

**UNKNOWN PROVENANCE: THE FORGERY, ILLICIT
TRADE AND LOOTING OF ANCIENT NEAR EASTERN
ARTEFACTS AND ANTIQUITIES**

By

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DECLARATION

I declare that “*Unknown provenance: the forgery, illicit trade and looting of Ancient Near Eastern artefacts and antiquities*” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references, and that this work has not been submitted before for any other degree, at any other institution.

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ABSTRACT

The archaeology of the region, referred to in scholarly lexicon as the Ancient Near East, is richly endowed with artefacts and monumental architecture of ancient cultures. Such artefacts, as a non-renewable resource are, therefore considered to be a scarce commodity. So also is the context and the provenance of these objects. Once an object's provenance has been disturbed, it is of no further significant use for academic research, except for aesthetic value. Historically, as well as in the present, we see that humans have exploited this resource for various reasons, with very little regard given to provenance. The impact of forgery, illicit trade and looting are the greatest threat to the value of provenance. Contrary to some arguments, collectors, curators, buyers, looters and certain scholars play a significant role in its destruction. This research reveals to what extent unknown provenance has become a disturbing problem in the study of archaeological artefacts.

KEYWORDS Provenance, Forgery, Illicit trade, Looting, Artefacts, Antiquities, Museums, Repatriation, Ancient Near East

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CHAPTER 1

INTRODUCTION

Research on unexcavated antiquities permits scholars merely to study mute, plundered antiquities only in a phenomenological sense, to attribute them to a particular culture and date through connoisseurship (Muscarella 2013:856) and, ... unexcavated antiquities along with (unexcavated) forgeries, both attributed to ancient sites or cultures create a fragmented and fictional history of the past (Muscarella 2013:856).

An artefact that is underground is “safe”. It is still in situ. It possesses potential information if excavated scientifically, as its provenance is still intact. It can reveal vast amounts of knowledge about the people that lived before us. It can tell stories of ancient cultures and have the potential to act as “compasses” for future generations. Artefacts that are excavated unscientifically will lack provenance and therefore its origin will be doubtful or lost. Unfortunately, there is still some use for these “unexcavated artefacts”. It will find its way along the illicit trade route that is worth millions in monetary terms. It is a market created by looters, buyers and collectors. These artefacts will be stripped of their cultural value and declared as “art” by collectors. Its value will not be measured by the knowledge it can impart, but by the price it will fetch on the antiquities market.

The forgery, looting and illicit trading of antiquities and artefacts of the Ancient Near East are rampant and traded on the global market at an alarming rate. In these cases, there is no regard for the archaeological context of material culture. Antiquities and artefacts, whether it belongs to a museum or a private collector and it lacks provenance, is useless to scholars of archaeology. It has no value in the study of the cultural heritage of the human race. It can add nothing of significance to the collective body of knowledge. Simply because of the lack of provenance. The context of the object is lost. However, it is worth noting though, that some artefacts which lacked provenance upon its discovery such as the Rosetta stone, the Amarna Letters and the Dead Sea Scrolls have contributed immensely to archaeology and its value can therefore not be disregarded.

To metaphorically “add insult to injury”, Brodie et al (2006a:1) say the following: ‘Unscientific digging aimed at recovering salable antiquities extirpates the stratigraphies and contexts of archaeological sites, destroying archaeological information and, ultimately, historical knowledge. When these antiquities are redeployed in public or private collections as “art”, shorn of their contextual relationship, they are forced to conform to Western conceptions of artistic production and

consumption, with all the ideological and political baggage that such conceptions entail'. Consequently, these artefacts become antiquities if it is aesthetically, pretty and appeals to the antiquities traders. If not, it gets discarded. More of this will be discussed in Chapter 6.

This dissertation will deal with the threat to provenance as *sine quo non* in the study of archaeology. It will be discussed against the backdrop of forgery, illicit trade and looting. It will also deal with the various debates regarding ownership of cultural heritage between source and market countries, as well as the conflicting interest of the collector and the archaeologist.

An investigation into the broader social-economic, political and religious issues of the Middle East will reveal further enticements that impact upon the proliferation of this human behaviour and how it becomes a global issue. This poses a threat to the future of the fields of archaeology and ancient history.

It is in the interest of all the protagonists to take cognisance of this issue. Unfortunately, war, self-enrichment, academic debates ("sometimes academic vanity"), and political and religious ideology will not necessarily be willing partners to impart a constructive role in alleviating the dissemination of the archaeological record. Legislation and regulations are imposed to stem this destructive force, and yet fail to restrict the illegal cross border trading of antiquities and artefacts. It also fails to impose and manage the proper and controlled repatriation of cultural material. This is often accompanied by heated debates amongst scholars, curators and governments.

The dealers of antiquities are especially prolific in number in Israel and Iraq. International destinations such as New York, London and Geneva are mostly used to channel these artefacts through. Technicalities and loopholes in the law are used to bypass the system. Switzerland is often used as a channel to transfer antiquities because of its lax import laws regarding antiquities. In the past, antiquities from Afghanistan to the rest of the international markets came via Geneva '... in contravention of the 1970 UNESCO Convention (on the Means of Prohibiting and the Preventing the Illicit, Import, Export and Transfer of Ownership of Cultural Property)' (Gillman 2010:12).

In the case of the forgery of artefacts there are often more than just financial motives behind this practice. There are political and religious ideologies at play, as Vaughn and Rollston (2005:61) put it:

In the course of the last few decades, many archaeological objects were sold or offered for sale in and outside of Israel which were represented as [authentic] antiquities. These "antiquities" (many of which had well-recognized religious, emotional, political, and economic importance) were

methodically formed for the purposes of fraud. In the majority of cases, the typical method of forgery was to take an authentic item of antiquity and to add an inscription or design that converted this item into one that would carry a significant price.

The manipulation of archaeological data and artefacts, whether it is the incorrect or non-publication of research data, can be the possible root cause for fraudulent behaviour and forgery. This is the manipulation of a physical artefact or it can be the forgery of the data or the non-disclosure of research reports. There are different motivations for illegal and anti-academic behaviour as we shall see.

The forces of nature, war, colonialism, civil unrest, obsessive greed and subsistence looting, have certainly played its part in the further destruction of archaeological sites and provenance. Throughout history, ancient kings and leaders up until present times have manipulated the acquisition and false interpretation of the cultural heritage to further their political ideologies. Hallote and Joffe (2002:104) refer to it in the following way:

In the anti-democratic Arab world the use of archaeology has been more direct and the manipulations more blatant. In Ba'athist Iraq this has entailed episodes of glorification of the Mesopotamian and Islamic pasts, with varying emphases laid on the pan-Arab and 'Iraqi' elements. The virtual enthronement of Saddam Hussein as a Mesopotamian king is inescapable. He patronised archaeology heavily, including supporting the rebuilding of Babylon at the height of the Iran-Iraq war and in 2001 with the founding of the "Saddam Institute for Cuneiform Studies" at the University of Mosul.

Political leaders such as the now deceased Saddam Hussein in 2001 displayed the same reliance on the "nationalistic material relevance" of antiquities to justify "heritage" as did Adolf Hitler during the early stages of the 20th century in Europe. This also happened in Syria and it still prevails to this day. 'In Syria the contradictions of archaeology and identity have been compounded not only by colonialism but the ultimate contraction of socio-political leadership to a schismatic version of a Ba'athism led by a heretic sect. A possible outgrowth of this has been the development of a purely 'Syrian' terminology for the Bronze Age' (Hallote & Joffe 2002:104).

Although not discussed here in detail, but worth mentioning, was the prolific pillaging by the Nazi's of art and objects in Europe during the period 1933 to the end of the Second World War in 1945. Recently this has been used as a central theme in the 2014 release of the film *The Monuments Men* directed by George Clooney (2014). According to the film makers, more than 5 million stolen pieces of art, manuscripts and books were recovered and to this day the search goes on for some of these lost antiquities. Another example of this is the Altman case, also made into a feature film *Women in Gold*

directed by Simon Curtis (2015) which was inspired by a documentary *Stealing Klimt* directed by Jane Chablani (2007).

This is the case of the paintings of the artist Gustav Klimt, stolen by the Gestapo during the war from their Jewish owners. It was only in 2006 when Maria Altman, niece of the Altman family, managed to succeed in her claim for repatriation from the Austrian gallery where it was on display (Greenfield 2007:283). Maria Altman was 92 years old when she succeeded in this claim. This is just one of thousands of cases that originated by the pillaging of the Nazi party during World War II. This becomes evident when we look at the political ideologies of Napoleon Bonaparte, Adolf Hitler and Saddam Hussein. The use of cultural material to further nationalistic identity and the near deification of leaders and their political rhetoric have been with us for centuries.

In this context, the interpretation of archaeological data will allude to certain political ideologies that would benefit the parties on either side of the debate. This polarity will swing in favour of those who have the most compelling argument. Very often archaeology and the interpretation of it is used regardless of how this is consciously and purposely misinterpreted. This has also been relevant in some instances in the archaeology of Israel, as stated by Hallote and Joffe (2002:102):

In general terms and contrary to many studies, the development of Israel's approach to the past supports David Lowenthal's distinction between "heritage" and "history" which suggests that "History seeks to convince by truth, and succumbs to falsehood. Heritage exaggerates and omits, candidly invents and frankly forgets, and thrives on ignorance and error." The profession of archaeology in Israel has shifted toward this position, but this new role has troubled politicians, the public, and increasingly empowered minority groups.

This aspect is volatile and one of the contemporary issues in modern day Middle East. It is very often the cause of conflict between academics, politicians, government departments, religious groups and the general public. Why? Because people have different opinions of their "heritage". In addition to this situation, we can argue that this can add to the creation of a lucrative market of the falsification of antiquities. There is an urgency set upon many of the protagonists to claim "heritage" on the basis of the archaeological record.

Recently a prominent scholar of archaeology from Israel, Yoram Tsafirir, passed away in November 2015. He was lauded by fellow scholars of archaeology for his persistent attacks upon the archaeological fraternity, who made themselves guilty of "politicising" archaeology. Hasson (2015) commented as follows:

During his long career Tsafir was director of the National Library and a member of the National Academy of Sciences. He also became famous for his criticism of the exploitation of archaeology for political purposes. In the 1990s, he headed a petition against the controversial archaeological organization Elad over its intention to build a large neighbourhood on the historic tel of Jerusalem. In recent years, he headed a public battle against the plan of the Western Wall Heritage Foundation to build Beit Haliba, a large office building, on the Western Wall plaza, at the expense of an important archaeological excavation that exposed a street from the Roman period. Tsafir also protested against archaeological work methods in the City of David and the pace of the work, which he said was dictated by political considerations. "An archaeologist must not be guided by emotions," he told Haaretz. "He is bound by professional criteria. He has to be like a surgeon, to work with professionalism. One day there may be peace here, and the Palestinian inhabitants will agree to an orderly excavation. Political needs cannot dictate our pace".

It is clear that we see a new approach to archaeology regarding its role, however, this commonality of unbiased interpretation is not yet shared by all. According to Hallote and Joffe (2002:102), 'archaeology remains caught in an intrinsic contradiction- its traditional, nationally orientated role collides with its liberal universalistic ideals' and, 'typically, minorities have used their power over the past to further political aims'.

The private collectors of ancient artefacts are numerous and extremely active. Investigation of this shows the extent of these private collections. It also shows its contribution to the increase in forgery, looting and illicit trade.

We saw in the recent "Arab Spring" how political upheaval adds to the pillaging and looting of museums. The museums are specifically targeted in order to get at the artefacts for monetary gain, destined to be being sold on the black market and end up in private collections somewhere. It could well be held that for purely historical value and an insight into our ancient past, we should strive to minimise the proliferation of private collections. This will enable the public and academics a chance to view and study it. Arguments contrary to this could be that if these private collections are under proper curatorship, are vetted and properly catalogued, they would be of some benefit. Given the looting of public museums in certain countries the security of these artefacts are more guaranteed than in museums. We have seen this in Egypt, Syria and Iraq during the past "Arab Spring". The declaration of "The Caliphate State" in 2014 by fundamentalists, such as ISIS, fuels the flames of civil war and at the same time causes further destruction of archaeological sites.

There are many debates and discussion around the motivations for the illegal acquisition of unprovenanced antiquities and artefacts. Scholars, politicians, curators, dealers and collectors have different opinions. The analysis of the textual and comparative research approach regarding the various

viewpoints is complex and difficult to disseminate into a single theory. There are many arguments and counter arguments which deal with the role of the collector, as well as the role of the archaeologist with a traditionalist view. Boardman (2006:40) states the following:

“A major threat to scholarship in all this is the censorship practised by those scholars and others convinced of the wickedness of collecting. It is almost as though objects that can speak for themselves must be judged contaminated beside such evidence for antiquity that can simply be dug up, drawn measured, weighed, counted and, with luck published”.

It is a difficult and complex situation to judge who has the best argument. However, neutrality in this regard is not an option.

The research methodology is designed to address some of the arguments and counter-arguments regarding collecting, the importance of provenance as well as restitution in existing literature. It shows that some source countries have been unable to guarantee the safety and well-being of cultural material in the case of repatriation. An important question can be raised in this regard. Who can claim ownership of the provenance of an artefact? Is it the market country or the source country? Many of the deals between sellers and buyers “seemingly complies” with the legal import or export requirements. There are clearly disingenuous procurement procedures involved in some of these acquisitions.

It becomes a question of ethics rather than a legalistic issue as this is a “grey area”, and therefore easily exploited. There is an urgent need to establish to what extent this is ignored by museum curators, collectors as well as some academics. The collectors who are at the top of the “pyramid of acquisitions” are often involved in shady deals for selfish and egotistical reasons. Their collections (and they know it) is most often looted and has its origin in the “bazaar” market (Muscarella 2013:879). The purchase of artefacts with questionable or no provenance also occurs amongst archaeologists that shows no regard for proper archaeological methodology (Muscarella 2013:879). They will take the easy route and acquire their collection from unexcavated artefacts that lack provenance and which they had acquired from the bazaar market. Muscarella (2013:873-874) refers to this as follows:

Relevant, but little known, is that a number of United States university museums actively purchase plundered antiquities, i.e. support the plundering and destruction of ancient sites-and a number of their curators are archaeologists’ and ‘... university museums include Princeton, Indiana University, University of Missouri etc. ... University trustees, presidents, faculties, including archaeologists, support these purchases, actively or by their silence: they do not write letters to their university presidents demanding an end to their participation in the destruction of the archaeological record.

Historically, archaeologists were viewed with distrust, especially in the Middle East, and labelled as mere grave robbers. Early European archaeologists exploited the former colonies for fame. We need to establish the extent and look critically at this continuing exploitation. Illicit trade has merely taken over as a method of doing archaeology of unexcavated artefacts. This is similar to the way archaeology was done in the not too distant past. Provenance and context was not considered to be important. Currid (1999: 15) argues the following: ‘One hundred fifty years ago the notion of archaeology as adventure and glamour may have been more accurate; even serious work back then was no more than mere treasure-hunting’. This will be briefly discussed in Chapter 2.

To what extent then has the discipline of archaeology and museums reverted back to ‘treasure hunting’ and, in the process compromised its academic credibility? The authentication by scholars of artefacts and antiquities with questionable context and unknown provenance still occurs with regularity. Oscar Muscarella, refers to this as ‘The fifth column’ (Muscarella 2013:864). It exists below the radar and is not recognised by many archaeologists and the general public. It ‘... operates *within* the archaeological community and collaborates with the Plunder Culture citizens. I speak of archaeologists who willingly work as partners with the upper (wealthier) “acquisition” level’ (Muscarella 2013:864).

It can be argued that this practise is endorsed by a minority, but it would be naïve to think that this is insignificant. Research shows that these practises are increasing and to a certain extent out of control. In this regard, Renfrew (2000:10) claims the following: ‘Many of the police forces of the world are now concerned at the extent to which trade in illicit antiquities is increasingly linked with money laundering and the traffic in drugs.’ Is this also caused by socio-economic factors that is driving this business? Given the high prices that artefacts fetch on the market and the increase in subsistence looting, this is most probably the case.

The destruction of sites is driven by either political or religious ideology or simply for financial gain. In the case of many prominent museums it is driven by the search for fame and status. To what extent then has this type of dealing in the antiquities market become common practise? The philosophical debates around encyclopaedic museums and cosmopolitanism versus particularism shows that this industry is alive and flourishing.

Have some of the academics knowingly and in the case of the broader public, simply through sheer ignorance, become “reluctant conspirators,” tacitly condoning the activities of this nefarious industry

to continue with their business? Can we put the blame on the quiescence of the academics and museum curators? Or is it just a case of the promotion of a particular agenda or view because people believe it, or their presentation fits their agenda? However, despite the efforts of a few, and the adherence to the ethical framework and practices laid down by various organisations and institutions, we see that this is simply not enough.

In conclusion, a definition and motivation relevant for this study and dissertation, is best summarised by Colin Renfrew (2006), Professor of Archaeology and (past) Director of the McDonald Institute for Archaeological Research at the University of Cambridge:

Crisis is not too strong a word to use when we speak of the predicament which today faces the historic heritage in nearly every country on earth. The world's archaeological resource, which through the practice of archaeology is our principal source of knowledge about the early human past, is being destroyed at a formidable and increasing rate. It is destroyed by looters in order to serve the lucrative market in illicit artefacts through which private collectors and, alas, some major museums of the world, fulfil their desire to accumulate antiquities, ripped from their archaeological context without record (and without any hope of publication), can tell us little that is new (Renfrew 2006:9).

Unless very stringent mechanisms are put in place, we could well find that in the not too distant future, archaeology in the true sense of the word, and the protection of provenance, both become obsolete and just a vague memory. The aim of this research will investigate the extent of forgery, illicit trade and looting. It will take into consideration the various debates around cultural heritage and to whom it belongs. Most importantly though, it will highlight the irreparable damage and negative impact that it has on provenance, which is an essential part of archaeological study.

1.1 PROBLEM STATEMENT

Existing scholarship and research regarding the prevalence of illicit trade, looting and forgery show that the very foundation upon which modern archaeology is built is being eroded at an alarming rate. Provenance or provenience, whichever word one chooses, is being disregarded. For ease of reference and confusion, the term “provenance” will be used when referring to the find spot, as well as the historical background of the artefact. Provenance is indispensable when it comes to the scientific study of archaeology.

The commercialisation and trading of artefacts and antiquities amongst collectors, museums and dealers are the root cause of this problem. It is estimated that the monetary value of the illegal

antiquities market is about US \$4 billion (Bettelheim & Adams 2007:313). A large part of these artefacts and looted antiquities, we can be certain, has its origin in the modern day Middle East.

Given the current situation of conflict in the Middle East we see that this is a very contemporary issue. It is evident that the current destruction of heritage sites and the looting of museums in civil war torn countries such as Iraq and Syria are damaging the cultural history of the world.

It has added fuel to the flames and the looting of sites across the world, especially in the Middle East, is fast running out of control. According to the Forum to address Destruction, Looting of Antiquities across Middle East 2015: Asia Society, ‘the destruction of historic sites and looting of antiquities are now widespread across the Middle East, from Egypt to Iraq to Syria and Libya – the region on which the foundations of human civilisation were laid. These attacks constitute a form of “cultural terrorism” – indeed some are calling them “war crimes” – and the illicit trafficking of these antiquities is being used as to fund the causes of terrorist and criminal networks’.

We see in the popular news and media, the archaeological record in books and journal articles, as well as the internet, evidence of the complete dissemination and impact of looting and the destruction of historical and archaeological sites.

Apart from the deliberate destruction of sites by religious fundamentalism during civil unrest and war the other root cause is commercial gain and profit by unscrupulous dealers and terrorist groups who fund the buying of armaments and satisfy the lust of ownership by connoisseurs respectively. To quantify the impact and the destruction of provenance on possible future excavations are difficult to calculate.

Looting of archaeological sites has replaced subsistence farming in some parts of these afflicted countries (Marston 2013:177). This situation is further exacerbated by forgery of artefacts and impacts on the cultural heritage and the supposedly legitimate purchase and willingness of curators and museums to buy these items that lack provenance and the correct documentation to prove authentication.

‘Unfortunately, we have little systematic knowledge of the dynamics of illicit trade, as data on illegal activities are, by their very nature, difficult to obtain,’ as Fisman and Wei (2009:82) state.

The significance of this study at this stage is the ongoing illicit trade of relics and artefacts that lacks provenance, as well as the “topical” nature of the current looting, destruction and illicit trade of antiquities. This is very prevalent in the Middle East and constantly in the daily news.

1.2 RESEARCH QUESTIONS

The premise that is clear, is that looting, forgery and the illicit trade and the disregard for provenance of artefacts, by most scholars, dealers and museums are a major issue.

Has the forgeries market increased and does it play a significant role in the debate around illicit trade and provenance? According to Brodie (2005:124), ‘illicit antiquities move erratically across many national borders and jurisdictions. This allows them to be easily laundered, but it also facilitates the entry onto markets of fakes. Without verifiable provenance, objects that are faked completely or in part can easily be passed off as genuine, and it is left to the connoisseur or scientific test to determine the authenticity, and both have in the past been proved fallible’.

Does it pose a threat to the historical record? We also see that it is not only the dealers and curators that are the cause of this. Academics makes themselves guilty of this by not regularly publishing the results of their fieldwork. Artefacts that remain in laboratories and store rooms of universities are for want of a better word simply “rubble” and of no use to anybody. Therefore, what is the effect of the non-publication of field research in this situation?

To what extent is political and religious conflict in the Middle East exploited by dealers of antiquities and to the destruction of archaeological sites? Investigation shows that it is not always wanton destruction based upon ideology of extremism that is the cause of this. According to Rothfield (2009:1), ‘the sacking of the National Museum in Iraq in April 2003 was not, of course, an act of insurgency. It was not intended as an assault on religious sensibilities. Nor was it a deliberate assault on cultural sensibilities designed to offend those who believe in the value of understanding how civilisations began, in the cleft of land between the Tigris and the Euphrates, thousands of years ago. It was the profit motive, not jihad ...’

Despite numerous regulations and laws governing the movement of cultural material the situation worsens and relations amongst source countries and market countries are strained. Fisman and Wei

(2009) stated that ‘smuggling is the cause of corruption, it influences and puts strain on international relations and plays havoc with the legitimate trade’. To what extent are these regulations effective?

Further to this; who can lay claim to ownership of cultural heritage between countries? Evidence shows that despite the restitutions that have taken place, we still see this ongoing and unresolved debate continue. This dissertation will attempt to answer these questions.

1.3 AIM OF THE STUDY

This dissertation will investigate the various opposing views regarding the acquisition and the importance of provenance of antiquities and artefacts, between scholars, antiquities dealers, museum curators and auction houses. This is with regard to provenance and context of archaeological material and how it should be used in the exhibition of our past material culture. This dissertation will also deal with the various views regarding cosmopolitanism versus particularism with regard to the provenance, ownership and context of cultural material.

A thorough study of available literature will enable the formulation of the interrelationship between the different phenomenological evidence that shows how these actions are responsible for the destruction of cultural heritage. It will also reveal what social/political motivations are the cause of this particular human activity. This has clearly, and to a large extent, reached critical proportions despite the efforts of multi-lateral agreements between the authorities, museums, universities and scholars of archaeology, and heritage studies as far as the Middle East is concerned.

Further study and possible solutions are therefore urgently required to stem these practises. This dissertation will attempt to collect and systematise the information discussed in the multitude of journals, articles and books available on the subject and to disseminate the findings. It will investigate the symbiosis of politics, religion and economics, and the role that it plays in this problem. The provenance and context for potential scholarly unexcavated sites are destroyed. This is not restricted to the Ancient Near East, but is a global issue. We can therefore see that this is a multi-faceted problem which warrants further investigation. The purpose of my research is to hopefully add to the body of knowledge regarding this issue.

1.4 METHODOLOGY

A description of the research design map used in this dissertation was based upon literature reviews (Mouton 2001:179). In other words, the mode of reasoning and conceptualisation of the research design was based upon existing scholarship.

These different views largely impact on the education of students and the public at large regarding the role of museums where the public comes into contact with the ancient cultures. The interpretation of the curators and the archaeological authentication by scholars of these displays to a large extent will impart a lasting historical impression on people. It is here where the “rubber hits the road”. To what extent this is the correct impression was investigated by examining existing literature on the practise of museology and the regard for provenance.

As there are various theories and phenomenological evidence of different practises, a qualitative approach has been chosen and inductive reasoning were used in the research design. In the case of this study, the view is held that archaeologists should strive to maintain the context of the excavated material and that this is not negotiable. However, we saw in the literary research that this was not always adhered to. The development of best practice in the sharing and proper dealing of provenance or lack of it and the management of cultural material in the archaeological discipline are of utmost importance and therefore to be dealt with as a matter of urgency. Possible solutions to this dilemma will be discussed in Chapter 7.

1.5 HYPOTHESIS

Through an “inductive reasoning” (De Vos, Strydom, Fouche & Delport 2011:49) and qualitative research, the dissertation attempts to arrive at a result on the basis of a hypothesis regarding the loss of provenance of artefacts and antiquities and it’s all important function and relevance in the study of archaeology.

The hypothesis that I want to investigate is the continuing and increasing loss and disregard of provenance as an important benchmark in archaeology. This situation is further exacerbated by the fact that certain scholars of archaeology are entertaining this as common practice, and that it is directly linked to an increase in forgery, illicit trade, and looting of the material culture of the Ancient Near East.

We have come to a point where provenance as *sine qua non* could well be considered as a dying concept by certain scholars, museum curators, and “connoisseurs”. They claim to be responsible in their study and that they are “protectors” of the ancient material culture that they deal in. The increase in this practice of neglecting the provenance of artefacts seems to have become the norm despite the attempts of many other archaeologists, scholars, museums and multi-lateral agreements and conventions between countries to stem this growing practise of illegal trading.

The following questions arise from this:

- 1) Is the trading of unprovenanced artefacts and antiquities having a long term negative effect on the status of archaeology?
- 2) Is enough done to prevent this?

The concept of provenance is under threat and caused by these actions. We can ask more questions. Do the broader public even care about provenance? Are they aware that provenance is the very glue that holds together the cultural knowledge and the story which displays and exhibitions in museums, purport to tell? It is evident that most members of the public, as well as certain antiquities dealers and museum curators, do not consider the importance of provenance to be paramount.

The broader public, through sheer ignorance, would take for granted that which is displayed in museums and the context in which it is displayed must be the “truth”. This is probably most often based upon the “perceived” reputation of the institution. According to a view held by Muscarella (2013:872), the following is noted:

Antiquities dealers and curators of some of these institutions would use this ignorance to their own advantage in the acquisition of unprovenanced cultural material for display purposes along with authentication of these collections by archaeologists to boot. ‘An advertisement for a *Festschrift* to be published “in honour of” a major serial collector (Moussaieff) has articles by archaeologists and other scholars of antiquity, voluntarily *honouring* the collector. Archaeologists, cuneiformists, numismatists, and art historians also authenticate and provide cultural attributions for plundered antiquities owned by collectors, museums, and dealers.

The cause of this scenario is directly leading to the rapid growth and incidence of forgery, illicit trade and the looting of archaeological sites in the Middle East. As this investigation on the subject progresses, this study will prove that the above hypothesis could well be true and be developed as a reasonable and validated theory.

1.6 LITERATURE REVIEW

In the choice of the sources referenced in this dissertation, I have relied on the ‘representativeness’ of the scholarship pertaining to the topic and the research questions, as well as the objective of the study (Mouton 2001:180).

The development of archaeology as a systematic discipline to add to the knowledge about the daily lives of people living in antiquity, becomes evident in scholarship on the topic. I have used a basic construct in the historical development of archaeological excavation techniques in Chapter 2 to illustrate this.

The majority of the references used have one thing in common. The problem of illicit trade is a major issue. Forgery, although prevalent, is much more difficult to exploit, and therefore not as rife. Looting of sites have taken on a new dimension and scale. Authors such as Renfrew, Brodie, Rothfield and Waxman are leading the field in this regard. In *The rape of Mesopotamia* (Rothfield 2009) and *Antiquities under siege* (edited by Lawrence Rothfield 2008), specific attention is given to the destruction of modern warfare and the subsequent looting that stems from this. All the authors allude to the necessity of an immediate remedy that needs to be implemented by all the stakeholders.

The *CQ Researcher* by Bettelheim and Adams (2007) gives insight into the antiquities market and the problem of illicit trading as well as the ‘robbery’ of antiquities under the guise of international political policy. Prominent government officials and wealthy business people are involved in this multibillion-dollar industry. In the *CQ Researcher* (2007), we see many books relating to this.

The article by Magness (2005) gives a good insight into the authenticity of the James Ossuary, by it’s in depth study of the burial ceremonies of the Late Second Temple period. My literary research has revealed that the James Ossuary debacle was mainly contested by Silberman and Goren (2003) who opposed the authenticity, and Hershel Shanks (2012a) defending the authenticity of the James ossuary. These two opposing views were held by the main protagonists during the trial. However, numerous scholars voiced their opinions one way or the other, some more scathing than others. Amongst some other examples of forgery, I will discuss the James Ossuary in much more depth as it is one of the most important case studies regarding the forgery of antiquities. I will also briefly discuss the scientific detection of forgery (Craddock 2003).

