as distinct from Works of Art. The Council is strongly of the opinion that the system of open general licensing for Export, combined with the high value-limit below which all control is abandoned, provides no check on the export of archaeological material, the low monetary value of which bears no relation to its importance for the study of our country’s past. While appreciating the necessity for maintaining and developing normal trade, the Council deplores the absence in the new arrangements of machinery for the notification and recording for scientific purposes of objects going for export.”

(Grimes to R.A. Butler, 17th September 1953)

The memorandum was met with a response from the Treasury Chambers that *“using export control at all as a means of safeguarding objects of this type”*, meaning antiquities, was questionable as an effective means, citing the difficulties that had already appeared in trying to use this method to retain documents and archives (Slonam to Harden, 2nd April 1952).

When in 1952 reports came in from East Anglia that American servicemen were taking undocumented archaeological material back to the USA with them, another opportunity appeared for the CBA for illustrating the vulnerability of Britain’s archaeological heritage. In June, Rainbird Clarke (Curator of Norwich Castle Museum), on behalf of the Norfolk Research Committee, reported to Beatrice de Cardi (then Secretary of the CBA) that:

“...I am informed that at least several American museums of repute have official collecting agents in Norfolk who are covering not only the principal second-hand shops but are making regular calls on farm workers in areas where portable antiquities are habitually found. I have had reported to me evidence suggesting that some Americans on behalf of the American museums are offering ten times the amount for an antiquity which a normal museum or collector in this country would regard as reasonable.

Personally, I think some warning of the activities of American collectors in Britain should be broadcast but I feel that the only effective way to stop this traffic is to go to the source in the U.S.A, by asking the American Museums concerned if they approve of this practice so detrimental to science.”

(Clarke to de Cardi, 9th June 1952)

Clarke’s concern was based mostly on anecdotal evidence. He believed that this was partly due to the clandestine nature of the transactions themselves, and partly due to Clarke’s position as a museum professional – and therefore as somebody who was unlikely to be privy to the details of the transactions between dealers and collectors (Clarke to de Cardi, 9th June 1952). Despite this, concerns held by museum professionals in East Anglia about the American servicemen were publicised locally and to the BBC (Clarke to Harden, 23rd August 1952), and the story was circulated widely enough for the *Montreal Daily Star*, a Canadian newspaper, to report on the matter (*Montreal Daily Star* 1952).

Due to the overseas publicity, which came to the notice of the CBA, and in light also of issues of export already discussed, the CBA President at that time, Donald B Harden, decided to take up the issue of the alleged activities of US servicemen with the Foreign Office (Harden to Makins, 27th August 1952). That American museums had been implicated in the anecdotal evidence added weight to the concerns.

Despite the concern expressed among archaeologists, notifying the Foreign Office about the situation met with little progress due to the lack of evidence of any illegality (Harden to de Cardi, 18th September 1952). Sending a deputation to visit the Foreign Office was even explored as an option (e.g. de Cardi to Richmond, 3rd October 1952),

but on further investigation, only one definite incident could be identified which involved US servicemen and the mention of museums. This involved two American servicemen going to a King's Lynn second-hand dealer and discussing buying objects to send to American museums. The incident only became known because the dealer was honest enough to ask Clarke at the museum for advice. The dealer said that Leicester Museum offered £20 for the object in question (which had a usual cost £12) and the Americans offered £100 and £120 for the same item, effectively offering prices that excluded competition from more financially constrained UK museums for the same artefacts (de Cardi to Harden, 23rd October 1952). Because it was the only definite example to occur, it was considered that it was not enough information on its own to warrant the planned deputation to the Foreign Office, and so the idea was abandoned (de Cardi to Harden, 23rd October 1952).

4.4 Export of antiquities: continued concerns

Although little was achieved in the end by the investigation of the alleged activities of American servicemen in East Anglia, the concerns held by the CBA, museums and others about the implications of export regulations continued into the late 1950s and early 1960s. The Government's plans to increase the export licence limit from £500 to £1000 meant that items valued under that price and not falling under the Waverly Criteria would not need an application for a licence to export (de Cardi to UK museums, 31st July 1959). The CBA was invited by the Advisory Council on the Export of Works of Art to have its views heard by the reviewing committee regarding the monetary limit on antiquities and works of art. This encouraged the CBA Secretary, Beatrice de Cardi, to embark upon an exercise to collect evidence that export limits should not be raised due to the potential increase in loss of archaeological material (de Cardi to Bailey, 29th July 1959). On 31st July 1959 a circular was sent out by the CBA asking museums in the UK to provide any evidence of any sales abroad of important archaeological objects or objects from hoards, groups, etc. that have been "*dispersed by dealers without any adequate record*" (de Cardi to UK museums, 31st July 1959). This was in order to support a report to the Advisory Council on the Export of Works of Art (de Cardi to UK museums, 31st July 1959).

