

24. The fight for the past: Watkins vs. Warren (1885–6) and the control of excavation

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The Permit

In early August, 1885, Lieutenant-Colonel Falkland George Edgeworth Warren, R.A. (retired), applied for permission to excavate at Paraskevi, Pera and Acanthou. His application was received by the Chief Clerk in the government offices, W.H. Bennett, and forwarded to the Chief Secretary, who happened to be Colonel Falkland Warren himself. Warren looked over the application and, in line with correct procedure, instructed Bennett, his Chief Clerk, to send it for comments to the Honorary Secretary of the Cyprus Museum Committee, one W.H. Bennett. The Honorary Secretary gave his approval and sent it back to the Chief Clerk (himself), who in turn passed it on to his superior, the Chief Secretary Colonel Falkland Warren. The Chief Secretary gave his permission, the application was countersigned in red ink by a busy High Commissioner, and in due course Colonel Falkland Warren heard the good news that he had indeed been granted an excavation permit (SA1/3380/1885).

This paper investigates the relationship between archaeology and colonial rule in late nineteenth-century Cyprus. Excavation of the island's many rewarding archaeological sites was a popular pastime for government officials and private individuals alike, and even as late as the 1910s a High Commissioner used to take his wife and Private Secretary out for a good day's 'tombing' (Luke 1953, 212). However genuine the interest and enthusiasm of such individuals, there was a strong ideological component to this activity. Imperial rule was certainly enforced by might, but it was also justified by rhetoric; and archaeology was a fruitful source of such legitimizing arguments.

The result of Colonel Warren's dubiously acquired excavation permit turned out to be rather different to what he had expected. For all the importance and value of his finds at Pera Frangissa, his excavations landed him in court

within four months. He was publicly and ignominiously cross-examined, his evasive replies were published in the newspapers, and there were open calls for him to resign. Underlying the story of Warren's excavation and trial there lurks a fierce battle over the control of excavation, and it was only with the publication of the courtroom transcript in the *Cyprus Herald* that this battle came to public knowledge. With the help of what were then confidential documents in the Chief Secretary's Office and are now public records in the Cyprus State Archives, we can examine this unsavoury episode as an illuminating example of the close relationship between archaeology and colonial rule in the late nineteenth century.

Archaeology and Colonial Society

British imperial rule, when it came to the crunch, was based ultimately on might, and occasionally it suited them to declare this. When Britain took over the administration of Cyprus after the Congress of Berlin in 1878, the illustrated papers showed the British fleet filling the Bay of Larnaca, and the infantry landing at the beachhead and setting up camp in strategic areas. Outside such moments of crisis, it was more effective to sustain imperial rule by ideology, persuasion, and loudly stated conviction. Today we would call it the 'moral high ground'; then it was the White Man's Burden, the noble self-sacrifice made by imperial officials to bring organisation and order into the lives of their native subjects. Colonial rule was portrayed as paternalistic and strict, to be sure, but above all disinterested and just.

Precedent and parallel provide strong legalistic arguments, and so history and archaeology became important sources for this ideological justification. Past imperial

situations demonstrated the long need for paternalistic control of eastern or southern peoples, while ancient artefacts and artistic styles could provide evidence for their character. An Oriental ancient Cyprus presupposed an Oriental modern Cyprus, and it was conventional wisdom that Orientals could not rule themselves. By argument that was careful, if inconsistent, any European or classical remains that did survive could be made to demonstrate the need for European guardianship which local people could not give.

Because of the ideological force of archaeology and history, it was important to control sources of information about the past, and to direct any interpretation that was made of them. One aspect of this was the careful selection and discussion of ancient textual references to Cyprus. To those positing an Oriental character for the island, for example, biblical references to Kittim were more pertinent than Isokrates' panegyrics on the quintessentially Hellenic Evagoras. As for archaeology, there was always a risk that new finds might prove embarrassing, as Ronald Storrs found in the 1920s (Given 1998, 15). Because of this, and because of a stated concern that excavation should be done properly, it was important to control who did the excavation.

In terms of government control, there had been considerable progress since the days of Sandwith, Lang and Cesnola. The new regime was all too happy to criticise the amateurs. Alessandro di Cesnola's finds were actually confiscated by the colonial government in 1878, and kept in the house of Claude Cobham, the Commissioner of Larnaca, for safe keeping (Brassey 1880, 281). Cobham may not have been too inconvenienced by this duty, as they remained there for some eleven years (SA1/702/1889). Excavation was now carried out by members of the government who were deemed responsible, if not necessarily expert: Hugh Sinclair, District Engineer of Larnaca and then Sir Robert Biddulph's Private Secretary; Herbert Kitchener, director of the Cyprus Survey; Claude Cobham; Falkland Warren; and, usually, the High Commissioner himself. The Cyprus Museum was set up in 1882 (CH 21 June 1882), with a committee dominated by members of the government and chaired ex-officio by the High Commissioner.

