

Exploring the Restitution of Chinese Cultural Relics — The Case of Tang Honglujing Carved Stone

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Abstract: As an important historical artifact, the Tang Honglu Jing stone has significant historical value as a record of the interactions between the Tang Dynasty and the Bohai Kingdom. However, the theft of the stone in the course of history has triggered widespread concern about its recovery. This paper focuses on the recovery process of the Tang Honglujing stone and the dilemma and countermeasures for the restitution of cultural relics it reflects. The examination of Chinese and Japanese literature, alongside an analysis of historical events, provides an in-depth investigation into the timeline and circumstances surrounding the loss of the Tang Honglu Jing stone. At the same time, it analyses the dilemmas and reasons for the restitution of cultural relics by taking the Tang Honglu Jing stone as a concrete case. Finally, it analyses the measures that China should take in the future, such as legal improvement, practical exploration, international cooperation and cultural relics literature collation and search, in order to strengthen the recovery of lost cultural relics.

Keywords: Return of cultural property, Tang's Hongluo Jing stone carving, Cultural relics recovery

1. Introduction

In recent years, research in the field of cultural heritage protection and international cooperation has become increasingly in-depth, especially in the area of the recovery of displaced cultural objects, and scholars at home and abroad have conducted extensive research and achieved remarkable results. However, although the existing research has covered many aspects, there are still research gaps in the recovery process of specific cultural relics, the mechanism of international cooperation as well as the construction of legal frameworks. In particular, there is still a lack of in-depth and systematic research on the specific challenges in the recovery process, the effective mode of international cooperation and the improvement of the legal protection mechanism for certain cultural relics with special historical and cultural value, such as the Tang Honglu Jing stone carvings.

This paper focuses on international cooperation and legal protection in the process of recovering the Tang Honglu Jing stone, aiming to fill this research gap. This essay plans to explore some of the dilemmas faced in the recovery process of Tang Honglu Jing stone carvings. Through literature review, case analysis and comparative research methods, we will systematically sort out the historical background, current situation, and challenges faced in the recovery of the Tang Honglu Jing stone, and explore possible solutions.

2. An overview of Tang Honglu Jing Stone Carving

2.1. The Content of the Stone

The Tang Honglu inscribed stone, originally situated in Lushunkou District, Dalian, Liaoning Province, commemorates an event from the second year of the Kaiyuan era (714 AD). It records the journey of Cui Xin, the Honglu Secretary, who was tasked with enthroning the chief of the Mohe Tribe. The inscription notes the royal decree and serves as a historical marker. Despite the stone's erosion over time, it remains a significant artifact, with its origins linked to the Jinzhou Lushun seaport and the Golden Mountain.

2.2. Historical Background of the Stone Carving

The stone in HongluJing is dated to the 18th of the 5th month in the 2nd year of Kaiyuan, corresponding to 714 AD. Cui Xin's journey, noted in the Book of Tang, occurred in the second year of the First Heaven, or 713 AD, marking the beginning of Tang Emperor Li Longji's reign. Both the New and Old Books of Tang reference 'Ruizong Xiantian', indicating a power struggle; Li Dan, Emperor Ruizong, retained actual authority post-abdication. The enthronement of Da Jo Rong likely stemmed from Ruizong's influence, aligning with Tang Dynasty historical accounts.

In the seventh month of that year, the 'xiantianzhengbian' unfolded, where Li Longji preemptively suppressed Princess Taiping's rebellion, dismantled her faction, and usurped control from Li Dan, officially renaming the era Kaiyuan in December. This suggests Cui Xin's departure to Bohai occurred prior to July 713. Upon his return a year later, he discovered the regime shift. To gain favor with Li Longji or to assert that Emperor Xuanzong was credited for the enthronement, two wells were excavated on Lushun's Golden Mountain, with stones struck to commemorate the event.