I have also visited blogs that are dedicated to the illicit trading of artefacts and art as such (e.g. Campbell 2014), and could ascertain that there is indeed a lucrative and secretive market out there which to a large extent, operates “below the radar”.

The article by Atwood (2007) on the non-publication issue, gives good insight into this problem and the academic fraternity who is involved in this field of archaeology should take heed of this. This issue is used by many collectors as the major flaw in a traditionalist view of the role of archaeology (Boardman 2006).

The socio-political background is extensively covered by journals and books that cover the development of Jihadist movements in the afflicted countries as well as the cause of civil war, which to a large extent cause the destruction and the targeting of museums and academic institutions which are the custodians of the ancient heritage and archaeological sites (Robson 2015).

The latest edition of the book by O.W. Muscarella, *Archaeology, artifacts and antiquities of the Ancient Near East. Sites, cultures, and proveniences* (2013), is a critical approach to the study of provenance and the protection of it. The author makes accusations levelled at collectors, museums and the academic fraternity and their responsibility for the ongoing destruction of the provenance of the material cultural heritage. Their collaboration in this saga is very much under the spotlight as it is an in depth study of the dynamics of illicit trade and forgery on a global scale. I have identified a main pressure group of scholars, such as Muscarella, Renfrew, Hercher, Kletter, Brodie, Rothfield, Atwood, Greenfield, Ganor, Bogdanos, Waxman, Luke and Kersel, who are very vocal about this topic and whose literature was used extensively in the research process of this dissertation.

This dissertation will deal with the historical development of archaeology and the scientific approach in archaeological excavation which creates the provenance of an artefact according to (Currid 1999) and Moscati (1975). It was therefore necessary to cover this briefly in Chapter 2.

In Chapter 6 the debates around the question of cultural heritage, ownership, museum curators, the role of the collector and the archaeological fraternity regarding provenance is discussed in great detail. This forms the basis upon which the existing literature will validate the hypothesis of this dissertation. This is an exhaustive collection and extensive body of scholarship by authors leading in this field. Examples of these that will be cited in the dissertation and upon whose expertise I have relied extensively, is *The*

return of cultural treasures (Greenfield 2007), *Loot, legitimacy and ownership* (Renfrew 2000), *Destruction and conservation of cultural property* edited by Layton, Stone and Thomas (2001), *The idea of cultural heritage* (Gillman 2010), *Cultural heritage issues: the legacy of conquest, colonisation, and commerce* edited by Nafziger and Nicgorski (2009), *Art and cultural heritage* edited by Hoffman (2006), *Heritage, museums and galleries* edited by Corsane (2005), *Who owns objects* edited by Robson, Treadwell and Gosden (2006), *Who owns antiquity* (Cuno 2008), *Whose culture?* edited by Cuno (2009), and *Museums matter* (Cuno 2011). These collective and single author books deal extensively with the artefact once it has left its find spot, and very importantly addresses its context and spatial relevance to provenance once displayed for public and scholarly viewing.

It also deals with the question around the restitution of artefacts and antiquities. In addition, it covers the importance of the main argument around ‘cosmopolitanism and particularistic’ (Gillman 2010:49) views regarding the material cultural heritage. It also discusses the arguments regarding encyclopedic museums and the role that these continue to play in a post-modernistic world (Cuno 2011:6). The questions are raised and defended, whether encyclopedic museums are outdated or not?

As far as I am concerned the idea of learning of our past through the systematic application of scientific principles in archaeology is sound. Museums should not be dismissive of this, regardless of some very compelling arguments in their favour for holding vast collections of material culture. It is the lack of clear provenance of these collections and the regularity in which these collections appear in museums, that is the cause of friction between archaeologists, collectors and curators.

In summary, most scholars in the literature used for this study are in agreement that the problem is threatening the provenance of our global cultural heritage as it is exploited for monetary and other selfish reasons by unscrupulous dealers and political figures, and that stringent measures should be taken to protect it. Finally, I have noted that some of the research articles are dated as far back as the middle 19th century. However, given the historical occurrence of looting that goes back for millennia and occurred in ancient times as well, we see that this is still relevant.

In conclusion, I have acquired articles from JSTOR and some sources from Agade website via the internet. I have further done a literary search of the internet regarding the illicit trading of antiquities and this has proved to be highly informative. However, I have not relied much on these sources and kept it to the minimum as many of these are of a journalistic nature. As mentioned the limitations of

such a research study is the plethora of sources available on blogs on the internet and via Agade, but the sources are of general public interest and excerpts from general journalism on the topic. I will therefore restrict the use of tertiary sources to the minimum as far as possible especially in scholarly work. I have therefore relied mainly on secondary sources from journals and recognised authors of books on the topic.

However, internet sites such as ICOM, proved to be invaluable in keeping abreast of the situation and obtaining up to date information. Useful websites to visit for further and updated information is 'ICOM' at <http://icom.museum> with links to sites such as "Culture without Context" and the 'Red list of ICOM' at <http://icom.museums/redlist> and the Observatory Illicit traffic <http://obs-traffic.museum/how-fight-it>

In addition to this I have also relied on books from my own personal library and the University of South Africa library. Finally, I have had ongoing informal discussions with the deputy director of Amafa Heritage, KwaZulu-Natal, James van Vuuren, on heritage management and archaeology in general. Finally, I have relied much on the expertise, advice and insights of my supervisor, Professor Willem Boshoff from the Department of Biblical and Ancient Studies at the University of South Africa, regarding the field and scope of this research.

1.7 OUTLINE OF CHAPTERS

This section will give a brief outline of the various chapters that is contained in this dissertation.

- 1.7.1 Chapter 1 deals with the introduction which illustrates the scope and the description of the topic. In other words, it addresses "the what, the why and the how?" It provides the problem statement, research questions, the method of research, and aims of the study. It also provides a hypothesis and the validation of the research question which will develop into a validated theory. It also covers a literary review of existing scholarship on the topic, upon which the research questions and the problem statement is based. This research has been developed into premises from which the conclusion will be derived.
 - 1.7.2 Chapter 2 discusses in very broad terms the development of archaeological "curiosity" through the ages. It discusses the progress that has been made by academics in making archaeology more than just a "misadventure" in the writing of history regarding ancient cultures. It shows
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how the systematic and scientific method of excavation was developed in order for the correct documented spatial relationships of artefacts to be recorded. It further shows how the misinterpretation of cultural material can be prevented by using the correct methodology in archaeological studies. It briefly discusses how archaeology developed into a science. Most importantly it discusses the relevance and importance of provenance. This sets the stage for the following chapters. The way in which these practices will be discussed will impact on the discipline of archaeology.

- 1.7.3 Chapter 3 deals with the forgery of artefacts and antiquities. Although forgery is very prevalent this dissertation will investigate some of the more famous cases. It will also investigate the role of museum curators and archaeologists and the authentication of some of these items. Forgery does not only occur when an artefact of known provenance is taken and something is added to impart further value to it. The purposeful non-publication of field research very often is a form of tacit forgery, as it withholds the true context of the artefact and therefore denies any scholarly access to the excavated material. We shall also look at the philosophical debates around forgery, fakes and aesthetics. Financial gain is mostly the driving force behind the forgery. It will investigate the sale of artefacts and antiquities not only by auction houses, but also what effect the internet has had on the increase of forgery. There is also other motivation for forgery, such as fame and esteem amongst scholars and collectors. To fully understand this, we need to look at what drives the psychological motivation of people to commit such acts. Finally, some of the scientific methods to test for forgery will be discussed.
- 1.7.4 Chapter 4 will investigate the prevalence of illicit trade and the magnitude of the problem. It will also look at the organised networks that are involved in this trade. It will attempt to illustrate the impact that this has on international relations. It will also investigate the extent of the market place and how curators, archaeologists and collectors are purchasing known unprovenanced artefacts from illegal sources. In addition, this chapter will also deal with private collectors who are fanatical and share an obsession to own relics of the past. We will look at examples of so-called “connoisseurship” with regard to private collectors, and the obsession to purchase archaeological artefacts, most of these, completely without provenance and lacking context.
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- 1.7.5 Chapter 5 will investigate the looting of artefacts, as well as the plundering and destruction of potential sites. It will also look at the destruction and the looting of museums and excavated monumental architecture during times of conflict and war. As looting is at the bottom of the pyramid of the business model which drives this economy, this chapter will also deal with the organogram of organised crime that deals in this. It will investigate the increase of looting and the impact of buyers of artefacts on this. It will also discuss the economic factors that feeds illicit trade and how this has become a subsistence income for people who are deprived of any other income or job.
- 1.7.6 Chapter 6 will deal with the various debates and schools of thought around cultural heritage and the complex issues of ownership and repatriation. It will also look at the role that archaeologists and museums should play in the acquisition and display of artefacts and antiquities. It will look at the various arguments which will deal with restitution and the legal aspects regarding this. It will discuss the various viewpoints of archaeologists, museum curators and collectors, and the conflict that exist between them. Most importantly, this chapter will take a critical look at the loss of provenance and how it is viewed by all the protagonists.
- 1.7.7 Chapter 7 will deal with the findings and the conclusion of the research and summarise the scholarship around this critical threat to archaeology as a whole. It will also discuss the findings of the research and possible solutions to the problems highlighted in this dissertation.
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CHAPTER 2

HISTORICAL DEVELOPMENT OF ARCHAEOLOGICAL TECHNIQUES

If scientific archaeology has any meaning, the value of museum objects for scholarship is closely tied to full knowledge of their origin, history, and context. Archaeological fieldwork has become a recognized scientific methodology only as it has moved from being a bundle of treasure-hunting and preservative techniques to being a systematic attempt to place the findings of excavations in a spatial, temporal, and functional framework of maximal accuracy. International traffic in antiquities runs in a diametrically opposite direction. Because it is illegal in virtually all countries of origin, context tends to be concealed even where it is known (McC. Adam 1971:ii).

2.1 ARCHAEOLOGY VERSUS TREASURE HUNTING

In order to illustrate the importance of provenance, as well as the context of an artefact found in situ, we need to take a brief step back into history. We need to look at the development of the scientific approach of archaeological excavation and how it has ultimately ended up in its modern form. Archaeology, today has become part of a multi-disciplinary approach in the study of our cultural human history. Currid (1999:16) states that ‘the aim of archaeology is to discover, rescue, observe and preserve buried fragments of antiquity and to use them to help reconstruct the past’.

I put special emphasis on the above cited statement by Currid (1999), as this tell us much about the true purpose of archaeology. The discipline has developed over the years into a scientific study to correctly identify the provenance and the dating of artefacts. This was developed to study the artefact in its original context, so that it might impart information about the daily lives of the people that have come before us. From this important method, we may be able to look into the past and teach verified historical evidence for those who come after us. According to Lowenthal (1985:244), ‘the artifactual route to the past also has special virtues ...’ and ‘one is a relative lack of intentional bias’. We see that during the Renaissance scholars started to mistrust textual data as it contained the forgery of data and was thus not always reliable to reflect history (Lowenthal 1985:244). Future generations will find value in the work of archaeologists, as it will be as close to the truth as possible. The aim is to reduce ideological bias and conjecture. This is a somewhat idealistic assumption to make at this stage as it will always be subject to ideological bias and conjecture, but given the long history of the development of the archaeological method since the early days of treasure hunting, perhaps one could venture that this idealistic pursuit becomes a prerequisite for objectivity in archaeology.

Archaeology looks at the physical evidence of material culture. In addition, it also allows for the excavation of historical text. Written text can however, be misinterpreted or misleading as it were written by a person with certain intentions or objectives in mind. Text can reflect a biased interpretation of the past and produce a flawed history. In a perfect world, we could perhaps hope for the following, as Lewis (2013:140) states: ‘The responsibility, the obligation, of a historian is to tell the truth as he sees it, the whole truth and nothing but the truth. He should not allow himself to be a propagandist or to be used by propagandists. This is the great temptation and the great danger of history as a profession because history is, after all, the case that makes for any political cause’.

Archaeology as a science, if correctly applied, cannot make such a mistake as the historian might do. Historians rely very much on written text. Currid (1999:17) states that ‘archaeology, then is an auxiliary science of history’. There is no room allowed for error in the recording of provenance and context of an artefact. The ‘find spot’ will be the benchmark that sets up the subsequent historical interpretation. We shall see that this has not always been the case in archaeology. What is the motivation for archaeologists to spend hours doing back breaking work, in adverse conditions, to excavate and very often find, very uninteresting physical artefacts? This might be strange to non-archaeologists. Modern archaeology requires patience and the understanding and a more holistic view of the site. It requires a multi-dimensional look at the excavation. Moscati (1975:22) says that ‘most archaeologists strongly believe that the most important source of interest in archaeology is, without a doubt, the object still waiting to be unearthed’. However, in the past we shall see that this disciplined approach was not followed as archaeology in the past was nothing more, than “treasure hunting” (Moscati 1975:22). No regard was given to the provenance of an artefact or its context.

The scientific method used in archaeological excavation in the Middle East has only been practiced since the late 19th century. Pioneers such as Heinrich Schliemann at Troy and then later, Flinders Petrie paved the way for a more systematic approach to excavation. Petrie, applied the ‘concept of stratigraphy’ (Currid 1999:28). This was especially applied to the excavations of Tells in the Levant. According to Currid (1999:28), ‘this method of archaeology preserved the context in which artefacts were found and could therefore tell the archaeologist more about the excavated material’.

Here follows a brief history of the interest in antiquities and oddities as far as the phenomenon called “Egyptomania” (Brier 2004:16), that swept through the gentry of Europe. It will also illustrate the

development of the archaeological method. I will concentrate on the archaeology in ancient Egypt and Palestine. The interest in antiquities is not a recent phenomenon. There is evidence that as early as 1440 BCE excavations did take place near the pyramid of Giza by Prince Thutmose. The evidence for this is derived from text on a stela excavated by T.B. Caviglia in 1811 (Brewer & Teeter 2007:1).

In antiquity we see that there were many reasons why people were fascinated by the presence of artefacts in the Middle East. Indeed, this was not always to loot and to indulge in treasure hunting. This fascination can be traced back to the conquests of the Roman Empire and Greek travellers. It was considered to be a special and privileged endeavour for scholars to visit the land of Egypt and study the ancient monumental art. Brewer and Teeter (2007:1) indicate the following: ‘About 450 BCE the Greek historian Herodotus (490?-425 BCE) travelled to the Nile Valley. Famous for his interest in the early history and ethnography of different cultures, he compiled the information he gathered from his travels into a multi-volume treatise called *The Histories*.’

However, not all visitors or for that matter conquerors were as studious as this above example. Although fascinated by everything Egyptian, the Romans did not care as much about the preservation of the context of the artefacts and monuments of the Pharaonic culture. Much of the monuments were looted from Alexandria and transported to Rome. During the conquest of the Arabs in North Africa in 640 CE, the looting escalated, and the devastation of the monuments and temples for building material increased as the population increased (Brewer & Teeter 2007). According to Brewer and Teeter (2007:5), ‘Arabs pursued treasure hunting with an intensity rivalled only by that of the nineteenth-century European collectors’.

After the crusaders returned to Europe during the period between the 12th and the 13th century, and the word spread of the ‘wonders of the Holy Land and Egypt’ (Brewer & Teeter 2007:5), the European public became obsessed with relics and mummies from Egypt. This obsession became quite “diabolical” if taken by today’s standards and would certainly be considered as blasphemy and taboo. However, back then the eating of a mummy was considered to be of medicinal value (Brewer & Teeter 2007:5). The scarcity of genuine mummy soon caused the forgery of this sought after commodity. Here we see some of the first signs of forgery of relics to be sold to unsuspecting European customers. Attempts by the Turkish governor and increased taxes on the export of mummy to Europe did harness the trade in mummy: ‘Yet the threat of government regulation did not entirely prevent fraud or the

export of mummy, which persisted until the early nineteenth century' (Brewer & Teeter 2007:6). It is ironic that after so many years, a solution for stopping this practise, has yet to be found.

Not all conquests of Egypt by foreign empires spelt disaster for the material culture of Egypt. We can well say that some good came from the French occupation. Although a brief occupation, Napoleon had genuine interest in the archaeology of Egypt as he believed that it would justify and facilitate the French occupation of Egypt and true to the spirit of the age of enlightenment, bring about knowledge of this ancient culture. In a sense Napoleon brought a multi-disciplinary approach to the table in the study of the ancient culture of Egypt. Very much as it is done today. According to Brewer and Teeter (2007:6-7), 'Napoleon brought a special scientific commission of approximately 150 specialists in the disciplines of geography, geology, history, botany, zoology, medicine, and linguistics'. In fact, one can say that the French conquest of Egypt was responsible for one of the most important archaeological discoveries of all time-the Rosetta stone discovered at el Rashid (or Rosetta) in 1799 (Brewer & Teeter 2007:7). Normally military conquest of a region would result in wholesale looting and collateral damage to archaeological sites, but also monumental architecture would occur. In the case of the French invasion an important aspect of the archaeology of Egypt was uncovered. The deciphering of hieroglyphic writing.

The outcome of the French conquest thus provided scholars with the ability to read the hieroglyphics which the Egyptians had been unable to do for over two thousand years. Waxman (2008:42) states the fact that 'without the French, there would be no Egyptology today. More specifically, without Jean-François Champollion, the quirky, brilliant, and socially awkward scholar who worked on cracking the hieroglyphic code for two decades, we would have little of our current insight into the lives of the ancient Egyptians. We all owe him a debt of gratitude, Egypt first and foremost.'

The stone with writing in three different languages namely hieroglyphs, demotic text and Greek, was found by accident in a mud brick wall and thus outside of its original context. 'It was Captain Pierre-François Bouchard who felt something solid beneath the sun-baked rubble: a hard rock, of quartz and feldspar and mica, dark grey with a delicate vein of pink' (Waxman 2008:33). The stone is now displayed in the British Museum and the past-director of the Supreme Council of Antiquities, Zawi Hawass, lobbied vociferously for its return to Egypt, along with four other iconic pieces which includes the bust of Nefertiti.

To give some perspective it would also be important to indicate the monetary value that these looted objects were traded for. The robbery of ancient sites particularly graves is an age old issue (Ganor 2003). Modern day robbery on a grand scale began during the end of the 18th century: ‘... European nobility commenced to acquire antiquities for their private collections. It was intensified with the competition between large museums in Europe, among them the British Museum and the Louvre in Paris, which purchased treasures and finds from sites in Egypt, Mesopotamia, the Mediterranean lands and South America’ (Ganor 2003:68).

Today, various arguments are held for its repatriation and/or non-repatriation by the British Museum, the Egyptian Museum in Berlin and the Egyptian authorities since 1925. This continued through World War II and to the present day. Some contradictory arguments for the return of these pieces are quite obvious, as in the case of the bust of Nefertiti. It was parodied by two Hungarian artists as a naked woman at the Venice Biennale international art show. According to Waxman (2008:59), ‘... the Egyptians were insulted and outraged’. In contrast to the outrage shown by Egyptian officials, Zawi Hawass wrote in one of his books that “the ancient Egyptians were not disturbed by nakedness ...”: ‘Farouk Hosni, the Egyptian culture minister, warned absurdly that the sculpture was “no longer safe in German hands” (Waxman 2008:60).

In modern day Egypt, with its strict Muslim religious dogma, such displays would be taboo for most Egyptians to view. In contrast to this, a large audience would be able to view it in Europe. According to Stephen Urice, the director of the ‘Project for Cultural Heritage Law and Policy’ (Waxman 2008:61), there is no reason for the bust to be returned. Here the question of who can lay claim to cultural heritage is raised and is well articulated by him. “The cultural connection between Nefertiti’s Egypt and contemporary Egypt is attenuated at best,” he wrote. As Waxman (2008:61) states: “The former was pagan; the latter is predominantly Muslim; the former was a monarchy, the latter is a democratic state; and so on ... There is no evidence that the bust is essential for contemporary Egyptians to understand who they are and the values their culture holds in esteem”. Repatriation based upon provenance from the source country, is not always a simple issue to resolve. Cultural ownership is therefore a complex matter and archaeology still suffers from being called out infamously as theft.

2.2 STRATIGRAPHIC EXCAVATION AND THE IMPORTANCE OF PROVENANCE

Before the advent of a more systematic approach to excavation in archaeological study, excavation was a rather haphazard affair. It was more a case of getting the artefacts out of the ground as quickly as possible with no concern given to the spatial relationship artefacts shares while still in situ. In a sense it was little more than tomb robbing, and Moscati (1975:49) explains it as follows: ‘... eighteenth- and nineteenth- century “archaeologists” were little better when they became obsessed by dreams of hidden treasure’.

It was not strange to see earlier revered scholars such as Mariette, the French archaeologist, using dynamite to blast his way through ruins and potential artefacts to get at the hidden treasures below ground. Lord Elgin destroyed large parts of the Parthenon when he carted away the “Elgin Marbles” to Britain. Fortunately, not all archaeologists were inclined to these methods. General Pitt Rivers, military man turned scholar who had observed the damage done in Egypt, began training his staff to be more systematic and to prevent unnecessary damage to sites (Moscati 1975:50).

As this dissertation deals with the importance of provenance in archaeology with regard to the sites in the Ancient Near East, it would therefore be necessary to investigate the development of Tell excavation. As mentioned, Flinders Petrie was a pioneer in this regard, and developed the study of ceramics to date the different occupational levels in an occupational mound or Tell. Other scholars followed his methods and soon proved that his theory on stratigraphy was sound. What followed was a spate of Tell excavations all over Palestine, using the Flinders method. However, as time went by, more sophisticated methods were developed. The scholar C.S. Fisher who ‘... served as professor of archaeology at the American School in Jerusalem’ (Currid 1999:30), contributed much to the systematic excavation and proper, “detailed recording system” in Tell excavations.

Although there were many brilliant scholars that helped to develop the modern excavation method it would be remiss not to mention William F. Albright and John Garstang, who based on his experience was appointed as director of the Department of Antiquities and the School of Archaeology in Jerusalem in 1919 (Fitzgerald 1956:28). Both these scholars must be seen as the true pioneers of Palestinian archaeology. As far as Albright is concerned, and according to Currid (1999:31), ‘... he mastered the crafts of ceramic typology and stratigraphic analysis. The chronology of the Bronze and Iron Ages that he ascertained through these excavations remain the standard for today’s archaeologist’. Subsequent

later developments and techniques were introduced by Kathleen Kenyon, known as the “Wheeler method” in Palestine which, ‘... stressed the stratification of the site’ (Currid 1999:32). It subsequently became known as the Wheeler-Kenyon method. Since the late 1960s, a combination of the Wheeler-Kenyon method, with that of the architectural method which is the “wide scale exposure of the whole building” (Currid 1999:32), has been used. This was all developed to protect provenance and context.

Subsequently, archaeology has developed into a multi-disciplinary study of material culture. New approaches in archaeology also take into account the surrounding environment which has much to tell about the context of a site. However, modern archaeology using a systematic and scientific method to interpret the past can only be done if the principles discussed above, are employed.

Artefacts removed from their find spot without the proper recording of provenance, has no context and therefore becomes a mere curiosity displayed in museums over which scholars, curators and governments will argue about ownership and who can claim it, based upon nationalistic ideology or aesthetical value. Proper analysis of the provenance of an artefact will reveal much more. It will reveal knowledge of the past and enlighten people across the world regardless of where it is displayed, because knowledge, is a universal commodity to be shared.

2.3 CONCLUSION

The development of archaeological excavation techniques, and the development of archaeology into its modern form, which can tell us about the past has come a long way since “curiosity” by people into the ancient past has first been recorded.

We know that the disregard for stratigraphy and the subsequent damage to a site is irreversible and that archaeological sites cannot be renewed. Once this has happened, artefacts and antiquities become “curiosities and trinkets” to amuse only the select few people who have the means to travel to its place of display and marvel at the artefact, not realising that its true value has been lost.

However, in some cases we were lucky. The discovery of the Rosetta stone and the tenacity of the scholars who studied it, revealed a treasure of knowledge hidden for two thousand years. We can argue in this case that provenance was not an absolute necessity as the Rosetta stone was already used as building material and therefore out of context. However, despite this it should be noted that this is more the exception than the rule. We have also been unlucky in the loss of other valuable knowledge, for

example, the deliberate destruction of monumental antiquities such as the Bamiyan Buddhas in Afghanistan in 2001. This is but one example which the world noticed. There are numerous other examples that go undetected and is eroding potential knowledge from our past.

Archaeology seems to have gone full circle and in a sense we have ended up where we began with the disregard for provenance. This is fuelled by the very same value that was placed on artefacts from the ancient world in the past. Archaeology is under threat caused by looting and wanton destruction of sites on a far bigger scale in the 21st century than previous centuries.

Sophisticated international networks are in place to make this a very lucrative industry. It is organised by people whose sole purpose and actions are spent on supplying the market with illicit cultural material. Apart from the smuggling of armaments and drugs, the illicit trade in art, artefacts and antiquities is estimated to be ranked in the number three position, globally, as the most lucrative illegal business.

CHAPTER 3

FORGERY

The forgery culture is stratified and multi-faceted. It has a kinship system, a hierarchical structure, systems of gift exchange, laws, a coded language, judges and juries (usually the same), a police force. Its inhabitants include professors, curators, scientists, museum officials and trustees, dealers, smugglers, auction house employees, collectors, and forgers. An imperial culture, it colonises other, more legitimate, cultures, drawing into its realm scholars, students, and the general public. It controls an extensive physical geography but possesses no moral geography (Muscarella 2000:1).

3.1 WHAT IS FORGERY?

Forgery can manifest in many ways in artefacts and archaeology. The most obvious would be a replica made of an existing style of artefact or antiquity and aged artificially so that at first glance, it can look like the genuine article. These are usually sold to unsuspecting tourists. Forgery can be the addition of an inscription or patina which would be much harder to detect. Forgery can also be physical interference in the stratigraphy of an archaeological site by the excavators. Forgery can be the deliberate withholding or falsification of information. It can be the non-publication of field research, because it might change or upset the original premise of the archaeologists. It can be the addition of a false provenance given to an artefact. It comes in many forms and it varies in its diversity. However, the one commonality that it shares, is deception.

Historically, we see that forgery is an ancient phenomenon. In fact, we see that there are “forgeries” that appear in modern times of supposed “forgeries”, that were made in ancient times. The Egyptian limestone or marble statuette of the god Amen-Re was such a case:

The collection given to the museum by the late C. Granville Way in 1872, to which this figure belongs, was originally formed by Robert Hay, who collected the objects in Egypt between 1828 and 1833 (the piece is No. 116 in *the Catalogue of the Egyptian Collection of the Late Robert Hay, London, 1869*). As it is generally recognised by Egyptologists that forgeries sufficiently skilful to deceive the connoisseur, were not produced before 1880, it seems out of the question that this statuette can be a modern forgery (Dunham 1933:79-80).

It appears that this phenomenon, was not unique to later modern periods only. According to Dunham (1933:80), ‘it was common practice among the ancient Egyptians to make figures of their gods in the likeness of the reigning king, who himself was a living god, and hence the only available model on which the portrait of a divine being could be based. And further, we frequently find inscriptions on such figures, as in this instance, relating the god represented to the king in whose likeness the figure is

made'. However, this was not done with the intention to deceive and should therefore not be judged as such.

What is interesting about this piece, was that the inscriptions on it relates to a king who lived a long time before the statue was made in ancient times. Thus we can conclude that it was a forgery, but not made in modern times. As Dunham (1933:81) holds:

The question arises whether the figure was intended to deceive and to pass as a Twelfth Dynasty piece, trading on the antiquarian interest which we know to have been prevalent at the time, or whether it was merely a figure of the god allegedly in the likeness of an earlier king, and not to pass as an antiquity. It would be difficult to answer that question with certainty, but I am inclined, in view of the fact that the inscription is not frankly in the Saite style, but appears to be an attempt to copy an older model, to look upon this statuette as an ancient Egyptian forgery'.

We can deduct from this that the study of forgeries is fraught with difficulty and definitions of when an artefact can be considered a forgery, regardless of what the stylistic evidence show. In the White and Levy collection as discussed by Chippindale and Gill (2000), we see reference to this questionable authenticity as alluded to by Dunham (1933).

Chippindale and Gill (2000:494) state the following: 'The history of fakes and their detection does not indicate that fakes can be spotted from catalogue descriptions and photographs. But there are many things in these collections that our own eyes, necessarily of our own taste and time, find alluring and delightful; that explains why they are in these feted contemporary collections. Yet history shows it is the seducing object that may be false; a fake is made with the intention to seduce the contemporary eye'. The archaeologist and connoisseur must take cognisance of this.

Next follows a short discussion of the characteristics of forgery and its human proponents. Forgers cannot maintain a "moral high ground" or defend the existence of forgery such as illicit traders or looters can.

Many would argue that in some instances forgeries might just be hoaxes played upon an unsuspecting public for amusement by its proponents. However, its impact on archaeology is certainly not a practical joke. Regardless of the motivation behind forgeries, we shall see that it has a corrupting effect on archaeology, and it is mostly the "usual suspects" involved. Elia (1994:25) state the fact that 'one doesn't need millions of dollars to pay art historians, scientists, and other experts to help decide whether or not to buy an obviously suspicious object ...' and, 'just apply the smell test. Sniff around

for the basic facts-provenience, documentation, the sellers and previous owners involved-and if something just doesn't smell right, pass it up'.

We can still defend illicit trade because in some instances it protects antiquities. Looting provides a much needed income for the poor and puts food on their table.

