

## STOLEN ART OBJECTS RETURNED TO THAILAND

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Three of the many art objects stolen from Thailand were retrieved. The following relates how the Thai people and their Government worked for the return of these invaluable cultural heritage.

### LOPBURI PERIOD STONE LINTEL

The first stolen art object returned to the Government of Thailand is a stone lintel from the Lopburi Period. The lintel, influenced by the

Khmer style from Cambodia, depicts the reclining Vishnu, one of the greatest Hindu gods. The god is shown lying on a naga (*snake*), which has only one head, upon a dragon (an aquatic animal showing Chinese origin).

He has four arms: the upper right supporting his head; the upper left holding the stem of a lotus; and the lower left holding a conch (?). His two consorts are seated behind his legs. On top of Vishnu is a bloom-

ing lotus bearing Brahma, the creator of the world in Hinduism. He is flanked by two flying angels in the attitude of adoration.

On both sides of Vishnu are scroll and leaf motifs. Comparing to Khmer art in Cambodia, this lintel should date back to about the middle or late 12th century A.D. It was originally at the sanctuary called Prang Ku Suan Taeng, in Putthaisong District, Buriram Province, North-eastern Thailand.

The lintel was stolen from the sanctuary on 15 April 1964. Later, it appeared in the collection of Mr. Avery Brundage, an American millionaire. The writer saw the picture of the stolen lintel in a catalogue. The catalogue, sponsored by the Asia Foundation, was published to illustrate the eastern art collection of Mr. Avery Brundage, donated to the De Young Museum in San Francisco.

**Left : The Reclining Vishnu Lintel, taken *in situ*, before it disappeared from prasat Phanom Rung.**

After quite a long negotiation, this lintel was kindly returned to the Fine Arts Department of Thailand on 24 July 1970. This was the day when Mr. Avery Brundage presided over the First Asean Games held in Bangkok. The Lopburi Period stone lintel is now being displayed in the Bangkok National Museum.

### THE RECLINING VISHNU LINTEL

The case of the second art object is much more complicated. It took more time to retrieve than the first one. The art object is a stone lintel from Prasat Phanom Rung in Nang Rong District, Buriram Province, Northeastern Thailand.

The Prasat Phanom Rung Sanctuary was registered as one of the national monuments of Thailand on 8 March 1935. The stolen lintel from this sanctuary represents the reclining Vishnu, on the five-headed *naga* upon a dragon. The lintel had fallen from above the doorway on the eastern side of the sanctuary and broken into two pieces.

A large part, on the right side of the lintel, not only represents the reclining Vishnu upon the *naga* and dragon but also a blooming lotus in the middle, supporting Brahma. One consort is shown tending the legs of Vishnu.

Vishnu has four arms. The two on the right are holding a discus and supporting his head, while the two on the left are holding a club and probably holding a conch above a lotus. On the right side of the lintel are

scroll designs and the figure of a large bird holding an elephant in its beak.

The broken piece on the left side of the lintel represents the same motifs as on the right. In addition however a standing *garuda* (*king of birds*) is represented as holding two *nagas* (*king of snakes*) above a *kala*'s (*monster*) face. Two parrots, one on each side of an extending floral pendant underneath, and a mother monkey nurturing her child are also shown.



Stone lintel representing reclining Vishnu at Prang Ku Suan Taeng, Buriram Province, Northeastern Thailand. Middle or late 12th century A.D. Returned by Mr. Avery Brundage on 24 July 1970.

These two fragments of the same lintel were photographed twice *in situ* in 1932 and 1960 and published in a book form in 1967. The date of the lintel should be about the first half of the 12th century A.D.

In about the year 1960 or 1961 these two fragments disappeared from the sanctuary. On 13 August 1965, the Fine Arts Department of Thailand was able to retrieve the left fragment of the lintel from an antique shop in Bangkok. But the whereabouts of the right fragment remained unknown.

In 1972, a touring exhibition of Thai art was held, for the second time, in the United States of America. The writer was invited to give lectures

to various institutions in that country.

After the lecture at the Art Institute of Chicago, the writer was taken around the Institute to look at their oriental collection. While browsing, he immediately recognized the right fragment of the stolen Vishnu Lintel. So, after the lintel disappeared from the Phanom Rung Sanctuary it was displayed at the Art Institute.

The writer learned from one of the officials of the Institute that the

Vishnu Lintel was loaned from Mr. James W. Alsdorf. He was, during that period, the Chairman of the Institute's Board of Trustees.

When the writer returned to Thailand, he wrote a letter to the Director-General of the Thai Fine Arts Department. That was in February 1973. In his letter he wrote about his discovery and suggested that Thailand ask for the return of the lintel since there were strong evidences pointing to the theft of the lintel and that it was smuggled out of Thailand.

Acting upon his suggestion, the Thai Fine Arts Department wrote to the Art Institute of Chicago asking for the return of the lintel. The Art Institute, however, replied that the

lintel belonged to Mr. Alsdorf. The lintel, according to them, was only loaned by the Institute from him. Again, the Thai Fine Arts Department wrote a letter, this time, to Mr. Alsdorf. But no reply.