As for interpretation of the past, that too was done almost entirely by members of the government. Claude Cobham became the authority on the documentary history of the island. Tankerville Chamberlayne, the Commissioner of Kyrenia, catalogued and published medieval gravestones. Roland Michell, Commissioner of Limassol, investigated topics of local ethnographic interest such as the *linovamvaki*. By the end of the century academics from European universities and museums were excavating in Cyprus, but in close collaboration with the government; and even in the 1920s and 1930s the tradition of the

'scholar-official' continued with George Jeffery, Harry Luke, Rupert Gunnis, and Ronald Storrs.

There were outsiders, particularly British businessmen in Larnaca and Limassol, who also caught the excavation bug: John Williamson, a Limassol engineer and publisher; the brothers Charles, Percy and Frank Christian, who shared interests in mining, public works, and archaeology; and Charles Watkins, the respected director of the Imperial Ottoman Bank in Larnaca and member of the Legislative Council. As a correspondent to the *Cyprus Herald* wrote in December 1883, archaeology was the thing of the moment:

'Dear Sir,
So excavating's all the fashion!
And you yourself have not escaped the passion!
I, too, have digged, and it has been my fate
To find a Work of Art that wants a date:-
An interesting object, but whose history
And time of birth for me are wrap't in mystery. [...]
R.S.V.P. Believe me, Mr. Herald,
Your's truly, Papadópoulos Fitzgerald'.
(CH 10 December 1883)

But these non-government individuals found it hard to get excavation permits from the government, particularly when competing with their official compatriots such as Falkland Warren. Their only weapon was the independent press, and the pages of the *Cyprus Herald* from Limassol are full of angry denunciations against the government for reserving excavation for its own cronies (CH 31 December 1883; 7 January 1884; 12 December 1885). This rivalry between members of the government and private individuals divided the already small British community: the commercial operations and international contacts of businessmen in Larnaca and Limassol were a different world to the incestuous office politics and at-homes of inland Nicosia and its summer hill station on Mount Troodos.

There was one anomaly in Cypriot archaeology in the first twenty years of colonial rule: a photographer, forester, and self-taught archaeologist who was shunned for being German and pompous (or so British society declared): Max Ohnefalsch-Richter. The editor of the *Cyprus Herald*'s reply to 'Papadopoulos Fitzgerald' about the unidentified vase is typical:

'[...] It looks such an excellent thing to make porridge in I should rather have deemed it of Scotch than Greek origin. While my friend Dr. Obersalz Dichter declares With that look of deep wisdom he frequently wears, While pronouncing it antique without hesitation, "Off the motern it is a most kross imidashun".
(CH 17 December 1883)

The attack is all the more insulting for being so thinly veiled under a pseudonym which could fool nobody. In spite of this xenophobia, however, Ohnefalsch-Richter

made himself indispensable to the regime, and after seven years of sheer persistence and obstinacy he obtained the largely unpaid position of 'Consulting Archaeologist and Superintendent of Excavations'.

The Excavation

When Colonel Falkland Warren applied for his permit to excavate at Paraskevi, Pera and Acanthou ('possibly ancient Carthage'), he had not of course found the sites himself. That had been done by Ohnefalsch-Richter. When work started on the site of ancient Tamassos near Pera at the end of September 1885, it was Ohnefalsch-Richter who directed the excavation, while Warren just visited on Sundays: the outcome he wanted consisted of finds of monetary and honorific value, rather than any actual personal experience. At Pera he was disappointed: a glass workshop with 'great quantities of glass droppings from the blow pipes' would be exciting to us today, but caused little enthusiasm then and remains unpublished (*CH* 2 November 1885, 1). A painted vase with a hunting scene was the only artefact of note from a series of tombs of 'poor class' (*CH* 2 November 1885, 1; 2 January 1886, 1b; for the vase see Ohnefalsch-Richter 1893, 7, 36–7, 327, 445, pl. 137:6).

