

Opinion | Return Of Stolen Artefacts: How India Is Using International Law To Protect Its Cultural Heritage

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The return of 248 artefacts from the US to India marks a significant milestone in cultural heritage restitution, highlighting the importance of international cooperation and legal frameworks in returning stolen cultural property.

During Prime Minister Narendra Modi's recent visit to the United States, the US government returned 248 stolen antiquities to India. (Image: PTI File)

In a historic gesture during Prime Minister Narendra Modi's recent visit to the United States, the US government returned 248 stolen antiquities to India, marking the single largest restitution of cultural heritage to the country. Over the

years, numerous valuable artefacts have been illegally removed from India, often through theft or smuggling. The return of these artefacts underscores the growing importance of international law in protecting cultural property. In this light, the legal framework governing the protection and restitution of cultural heritage assumes added significance, focusing on key international conventions and India's ongoing efforts to recover stolen items.

The restitution of cultural property has become a critical issue in international law, as countries worldwide have lost valuable cultural heritage, often during periods of conflict or colonial rule. India's heritage has been particularly vulnerable, with numerous artefacts stolen and exported illegally. In 2016, during Prime Minister Modi's visit to the US, American authorities pledged to return 157 stolen Indian artefacts. In a follow-up gesture during Modi's recent visit, 248 additional antiquities were returned, marking a significant milestone in cultural restitution.

According to a report by the Comptroller and Auditor General of India, the country is currently seeking the return of approximately 700 additional items from Singapore, the US, the UK, and various European nations. These efforts underscore India's



determination to reclaim its cultural heritage and highlight the importance of international legal mechanisms in facilitating such restitution.

Under international law, the protection of cultural heritage is a key concern, with several codified legal instruments aimed at safeguarding these valuable assets. One of the earliest regulations dates back to 1464, which granted protection to antique pieces of papal properties. In the modern era, the international community has developed a more comprehensive framework for protecting cultural property, particularly in times of armed conflict. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict was a landmark agreement in this regard. Drafted under the supervision of the United Nations Educational, Scientific and Cultural Organisation (UNESCO), this convention emerged in response to the widespread looting of cultural property during World War II.

The Hague Convention's First Protocol specifically prohibits the export of movable cultural property from occupied territories and mandates its return at the conclusion of hostilities. This provision was designed to prevent the looting and trafficking of cultural objects, which had become prevalent during times of war.

While the 1954 Hague Convention was a significant step forward in the international protection of cultural heritage, it faced several challenges. The convention's effectiveness was undermined by the lack of strong enforcement mechanisms and the reluctance of some countries to ratify the treaty. Despite these limitations, the convention laid the foundation for future international agreements and helped establish the protection of cultural property as a matter of global concern.

Similarly, other key international instruments include the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, which plays a crucial role in the modern legal framework for cultural property protection. This convention restricts member states' nationals from importing stolen goods from museums, religious or secular institutions, or public monuments. It is a key tool in preventing the illicit trafficking of cultural heritage.

Another example is the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, which provides a more specific legal framework for restitution claims of cultural objects. Under Article 2, the convention covers objects of religious or secular significance that are important for archaeology, pre-history, literature, art, or science. This convention is particularly important for addressing the illicit trade in cultural objects and facilitating their return to their countries of origin.

India's ongoing efforts to recover its stolen cultural heritage reflect its commitment to protecting its historical and cultural identity. The recent restitution of 248 artefacts from the US is part of a broader initiative to recover items stolen from the country. These efforts are supported by international legal frameworks such as the UNESCO and UNIDROIT conventions, which provide the necessary legal tools to facilitate restitution.

The return of these artefacts also highlights the growing recognition of the importance of cultural heritage in shaping national identity. Cultural property represents a nation's history, art, literature, sociology, economics, and politics.

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Going forward, the return of 248 artefacts from the US to India is a landmark event in the restitution of cultural heritage. This development underscores the importance of international cooperation and the role of legal frameworks in facilitating the return of stolen cultural property. Although challenges remain, particularly in terms of enforcement and compliance with international conventions, the progress made thus far is a testament to the growing recognition of cultural heritage as a matter of global concern.

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Opinion | Economic History And Its Importance To Bharat's Rise

Written By :

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As we move towards a developed country, it's imperative that we study further the role of cultural contours in consumer choices, behavioural tendencies and as an extension macroeconomic policy as well

As Bharat attempts to become one of the superpowers of the world and a developed nation, the moot question is what is the indigenous Bharatiya model of economic growth that Bharat is trying to project on the global stage?
(Representational image)



Economic history has been a topic of interest, but surprisingly very limited research has been done in the Bharatiya context. As Bharat

attempts to become one of the superpowers of the world and a developed nation, the moot question is what is the indigenous Bharatiya model of economic growth that Bharat is trying to project on the global stage? There are various answers to this question but if there is one thing that dominant nations have done in the past, it has been to look at their history for answers. Be it the American version of modern-day capitalism which is an offshoot of the Protestant ethic to the Chinese model of economic growth or the Japanese for that matter—most if not all nations have looked inward to seek inspiration from their past to imprint the future.