2.3. Important Value of Engraved Stones

The first point addresses national integration, exemplified by the Tang Honglu stone, which documents the historical integration of the Chinese nation. The stone records the appointment of Bohai local authorities by Tang Xuanzong, reflecting the Tang Dynasty's governance over border ethnic groups and the intercultural exchanges that occurred during this period. The Bohai Kingdom, established by the Mohe tribe, existed from the Tang to the Five Dynasties, primarily in present-day northeast China. Through enfeoffment, it became a local regime within the Tang Dynasty, fostering political, economic, and cultural ties that facilitated ethnic integration and contributed to the formation of the Chinese nation.

The second point highlights the stone's cultural significance as the earliest monumental relic of the Bohai regime, possessing invaluable historical heritage. The inscription, consisting of 29 characters, transforms this ordinary rock into a unique artifact evidencing the relationship between the Bohai Kingdom and the Tang Dynasty. This carved stone serves as a crucial resource for studying Bohai history, Tang Dynasty, and the local history of the northeast, including Manchu heritage. The inscription's robust calligraphy also holds high artistic value, while the stone attests to the friendly exchanges and tribute trade between the Tang Dynasty and the Bohai Kingdom.

Lastly, the sovereignty aspect is significant: the Bohai State was subordinate to the Tang Dynasty. The Tang Honglu stone serves as compelling evidence of this historical relationship, with the inscription detailing Emperor Xuanzong's appointment of local authorities in Bohai, corroborated by the Old Book of Tang. This event illustrates that the Bohai Kingdom functioned as a local regime within the Tang territory, reinforcing national sovereignty and territorial integrity. It counters claims by some foreign scholars suggesting the Bohai State and Tang Dynasty were independent entities,

affirming the historical accuracy of China's jurisdiction over the northeastern region during the Tang Dynasty and providing a foundation for understanding China's historical boundaries.

3. The Recovery Process of the Tang Honglu Jing Carved Stone

3.1. Theft Time and Process

About what time the Japanese Navy looted the carved stone, the past customary saying is 1908. According to the Japanese scholar, Watanabe Azuma, in the article of Hong luJing Kao, he said, 'According to other information, it is inferred that the original stone was in Tokyo as early as in the forty-first year of the Meiji era (1908)'[1]. Meanwhile, according to the *Documents on sending trophies of the Meiji 37th and 38th campaigns* in the collection of the Library of the Japan Institute for Defence Studies, 'The Tang Beitei was handed over to the palace on the 30th day of the 4th month of the 41st year of the reign.'[2] This material records the exact date when the engraved stone was looted to the Japanese Imperial Palace, indicating that the Japanese Navy looted the engraved stone before 30 April 1908.

In July 1905 the Japanese culture spy Naito Hunan by the Japanese navy province commissioned a special trip to Lushun, field investigation of Honglujing carved stone. Another according to the *Lushun Tang monument examination* a book recorded: 'Yu last year to travel to Lushun, from the navy harbour minister Matsumura Naotomi Jun, I learned that there are ancient monuments in the harbour, and asked him to introduce and go to visit.'[3] According to this Japanese scholars believe that: the Japanese Navy was between October 1906 and April 1908 looted China's Honglu Jing carved stone[4].

Therefore, people can speculate that the Tang Honglu Jing stone was looted during the Russo-Japanese War. 2 January 1905, the Japanese army captured the Lushunkou, which was guarded by the Russian army, and the area has since fallen into Japan's colony, where it set up the Naval Governor's Office [5]. When a Japanese naval soldier discovered the carved stone of Hongluoi, he reported it to the Japanese Navy Ministry. After Naito's examination, it was determined that the stone monument had a significant value of examination, so it was offered to the Japanese Imperial Family as a trophy of the Russo-Japanese War [6].

3.2. Recovering the Stone

Few people have visited the Tang honglujing carving site since it was moved to Japan. In 1967, Mr. Azuma Watanabe was granted permission to study the Tang Kourokou stone in the Imperial Palace of Japan, resulting in the article *Hong luJing Kao*. Therefore, person can learn that the Tang hongluJing stone has high historical value, and Chinese academics also eagerly hope that Japan can return the stone. In this regard, both China and Japan have made great efforts.

