

Thinking Some More about the Sevso Treasure

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Abstract

On 26 March 2014, Hungary announced its purchase of seven pieces of Late Roman silverware, part of the so-called Sevso Treasure (Hungary 2014). The Treasure had been the object of conflicting ownership claims since its existence was first made public in 1990, and until the Hungarian purchase had been considered unsalable because of the suspicious circumstances of its discovery and early trading history. In his 2012 paper entitled “Thinking about the Sevso Treasure”, John Merryman had used the example of the Sevso Treasure to explore some of the issues surrounding the museum acquisition of problematical antiquities, and in light of his discussion made a recommendation for its future disposition (Merryman 2012: 51-66). Although this recommendation has been partly overtaken by events, his discussion of the issues involved is still topical, made more so perhaps by the Hungarian purchase which has effectively sundered the Treasure into two parts, with its balance of seven pieces remaining in the private possession of the Marquess of Northampton – an outcome that Merryman was keen to avoid. This article considers the issue of the Sevso Treasure from a new angle, concluding that the parties really to blame for the unfortunate affair of the Sevso Treasure are the various dealers and their expert advisors who worked together intentionally and unintentionally to transform the archaeological assemblage into a valuable and marketable commodity, and, ironically, in so doing, rendered it unsalable.

Key Words: Sevso Treasure, John Merryman, Marquess of Northampton, looted antiquities, Hungarian antiquities

Introduction

On 26 March 2014, Hungary announced its purchase of seven pieces of Late Roman silverware, part of the so-called Sevso Treasure (Hungary 2014). The Treasure had been the object of conflicting ownership claims since its existence was first made public in 1990, and until the Hungarian purchase had been considered unsalable because of the suspicious circumstances of its discovery and early trading history. In his 2012 paper entitled “Thinking about the Sevso Treasure”, John Merryman had used the example of the Sevso Treasure to explore some of the issues surrounding the museum acquisition of problematical antiquities, and in light of his discussion made a recommendation for its future disposition (Merryman 2012: 51-66). Although this recommendation has been partly overtaken by events, his discussion of the issues involved is still topical, made more so perhaps by the Hungarian purchase which has effectively sundered the Treasure into two parts, with its balance of seven pieces remaining in the private possession of the Marquess of Northampton – an outcome that Merryman was keen to avoid.

For Merryman, the Sevso Treasure is a collection of “unprovenanced antiquities”. The problem, as he sees it, is that due to the hectoring of “establishment” archaeologists, with their claims that unprovenanced antiquities are most likely looted from archaeological sites, and that therefore their acquisition creates a demand that can only be assuaged by further archaeological looting (2012: 54-55), museums have been bullied into adopting policies that prohibit their acquisition. In consequence, museums are prevented from fulfilling their public duty to conserve and exhibit ancient works of art (2012: 51, 55, 61). Merryman goes on to suggest that the owners of the Sevso Treasure might have wished to bequeath it to a museum (2012: 51) – preferably, it seems, “a major US museum” (2012: 61) – where it would have been made available for public delight and edification. If reliable evidence identifying the findspot of the Treasure had subsequently come to light, the museum concerned could then have negotiated in good faith to effect its repatriation to its country of origin (2012: 61). At first reading, Merryman’s argument is persuasive, but upon closer analysis it is undermined by his apparent misunderstanding of certain key points. First, he claims that museums have been reluctant to acquire the Sevso Treasure because it is “unprovenanced”, whereas in reality it has a very well documented provenance, and it is the provenance itself that is deterring acquisition, not its absence. Second, the idea that the Treasure’s owners might have chosen to bequeath it to a museum seems unlikely given what is known about the owners’ motives in acquiring the Treasure, which were overtly pecuniary and seemingly far removed from any ideal of public benefit, and in any case proven wrong by the 2014 sale of part of the Treasure to Hungary. Merryman’s misunderstanding of these points acts

to obscure some very real problems that in consequence he fails to consider. The intention of this paper is to flesh out the nature of these problems and to think some more about their implications for understanding some of the issues surrounding the Sevso Treasure and unprovenanced antiquities more generally. To set the scene, it first describes what is known of the collecting history of the Sevso Treasure since its discovery in the late 1970s, and then proceeds to engage with Merryman’s arguments and to offer an opposing perspective.

