



SOCIETY FOR AMERICAN ARCHAEOLOGY

Draft Testimony of Dr. Frederick W. Lange
On Behalf of the Society for American Archaeology
Before the Cultural Property Advisory Committee
On Renewal of the MOU Between the Republic of Nicaragua
And the United States of America
Under Article 9 of the 1970 UNESCO Convention

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I am Dr. Frederick W. Lange, Senior Cultural Resources Manager for LSA Associates, Inc. an employee-owned environmental consulting firm with its main office in Irvine, California---I work in the Riverside, California office. I am a former member of the Cultural Property Advisory Committee (1990-1996) and as an advisor to the (Nicaraguan Institute of Culture) and National Museum of Nicaragua. In 1999 I facilitated the meeting between the Director of the Nicaraguan Institute of Culture and the then United States Ambassador to the Republic of Nicaragua, the Honorable Lino Gutierrez, that led to the initial bilateral agreement between the two countries.

With that brief history completed, I would like to begin my testimony in support of the renewal of the MOU between the Republic of Nicaragua and the United States of America by pointing out that poverty is one of the greatest enemies of cultural patrimony, anywhere in the world. Nicaragua and Haiti are continually locked in battle for first and second places in the list of the poorest countries in the western hemisphere. Whether it is the make-work infrastructure projects promoted by the government with the aid of international organizations, or the *campesinos* who excavate and sell artifacts from the far corners of their modest ranches so that their families might eat, the damage caused to the cultural patrimony by these activities is beyond measure and, as we all know, it is the exporters and the importers who profit most. Within the wider context of the world recession, we would expect to see a statistical “spike” in the commercial activities involving Nicaragua’s cultural heritage---none has occurred. To the contrary, the Nicaraguan government, at a level appropriate to the world and national economic climate, has continued to support cultural patrimony activities that are consistent with the letter and the spirit of the MOU between the two countries. I classify these activities in five categories: (1) Legal, (2) National Scholars, (3) Foreign Scholars, (4) Administrative and diplomatic initiatives of the central government, and (5) Public Education. As I build the case for renewal of the MOU, let us examine each of these categories in more detail, with specific examples:

(1) Legal: The Nicaraguan Institute of Culture has its own legal staff that issues research permits, authorizes exports for exhibits and scientific analysis, and both carries out and supports prosecutions of those (foreign and national) who are charged with violations of the cultural patrimony laws. A most recent example is from May of 2010, when the legal staff seized a collection of more than 1,000 archaeological artifacts that were in private hands. Nicaraguan law permits private collections, but they must be registered--this one was not. The individual who had the collection was also charged with endangering the cultural heritage, since the objects were poorly stored and many had been broken.

(2) National Scholars/Archaeologists: Nicaraguan archaeologists working for the National Museum of Nicaragua and the National Autonomous University of Nicaragua have the opportunity to conduct their own research, although limited in scope due to the economic situation. They also have the opportunity to participate on foreign projects in the country (see below). The National Museum archaeologists also participate in exhibition design and renovation in the exhibition halls of the National Museum and in many of the regional museums.

(3) Foreign Scholars/Archaeologists: Foreign archaeologists have been generally accepted in Nicaragua and have contributed significantly to our understanding of the prehistory of the country. In the era of modern technology, survey and excavation permits can be obtained by e-mail from the legal staff of the Nicaraguan Institute of Culture. The procedures, requirements and expectations are clearly explained. Among others, and most recently, Dr. Geoffrey McCafferty from the University of Calgary has had a multi-year project on the Pacific coast; archaeologists from the University of Barcelona have had a similarly long-term project on the Caribbean coast; Manuel Lacayo Roman, a Nicaraguan studying in the doctoral program at the University of Pittsburgh carried out investigations on the Pacific coast, and Dr. Silvia Salgado of the University of Costa Rica has continued her research interests in the country. Dr. Patrick Werner, affiliated with the University of Mobile campus in Nicaragua, has collaborated with National Museum archaeologists at the historic San Jacinto battlefield site north of Managua and Suzanne Baker and her group have continued their volunteer work in recording petroglyphs and archaeological sites on Ometepe Island.

(4) Administrative and diplomatic initiatives of the central government: In Nicaragua, as in most Latin American countries, the central government plays a major role in cultural policy. This is accomplished both through control of the funds spent for cultural activities and through diplomatic initiatives to obtain funding for priority projects that cannot be funded through the national budget. Within the past few months, we can document the government's preparation of the documentation for the renewal of MOU; the support of the government for the request for \$580,000 in aid from the government of Andalusia for the World Heritage Colonial Site of Leon Viejo, whose architecture had suffered serious damage because of recent rains and hurricanes; and the willingness of the government to make the protection of the cultural patrimony, and the prosecution of looters and dealers (as in the recent "bust" of the individual with the 1,000 piece collection that was cited above), a priority of the National Police at a time when that organization has many other priorities.

(5) Public Education: The National Museum of Nicaragua, in cooperation with the private sector in the country, has greatly improved the educational content and message of the network of museums in the country, beginning with the National Museum in Managua. Assistance has been provided to regional museums to aid in the inventory of collections and a digital version of the National Museum's scientific journal *Huellas* has been produced. In ongoing collaboration among the cultural office of the city of Managua, the Nicaraguan Institute of Culture, and a local printer publications of archaeological and ethnohistorical research continue to be produced and are available in local bookstores.

I believe that the MOA between the Republic of Nicaragua and the United States of America is one of the main reasons that the progress I have described above has taken place. It is a very effective instrument and an integral part of the effort to protect Nicaragua's cultural patrimony, and I urge the Committee, in the strongest possible terms, to recommend its renewal to the Department of State. Although other countries (Spain, Costa Rica, and Canada, for example) also contribute visiting archaeologists and projects to the study of Nicaragua's past, only the United States of America, through its MOU process administered by the CPAC/Department of State, makes a high level statement of the belief in the bilateral approach to helping to protect another nation's cultural heritage.

Thank you for your time and consideration of this important matter.