First, Chinese experts' decades-long dedication. Wang Renfu, the former librarian of Baicheng Teachers College in Jilin Province, spent twenty years traversing the country to promote the Tang honglujing stone's return. Wang Renfu's many academic works and books on the Tang HongluJing stone's history and loss provide a crucial historical context and theoretical foundation for its restoration. The 'Tang Honglu Jing Monument Research Association', founded in 2004, and the 'Symposium to Commemorate the 1300th Anniversary of the Establishment of the National Treasure Tang Honglu Jing Stone', held in 2014, were among the academic seminars and symposiums he has participated in and organised [7]. On the 1,300th anniversary of Tang HongluJing stone's creation, a symposium was organised in 2014. These actions have raised awareness of the carved stone's importance and encouraged its return. Wang Renfu joined in the Chinese Civil Claims Federation and wrote and rallied for the carved stone to be returned to Japan. His efforts have garnered social support and sparked patriotic enthusiasm. Additionally, Chinese people spontaneously developed a Hongluoi

Monument website. The Lushun Historical and Cultural Society and other organisations created the website to digitally display the Hongluo Well Monument's historical value, cultural connotations, and current status, promote research and exchanges between scholars at home and abroad.

Japan has increasingly realised the value of the restoration of cultural relics to society and international peace, therefore it attracted aspirational people who created associations, held activities, and petitioned the government. Japan Chinese Cultural artefacts Return Movement Promotion Association is a civil organisation that urges the government to return looted Chinese cultural artefacts. They've also worked to return Tang Korouji stone carvings. They have held several rallies demanding that the Japanese government return the looted Chinese cultural relics and face history, respect international law and practice, and respond to the Chinese side's reasonable demands. They have also collaborated with the worldwide community to conserve and return missing cultural items. They have sought Chinese understanding and support by communicating with appropriate organisations and experts.

China and Japan have made good attempts to return Tang HongluJing's carved stones. The recovery of the engraved stone is still challenging due to historical and practical issues. Both sides should expand cooperation and exchanges and work together to conserve and return lost cultural relics.

4. The Dilemmas Facing Heritage Restitution Nowadays

4.1. Current Challenges

The Principles of Modern International Law on the Restitution of Cultural Objects put forward by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) is undoubtedly an important frame of reference when it comes to exploring, at the academic level, the dilemmas faced by the restitution of cultural objects today. However, in practice, the return of cultural objects is often constrained by a variety of factors, especially when civil society is in the lead and NGOs are involved, and its legal effectiveness becomes a major challenge.

According to the United Nations Convention for the Promotion of Restitution of Contemporary Cultural Objects: 'cultural objects subject to restitution usually include those displaced as a result of war, colonisation, theft, illicit excavation or illicit trade.'^[8] These cultural objects not only have historical, artistic and scientific value, but also carry the cultural identity and national sentiment of the country of origin. Therefore, from the perspective of law and international conventions, the return of these cultural objects is justified and necessary.

Although international law and relevant conventions provide a legal basis for the restitution of cultural relics, in practice, civil-led and non-governmental organisation (NGO) participation often faces the following dilemmas:

First, problems of legal effectiveness. Civilian-led and non-governmental organisations are typically not legally enforceable at the intergovernmental level. Although their endeavours are praiseworthy, attaining significant legal advantages frequently necessitates governmental assistance. Despite the existence of explicit principles of restitution in international law, effective implementation necessitates the participation and collaboration of countries.

Second, resources limit. Many civilian-led and non-governmental organisations lack financing, staff, and expertise. This makes cultural object recovery difficult, especially in global litigation and complex legal procedures. Some countries lack the legal procedures and methods to enable cultural object restitution, making CSOs' activities even harder.

Third, international politics. Cultural object return frequently includes intricate international politics. Some countries may not return displaced cultural objects for political, economic, or cultural reasons. CSOs must overcome these political impediments to repatriate cultural assets, which often takes diplomatic efforts and international cooperation.

Last, public participation and awareness. Despite the legality and importance of cultural item restitution, public awareness and engagement are low. Some countries lack education and awareness-raising, therefore the people may not grasp the need of reparation. When promoting restitution, civil society organisations require more public support and engagement to generate social pressure.