The Provenance of the Sevso Treasure

The problem for museums with the Sevso Treasure is not that it has no provenance, but rather that it does in fact have a very well-known provenance, and not a very pretty one at that. Merryman relegates his discussion of what he terms the “murky affair” of provenance to a footnote (Merryman 2012: 62 note 2), but knowledge of the Treasure’s provenance is fundamental to any consideration of museum acquisition, and so with that caution in mind a full account is offered here.

The Sevso Treasure comprises 14 pieces of elaborately decorated silver plate, together with a copper cauldron in which it is claimed the silver was found. The pieces are as follows:

1. Hunting (or Sevso) Plate.
2. Meleager Plate.
3. Achilles Plate.
4. Geometric Plate.
5. Amphora.
6. Dionysiac Ewer.
7. Animal Ewer.
8. Hippolytus Situla A.
9. Hippolytus Situla B.
10. Hippolytus Ewer.
11. Geometric Ewer A.
12. Geometric Ewer B.
13. Basin.
14. Casket.
15. Copper cauldron.

It is thought that the individual pieces of the Treasure were manufactured at different times, sometime between the late-third century and early-fifth century AD (Mango and Bennett 1994; Painter 1990; Visy 2012). The Treasure takes its name from the large (70.5 cm diameter) Hunting (or Sevso) Plate. An inscription around the plate’s central medallion reads in translation “May these, O Sevso, yours for many ages be, small vessels fit to serve your offspring worthily” (Mango and Bennett 1994: 77), identifying a putative Late Roman official named Sevso as donor or recipient of the plate (Painter 1990: 6; Visy 2012: 10). The medallion itself shows a hunting and picnic scene, including the label “PELSO” positioned between

a servant butchering a boar and a body of water containing fish. Mango believes “PELSO” might apply to the water, the servant, the boar, or even a small dog, which is also seen close to the servant (Mango and Bennett 1994: 78). Painter and Visy think it most likely that “PELSO” is intended to identify the body of water as Lacus Pelso, the Roman name for Lake Balaton in western Hungary (Painter 1990: 6; Visy 2012: 10).

The findspot and the early trading history of the Treasure after its discovery are obscure, though its constituent pieces are generally believed to comprise a single find, or hoard, and not an artificially assembled collection of archaeologically unrelated pieces brought together in order to increase their aggregate monetary value. Impressions formed by the rims of the four large plates can be seen in the corrosion layer of the copper cauldron, and an accurately measured computer reconstruction has shown how all of the pieces could have been packed into the cauldron (Mango and Bennett 1994: 23-25, figure A-6). Some and perhaps all of Treasure was in the hands of the then Vienna-based Serb dealer Anton Tkalec by 1980. Acting in concert with Lebanese dealer Halim Korban and London-based dealer Mansur Mokhtarzade, Tkalec started selling pieces to a Guernsey-based company called Art Consultancy, owned jointly by the then recently retired chairman of Sotheby’s Peter Wilson (and his family) and dealer Rainer Zietz (Landesman 2001; Norman and Hoving 1991: 2). Initial purchases by Art Consultancy were as follows:

- 19 November 1980, one of the geometric ewers for £48,000 (Norman and Hoving 1991: 3);
- November 1980-January 1981, the Hunting (Sevso) Plate for £225,000, and one other piece (Norman and Hoving 1991: 3);
- May 1981, the Achilles Plate for £525,000 (Norman and Hoving 1991: 3).

In June 1981, Korban obtained and supplied a Lebanese export permit for the first four pieces purchased, thus offering retrospective legitimization of ownership (Norman and Hoving 1991: 3). More purchases followed:

- September 1981, the Geometric Plate for £180,000 (Norman and Hoving 1991: 4).
- December 1981, one of the Hippolytus situlae for £525,000 (Norman and Hoving 1991: 4).

