



# ANCIENT COIN COLLECTORS GUILD

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Professor Katherine L. Reid  
Chair, Cultural Property Advisory Committee  
United States Department of State  
Annex 5  
2200 C Street, NW  
Washington, DC 20522-0505

Subj: Comment on proposed MOU with Greece

Dear Professor Reid and committee members;

I am writing on behalf of the Ancient Coin Collectors Guild, its 756 individual members, and 21 Affiliate Member organizations representing an additional 5,000+ collectors. This constitutes our sixth formal comment, in as many years, on a request for import restrictions under authority of the Convention on Cultural Property Implementation Act (CPIA). It is probably fair to say that the position of the Ancient Coin Collectors Guild is by now well known. We have consistently maintained that:

1. Ancient coins rarely fall into the category of significant cultural objects.
2. Proactive national management of cultural property through inclusive programs like the British Treasure Act and Portable Antiquities Scheme have proven far more effective in preserving cultural resources than repressive nationalist laws and overreaching restrictions on trade.
3. The effective preservation of cultural resources requires a cooperative approach wherein private citizens and independent scholars collaborate with archaeologists and curators in the processes of research, restoration, preservation and stewardship.
4. Private ownership of cultural artifacts is not only consistent with the interests of society in general, it is beneficial and practical. Two millennia of collecting artifacts from the past has served society extremely well and has provided the very foundation of the research institutions and related academic disciplines that serve society today. It would be inconsistent with tradition and with legislative intent to broadly restrict private access to objects from antiquity under the guise of "preservation". In the field of numismatics, no institution can dedicate the time and financial resources to preservation, research and education that private collectors collectively do.

During the legislative debate preceding passage of CPIA, the U.S. State Department representative, Mr. Mark Feldman, made it clear that coins were not considered objects of concern under the proposed act. Responding to a question posed by Congressman Vanik, Mr. Feldman said:

“In most cases, it is impossible to establish the provenance of a particular coin or hoard of coins. Therefore, there would be no reason for the United States, in most cases, to list coins as one of the categories of objects of archaeological or ethnological interest that would be included in the agreement.”  
 (“Cultural Property Treaty Legislation,” Hearing before the House Subcommittee on Trade of the Committee on Ways and Means, 96th Cong., 1st session on HR 3403. P. 8.)

Partly because of that assurance, a compromise bill was forged and ultimately passed in its current form. The unique character of coins was recognized at that time not only by the U.S. government, but by Denmark and Sweden as well. In their own enabling legislations, these countries specifically exempted coins from the provisions of UNESCO 1970. The place that coins have held as collectable objects from the past has not changed since 1983 nor, for that matter, since the Renaissance. That they are now the subject of requests for import restrictions is viewed by many as a political and ideological phenomenon rather than a cultural issue. Given that concern, the interpretation of CPIA’s provisions and the legislative history that sheds light on intent are especially germane if the law is to be respected as written and intended.

If we may focus briefly on one of the many points that are sure to be debated, the question of origin is perhaps the most perplexing aspect of this subject for coin collectors and for customs officials. A coin manufactured in Greece during antiquity will not necessarily be found in what is considered modern Greece today. Coins with Greek inscriptions were often (arguably most often) manufactured outside of Greece, as evidenced by more than 600 mints that numismatists today categorize as “Greek Imperial” or “Roman Provincial”. Complicating the issue of origin is the fact that these coins were very widely imitated (often faithfully) by those who were touched in some way by Greek trade. With trade coins in particular, it is simply impossible to say with any degree of certainty that a given coin was produced, found or exported from lands under the sovereignty of the modern Greek state. Consequently, any attempt to restrict trade or transfer of these coins by “type” would be disingenuous and have dire consequences for the legitimate transfer between the U.S. and nations not a party to the proposed MOU.

Coins generally classified as “Greek” were issued by cities ranging from the Black Sea to the Red Sea and the Caspian to the Straits of Gibraltar. They were struck and circulated in lands populated by Greeks, but to consider them the heritage of the modern Greek state is inaccurate. Coins of the Ptolemaic Dynasty in Egypt, the Seleukid Kingdom in the Levant and Middle East, the Barcids in Spain and many others are classified by modern numismatists as “Greek” but have no relationship whatever—politically, geographically nor culturally—with the modern Greek nation.

In its most glorious days, Greek coinage was the standard trade coin of the western world. Coin types like the Athena/Owl tetradrachms of Athens and the Herakles/Zeus tetradrachms of Alexander the Great were not only issued by mints far removed from the modern Greek state’s borders, but were minted in massive quantities and traded extensively throughout the known western world for literally hundreds of years after they were issued. Over the past several centuries, they have circulated even more widely as part of the international collector market. Today, it would be difficult to find a modern nation that does not have private citizens collecting ancient Greek coins. Often having been acquired at relatively low cost, these coins typically bear no cumulative record of ownership nor transfer and, even though completely licit, would become orphans in any system requiring proof of provenance. The imposition of import restrictions that would require an accompanying export permit, or provenance certification of some sort, would literally create millions of these orphans overnight and impose a severe hardship on anyone wishing to transfer licit ancient coins from some other country into the United States.

This leads us to a final point. U.S. import restrictions would have no effect on the world market except to exclude U.S. citizens from it. There simply is not any concerted international response. Therefore, the American citizen becomes the victim of discrimination by his or her own government. In some cases, import restrictions would discriminate against business and suppress the means of livelihood. In others, it would eliminate opportunities for expansion of cultural awareness and understanding. In still others, it would hinder the simple enjoyment of learning as a hobby or avocation. In any case, the loss would be substantial and the gain would be nebulous.

Please do not allow a noble but misguided effort to preserve to become instead a vehicle to penalize Americans for being worldly and interested in their own social and ethnic backgrounds as well as those of their friends, neighbors and colleagues. And, do not invert the burden of proof upon which our legal system is founded. In any question of legality, the burden of proof should always be on the accuser, not transferred through administrative manipulation to the innocent recipient of an object who is thereby forced to prove that an object is NOT illicit.

After all is said and done, and all of the arguments have been made, there remains one overriding fact: Coins are not national treasures — let the people have them.

Respectfully yours,

A handwritten signature in black ink, reading "Wayne G. Sayles". The signature is written in a cursive, flowing style with a large initial "W".

Wayne G. Sayles  
Executive Director