4.2. Reasons of the Predicament

4.2.1. Historical Reasons

Colonialism is an important historical cause of the dilemma of restitution of cultural objects. During the colonial period, many cultural objects were looted and transported to Europe and other colonial countries. These cultural objects not only represent the cultural heritage of the colonised countries, but also carry their national and historical memories. However, as the legal system and international conventions of the colonial period had not yet been established or were imperfect, the loss and looting of these cultural objects were often not effectively stopped and recovered.

The impact of colonialism was far-reaching and it led to ambiguity in the ownership and attribution of cultural objects. Many looted cultural objects were preserved and displayed in museums and private collections in colonial countries, while the countries of origin lost control and ownership of these objects. This historical legacy makes the restitution of cultural objects extremely complex and difficult.

4.2.2. Practical Reasons

The loss of the chain of evidence in the traceability of cultural objects is a practical reason for the dilemma of restitution. The original records and documentation of many cultural objects may have been lost or destroyed due to long history and war. This makes it difficult to provide conclusive evidence to prove the original attribution and the process of loss of cultural objects when recovering them.

In addition, legal smuggling is also an important reason for the loss of the chain of evidence for the traceability of cultural relics. Some unscrupulous elements have transported cultural objects abroad through illegal means and forged relevant documents and records to cover up their illegal acts. This makes it difficult to find conclusive evidence to prove the illegality and the process of loss when tracing these cultural objects.

The absence of a chain of evidence complicates the repatriation of cultural artefacts further. Without definitive evidence, persuading the nation housing the artefacts or the collector to relinquish them is challenging. This leads to the loss of numerous cultural artefacts without adequate recovery and restitution.

4.2.3. Important Reasons

The inadequacy of modern legal mechanisms for the recovery of cultural objects displaced overseas is an important reason for the plight of restitution. Although international law and relevant conventions have made some progress in the recovery of cultural objects in recent years, there are still many deficiencies and shortcomings.

Firstly, international conventions have a limited scope of application and retroactivity. Many international conventions only apply to the loss of cultural objects that occurred after the signing of the conventions, while they have no retrospective effect on the loss of cultural objects that occurred before the signing of the conventions. This makes it impossible to effectively recover and return many cultural relics displaced in the early period.

Secondly, there are differences in the legal and judicial systems of different countries. This makes it difficult to find a uniform standard and procedure to solve problems in the transnational recovery of cultural objects. Legal conflicts and judicial obstacles between different countries make the recovery of cultural objects more complex and difficult.

Finally, the recovery of cultural objects requires cooperation and coordination involving several departments and agencies. However, in many cases, there is a lack of effective communication and collaboration mechanisms between these departments and agencies. This makes it difficult to create synergies to solve problems in the recovery of cultural objects.

5. Conclusion

In cultural relics restitution, a comprehensive strategy is vital. Legally, revising laws like the Protection of Cultural Relics Law is key to clarifying restitution and setting a statute of limitations. Strengthening enforcement against theft and illegal trade, along with a strong legal aid system, is crucial. Practically, improving relic identification and assessment through dedicated institutions will enhance accuracy. Rigorous research into lost relics is needed to uncover disappearance details. An incentive mechanism, including rewards for proactive return efforts, can encourage recovery. Restitution funding can come from government purchases and social donations.

Collaboration with UNESCO and ICOM is vital for cultural object restitution. Agreements with affected nations should establish clear procedures, enhancing international ties. Effective information sharing and communication are essential, including timely updates to raise public awareness. Organizing heritage literature systematically is crucial for a comprehensive database, while research into ancient texts can reveal insights about lost relics. Utilizing technologies like big data and AI can enhance the analysis and retrieval of cultural relics data. Finally, safeguarding and promoting cultural relics through exhibitions and lectures is key for public appreciation.

In summary, effective restitution of cultural relics necessitates a harmonious integration of legal, practical, international, and documentation strategies. By addressing these areas comprehensively, people can facilitate the recovery of lost treasures and preserve cultural heritage for future generations.

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