The continuing and escalating cost of acquiring the silver piece by piece forced Wilson and Zietz to search out further partners. Peter Mimpriss of Allen and Overy who was lawyer to Wilson was also lawyer to the Marquess of Northampton, and in November 1981 he suggested to Wilson that Northampton might be interested (Eddy 1998: 45; Kurzweil *et al.* 2005: 84; Norman and Hoving 1991: 1). Wilson prepared a ten-page brochure describing the Treasure as it then stood

of eight pieces, writing that “In 1980, farm workers in the Lebanon discovered on their land an underground chamber. This contained silver objects of the highest importance ...” . He also emphasized that the material was accompanied by appropriate Lebanese export documentation (Norman and Hoving 1991: 4).

In 1982, Northampton viewed the material in Zurich (D’Arcy 1993: 155), and on 15 September 1982 the Abraham Trust was formed to represent the interests of Wilson, Zietz and Northampton. The Trust assumed ownership of the eight pieces already bought by Wilson and Zietz (Norman and Hoving 1991: 4), for a reported sum of £2.2 million (Eddy 1998: 46), together with two further pieces purchased at the time by Northampton for £500,000. In early 1984, the Abraham Trust tried selling the silver to the J. Paul Getty Museum, persuading Guernsey-based antiques dealer Geoffrey Jenkinson to pose as “owner” of the Treasure to facilitate its sale for an eight per cent commission (Norman and Hoving 1991: 4). In May 1984, the silver was shipped to the Getty on approval. Antiquities curator Arthur Houghton of the Getty had already questioned the validity of the associated Lebanese export documentation, however, and in March 1984 he had received confirmation that the authorising signatures were forged and that Korban was not recognized by the Lebanese authorities as a registered dealer. Because of what Houghton considered to be forged documentation, the Getty decided against buying the Treasure (True 1997: 140).

In June 1984, Peter Wilson died, and his interest in the Abraham Trust and thus the silver was taken up by his sons Philip and Tom Wilson (Norman and Hoving 1991: 4). A few days later, Mimpriss received word from the Getty about the forged documentation (Norman and Hoving 1991: 4). He responded by contacting Lebanese businessman Ramiz Rizk to obtain replacement documentation, which was finally acquired in 1985 at a cost of £628,000 for “all expenses including taxes” (Eddy 1998: 45; Kurzweil *et al.* 2005: 84; Norman and Hoving 1991: 5). After new documentation was acquired, a second attempt to sell the Treasure to the Getty failed, and offers to other museums and collectors, including the Berlin Antikensammlung, the Metropolitan Museum of Art and George Ortiz, were also rebuffed (D’Arcy 1993: 158; Norman and Hoving 1991: 4-5).

In 1987, operating independently of the Abraham Trust, Northampton bought four more pieces from Korban and Tkalec, reportedly for the combined price of \$8.7 million – approximately £5.5 million (Eddy 1998: 46):

- February 1987, the second Geometric ewer and Hippolytus situla for \$3.7 million (£2.3 million) together (the equivalent pieces bought in 1980 and 1981 had cost between them £573,000) (Norman and Hoving, 1991: 5);

- April 1987, the Animal Ewer and the Meleager Plate (Norman and Hoving 1991: 5).

Export permits for these four pieces were again obtained through the mediation of Rizk in Beirut for payment of a further \$460,000 (Eddy 1998: 46; Norman and Hoving 1991: 5). Sometime around this time, the Marquess of Northampton 1987 Settlement trust became the sole owner of the silver, with two beneficiaries: “Abraham” (Philip and Tom Wilson) and “Xylander” (Northampton) (Bailey 2014). Northampton entered into negotiations with Sotheby’s about a possible sale (Eddy 1998: 46; Norman and Hoving 1991: 3).