In this survey, carried out by post, only 11 definite examples were returned which had relevance to the issue of raising the export limit for art and antiquities, most of which were anecdotal. Two more of the replies gave examples that were not relevant (i.e. the value of the objects in question was too high and so were dealt with by the Waverly Criteria anyway); two were from museums that adhered to different legislation (Northern Ireland and the Isle of Man); and 26 respondents could not give any relevant examples. This is illustrated visually in Chart 1.

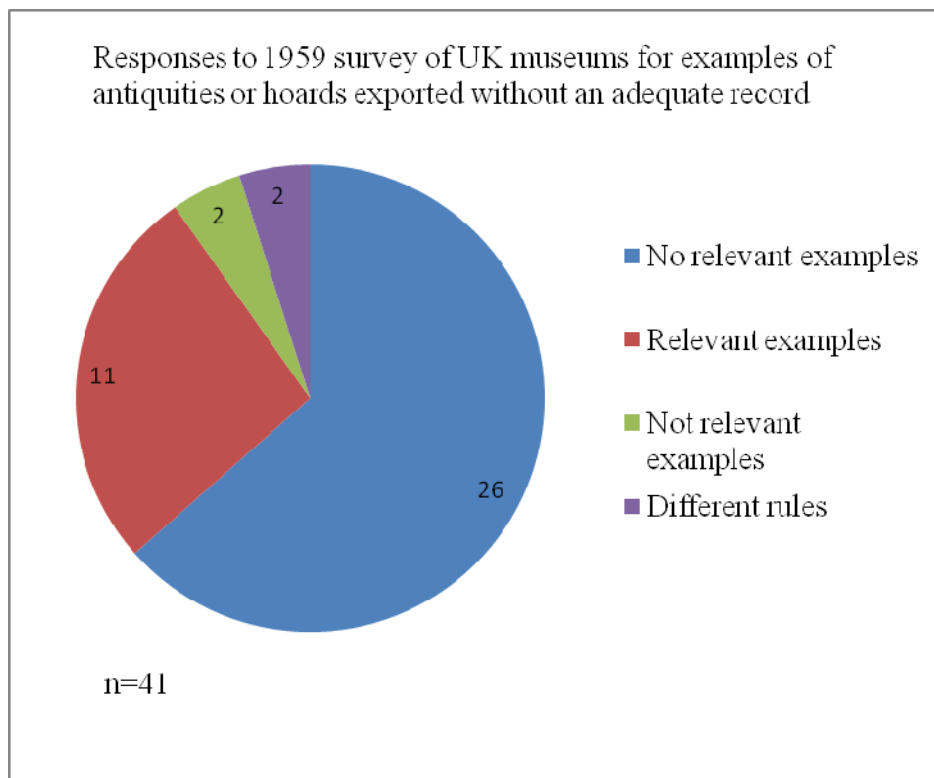


Chart 1 Pie chart to show the responses to the 1959 survey of UK museums by the CBA

Chart 1 could also be skewed because it reflects only the responses received and subsequently stored in the CBA archives. While it might be hoped that all the relevant material was stored together in the appropriate archive box, it is also possible that further responses were received but not stored in this manner. It is also impossible to calculate the number of ‘non-respondents’ to the survey.

Of the eleven examples that could be described as ‘relevant’, i.e. relating to an object which was sold abroad for below £1000 and without an appropriate record being made, many were even then based only on casual observations or rumours which

could not be substantiated with hard evidence. For example, a reply from John Hobbs (Castle Gates, Shrewsbury) gave an example of a local school museum with a collection of flint implements. These had been found by the schoolchildren and later passed to a nephew of the headmaster who was at Birmingham University at the time: since then no trace had been made and the items, significant to the local archaeology, had, he presumed, been sold (Hobbs to de Cardi, 11th August 1959).