Forgery, on the other hand, exist because it wants to deceive. In stark contrast, 'archaeological sites and objects are authentic, that is, of true antiquity, and have a distinctive aura which fakes and copies do not have' (Holtorf 2001:287). As far back as 1887, J. Menant makes reference to the avoidance of forgeries which follows the classic rule proposed by modern scholars: '... the true savant has a secret which prevents him from falling prey to forgers. He avoids, as far as possible, all dealers. His collections are not picked up here and there at haphazard, but are, if possible, collected directly or by reliable descent from the results of excavations and according to a well-arranged and scientific plan. If he meets with forgeries, he stops them on the way and exposes them' (Menant 1887:29). Here we see already as far back as 1887, the recognition and importance of provenance in archaeological studies.

Many artefacts of archaeological value end up as artworks based purely on their aesthetical value. Indeed, these unprovenanced artefacts were bought purely for this reason and will undoubtedly find their way to a display cabinet in a museum. Amongst them we know that there are forgeries. In some cases, the staff and curators are aware of this: '... many university and museum employed archaeologists actively support antiquity acquisitions. They collaborate with and advise dealers and collectors on their purchases or write muted apologies for their roles' (Muscarella 2013:848).

The following question arises: what must the public make of this? Does the cultural material on display, and is known to be a forgery by the staff and not by the general public lack value? I suppose it is to a certain extent the same as the often asked question, does a tree that falls over in a forest and there is no living being to hear it, make a noise? In other words, what does it matter if the artefact is a forgery? As long as this is kept secret, what difference would it make to the public? They would simply not know.

There is simply no straight-forward answer to why people make forgeries and enjoy this secrecy. The problem, though, is that in some instances a blind eye is turned from this by scholars who indulge the

practice of such cases where monetary income is not the motivation. However, I would hold that for archaeology to defend its title as a multi-disciplinary science. It should vociferously attack this falsehood and scholars should expose this regardless of the consequences to their academic careers or whom they might offend.

An entertaining article, written by Bagnani (1960), tells the following story. He was asked by the director of a famous museum in Europe thinking that he (the author) was trained in classical archaeology and therefore an ‘expert’ in Ptolemaic sculpture, to examine a bust on display:

The more I looked at it the less I liked it and I pointed out some of the things I thought suspicious. He replied: “I entirely agree with you, but those are not the points that Borchardt makes,” and produced a letter from Borchardt with some observations about the bust that were definitely wrong. The subsequent conversation revealed to me that though Borchardt’s reasons, that the bust was “neuzeitlich,” since Borchardt’s reasons for considering it so were incorrect, it would continue to be officially genuine: a curious and not uninteresting sidelight on the mentality of museum officials (Bagnani 1960:228).

A philosophical argument regarding the title of a forgery and what its aesthetical value is, can be deduced from the following argument by Alfred Lessing (1965), who maintains that it is wrong to make the assumption that a forgery lacks aesthetical integrity or value if it is not known to be a forgery even though it is.

A case in point was the embarrassing discovery that the famous Johannes Vermeer painting, *Christ and the Disciples at Emmaus*, described as the best example of Vermeer’s brilliance as a Dutch master, was in fact a forgery made by a contemporary artist called Han van Meegeren (Lessing 1965:461). As it turns out, the critics and scholars were purposefully trapped by Van Meegeren to expose the snobbish view that the academic community and art establishment had at the time. In other words, in this case we see that forgery, if undetected is heaped, in aesthetical praise by the very people who should know better. I use this example to illustrate that Lessing’s view ‘... denies that a work being a forgery makes any difference to its aesthetic value’ (Irvin 2007:287).

In contrast, Irvin (2007) argues that we can never look at forgeries this way. And here I connect again with the context and provenance of the time and place when artefacts, be it ceramics, mosaics, statues or ossuaries, were made by the original artist or artisan. A forgery of this, would lack integrity and as Irvin put it so aptly: ‘The problem is not merely with judgement of aesthetic merit. Even when a forgery technically or artistically rivals the relevant class of originals, it prevents us from apprehending the

actual historical relationships that are central to aesthetic context. Its incorrect attribution distorts our understanding of what was possible when, under what conditions and for whom' (Irvin 2007:300). So it is also with the forgery of artefacts and antiquities of the Ancient Near East.

A prevailing issue in the forgery culture is the inability of scholars to correctly identify a forgery from the genuine article, simply for the reason of not knowing what an excavated artefact is and what an unexcavated article is. Accordingly, most students and scholars do not understand that the study of '... art history and archaeology ...' (Muscarella 2000:10) are closely linked. The issue here is that the unexcavated artefacts acquired in the 'bazaar market' are written up in publications with a "made up" provenance, and in some cases scholars would argue that history or provenance is not a necessary requirement to the study of archaeology (Muscarella 2000:10).

Muscarella (2000:15) notes that 'the crux of the issue is that scholars who are conditioned by inadequate and superficial education concerning forgeries are also conditioned not to develop an historical and archaeological sense about provenance. Consequently, they are reluctant-some find it impossible-to give up conveniently supplied loci they were taught to accept, and rarely wonder who gave the evidence, who "found" the object being presented'.

This link needs to be understood. Most of the general public go to view artefacts of the ancient past in museums, simply because the best and most magnificent artefacts are put on display. One can understand this, as the museum industry is a business to be run on sound business principles and the profits need to maintain the upkeep and the research of the museum. Museums need sensational displays to attract the public. Unfortunately, the downside of this is that it can breed a culture of disregard for provenance which starts at tertiary level in the education of future archaeologists. A shocking revelation is that behind the scenes, and in terms of the provenance of artefacts, it is quite frankly ignored.

Muscarella (2000:10) states that 'in this museum-dominated atmosphere it is not surprising that most students never hear of, let alone learn about, plunder and forgeries. But many of these students earn a Ph.D. and get museum and university positions'. As mentioned before, museums are aware of the extent of forgeries in their collections. To add credence to their institution, the curators would on occasion display forgeries for the public, clearly acknowledging this fact. However, what would be put on display for this purpose would be a very small collection. Clearly hiding the fact that a vast

majority in the storerooms are of questionable provenance. On a request by R. Cohon, who organised an exhibition consisting of forgeries in the US, asking other museums to lend him their known forgeries, the following was revealed: ‘Against this repressive position we can appreciate the modest but honest and informative exhibition and publication...’ and, ‘it was modest not because of the absence of hard work, but because museums refused Cohon’s request to lend forgeries to the exhibition-in many cases knowing that they had long ago been so identified’ (Muscarella 2000:11).

Research further reveals that forgery is openly condemned by so-called collectors and some ‘archaeologists’. This can be identified as a self-serving attempt by the forgery and collectors’ industry, in obfuscating their role in the protection of artefacts. It becomes rather confusing when you see archaeologists publishing their articles in publications that are used by the plunder and forgery industry to advertise their wares. As Muscarella (2000:12) points out, ‘... one need only to look at the large number who writes articles for the dealer/plunder journal *Minerva*. In a recent issue there was an article written by one whom I have heard lecture pompously about how he is utterly opposed to plundering and against the purchasing by institutions (except his?) of antiquities. His paper is sandwiched between advertisements of antiquity dealers and reports of their successful sales’.

As far as forgery is concerned and the concerning disregard of its role in making a mockery of the importance of provenance, this situation is further worsened by the defenders of unprovenanced artefacts. Amongst many scholars, provenance has become a nuisance and a non-essential in archaeology. As Boardman (2006:39) puts it quite clearly: ‘To hold that an object without context is worthless is pure nonsense.’ It is evident from this that a clear line has been drawn by collectors, some curators and traditional archaeology. This is well expounded upon by Brodie in *Smoke and mirrors* (Brodie 2006b) in *Who owns objects?* edited by Robson, Treadwell and Gosden (2006). A vicious argument is developed by scholars against the so-called “prehistorians” (Boardman 2006:38). Boardman attacks the very integrity of Sir Colin Renfrew, a distinguished scholar and vociferous defender of the “non-collecting” fraternity.

According to Boardman (2006:38-39), ‘Renfrew (1991) had an unguarded moment years ago when he published a whole collection of unprovenanced Cycladic idols; he has said “sorry”, a difficult word for a politician today ...’ and he ‘wonder sometimes if it has not been a misplaced guilty conscience that has led him to take up this new anti-collecting cause so vehemently, while his political (in national

committees and the House of Lords) rather than academic role placed him in a good position to catch the ear of government'. It would become necessary to identify the scholars who are the opposite sides of the proverbial "line drawn in the sand".

The arguments and counter arguments on this debate deserves a chapter all of its own and will be discussed in more detail in Chapter 6. Further, as far as forgery and the black market dealing of biblical archaeological artefacts is concerned, we see that it not only occurs openly by prominent and well known antiquities dealers and museum curators, but also in the very lucrative and secretive antiquities market.

The motivation for owning these prized artefacts may differ between collectors. It is put into circulation and sold on the illegal or the legal market such as the "pomegranate ivory": 'Owing to such a strong market for "Biblical" inscriptions, some people or for that matter scholars of high repute could be guilty of knowingly forging inscriptions and selling them on the antiquities market. Some of these modern forgeries are of a high quality – for example, the script, orthography, syntax, and the medium replicate ancient inscriptions reasonably well – and some are of low quality' (Vaughn & Rollston 2005:62). It would be impossible to discuss all the recorded cases of forgery. For the purpose of this dissertation, we shall look at some of the more famous cases. I will also address some variations of forgery methods and the impact that it had on the discipline of Biblical Archaeology. I will also discuss the disrepute that it brought with it to the archaeological community as a whole. An interesting observation is that those engaging in such pillaging and forgery '... rarely receive compensation commensurate with the market value of their finds' (Vaughn & Rollston 2005:62). The latter also state the following:

In the course of the last few decades, many archaeological objects were sold or offered for sale in and outside of Israel which were represented as [authentic] antiquities. These "antiquities" (many of which had well-recognized religious, emotional, political, and economic importance) were methodically formed for the purposes of fraud. In the majority of cases, the typical method of forgery was to take an authentic item of antiquity and to add an inscription or design that converted this item into one that would carry a significant price (Vaughn & Rollston 2005:61).

Unfortunately, this problem is further exacerbated by the backlog of unpublished results and field research records of archaeological sites in both Israel and Palestine. Academics make themselves guilty of this as pointed out by Atwood (2007). An example of this is the Ashkelon excavations upon which a moratorium against extensive excavation were placed. This happened to well-known scholar

Lawrence Stager from Harvard University. Atwood (2007:18) explains: ‘Since the year 2000 there has been very little digging at Ashkelon. The Israel Antiquities Authority or IAA, which has final say over all archaeological activity, has declined to grant Stager and his team a digging licence since then, except for one covering a small area in 2004. The reason: The IAA believes the project has not published enough’. Subsequently, the Ashkelon excavation have been resumed. He also says that:

... gradually, the lack of scholarly publication-with its carefully calibrated language, attention to physical evidence, and rigorous screening - has started to affect the way in which discoveries are presented to the larger public, say archaeologists. The door has been left open for more sensationalism with dramatic finds leaping onto the front pages of newspapers and TV newscasts only to be revealed later as hyped. Or worse. The public has been left ripe to be duped by archaeological “discoveries” such as the James Ossuary, one of a growing list of fakes and questionable claims (Atwood 2007:18).

We shall see that this similar view is shared by scholars when I discuss the case of the James Ossuary. However, not by all, and there are divided opinions concerning this case as alluded to by Shanks (2012b:2) as “the forgery trial of the century”, and which was marked by the bitter disputes that arose from this. More of this will be discussed later.

Further we see that the non-publication of field research leaves a “gap” in the academic and archaeological record, which can easily be exploited by forgers and the less than academic fraternity to claim exceptional and monumental archaeological finds. These are most probably nothing more than cleverly constructed forgeries, out to mislead the curators of museums, buyers and the public at large. The forgery of archaeological evidence is not only restricted to physical artefacts; it can also be the interpretation of historical data. Some historians, archaeologists, authors of historical and fictional books, and feature and documentary film makers purposely manipulate the information and data to support a religious, political or cultural agenda. This is done simply for acceptance by their peers, and for fame and the creation of sensationalism.

An example of this is the Ivory pomegranate which were purchased by the Israel Museum for \$550,000, only to be later identified by them, as a forgery (Suspected Fakes 2005). The court case lasted for many years with both the main players found not guilty of forgery. The collector Oded Golan was in most cases the suspect or the “accused” (Suspected Fakes 2005).

A question of ethics arises here; but is it the indiscretion of antiquities dealers that knowingly buy these “forgeries” because they know that there is a market for it and therefore are making a good investment? Would they knowingly put their reputation on the line?

In the case of the “Ivory pomegranate”, we see a museum of high repute, the Israel Museum, making such a blunder, only later, upon investigation, realising that the artefact could be suspect. According to Kersel and Kletter (2006:317), ‘for over a century the role of museums in the antiquities trade has been the subject of much debate. Should museums purchase looted objects? Should they accept objects from donors that lack provenience? And, even if these objects do have clear title, but lack archaeological context, is it ethical for museums to proceed with the acquisition?’

Before we proceed further, I would like to give a brief illustration of the history and operation of illegal trade and forgery not only in modern day Israel, but also in the period prior to the establishment of the modern State of Israel. This journal article published in 1887 by J. Menant refers to the forgery of mostly ‘Assyro-Babylonian monuments’ (Menant 1887:14). In a rather disparaging and culturally negative tone he writes that it is especially a certain ethnic/religious group who took the lead in forgery of Assyrian-Babylonian artefacts: ‘The art of Assyria revealed itself in too striking a manner not to tempt the forger. As soon as the explorations at Nineveh attracted public attention, the forgeries began, though at first but timidly and on a small scale’ (Menant 1887:14). He continues with his rather disparaging remarks: ‘Gradually forgery took the proportions of a regular commerce. At Baghdad it is the Jews who gave themselves up to this industry, in which medals are the favourite objects, as Assyrian antiquities are too difficult a branch. As it is not easy to manufacture a Khorsabad bull and put him in circulation, smaller objects, such as inscriptions, statuettes, and engraved stones are chosen’ (Menant 1887:15). Ironically, the author uses the Louvre and the British museums as bastions of studious and perfect examples of the curators of provenance in artefacts. Menant (1887:15) holds that ‘if the amateur is at all familiar with the genuine objects in our Museums he can hardly be deceived, but all are not within reach of the Louvre or the British Museum, and they are more or less at the mercy of speculators when their taste is not sufficiently enlightened’.

This article also refers to forgeries that were first published as far back as the emergence of recognised text related to biblical scriptures. Forgery is a phenomenon that originated before the advent of political and religious ideology took hold in Israel. To what extent we can use this article as a benchmark of

who was mostly involved in forgery is debateable, but it does make mention of the Moabite stone and the author attacks its authenticity quite vociferously. According to Menant (1887:14), ‘it must be confessed that archaeology is much injured by this state of things, for, though it should interest only specialists, the general public always hear echoes of the facts. Everyone will remember that manufactory which inundated with false Moabite antiquities one of the most enlightened countries of Europe, and which succeeded for some time in deceiving the eyes of specialists’.

This is a rather one-sided and conservative observation on the part of the author. However, it is also clear that it was done before later and further research had been done on the Moabite stone since the publication of this article. It, however serves to illustrate that forgeries of ancient artefacts of the Ancient Near East was also driven for pure financial reasons alone. We will discuss the Moabite inscription in more detail later.

The question that can be asked by many archaeologist or researchers may then be as follows: How does the research design add to the financial value of artefacts or the academic value of the archaeological body of knowledge? Am I looking for the truth or am I looking for riches in monetary terms? Were the archaeologists in the Levant, especially in Israel during the 1960’s and even up till the present, doing archaeology to gain knowledge? Was it done to support a political ideology or was it a combination of both? We can certainly see that in some cases the withholding or non-publication of field research added to the monetary value of these artefacts. However, in the cases discussed here, none such questions were involved in the design of the research methodologies of the excavations, as all the examples discussed here lacked a clear find spot and stratigraphic provenance.

As mentioned before a basic definition of a forgery is that it is an ancient relic taken sometimes from the site and then some inscription or addition is made to its physical appearance. The first three examples fall in the classical period or New Testament but because of its infamy and the attention that it drew from scholars and the public it would be necessary to discuss them briefly as an introduction to the other relevant cases discussed thereafter. These cases will be discussed in a chronological order of date of publication. One can see from research that the majority of cases of forgery related to the Bible predominantly surfaced in the 19th century. As mentioned all the cases discussed below lack clear provenance and are unexcavated artefacts.

3.2 DEBATES AROUND FORGERY AND AUTHENTICITY

3.2.1 The James Ossuary

One of the most famous cases of possible forgery is the James Ossuary. The announcement of this finding was sensational news amongst the archaeological fraternity and in the media. This is most probably also one of the most infamous cases as well that the world of modern biblical archaeology has had to deal with. According to Magness (2005:121), ‘before this most people had never heard of an ossuary, and many probably still do not know what ossuaries are’. However, it certainly hit the headlines and its effect was felt by the archaeological and the biblical studies fraternity.

Many scholars were embarrassed or simply hung out to dry: ‘In 2002, Israeli antiquities collector Oded Golan revealed the existence of a first-century ossuary inscribed “James, son of Joseph, brother of Jesus”.’ (Reichs 2006:4). Much hype surrounded this discovery as Silberman and Goren (2003:21) state:

No previous artefacts had ever been found that could be directly connected to the gospel figures Jesus, Joseph, or James – yet here was one that might have held the very bones of Jesus' brother. In the following days, excited reports about the ‘James Ossuary’ appeared on NBC, CBS, ABC, PBS, and CNN and in *The New York Times*, the *Wall Street Journal*, the *Washington Post*, and *Time*. *Newsweek* suggested that “Biblical archaeologists may have found their holy grail”.

This find was surrounded by controversy and questions especially from the Israel Antiquities Authority (IAA), who maintained that the ossuary was a fake. When the owner of the ossuary submitted a request to have DNA analysis done on the bone material found in the ossuary and compared to the “shroud” tomb of the Hinnom valley, this request was denied by the IAA (Reichs 2006:4).

An ossuary is a chalk based box which usually contains the bones of the deceased. In this case, it was purported that it contained the bones of the brother of Jesus, or so it was claimed by a ‘renowned Semitic epigrapher Andre Lemaire of the Sorbonne and by some laboratory tests carried out by scientists at the Geological Survey of Israel (GSI), the ossuary caused worldwide sensation’ (Silberman & Goren 2003:21).

This discovery received worldwide media attention and was authenticated by prominent scholars from well-known publications and famous universities. The three main supporters of the authenticity of the James Ossuary were the owner of the artefact Oded Golan, Andre Lemaire, the epigrapher, and Hershel Shanks, the editor of the *Biblical Archaeological Review* (BAR), who was the main media sponsor for

this discovery. The case of the James Ossuary caused a great rift in the biblical archaeological fraternity. Scholars had very specific views and took a firm standing against the way the launch of this ‘historical event’ was handled. Silberman and Goren (2003:23) explain: ‘The whole affair of the James Ossuary was in danger of becoming a comedy of errors. But so many people were now caught up in the enthusiasm of the “first discovery that proved the historical existence of Jesus” that almost everyone forgot to laugh’.

For the purpose of some background, we can now look at how the editor of BAR became embroiled in this controversial issue of the James Ossuary. Hershel Shanks very much was led by the expert advice of Andre Lemaire which given an analysis of ‘... the name combinations appearing on ossuaries ...’ from first century Jerusalem that this could well be the burial box of James’ (Silberman & Goren 2003:22). However, the ‘literal reliability’ of the scriptures has been questioned by biblical archaeologists during this period so Shanks sought more opinions. For this he ‘turned to hard science’: ‘Amnon Rosenfeld and Shimon Ilanai of the GSI carried out microscopic and chemical tests on the ossuary. The results provided another seeming confirmation of the ossuary’s authenticity ...’ (Silberman & Goren 2003:22).

This was the go-ahead for Shanks to start the ball rolling as far as the media revelation of the find. That it clashed with certain antiquities laws in Israel was not heeded. As far as Shanks was concerned, the ossuary was found ‘... fifteen years earlier ...’ and this would have placed the ossuary in danger of being confiscated by the IAA (Silberman & Goren 2003). To prevent this from happening, the owner of the ossuary, unknown at this stage and going by the name of “Joe”, issued a statement that the artefact was acquired by him from an antiquities shop, when he was sixteen years old (Silberman & Goren 2003).

The question that Silberman and Goren (2003) then ask as far as this claim is concerned, is why did none of the people during this time enquire about or recognise the significance of the find given that the ossuary is probably the most important find in biblical archaeology of all time? An overstatement perhaps by Silberman and Goren, but given the amount of media coverage the discovery received it may well have been considered by many scholars and the general public to be the case.

The answer to this, by Shanks was that, ‘... “Joe” innocently admitting in one of their many conversations that “I never thought the Son of God could have a brother!” (Silberman & Goren

2003:22). Nevertheless, the media launch went ahead and subsequently to this the IAA was also embarrassed by the incident as it was criticised for issuing the export papers for Canada where the launch would have taken place (Silberman & Goren 2003). This whole debacle was met with much scepticism from the academic community, probably best illustrated by the following:

In an op-ed piece in the Los Angeles Times, Robert Eisenman of the University of California-Long Beach, a well-known controversial scholar who had written extensively on James, termed the discovery “just to pat, too perfect”. He suggested that the names of Jesus, Joseph, and James together “is what a modern audience, schooled in the Gospels, would expect, not an ancient one” (Silberman & Goren 2003:24).

Another example of the rift that it caused is best summarised by the following:

‘... Harvard’s Frank Cross, circulated a letter to colleagues around the world regretting Shanks’ “continued persistence in making claims” for the authenticity of the James Ossuary, and declared that he now stood “wholly and unambiguously with those who believe the ossuary inscription to be a forgery, a good forgery but a forgery” (Silberman & Goren 2003:29). In opposition to this, Shanks wrote many years later: ‘After a court trial that lasted more than five years the 138 witnesses, 400 exhibits and a trial transcript of 12,000 pages, the defendants were found not guilty of forgery’ (Shanks 2012:1). However, the judge upon giving his verdict stated that his verdict does not imply in any way that the James Ossuary is authentic or for that matter a forgery. Now follows a brief description of the events that led to this famous court case and some scholarly views regarding the authenticity of the James Ossuary.

To corroborate the claim that I have made about the harm done by forgeries and dealing in unprovenanced artefacts, we see that Lemaire, one of the main defenders of the authenticity of the James Ossuary was himself an ardent collector of ancient artefacts and antiquities. According to Cook (2005:73), ‘Lemaire is an epigraphist with a well-deserved international reputation, and, by his own admission, is known in the antiquities shops of Jerusalem as one who is always on the lookout for unpublished material’. There are some prominent scholars that question the validity of the claims by Lemaire. One of them, who bring a compelling argument to the table, is Jodi Magness, from the University of North Carolina. In short she questions the interpretation by scholars of the burial customs of the Late Second Temple period (Magness 2005). In my opinion, by far the most compelling argument.

As far as the possibility that the ossuary could have contained the bones of James the Just, she maintains, is not possible. James the Just came from a poor family and upon his execution by “stoning”, he would not have been buried in a rock cut tomb. His bones, according to custom, would later have been interred in an ossuary. Rock cut tombs were exclusively for the rich: ‘... there is no doubt that the monumental rock-cut tombs with ossuary’s belonged to Jerusalem’s elite, many of whom were Sadducees’ (Magness 2005:132). Because he was deemed to be a religious heretic, he would most probably have been buried in a trench dug grave, thus rendering his skeletal remains lost and not fit for later burial in an ossuary. In contrast to this, we know that Jesus died on the Sabbath, therefore his remains, according to custom, would not be buried in a dug grave, as this would have been forbidden on a Sabbath. The possibility is there, that Jesus would have been placed by special sanction, because he died on the Sabbath, in a rock cut tomb. This we have seen from the gospels. Magness (2005) maintains that even though there are questions around the authenticity of the claims of the James Ossuary, one way or the other, that it could not possibly be the bones of James the Just.

The editor of the BAR, Hershel Shanks, defended the view of Golan and subsequently became involved in a fierce debate that proved to be damaging on both sides of the argument, and at times threatened to bring the discipline of biblical archaeology into disrepute. On the one hand, you had those scholars whom defended the arguments of Golan and on the other hand, those who did not. The final nail in the coffin of the claim that it was indeed authentic came from hard science.

According to Silberman and Goren (2003:27), ‘the epigraphers were divided about the authenticity of the first part of the inscription but in light of the results of the patina committee, they unanimously agreed that the entire inscription must have been modern. In the case of the James Ossuary, it was geochemical and microscopic analysis, rather than scholarly erudition, that uncovered the truth’. The patina committee referred to the final conclusive proof as the “James Bond” coined by Goren. This was a ‘... composite material nicknamed by Goren since it was bonded onto the incised letters of the James Ossuary inscription but wasn’t found at any other place on the ossuary surface-or on the three authentic inscribed ossuaries that the commission members had sampled for comparison’ (Silberman & Goren 2003:27).

In short, the inscriptions contained a foreign patina or micro fossils called ‘coccoliths’ and these are not naturally found in chalk. ‘Hence it was clear that this was not a true patina formed by the surface

crystallisation of calcite, but rather powdered chalk that was dissolved in water and daubed over the entire inscription' as Silberman and Goren (2003:27-28) state. This was rather remarkable detective and forensic work done by the scientists that was part of the investigation committee. It was thus complex and exact science, as also alluded to in the novel of Reichs (2006) that finally proved that the James Ossuary was authentic, but not the inscription. The aftermath of these investigations proved to be a very hard time for Oded Golan. In their article "Faking biblical history", Silberman and Goren launch a scathing and vehement attack on Golan, as well as on Shanks (Silberman & Goren 2003), for the proposition and the defence by the editorial team at BAR for defending this, and also the promotion of this supposedly forgery:

But the story that begun with trumpet blasts of spiritual triumph was destined to end as an embarrassing farce. Indeed, the pious self-deception, shoddy scholarship, and commercial corruption that accompanied these relics, meteoric rise and fall as media sensations offer an instructive Sunday school lesson to anyone who would, at any cost, try to mobilise archaeology to prove the Bible true (Silberman & Goren 2003:20).

Hershel Shanks, on the other hand, was just as vocal in the defence of the authenticity of Golan's claims that this was indeed the genuine article and that at the very least the IAA should be open to a "round table" discussion of the James Ossuary, as well as other supposed "forgeries", such as the "ivory pomegranate" (Shanks 2005:77).

We see that subsequently after the court cases since 2004, Oded Golan was finally found to be not guilty of forgery in 2012, but as mentioned before, the judge refrained from making any ruling on the authenticity of the artefact. More recent archaeometric analysis of the James ossuary by Professor Wolfgang Krumbein suggest that there is no evidence to suggest that the inscription is a forgery. He maintains that there exists a '... probability that the inscription is ancient and most of the original patina has been removed (by cleaning or use of a sharp implement), and the inscription was treated more than once over a period of several years. It is very probable from our investigations, that the inscription part was cleaned especially vigorously in order to make it more visible to the viewer' and '...that the inscription was not produced in two stages' (Krumbein & von Ossietzky 2005) as suggested by some critics.

In conclusion, some further impacts on the discipline of Biblical Archaeology surfaced from this unfortunate episode. Firstly, it made scholars '... outside the circle of true believers more sceptical of ever finding literal proof of the historicity of the Bible. And secondly it made the wider public-to the

extent that they were still paying attention – more doubtful that the biblical experts and university professors interviewed on TV about their latest sensation could ever be believed’ (Silberman & Goren 2003:29). Had provenance of the artefact been presented, none of these unfortunate events would have happened.

3.2.2 The Masada skeletons

It was very clear from the beginning that Yigael Yadin’s tenure as the director of excavations at Masada, enjoyed sanction from the higher echelons of the military. It is important to take cognisance of the state of Israeli society soon after the establishment of the State of Israel. Hallote and Joffe (2002:85) emphasises that ‘a Jewish state needed a Jewish component, and this was felt even more strongly after the Holocaust’ and further: ‘For reasons of politics and social psychology the Jewish state, with its secular majority, ceded control over key aspects of lifecycle, and lifestyle, to a religious minority’. Such was also the case during the Masada excavations in the 1960s under the auspices of Yadin:

Among the most powerful figures in archaeology were Yigael Yadin and Benjamin Mazar, both of whom also played enormous roles in the development of the nation–state and its institutions, namely the military and the Hebrew University of Jerusalem. All of these were perfectly in tune with the different dimensions of “first republic” values. Archaeology also performed an important function in the state of Israel’s foreign image, and foreign policy, showing the Jewish state in revival, investigating its past with tools of science (Hallote & Joffe 2002:87).

This was a case where archaeology could have been misused and where the archaeologists and the academic fraternity were exploited during the political and ideological engineering of a regime - the newly established State of Israel. It was very often filled with controversy of a less than scientific nature, but rather an ideological one. I must, however point out that certain archaeological research where under sanction of the presiding regime, as far as the release of these findings were concerned.

This is not only restricted to Israel. We see political ideologies interfering elsewhere, for example in the Far East where countries are relying on either the acquisition of artefacts or withholding it to prove heritage: ‘Artefacts’ existence creates legitimacy, which is why China is constructing research vessels to find archaeological sites off contested islands to prove their territorial claims. Art is the material objects that tie our immaterial identities together’ (e.g. Campbell 2014).