On 10 February 1990, Sotheby’s announced the sale in New York of what it had by then dubbed the Sevso Treasure (Norman and Keys 1990; Sotheby’s 1990), with a Lebanese provenience and an estimated price of \$50-100 million (approx. £30-60 million). Despite the Lebanese export permits, which seemingly legitimized the material, Sotheby’s undertook to contact all 29 countries with territory falling inside the boundary of the fourth-century AD Roman Empire, together with UNESCO, Interpol, IFAR and ICOM, enquiring after any adverse evidence or claims of ownership relating to the Treasure that might challenge Northampton’s title (Hoffman 2006: 170). The Sotheby’s announcement was the first public revelation of the Treasure, and the supposition that it had been found in Lebanon caused Lebanon on 15 February 1990 to file suit in the New York State Supreme Court claiming that the export documentation was forged, that the silver had been exported illegally from Lebanon, and challenging Northampton’s claim to ownership. In March 1990, a judge impounded the Treasure (Kurzweil *et al.* 2005: 84). In 1990, it was also reported that the silver might have been found in a cave close to the Croatian town of Pula and smuggled out of Yugoslavia in the late 1970s, prompting Yugoslavia too to stake a claim for ownership, a claim inherited and maintained by Croatia after its secession from Yugoslavia in 1991 (Kurzweil *et al.* 2005: 85). Finally, in 1991, Hungary announced its belief that the silver had been excavated in the vicinity of Polgárdi, 16 kilometres east of Lake Balaton in the late 1970s, and also claimed ownership (Hajdú 2012: 23-34; Kurzweil *et al.* 2005: 85).

The trial commenced in September 1993. Lebanon relinquished its claim on the eve of the trial (Kurzweil *et al.* 2005: 85), possibly because of escalating legal costs (Eddy 1998: 46). Seven weeks later, the jury concluded that neither Croatia nor Hungary could produce convincing evidence of provenience or ownership, thus reaffirming Northampton as the Sevso Treasure’s owner (Hoffman 1994: 42-43; Kurzweil *et al.* 2005: 87-92). Hungary and Croatia complained, however, that the court had not scrutinized the circumstances of Northampton’s acquisition of the silver, nor had it forced him to defend his own claim to title (Hajdú 2012: 26-27;

Hoffman 1994: 42-43; Hoffman 2006: 170 note 56).

In early 1990, under pressure from Yugoslavia, London’s Metropolitan Police had initiated a criminal investigation into the acquisition of the silver (D’Arcy 1993: 163; Eddy: 1998: 44; Norman and Hoving 1991: 3), and in July 1990 suggested there was evidence to suggest a conspiracy to defraud (Norman and Hoving, 1991: 3). The police interviewed Northampton in October 1990, subsequently exonerating him of “any criminal intent” and portraying him instead as the victim of a crime (Eddy 1998: 46). By early 1991, the focus of enquiry had shifted to Mimpriss (Eddy 1998: 46), though by that time, the Foreign Office, acting on the advice of a former ambassador to Washington (and by then a director of Sotheby’s), had suggested that the investigation should be ended (Eddy 1998: 46). The Crown Prosecution Service had also advised there was insufficient evidence to proceed. Although Northampton was keen for the investigation to continue, it was wound down (Eddy 1998: 46).

In November 2006, the silver was placed on display at Bonhams auction house in London for an invited audience of academics, curators, collectors and dealers (Bailey 2006). It had long been rumored that the material held by the Northampton Settlement represented only part of the original find (Landesman 2001; Nagy and Tóth 1990: 6) and that there might be eight more vessels and 185 spoons (Norman and Hoving 1991: 2), and in March 2007 the *Art Newspaper* claimed to have seen documents attesting to a further 187 spoons, 37 cups and five bowls, all said to be part of the original hoard (Ruiz 2007). In 2008, the Treasure was divided between the two beneficiaries of the Marquess of Northampton 1987 Settlement trust (Bailey 2014), and in March 2014 Wilson’s sons sold their share of eight silver pieces plus the copper cauldron to Hungary for €15 million (Hungary 2014). The material bought by Hungary comprised:

1. Hunting (or Sevso) Plate.
2. Geometric Plate.
3. Dionysiac Ewer.
4. Geometric Ewer A.
5. Geometric Ewer B.
6. Basin.
7. Casket.
8. Copper cauldron.

Northampton retained possession of the remaining seven pieces (Bailey 2014).