While this was going on, dissatisfied with the results, Ohnefalsch-Richter went exploring on his days off, following up earlier leads from local people, and on 4 October he discovered what a judge later called 'a mine of antiquarian wealth' some three kilometres southeast of Pera, at the locality Frangissa (*CH* 9 January 1886, 3). So thick were the statuette fragments on the ground, he said later, they were 'like herrings in a barrel' (*CH* 2 January 1886, 3a). Instead of reporting the find to Warren, however, as might be expected, he wrote to another of his occasional employers, Charles Watkins, enthusing about the site and describing it as 'a most excellent money success beyond any doubt' (*CH* 9 January 1886, 3) – a telling comment on one of the main purposes of amateur excavation in the 1880s. Watkins was delighted; he sent Ohnefalsch-Richter £10 to hire the land, while he himself applied for a permit from the Government.

Ohnefalsch-Richter followed his instructions, without informing Warren, and on 5 October drew up the following contract with the landowner:

'Mr Richter will "hire a piece of land from Yoannui H. Loizi Argyre, which he will excavate for antiquities. He has hired it for 182 c. p. and there are 4 months duration for digging the whole field from 1 October to the 1 February 1886. And boundaries are: Hill, Channel Pandeli, H. Phillipou and Yoanni's H. Loizi. Wherefore for proof and assurance of the truth I give into his hands this my present writing in the presence of the below written witnesses, and they are to fill up the holes again"' (*CH* 9 January 1886, 3).

Unfortunately for Watkins, he had to go to Beirut on business, leaving the Chief Secretary's office to deal with his permit application. Colonel Warren visited his excavations at Pera, as usual, on 15 October, with his official and antiquarian sidekick W.H. Bennett. Ohnefalsch-Richter made the tactical but understandable error of letting slip a reference to the glories of Frangissa. Warren, according to the judge's summing up at the trial, 'appears to have considered that the spot was within the limit of his own permit, and after a somewhat stormy interview ordered Richter to dig for him on the new site' (*CH* 9 January 1886, 3). Warren's bullying of the vulnerable and dependent Ohnefalsch-Richter comes over very clearly from Ohnefalsch-Richter's testimony in the trial (2 January 1886, 3a), in spite of Warren's ingenuous protestations (9 January 1886, 1a) and Bennett's clear evasion under oath (9 January 1886, 2b).

Ohnefalsch-Richter, browbeaten by the Chief Secretary to the Government, duly started work for Warren at Frangissa two days later. The results fully rewarded the expectations of the superintendent of excavations and his master. On a narrow river terrace above a dry stream bed Ohnefalsch-Richter excavated a walled enclosure fourteen metres long, crowded with statue bases, and packed with fragments of limestone and terracotta statuettes ranging from the terracotta colossus in the Cyprus Museum to 10cm high snowman figurines. Outside the entrance was an altar with 'hundreds' of chariot groups. Most famously, a slab built into the wall and another statue base from the enclosure carried bilingual inscriptions, written in Phoenician and Cypriot Syllabic Greek. (Ohnefalsch-Richter 1893, 7–10, pl. 6; Myres and Ohnefalsch-Richter 1899, 167–171; Masson 1964, 232–236; Masson 1983, nos. 215–216; Buchholz 1978, 209–210; Buchholz 1987, 207–211; Buchholz 1991; Buchholz 1996, 47–51).

Three days after work began at Frangissa, Charles Watkins returned from Beirut, to discover Ohnefalsch-Richter surprisingly silent about his promised site, and no word yet from the Chief Secretary's Office about his permit. The minute paper with the correspondence about this application (SA1/4262/1885) shows an astonishing series of prevarications and postponements. W.H. Bennett is clearly having difficulties separating his various roles as Chief Clerk, Honorary Secretary of the Cyprus Museum Committee, and Colonel Warren's lapdog. Five days after the receipt of Watkins' letter, he declares that Warren already has permission; a week later he pinpoints the exact spot; two days later he comes to the conclusion it is the same place as the one where Warren is digging.

By now, 7 November 1885, Ohnefalsch-Richter has actually completed the excavations at Frangissa, the finds have been installed in his house in Nicosia, and the winter rains have set in. But the bureaucratic stalling continues.

The Chief Secretary and the Chief Clerk decide Watkins cannot be granted a permit; but the High Commissioner, for once, intervenes, and declares that Watkins must be allowed to dig there if he wants, unless the site is reserved for the Cyprus Museum. The Chief Secretary inquires of the Honorary Secretary of the Museum Committee (via the Chief Clerk) as to whether the Museum wishes to excavate there. It turns out that the Museum does indeed wish to excavate, and on 17 November, over two weeks after the end of his excavations at Frangissa, Colonel Falkland Warren as Chief Secretary informs Watkins that his application to excavate has been rejected.