In Israel, the one area that the non-secular Jewish society left alone was the archaeology, in fact they completely ignored its existence. This created a sense of the establishment of a feeling of common

historicity amongst the secular population, as well as foreign students and scholars which was divorced of any religious connotation. Thousands of volunteers streamed to the Kibbutzim and worked as volunteers on archaeological excavations.

Hallote and Joffe (2002:86) state that ‘throughout the 1950’s and 1960’s the activities of archaeology in Israel attracted relatively little attention from religious Jews. At the same time archaeology took its place as a central pillar of the Israeli secular identity. Israeli society was gripped by a deeply rooted embrace of the land, through study, fieldtrips, lectures and participation excavations.’

One could perhaps think that the site of Masada was the forerunner of the concept of “volunteer” excavations which became very popular in Israel and other parts of the Levant. ‘In addition to securing a nucleus of hired labourers, we hit on the idea of inviting volunteers to join us from among the Masada enthusiasts in Israel and overseas’ states Yadin (1966:13). From this we can see that Yadin relied on a collective sense of nationalism from his crew and the recruitment of international volunteers as far as the Masada excavations were concerned. This hype around the possible outcomes, as well as preconceived political and heritage ideologies, could play a part in the biased interpretation of the archaeological record.

It is with this in mind that we need to investigate the discovery of the Masada skeletons and some of the questions that arose from it. One of the most important discoveries of Masada was that the skeletons was found in a cave on the southern cliff just below the casemate wall. Yadin had questions about whose skeletons these were: ‘Had these been the bodies of Zealots? Had they been troops of the Roman garrison? Or had they been the monks of the Byzantine period?’ (Yadin 1966:193). By his own admittance, Yadin states that they did not know, but adds that with the assistance of his colleague at the Hebrew University, Dr. N. Hass, he managed to conclude that the skeletons found, were indeed that of the defenders of Masada (Yadin 1966:197). However, this met with some differing opinions by some scholars, and, as we shall later see by Yadin himself.

Many claimed that the skeletons were not necessarily those of the Zealots alone and that the state burial given to them by the Israeli government was indeed a bit of a farce. To corroborate this, were the findings by Yadin himself, which shows that amongst the skeleton bones were pig bones. ‘Since the zealots of Masada would not have buried their dead with the bones of an unclean animal, some scholars

suggested that the remains were those of Christians, who inhabited Masada in Byzantine times' (McGill et al 1997:19).

Another opinion is that these bones could well belong to those of Roman soldiers that died during the siege, as it was common practice for Romans to sacrifice pigs during burial ceremonies (McGill et al 1997). In a final condemnation of this theory, it was subsequently revealed by Yadin that he himself had issues with the identification of the skeletons, as that of being conclusively Zealot remains and that he was under pressure from politicians to make these claims. According to McGill et al (1997:19), '... Yadin had doubts about the identification of the skeletons, but that pressure from political leaders to connect the bones with the Masada legend led him to acquiesce to the state funeral'.

Here we see a classic example of the intervention of political ideology and an attempt to mislead or withhold the correct provenance in order to influence public opinion, regardless of the impact that it would have on the scientific interpretation of the archaeological record. Further to this, we see more evidence of the deliberate non-publication of field research.

In a fictional novel *Cross bones* by Cathy Reichs (2006) which comes highly recommended as a work of acclaimed academic merit for its exact references to peer reviewed research and context, it has come to light that field notes were not kept during the Masada excavations, and '... neither the bones from the twenty five commingled individuals, nor the articulated skeleton, nor the contents of Loci 2001/2002, are described in the six volumes of the final Masada excavation publication' (Reichs 2006:2).

In short, we see that there exist only transcripts and handwritten notes which are kept at the Mount Scopus campus of Hebrew University. Finally, Yadin did not do carbon-14 date analysis on the bones claiming that '... carbon-14 dating was seldom done' (Reichs 2006:2). In the book by Reichs (2006), we see a fictional story based upon a real archaeological excavation, and how this site and its contents became a symbol of nationalism. Fierce debate surrounded the human remains. These were used to corroborate a claim to heritage. The site of Masada still holds a revered sense of heritage for the State of Israel. Certain units of the Israeli army use Masada for ceremonial purposes where oaths of allegiance to the unit and the defence of the State of Israel are sworn by new soldiers (Yadin 1966:202).

It is the lack of the dating and the description of the one skeleton that was fully intact, that fuelled the curiosity of scholars of archaeology, and raised questions regarding the provenance of the other skeletons and who actually occupied Masada during the siege. It would however be a case of fraudulent behaviour rather than forgery on the part of the excavators. This doubt to this day still prevails.

3.2.3 The Talpiot tomb

The final burial place of Jesus has always been a contentious issue. In Jerusalem we see that many tourists and pilgrims visit two sites purported to be the tomb of Jesus: The Church of the Holy Sepulchre and the Garden Tomb. ‘Not surprisingly therefore that visiting Jesus’ tomb is usually on any itinerary of Christian pilgrims to Jerusalem’ says Scheffler (2000:134).

This well-known case is further expanded upon by Reichs in her book. It is the Talpiot tomb, or also known as the ‘Family tomb of Jesus’ (Gibson 2006:118). In short, the claim was made that archaeologists had discovered the remains of Jesus of Nazareth and Mary Magdalene. Prominent scholars and famous film makers championed this discovery. According to Meyers (2006:116), ‘most of these individuals claimed that the excavation of the tomb in 1980 in a southern suburb of Jerusalem known as East Talpiot had produced ten ossuaries or receptacles for the reburial of disarticulated remains of the dead, and that six that were inscribed could possibly be identified with the family of Jesus’. This discovery was featured on popular television and drew a lot of attention. To illustrate the public fervour and expectancy it is dramatically described as follows:

You could have cut the air with a knife when the announcement was made. The press conference took place on February 27, 2007, at the New York Public Library and was organised by Discovery Channel, and by Simcha Jacobovici and James Cameron, the makers of the documentary “The Lost Tomb of Jesus”. It was indeed a dramatic moment, with a panel of experts ready to answer questions on the stage, and with endless flashing cameras recording the moment for posterity (Gibson 2006(?):118).

Shimon Gibson who was part of the excavation team, found it necessary to point out that at the press conference, he was sceptical of the resulting claims that was being made that this was indeed the Tomb of Jesus and his family, and he likewise informed journalists of this contrary possibility (Gibson 2006).

One of the ossuaries was ascribed to the James Ossuary as similar in appearance, as it was plain and uninscribed (Meyers 2006:116). This however does not mean that the James Ossuary could have come from the Talpiot tomb. In agreement with Gibson is another scholar. As far as Meyers (2006:118) is concerned, this claim of authenticity remains a ‘... hypothesis to the public as well as to the scientific

and archaeological communities' and '... the story of the tomb of Jesus remains merely a hypothesis that has raised many important issues, but that remains unsubstantiated, doubtful, and completely suppositious.'

The main argument being that Jesus and his family would most probably be buried in Nazareth. Meyers (2006:117) asks the following: 'Moreover, with the practice of secondary reburial so common in Roman-period Palestine, why would the family of Jesus not have taken his remains back to Nazareth where the family tomb (if there was one) most surely would have been located?' On the supposedly ossuary of Mary Magdalene found in the tomb, we see that the inscription of the name is also contentious. Upon close examination of the inscription on the Mary Magdalene ossuary we note the following: '... the existence of two consistently distinct handwriting styles, documentary and cursive, brings into question the proposed unity of the inscription' (Pfann 2006:130).

In short, there is a theory postulated that two scribes worked on the inscription and that it would be highly unlikely that the inscription was done by a '... literate Hellenistic Jew of first century Jerusalem ...' (Pfann 2006:130). In conclusion, the Talpiot excavations were dogged by unfortunate events:

Tragically, Gath died before he was able to publish the results of his excavations, and it was left to Kloner to publish a final report on the tomb in the pages of the journal 'Atiqot' in 1996. Kloner faced a challenge in writing this report owing to the fact that Gath left behind only sparse and incomplete notes about the results of his excavation. My examination of Gath's notes in the archives of the Rockefeller Museum (IAA administrative archives/peh/J-M/bet/8/X), confirms that his notes are minimalist in content and that a lot of vital information about the tomb has been lost (Gibson 2006:120).

This brief discussion of the Talpiot tomb refers only to the lack of proper excavation methodology due to time constraints, the harassment of ultra-orthodox Jewish objections during the excavation and the untimely death of Yoseph Gath (Gibson 2006:120). Here we have a classic example of how non-publication of field notes can compromise the interpretation of the archaeological record. This leaves the scope for biased interpretations wide open and at the mercy of exploitation by opportunistic religious and political ideologies.

3.2.4 The Ivory pomegranate

In the case of the "ivory pomegranate", we see how a reputable museum with expert curatorship can purchase an artefact only to later discover that the artefact is indeed a forgery. This again raises the

question as mentioned earlier, whether museums should make acquisitions of artefacts whose origin is suspect and out of context, and the provenance is questionable.

It is popularly believed that the ivory pomegranates are indeed a forgery, at least by the very institution that initially purchased it (Suspected fakes 2005). However, there are also opinions of the absolute authenticity of this artefact (Avigad 1990). The context of this dispute is that a relic of great significance was acquired. It was an 'Ivory pomegranate that contained an inscription mentioning YHWH and the First Temple. This inscription was purchased by the Israel Museum for \$550,000. This item is not mentioned in the indictment, but it has been identified by the Israel Museum as a forgery' (Suspected fakes 2005:68). Contrary to this claim an opposing view is held by some scholars.

Some background would be necessary to explain the issue. According to Avigad (1990), the pomegranate is not a fake but authentic. However, the author holds that there are some questions that may be asked regarding its provenance:

The exact provenance of the ivory pomegranate is unknown. Although not found officially in a controlled excavation, it may yet have come from such an excavation conducted in Jerusalem, possibly stolen by the workman who discovered it and sold it to an antiquities dealer. It could also be either an accidental find or the booty from an illegal dig (Avigad 1990:158).

Once again the name of Andre Lemaire appears. He was also embroiled in the case of the James Ossuary. Lemaire apparently recognised the significance of the inscribed text on the object and published this in scholarly journals and popular archaeological magazines (Avigad 1990). According to Avigad, the inscription is authentic as it stood up to microscopic testing. The text alludes to the fact that the ivory pomegranate has its origin from the Temple of Solomon. The argument goes that the patina and the edges of the inscription, 'belonging to the Tem[ple of the Lor]d (Yahweh), holy to the priests' are rounded and shows signs of genuine age' (Avigad 1990:159). Avigad is convinced that the pomegranate is authentic; however, its secondary role is questioned, i.e. being used in the temple of Solomon. Avigad (1990:166) states the following: 'To this effect the epigraphical evidence alone, in my opinion, is absolutely convincing. It is also supported to some extent by archaeological evidence. The Temple of Yahweh was most probably that of Jerusalem'. However, and subsequent to this, we now know that the ivory pomegranate has been declared a forgery by the Israel Museum (Suspected Fakes 2005).

It is ironic that the same circle of protagonists was involved in this indictment. The magazine *BAR* received widespread criticism regarding its support of the private ownership and trade of antiquities. The editor, Hershel Shanks, was particularly vocal in his defence of Oded Golan (*Archaeology News* 2005:12-14). However, scientific analysis reveals that the ivory pomegranate is indeed ancient ‘covered by a naturally-formed patina,’ and ‘in contrast to the antiquity of the pomegranate itself, the inscription and the patina-like material on the inscription and around it are a recent forgery’ (Goren & Ahituv et al 2005:19).

The authors hold that this is indeed a very clever forgery, but that the inscription was made after the ivory pomegranate broke in ancient times. Goren and Ahituv et al (2005:19) reports that ‘the use of spaces as word dividers, the awkward syntax, and the execution of the broken part of the inscription, together with the fake patina over it, reveal the true character of the inscription as a sophisticated recent forgery’ Once again we see that artefacts, although its context is questionable, was held to be authentic, even though there is no definite scientific proof of its context and its provenance.

However, Gabriel Barkay (2007:82) argues as that:

The work of forging an inscription, counterfeiting of inscriptions is something which is a multi-disciplinary work. It is involved with the technical know-how of engraving of inscriptions. It is involved with choosing the proper raw material, proper type of stone or other raw material for the inscription, ivory or such. It has to be involved with deep knowledge in history, in paleography, in epigraphy, in linguistics, in Biblical studies, in chemistry and in geology. I don’t see such a person, neither around this table who could be a forger having all of these capacities and I don’t see anybody existing in the world who would have all that knowledge, both the technical knowledge of executing the carving of the inscription, as well as the [scholarly knowledge]. I don’t think a person could master all those fields together.

However until conclusive scientific evidence is produces, the question will remain whether this is a case of historical and political ideology taking precedence over scientific objectivity and provenance?

3.2.5 The Memphis stela

In the case of the Memphis stela, we see a combination of characteristics in an artefact, which after various decades of scrutiny and acceptance by scholars to be the genuine article, appears to be a fake. It is a combination of suspect provenance, and some of the art work on the artefact points to a suspicious stylistic rendering by the craftsmen or artist. This stylistic appearance is evident of a different culture. The Memphis stela was excavated in Egypt. It was purchased by Von Bissing, a

leading Egyptologist in his time: ‘... according to testimony, presented by Von Bissing with conviction, the ‘stela’ was discovered at Mithrine, the site of ancient Memphis, in 1909’ (Muscarella 2013:902). Also we see that the Von Bissing the owner of the ‘stela’, neglected to reveal under what circumstances the purchase of the artefact took place from the ‘excavator’. This fact was overlooked by scholars who cited it in their works as an ancient Egyptian example of “cultural transfer” ‘... accepting that it was derived from Memphis’ (Muscarella 2013:902). Upon investigation and scrutiny of the stela, evidence of anomalies appeared which did not reflect a typical Egyptian funeral scene.

The stela represents a funerary scene, of a corpse with a beard lying on three mattresses. At the head of the corpse are two bare-breasted females which imitates typical Egyptian gestures. At the foot of the corpse are two male figures wearing clothes similar to the corpse. (Muscarella 2013:904). Although the depictions according to Von Bissing looked strange and in his words “coarse”, as well as sharing Assyrian characteristics (Muscarella 2013:904), it was believed that the stela is a typical example of cross-cultural artistic imagery.

Muscarella (2013:901) explains: ‘The tracking of cultural transfers begins with evidence of objects that stand out from the norm’. It is important that we take cognisance of the possibility that although the provenance of the artefact seems intact, a thorough investigation into its origin and “genuineness” needed to be established before final publication. For decades, scholars believed that the provenance and the artistic renditions are not a fake and that it is merely an impression of cultural cross-pollination. Various scholars cited this artefact, because it was believed that Egypt ‘... was a richly cosmopolitan state ...’ (Muscarella 2013:907), that would depict other influences in its art. In this case, the Memphis stela showed signs of such influences, as Muscarella (2013:908) reports: ‘Evidence for cross-cultural influence between Egypt and Persia during the fifth century BCE is well attested in the written and visual records of the Archaemenid Empire’.

However, upon the discovery of the Saqqara stela which also depicts a burial scene as well as a mixed stylistic approach by the artist, and with known provenance, renewed focus was placed upon the Memphis stela. By comparison, the Memphis stela made from limestone, appeared to be at odds with its genuine counterpart: ‘The evidence against accepting Von Bissing’s relief as ancient increases when we compare its subject matter and iconography with those of the Saqqara stela’ (Muscarella 2013:910).

Both the Memphis and the Saqqara stelae purport to tell the same story of two wealthy families engaging in the burial of a family member. However, the coarseness and the analysis of the rendering of the pictorial iconography shows that the Memphis stela is a fake. Muscarella (2013:912) explains: ‘The dead man on Von Bissing’s “stela” had expensive furniture, attendants and a horse. It is unlikely that his family provided him with an elaborate funeral, but could not afford an experienced craftsman or a stone that was better suited to multi-level composition. *The Memphis Stela* was probably made in Egypt by a craftsman who lived in the early 20 th century’.

This is an example of an unexcavated artefact that lacked clear provenance which “slipped through the cracks.” It was accredited for many years as being the genuine article. Upon scrutiny it lost its status as being the genuine article. As Muscarella (2013) puts it: ‘This privileging of excavated material ensures a sound database for research and inevitably casts suspicion on all objects of unknown origin, both genuine and fake’ (Muscarella 2013:912). The importance of provenance in this case is self-evident. It is not always so easy to do stylistic pictorial analysis and prove forgery.

3.2.6 Ashurbanipal’s beaker

The artefact has its origin in the “Bazaar market” (Muscarella 2013). He refers to the false creation of an archaeological history. To fully understand the dynamics of provenance or lack of it one has to understand the profile of the typical bazaar archaeologist. According to Muscarella (2013), it is a common belief that the provenance acquired from the information by the seller of the artefact supersedes the evidence that one can derive from an excavated artefact with a clear “find spot”. He cynically “claims” that these sellers know about the historical provenience far better than the traditional excavator. Sarcastically, he refers to these artefacts as having “exquisite quality.” and, ‘... states that ‘they never match the styles and forms that yield or the tectonic and spiritual sense of excavated artifacts’ (Muscarella 2013:899). This situation suffers further from the willingness of traditional archaeologists who speak out against bazaar archaeology, but will publish the unexcavated artefacts with a made-up provenance. Muscarella (2013:890) reports the following: ‘The “said to come from X” provenience asserted by a dealer, collector, and curator-all qualified bazaarists – is instant historical reality. But all this notwithstanding, bazaar archaeologists have captured much of the archaeological realm. They have made plundering the *Ersatz* of archaeology. They have seen to it that *archaeology*, *excavation and provenience* are terms that “lose their names”’.

Such is the case with Ashurbanipal's beaker. It is a silver beaker with Assyrian inscriptions and decorations. Its historical record stated in the exhibition catalogue states clearly that it is a "chance find" (Muscarella 2013:891). The inscriptions infer that the production and decoration of the beaker was commissioned by Ashurbanipal. According to Muscarella (2013), the "crudeness" and the many 'anomalies, inconsistencies, and deviations from the *realia* and stylistic sense and spirit of these of the design' clearly indicates that it is a forgery. He says that '... the Miho scenes are a creation not of the seventh century BCE, but a fiction of the 1990s CE' (Muscarella 2013:892).

Arguments for its authenticity range from outrage to an attack on the inability of scholars to rely on 'stylistic and iconographical analyses' as a true measurement of the artefact being genuine or not. The subsequent result of these arguments normally lead nowhere. Claims made against forgeries or genuineness are mostly found in a deadlock as both parties will argue to the contrary. The sad part of this though is that the public will be duped into believing the most compelling and dramatic story. '... museum and other bazaarist personnel have their own protocols and will continue to exhibit, publish, and educate the public on the beaker's beauty and uniqueness' remarks Muscarella (2013:898).

Here we see that an artefact is a fake, although ancient, but is then decorated with copied inscriptions in the 1990s by an enterprising forger in the bazaar market with Assyrian iconography: 'As expected (from past experience), the scheme succeeded: the Beaker of Ashurbanipal, created to be sold, was sold (of course, "in good faith"), exhibited and praised by several museum directors and curators, baptized (born again) authentic, and published by a believer' (Muscarella (2013:898). As Muscarella holds, it will only be an unbiased and scientific examination of the artefact that will prove beyond doubt whether it is a fake or not.

In summary, it is not a simple matter to resolve such doubts about an artefact's authenticity once it has been published, exhibited and mostly accepted by scholars.

It is usually the lonely voice calling from the crowds 'that the king is indeed naked' and with perseverance provide the truth. Until then and without real provenance to prove the authenticity of the artefact, the public will remain in the dark, as the artefact's true provenance is protected by a code of silence amongst the unscrupulous forgers, dealers, collectors, curators and bazaar archaeologists.

3.2.7 The Moussaieff ostraca

The questions raised around the authenticity of the two Moussaieff ostraca, or “The House of the Lord” ostrakon” and “The Widows Plea” ostrakon, are based upon the study of epigraphy (Shanks 2007:35). It is the recurrence of certain phrases on the ostraca that seem to be taken from existing Hebrew text that raises doubts. This frequency and similarity raise causes for concern around the authenticity of the script.

However, it is necessary to be circumspect around this, as the text on the ostraca are repeatedly used in text of the languages of the ancient Near East (Shanks 2007:35). The point of departure in this debate would be the source and many other questionable inscriptions on ancient artefacts, especially if they were obtained without known provenance. Detailed scientific analysis on the material upon which the inscriptions were made, reveals that both the ostraca are indeed fakes. This also describes in detail to what extent forgers will go to produce forgeries as the analysis revealed.

According to Goren et al (2005:32), ‘the micromorphologic, petrographic and isotopic examination of the two ostraca indicate without a doubt that these are modern forgeries. The results of the analyses presented here enable the reconstruction of the sequence of actions taken by the forger(s). First, a body sherd from an Iron Age large vessel was selected. The surface of the sherd was cleaned from its original patina to enable writing on it. The inscribing was carried out in carbon ink, presumably using a calligraphy pen. After drying, the letters were “aged” by scratching them with a scalpel or a razor blade, in order to give them a weathered appearance’. The authors hold that these are actually very badly made forgeries, both probably in the same workshop (Goren et al 2005:32).

Many scholars would hold that the provenance of such artefacts are of less importance as they reveal a wealth of knowledge, regardless of context and the find spot. We further see in Rollston (2005) that it is not always necessary to rely on context and provenance as significant markers as the inscriptions themselves are self-explanatory: ‘The importance of an archaeological context for epigraphic materials has sometimes been marginalised in various radical ways’ and ‘... nevertheless, many specialists within the field would find this statement myopic’ (Rollston 2005:69).

In a published piece by Eph’al and Naveh (1998) both authors agree that the Moussaieff ostraca show peculiarities in the “letter forms”. The recurrence of these shows to them that the authenticity of the

artefacts can be questioned: ‘Such a high degree and frequency of similarity, which can hardly be regarded as accidental, raises serious doubts about the authenticity of the ostraca. If indeed they are forgeries, they must have been produced, after the publication of the latest epigraphic phrase which was incorporated in them i.e. the Kuntillet ‘Ajrud jar inscription ...’ (Eph’al & Naveh 1998:271-272). The question here, regardless of the fact that the epigraph can reveal a wealth of knowledge, is short-sighted. Its questionable provenance and that it was obtained via the “bazaar market”, gives it false reference as a source of information. The prevalence and the price that these “non-provenanced” epigraphs fetch on the market, would create an industry that flourishes. How will the archaeological fraternity judge which is incorrect and which is authentic? The mere acceptance of this notion of value given to questionable context, would drive the market of forgery further. This situation is worsened as the forgery industry have become very sophisticated and are able to make very good reproductions.

Rollston (2005:70) emphasises that ‘forgers have all the tools needed to produce a rather impeccable forgery. Fortunately, of course, forgers often make mistakes (and these can be detected), but it is imprudent to assume that this is always the case. The point is that forgers have ample “means”’.

Finally, we see that the industry of forgery is further strengthened by a peculiar fascination with artefacts of a religious nature. Very often religious ideology would motivate this: ‘Indeed the public (and even scholars within the field) can sometimes lionize such people because of “sensational” non-provenanced epigraphs. For this reason, it is my position that forgers may sometimes produce inscriptions so as to be lauded as the one who “found”, “vetted” or “owns” a sensational epigraph’ (Rollston 2005:70).

Surely, scholars cannot tolerate such a practice to exist in the study of ancient texts. In my opinion there is nothing to defend this. The flip side of the coin though is that archaeologists would be reluctant to decipher and authenticate epigraphical script for fear of ridicule, as well as defending the rule of epigraphical authenticity. We will discuss the opposite view of this in Chapter 6.

3.2.8 The Jehoash inscription

As mentioned in the previous section, religious and political ideology plays a major role in the forgeries market. Rollston (2005:70) explains: ‘The fact that the Jehoash Inscription was “reported to have been found in the region of the “Temple Mount” has political and religious overtones’.

A case in point would again be the lack of clear provenance. Imagine that the finders and owners of this artefact had the luxury of context to fall back onto in order to corroborate their argument. It would be a case of “argument closed” against all those that doubts its authenticity. But alas, such is not the case. Doubt upon the authenticity of the Jehoash inscription is based upon the philological analysis, whereas the Moussaieff ostraca is based upon the stylistic script and similarities in biblical text which is too frequent for “comfort”.

The authenticity of the Jehoash inscription is questioned mainly by Israel Eph’al who was the first to claim this (Shanks 2007:16). His arguments are based upon the almost identical text to biblical passages (Eph’al 2003:124), however, also recognising this aspect, he argues that this is not the most important aspect that is pointing to it being a forgery. ‘In spite of the textual similarities, between the two versions, they differ in various technical and ideological details’ states Eph’al (2003:126). According to the biblical texts from two books 2 Kings 12:5-7 and 2 Chron. 24:4-14, money to finance the repairs to the Temple of Jerusalem which the Jehoash inscription deals with, uses texts similar to both these books (Eph’al 2003).

In short, his argument is based upon the fact that the use of the much later Chronicles version in the inscription does not appear in Kings, and can therefore not be an inscription from the ninth century BCE, as it ‘... ignores the literary and ideological characteristics of the description in Chronicles’ (Eph’al 2003:127). The final blow to the authenticity of the Jehoash inscription is the occurrence of linguistic irregularities in the epigraphy of an idiom that appears in the inscription, which is a Modern Hebrew idiom.

However, Hurvitz (2007) is adamant that this is more the exception than the rule for using linguistic analysis, as we need more such examples: ‘This idiom, therefore, may well be taken as a “slip of the pen” by a forger whose native language is Modern Hebrew. Personally I believe, however, that only if and when the existence of additional potential cases of anachronistic nature are *definitely* established

in the text – thus attesting to a significant *accumulation* of marked features indicative of later times – only then will we be safely entitled to reject the authenticity of YI on linguistic grounds’ (Hurvitz 2007:22). For the purposes of this dissertation we will not delve further into the philological arguments of these scholars as it merely discusses in a very technical way how the forgery is identified by some.

However, what is important is that the inscription’s origin is unknown. In other words, it lacks clear provenance. Shanks (2007:17) describes this as the ‘methodological battlefield’. There are various views regarding this, regardless of the fact that all agree that the provenance is unknown. One of the scholars, Greenstein, is guided by the philological analysis and the fact that the inscription has no provenance (Shanks 2007). His interpretation is as follows: “I begin,” he tells us, “with a text that’s suspect. It simply appears on the market” (Shanks 2007:17). Others such as Lemaire and Cohen holds that the fact that the inscription has no provenance stands as an independent argument to it being a forgery. In other words, they would separate the two issues that confronts the authenticity of the artefact: ‘According to these scholars, decision must be based on what we find in this intense examination. As Cohen says in his abstract: “Labelling [the Yehoash Inscription] in advance as a forgery and then proceeding to demonstrate how the assumed forger constructed his masterpiece by pointing out all the similarities is surely begging the question”’ (Shanks 2007:17). These are just two examples of how one can approach this “methodological battlefield” expounded by the different scholars, and there are many.

However, Wiseman (1984) asked the following question many years before this debate took place: ‘One question for consideration is whether or not a publication of objects without provenience merits the scholarly attention of archaeologists. Archaeologists, after all, like art historians, must be concerned about the historical context of an artefact, for that is usually where the greatest significance lies’ (Wiseman 1984:67). In relation to the Jehoash inscription as argued above, the two opposing views both hold water when considering the following posed by Wiseman (1984): ‘It is the artifact *per se*, in that case, that claims priority of concern and emphasis. The historical context (to say nothing of the archaeological context), in this view, is of less importance and, in any case, may be able to be reached through the nature of the object itself. The catalogues of museum exhibitions provide myriads of examples’ (Wiseman 1984:68).

Given these arguments regarding the Jehoash inscription one has to tread lightly in being too critical of the views discussed. The problem with an outright rejection of the artefact because it lacks provenance, can be a double-edged sword. Some scholars would hold that the outright rejection of artefacts without provenance is the right thing to do. However, such a view may be just as bad as accepting that an unprovenanced artefact having secondary value or as having archaeological context. An example of this would be the Rosetta stone. Should it have been disregarded because it lacked provenance? Wiseman (1984:68) states that ‘if the artefact were genuine and from a known culture, presumably it could, with proper study and analysis, be made to yield some knowledge of its past, if only in a technological sense. The characterisation of materials and various archaeometric analyses, for example, are not dependant on knowledge of provenience.’ It would therefore be important to note that the lack of provenance does not necessarily indicate a forgery. A scientific study shows that there is no indication that the inscription can be called a forgery. ‘Microscopic examinations revealed that the surface pattern inside several letters is similar to the surface pattern of the tablet. The inside or basis of the lettering zone (underneath the recent deposits) and the surface of the tablet show continuity. There is no evidence pointing to any recent engraving that disturbs this morphological continuity. This morphological pattern was also found in several sites, when the "soft" material filling the letters is removed. This may indicate that the letters were engraved in the distant past’ (Krumbein & von Ossietzky 2005). As we saw, the Jehoash inscription just appeared on the market and became one of the most contentious debates regarding its authenticity while specialised and expert scientific analysis reveals the opposite. We therefore need to “walk on eggs” and not treat these debates lightly or not be too rigid in our opinions, as scholarship and unknown provenance demand a “delicate” approach. In the same breath, we need to be aware of the dangers to scholarship if taken to lightly. Looters and forgers are waiting for scholars to become lax. More of this will be discussed in the case of the Ziwiye treasures in section 3.2.11.