There is a mystery here. Mr. Alsdorf, further to the letters of the Thai Fine Arts Department, created the Alsdorf Foundation. Then he donated all his collection to the Foundation.

On the other hand, the Foundation, after the request for the lintel in 1988, claimed that they have previously sent two letters to the Thai Government, asking for evidences on the theft of the lintel. Moreover, they claimed the Government of Thailand never responded to their letters.

Needless to say, thorough searches were thereafter carried out, by the Government of Thailand, for the Alsdorf Foundation letters. But none were found at the Thai Embassy in Washington D.C., the Ministry of

Foreign Affairs, Ministry of Education and the Department of Fine Arts in Thailand.

Meanwhile the restoration of the Phanom Rung Temple began, further to the Anastylis Method. In 1987, 15 years after the first discovery of the Phanom Rung lintel at the Art Institute of Chicago, the writer went to New Delhi, India. There he gave a lecture on an ancient town at Sitep in Petchabun Province, Northern-Central Thailand.

In that lecture he showed many slides on antiquities found at Sitep which had been smuggled out of Thailand. The smuggled antiquities were, at the same time, exhibited in one museum in the United States.

After the lecture the curator of the National Museum in New Delhi asked the writer whether or not he knew of the bronze statue of the dancing Siva retrieved by India from a museum in the United States. The statue had been stolen from a temple

in southern India and later on appeared in a museum in the United States.

Clearly interested, the writer asked the curator how the statue was successfully returned to India. "American public pressure, that is very important", came the reply.

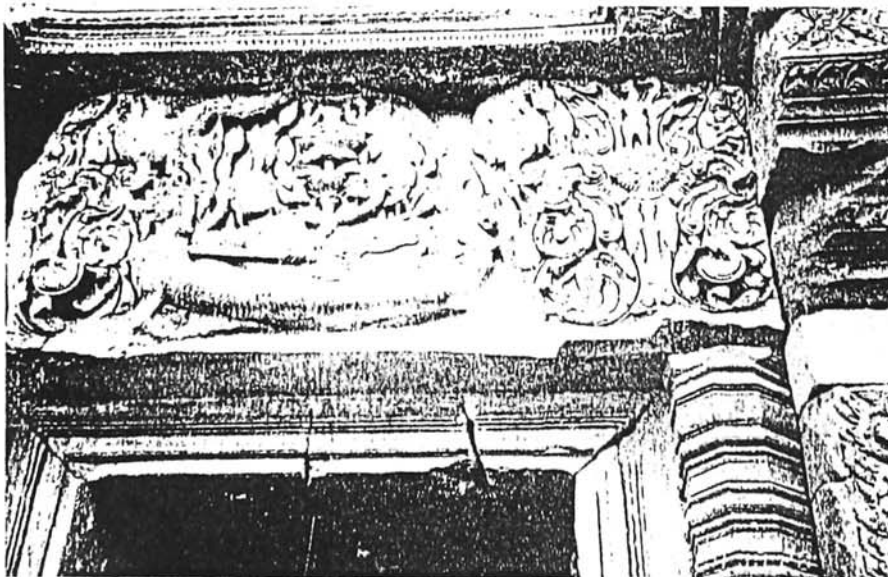
When the writer reached Thailand from India, on 29 October 1987, he wrote a letter to the Director-General of the Thai Fine Arts Department. In his letter he suggested that since the restoration of Prasat Phanom Rung was nearly completed, another attempt should be made for the return of the lintel.

At the same time, the Director-General should make himself available for interviews, not only with the Thai press but also with the foreign mass media, especially those in the United States. These mass media should include such well-known papers as the Times Weekly, Newsweek and the New York Times in order to be able to utilize American public pressure.

The implementation of the writer's suggestion aroused a lot of public awareness, especially among the Thai people in Thailand and also in Chicago. At the same time the Thai Government, through the Ministry of Education, tried contacting the Art Institute of Chicago again.

The Art Institute, agreed to return the lintel, provided that an art object of equal value is given as an exchange. They used the 1970 Unesco Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property as an obstacle to the return of the lintel without any compensation.

Meanwhile, protests held by Thais living in Chicago progressed in front of the Art Institute. A lot



Stone lintel representing the Reclining Vishnu at Prasat Phanom Rung, Buriram, Northeastern Thailand (first half of the 12<sup>th</sup> century A.D.). Returned from the Art Institute of Chicago on 10<sup>th</sup> November 1988.

of Americans joined the Thais in their cause. In fact, an American senator from Illinois even wrote a letter, requesting the President of the Board of the Art Institute of Chicago to voluntarily "give up this priceless Thai treasure to the Thai people to whom it belongs".

In July 1988, Mr. Pisit Charoenwongsa and the writer met with the officials of the Art Institute of Chicago, in Chicago. We proposed a revolving loan of three mutually-acceptable lintels to be shown serially at the Insitute over a period of ten years. Surprisingly, the Art Institute of Chicago declared their wish to have this revolving loan continued forever. Because no nation or museum could ever accept such a term, the negotiation naturally broke down.