The Hungarian Claim on the Treasure

After the end of the New York trial, and despite the court’s rejection of a Hungarian claim on the Treasure, Hungary continued to argue that the Treasure was stolen from its

territory. The Hungarian case is based on two lines of evidence, the first archaeological, and the second arising out of a police investigation into the 1980 death of Hungarian national József Sümegh. The legal basis of the claim is a 1963 law that declares important cultural objects to be State property at the time of their discovery (Hajdú, 2012: 27).

The archaeological argument grows out of the (not unanimous) scholarly opinion that the Sevso or Hunting Plate was made for an important Roman official (Sevso) living in the area of Lake Balaton in western Hungary, perhaps resident or owner of the nearby excavated Roman villa at Szabadbattyán (Painter 1990: 6; Visy 2012: 10). Further albeit circumstantial evidence has been adduced to support the idea that the silver was not only used but also deposited and discovered in the same area. In May 1878, 10 pieces of a Roman-period silver folding stand were discovered close to the village of Polgárdi, 16 kilometres east of Lake Balaton, and donated to the Hungarian National Museum. Originally thought to comprise the remains of a folding tripod, in 2002 the pieces were shown to be the surviving parts of a folding, four-legged tetrapod stand (Mráv 2012: 80-83). In terms of date, material and decoration, the stand bears comparison to some pieces of the Sevso Treasure, particularly the pair of geometric ewers, and they might all have been manufactured in the same workshop, perhaps one located in the Balkan peninsula (Mráv 2012: 80-83). Functionally, the stand complements the Sevso assemblage. It was designed to support silver bowls or plates, such as the Sevso ones, and indeed there are abrasions underneath the rim of the Sevso Meleagus Plate that might attest to the use of such a stand (Mango and Bennett 1994: 151; Mráv 2012: 94). While close affinities of material and decoration and complementarity of function cannot establish direct association, the evidence is nevertheless suggestive.

József Sümegh was found dead in 1980, hanging by the neck from a ceiling beam of a wine cellar, not far from where the remains of the Polgárdi tetrapod had been found. Although at the time his death had been declared suicide, investigations re-opened in 1990 at the request of Sümegh's father (Hajdú 2012: 30). After reviewing the evidence and taking new witness statements, the police established that he had probably been murdered and began searching for possible motives. Neighbors and friends reported that in 1977 Sümegh had come into possession of a large sum of money, most likely from the sale of a few pieces of the Sevso silver to an antiquities dealer in Budapest (Landesman 2001). The police came to believe that Sümegh had found the Sevso Treasure in the mid to late 1970s, probably somewhere close to Polgárdi, and had hidden it in the wine cellar, where the police discovered a back-filled hole. After excavation, this hole was shown to conform to the dimensions of the Sevso cauldron, which is believed to have contained the silver (Hajdú 2012: 30). Sometime after the reported sale of the first two pieces of silver in 1977, the

police believe that Sümegh returned to the cellar with two unknown people, probably with a view to arranging the sale of more or all of the silver, only for them to murder him and steal it (Hajdú 2012: 31).

Problems with Provenance

Thus the Sevso Treasure is now believed to have been discovered sometime during the 1970s, possibly in Hungary, before coming onto the market in 1981. Its provenance after acquisition by Wilson, Zietz and Northampton is a matter of public record, but it is the gap in provenance from the time of its discovery to the time of its acquisition that encourages the epithet “unprovenanced”. For Merryman, treating unprovenanced objects as “guilty until proved innocent” is unacceptable because it constitutes “an inversion of the normal order of proof” (2012: 60). He believes that museums should be free to acquire unprovenanced antiquities unless there is material evidence of theft or illicit trade. Archaeological admonitions are dismissed as a “repressive program” aimed at threatening the “legitimate interests” of US society (2012: 62). Outside the criminal law courts, however, “guilty until proved innocent” is an unexceptional and cautious – even common-sense – commercial practice. The fraudulent Lebanese export documents seem proof that the silver was in fact taken illegally out of its country of origin, even if the identity of that country is not known. Would Merryman purchase an automobile accompanied only by forged documents and with an otherwise unknown ownership history? One suspects not, no matter how strong his feelings about the normal juridical ordering of innocence and guilt.