3.2.9 The Moabite Stone

I have purposely included the Moabite Stone or Mesha Stele in this section as it appears that there is more evidence pointing to the fact that this is not a forgery. It would therefore be unfair if I did not include this case, as it does in a certain sense proves that similarities in biblical text is not necessarily proof that it is a forgery.

It was ‘discovered in 1868 by a missionary FA Klein at Diban in Jordan’ (Scheffler 2000:86). After its discovery, it was broken into various pieces but fortunately a full impression of it could be made before its complete destruction and it is now on display at the Louvre museum in Paris (Scheffler 2000:86). Yet there are some debates over its authenticity. The question is why? Lemaire (2007:27) comments that ‘from the point of view of *palaeography*, there is no problem; it seems to fit exactly to the Moabite shapes of letters. The engraving seems clear without hesitation, following the model of a fluent scribe’. Here Andre Lemaire makes a valid point in defence of other artefacts with inscriptions that have frequent similarities to biblical texts which could have been used to make copies from. Also according to Scheffler (2000:86), it is ‘highly unlikely that a forger would have been able to know the correct form of letters in the 9th century BCE. There are enough resemblances to assume that the Moabite Stone and the text of 2 Kings 3 refer to the same historical text’.

Andre Lemaire is also defending the authenticity, but from a more philosophical point of view. He remarks the following: ‘Thus, now, the question is: should we consider now this inscription a forgery since it has some Biblical connection? Is the fact of proposing a Biblical connection for an inscription a sign that this inscription is a forgery? We are apparently faced with the same problem as with the James ossuary!’ (Lemaire 2007:27). Here we see an example of the analysis of epigraphy, linguistics and palaeography although there are similarities with known text, unable to prove outright forgery.

Back to the one question raised in the beginning why is there doubt? These doubts are probably best illustrated by Ronnie Reich (2007) at the Jerusalem Conference regarding the gut feel that a scholar experiences when confronted with an artefact that lacks clear provenance. He alludes here to the Jehoash inscription, but such doubts, manifests as gut feel only through experience in the field. He recognises the genius and their brilliance in deception. Reich has the experience in this field. Although his feeling so well expressed is about the Yehoash inscription it can apply to all questionable artefacts:

On the Yehoash Inscription, I really don’t know at this moment whether it is or is not a forgery. But something does bother me: If the Yehoash Inscription is a fake, then the person involved in it (the “brain”, not the artisan) is of extreme interest to me. His interdisciplinary knowledge in Bible, ancient Hebrew (lexicography, syntax, orthography), paleography and some geology, geomorphology and perhaps another subject or two seems to be extraordinary. Add to this the daring to produce such a long text (two lines would have been sufficient) where one can “stumble” so many times ... If this was one person, we all most probably know and have met him. I can’t imagine that it was a conspiracy of more than one person; if it involved more than one person, something would have leaked. So I am willing to listen to all the arguments that it is a forgery, but I wish someone would explain to me how these concerns of mine should be answered (Reich 2007:38).

Could this be that experience, knowledge of archaeology and fieldwork is indeed the biggest weapon against forgery? Reich has an uneasy feeling, because he has the experience which bazaar archaeologists do not possess. The other issue that faces the Moabite inscription, is that there is very little known archaeological evidence available about the Moabite culture, as only a few excavations were done in the whole geographical area (Stern 2001:262).

According to Stern (2001:267), ‘it is almost impossible to define a separate and independent Moabite material culture’ and, ‘there is no clear archaeological signs that this period was even prosperous one for the Moabites. This is peculiar and stands in contrast to the few known written sources, both biblical and Assyrian’. He states that ‘... the Assyrian conquest and presence did not, for some reason, leave clear traces ...’. Also ‘until more centers of this land are excavated or more finds emerge, the existence of a separate “Moabite Culture” remains more fantasy than reality’. However, this evidence does not detract from the authenticity of the Moabite inscription at this stage.

3.2.10 “The Queen of the Night”

In the case of the Queen of the Night, previously known as the “Burney relief” (Albenda 2005:172), we will see that the main arguments around its authenticity, is a stylistic analysis of ancient art. Although the plaque lacks provenance and has gone through extensive scientific scrutiny, which according to the Department of Scientific Research at the British Museum, shows that the clay is ancient. These results were never published, but its period is assigned to the Old Babylonian period of Hammurabi, dated at around 1800 BCE and 1750 BCE (Albenda 2005:172).

The lack of provenance proved to be the main point of contention regarding its authenticity. By clear archaeological rule of thumb, dating on unexcavated artefact is problematic and erroneous and unscientific by its very nature (Albenda 2005:171). The reliance for proof of authenticity then becomes a comparative test with that of other works of art from the Ancient Near East, of which we know very little. In short, the symmetrical placement of the figure is rare in ‘Mesopotamian art of the third and early second millennia BCE’ (Albenda 2005:175). Various other stylistic comparisons of the depictions of owls which are rather crude, as well as the upside down beaks of the owls, the “fleshy nude body” of the female figure (Albenda 2005:187), convinced some scholars that the piece is not ancient and thus not authentic, regardless of the thermoluminescence test dates.

A counter argument is raised by Collon (2007), in her rejoinder to the reasoning of Pauline Albenda (2005), as referenced above. Firstly, Collon claims that Albenda was unaware of the publication of the dates of the plaque. Secondly her (Albenda) claim that artefacts without provenance must not be dated wrong. She holds that ‘field archaeologists, historians and art historians are constantly having to reassign excavated objects “to a specific time or historical period in antiquity.” The code of Hammurabi (just referred to by Albenda on p. 171 in connection with the Queen plaque) is a case in point. If it had not been inscribed, would its discovery in the twelfth-century BCE level at Susa in south-western Iran have indicated that it had originally stood in a Babylonian city in the eighteenth century BCE? Only stylistic analysis would have shown that this was indeed the case’ (Collon 2007:45). A further argument that Collon (2007) has against Albenda (2005), is that her claim that she could not find an excavated comparison, as the Queen plaque is made up of a pastiche of motifs (Collon 2007:49), and that it was in the possession of an antiquities dealer, is also wrong. According to Collon (2007), there are indeed such objects that were excavated: ‘One of the most convincing excavated objects in any study of the plaque has to be, as already noted in 1937-9 by Henri Frankfort, the upper part of an enthroned deity from Ur, now on display in the British Museum alongside the Queen’ (Collon 2007:50). This, Collon claims, shares all the similarities with the “Queen of the Night”. From the material, it was made of (clay), motifs and colour pigments. However, Muscarella (2013) holds that the TL dating of the artefact omitted an important requirement: ‘Tests were taken from the rear and front of the plaque: but not on the lady’s body, which may be a crucial omission’ (Muscarella 2013:941). This by itself is a mistake, as much could have been revealed by this.

In conclusion here we have a stalemate. Both arguments hold water. However, one cannot take a subjective look at the artefact based on a statement that Collon (2007) makes citing her former professor Edith Porada: ‘She believed that, with time, a forgery would look worse and worse, whereas a genuine object would grow better and better’ (Collon 2007:50). For Collon, when she views the Queen now, it apparently grows better and more interesting as time goes by. This point is also raised in a much more modern forgery the painting by Van Meegeren’s “Christ and the Pilgrims at Emmaus”. Van Meegeren’s later pictures were much worse in quality. I think there’s no doubt that with time the forgeries would have come out because of their stylistic weaknesses’ (Rousseau 1968:252).

Regardless of this though, I would hold that subjective aesthetic appreciation of art or of an object, can never replace the empirical evidence, as well as a good dose of correct archaeological procedures, to put an unexcavated object that came from nowhere, or from an antiquities dealer in doubt.

3.2.11 The case of Ziwiye and the forgery of provenance

As alluded to in the section on the Jehoash inscription, we need to take cognisance of the dangers to scholarship in the absence of provenance. Wiseman (1984:69) states that ‘the disastrous effect on scholarship that can result from treating objects “said to be from” some place or other with the same kind of regard tendered to artifacts recovered in an archaeological excavation is nowhere more vividly depicted than in an article written some seven years ago by Oscar White Muscarella.’

Muscarella (2013:955) alludes to the basic principles of archaeology and scholarship being disregarded on a massive scale:

...there are no objective sources of information that any of the attributed objects actually were found at Ziwiye, although it is probable that some were; that dealers and uncritical scholars together are responsible for treating the objects as an actual archaeological find from one find-spot; and that the objects have no historical and archaeological value as a group.

He also explains that, ‘... the methodology employed by many scholars concerned has been defective and improper and that many art historians and archaeologists have generally tended to ignore the serious implications involved in seeking firm cultural and archaeological conclusions when working with objects claimed to be derived from sites that were not excavated by archaeologists (Muscarella 2013:955).

Evidence taken from publications reveal that none of the excavations prior to 1964, which is 17 years after the first excavations, took place. Here we see forgery of provenance on a massive scale perpetuated by quiescence of the academic fraternity. In the words of Muscarella (2013), this deception could take place simply because of a lack of will on the academics to identify a difference between collectors and archaeologists. It is also a known fact that the first artefacts from the site surfaced on the antiquities market. This deceit took a further turn for the worst when it was discovered that some of the many artefacts “excavated” at the site ‘... did not derive from personal observation but from second- and third-hand sources: from dealers and possibly from the Ziwiye villagers themselves’ (Muscarella 2013:988).

The subsequent publication of the results of the Ziwiye excavations by the two main “scholars” were fraught with doubtful information: ‘When every object published by Godard (not to mention Ghirshman) is examined against this background, the same conclusion expressed above forces itself upon us: the acceptance of any object published by Godard as in fact deriving from Ziwiye can be defended on the basis of faith alone, on the subjective (and I believe mistaken) belief that Godard really knew what was found at Ziwiye’ (Muscarella 2013:991). This is an example of the publication of field results based purely on conjecture and half-truths.

3.3 THE NON-PUBLICATION OF FIELD RESULTS

This issue is a larger problem than what most scholars would care to admit. In this section we will also look at two opposing views that are in contradiction to the question of the importance of provenance. We will also look at the publication of unprovenanced artefacts and the arguments of those who are against it as well as those that support it. The non-publication of archaeological excavation results is prevalent across all excavations and not only to the Middle East. Moscati (1975:82) states that ‘this is one of the major sins in archaeology, and the more so since archaeologists who do not publish will usually refuse to permit others to publish their material. In such circumstances, it would have been better not to excavate at all, leaving open the possibility of a future discovery that would be adequately made known’. This is nothing more than bad science, and can be equated to the selfish hi-jacking of knowledge.

I have purposely included this in the chapter on forgery, because we will see that the non-publication of field research to a large extent can cause a breeding ground for fraud as well as the illicit trade of antiquities. Interesting statistics show that there is a severe backlog on published material compared to the amount of archaeological excavations that have been conducted:

About 70 percent of archaeological projects in Israel have either published insufficiently or not at all, says Avni. That figure stood at 90 percent as recently as a decade ago. So the backlog is declining, but all excavation in Israel could stop tomorrow and there would still be 30 years’ worth of books and articles to publish. Caesarea, Masada, the Temple Mount- the list of famous sites that have not been published adequately goes on and on. Only two, the excavations at Ashkelon and Sepphoris, are currently ruled out for new excavation licenses until they release books (Atwood 2007:60).

In the case of Ashkelon, we see that the excavations there were mainly by Levy and White who were ardent buyers of antiquities. According to Atwood (2007:62), ‘Ashkelon thus offers the irony of a major dig financed by a top buyer of undocumented antiquities. From 1985, until his death in 2003,

Levy provided 75 to 80 percent of the project's annual budget of about \$300,000, says Stager. "It's mostly because of Leon Levy's financing that we've been here so long. It never would have happened without him".

We see that it was by the manipulations of the wealthy antiquities dealers for whom famous sites such as Ashkelon became to a large extent a mere source of supply of artefacts for these dealers. Stager do hold though that they have published regularly, but that they were under pressure to excavate every year regardless of the backlog of published material that was accumulating: 'A lot of people dig one season, then work on the material the next. We couldn't do that. We had to work every season because that's what our donors wanted' (Atwood 2007:62).

This situation also persists in Egypt and in Cyprus, to use but two examples. In Egypt, we see that the Supreme Council of Antiquities has laid down strict regulations regarding any new excavations by revoking and not renewing digging permits on 20 projects because of the failure to publish (Atwood 2007). "When I took this position," says the council's head, Zahi Hawass, "I made a rule that if you don't publish within five years, we'll stop you" (Atwood 2007:18).

In Cyprus the same situation persists: "Nobody can dig year after year. We don't even ask to renew until we've put something out [in print]," says an archaeologist working there. (Atwood 2007:18). On a more positive note regarding the non – publication issue, we see that this situation is slowly being rectified taken from a statement made by another prominent scholar of archaeology in Israel. "Single-period sites are easier and quicker to publish on. Ashkelon isn't like that," says Gitin, who insists the problem is being solved. "Things are getting more or less straightened out, and almost everybody [working in Israel] is on track to publish. There are a few scoundrels still out there who aren't but we know who they are" (Atwood 2007:62).

As can be seen from the above, we can readily assume that this is not a case of restricted to Israel but elsewhere as well, and, that this matter is taken very seriously by the IAA (Israel Antiquities Authority) and other controlling bodies.

Furthermore, there is also an argument against the restriction of the publication of unprovenanced artefacts. This is particularly evident in cuneiform tablets:

The general assertion made by many archaeologists that artifacts without provenance have little historic value has impacted on the publication of cuneiform tablets, many of which have become available in recent years primarily, but not exclusively, as a result of the two Gulf wars. Archaeological societies have instituted bans on the publication of cuneiform texts in their sponsored journals and have lobbied not just to suppress or censor publications but even not to make references to such texts in print or in conference presentations (Owen 2009:125).

The argument against this is based upon the importance of cuneiform text to provide a greater understanding of the “mute structure” that is uncovered. Owen (2009) argues that the censorship of the publication of this is ‘simply not acceptable’ (Owen 2009:126).

This knowledge can simply not be ignored as it provides insight into the historical knowledge of the past. This is particularly relevant to Iraq which is currently undergoing a near complete collapse in the preservation of its cuneiform inscriptions as it is being looted, as well as being destroyed, at an alarming rate. For example, these texts are crucial in ‘filling in the gaps in the historical, lexical, social and economic knowledge of Ur III’ (Owen 2009:126).

The author holds that one cannot argue that unprovenanced tablets form part of the illegal antiquities trade. The question of the importance of the role that monetary value play in these artefacts are not a clear cut argument. According to Owen (2009:129), ‘publication assures the registration of unprovenanced artifacts and the dissemination of information about artifacts that otherwise will make no contribution to history. Anyone visiting a museum, whether Baghdad, Cairo, New York, or anywhere else, is dazzled by the wealth on display. Surely it is not a publication in some arcane scholarly journal that emphasises that antiquities have monetary value’.

Owen (2009) argues that this notion of non-publication is in fact doing the world of archaeology more harm than good. Lawrence Stager, according to Owen, refers to these archaeologists as “jihadists” because they ignore the value of the research that can be derived from this multitude of unprovenanced artefacts. However, yet at the same time the authorities must strive to eliminate the looting of these artefacts and the dealers that market that trade in the tablets (Owen 2009:130).

At the “Museums and the collecting of antiquities past, present and future” and at the 2006 Annual Meeting American Schools of Oriental Research, Washington, DC, special session, “unprovenanced cuneiform texts: does context really matter?” (Owen 2009:130), arguments for and against the publication of unexcavated tablets were investigated. A clear divide regarding this is evident with reference to this issue. One of many examples, according to Owen (2009), is the seemingly ease with

which the American Schools of Oriental Research, the Archaeological Institute of America the International Congress of the Archaeology of the Ancient Near East, and the Deutsches Archäologisches Institut, reject written scholarship or discuss unprovenanced artefacts, but yet they will accept articles from scholars who have not published excavation reports for many years (Owen 2009:135).

Owen is clearly arguing for the frequent publication of field research which is a noble sentiment to have. It is difficult, however, to understand what publication of unprovenanced cuneiform tablets will add to the record given that it could well be just a jumble of translations. We also see that very frequently the looters engaging in forgery by pasting together fragments of cuneiform tablets so that it looks like a complete tablet.

Owen (2009:133) states that ‘... anyone who follows the sale of tablets on the Internet or has seen the photos of the boxes of fragments confiscated by the authorities knows immediately that the bulk of this material is, in fact, made up mostly of fragments. Furthermore, many of the seemingly “complete” tablets are often composed of fragments of different tablets pasted together to form what is supposed to look like complete texts to the untrained eye, all suggesting that the looters try to use whatever they dig up’. In fact, early Sumerian text show very little more than financial records of transactions. Very little history or literary descriptions of life were transcribed by the authors of these pieces during this early period. Magnificent discoveries of the Babylonian text of Hammurabi were far and few between: ‘... the first texts of history contain no philosophical insights, no poetry, legends, laws, or even royal triumphs. They are humdrum economic documents, recording the payment of taxes, the accumulation of debts and the ownership of property’ (Harari 2014:138).

I use this above example reservedly, as there are many wonderful cuneiform tablets inscribed and revealing knowledge. Most of these are actually unexcavated stele or inscriptions of immense value, such as the Rosetta stone from Egypt.

A question then arises. Would not the same have to apply to the unprovenanced Assyrian cuneiform tablets? Regardless what information it might contain. Should not the same principle apply? That would be fair, would it ... or perhaps not? Accordingly, the archaeology fraternity is viewed with much mistrust for having double standards as well as the exclusive club of the custodians of knowledge, which were created by them. Boardman (2009) takes a critical look at the publication record of

excavation reports of archaeologists over a certain period. The result is rather shocking: ‘The results of my investigation were depressing’ and ‘I would judge that, over the last fifty years, far less than 25 percent of material and results of professional archaeological excavations has been properly published ...’ (Boardman 2009:109). And further: ‘An unpublished site is even more of a destroyed site than the Bamiyan Buddhas, since no public record whatever is left’ (Boardman 2009:109).

The withholding of information perhaps because it does not suit the archaeologist to publish the results can be equated to forgery, or for that matter looting. It leaves the site destroyed and with nothing to show for it. According to Owen (2009:135), “looting is the uncontrolled destruction of sites, excavation is the controlled destruction of sites. Without publication the end result is the same – loss of knowledge”.

There is numerous ancient Near Eastern societies that does support this view and they regularly publish articles that refer to unprovenanced artefacts: ‘... more such publications and statements of support will surely follow as scholars recognise their professional and moral obligations to rescue this important material, before it is lost forever, against the well-intentioned, but misguided, objections of certain archaeologists and a minority of philologists’ (Owen 2009:138). This, however, is in direct conflict with the archaeological societies that refuses to even look at unprovenanced artefacts. In many cases, however, the archaeologists who are involved in regular excavations are not realising to what extent the non-publication of their field work is damaging the potential of the site to reveal knowledge. Therefore, their argument that unexcavated material is not to be regarded as a compelling reason for authenticity falls flat. Archaeologists who do not publish are in a sense painting themselves into a corner. Ortiz (2006:23) explains:

The result is the loss of information, of archaeological context, and concealment of finds. Lack of clearly defined priorities and of trained staff leads to badly conducted excavation, little more than treasure hunting; insufficient funding to poor conservation and restoration. Surplus material that seems of no interest is sometimes discarded. Upper levels are sometimes overlooked as the specialist goes straight to those of his interest. Poor storage destroys everywhere vast quantities of officially recovered objects.

Ortiz makes a compelling argument here and gives credence to those archaeologists who does it right, but I would be of the opinion that two wrongs do not make a right.

“Excavating” in the bazaar market, as collectors mostly do, are certainly not aware of any of the above mentioned pre-requisites for a good archaeological excavation. Collectors can certainly not lay claim

to any expertise of the archaeological methodology when purchasing an artefact from a dealer in the bazaar. The artefacts that they purchase might have come from the upper levels, it was never removed by trained staff as it was probably ripped from the ground by a looter or, worst case scenario, was forged and aged by some expert artisan somewhere. There is certainly no other word for collecting pieces in the bazaar market as treasure-hunting. As I said, two wrongs don't make a right. It is therefore necessary that archaeologists publish their results, as soon as possible, thus ensuring that no secondary forgery can be added to artefacts that lie as rubble somewhere in a store room in a university basement, waiting for a tempted forger to do his worst. In conclusion, there is no straight forward answer to this dilemma and the two opposing views have reached a stalemate.

These are compelling arguments and it would be wise to reconsider this deliberate showing of ignorance of the value of these inscriptions. It is therefore in the interest of the discipline and the duty of the archaeological fraternity, to set this matter right and come to some middle-ground agreement with the opposite side. How this impacts on provenance will be discussed later on in this chapter.

3.4 THE DETECTION OF FORGERIES

Now follows a short introduction in the detection of forgeries. We have seen that the methods of forgery have become very sophisticated and is in many cases very difficult to detect. In fact, there are many cases where scholars are still debating the authenticity of famous artefacts, as we have seen in the above. The prolific looting of sites obviously makes the detection of a forgery more difficult and I would venture that the first red flag would be the sudden appearance of a piece on the market or the publication of an artefact without a recorded findspot or provenance. This in the traditional definition of provenance, would already indicate a big question mark around the authenticity: '... culturally significant, the issue of forgeries of ancient artefacts involves *only* objects that have *not* been excavated by archaeologists at a known site' (Muscarella 2013:933).

The collector obviously has a major influence on this as most of the artefacts have been purchased from a middleman who in most cases cannot provide authentic documents or historical provenance. As the definition of provenance states: 'The Concept of provenance is defined in terms of an object's origins, or findspot and history since unearthing' (Chippindale & Gill 2000:463).

The overriding debates and issues regarding the authenticity of an artefact, is complex and has in many cases had to rely on the absolute importance of ethical behaviour. Usually this is the first step in discussion of the detection of a forgery. In addition, we see that there is a myriad of published and catalogued information in circulation and open to the public.

According to Chippindale and Gill (2000:464), ‘exhibition and auction catalogues provide freely available facts about the antiquities market that may be used for a wide variety of synthetic studies on collecting practises and consequences. Current inquiries address the basic concern of whether circulating antiquities have a known findspot and “good” history or unknown findspot and “improper” history. Answers to these queries have been strongly dependant on the various viewpoints in the business’.

However, as mentioned this would be the first point of departure in the detection of a forgery. Unless the object has clear and verified provenance, it should be viewed with suspicion. Many scholars would not agree with this as we saw in the previous section on the non-publication of field research.

However, the abundance of artefacts and antiquities floating around have clearly created the ideal environment for the forgery market to flourish. The looting of ancient tablets and scrolls in Iraq and Syria have provided the basic essentials materials upon which forged inscriptions could be made. This in itself makes it difficult to detect forgery based upon scientific dating as the base material can certainly be dated to a specific period. The only questionable features would be inscriptions or any possible additions or artificial patinas, which can only be detected by scientific methods in a laboratory.

Let us take a brief step back. It was only in the early 20th century that science became especially interested in the detection of forgery in art and antiquities (Werner 1970:68). After this period, we began to see the spread of laboratories across the world which specifically dealt with the scientific analysis and understanding of the components that made up art and antiquities in order to preserve the objects. In addition, and in collaboration with museums and archaeologists, scientists could use these methods to examine the authenticity of objects. It is upon this role of science that we will concentrate.

Werner (1970:79) states that ‘scientific examination can prove useful in problems of the authenticity of suspected objects, where evidence may be obtained which is either consistent with the date alleged

on stylistic grounds, or on the other hand may reveal anachronisms in composition or technique, or may show that the expected signs of age have been artificially induced’.

It would, however be naïve to take for granted that forgers have not stayed abreast of all the methods which can show their work to be fake. There are two basic types of forgery. The one is where the entire object has been forged. The other, as mentioned before, is where an ancient object has been altered. This is usually done in order to increase the monetary or the “sensationalistic” value of an object (Craddock 2003:235). Usually the forgery of the latter, is done to alter the view of people regarding the historical provenance of an artefact, and to influence and manipulate history, political or religious ideologies.

There are basically two types of detection. The first is stylistic comparisons to known artefacts with a clear provenance:

To recognise a forgery may be a gift of perception, of having ‘an eye’ which is innate, but the sense involved can be developed: judgement comes from familiarity, from handling, seeing, looking with intensity at the type of the artistic creation involved. Thus, unconsciously one may become imbued with the ethos of its period and develop this sense by looking closely at other contemporary original works; this means, in museums and countries where there are authentic examples. One develops thus a sort of Bergsonian intuition, a stream of consciousness, a perception. It is precisely the ethos of the artist of the period that the faker cannot have. Therefore, his reasoning is as laboured as his hand. Of course, knowledge of the artistic production of a period with all its characteristics will enable the discovery of faulty forgeries, those badly copied or created (Ortiz 2006:29).

The other is the scientific analysis of the object. This can reveal a much more objective result and is usually the nemesis of the forger. However, it is not always so simple. Scientific reports on the analysis of an objects authenticity is in many cases misinterpreted. Craddock (2003:235) explains:

This probably arises because the scientific data can so often be presented in numerical form, seeming to have finality that can brook no dissent. In fact, of course, the very figures themselves have limits of detection, precision and accuracy, which even when quoted in reports to the art historian seems to be rarely understood. However, it is not the numbers themselves, but rather their interpretation that is all important, and here it comes down to judgements based on experience and reference to previous examinations and/or comparison with known genuine pieces ...

We shall see that the debates around the accuracy of scientific methods, as well as its ability to verify authenticity, is also under the spotlight. It is especially difficult to detect forgeries of objects made from stone (Spier 1990:623). Spier (1990:628) emphasises the following: ‘In contrast to the trend toward ‘objective’ criteria, George Ortiz, a noted collector of ancient art with a well-deserved

reputation as a connoisseur, still relies on his own judgement and maintains a healthy scepticism of scientific methods of authentication’.

There are basically three categories of scientific dating which can be used to authenticate an object: it is radiocarbon (C 14), thermoluminescence (TL) and dendrochronology. This is to examine the composition, methods of construction and aging of an object (Craddock 2003:238). Without going into too much detail, we will see that within these categories are sub-divisions of dating methods more specific to the material that is tested such as X-ray diffraction, pigment analysis, atomic absorption spectrometry and so on (Johnstone 2015).

Interestingly, dating methods and analysis have become so advanced that other scientific disciplines such as ‘forensic botany’, can identify what kind of plants were used in smoking pipes from the early 17th century by using advanced techniques such as ‘gas chromatography mass spectroscopy’ (Thackeray & Young 2015:5).

These methods are usually published and explained in great depth in reports which is available for everyone to read and assimilate. Forgers have cottoned onto these methods and have developed processes of aging an artefact which can dupe the test: ‘The serious forgeries of today are much more convincing than previously because more is known of the ancient technologies that would have been used to produce the genuine articles. The adoption of the correct technology by the forgers generally dates from the extensive publication of the technology concerned’ and ‘... there is extensive information on the chemistry and mineralogy of the various naturally forming corrosion products on copper alloys and also on the characteristics of synthetic patinations, including those applied to deceive’ (Craddock 2003:240-241).

In the case of ceramic forgeries, we see that this has reached such proportions that there has been a call for the non-publication of production methods that are published in scholarly literature. However, this would not be a workable solution as all publication of stylistic analysis on artefacts should also be halted to prevent fake copies. Clearly this is not a solution (Craddock 2003:241).

Using purely scientific methods have proved to be fallible. Sophisticated methods, such as Infrared spectroscopy (IRS), is relatively cheap to use and therefore easily applied. However, it only works on

certain materials, thus there is no “silver bullet” in scientific analysis that can clearly authenticate all forgeries (Cooper 2009:50).

As far as the detection of forgeries are concerned we should use both stylistic analysis and science to expose a fake. The two cannot be used in isolation as they complement each other (Rousseau 1968:247) and would pick up a mistake that the forger has made in the creative aspect, as well as the material patination or aging of a forgery. Until we have the perfect test sometime in the future, we will have to rely on our sensibilities and “educated knowledge for opinions” and, ‘so perhaps the future holds a time when an instrument will give us a simple “Yes” or “No”’ (Cooper 2009:51). Until such a time we should remember the following warning: ‘... if the artefact is so wonderful, so unique, and the deal “to good to be true,” it probably isn’t a real clue to the past at all and you won’t want it in your museum’ (Cooper 2009:51).

Muscarella (2013: 932) is of the opinion that scientists as well as connoisseurs both have the same chance of getting the authentication of an artefact wrong. Muscarella cites Spier in his observation published in *Blinded with science: the abuse of science in the detection of false antiquities* (Spier 1990). Muscarella has this to say: ‘... it took me some time to comprehend this perception, to recognise that conclusions submitted in scientific or conservator reports can be as incorrect, or in conflict with conclusions of their colleagues, as are empirical, “connoisseurship” determinations by archaeologists and art historians’ (Muscarella 2013:932). However, there are clearly unresolved issues regarding authentication and no “single silver bullet” to resolve the issue of authentication, except clear provenance and context. Unless provenance is the benchmark, I am afraid this debate will continue *ad infinitum*.