For Colonel Warren there only remained one problem, which became more and more alarming as Watkins' anger grew. Ohnefalsch-Richter had signed a contract with the owner of the land, and subsequently passed on his rights to Charles Watkins. On 25 November Warren visited Ohnefalsch-Richter's house in Nicosia, accompanied by George Smith, who was Assistant to the Chief Secretary and so Warren's immediate junior. Accounts of what happened on this occasion, unsurprisingly, do not entirely agree, but it is clear not just from Ohnefalsch-Richter's testimony (*CH* 2 January 1886, 3a, 3b) but even from Warren's (*CH* 9 January 1886, 1b) that Ohnefalsch-Richter was somehow persuaded into writing a declaration that Warren had a prior right to Watkins, and that Ohnefalsch-Richter then gave this document to Warren. When cross-examined by Watkins' advocate in court about the illegality of accepting such a fraudulent document (never mind obtaining it by force), Warren could only bleat pathetically 'I don't know what you mean', repeating it five times until his guilt was obvious, if unconfessed (*CH* 9 January 1886, 2a).

That still left the question of the contract to the land given by the landowner, which Warren clearly did not possess. On 2 December Mrs Falkland Warren mysteriously arrived at Ohnefalsch-Richter's house, and 'advised' him to go to the village of Pera and make a contract for Frangissa in Warren's name in the presence of the landowner and the village judge, ante-dating it to 4 October, the day before the real contract had been drawn up by Ohnefalsch-Richter. Clearly intimidated, Ohnefalsch-Richter rode out to Pera the next day, drew up the false contract with the village judge, and delivered it to Colonel Falkland Warren in person. Warren denied all knowledge of his wife's involvement or any attempt to intimidate Ohnefalsch-Richter – but he made sure to accept the contract, and made Ohnefalsch-Richter sign a declaration he had 'brought this paper voluntarily without having been asked' (*CH* 2 January 1886, 3c).

At about this time Ohnefalsch-Richter drew up another false contract for Colonel Warren. This was for the land near Pera where he had discovered the painted vase, which

at that point was considered to be worth over £500. The contract was ante-dated to 14 October, the day on which the vase had been found, and the owner received 10 shillings in return for waiving his rights for all material found on his land, including the £500 vase he had not been told about (*CH* 2 January 1886, 3c). The colonial establishment may well have preached the merits of the 'White Man's Burden', and flaunted its acts of self-sacrifice in supporting the poor natives who could not rule themselves. In their actual practice, however, it was clearly a very different story, even when the individual concerned was the second highest British official in the colony.

The Trial

Colonel Warren had good reason for being worried. Charles Watkins, although an independent businessman, had always been loyal to the regime, inviting its officials to his house (e.g. *CH* 22 January 1883, 3), speaking well of the government's road-building activities (Smith 1887, 149), and even serving for a year as President of the Municipal Council of Larnaca, in effect the mayor (*CH* 24 April 1884, 3). His unjust exclusion from a site he had legally acquired, however, along with Warren's blatant abuse of his position, angered him beyond endurance. In December 1885 he took the unprecedented step of taking the Chief Secretary of the island's government to court. He demanded one third of the antiquities, deriving from his rights to the land, and another third for damages, because of Warren's trespass. This trial, wrote the *Cyprus Herald* with considerable understatement, caused 'greater interest among the English Community in Cyprus than any other event since the Occupation' (*CH* 19 December 1885), and its notoriety even reached western Europe (Reinach 1891, 267, 294).

The forces that lined themselves up on each side of this battle for the past demonstrated very clearly the rift between the official and the private British communities. Watkins hired a well-known independent advocate and government-baiter, Ulick Burke, who had supported the Bishop of Kition against Falkland Warren in an earlier *cause célèbre*. Warren's defence lawyer was William Collyer, the Queen's Advocate and therefore the leading government lawyer and in effect a subordinate of Warren. Even more significantly, the judge was Charles Walpole, President of the District Court of Larnaca: although something of an expert in the Turkish Criminal Code, he was emphatically junior to both Warren and Collyer, and very much part of the official establishment.

This cronyism among the members of the government comes out most clearly in the discussion of the original contract made between Ohnefalsch-Richter, on Watkins' behalf, and the landowner. In the witness box was Christophi Christodoulos, the villager who had originally

shown Ohnefalsch-Richter the site and arranged his meeting with the landowner. He described the signing of the contract and his own witnessing of it. This was clearly the major point supporting Watkins' case: he had a legally signed and witnessed contract giving him full rights to excavate Frangissa. The document itself had been handed in to the court, and all that was needed was for the witness to identify it. As recorded in the transcript, Ulick Burke, Watkins' advocate, duly asked for it to be produced:

'(Mr. Burke asked the court to hand over the contract to the witness but the contract could not be found. The Judge and the Barristers searched all over the place for it. The contract disappeared.) (Christophi continues). "I saw a contract written and myself and Abramo gave it to Richter". (Mr. Collyer said that the Govt. Engineer should provide the courts with boxes for the papers. Judge Walpole said that it was very difficult to get anything out of the Govt. Engineer. Mr. Collyer then remarked that if the two opposite windows are left open all the papers will be blown in the *potamos* (river). Justice Walpole said that they might at least be provided with stones from the *potamos* to use them as paper weights. Mr Collyer: otherwise we will be obliged to put the papers in our pockets'). (CH 2 January 1886, 4a).