As noted, by the mid-1980s museums were already rejecting the chance of buying the Sevso Treasure, even before the New York court case and the details of the Hungarian claim became generally known. Northampton's lawyers are tireless in maintaining that the Northampton Settlement is the legal owner of the Treasure (Kurzweil *et al.* 2005: 83-96), and that the Hungarian case is without foundation, but museums cannot afford to take such a legally dogmatic view. High-profile and for the museums expensive repatriations of poorly provenanced antiquities such as the Lydian Hoard in 1993 (Kaye and Main 1995: 150-162) and the ongoing returns to Italy arising out of the Carabinieri investigations of Giacomo Medici and Gianfranco Becchina (Watson, P. and C. Todeschini 2007) have impressed upon the museums' community that what appear to be marquee acquisitions can so easily be turned into embarrassing and costly mistakes by the discovery of previously unknown and unsuspected evidence of missing provenance. The museums' reluctance to acquire what on the face of it is an important collection of ancient silver has owed nothing to an intimidating campaign, as Merryman would have it, conducted by archaeologists against museum acquisitions of unprovenanced antiquities.

For museums, the forged export documentation is a red flag warning of problems ahead – the Treasure has a provenance, and it is a bad one.

Merryman comments favorably on the acquisitions policy adopted by the J. Paul Getty Museum in 1987, which required the museum to send details of any prospective acquisition to possible countries of origin, enquiring about any material objections to acquisition, suggesting it was “responsible and constructive” (2012: 60). Other commentators are not so sure, pointing out that a country of origin would be unlikely to know anything about antiquities excavated and traded in secret. The policy might even be construed as institutionalizing conscious avoidance of fact. Since 2004, as museum repatriations have continued seemingly unabated, the Association of Art Museum Directors (AAMD) has been adopting increasingly stringent guidelines as regards the acquisition of unprovenanced antiquities, which since 2008 have stipulated that:

Member museums normally should not acquire a Work unless provenance research substantiates that the Work was outside its country of probable modern discovery before 1970 or was legally exported from its probable country of modern discovery after 1970 (AAMD 2013).

The Sevso Treasure quite clearly fails this stipulation. Acquisitions of objects with an incomplete post-1970 provenance are permitted in certain circumstances, but again, because of the dubious nature of its provenance, the Sevso Treasure is rendered unacceptable. Merryman suggests that such ethical impediments to acquisition should be “revised to accommodate the sensible, publicly beneficial course taken by the museum” (2012: 61). But it is worth re-emphasizing that the AAMD guidelines were not adopted because of pressure from the archaeological establishment, as Merryman claims (2012: 55), but as a pragmatic response to the ongoing monetary loss and reputational harm being suffered by some art museums and by extension the art museums community on account of the repatriation of antiquities acquired in adherence to what in retrospect can be seen to have been the reckless innocent until proved guilty policies of the type advocated by Merryman. They were hardly “publicly beneficial”.

There still remains the matter of the gap in the Treasure’s provenance between its discovery and its debut on the open market. Sotheby’s did approach possible claimant countries, but what, if anything, else has been done outside Hungary to investigate the missing years in the Sevso provenance? The answer it seems, is nothing much. The people best placed to have investigated provenance were the original purchasers Wilson and Zietz, but they were easily satisfied with an assurance of good title backed up by the later provision of Lebanese export permits. The first piece was bought without