3.5 THE TRADING ON THE INTERNET IN THE FORGERIES MARKET

Forgeries have been traded on the market for centuries. Since the late 19th century, we see that forgeries, especially those that relate to biblical history have been targeted and have indeed made the headlines in the media. However, it has also had its casualties.

A case in point is that of Moses Shapira. The reason for these attempts at deception is that the “artefacts” speaks to the ideological and religious sentiments of people all over the world: ‘As a dealer in biblical antiquities of uncertain provenience, Moses Shapira achieved celebrity status. Constantly

seeking to flatter prominent scholars of the day with inside information on the latest finds, he persuaded the Berlin Museum to purchase a vast hoard of bogus Moabite idols and almost sold to the British Museum for a million pounds a supposed ancient parchment on which was written a previously unknown, earlier version of a passage in Deuteronomy' (Young 2003:4). Upon the discovery that it was indeed a fraud and stripped of his status, Moses Shapira took his own life (Young 2003:4).

Recently, we see two very famous cases where renowned institutions have been duped into the purchase of forgeries. These acquisitions, the Ivory pomegranates, as well as the Jehoash inscription mentioned earlier on, would have, if proven to be authentic, added to further proof of biblical accuracy as far as the archaeological record or finds were concerned.

According to Silberman and Goren (2003:20), 'that is why the stakes were so high when two astounding discoveries recently surfaced in Jerusalem, that if authentic, would have offered convincing, perhaps irrefutable archaeological evidence of the historical reliability of two biblical events'. The discovery of the Jehoash inscription was such a sensational find that the right wing "Temple Mount Faithful" immediately posted on their website that the Temple should be rebuilt immediately as this discovery was a sign from G-d. In response to this the secretary of Jordan's Royal Committee for Jerusalem's Affairs, warned that any attempt to destroy the Al-Aqsa Mosque will be met with dire consequences: '... if that happened, God forbid, a holy religious war will definitely inflame the whole region' and 'this was dangerous territory for an archaeological artefact to be drawn into' (Silberman & Goren 2003:25).

Fascination with biblical artefacts and monetary gain are the main driving force for forgeries that come out of the biblical Levant region. These would obviously fetch the highest price on the market: 'One need look no further than eBay. A writer for the *Toronto Star* recently searched the online auction site for "fragments of the True Cross." Four were for sale' (Young 2003:4).

These are just some example of how forgeries can be manipulative and instrumental in causing disastrous chains of events, and how dramatic its effects can be on people. Yet this deception continues and as a business is flourishing, especially with the advent of online buying sites such as eBay. There are numerous sites that one can visit to be presented with catalogues of artefacts with "genuine authenticity and known provenance." But the saying "a fool and his money is soon parted" does not seem to apply here given the numerous sites and the statistics of forgeries found on these sites:

‘Looting, which is illegal, is widely recognised as destructive to cultural heritage because it can remove from public ownership tangible links to a people’s past. In addition, looting is perceived as the enemy of scholarship because it typically is done without regard to any appropriate methods that allow scientists to date objects and to place them in a larger meaningful context’ (Internet source, University of California, Los Angeles 2009).

However, interestingly, the initial fears that the internet (eBay) would increase looting proved to be quite the opposite as one study found. Looting of sites reduced dramatically.

According to Charles Stanish, an archaeologist from University of California, Los Angeles, eBay has ‘... inadvertently created a vast market for copies of antiquities, diverting whole villages from looting to produce fake artefacts’ and, “for most of us, the Web has forever distorted the antiquities trafficking market in a positive way” (Internet source, University of California, Los Angeles 2009).

Stanish, like many other archaeologists, feared that eCommerce would open the sale of illicit trade in artefacts to everyone who had access to a computer. In other words, the distribution in illicit trading in artefacts would exponentially increase. However, the opposite happened: ‘The proliferation of these copies also has added new risks to buying objects billed as artefacts, which in turn has worked to depress the market for these items, further reducing incentives to loot’ (Internet source, University of California, Los Angeles 2009).

People who first were involved in looting have now turned to forgery, as it is much easier to do this and sell to a person with an eBay account, than to take the risks of looting. Although this study was done on mainly Andean archaeology, ‘he has tracked eBay listings of antiquities from many cultures’, as well as Egyptian artefacts (Internet source, University of California, Los Angeles 2009).

Lastly and positively, another upside to the sophisticated usage of aging processes of forgers such as laser technology and chemical processes have added to the ‘risk of illicit, high-end trafficking’; “Who wants to spend \$50,000 on an object ‘guaranteed’ to be ancient by today’ standards, when someone can come along in five years with a new technology that definitively proves it to be a fake,” he asks’ (Internet source, University of California, Los Angeles 2009). Thus, inadvertently, the internet and eCommerce have in some small way protected provenance.

3.6 THE IMPACT OF FORGERY ON PROVENANCE

The most profound impact that forgery has on provenance is that it leaves the responsibility of the identification of the artefact in the eye of the connoisseur to determine whether the artefact is a fake or not (Brodie, Doole & Watson 2000:17).

This is not a good position to be in, as the role of the archaeologist or specialist epigrapher to use but one field of expertise as an example, is often tested to a bitter end by debate and argument. As a general argument against collecting, whether it is a forgery or an unexcavated object purchased in the bazaar market, the very character of the artefact is lost as time goes by. In a sense it is similar to the study of quantum mechanics. Simply put, in order to study an electron, its trajectory or position at a given moment, we have to take away its velocity. By doing this we theoretically have to give it a fixed position, which destroys its very characteristics and nature. The observer will find that he or she is no longer looking at an electron.

Lowenthal (1985:405) explains; ‘The very effort to salvage is self-conscious and crisis-starred. And it encumbers the landscape with artefacts which no longer attest a living antiquity, but celebrate what is dead’ and ‘... like collectors generally, as Walter Benjamin realised, preservers destroy as they salvage, what is deliberately withheld from the natural course of decay and evanescence ... ceases to be part of a living entity and ends up as a fragment sundered from context’.

Just as unexcavated artefacts had lost its context, forgeries never had any context. It is therefore a “dead” and mute remnant of a forgotten past or a past that only lives in the mind of the owner of the artefact. It speaks only to the selfish interest of the collector or connoisseur who in isolation and self-indulgence may gloat over his or her “prize”.

It would therefore not be heavily debated to the contrary that fakes are indeed a serious problem in the illicit trade of antiquities. It is a growing industry that can defy the most experienced professional. The reliance of scientific dating then becomes important. ‘In the 1960’s doubts were voiced about the authenticity of the large number of “Hacilar style” vessels and figurines from south-west Turkey that were appearing on the market. It was pointed out that stylistically they could be distinguished from material known to have been excavated from the site of Hacilar, and thermoluminescence testing then went on to show that 48 out of a sample of 66 figurines tested were forgeries. The reliability of

interpretations based on a largely faked corpus was called into question' as Brodie, Doole and Watson (2000:17) explain.

From this we can see that experience and connoisseurship is not faultless. Science on the other hand does not always fare much better as it is in many ways misused in the illicit trade for authentication. As we have seen in the previous section on science, it is problematic to detect forgeries, and in some instances have led to embarrassment for some science laboratories at world famous universities, such as Oxford University who have used TL dating to authenticate illegally imported artefacts. Oxford University have now stopped doing TL dating on unprovenanced ceramics (Brodie, Doole & Watson 2000:18).

The habit of some archaeologists to purchase unexcavated artefacts in the bazaar markets and then pass them off as the genuine article is a problematic methodology to follow. According to Muscarella (2013), this methodology is flawed as it relies on 'unanchored intuition and a priori faith' that the critical stylistic analysis of the artefact is correct (Muscarella 2013:887). This is clearly a leap of faith and cannot be taken as serious archaeological study. These guilty archaeologists are calling for this type of methodology to be recognised as a discipline that requires recognition. As we have seen in certain case studies forgeries are abounding in so-called unexcavated hoards without context. Boardman (2006) launches a scathing attack regarding the non-publication of archaeological field reports, yet these same archaeologists who are guilty of it will not allow unprovenanced artefacts to be discussed in lectures: 'Distinguished scholars have had their lectures in Cambridge cancelled because someone has thought some material involved had not been properly, in their terms, acquired' (Boardman 2006:40).

Science, although based upon robust methodologies and clear-cut comparative analysis, consisting of chemistry models, yet sometimes fail to detect forgeries. To illustrate this, George Ortiz, although Muscarella and he does not always see eye to eye regarding the importance of provenance, are in agreement: 'In the matter of detection of forgeries there are serious limitations to the possibilities of technical analyses. The scientist in the laboratory may be asked: "Is it of the ... period?" The curator, who knows the period and its art, ought to ask more precise questions regarding details: "Can this be or that be done; if so, how?" But such dialogue is not the rule. The forger has become extremely competent, he or she reads the latest publications, sometimes has the help of a scientist in a laboratory

or even the advice of a scholar (in both cases probably unaware of the forger's intentions). The only way to approach the problem is as a whole, in a circular and not a linear fashion' (Ortiz 2006:29).

Provenance to a large extent then remains the only sure way that we can keep the archaeological record clean. At least with this there can only be debates around interpretation of stratigraphy or the significance of an artefact and not whether it is a forgery. Regardless of this simple methodology, we will see that many scholars do not always agree on this.

3.7 CONCLUSION

I think it would be safe to say that forgery does not add any value to the study of cultural heritage. It has been a past time hobby for hoaxers and it puts food on the table for people. What we should never do, though, is to underestimate its negative influence. It is bad for archaeology and science as both these disciplines are regularly fooled by the brilliance of the forger to deceive. It would also be safe to say that there is no clear way to circumvent this.

What one can take from this is that the only way that forgery can be a non-issue, is if the artefact has provenance. Then it has a simple linear analysis which will explain its properties and the context of the artefact to the broader picture of its find spot. However, lacking this provenance we will have to go around in a "circular fashion" of stylistic debates pointing out the differences or similarities in stylistic or motifs of examples with a known provenance.

The question that one can raise in this regard, is what connoisseurs would base their so-called stylistic expertise upon, if there were no known artefacts, with a known context or find spot to compare it to? On what "stylistic" pattern or motif would they have relied to make an informed judgement? Is it possible that there are now so many forgeries in circulation, that very possibly forgeries are being compared to other forgeries believed to be genuine, and then based upon this, declared as authentic?

We have also seen that forgery is a flourishing industry and that the forgers are becoming extremely adept at their craft. They are also supported by scholars in some cases and these seekers of fame will go to extremes, sometimes sacrificing their careers as scholars, to achieve this end. Ideology also plays a role in this. Many of the forgeries discussed has their existence based upon biblical text which could possibly prove heritage and geological boundaries of ethnicity.

The withholding or non-publication of archaeological field reports could be viewed as a form of fraudulent behaviour as it purports to withhold information that does not fit the research questions. The non-publication of the finds would therefore leave a gap for the possible manipulation of future data at a later stage that does fit the research question and which disregards the initial finds as superfluous. In addition to this the offending archaeologist could inadvertently be opening the door for forgers to step in a claim magnificent finds of historical significance, which would according to them, change the course of history. Nobody would be able to prove the contrary unless the fake is exposed. We have seen that this occurs with regularity by minority groups to peg and justify their claim to land or religion.

The extent of the influence of the bazaar market where unprovenanced and unexcavated artefacts are picked up, sold and exhibited in museums are also becoming a scourge and a blight on the archaeological landscape. The abundance of forgeries floating around in exhibitions in museums around the world has also created a rift between scholars who have completely taken their eye off the most important aspect of archaeology. That of provenance. Provenance has the potential to wipe out any doubts of an object's context and authenticity.

Instead what we find, is that archaeologists, curators and collectors who are at loggerheads with one another, are all claiming exclusivity on the knowledge which should be in the public domain to teach. It would be interesting to do a survey in a museum amongst the public to check whether they have doubts about the authenticity of some of the artefacts on display. I am afraid we will be unpleasantly surprised that very few people will know the difference. Surely this situation cannot be tolerated. Scholars should spend their time by ensuring that all artefacts on display can prove context. Otherwise what is the point of claiming to be a scholar? Surely for archaeology to be seen as a science, although not an exact science, the archaeological community should strive to find common ground and join forces to eradicate the purchase of unknown and unprovenanced artefacts. This is clearly the catalyst for the forgeries market to flourish.

Archaeology has fallen into a trap of its own devices. The ease with which treasure hunters, posing as archaeologists with academic qualifications to boot, are indulging themselves with acquisition of artefacts from dealers has "muddied the water" for the discipline. The media is quick to grab any opportunity for sensationalism and I am afraid that some scholars have fallen for the bait. For them it

is easier to pick “the lowest hanging fruit.” This can be found in the bazaar market. As with the reference to the characteristics of an electron being studied, unfortunately, these artefacts can never be corroborated as authentic and without doubts, as its most important characteristic is lacking. The lack of clear provenance will always haunt its existence, value and meaning.

CHAPTER 4

ILLICIT TRADE

Such prized artefacts have raised thorny questions about the ownership of cultural treasures in private collections and museums around the world. The controversy- and attendant criminal trials of alleged smugglers - is also shedding new light on the secretive world of antiquities populated by tomb robbers, wealthy connoisseurs and aggressive dealers and curators (Bettelheim & Adams 2007:313).

4.1 BACKGROUND AND HISTORY OF ILLICIT TRADE

The world of antiquities and artefacts is a mixture of elements that can either raise awe in people when they gaze upon the beautiful displays in museums, or it can be a strange and obsessive urge to collect ancient cultural objects at all costs. Some of these will be secretive dealings. As Holden (1982:1230) so eloquently states: ‘The international world of antiquities is a strange combination of the sordid and the sublime. At the top of the pyramid are the citadels of mankind’s cultures, the museum. At the base are faceless thousands of looters and scavengers, professional tomb robbers and amateur pothunters who feed the ravenous world market. And in the middle is the Byzantine, and often clandestine, world of dealers and collectors.’

There are numerous reasons why this practice is so prolific in the Middle East. Apart from economic instability for the majority of people in countries such as Syria and Iraq, the fascination with the ancient Near East also stems from the fact that this is the birth place of three major religions of the world. In addition to this, ancient Mesopotamia and the Levant is considered to be the cradle of civilisation. Since the advent of the modern day state of Israel, it was a common practice for people, and a compelling urge to find the roots of Ancient Israel. In other words, lay people and tourists, antiquities dealers, as well as academics, wanted to find the Land of the Bible:

Christian pilgrims were keen to find ancient objects from the time of Jesus, whereas Jewish collectors sought any remains of Israelite culture from the time of the kingdoms of Israel and Judah, or from the Second Temple period until the Bar Kokhba Revolt. The demand for ancient artefacts promoted new kind of livelihood-modern antiquities robbery throughout the country, particularly in the regions of the Green Line. Organised gangs of professional robbers, who systematically looted antiquity sites, breached caves and tombs and ruined buildings, supplied the market with a large variety of artefacts (Ganor 2003:68-69).

In Israel we see that this trade is prodigious. It happens under the tourists noses, and few would be aware of such clandestine activities. The experience of the archaeologist, a postdoctoral fellow at the University of Toronto, Morag Kersel, who was a dedicated “illicit trade crime fighter” in Jerusalem in 2003, gives context to the endemic nature of illicit trade. It encompasses all levels of society. From Kersel’s experience in Jerusalem we see that illicit trade can begin with a ‘shoe shine man’ on the hot streets of Jerusalem, and then permeate outwards, and ‘repeats in many parts of the world’ (Bower 2009:20). In order to protect the man’s identity, she referred to him as Mohammed: ‘Mohammed introduced her to a side of the antiquities trade that archaeologists, not to mention law-enforcement officials, rarely see: the chain of secretive relationships that turns looted pieces of the past into scrupulously documented keepsakes for affluent buyers’ (Bower 2009:20).

In order to discuss and give some context to the supply side of illicit trade, here follows a brief description of how the “organogram”, or hierarchy of artefact looting and robbing is organised. This is the main source of artefacts for the demand side of illicit trade. It is from here that these objects find its way, via the bazaar market to collectors and museums across the globe. The perception that the sourcing of these artefacts are just random acts of looting and trading amongst the economically disenfranchised population of the Middle East, would be naive. It is a sophisticated network of highly professional dealers and looters. To underestimate this, would be at one’s own peril.

Ganor (2003:69) say the following: ‘Antiquities robbery in Israel of today is set up along the harsh lines of arranged crime. At the bottom of the pyramid are hundreds of labourers that mainly reside beyond the Green Line, in the “West Bank”. These nefarious operations usually happen at night and are conducted by expert operators with sophisticated equipment, such as metal detectors and surveillance equipment as well as early warning equipment and sentinels. Often these grave robbers are armed and would not hesitate to use the arms that they carry’ (Ganor 2003).

Middlemen receive the pilfered goods and then sell it on to licenced antiquity dealers, who then pass it on to tourists, museums or collectors on the global market (Ganor 2003). According to Bower (2009:20), it is estimated that the illicit trade in antiquities and artefacts equates to around \$7.8 billion per year. According to the United Nations, calculation it ranks just below drugs and weapons in profitability terms: ‘What comes out of the ground passes through international networks of plunder. At the end of the line, people purchase archaeological artefacts in shops, on the Internet and in private

and public auctions'. The irony and concern is that these people who buy the artefacts, do not have any concern about the origin, or for that matter the price of these objects: 'Buyers rarely know or, apparently, care how a \$2.99 Native American arrowhead or a \$75,000 Egyptian sarcophagus managed to come into their possession' (Bower 2009:20).

Another source for the illicit trade market, and which is often disregarded by scholars, is theft. This is when an object is stolen from a collector in one country and simply appears in the market in another country (Hoffman 2006:90) However, '... simple theft cases are the least complicated to resolve, whereas illegal export and archaeological theft cases usually present more complex ethical issues, and the applicable law is far less clear or simple' (Hoffman 2006:90). I will not deal with this here, but rather, with the more complex issue of the illicit trade of artefacts with unknown provenance.

The activities and behaviour of looters, traders and buyers are of serious concern for archaeologists and cultural anthropologists. These activities robs the artefact of its context and provenance. It becomes a curiosity or an art piece which has only an extrinsic value (Holden 1982:1230), which is sold to the highest bidder. The hype around antiquities and artefacts, and unfortunately without provenance, is clearly illustrated in catalogues, TV shows and speciality magazines for buyers. On television, "The Antiques Show" with a feature called 'Museum Piece,' the presenter begins the show with this enticing commercial message: 'Antiques three or four hundred years old are rare enough; ones from ancient civilisations you'd expect to find only in a museum. But *if you really think your home wouldn't be complete without a one thousand five hundred year old Roman oil lamp or an Egyptian statue on your mantelpiece* then it could be yours thanks to a thriving if controversial trade in antiquities' (authors' italics). She adds: 'With just a phone call and a credit card, a chunk of the ancient world could be yours for as little as a tenner' (Tubb & Brodie 2001:103-104). Here we see how blatantly and commercialised the trade has become. It is clear that neither the producers, nor the viewers of these TV shows, have any idea how fake nor detrimental these commercial activities are.

As a case study of how things can deteriorate, we only need to look at Iraq. Given the current situation there, it is with bitter irony that we have seen how Iraq which was historically a country with one of the best programs in the Middle East, deteriorated for the protection of cultural heritage. Illicit trade, illegal excavations and looting were virtually zero. However, war and economic instability and poor government, played a major role in the deterioration of this once, cultural haven (Gibson 2009:189).

Gibson (2009) tried to intervene and personally tried to secure the safety of the cultural heritage of Iraq, when all pointed to an inevitable declaration of war by the United States on Iraq. However, this proved to be futile as the museums were looted and plundered in 2003 and the spoils became prized artefacts on the illicit trade market. This set events in motion that started an avalanche of a looting culture to feed the international illicit trade markets for artefacts from Iraq.

Historically and probably the most infamous occurrence that shocked the world, was the wanton destruction and looting of the museums and monuments in Iraq during the US-Iraq war in 2003. Gibson (2009:197) remarks: ‘The worst that can happen to an archaeological site, looting on a scale that involves virtual destruction of whole cities, is still occurring in southern Iraq, and there is no prospect of its ending’.

This article was written just over six years ago. The problem has worsened in modern day Iraq with the declaration of the Islamic State. The focus of a civil war and the plight of people have also shifted to the cultural heritage that lays underground, and this has now become the target of looters. This is to feed the demands of collectors. It is the economics, the lack of resources, and political self-determination by the local population, that are changing the cradle of ancient civilisation, into a wasteland.

An even more horrific outcome of illicit trade, is that it funds military conflict and acts of terrorism against the local population. This is usually against the population of the source country, and to a lesser extent, abroad, with international acts of terrorism. The demand for artefacts by the West creates a perfect environment for the increase in illicit and looted artefacts, which will end up in some museum or on some collector’s wall or mantelpiece.

A recent study published in the *British Journal of Criminology* by Simon Mackenzie and Tess Davis, at the University of Glasgow, shows that looting of artefacts and antiquities is currently happening in 103 countries (Pringle 2014:3). Further evidence show that many of the looting and illicit trade of antiquities are traded by ‘violent insurgents’: ‘As a result, researchers are urging government officials and law enforcement agencies to crack down harder on trafficking networks. Like blood diamonds, researchers say, blood antiquities may well be helping to finance terrorism in the Middle East and elsewhere’ (Pringle 2014:4). More of this will be discussed in Chapter 5.

4.2 WHAT DO ARCHAEOLOGISTS AND COLLECTORS THINK?

We need to look at the archaeologists' view regarding illicit trade. Traditionally, and to this day, archaeologists rely on context as the barometer for authenticity, and this has indeed become the credo by which they go about doing their work. That is by excavating carefully and recording the provenance of an artefact. Archaeologists have claimed this space for themselves. Some scholars of history and collectors has not viewed this with approval:

In the past, perhaps, archaeologists have taken a rather proprietorial view of archaeological heritage, believing that their scientific methods and objective research strategies have privileged their claim and lifted it above politics. However, it follows from what was said earlier that archaeological practice, whether as excavation or as an intellectual process, is inherently political. Any physical or intellectual intervention carries social consequences, and archaeologists are increasingly aware of this (Brodie 2006c:52).

Thus, we can deduce that archaeology done as an exclusively academic exercise, without consideration given to the broader social issues, the people living close to the site, as well as government intervention regarding a particular heritage site, is short-sighted and will lead to conflicting views. The contrary and conservative view still held by some traditionalists, have become an outdated requirement, as technology has become more sophisticated.

According to Brodie (2006c:52), 'most of these unprovenanced antiquities have probably been removed destructively and illegally from archaeological sites and monuments, so their contexts have been destroyed, too. As a result, historical information is lost, and the reliability of any subsequent historical reconstructions is unavoidably reduced. The trade in unprovenanced antiquities has exploded over the past 40 years as barriers to communication have fallen and technology has improved'.

There is, however, a down side to this. To a large extent this has taken away the importance of maintaining context on a site and have rendered it superfluous by some scholars. The outcome of this is that some sites are to a large extent, destroyed by haphazard excavation techniques. We can be sure that most of the artefacts traded on the international market come from these sites or have been looted and lack any context or provenance.

I would therefore agree with Brodie, and maintain that the traditional method, regardless of being viewed by some as "exclusive", protects history, and to a large extent provides a '... reliable historical

knowledge that has general utility and that can protect against some of the wilder flights of fancy that are sometimes presented as fact to the public' (Brodie 2006c:52).

An important element that most scholars do not take into consideration, is that the lack of provenance is accelerating the illicit trade of antiquities. Artefacts that are secretly excavated or looted cannot for obvious reasons appear on the market immediately. It has to be kept hidden for a period of time so that the market is not flooded and cause the value of the artefacts to plummet. The problem with this, is that these artefacts are not published and are then mixed with artefacts that have been circulating on the market legally. This causes immense problems to authenticate pedigree between those that are legal, and those that are not: 'It is nondisclosure of provenance that allows illegal antiquities to infiltrate the market, and nondisclosure is a policy actively defended by dealers on the grounds of commercial necessity (keeping a source secret) or client confidentiality. However, many archaeologists today are taking the pragmatic view that an artefact with no provenance is most probably looted' (Brodie 2006c:53).

Importantly, some of these archaeologists are vociferously defending this stance in their active lobbying, interviews and publications. Muscarella (2013) singles them out for their tenacity in this. Some of them are cited in this dissertation: 'Archaeologists who over the years have consistently fought the fight include C. Coggins, E. Negahban – these two were the first archaeologists to call my attention to the problem (they converted me), K.D. Vitelli, N. Brodie, R. Elia. E. Hercher, C. Renfrew, D. Graepler, D. Gill, and C. Chippendale. Nevertheless, many archaeologists remain reticent about engaging in vigorous and long-term efforts to stop plundering and collecting activities that are contrary to the nature of their discipline' (Muscarella 2013:861). Muscarella is a converted collector, who is now engaging on a crusade against collecting, because he understands the mind-set of the bazaar archaeologist, as well as that of the collector. Regardless of his insights, we see that still there are some archaeologists who do not think so.

Muscarella (2013:864) refers to this fraternity of scholars as "The Fifth Column" As a collective phenomenon, he refers to this as "The Plunder Culture". This culture is composed of those archaeologists and organisations that are aware of the plunder of sites to feed the ever demanding illicit trade, but do nothing about it. This is motivated by lucrative financial sponsorships and '... the absence of active lobbying in the press and with government agencies' (Muscarella 2013:861).

He sarcastically refers to this by pointing out that most of the conferences held to discuss the cessation of looting, plunder and illicit trading, pays mere lip service to the problem: ‘Citizens of the Plunder Culture are actively throughout the “antiquities producing” and antiquities acquiring world, functioning in interlocking levels as mutually supporting aggressive columns attacking archaeology’ (Muscarella 2013:862).

The argument held by antiquities dealers that countries should be able to protect their own cultural heritage, and therefore, it is not the dealers or the collectors whom is to blame, does not hold water. Most of these source countries are poor and their citizens are easy game for dealers to co-opt into the antiquities trade. In addition to this the antiquities trade is run by clandestine perpetrators who are skilled in evading the authorities. We see that first world countries such as the United Kingdom, also have its own problems regarding this. According to Brodie (2006c:58), ‘... archaeologists and museum professionals have, for the past 30 years or so, been calling for the market to be made more transparent by means of statutory or voluntary regulation, so that illicit material can be more readily recognised. They have also been developing more ethical standards of professional behaviour with regard to their own activities’.

Ironically, in these first world countries we see that it is some of the academics who willingly put there “expertise” (Brodie 2006c:58) on the market by authentication of artefacts, obviously with unknown provenance. Fortunately, these rogue academics have been curtailed in their business of issuing such certificates of authentication. In this regard, Brodie (2006c:59) states that ‘in 1998 the British Academy adopted resolutions to stem this practice. The resolution is as follows: “Written certificates of authenticity or valuation (appraisals) should not be given for objects of doubtful provenance, and opinions on the monetary value of such objects should only be given on official request from museums or competent legal, governmental, or other responsible authorities. Where there is reason to believe an object has been stolen the competent authorities should be notified”.’ Regarding the size of the problem, we see two very different views emerging, by the various scholars who are against trading in antiquities without provenance and those that are in favour of it.

Neil Brodie, the archaeologist, claims that the size of the antiquities market cannot be estimated by using the information that dealers in antiquities provide, as they must be seen as ‘... biased reporters

whose testimony cannot be trusted to be objective, and because some museum staff are withholding what might be useful information about their relevant practice' (Brodie 2006b:11).

He is of the opinion that the debate regarding this is a useless exercise until certain prerequisites are met. This is how the antiquities trade is constituted. In other words, a clearer picture should be shown. Antiquities dealers would therefore have to come clean as to how they do their business. Archaeologists have been transparent and have continuously been giving information regarding the damage that collecting and trading in unprovenanced objects are doing. In his own words and the title of the chapter, namely "Smoke and Mirrors," Brodie reveals to what extent, he sees the participation of antiquities dealers in this debate (Brodie 2006b:13). He states that 'until the trade community decides to reciprocate and participate in debate on equal terms, it is hard to see why its representatives should be included' (Brodie 2006b:13).

George Ortiz, the collector, believes that the conservative view, which archaeologists have of the dissemination of ancient culture from excavation and context, is out of touch with the modern world. He claims that the incriminations levelled at collectors are '... negative, misinformed and always pejorative, ensuing in repressive regulations, laws and interdictions. Almost nothing is addressed positively or with hope. In our area the words used are "trafficking," "stealing," "smuggling," "looting" instead of "trading," "preserving," and the Act of dealing in cultural objects is called an offence Act' (Ortiz 2006:26). In his view, there is nothing wrong with the trading of antiquities and artefacts as it must be seen in the modern context. It opens the world for the youth to renew their interest in the past.

In one of his arguments, he maintains that today, many archaeological finds are chance finds that come about because of economic development and construction. Instead of smashing the artefacts or disregarding them by continuing to "pour in the concrete," the antiquities market is the saving grace of such unfortunate finds, which were not excavated on an official site (Ortiz 2006:25).

In summary his view may be equated to a very simplistic psychological impulse of the human species, to collect things. He believes that 'artefacts and art are the universal heritage of mankind; that collecting is both ethical and fundamental to saving the past; that Art is a world language which constitutes one of the essences of being *homo sapiens*. I am not in favour of the UNESCO Convention, which attacks collecting, because it is flawed, ideological and simplistic, and it fails to consider historical and current realities' (Ortiz 2006:15).