What is clear from this farcical episode is not just the highly suspicious disappearance of the contract exactly when it would have proved Watkins' case, but also the cronyism between judge and defence lawyer, and the little in-jokes about the Government Engineer, who was often the butt of Government Office humour. Such is their position of institutional strength that they can even make jokes about their 'accidental' loss of the most critical item of evidence.

In the face of this opposition, the lawyers' actual arguments are almost irrelevant. Ulick Burke, speaking on behalf of Watkins, cited not just the elusive contract but also Article 17 of the 1874 Ottoman Antiquities Law, which remained in force, stating that government officials could not conduct excavations as private persons, for fear of them abusing the privileged position their official post placed them in. The relevance of this law was abundantly obvious. Defending Colonel Warren, his lawyer and official subordinate William Collyer gave the patently absurd riposte that 'Colonel Warren's jurisdiction is limited to his own office'. 'Here he may dig for permits', was Ulick Burke's *sotto voce* comment. The rest of Collyer's brief argument is limited to bold assertions, with no recorded evidence or argument to support his statements: 'As for Col. Warren abusing his position as chief secretary he has not done so' (CH 9 January 1886, 2).

It comes as no surprise that Colonel Warren won the case, and Watkins had to pay costs. The establishment had won the day, and Warren disregarded the calls for him to resign (CH 16 January 1886, 1–2). Even so, such a public

split between compatriots was an embarrassment for the colonial government, which needed to preserve the façade of unity to keep its authority over the Cypriot people. So a scapegoat was found, someone who was easily mocked, already disliked, and who was above all not British: Max Ohnefalsch-Richter. 'Richter has been playing fast and loose with both Plaintiff and Defendant' pontificated Charles Walpole in his judgment. 'He began with the intention of deceiving the defendant and he has ended by cheating the plaintiff' (CH 9 January 1886, 3). Such rounded periods and neat symmetry unite the two Englishmen and make them the passive objects of the foreigner's active malice and dishonesty.

Conclusion

A year after the notorious trial, a short discussion of the two bilingual inscriptions appeared in the *Proceedings of the Society of Biblical Archaeology*. The ownership of these artefacts is not left open to any doubt

'Among the objects from Cyprus exhibited during the past summer at the Colonial Exhibition were two bilingual inscriptions, Phoenician and Cypriote, the property of Colonel F. Warren, R.A., who discovered them during his excavations at Frangissa, near the ancient town of Tamassos'. (Wright 1886–87, 47).

Needless to say, there is no mention of Charles Watkins. Nor is any credit given to the man who did the work, Max Ohnefalsch-Richter, nor to the landowner Yianni Hadjiloizou (cf. Buchholz 1991, 4). This applies not just to one obscure scholarly publication, but to the Colonial and Indian Exhibition in London in 1886, where the inscriptions were displayed and labelled. The Cyprus Pavilion at this exhibition was attended by much of London society and by Queen Victoria herself (CH 17 July 1886, 2). As for Menahem and Abdasom, the authors of the two inscriptions, they had just become pawns in the power game of Colonel Warren and his contemporaries.

The same sense of victorious possession of the past is evident in the photographs taken of the artefacts from Frangissa by Edward Carletti, a clerk in the Land Registry Office, while they were still in Warren's house. In one photograph Warren joins a group of heads and statues which are smaller than life size (Buchholz 1991, pl. 5b); but in the photograph of the terracotta colossus he gets his servant to pose instead of him, in case he should appear dwarfed (pl. 4a). In another photograph Warren is shown in profile behind the artefacts, arms akimbo, as if posing with one foot on a record tiger he had just shot (pl. 5a).

Archaeology in the early days of colonial rule in Cyprus was clearly motivated by greed, power and self-display as much as by scholarly interest or academic enthusiasm. Any

rival who was not a government official, or not British, was suppressed by the massive weight and power of the colonial establishment. The same applied to the artefacts and their users and creators. The past was not just fought over but was itself oppressed, so that ownership and interpretation became a prerogative of British colonial officials, and ancient people were compelled to support a modern regime.

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