In Bharat's case, there is an even more important need to explore this since the role of culture plays a crucial yet understated and under-researched role in economic decisions and policymaking. Most economic decisions, especially non-discretionary spending are in some way or form related to the cultural contours or in other words, the "way of life" which has permeated this land for thousands of years. What really is this "way of life" and what does our history help us to teach about some of these components of "way of life"? While often very obvious for the common person to see, academic research hasn't caught up with researching it given its centrality to economic decision-making by the individual and as an extension the state. International researchers have extensively dealt with this subject of culture and economics even though its influence is not as much as it is in Bharat. This includes Nobel Laureates such as Garry Becker whose Nobel Prize-winning research was based on his paper on discrimination in communities in the USA. More recent ones such as George Akerlof have argued for years on the role of "identity economics" and its role in economic policy outcomes. Similarly, an entire stream of research on culture and its influence on economics has permeated the macroeconomic and behavioural economics fields. Yet we see very little research on this in the most diverse and complex land of cultural identities which are such an integral part of the socio-economic functioning of society, unlike any other country in the world.

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It's in this context that my research argues that Dharma plays an important role in defining this "way of life" which has prospered for thousands of years. In an attempt to understand the prosperity of the past, I have found that Bharat's ancient prosperity was not a mere accidental occurrence based on population alone but rather an important outcome of a sequence of policy outcomes and frameworks which were developed in the past. This research is developed in the form of three books with one already published and one more due to be published next month. My book *Kautilyanomics For Modern Times* puts forth a proposition that Kautilya's 3rd century BCE Arthashastra promulgates a Dharma-based capitalistic model which bats for a strong yet non-intervening state, trade and commerce with the rest of the world and sustainable growth as its central pillars. While Dharma has innumerable definitions, for the limited scope of economic policy, I have defined it through the prism of ethics, responsibilities, and harmony respectively. In the sequel to *Kautilyanomics For Modern Times*, titled *Dharmanomics*, which is releasing next month, I explore Dharma-based economic frameworks in a plethora of CE kingdoms in Bharat and as an extension in other places such as Southeast Asia including Cambodia, Vietnam, and Indonesia among others. These kingdoms include the Cholas, Pallavas, Pandyas, and Vijayanagar besides Kambuja Desa, Champa, Java and other kingdoms. The research tries to show conclusively that Dharma-based economic frameworks were central to most if not all of these kingdoms with various iterations depending on the local customised needs. Besides Kautilyan Dharmic capitalism, the role of the Dharmic ecosystem—powered by the economic ecosystem created by temples—and the importance of Srenis—corporate guilds—in mobilising capital and trade through the centuries are highlighted in this book. It establishes that from at least Saraswati-Sindhu civilisation, Kautilya onwards till about the Vijayanagar empire, there were evidences of various iterations of Dharma-based economic frameworks that propelled prosperity and inclusive growth in these communities. Adding a step further, I also argue in my third book that this extends into our contemporary lifestyles through the 'way of life' mentioned earlier which influences economic decision-making in subtle but important ways.

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By establishing an at least 2,500-year qualitative time series of Dharma-based economic frameworks, it provides us with a benchmark to understand the “way of life” in contemporary Bharat. As we move towards a developed country, it’s imperative that we study further the role of cultural contours in consumer choices, behavioural tendencies and as an extension macroeconomic policy as well. Not only would this give us a better understanding of the Bharatiya economy but it would also ensure that there is a robust underpinning of the Dharma-based economic frameworks that Bharat could position globally as it becomes a developed country.

Sriram Balasubramanian is an author and economist. Views expressed in the above piece are personal and solely those of the author. They do not necessarily reflect News18’s views.

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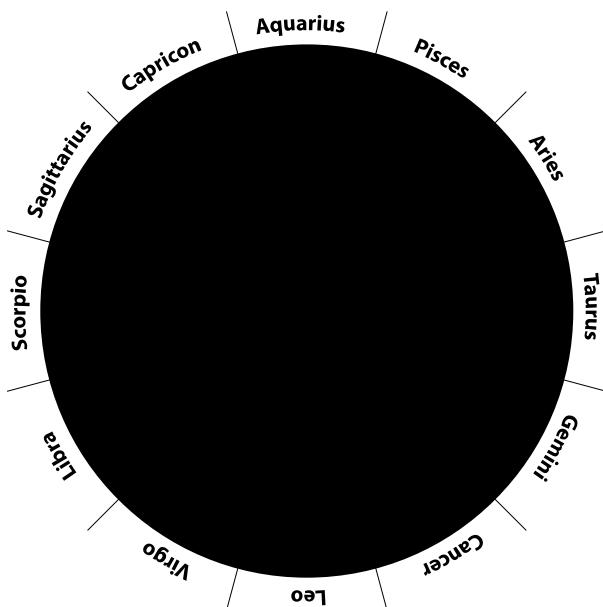
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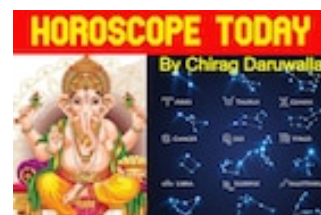
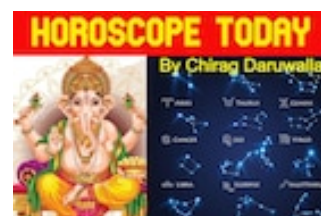
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