

TIME TO HEW A NEW ANTIQUITIES LAW

Relevant for: History & Culture | Topic: Promotion and Preservation of Culture Incl. UNESCO

The construct around a civilisational history frequently emerges from untouched archaeological sites. Consequently, the premium has long been on archaeologists guiding a nation on what constitutes its history, memory and culture. This ingrained notion has foundationally resulted in the framing of India's laws based on a singular view of what constitutes an antique. To hang onto this view in today's age is destructive as can be seen from the fate of antique collecting across India. The prevalent assumption that is constantly alluded to is that every object held by an institution or a collector must have been surreptitiously removed from a shrine or a sacred site.

But a civilisational history cannot be constructed purely by an archaeological agency. While it is an important component, other groups such as *littérateurs*, historians, anthropologists and curators also contribute valuable insights into our material culture. However, the framing of our laws has not happened in conjunction with any of these disciplines. This was because at the time of law framing, the agenda was to preserve India's material culture which was then under threat much like material heritage of several source countries across the world was. What was thus valid for India at the time of Independence no longer fits in with the requirements, reality and needs of a confident modern-day state that seeks to understand its past.

The Antiquities and Art Treasures Act, 1972 has consequently long outlived the purpose for which it was drafted. While a promised amendment has been floated on the website of the Union Ministry of Culture, its status is still largely unknown. The laws that consequently govern the ownership of historical objects, their purchase and sale have, with increasing frequency, been a disincentive for the average collector. Cultural vigilantism and the presumption of guilt without trial, public shaming and the resultant media trial have led to a state of affairs that is dangerous — casting a long shadow on the production of knowledge of our past.

Registering antiquities with the Archaeological Survey of India (ASI) has long been a cumbersome and difficult procedure for most collectors, with the state simply not equipped to handle the needs of a growing populace of collectors.

Compounding this is the rule that every object over a 100 years is an antique. To ascribe importance by virtue of religious sentiment, age or provenance (seldom proven) to every significant and insignificant work of art will sound the death knell for scholarship or our understanding of what constitutes a beautiful work of art or even a significant national treasure worthy of appreciation. To promote a view that once sacred objects today only belong to temples and thus deny the process of regeneration of these living cultural sites is a myopic view stemming from a lack of understanding of the role and purpose of these objects, the temple economy that maintained them, and also the constant process of renewal that occurred within historic sites.

With every passing year, the number of objects that shift from 99th year to a 100 year status will soon result in the transfer of vast numbers of objects to a status of national antiquity. Is the state geared to handle and maintain this vast emerging enterprise? This is where the role of private connoisseurship, individual collectors, trusts and foundations come into play. Their proactive agency has safeguarded the heft of ancient Indian art from being channelled abroad or, worse, being destroyed. It is well within the rights of every citizen to acquire and collect objects of their past that they feel imparts a sense of memory, history and an understanding of our culture. What should definitely govern this acquisition is a legal process of buying. However, vigilante

movements claim temple robbery provenance without a shred of proof, emerging as a bullying tactic and becoming the dominant narrative on artefact ownership. These movements neither follow the rule of law nor do they respect the ASI's time-honoured process of registration of such artefacts.

The present situation also gives rise to an interesting question. If, as is being presumed, every object in a private collection is the result of temple desecration and robbery, then what of objects that have been registered under similar norms across all our public institutions? Is the government of India ready to repatriate the several idols in its various collections or give up the Aurel Stein collection of Central Asian antiquities at the National Museum, New Delhi, to the Buddhist communities of China? To hold public institutions to one standard and private collectors to another is just one of the several anomalies of the current narrative. Why is there a blanket assumption that every public institution holds treasures that were not pilfered or acquired through the same channels that are available to private collectors? An urgent amendment to existing laws is a need of the hour to save our material culture from being examined purely from the prism of religious sentiment and to foster the creation of secular spaces where everyone can enjoy and appreciate our past.

Pramod Kumar K.G. is Managing Director, Eka Archiving Services Pvt. Ltd.,

New Delhi

Sign up to receive our newsletter in your inbox every day!

Please enter a valid email address.

Last week Ram Kadam, a BJP MLA from Maharashtra, told the men in an audience that if they were interested in women who didn't reciprocate the feeling,

Our existing notification subscribers need to choose this option to keep getting the alerts.

END

Downloaded from crackIAS.com

© **Zuccess App** by crackIAS.com

Crack