Although it had proved hard to establish the loss of many antiquities due to the £500 limit, a great number of curators supported the recommendation by the CBA to lower the export limit rather than raise it (de Cardi to Seaby, 21st September 1959). Lord Cottesloe and his Reviewing Committee had recommended the proposal to raise export limit to £1000 for works of art, in an effort to make the UK a “*world trade centre*” for art (*Daily Telegraph* 1960a: np). Yet, for antiquities it was once again argued by the CBA and others that such a high export limit left items of low cost but high research value vulnerable. Beatrice de Cardi was interviewed in the *Daily Telegraph* newspaper about the CBA’s objections to the proposed export limit. Although few reliable examples of artefacts being exported without adequate record kept resulted from the 1959 survey, de Cardi was able to cite two of the examples in the newspaper report (*Daily Telegraph* 1960b: np). One was of a Roman portrait head found in Essex, now in Denmark, and the other was the reiteration of the belief from 1952 that East Anglian artefacts were being sold to US servicemen (*Daily Telegraph* 1960b: np). This issue of the likelihood of artefacts being sold to the servicemen was still significant five years later. In 1965, the Galpin Society wrote to the CBA of their concerns about the high minimum figure required “*before a licence is required to export ‘cultural property’*”, also listing problems with the age-limit for antiquities and current low financial value of significant objects. They cited that Anglo-Saxon brooches were being bought and taken home by American servicemen at “*about £5 a piece*” (Montagu to de Cardi, 13th November 1965).

In light of the proposals to raise the export limit, the CBA and others decided to lobby for archaeological material to be dealt with differently, as was the case with archives and documents, with a suggestion to limit archaeological material requiring licensing to at least £50 (CBA 1959). Central to the case for better safeguarding archaeological material from export was the ability to define what ‘archaeological material’ actually

was. In 1965 EJ Cornell of the Board of Trade wrote to Rupert Bruce-Mitford of the British Museum to ask if he would provide a suggested definition to cover “*the British archaeological materials for which you [Bruce-Mitford] have advocated control*”, as this “*would enable Customs and ourselves to examine the control position in more detail*” (Cornell to Bruce-Mitford, 22nd April 1965). This initiated a debate between heritage organisations, and the Board of Trade and Customs and Excise authorities, which would continue for the next two years.

Archaeology itself, and classifying what both the discipline and archaeological material are, has been, and is still, frequently debated. The definition for archaeological material that ensued in 1965-1967 however, needed to cover legal and practical requirements more urgently than theoretical ones. The debate ran on for so long partly because Board of Trade and Customs and Excise officials were concerned that any definition should be so watertight as to avoid situations where an exporter might be able to argue in a case where the provenance was not properly documented (Cornell to Bruce-Mitford, 4th June 1965). Yet at the same time the British Museum, the Museums Association, the Society of Antiquaries and CBA officials, along with their legal advisors, trying to define the broad concept of archaeological material, found it very difficult to meet the criteria needed to satisfy the Board of Trade and Customs and Excise.

In 1966, after prolonged discussions, the Board of Trade, through its correspondence with the CBA and the British Museum, still could not agree a form of words definitive enough for export control purposes, and therefore the Board decided that no special regulations should be made to exempt British archaeological material from the value limit generally applicable. A report of the reviewing Committee even stated that:

“...while the failure to devise a satisfactory definition is disappointing, we do not regard it as serious, since we are of the opinion that the type of archaeological material native to these shores of less than £2000⁹ is generally unlikely to prove attractive to overseas purchasers and collectors”

(quoted in de Cardi to Bruce-Mitford, 26th July 1966)

⁹ In September 1966 the export limit for works of art was raised from £1000 to £2000.

Beatrice de Cardi even exclaimed in a letter to Rupert Bruce-Mitford: “*Surely it should be possible to devise some definition which will satisfy the B.O.T. Even if some things slipped through the net it would be preferable to no control at all*” (de Cardi to Bruce-Mitford, 26th July 1966). There was perseverance, however, and the sense of urgency to agree a workable definition was intensified by the sale of the Aclam Wold Saxon glass vessel to an American museum by Sotheby’s auction house, just one week after the export licence limit was raised from £1000 to £2000, when Hull Museum was the under-bidder for the rare piece (Connor 1966).