even a receipt (Landesman 2001). But Wilson and Zietz were not the only people to have had sight and knowledge of the Treasure after its arrival on the market. At least one and perhaps more pieces were viewed by a British Museum expert as early as 1981, who appears to have identified and described material prior to purchase (Norman and Hoving, 1991: 3; Watson 1993). In 1982, the collection as it was by then of 10 pieces was viewed by a small number of scholars in a Rothschild bank vault in Zurich (Painter 1990: 5). By the late 1980s, the Treasure was being studied for publication and cleaned and conserved on the premises of University College London’s Institute of Archaeology in advance of the projected sale at Sotheby’s (Mango and Bennett 1994: 9; Tubb 2002: 287). Thus right from the beginning of the acquisition process, the owners of the Treasure were benefiting from the advice of museum and university experts over the identity, importance and authenticity of the material under offer. This advice was crucial for the ongoing acquisition of pieces in the 1980s, and establishing the estimated price for the Sotheby’s sale. In other words, it was an essential component of the marketing process. There is no evidence to suggest, however, that any of these experts asked any serious questions about provenance, presumably privileging the interests of “scholarship” over their broader civic responsibility to prevent crime (Brodie 2009). At no point did anyone contact the police about the appearance on the market of a collection of previously unknown and presumptively stolen goods. For their part, the police, starting in 1990, did mount a criminal investigation into provenance, interviewing Korban among other people (Landesman 2001), and after the initial investigation had petered out, fell to planning what turned out to be an abortive sting operation in 1999 aimed at recovering more silver from the possession of Tkalec (Landesman 2001; Watson, 2000). Thus the police were willing to act, but forced to do so alone. It is regrettable that the various experts who came into contact with the Treasure during the 1980s did not consider it their professional or civic duty to inform the police of any suspicions they might have harbored about provenance, and offering the possibility of collaborating with the police in investigating the Treasure’s illicit trade. By the time of the 1990 Sotheby’s sale announcement, the chance for such a constructive collaboration had probably passed, and so now it is only possible to speculate about what might have been. It is tempting to think that it might have resulted in an early recovery of the Treasure and identification of its findspot, thus securing return intact to its rightful owner with the prospect long-term curation and public display. Subsequent debates over the disposition of the Treasure, such as the one constructed by Merryman, would have been rendered redundant at the outset, and the Hungarian taxpayer might have been spared the obligation of funding the buy-back of what is believed to be Hungarian property.

Problems with Bequeathal

Merryman suggests that the Northampton Settlement should have bequeathed the silver to a museum, but from what is known of Northampton and Wilson's motives for purchasing the Treasure, and from what can be deduced from their actions since purchasing the Treasure, a bequest was always the last thing on their minds. Before buying into the Treasure, in the early 1980s Northampton had been selling his family's artworks (including an important collection of ancient Greek vases), raising more than £11 million to be spent on maintaining his two stately homes (D'Arcy 1993: 154; Eddy 1998: 44). As a result of these sales, he became known in the art world as someone on the lookout for a good investment opportunity, which is why he was singled out for approach by Mimpriss and Wilson (Norman and Hoving 1991: 4). The brochure prepared by Wilson describing the silver read like an investment prospectus, advising on matters such as the cost, value and rarity of the silver, prospective purchasers (Norman and Hoving 1991: 4), and describing how the profit from a subsequent sale would be divided among the owners (Norman and Hoving 1991: 4). In fact, already by April 1983, only seven months after Northampton bought into the Abraham Trust in September 1982, it is on record that plans to sell the silver were already well advanced, and the 10 pieces that then comprised the treasure were packed off to the Getty in April 1984 with a price-tag of £8.8 million (Norman and Hoving 1991: 4), a potential profit for the syndicate of about 300%. Thus Northampton must have known from the outset that the silver was being purchased as a short-to-medium term investment, and not for long-term curation as an important assemblage of ancient art. He testified to this effect at the New York trial when he said that he viewed the silver as an investment vehicle (Kurzweil *et al.* 2005: 84).

From what is known of the prices paid for the silver and associated export licenses, Northampton's financial outlay alone must have been at least £9 million, and probably more. One estimate of his costs by 1998 put them as high as £25–30 million (Eddy 1998: 46). In March 1991, Northampton sued Peter Mimpriss and Allen and Overy for damages caused by fraud, deceit and misrepresentation in relation to the acquisition and potential sale of the Treasure between 1981 and 1990 (Eddy 1998: 46; Renfrew 2000: 129-131). His suit hinged on his belief that the fraudulent export licenses and the negative publicity attending the New York trial had deterred any potential purchasers and in consequence the Treasure had become effectively unsalable (Renfrew 2000: 49). In 1999, it was announced that the matter had been settled out-of-court and rumored that Northampton had received £15 million in compensation (Alberge 1999), with other estimates ranging up to £24 million (Bailey 2014). So, although Northampton paid a high price for his Sevso silver, he has since recouped a large part and perhaps all of his expenditure

