

The Preservation of Art and Culture in times of War

Cosmopolitanism and particularism through the lens of basic values

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Reflecting on present conflicts in the nation-states of Syria, Iraq and Afghanistan, one can't help but dwell on the fact that, during late antiquity and for much of their Islamic pasts, these regions were cosmopolitan. Their large cities acted as commercial centers and nodes for the transmission of cultural beliefs and practices. As Jeremy Waldron puts it in an article on cosmopolitanism: "Humans are curious and adventurous animals: they travel, they migrate, they trade, they fight, and they plunder. And they report back what they have found out about the ways in which other live (and trade and fight etc.)."¹

That noted, it is the nonetheless the case that attitudes towards the preservation of cultural property have been framed in recent decades by a tension between the cosmopolitan and the particular. Here, one can hardly ignore the late John Merryman's contribution to shaping this debate. Merryman's cosmopolitan thesis was that certain goods, including preservation, are challenged by the desire to maintain particular, often national, heritages. He was generally (but not always) scathing about assertions by nation-states and institutions that, in order to remedy past wrongs, important cultural properties should be restituted and embedded within local cultural heritage. In defending his cosmopolitan position, he proposed a hierarchy of key considerations that should govern policy towards cultural property, listing preservation, truth and access in descending order: "if we don't care about its preservation, it isn't, for us, a cultural object".² Having ranked preservation above truth (knowledge) he had only a cautious

¹ 'What is Cosmopolitan', (2000) 8, no. 2 *The Journal of Political Philosophy*, p. 232.

² 'The Public Interest in Cultural Property', (1989) 77 *California Law Review*, p. 355.

regard for archaeologists, who place a premium on contextual knowledge and the proximity of artifacts to their original archaeological or architectural sites.

Those who argue that the (cosmopolitan) concept of the ‘heritage of all mankind’ trumps the claims of particular peoples have at least four legs upon which to balance the stool: first, a lineage of universalist thinking about culture that reached maturity in the aftermath of World War II³; second, the 1954 Hague Convention (for the Protection of Cultural Property in the Event of Armed Conflict) which addresses “the cultural heritage of all mankind”; third, the evolution of western institutions that commit to researching and displaying various cultures; and fourth, a Modernist approach that attends to universal visual qualities (such as mass, space, light, color and rhythm) rather than to context or meaning.⁴ The opposing position, that particular heritages trump the heritage of all mankind, draws upon a belief that individuals find greater meaning and well-being in the local than the universal. Alasdair MacIntyre argues that morally significant lives can only make sense within the complex interlocking practices of particular cultures, from which individuals create their own narrative trajectories.

The tension between particularism and cosmopolitanism is nicely complicated by a set of twelve bronze zodiacal heads from the Yuanmingyuan, the Old Summer Palace in Beijing, created as waterspouts for a Versailles-inspired fountain designed by Giuseppe Castiglione, an Italian Jesuit artist serving the Jurchen Qianlong emperor (r. 1735-96), and engineered by Michel Benoist, who was French. They were clearly cast by Palace craftsmen. The heads were taken in 1860 during the second Opium War, when the Palace was looted and sacked by an Anglo-French expeditionary force. The Opium Wars were hardly a shining moment in British history, nor was the sack of the Yuanmingyuan,

³ Well articulated by two German Jewish philologists who had settled in America, Leo Spitzer and Erich Auerbach.

⁴ On formalism see, e.g., Roger Fry, ‘An Essay in Aesthetics’ (April 1909), in *Vision and Design*, pp. 23-4; and Gillman, ‘Albert Barnes and the Rejection of History’, (June 2014) 158, no. 2 *Proceedings of the American Philosophical Society*, pp. 107-19.

but neither was the preceding slow and brutal murder of twenty members of the British negotiating delegation a credit to China. That having been said, submission to the western powers during the 19th and early 20th centuries undergirds much of today's nationalist sentiment in China. Seven of the heads have appeared in recent years, becoming a lightning rod for such sentiment, with all of them returning to China.

After a cancelled Christie's sale in 2009 of the rabbit and rat heads from Yves Saint Laurent's collection (when the Chinese buyer refused to pay on patriotic grounds), Ai Weiwei made a parodic larger-than-life-size bronze set, modeled partly on the originals and partly from imagination. In a video released in 2010, which includes footage of protests against the sale, he remarks: "It [the set] was designed by an Italian, made by a French[man], for a Qing dynasty emperor, which is actually somebody who invaded China. If we talk about national treasure, which nation are we talking about?"⁵ As an artist for whom irony is central to his practice, Ai had no problem in recognizing the oddness of valorizing a set of objects made principally by foreigners for an occupying power. But then, as the British Export Review Committee wrote in 1991: "We must argue...strongly against the insular prejudice that all heritage objects must carry a 'made in Britain' stamp".⁶

In *The Idea of Cultural Heritage* I made the case for mapping the topology of this debate onto a parallel one in contemporary political philosophy, between liberal cosmopolitans and liberal culturists (Will Kymlicka) or nationalists, the latter seeing local cultures as a crucial framework for individual choice-making. However, rather than again pitching my camp at a certain point on the cosmopolitan-nationalist spectrum, here I want to make a case for understanding cultural engagement in terms of basic values, shared by people across the world. John Finnis published in *Natural Law and Natural Rights* (1980) an influential list of seven values, since revised, that he regarded as foundational -