Much to the chagrin of the archaeological community, we see counter arguments which defends the collection of material culture with unknown provenance that will ultimately end up in museums. James Cuno (2006) maintains that museums must take heed of the resurgence of nationalism which is detrimental to the sharing of cultural knowledge, as it demands the restitution of cultural material back to the source country. This is mostly done because of a political ideology, which goes against the principle of ‘internationalist’ institutions, the complete opposite of a ‘nationalistic’ museum: ‘They were meant to collect, preserve, exhibit, and research the world’s greatest artefacts forever and for everybody. And this was not imperialist looting’ (Cuno 2006:42). He maintains that museums are being held under the gun, for accepting material with unknown provenance: ‘They believe that we should not acquire antiquities unless it can be proved that they were excavated and exported legally. They believe further that a work of ancient art is meaningless without knowledge of the archaeological circumstances of its “find spot.” I disagree’ (Cuno 2006:43). Archaeologists would mostly claim that artefacts and antiquities in museums that were purchased from collectors, would lack such a find spot. I will discuss more of these differing views and debates in Chapter 6.

4.3 ORGANISED CRIME NETWORKS AND ILLICIT TRADE

Estimates about the value of the illegal antiquities market range between \$4 billion (Bettelheim & Adams 2007:313) and \$8 billion per year (Bower 2009). It is difficult to quantify this market as many of these deals never surface and are done by collectors, who for obvious reasons will not divulge what they have purchased, or have in their possession. Both these aspects will be dealt with later. However, it is important to note that these astronomical figures raise serious questions in the debate about the existence of private collections. We will also see that the supply of antiquities to auction houses, cannot possibly only be by these private collectors. Some dealers claim that this is the case, in order to exonerate themselves from the act of buying objects, from known dealers in unprovenanced objects.

That big money is involved in this shady world is well corroborated by the following from an anonymous dealer: ‘When you look at the true money for all of this, the big money is in America and in Europe. And that's where it's going, that's where the really big work's going. The pieces that are being ripped out of the ground, or off the temple, that's where it's going. And it's frightening - Melbourne Dealer 2’ (Mackenzie 2005:252). This situation and the money that is changing hands have escalated over the years.

Illicit trade and looting are inextricably linked. They are, for want of a better word “joined at the hip.” The one cannot exist without the other. In Muscarella (2013) the organogram of organisations dealing in plunder and illicit trading are described as the ‘aggressive columns’. In the Italian illicit trade these organised syndicates are called *tombatori* (Muscarella 2013:862). At the bottom of the ladder are the ‘on-site’ looters who supply the buyers. Above this, we find the organised ‘Mafioso column’ made up of dealers, smugglers and corrupt government officials. They in turn will ensure that the goods arrive at their destination which consists of the antiquities buyers. This is the third column. The dealers then sell onto the fourth column, which is the private collectors, curators of museums, as well as in some instances the universities. The fifth column are those archaeologists and scholars who assist the process, by working with the lower levels to either authenticate the goods, or who are co-opted to make statements that archaeologists should work with collectors and are calling for the establishment of a “common ground” (Muscarella 2013:865).

Most archaeologists believe that these structures are well organised and well entrenched in the local communities. In a sense this trade is defended and protected by a code of silence or “omerta,” which allows it to continue unabated in underground networks of highly organised crime syndicates. However, much of these conspiracies could well be conjecture on the part of the archaeological community. An interesting view, regarding the definition of what “organised crime” in the illicit trade in cultural material is, is contested by Dietzler (2013) in an online publication. According to Dietzler (2013), much of these debates around the organisational structures of the perpetrators are based upon the ‘unknown’:

‘The definitional debate behind the term “organised crime” is considered as a potential problem impeding our understanding of its existence or extent in illicit antiquities trafficking, and a basic progression-based model is then suggested as a new tool to move beyond the definitional debate for future research that may help to elucidate the actors, processes and criminal dynamics taking place within the illicit trade from source to market’ (Dietzler 2013).

According to this model, we are still not sure whether the control of the illicit trade is in the hands of stereotypical “mafia” style organisations. It appears that much is debated around this, but not much hard evidence is presented (Dietzler 2013). According to scholars such as Bowman, Brodie, Renfrew,

Tubb, Gill, Chippindale, Mackenzie and Proulx, all referenced in this paper, the illicit trade of antiquities has become a crisis and have reached epic proportions (Dietzler 2013).

Dietzler (2013) is of the opinion that the size of the element of “organised crime” involvement could be overestimated, given the difficulty of quantification, and the unreliable information based on the “criminal dynamics” that the researcher has to deal with. I will deal with this in the section on quantification of looting in Chapter 5 by referencing an empirical study made by Blyth Proulx (2013).

In a paper by Kersel (2006), illicit trade is compared to drug trafficking and arms smuggling. However, there is one difference. Artefacts goes from illegal goods to being laundered. Kersel (2006:189) explains: ‘Trafficking in antiquities blurs the lines between illegal and legal markets and between criminal and legitimate participants. Whereas the traffic in drugs is always illegal-meaning that the buyer is as culpable as the seller-in contrast, the ultimate buyer of illegally excavated antiquities can often purchase them openly and legally...’. Kersel (2006) puts forward a model of the path that these organisations or networks operate. It consists of the following elements.

4.3.1 Archaeologically rich markets

These are the markets where the artefacts are obtained from. This is usually looted objects, and at this stage they are illegal. The proponents who are involved in the acquisition of the antiquities and artefacts are usually the local people, who are economically disadvantaged and who rely on this minimal income to sustain themselves. According to Kersel (2006:190), ‘this type of activity does not lead to great financial payoffs for the looters’. It is estimated that the looters probably receive 1% of the eventual value of the artefact (Kersel 2006:190). We can refer to them as subsistence looters.

They then sell the artefacts to buyers or middlemen, who then again sell to the antiquities buyers. The antiquity is still an illegal item at this stage and does not have known provenience. It is at this stage that the organised crime syndicates take over the operation. The goods are then smuggled out of the source country in various ways to dodge detection. This can be done by tourists, ships, or via diplomatic routes (Kersel 2006:190). It is important to note that in some cases all these transactions and arrangements that follows, can take place within one country and is not always geographically separate (Kersel 2006:190).

4.3.2 Transit markets

In this market the provenance of the artefact is not yet considered and no questions will be asked about its origin. However, a key factor is necessary at this stage. The transit market must have ‘free port status’ (Kersel 2006:191). This is important, because the following destination of the artefact requires that the artefact is laundered and given a historical context or provenience, which would require the correct papers of exportation (Kersel 2006:191). There are two types of transit markets. The first is the ‘geographically advantaged state’ and is usually countries that are situated in close proximity of the source market.

In the case of the Middle East, it would be a country such as Israel. This is normally a market that the artefact will pass through quickly. The second is the ‘art market state’ (Kersel 2006:191). This is the market where the actual final transactions or the restoration of the artefact will take place. This would be where the auction houses and the final buyers are. According to Kersel (2006:192), ‘traditionally, they [transit markets] have played a very important role in the movement of cultural property, even though the volume originating in different areas may have fluctuated widely. They cite the United Kingdom as an important transit state’. Here the artefact is “declared” legal.

4.3.3 Destination markets

This is the final destination of the artefact. The artefact now has a “clean bill of sale” (Kersel 2006:193). It is in this market that we see the most criticism against this practice arise. The proponents are all aware of the costs and sacrifices that were made to get it to this stage. The costs are usually difficult to measure, but we can be sure that in some instances it must have been dear in price and “expensive” in hardship, and most probably includes death as well. The measurement of this must be taken from its original route from the source to the final destination. Kersel (2006:193) argues that ‘despite evidence that a large proportion of material is illicitly traded and is directly connected with other illegal activities (clandestine excavation, theft, illegal drugs, terrorism, and possibly murder), some participants in the sales and destination markets are indifferent to the origin ...’ Nobody asks questions, as it would possibly embarrass some of the buyers, auction houses and museum curators.

The “actors” in this market are the direct cause of the chain of events, I just described. They willingly and with full knowledge participate in these actions to satisfy their financial needs and in the case of the collectors of the artefacts, to satisfy some psychological and emotional “need,” regardless of the

costs in lives. It would be fair to say that this is indeed a status-driven human activity which the majority of people on this planet can ill afford. I suppose one can equate it to the hunting and killing of elephants for ivory or rhinoceros horn or the buying of “blood diamonds”. We know now that the acquisition and looting of artefacts in some cases fund acts of terrorism and the purchase of weapons, and ordnance to be used against local and innocent people. In most cases, this would be against the very people who first looted the artefacts in the source countries such as the Middle East. Surely, the final owners of these artefacts or “art pieces” must know that the source of their prized work of art has left many victims wanting?

Ironically, the law protects the client more than the victims of this illegal trade. Accordingly, it is not necessary to provide or even mention provenance or title as one of the conditions of sale in the United Kingdom and some states in the United States. Kersel (2006:194) holds that ‘auction houses on the whole are subject to little direct legal control of their activities.’

Fortunately, we see that there are now more demands made on the dealers and auction houses to provide information on provenience and provenance: ‘However, although collectors are increasingly requesting the pedigree of the objects they are buying, and although the pedigree is now included in most sale catalogues, the tacit agreement regarding secrecy remains. But this is seen by many to be an unnecessary requirement. For some museums and collectors, the familiar phrase from the collection of a Swiss gentleman ...’ attached to the antiquity in question still suffices’ (Kersel 2006:194).

I have mentioned the tragedy of the human experience in this industry. Yet, we can see that it leaves a blight on the archaeological landscape. Satellite images of affected areas of looting show that it is a terrible state of affairs. Especially in the Middle East where we not only see the looting, but also the destruction of known archaeological sites, due to political and religious ideology. In addition, we see that the market for artefacts are further damaging the record of human culture and history. There are many calls of desperation by governments as well as scholars, to stop this plundering, yet it falls on deaf ears. Hopefully, with better communication and programs of education, this scourge can be stopped. In some instances, we see that there are countries that are beginning to apply stricter measures and that some previous ardent collectors, have now “crossed the floor” and are vociferously advocating against the collecting and buying of artefacts. It seems as if some sanity has returned, as some collectors

have become aware of these negative impacts and also the very source of their hobby. In some cases, we see that there is a marked increase in the requirements and awareness of provenance.

I suppose some message is getting through to them, but in most cases it is “cosmetically” applied only, and any pedigree of an artefact will do, regardless of its “known” or unknown provenance.

A look at the criminal networks, without discussing some of the infamous dealers, would not add the necessary context to this section. Most probably one of the most famous convicted dealers is Giacomo Medici. We have seen that initially the laws and conviction of illicit dealing were lax and not severe enough to deter such activities and would-be dealers. In this case the organised route to illegally export antiquities for Medici were through Geneva in Switzerland. Switzerland was the preferred destination for dealers to store the antiquities and to “legitimize” the artefacts: ‘This is not surprising, perhaps, but it confirms - and confirms abundantly - anecdotal evidence of the past, which has always suggested that Switzerland, because of its lax laws in regard to the import and export of artistic and archaeological material, has been a major “laundering” center for illicit antiquities’ (Watson 2006:93).

Fortunately, this is not the case anymore as the Swiss have tightened up the import laws regarding cultural goods into Switzerland. Ironically, this was indirectly caused by the US-Iraq war in 2003. Legislation was signed into congress and ratified by the then president of the United States, George Bush, regarding the illicit import and trading of antiquities from Iraq. The situation has recently changed much. Gerstenblith (2006:83) states the following: ‘The irony is that both Britain and Switzerland, nations that lagged considerably behind the United States in their efforts to stem the import and trade in looted and undocumented archaeological objects, have recently taken significant steps forward’. Switzerland has in fact overtaken the US, in the implementation of regulatory measures to act against illicit trade (Gerstenblith 2006:83).

In a estimation of the size of the inventory of convicted dealers, Medici and Symes points to the wide extent of illicit trade. It also illustrates that this well organised and illicit trade, is run like a “mafia style” operation. In order to quantify the total sales of unprovenanced antiquities, takes some calculation: ‘Just two dealers between them had twenty-seven thousand objects’ (Watson 2006:94). Clearly this number of antiquities must point to a reasonably secure market place. Higher up in the network, we see that auction houses have enough stock secured by people such as Medici and Symes, and these are just two dealers. What about the rest who go undetected? To give context, we see that

between three auction houses such as Bonham's, Christies and Sotheby's, ten thousand pieces are sold in one year. Taking half of all the registered firms that make up the International Association of Dealers in Ancient Art, and say that they only hold stock of Medici and Symes, this would further equate to around 150,000 antiquities on the market at any one time (Watson 2006:94).

It is difficult to quantify the size of illicit trade. In Israel the legal dealing in artefacts is controlled by the Antiquities Law of 1978. This law regulates dealers with licences for dealing only in artefacts that were acquired before 1978. Most dealers claim that they only deal in artefacts that come from private collections. This basically means that the only artefacts that they can buy or sell are those that were excavated before 1978. However, according to Blum (2002), this can surely not be the case. He says that '... it is hard to believe that the 100,000 artefacts that leave Israel each year all come from pre-1978 inventories' (Blum 2002:5).

This certainly does not look like a small-scale industry that relies on ad hoc supplies from a private collection every now and then. This supply can only be created by a constant demand from auction houses and buyers that will demand that "out of stock" situations do not occur. This will damage the trade and push up the market price of these objects. Hence the size of the inventories of these dealers. This, in my opinion, shows that there is no need for a 'definitional debate', as alluded to by Dietzler (2013) in order to term such activities, as questionable 'organised crime'.

4.4 THE PSYCHOLOGY OF ILLICIT TRADE

We need to take a brief look at the motivations of dealing in illicit trade. Why there is such a need for the purchase of archaeological objects by the dealers and the collectors. We need to also specifically focus on the motivations of the end buyer. There is no real economic reason why a collector would pay such exorbitant prices for antiquities, especially if the artefact cannot really be shown off in public or its known provenance is suspect.

We have seen that that the legal regulation of illicit trade is 'complex and problematic' (Mackenzie 2006:223). The illicit trade by its very definition is illegal and can lead to prosecution because it is harmful to the heritage laws of source countries. Yet, we see that this practice does not abate, regardless of the laws. We will therefore briefly look into the '... unethical decisions which plays a central part in analyses in the emerging field of crimes against the environment' (Mackenzie 2006:221).

Previous studies in criminology, show that there is a direct causal link between inequality, poverty and poor child-rearing practices and crime. However, we see that in the illicit trade of antiquities this is not always the case as far as antiquities dealers are concerned. Antiquities dealers can be defined as white-collar criminals and they come from a 'relatively high social economic status' (Mackenzie 2006:223). It is therefore not typical causes that would make them to deal in illegal or frowned upon activities. It is important to know the reasons and motivations of dealers, as well as buyers, and to what criminal behaviourist specialists ascribe this behaviour to. Clearly the protagonists of this know that they are destroying a non-renewable asset.

Mackenzie (2006:221) claims that 'these decisions are psychological insofar as they involve the implementation of personal thought processes resulting in individual choice; they are social in that these thought processes are influenced by definitions and arguments provided by a group discourse; they are environmental, cultural and historical in that they provide a demand for objects recovered by looters, and therefore an incentive for the continuing destruction of the world's precious reserves of cultural material.'

In a study conducted amongst 40 dealers in antiquities, the following was revealed. According to Mackenzie (2006:222), the antiquities dealers all fell back on a 'neutralising line of argument.' In other words, they saw it as 'entitlement'. Mackenzie (2006:222) further stated that 'a short list of some of the neutralisations used by the interviewees to justify their purchasing decisions can be provided here.'

The first justification is that all antiquities are 'chance finds' and that they are not looking for looted objects. They perceive themselves as the 'saviours' of these artefacts, against possible destruction which is why they would rather buy it. However, the irony is that this justification is false and illogical: 'Given the rule of the market that information as to origin and excavation will not be given to a buyer, there is of course no way to distinguish a "chance find" from a deliberately looted object. Thus, all unprovenanced antiquities can be deemed "probably chance finds" by prospective buyers, who therefore will buy almost anything they are offered' (Mackenzie 2006:226).

Another neutralisation argument is that looting is a natural outcome of human curiosity. The argument therefore is that looted objects are better off in the market countries than in the source countries and therefore they will buy it. Dealers also see themselves as the educators of foreign cultures for the rest of the world. In short they claim that looters, as well as archaeologists damage cultural sites and that

looting by itself does not destroy knowledge (Mackenzie 2006:226). Some of these neutralisations may be justified, but on the whole it falls within the “spiral of denial”, which is simply the following neutralisation: ‘... when a wrongful act is, in contradictory and incompatible stages refuted’ by the notion that it doesn’t happen here, and if it does, ‘it’ is something else; even if it is what you say it is, it is justified’ (Mackenzie 2006:226). Simply put, the antiquities buyers and market higher up on economic scale of collecting are using ‘... techniques of neutralisation to maintain their non-criminal self-concept’ (Mackenzie 2006:226).

The question of morals and ethical behaviour on the part of the buyer, whether it is the middleman or the final buyer, can be summarised according to three basic psychosocial balance sheets. These sheets are the practical, moral, and social balance sheet (Mackenzie 2006). The balance sheet that applies directly to the purchase of antiquities from looters, fall within the moral balance sheet, hence for the purpose of this discussion, I will only concentrate on this justification.

One would assume that white-collar workers are more removed from issues of moral and ethical questions than white-collar criminals, simply because they do not contemplate the practical implications of their work on the environment. In the study there was a strong element of this moral dilemma amongst the interviewees. The view was held that their actions enable a wider public to enjoy the antiquities, because ‘collectors often lend their collections to museums for public display’ (Mackenzie 2006:229). The moral balance sheet is further manipulated by buyers and collectors in the attack on archaeologists.

In this respect Mackenzie (2006:229) argues that ‘condemnations of archaeologists revolve around accusations that they, as well as looters, cause destruction, and that they are insufficiently funded to be able to carry out a full and expeditious programme of excavation. The moral platform of condemners and victims of the market to criticise is removed in this process of discounting liabilities. Dealers are able to dislocate themselves in this manner from the harm their actions may be causing, and minimise the ‘liability value’ of the moral objections to the trade.’

To summarise this section, we need to realise that we are living in a world that is slowly going through an evolution of moralities (Renfrew 2000:77). The world is constantly changing and so are the public mores, as well as the laws pertaining to it. It would be interesting to take an event such as the removal of the obelisks and the Rosetta stone from Egypt, or the statues from Nineveh, and attempt to do it in

this day and age. The moral indignation would be heard across the globe and probably spark a small scale war.

4.5 THE ECONOMICS OF ILLICIT TRADE AND PROVENANCE

We see that there is a very strong economic incentive to trade in artefacts, especially in ‘artefact rich’ countries. Most of the damage done to provenance is when the object is excavated. Some of the looters are simply subsistence diggers and some are semi-professional, they know where and what to look for. We see that regulations are theoretical in this instance, as too much reliance is given to laws and regulations, which are too far removed from what actually happens on the ground (Borodkin 1995:406): ‘More fatally, it assumes that buyers are in an efficient position to investigate whether an item is stolen’ (Borodkin 1995:707). This is simply not possible and as Borodkin (1995) illustrates, the smuggling of artefacts is so complex, that it would be quite impossible for the buyer to check the provenance of an object before the transaction takes place. The dealer would simply move on and sell to another willing buyer who is not concerned about it. Therefore, we see that the incidence of looting and illicit trade has not abated, but increased, as these networks and syndicates become more sophisticated and widespread and the local population are exploited further.

Dietzler (2013) explains: ‘The illicit antiquities trade is a highly sophisticated and lucrative business for profit/status-driven individuals, whether collectors, professional dealers, or middlemen. The trade is not lucrative, however, for the locals or indigenous peoples in source countries, ravaged by conflict, political instability, or economic hardship.’

According to Brodie, Doole and Watson (2000), many of the proponents of illicit trade, argue that they are offering work and an income to the local people of the source countries. This is simply not the truth, as illustrated by a study: ‘... local people usually receive very little in return for destroying their cultural inheritance. Furthermore, asset-stripping the finite resource of cultural heritage is, by definition, unsustainable in economic terms’ (Brodie et al 2000:13).

Putting numbers to this the study revealed that ‘... 98% of the final price was destined to end up in the pockets of the middlemen; the original finder received very little and the final buyer can hardly claim to have obtained a bargain’ (Brodie et al 2000:13).

The final price list and the saleability of the artefact to the collector makes for an interesting study. Especially if the artefact has a known provenance. However, as we have seen, the provenance of an artefact is a rare commodity and in most cases “added value”.

In an effort to self-regulate the market in antiquities, attempts are made to encourage the sale of artefacts with a known provenance. This would drive up the price, as collectors will be more selective in what they buy. This in turn will drive down the sale of artefacts that are suspect and this in turn then depress the supply from looters (Brodie 2006d:4). Here, Brodie used the Cannon-Brooks hypothesis (Brodie 2006d:5). This is, however not as simple, as provenance is difficult to prove in the first place. ‘... it is difficult to obtain empirical data verification of the positive effect of provenance on price because the variable quality of material offered for sale makes it hard to make direct price comparisons between provenance and unprovenanced pieces. To do so, it would be necessary to collect price information on a large series of near-identical objects, which is not readily available’ (Brodie 2006d:4). In an attempt to test this hypothesis, prices of lots with provenance were compared with those of unknown provenance, at two of the major auction houses in London, being Christie’s and Bonhams. The conclusion of these tests were that artefacts that were dated before 1970, to which the “UNESCO Convention on the Means of Prohibition and Preventing the Illicit Import, Export” and “Transfer of Ownership of Cultural Property” applied, sold for marginally higher prices. This could not conclusively prove that these artefacts were viewed to be worth more (Brodie 2006d:5).

However, if a larger sample is used, we could well see that this hypothesis is true. In 1970 it seems to be the threshold for provenance in the United Kingdom of some antiquities, but anything after that is viewed to be suspect if clear provenance is not provided (Brodie 2006d:6). In the US, we see that both Christie’s and Bonhams in 2005 have had less than 40% of their antiquities with a known provenance, going back to pre-1970. The outcome of this study revealed that those auction houses who were more forthcoming with names of previous owners fared better and ‘... this observation might encourage them to be so in the future’ (Brodie 2006d:6). In a small way, we therefore can conclude that provenance does add value to artefacts. In a perfect world, if unknown provenance were unacceptable for any sale and this is “up scaled” globally, we would see a reduction in the purchases of looted artefacts. It is a question of simple economics, and also the fault of many that have created these conditions. Dealers, collectors, auction houses and scholars all have a stake in this condition.

According to Hollowell (2006:117), ‘artifact markets are often treated as recent troublesome phenomena. A deeper look, however, reveals that they usually have long histories of commodification involving deep entanglements with global markets, state policies, and early practices of archaeologists’. The commercialisation of antiquities have therefore reduced the “quality” of the products, hence copies, cross border trafficking and theft have put more money into the market, with more buyers to shop. This happens to all premium products ranging from expensive clothing brands, expensive luxury goods, as well as art and antiquities. Most people are happy with artefacts that are in fact “fakes,” which will have unknown provenance. They are prepared to pay a high price for it, because they simply just don’t know or care about the intrinsic qualities, as long as the “brand” is “fashionable”.

4.6 A WELL-KNOWN CASE OF ILLICIT TRADE – LYDIA IN WESTERN TURKEY

This example will reveal to what extent collectors, buyers and museum curators will go to acquire known stolen cultural goods. It will also illustrate how inadvertent collusion between the actors, in this real life tale, collaborated to ensure that the artefacts were looted in the first place, and how some scholars defend this position. Attempts to retain the artefacts in the possession of the guilty party, the Metropolitan Museum of Art in New York, will also be discussed.

We will also see that legal and organised excavations can inadvertently spark off a spate of looting. Locals see the interests and excitement that archaeology creates amongst the excavators and then exploit this for their own benefit. There is always a willing buyer lurking around such sites.

The site in discussion is in the region of Bin Tepe in Western Anatolia in modern day Turkey. Research shows that the site has been looted since Roman times, but the tale that unfolded in recent times, exceeds the impact of this. The looting that occurred and the subsequent sale of the treasure, had a far reaching effect on archaeology and museums. The “Lydian Hoard” as it came to be known, became a legal battle between the government of Turkey and the Metropolitan Museum of Art (Roosevelt & Luke 2006:186).

It was during the 1970s that a journalist from Turkey, Ozgen Acar, was tipped off by another journalist from the United Kingdom, called Peter Hopkirk, about a “treasure” that was smuggled out of Turkey and sold to a museum in the United States (Waxman 2008:144). A scandal of epic proportions was

brewing, and during the same year the New York Times printed a story, about enquiries from a Turkish official about the “alleged illegal export” of cultural goods from Turkish soil (Waxman 2008:144). The then Chief Curator of the Met denied that there was anything illegal on their part and was quoted that there “seemed to be hearsay fabricated around something that might have a kernel of truth to it” (Waxman 2008:145).

After investigation, it turned out that the treasure consisted of the following: ‘... a group of hundreds of golden pieces, coins and jewellery and household goods, had been found near Usak, in southwestern Turkey. Usak was the closest population center to what had been the heart of the kingdom of Lydia in the sixth century BCE’ (Waxman 2008:145).

The Met denied that they had acquired anything through illegal means. Scholars and collectors colluded to hide this fact by leaking made-up stories of Greek gold and silver which was sold to the museum by a dealer during the late 1960s. However, Acar relentlessly continued with his investigation during the early 1980s. In his possession was photographs of the stolen pieces. One day, while visiting the Met, he recognised some artefacts on display that resembled the photographs that he had obtained from the Turkish government. The findings shocked him as it was revealed that the local population who had worked on excavations had looted a *tumulus*. This is a tomb in which Lydian nobility and upper class people were buried along with their precious belongings (Waxman 2008:148).

As it turns out, the loot was smuggled out of Turkey and taken to the United States to be sold to the Met. Waxman (2008:149) explains: ‘It was the time of “don’t ask, don’t tell” when it came to buying unprovenanced treasures’. The most famous piece is a small ‘golden brooch in the shape of a hippocampus - a horse with wings and a fish’s tail, representing land, water, and air’ (Waxman 2008:149). This was unique and therefore extremely valuable. The museum paid in total, \$ 1.5 million for the treasure.

What followed was a legal battle for repatriation. This was dragged out by the Met, who lobbied the US State, to change legislation regarding ‘limitations on stolen antiquities’ (Waxman 2008:149). In 1987 Turkey filed a lawsuit against the Met. This was viewed by many scholars and the legal fraternity as a bold move by the Turkish authorities, given the political instability of the country. Regardless of the legal contest waged by the Met, the evidence against them was overwhelming. Practical evidence, such as measurements of some of the wall paintings exhibited in the Met, fitted the gaps on the walls

of the tombs in Lydia. The find spot was still there and provenance trumped the attempts of the Met to contest this. In a press release the Met issued, the following was said:

Turkish authorities did provide evidence that most of the material in question may indeed have been removed clandestinely from the tombs in the Usak region, much of it only months before the museum acquired it. And second, we learned through the legal process of discovery that our own records suggested that some museum staff during the 1960's were likely aware, even as they acquired these objects, that their provenance was controversial (Waxman 2008:151).

The above illustrates how quickly the illegal transactions from looters to final buyers occurred. It was a matter of weeks. In contrast to this, it took the Turkish government 16 years to regain possession of the Lydian treasures (Waxman 2008:151).

The negative consequences of the looting of the Lydian Hoard in the 1960s sparked an increase of wholesale looting from the ancient Near East. Armed looters, who would threaten any attempt by guards to secure the sites, occurred. Organised and skilled looters who understood the market demands for antiquities grew. Local officials were involved. The view that it is low key 'subsistence looting' as the main culprits, was debunked (Roosevelt & Luke 2006:196).

In addition, another negative impact that is disturbing in the case of Lydia is the following: 'Even though most official salvage excavations in Lydia have followed and do not precede illicit efforts, this correlation may be demonstrated by Sardis Expedition excavations in Bin Tepe in the 1960s that ran simultaneously with illicit projects in Bin Tepe that were contemporaneous with the plunder associated with the Lydian Hoard' (Roosevelt & Luke 2006:196).

In conclusion to this case study, we see that it is a multitude of factors that create the demand and the supply for illicit trade. We have also seen how much time the repatriation of such objects can take. The dishonesty of museum staff and directors should also not be understated. Finally, the Lydian Hoard is back in Turkey where it belongs. Or is it? Since its repatriation, far less people have seen it in the museum where it is housed. When it was in the Met thousands of visitors could see it. Now it is basically ignored by the local population, but for a few tourists and scholars. During a period of five years only 769 people had visited the museum (Waxman 2008:153). This observation had been noted by scholars and museum curators of the major encyclopaedic museums and they use the Lydian Hoard, as a case in point, to defend their argument against 'particularism' as opposed to 'cosmopolitanism' (Gillman 2010:49) in the cultural heritage debate. This will be discussed in more depth in Chapter 6.

The worst was yet to come. In 2006 the news broke that the most treasured piece in the museum, the golden hippocampus, was stolen and replaced by a fake. The director of the museum, Kazim Akbiyikoglu, was suspected, convicted and now resides in jail (Waxman 2008:153).