from the damages awarded by the 1999 settlement. If he was so minded, a bequeathal after that might not have been financially damaging, but there is no evidence to suggest that he sought to effect such an outcome. Instead, in November 2006, the silver was placed on display at Bonhams in what is thought to have been an unsuccessful attempt to attract a buyer (Bailey 2006: 5). Northampton went on record at the time as saying that "I hope somebody or some institution will buy it" (Riding 2006). In 2014, after Peter Wilson's sons had sold their share of the silver to Hungary, Northampton's lawyer was quoted as saying about Northampton that he had bought the silver to "recoup and substantially enhance his investment" and that the "objective has not changed as far as Lord Northampton is concerned" (Bailey 2014). By the time of writing this paper in late 2014, there had been no other public moves by Northampton to sell or otherwise dispose of the Treasure. It has even been suggested that Northampton's ex-wife might have received a share as part of a £17 million divorce settlement in 2013 (Bailey 2014).

While discussing the Sevso silver, Merryman presents what he understands to be the "collector/museum" side of the debate over unprovenanced antiquities (2012: 55-57). He believes that for museums and collectors antiquities are there to "own, enjoy, display, and study" and to tell us about the human past (2012: 55). He fails to recognize that another motive for collectors might simply be to make money. Antiquities are commodities just as much as they are artworks and historical documents, and there are several well-known examples of antiquities being bought and sold for their monetary value alone, including by the British Rail Pension Fund in the 1970s (Faith 1985: 208-214) and various investment funds in the 1980s, including the Merrill Lynch Athena I and Athena II Funds (Grimes 1989). Antiquities dealers often stress the investment potential of antiquities, for what might be called investor-collectors or speculator-collectors. The evidence suggests that Northampton too should be considered an investor-collector, that he hopes one day to sell his silver, and that realizing its public utility through museum display is not a primary consideration. He was, after all, prepared to auction the material off to the highest bidder in 1990.

Conclusion

In his paper, Merryman is concerned ultimately with developing a strategy for making the Sevso Treasure publicly accessible, preferably through display in a museum, where it will be available for the enjoyment of visitors and engagement of scholars. It is a well-intentioned and positive objective, but is open to criticism in that mapping a route to achieving his goal, he presents a misleading account of the evidence. The Treasure is characterised neutrally as "unprovenanced", and thus of uncertain legality, whereas a very well-documented albeit incomplete provenance shows instead that the Treasure

was almost certainly illicitly traded, and one day might be vulnerable to a claim for repatriation. It is doubtful that any museum would want to purchase the Treasure in those circumstances (it might even be illegal for them to do so: Gerstenblith 2003: 409-465), and it is significant that no museum came forward after the 1993 New York court decision confirming Northampton's possession. It was left to Hungary in an expression of confidence in the strength of its case to make the purchase. For the museums' world, good title is not the same thing as good provenance, and the Treasure does not have a good provenance.

Merryman, of course, does not envisage a museum purchase, but suggests instead that Northampton might choose to bequeath it to a suitable institution. Yet from what can be discerned from Northampton's intentions and actions, this seems to be an unlikely turn of events. Thus instead of Merryman's hoped for installation in a museum, the Treasure has been broken apart and some seems fated for the foreseeable future to remain sequestered out of view in the possession of Northampton. This is a regrettable state of affairs, and Merryman would seek to lay blame at the feet of "establishment archaeologists" for bullying museums into adopting stringent acquisitions policies that prohibit the acquisition of unprovenanced antiquities. Museums may well be mindful of the opprobrium of archaeologists. But the seeming reluctance of museums in this matter has nothing to do with archaeologists, and everything to do with the dubious provenance of the Treasure, and the museums' recent costly experiences of being forced to repatriate similar collections of dubious provenance, rashly acquired according to Merryman's recommended principle of innocent until proved guilty. Merryman idealizes his collectors and museums as altruists, but he is blind to the essential cupidity and self-interest of market players. The parties really to blame for the unfortunate affair of the Sevso Treasure are the various dealers and their expert advisors who worked together intentionally and unintentionally to transform the archaeological assemblage into a valuable and marketable commodity, and, ironically, in so doing, rendered it unsalable.

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