⁵ Zodiacheads.com

⁶ *A Review of the Current System of Controls on the Export of Works of Art* (HMSO, 1991), p. 3.

knowledge, life, play, aesthetic experience, sociability (friendship), practical reasonableness and religion - suggesting that “[countless] other objectives and forms of good will be found, on analysis, to be ways or combinations of ways of pursuing (not always sensibly) and realizing (not always successfully) one of the seven basic forms of good, or some combination of them”.⁷ Its foundational nature has been challenged by Joseph Raz, who writes “For example, some friendships and some religions or aesthetic experiences are without merit at all. Good friendships are good, and good religious experiences or lives are good, but not all friendships nor all religious experiences or religious lives, one is inclined to say, derive any value from being friendships or from being religious.”⁸ The precise delineation of values within such a list is less important, I believe, than the recognition that there are a small number of important categories of human valuing.⁹ Overall, whether we adhere to Finnis’ list or not, it would be fair to say that all humans have the capacity to engage with some large categories of good, such as knowledge, friendship, etc.

Let me give an example that might help to articulate the relation of basic values to works of art: Picasso’s *Guernica*, painted immediately after the Nazi bombing of Guernica in April 1937 to accelerate Spanish submission to Fascist rule. I’d argue that this celebrated work could be appreciated through aesthetic form alone, without exposure to its meaning. Conversely, the painting, and the circumstances of its commission, display and subsequent tours, can be valued just for the knowledge offered about Spanish Republican resistance without considering its remarkable pictorial achievement. In practice this surely hardly ever occurs: visitors to the Reina Sofia in

⁷ *Natural Law and Natural Rights*, Clarendon, 1980, p. 90. Revised values are: *skillful performance, bodily life, friendship, marriage, practical reasonableness, harmony with... (the) ultimate source, Reason in Action: Collected Essays: Volume I* (OUP, 2011), p. 244 n. In 1980 he separates knowledge and aesthetic experience, whereas in version II of the list he collapses them to “knowledge (including aesthetic appreciation) of reality”, which has merit since we engage aesthetically within frameworks of knowledge.

⁸ “Raz, ‘Value: a Menu of Questions’, in John Keown and Robert P. George (eds.) *Reason, Morality and Law: The Philosophy of John Finnis* (OUP, 2013), pp. 13-23.

⁹ Unless by using the values ‘religion’ and ‘aesthetic experience’ we commit to meaning only ‘good religion’ or ‘good aesthetic experience’, which is obviously problematic.

Madrid will, I believe, experience both forms of value simultaneously, even though they are separable.¹⁰

There will always be multiple understandings and forms of engagement with basic values. For individuals, engagement is determined to a lesser or greater extent by their status, education, ideology, identification, peer relationships, etc. That engagement is particular to them. Yet these basic values, or categories of human experience, are universal: everyone on the planet has the capacity to engage in some way with them. Everyone is cosmopolitan by virtue of their capacity to engage with basic values, or basic categories of human experience. Looked at in this way, the particular and the universal represent not so much a spectrum but rather two separable levels. At the cosmopolitan level is a range of basic values (which may be incommensurable) or, alternatively conceived, large categories of human valuing. At the particularist level is individual engagement in a myriad ways with these basic values.

Between these two levels is a third, occupied by the myriad social practices in the world, and the social institutions devoted to those practices. Institutions enable nuanced and particular engagement with value. Cultural institutions which are devoted to forms of art, such as museums, libraries, theaters and concert halls, facilitate individual engagement because, instrumentally, they provide an important vehicle through which individuals can engage with basic values. It will be self-evident to those attending this conference that, in times of peace and war, architectural monuments and archaeological sites should be protected, but so should cultural institutions devoted to the preservation of basic values. It may seem intuitively obvious that we should want to protect such institutions, but should we need a more formal justification, the ground is that, whether allied with the visual, literary or performing arts, they instrumentally facilitate full engagement with intrinsic values.

¹⁰ Kirk Pillow used the example of Guernica in *Sublime Understanding: Aesthetic Reflections in Kant and Hegel* (MIT, 2000), pp. 55-56, as I also did in *TICH*.

So let me conclude with a thought about museums, and also libraries with rare books, when they become vulnerable in times of war. One way in which they will be vulnerable (aside from being vulnerable to collateral damage, and to looting) is through lack of local support, or sponsorship, or other means of carrying on. Those institutions outside war zones can provide important assistance to fellow professionals who are already vulnerable, or have a real likelihood of becoming so. For example, anticipating emergency storage or evacuation of vulnerable works, advice relating to good conservation and collections management practices will surely be beneficial. That will also be true for documentation help (now possible at a distance, though video links and Skype, making available a wider range of specialists), so that collection items will at least be known; in the event of looting there may be a chance of recovery. If this seems a modest thought, it is perhaps because we have come to take for granted the importance of cultural institutions, like the Penn Museum, in enabling engagement with basic values.