Then the Elizabeth F. Cheney Foundation of Chicago intervened. To make a long story short, the Foundation agreed with the Art Institute of Chicago to buy an ancient object, of equal value, in exchange for Thailand's lintel.

On 10 November 1988, the Reclining Vishnu Lintel was returned by the Art Institute of Chicago to the Thai people. The renowned lintel is now installed at its original place, above the eastern door-way of the Phanom Rung Temple in northeastern Thailand.

A warning to art collectors: The writer has seen three replicas of the Reclining Vishnu Lintel in three museums. These museums are located in Switzerland, Germany and the United States of America. Two of them claim they have in their keeping the original version of the Reclining Vishnu Lintel.



Gold votive plaque representing Maitreya(?) from Petchabun Province, Northern Central Thailand. Height 7 cm. Dvaravati style, 8<sup>th</sup>–10<sup>th</sup> century A.D. Returned to the James H.W. Thompson Foundation on 8 February 1989.

### THE GOLD VOTIVE PLAQUE OF JAMES H. W. THOMPSON FOUNDATION

The third stolen cultural treasure of Thailand was returned in a much more amicable way. This is a gold votive plaque, probably representing Maitreya, the future Buddha, with a *stupa* (?), a solid monument enshrining the relics of the Buddha, on his chignon. It was stolen with other pieces from the James H.W. Thompson House in Bangkok in 1980.

The plaque shows Maitreya seated in a cross-legged fashion. His right hand is holding a lotus bud while his head is surrounded with an aureole. On the right side of the plaque figures a stylized form of a *stupa*; on the left is of a Wheel of the Law on a base.

The seven centimetre high plaque belongs to the Dvaravati Period, the first historical period of Thailand. It probably dates back between the 8th-10th centuries A.D. and was presumably discovered in Petchabun Province, Northern-Central Thailand. The picture of the plaque has been printed in the Catalogue of the House: *The House on the Klong*, as no. 28 and also in the 1972 Asia Society Exhibition, *The Sculpture of Thailand*, cat.7-a.

Mr. Martin Lerner, the Curator of the Indian and Southeast Asian Art Section of the Metropolitan Museum of Art in New York, recognized this plaque in an antique shop in Europe. After convincing the owner of the shop to return the invaluable piece to the James H.W. Thompson Collection, Mr. Lerner wrote a letter to the writer on June 6, 1988. The writer is the incumbent President of the James H.W. Thompson Foundation.

Thereafter, Mr. Martin Lerner

and his wife were invited to Thailand by the James H.W. Thompson Foundation. A ceremony was held for the return of the gold votive plaque to the House on 8 February 1989. Today, the plaque is proudly displayed in the House, which is open to the public.

The case of the gold votive tablet and the good deed done by the Indian and Southeast Asian Art Section of the Metropolitan Museum of Art in New York, through Mr. Martin Lerner, its curator, should be regarded as an illustrious example of what cooperation between two museums can do. It should be highlighted and strongly recommended by Unesco as a possible means for the retrieval of stolen cultural objects.

#### PROPOSALS

1. Although the writer agrees with every recommendation in the Report by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or Its Restitution in Case of Illicit Appropriation, Sixth Session, at Unesco Headquarters, Paris, 24-27 April 1989, the writer still share the opinion of one of the member who said that purchasers cannot be regarded as innocent, under the terms of Article 7 (b) of the 1970 Convention, if they had not attempted to obtain information on the art objects they purchased from the State of origin.

2. As already explained, the 1970 Convention of Unesco has, time and again, been used as an obstacle in the return of stolen objects to the state of origin, without any compensation. Therefore, the part of Article 7 (ii), stating: "an innocent purchaser or a person who has valid title to that property", should be clearly

defined and understood from every legal point of view.

3. In Thailand, clandestine excavations are going on as well as thefts of antique and art objects, although a law forbidding such acts has been created since the 1930's. The Thai Fine Arts Department, empowered to preserve the national cultural heritage, is working hard to carry out its duties.

Thai law allows the Fine Arts Department to register ancient monuments, antique and art objects. Uninhabited ancient monuments fall directly under the care of the Fine Arts Department. On the other hand, any change of ownership of inhabited ancient monuments must be reported to the Fine Arts Department. Permission from the Fine Arts Department must also be obtained for any restoration of inhabited ancient monuments.

As for registered antique and art objects, changes in ownership is permissible. However, the Fine Arts Department should be notified each time there is a change. These objects are absolutely prohibited from leaving the country. Ancient objects considered less important can leave the country, only with the permission of the Fine Arts Department.

The writer must confess that however hard the authorities tried, prevention of theft and illicit export is still one of the most formidable challenges met by the Government of Thailand.

4. Museums should be highly recommended not to buy or accept objects that do not have a clear origin. Though this action cannot fully prevent illicit export because of the presence of private collectors, it will, at least, cut out half or more of the unlawful actions. [■]