By 1967 a definition was eventually framed which had been put forward at an earlier stage of discussions between Customs and Excise and the Reviewing Committee, and so the CBA and others were hopeful that it would find favour with Customs and Excise. A response later received by the Museums Association from the Reviewing Committee on the Export of Works of Art even indicated that Committee members were actually surprised to find that raising of the controls was so opposed by museums (de Cardi to Stevenson, 12th January 1967). Although the archival evidence is incomplete in places, it is likely that the final definition for British “*archaeological material*” was worded similarly (if not exactly) to the following, which had originated with Customs and Excise, and had been discussed by the CBA with the British Museum, Society of Antiquaries and the Museums Association:

“Any antique of archaeological interest unless it can be shown to the satisfaction of the Commissioners of Customs and Excise that it was not at any time in or derived from the ground in the United Kingdom or from what is or what was a structural part of any building in the United Kingdom.”

(Barley to Cottesloe, 10th November 1966)

Although it had taken such a long period to define, the definition does not appear to have had much effect in the short term, with no evidence of major changes in the treatment of exported antiquities in that period.

4.5 Some conclusions

There is evidence that attempts were made to identify threats to the UK's archaeology, particularly with regard to threats from changes in export, and the realisation of the vulnerability of chance finds if they are not recognised as archaeological material. It is probably very significant that in the 1940s, when Hope-Taylor made his proposals for the recording of finds made by the public, there was not yet a widespread 'threat' to archaeological material posed by metal detecting, since the hobby had not yet emerged.

In the case of the alleged removal of artefacts by American servicemen, the lack of substantial evidence to support a conviction that archaeological material was unethically, if not illegally, being removed and sold without adequate recording of find and context details, was and continues to be a problem for those arguing for the better protection of archaeology. This is not only the case in England, Wales and the rest of the UK, but also worldwide (as discussed in Chapter 3). In addition, a letter from a British soldier based at Catterick in 1970 demonstrates that certainly in some cases there was military access to metal detectors, as he had the intention to carry out "*a series of searches in Wiltshire using an Army mine detector*" (Coveney to Magnusson, 6th March 1970). There is no evidence, however, that the American servicemen in Norfolk in the 1950s and 1960s necessarily had similar access to metal detecting devices, particularly as they were largely attached to airbases rather than army camps.

The problem of finding substantial evidence to support calls for changes in export procedures was seen in 1959 when data was sought to support the argument that export controls should be tightened rather than relaxed in the case of archaeological material. This chapter has not been representative of all activities carried out by the CBA and other organisations with an interest in the UK's heritage in the period 1944-1967, as such an exercise would prove too exhaustive in the context of this research, and would detract from the main theme of the thesis. The examples discussed have illustrated some of the concerns regarding the protection of archaeological material, being lost both through trade and also through lack of public awareness. While some actions affecting archaeological heritage have not necessarily been illegal, it has been

demonstrated that they are nonetheless undesirable occurrences. In a number of cases, such as the export regulations, there have even been conscientious attempts to change the standards of what was legally acceptable; to bring this in line with what were considered ethically acceptable standards by professional archaeology. The issue of legality versus ethical criteria is one that has continued to be a point of concern for archaeologists, such as recommendations in the 1990s and early 2000s for the UK to ratify the UNESCO 1970 *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property* (e.g. SCOPA 2000).

This chapter has explored and analysed attempts to curtail the illicit trade in antiquities in England and Wales since the 1940s, using archival evidence from the CBA. While metal detecting did not emerge until the late 1960s, the chapter has demonstrated an historical background to the thesis by showing that heritage professionals were aware of the issues concerning public and non-professional removal of artefacts even then. The proposals of Brian Hope-Taylor in the 1940s for a system through which finds made by the public could be recorded indicate that there was an awareness by at least some archaeologists that artefacts were potentially being uncovered by people who were unaware of their archaeological significance, and even less aware of where or how to report them.

There is an acknowledgement through the attempts to lobby for a subsection in the Waverly Criteria for archaeological material, that much of the heritage potentially being lost through sales, while not fetching high prices, was still significant for the information it could hold, which would be lost by sales without record. When metal detecting did emerge, while threats were recognised to arrive with the new hobby, there was again the same issue of resources and hard evidence to support any action aimed at protecting archaeological sites and material. The initial alarmist reactions to metal detecting and other forms of treasure hunting in the next decades are analysed in the next chapter.