

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, Case 34 (2023-24): Silk banner commemorating the Slavery Abolition Act 1833	
Statement from Expert Adviser	Statement of the Expert Adviser to the Secretary of State that the banner meets Waverley criteria one and three See below
Statement from the Applicant	Statement from the applicant referencing the three Waverley criteria. The Reviewing Committee will designate an object as a 'national treasure' if it considers that its departure from the UK would be a misfortune on one or more of the following three grounds: a) Is it closely connected with our history and national life? b) Is it of outstanding aesthetic importance? c) Is it of outstanding significance for the study of some particular branch of art, learning or history? The applicant did not disagree that the object met the Waverley criteria.
Note of case hearing	See below
Press release	A press release was issued by the Secretary of State on 19 June 2024: https://www.gov.uk/government/news/banner-commemorating-the-slavery-abolition-act-is-at-risk-of-leaving-the-uk
Recommended price	£45,000 (plus VAT of £9,000 which can be reclaimed by an eligible institution)
1st Deferral period	18 August 2024
2nd Deferral period	
Note of outcome	

RCEWA – Silk banner commemorating the Slavery Abolition Act 1833

Statement of the Expert Adviser to the Secretary of State that the banner meets Waverley criteria one and three.

1. Brief Description of object

This is a marching banner commemorating the abolition of slavery on August 1st, 1834, and citing the statute for *an Act for the Abolition of Slavery throughout the British colonies*. The banner, 97 cm high and 89 cm wide is made from dark blue cotton lettered in gold. It retains the original wooden dowel hanger and has silk tassels. The maker is unknown. The date on the object confers a *terminus post quem* of 1834 and was probably made within a decade of that but certainly before the abolition of slavery in the USA in 1865 following the Civil War (1861-1864).

The banner is in good condition with some slight wear on the tassels.

2. Context

The original provenance is uncertain and requires further research. Parade banners were a prominent part of the American abolitionist movement led by William Lloyd Garrison in Massachusetts where August 1st became known as Emancipation Day, and America's 4th July holiday was dismissed 'as an hypocrisy that was irrelevant to a people who were held in bondage in the South and humiliated by segregation in the North' (Olusoga, 2016 238)¹. If abolition could be achieved against all the odds in the British Empire, then it was possible in America. Parades and events processed banners throughout the 1840s-50s until the end of the Civil war (1861-1865). Examples of banners held by the Massachusetts Historical Society are similar in size and nature but have silk fringed edges rather than tassels, none carry the reference to the British statute but are sometimes embellished with images such as a liberty bell, laurel wreath or enslaved person.

In Britain, most anti-slavery artefacts for the period prior to 1834 were ceramic, rarely glass and most frequently took the form of printed pamphlets or posters, although marching banners were becoming a feature of co-operative societies and unions of working people protests. After abolition, some, particularly Quaker industrialists, Freemasons, workers organisations and non-conformist religious congregations continued to protest and proclaim emancipation because unwillingness to import plantation cotton led to a shortage and this 'famine' put many people out of work. Various British individuals and organisations supported the return of African Americans to countries such as Sierra Leone and Liberia in the hope that cotton growing might be established there. Others were sometimes warmly embraced by

¹ Olusoga, D. 2016. *Black and British. A Forgotten History*. London, Pan Books

Americans who presumed all British visitors to the US were opposed to slavery. Too little is known about the artefacts of non-elite organisations to be sure whether this could be an English banner, or an American example brought back from the US during the period 1834-1868. As this banner was unknown before its sale, there has been no research on this question. However, the quotation of the statute suggests a strong possibility for the former as it would perhaps have been less readily understood in independent America and this is perhaps supported by the statement that the original vendor purchased it in the north of England. I can find no other examples in UK public collections. If it is American in origin, it testifies to the way in which British Emancipation inspired American abolitionists.

3. Waverley criteria

Waverley 1

As noted in section 2 context, this banner relates to a watershed period of British history and Anglo- North American relations that is too little known at the grassroots level. It is a period celebrated for theoretically ending inhumane practices, but which is only just coming under the spotlight of research for the impact it had on social and political tides. The quotation of statute on this parade banner reflects the success of fifty years of anti-slavery campaigning which were essential to the formation of British political voluntarism (Taylor, 2020,310)², a date, 1 August, that temporarily became more important in the US than Independence Day and legislation that financially compensated owners of enslaved persons providing windfalls that enabled many to invest in the new industries of Britain's second industrial revolution, bankrolling infrastructure such as railways, gas and, eventually, electric power. Whether made in Britain or the US, it is closely connected to the history of Britain, the British Empire, and our national life. Emancipation was not just a moral, humanitarian action. It brought about major social, economic, and political changes in Britain, and its colonies. The quotation of the statute on the banner reflects this and the significant impact ending enslavement had on trading and diplomatic relationships.

Waverley 3

This banner is an artefact that reflects the power of protest, the history of non-elite groups, in particular the histories of people whose lives were impacted by enslavement and changed through emancipation. Those who confronted slavery on moral grounds eventually defeated extraordinarily powerful opposition from 'hundreds of MPs, peers, civil servants, businessmen, financiers, landowners, sailors, and judges, and all of them went to extreme lengths to preserve and protect colonial slavery. They were supported in these endeavours, fervently and viciously, by the ordinary white colonists of the West Indies and the rentable mobs of British cities (*ibid*, 2020, p.311).' Curating the banner as a testament to British history of this period would

² Taylor, M. 2020. *The Interest. How the British Establishment Resisted the Abolition of Slavery*. London, Bodley Head.

provide a route into complex arguments relating to the shameful legacies that blighted the lives of hundreds of millions of victims across the British Empire and how they are to be reckoned with even now (*ibid*, 2020,311). The impact of the statute celebrated on the banner across the British Empire and as an inspiration to the American abolitionist movement makes it a document of outstanding significance to social justice and developing research on a period of our history that is internationally a focus of contemporary social and political debate.

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*[Information has been withheld here in line with the requirements of section **40(2) of the Freedom of Information Act 2000 –Personal information**. A public authority is entitled to withhold information under section 40 (2) where the information is personal data]*

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing	
Meeting date	Tuesday 7 May 2024
Object	Silk banner commemorating the Slavery Abolition Act 1833
Expert Adviser's objection	The Keeper of the Department of Britain, Europe and Prehistory, British Museum, had objected to the export of the banner under the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding significance for the study of the power of protest and the history of non-elite groups, in particular the histories of people whose lives were impacted by enslavement and changed through emancipation.
Committee Members & Independent Assessors	Seven of the regular eight Committee members were present and able to inspect the banner. They were joined in person by three independent assessors, acting as temporary members of the Committee.
Value on the licence	The value shown on the export licence application was £45,000, which represented the proposed sale price.
	<p>The applicant was informed that there was currently an interim process in place for Committee hearings. The Committee was still holding hybrid meetings but any Committee members, including the independent assessors, were required to inspect the object/s under consideration prior to discussing the case and voting. Any permanent Committee members or independent assessors who were not able to view the object were not able to vote.</p> <p>The applicant confirmed that the owner understood the circumstances under which an export licence might be refused.</p>
VAT	The applicant confirmed that the value did not include VAT and that VAT of £9,000 would be payable in the event of a UK sale.
Expert Adviser's comments	The expert adviser stated that she had nothing further to add to her submission.

	<p>When questioned about whether the provenance was British or American, the expert replied that the exact citation of the Parliamentary statute at the bottom of the banner, and the lack of the usual iconography found in American anti-slavery banners, suggested it was more likely to be British. However, she stated that she did not feel the banner's origin affected whether it met the Waverley criteria. As anti-slavery movements in both countries were extremely intertwined, it was difficult to differentiate and pinpoint an exact location of production.</p> <p>Having seen the banner in person, it now appeared more lightweight than perhaps would have been expected from a banner used in a procession. This gave weight to the possibility of it being for permanent display, perhaps in a non-conformist, freemason or union setting in the north of England, which had also been suggested in her submission.</p>
<p>Applicant's comments</p>	<p>The applicant stated that they had nothing further to add to his submission, but that he did not disagree that the banner met the Waverley criteria. When questioned about the sale catalogue description of the object as a US marching banner, the applicant stated that this was the view of an academic expert they had consulted.</p>
<p>Committee's discussion</p>	<p>The expert adviser and applicant retired and the Committee discussed the case. They agreed this was a resonant, striking object and that it had the potential to highlight the very important global movements around the abolition of slavery, which had their origins in Britain. They noted that the production of anti-slavery artefacts such as ceramics and pamphlets during this time was copious but that the banner carried its own uniqueness, as there were no known similar surviving objects from this incredibly important era of British history.</p> <p>There was some debate as to whether the object was significant enough in itself to provide outstanding research opportunities, but the majority agreed that there was much more to learn about this deeply intriguing object, especially in terms of its origin, and how and where it would have been displayed, and by whom. They noted that the typography was reminiscent of bill posters or playbills of the time, and they felt that comparison with contemporary printed protest materials</p>

	<p>from which it might have been replicated would also be of interest.</p> <p>The Committee discussed the value and agreed it was realistic based on the current market for such objects, which was supported by the Committee members with relevant commercial experience. This is a unique object with no comparable objects in the market, and its price reflects the strong market for material associated with the topic of slavery and discussions around the British Empire.</p>
Waverley Criteria	<p>The Committee voted on whether the banner met the Waverley criteria. Of the ten members, seven members voted that it met the first Waverley criterion. No member voted that it met the second Waverley criterion. Nine members voted that it met the third Waverley criterion. The banner was therefore found to meet the first and third Waverley criteria for its outstanding significance to the study of social justice and social and political history.</p>
Matching Offer	<p>The Committee recommended the sum of £45,000 (plus VAT of £9,000 which can be reclaimed by an eligible institution) as a fair matching price.</p>
Deferral periods	<p>The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of two months. At the end of the first deferral period, if the Arts Council received notification of a serious intention to raise funds with a view to making an offer to purchase the banner, the owner will have a consideration period of 15 Business Days to consider such offer(s). The Committee recommended that there should be a further deferral period of three months that would commence following the signing of an Option Agreement.</p>
Communication of findings	<p>The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State.</p> <p>The expert adviser agreed to act as champion if a decision on the licence was deferred by the Secretary of State.</p>