Despite character evidence given by Acar, who fought alongside Kazim against looting for decades, Kazim remains in jail. The golden hippocampus had disappeared. Perhaps it had been melted down to destroy the evidence. According to Waxman (2008:154), 'history has disappeared, from where it once belonged'. The case of the Lydian Hoard consists of all the elements discussed in this dissertation, namely, forgery, illicit trade, looting, debates around repatriation, the role of museums and unknown provenance. The tale of the Lydian Hoard is indeed a sad one, but very particular to this dissertation.

4.7 MUSEUMS AND ILLICIT TRADE

The big museums of the world and in the large cities of the world, draw hundreds of thousands of people every year. Some museums can boast with visitors numbers of millions such as the Louvre, the British Museum, the Metropolitan and the Berlin Museum, to name but a few. All these have one thing in common. They are encyclopaedic museums. In other words, it is a museum that consists of displays of very different cultures, literature, arts and sciences from all over the world. In the case of the British Museum, we see that since 1753 it was the case. Cuno (2011:13) alludes to this as follows: '... although it was a national museum - it belonged to the nation, not the king (Parliament borrowed the concept of a trust from civil law and appointed trustees to administer the collections) - it was not a *nationalist* museum. It did not present a national narrative extolling the glory of Britain or of Britishness.' This would enable the visitor to get a broader and cosmopolitan view of the world: 'I suggest that the encyclopaedic museums are sites for such learning and are, at their very foundation, cosmopolitan institutions' (Cuno 2011:63).

The opposite of an encyclopaedic museum is a nationalistic museum, which extols the virtues and material history, arts and sciences of a nation state. In short it embodies the nationalistic virtues and ideologies of one particular state by drawing on the achievements in politics, arts and sciences of a particular culture. However, I will only concentrate on encyclopaedic museums in this section, as it has a direct influence on some of the acquisition methods of encyclopaedic museums and the purchasing policies of artefacts with unknown provenance.

Critics of encyclopaedic museums would argue that such institutions only developed because of imperialism and colonialism. In other words, the collections have been acquired by the deliberate looting of artefacts during these periods of conquest. It also had a negative influence on the indigenous people of the conquered land. The outcome some scholars argue, is that it represents a ‘... colonialist and bourgeois-nationalist, elitist interpretation of that history’ (Cuno 2011:90). However, Cuno (2011) argues and uses examples, where the encyclopaedic museum allows for a Socratic method of looking at the world in which the ‘... exposure to diverse world cultures, engagement with the arts, and consideration of world citizenship’ is given to the student. In defence of the encyclopaedic museum an Indian scholar held that ‘... there is only one history - the history of man. All national histories are merely chapters in the larger one’ (Cuno 2011:97). An interesting conclusion by UNESCO further elaborates on this: “... no culture is a hermetically sealed entity. All cultures are influenced by and in turn influence other cultures. Nor is any culture changeless, invariant, or static. All cultures are in a state of constant flux, driven by both internal and external forces’ (Cuno 2011:97).

We need to take into consideration that during the last few decades, that there has been an increase in the movement of people across borders or within geographical and regional borders of traditional cultures. According to Cuno (2011:97), ‘... some forty million foreign workers, twenty million refugees, and twenty to twenty-five million internally displaced persons-have strained the nation-state and the way we think of nations: no longer as politically defined and territorially circumscribed, but as discursive fields of cultural signification or “imagined communities”’. More of this in the discussion on repatriation in Chapter 6.

As far as unknown provenance is concerned, we will come to realise that there are different views regarding the ‘purist’ view of archaeology, that being that an artefact without provenance is limited or useless. This by itself though, is not enough to completely disregard the provenance of an artefact. Encyclopaedic museums cannot only rely on the above defence as far as the purchase and the repatriation of objects are concerned. However, it would be unfair, not to give at least some thought to it and visit these arguments.

The very nature of an encyclopaedic museum is built around the collection of artefacts from all over the world. The ancient Near East is a collector’s paradise. It has many cultural objects of significance that are still to be excavated. Unfortunately, the cost of organised and legally sanctioned excavation,

as well as the speed with which it happens, is prohibitive to the acquisition demands of both collectors and museum curators. Hence, the urgency set upon this. Regulations also demand that certain legal procedures are followed and that provenance and context should be established as a priority. However, we shall see that these procedures are not the rule of thumb, or how it works in the real world. Museums to a large extent rely on the purchase of artefacts from “reputable” dealers.

During the early part of 2001, we saw the conviction of Frederic Schultz, a known dealer of antiquities. In this case, he was convicted for conspiring to take into possession artefacts from Egypt. This was a great shock to the world of antiquities dealers, collectors, as well as museums.

According to Wilkie (2002:7), ‘Gary Vikan, director of the Walters Art Museum in Baltimore and chairman of the Arts Issue Committee of the Association of Art Museum Directors believes, as he told the New York Times, that the verdict will have “a chilling impact on the dealing community, and that is a big deal, because insofar as that happens, there will be less out there for the buying community” i.e., museums’.

The question here is: Should museums buy, or continue to purchase antiquities and artefacts, given the fact that the provenance is probably unknown, or questionable? We see that most museums sit with vast collections of artefacts in storerooms, most probably never to see the display floors. The reason for this is that the artefacts are not of “sensational” quality and that most probably, they are also of questionable origin. A pre-requisite of an artefact to be of educational value is that it has at the very least, a known provenance. Wilkie (2002:7) explains: ‘It is not enough to say that an object is “said to be from” a certain site or region, or that it is “similar to” other excavated, well-documented objects. Without the specific context of an artefact, vital information for study is lost.’

As mentioned earlier, forgery of provenance often happens in the case of reputable museums buying artefacts from dealers. In the Schultz case, we see this was done in order to deceive the curators. Schultz and his accomplice, Jonathan Tokeley-Parry, committed forgery on the labels of the packaging of the cases of the ‘head of a statue of Amenhotep III,’ to make them look older and to give it a fictitious collectors name coming from the ‘Thomas Alcock Collection’ (Wilkie 2002:7).

What was disconcerting about the Schultz case, was that many of the collectors, curators and auction houses were quite shocked at the conviction. In a sense, it put the spot light on them and they clearly did not like it, as this prevented them from going on about their business as usual.

A lawyer for the National Association of Dealers in Ancient, Oriental and Primitive Art was of the opinion that Schultz should not have been prosecuted and found guilty and that it was in fact "... contrary to the interest of museums, the public, the dealers, and the auction houses." This is indeed a sad view. Surely, the interests of museums and the public would be better placed, if this activity to dupe the public, can be stopped altogether (Wilkie 2002:7).

Counter arguments about the purchase of possible stolen items abound and some are quite compelling. Some see it as a necessary evil in the on-going battle against the robbery of archaeological sites. Metropolitan Museum Director, Philippe de Montebello, had the following to say about this:

Between 1970 and 2006... a great number of very substantial objects of great merit have found their way into collections and onto the market. Archaeologists say we should not buy them. Then what should be done with them? Condemn them to oblivion? Or bring them into the public domain and to the attention of possible claimant nations (Bettelheim & Adams 2007:317).

It is good to see that museums such as the J. Paul Getty Museum in Los Angeles is doing everything to return these claimed artefacts. Many of these items from Greece and Italy have therefore found their way home again by signed agreements on the part of the curators of the museum and the governments of these two countries. Egypt is also demanding that thousands of items be returned. Egypt especially suffered from the scourge of losing its antiquities to museums in Europe and the United States for more than a century. According to Bettelheim and Adams (2007:317), 'Egypt similarly is demanding that museums return thousands of illegally traded artefacts, including a bust of the ancient pyramid builder Ankhaf in Boston's Museum of Fine Arts and a pharaonic mask in the St Louis Art Museum'.

It appears as if the amount of stolen artefacts being sold to museums has decreased ... but there is a downside and startling revelation in this.

"The same people who argue for agreements like UNESCO, say the illicit trade in antiquities has increased exponentially," said James Cuno, president and director of the Art Institute of Chicago. "Actually, the trade has gone elsewhere than to museums. Museums are collecting far fewer objects of antiquity than ever before. But private collectors are not" (Bettelheim & Adams 2007:318).

It is evident that the pressure on museums to recognise their complicity in furthering the illicit trade of artefacts, is out in the open and that their position of quiescence is not going to be tolerated by the archaeologist community and by the public. However, this could just be lip service. Accordingly, the below statement made by the prominent archaeologist and president of the Archaeological Institute of America, C. Brian Rose, that archaeologists and museums should work together in fighting illicit trade, should be distrusted (Muscarella 2013:865).

Muscarella (2013) views the self-serving interest of some museum trustees, as well as the (AIA) with suspicion, regarding the public statements done to this affect:

Rose's declaration on what curators or others "deplore" is the very *opposite* of what archaeologists deplore. To equate the activities of the curators of ancient "art" of the Metropolitan Museum, the Getty Museum, the Cleveland Museum of Art, The Boston Museum of Art, the Los Angeles County Museum of Art, The Kimbill Art Museum, The Saint Louis Art Museum, the MIHO museum, The British Museum, the Louvre, and many university museums, with archaeologists who painstakingly excavate to save artifacts for everyone, is embarrassing (Muscarella 2013:865).

In conclusion, we see that the encyclopaedic museum, regardless of its claims of cosmopolitanism, need to take cognisance of the fact that its very foundation, that of being a learning centre of academic excellence for the whole world, is targeted by unscrupulous dealers, curators and scholars, which casts doubt on the very teaching instruments it uses. These are the artefacts of unknown provenance which they put on exhibition.

4.8 CONNOISSEURSHIP AND COLLECTORS

An economic incentive drives the illicit trade in the lower echelons of the structure. Looters, smugglers and the buyers very often put their lives on the line. Violence is not uncommon during these transactions. Collectors, curators and academics with a good reputation often put their lives on hold by being indicted with long legal procedures and often jail sentences or stiff penalties. The allure of antiquities and artefacts of ancient times are often too hard to resist and so too, the temptation to deal in it.

Collectors will pay exorbitant prices to acquire these objects. In many cases we see that they cannot really boast about their collections in the public arena, as it would be too risky, given that it is the purchase of unprovenanced artefacts and therefore illegal. The acquisition chain cannot be disturbed and come out into the open and be transparent. This would stimulate the market and lure more collectors, who are not yet in the inner circle. This would drive up the prices as demand increases.

Collectors are also not once-off buyers. They are continuously looking for objects to appear on the market. It is an obsessive compulsion to own and gloat over the prizes and most probably only compare notes with their counterparts and compatriots who are in the same game.

Scholars and connoisseurs who are also part of the inner circle, or as Muscarella (2013) refers to as the “Fifth Column”, are authenticating these artefacts without the necessary site reports. As we have seen, only a vague report, such as “coming from so and so’s collection”, or “coming from this region” would suffice to grant the stamp of academic approval. Very often these proponents risk their hard-earned academic reputations.

The question then is, what is really driving trade at this level of acquisition? Is it a form of Western “elitism”, which alludes to the fact that culture and the appreciation of it should belong in private collections or in encyclopaedic museums of the West? Is it a political or religious ideology and belief that cultures in the developing or third world are to be viewed as curiosities?

The simple answer is no. We have seen the same phenomenon occurring in the developed societies of the world, since ancient times. The Romans looted and sold antiquities. The Egyptians gladly gave up their antiquities during the “Egyptomania” period of the 18th century in Europe for a price. We saw ancient scholars, such as Herodotus, Pliny and Josephus write up and collect histories of the world. The ancient library of Alexandria is a good example of this drive to collect knowledge.

According to Renfrew (2000:17), ‘there can be no doubt that, in the history of Western taste, serious collecting preceded and encouraged serious scholarship, and both came well before the development of the techniques of field archaeology’ and ‘the passion for collecting motivated early excavations of a fairly organised nature, but also the activities of clandestine diggers, the *clandestine* or *tombaroli* ...’. It is because we as the human species have an obsession with our past. It is the only thing that we have that is concrete and in the case of artefacts and antiquities that we can touch. It gives us roots.

‘Although artefacts are now manifestly as easily altered as chronicles, public faith in their veracity endures; a tangible relic seems *ipso facto* authentic. The vivid impress of ancient monumental sites privileges erroneous myth over historical revision’ states Lowenthal (2015:395).

As we have seen in Chapter 3 on forgery, in the case of Masada, regardless of the questions that were raised about the dating as well as the lack of site reports and government interventions, Masada, to this

day retains its popularity as a revered site for many. Lowenthal (2015:395) accentuated the fact that ‘Josephus’s tale of mass suicide at Masada is a known bricolage of classical lore, disproved by history and archaeology alike. But Masada’s powerful presence makes it still a transcendent reality’.

In times of war, monuments or relics of the conquered nation would also be the first thing that the enemy would loot or destroy. The reason, because it hurts us the most. We use the relics of the past to give us a reason to exist in the collective narrative. Without it we are like wraiths that are merely floating through an empty space. We need history and monuments to give us an anchor. That can happen by looking at the numbers of tourists of different nationalities and I am sure, of different religions. Probably, atheists as well. Sites such as Masada and Qumran are well visited. One can deduce that in most cases the visit would not be a religious pilgrimage, but rather an archaeological/historical pilgrimage one or in the case of the Israeli people, a “political” pilgrimage. In other words, history and relics provides us with a sense of place. Lowenthal (2015:579) states as follows:

Israel still deploys Masada as a prime national symbol, though literature and material evidence totally discredit the myth of first-century self-sacrifice there (‘rather than be taken as slaves, 967 zealots committed suicide; only one family survived to tell the tale’). On ritual occasions, scouts gather around camp fires intoning Yitzhak Lamdan’s “Masada shall not fall again,” while guides read aloud the speech of Josephus concocted for the last Jewish survivor.

In Lowenthal (2015:23), we see the following quote by Anthony Burgess: ‘There is only the past. The future hasn’t come into being yet, and the present is a hairline thinner than the thinnest imaginable hair ... Let us glory in having added more and more to the past’.

Collectors are driven by these tangible notions of the past. Connoisseurs revel in the glory of their subject and collections. They have the luxury and the money available to bring history in the form of tangible artefacts to their own homes. It does not have to be a display of one particular religious ideology or era. It can be one of many. And it can have no provenance, as long as they are the sole owners. So how does this impact on provenance? The simple answer is that these collectors of high repute advertently “launders” the artefacts or, as Renfrew holds, are involved in ‘antiquity laundering’ (Renfrew 2000:31).

The sad irony is that the very people who are probably the most interested in the subject of ancient artefacts, are those that are perpetuating the illicit trade. Collectors are inadvertently damaging the archaeological record and also in some cases it is simply not acknowledged: ‘Dealers, collectors and

even some museum curators are often reluctant to acknowledge the crucial role of context in our evaluation and understanding of the past' (Renfrew 2000:22). It is problematic that most collectors purchase artefacts where "due diligence" is not done (Renfrew 2000:30-31). According to Renfrew (2000), George Ortiz, a private collector and connoisseur, whom I have mentioned, and will discuss in more detail in Chapter 6, are one of the collectors who is indirectly responsible for not doing the necessary "due diligence."

Their collections are magnanimously offered up to museums for display, but in doing so the display of unprovenanced items are further promoted and "legitimised." Renfrew (2000:31) states the following: 'This practice of exhibiting unprovenanced objects in what are generally regarded as respectable museums, and thereby conferring at any rate an element of respectability on what would otherwise be a 'hot' antiquity (i.e. unprovenanced and of recent appearance on the market, in circumstances giving rise to looting) does begin to seem a predictable pattern of conduct in the contemporary market for antiquities'.

Leon Levy and Shelby White, whom we have seen to be major funders of excavations in the Ancient Near East (Chapter 3), as well as elsewhere in the Ancient world, are also ardent collectors. They have been accused of funding excavations to claim some of the artefacts for their own private collections.

Money can also be a motivation for some private collectors. It is their goal to get the collections to be purposefully displayed in well-known museums. This pushes up the resale value of the pieces dramatically. Curators would support this by taking up these artefacts in their exhibits with a 'no questions asked' policy (Renfrew 2000:34). Provenance and context is not an important requirement.

To illustrate the near fanatical urge to collect, we need to look no further than Shlomo Moussaieff, who recently passed away in 2015. The Moussaieff ostraca is also discussed in Chapter 3. Shlomo Moussaieff had an obsession in 'proving the Bible true.' It was his sole passion to connect all the archaeological pieces excavated in the Holy Land with those described in the Biblical text. He was very well connected with the 'socialites, politicians, and scholars' and money was not an object that stood in the way to satisfy his obsession (Burleigh 2008:20):

The possibility that he might buy forgeries - that his judgement calls might sometimes be off - doesn't bother him unduly. Fakes in the storeroom are a collateral cost of making a collection. "They made fakes 2,500 years ago! I can make mistakes but I never have a contract. I buy it and - get lost!"

I have a million on a statue of King David right now. Why do I need a contract? I bought it! I have it! I know I am breaking the law, but I have no other way.” (Burleigh 2008:60).

I would hold, that not all collectors and connoisseurs are as fanatical and indeed as reckless as Moussaieff was, but it is clear that such obsessions are certainly shared amongst many collectors. On a more positive note, we see that connoisseurship, if correctly applied, can be of great benefit. A connoisseur by name of John Beazley contributed much by helping to establish *cultural* context for the study of Greek vases (Simpson 2005:39). However, as we have seen in the case above, some of them act with no regard and with impunity when it comes to the context of an artefact or its authenticity.

4.9 PREVENTION MEASURES

Public perception of dealers and collectors of illicit antiquities have been romanticised by the media, authors of fictional stories and the film industry. Ulph (2011:52) states that:

They have been portrayed in the past as romantic figures: as adventurers rather than common criminals. This is an old fashioned view. It has always been recognised that the theft of a cultural object, or its illegal excavation and sale from source nations such as Iraq, deprives ordinary people of information and enjoyment of ancient history. But apologists have argued that these objects are being saved and preserved by those who care for them. However, once it is accepted that trafficking in cultural property generates huge profits, and that this makes the trade highly attractive to professional criminals, who may use these funds to fund other criminal activities, the need to suppress the illicit market in art and antiquities, whilst supporting the legitimate one, must surely become evident to all reasonable people’.

During the 1980’s punishment for offenders that were caught was relatively light. According to Ganor (2003:69), ‘the punishment imposed on an antiquity robber ranges between half a year to one year imprisonment, although the penalty by law is three years’. The problem does not lie here, though we see that a demand was created by the very laws that should have been protecting the antiquities as the trade of antiquities was legal. Many people relied on looting as a means of living. The bans were perceived to be unjust. Ganor (2003:70) argues: ‘Implementing a ban on trade in antiquities in Israel may be contrary to basic laws of human dignity and liberty, freedom of occupation’ and was thus, to a large extent ignored.

This situation has a history that persisted even in the earlier days of archaeology during the 1960s, in the modern State of Israel. Powerful political figures also made themselves guilty of this, even though it was in good faith, by doing it for reasons of furthering a political ideology. Many of them took a position against the ban of selling antiquities on the free market. They were politically very well connected and enjoyed special sanction to do this: ‘These were military hero and Parliament member

General Moshe Dayan, renowned for his unauthorised excavation of sites and selling of “surplus” antiquities and the mayor of Jerusalem from 1965-1993, Teddy Kollek’ (Kersel & Kletter 2006:320). In addition to this we see that the two had support from influential people in the antiquities arena. Kersel and Kletter (2006:320) states that ‘... wealthy Israelis, Palestinian antiquities dealers, and foreign scholars intent on building study collections for their institutions all voiced their support for the licenced trade in Israel’. It must be noted that these practices probably saved many artefacts from disappearing altogether and could well be used in the argument for the trading of antiquities. However, to this day there is a ‘... sharp divide between those who support trade in antiquities and those who oppose it’ (Kersel & Kletter 2006:321).

A concerning fact is that the proponents of the sale of antiquities are pandering after popular sentiment. Kersel and Kletter (2006:321) argue that ‘there are advocates of state-run sales of antiquities. Their position appears in the popular media, such as on the internet and in newspapers, catering to the general populace rather than those who oppose this view.’ This is a problem in itself, as the media is used to create the hype around this practice; something that academia would normally not do and shy away from. Perhaps it is time that the academic fraternity, particularly archaeologists, stand up and confront this threat to their discipline in the same manner, and in the popular media.

However, since those days the laws in Israel have been amended with the Antiquities Law passed in 2002, which ‘curtails the antiquities trade and eliminates the possibility of antiquity dealers to purchase stolen antiquities and reduce the profitability in obtaining stolen artefacts from questionable sources’ (Ganor 2003:70).

We further see that very often legal precedents are in the way of establishing the ownership of these antiquities. Bettelheim and Adams (2007:315) states that ‘while international treaties such as the UNESCO convention of 1970 prohibit the theft of cultural property, it is difficult to establish patrimony on never-before-seen objects taken from their original location centuries ago and buried elsewhere’. In order for these objects to be legally reclaimed, we see that governments must prove ‘cultural significance’ and this by itself is a very difficult thing to prove (Bettelheim & Adams 2007).

Be that as it may, regardless of the laws the problem persists, and this is obviously devastating for the world of archaeology, as these sites, as well as the context of the artefacts that are traded in this fashion, are forever lost to science. Ganor (2003:69) emphasises the following: ‘An antiquity site is not a

renewable resource; once a site is ruined, it cannot be restored to its original state. Archaeological research can hardly be conducted in a site that has been plundered' and '... occasionally entire buildings, are razed in the quest for artefacts'.

We see that this situation is not only an Israeli problem, but occurs across the whole of the Middle East especially in Iraq and Turkey. McC Adam (1971: ii) states that 'while there is much variation from country to country, in general the scale of looting has mounted alarmingly in recent years. Turkey, to cite one example, has felt compelled to lodge formal protests over the policies of some American art museums in purchasing and highly publicising objects stolen there by art dealers.'

Without going into too much details on the regulatory side, we see that since the 1970s, a spate of international cooperation treaties were formulated between countries and museums to curb illicit trade: As early as 1954, the Hague Convention to protect cultural property during armed conflict; the UNESCO Convention, which prohibits the illicit import and export as well as the transfer of ownership of Cultural Property; the Unidroit Convention which pertains to the return of stolen or illegally obtained cultural objects; the Philadelphia Declaration which prohibits the purchase of unprovenanced objects; the International Council of museums (ICOM) code of professional ethics, which regulates and governs museum practises; the Treasure Act (1996) in the United Kingdom; the Cambridge Resolution in 1999 and many more (Renfrew 2000:93-148).

I am not going to explain what each of these purport to regulate in detail. But the titles of these give a good indication of what its function is. What we do see is that cooperation between countries, despite these regulations, did not stop illicit trade. It continues unabated. The reason for this is that there are various interpretations and loopholes that allows the dealers, auction houses, museums and collectors to do business. In addition, there are no clear-cut rules about the restitution of cultural property. More of this will be discussed in Chapter 6.

We also see that the prohibition of purchasing unprovenanced and artefacts with provenance, are not always clear. Brodie et al (2000:45) state that 'acquisition policies contain areas of uncertainty – 'necessary loopholes' – to allow curators to use their experience and personal judgement in difficult cases'.

To use but one example and to illustrate this loophole, even though the statement claims that the museum ‘deplores the looting of antiquities’ (Brodie et al 2000:45), an extract from the Policy Statement on the Acquisition of Antiquities by the Trustees of the British Museum (1998) states the following:

Wherever possible the Trustees will only acquire those objects that have documentation to show that they were exported from their country of origin before 1970 and this policy will apply to all objects of major importance. But it goes on to say: The Trustees recognise, however, that in practise many minor antiquities that are legitimately on the market are not accompanied by detailed documentary history or proof of origin and they reserve the right for the museum’s curators to use their best judgement as to whether such antiquities should be recommended for acquisition. In doing so the staff of the British Museum will at all times abide by the spirit of the Codes of Ethics of the International Council of Museums and the Museums Association (Brodie et al 2000:45).

However, as we have seen, the ICOM resolution that demands a proper code of conduct, did not apply to the case of the Lydian Hoard, as the case revealed that some of the staff and the director of the Metropolitan museum, knew that the objects were in fact looted and without proper documentation of provenance. It is therefore quite apparent that much more resolute measures, and checks and balances are put into place to cover the loopholes, as museums are breaking the codes.

4.10 THE INNOCENT AND THE GUILTY: THE IMPACT ON PROVENANCE

To fully understand the loss of knowledge through the illicit trade and the loss of provenance, we need to have a brief look at the historical importance of the ancient Near East as far as the archaeological richness of the region is concerned. Ancient Near Eastern history stretches over a period of roughly ‘twenty seven centuries’ (Van De Mieroop 2007:2). There is a lot of history and potential knowledge stored in the archaeological record, as Van De Mieroop (2007:2) explains: ‘Few historical disciplines engage themselves with such lengths of time. We can compare it to what is covered in survey books of the whole western civilization, which link Homeric Greece to the present day’.

This makes the ancient Near East the richest depositary of hidden knowledge on the planet. What has already been found, shows that the resilience of cuneiform tablets to survive the ravages of time and decay makes it one of the most important “libraries” which we can read to understand some aspects of early Mesopotamian civilisations. We see that the development of the earliest writing occurring from this region. It illustrates a combination of descriptions of everyday life to incredible finds such as the Epic of Gilgamesh. It has revealed thousands upon thousands of cuneiform tablets which gives us insight into the development of society that dates back thousands of years. Van De Mieroop (2007:5)

explains: 'The writings from the ancient Near East are rich not only in number but also in what they cover: the economy, royal building activity, military campaigns, government business, literature, science, and many other aspects of life are abundantly documented'. One can deduce from this that archaeology is an important tool for history. Van De Mieroop (2007:7) states that 'history is by nature a positivistic science (meaning that we discuss what is preserved), and necessarily focuses on those moments for which the sources are plentiful' and 'while the distant past is usually less well documented than the more recent one, the ancient Near East presents an exception to that rule' He also says that 'the ancient Near East provides the first culture in human history in which true and detailed historical research can take place'. Although it is estimated that there are thousands of archaeological sites still to be discovered, it is now done by looters and not archaeologists. Careful excavation and the protection of provenance is compromised as far as this treasure trove of research and knowledge is concerned.

Unfortunately, we see that modern events such as the wars in Iraq in 1991 and 2003 caused the termination of archaeological digs taking place (Van De Mieroop 2007:5). This was replaced by wholesale looting and plunder of artefacts for the illicit trade. This will be discussed in more detail in Chapter 5.

The illicit trade of antiquities in its final stages of acquisition, is only reserved for the selective few. Those who have the financial means and who belong to the affluent people of society. After the ill-fated war and occupation of Iraq in 2003 by the United States, the trade in looted artefacts, stolen from museums rose rapidly. According to Renfrew (2006:245), 'the looters are financed whether before or more often after the event, by collectors'. It is, as we have seen, mostly an obsessive compulsion to own these objects.

However, we can also see that collecting things of the past, is a universal part of human nature. Everywhere in the world people have a sense of the nostalgic yearning of the past. We only need to look at the numbers of people who visit the great museums of the world to view ancient artefacts and antiquities.

Old things are considered to be more expensive nowadays, than new things, for example houses. People will purchase old properties and renovate the old buildings, leaving some resemblance of its former architecture (Lowenthal 2015:27).

They would rather spend more money on old buildings, as opposed to buy a brand new house in a new suburb. This is the modern trend that we see everywhere in cities around the world. There is a collective resurgence of owning the past. People are returning to own consumables that reflect the past. The growth of craft beers all over the world shows that people are driven towards the authentic and things of the ‘old world’. Popular music groups are playing mostly on acoustic music instruments, with the youth listening to it and finding it ‘trendy’. This is how the majority of middle class society indulge in the past, and admittedly not really causing any harm to cultural heritage or provenance.

We also see that measures are put into place to protect the past:

Preservation is also stridently collective. Every state strives to safeguard its historical monuments. Antiquities are prized whether ancient and abundant, scarce or recent. Myriad agencies – the International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS), the International Centre for the Study of the Preservation and the Restoration of Cultural Property (ICCROM), the International Institute for Conservation of Historic and Artistic Works (IIC), UNESCO’s World Heritage Convention – enlist global preservation concern (Lowenthal 2015:28).

However, on the opposite ends of this curve, we find the extremely poor and the extremely rich. On both sides of this curve, we see that it is these people, who unfortunately through social circumstances, in the case of the poor, who will have a negative influence on provenance.

The rich are the guilty ones. In their quest for all things ancient in the archaeological field, the affluent and rich need to constantly add to these collections to maintain relevance amongst their peers. They are the ultimate creators of unknown provenance. The destroyers *par excellence*. Archaeologists, illicit traders and collectors are on a collision course. Both see the importance of provenance as a diametrical opposite necessity. In artefact rich or source countries, it will be the poor who loot the artefacts. Understandably so, as it is a means of survival. In the market countries, it is the rich who buy the artefacts for enormous amounts of money, for vanity, fame and greed. A market of demand and supply has been created. The stage is thus set for a negative impact on provenance.

In the majority of cases this phenomenon is indefensible. Nation States with puppet governments in oil rich countries in the Middle East, are not spending the available fiscal budgets on supplying the local population with services. Hence the political unrest and civil wars, and hence the collapse of agriculture and the growth of subsistence looting, such as Syria and Iraq: ‘Iconoclasm and theft, fire and flood, disseminate antiquities and archives the world over’ (Lowenthal 2015:28). If artefacts are

not sold to dealers, modern technology have made it easier for the destruction of monumental and archaeological sites. Relics are simply blown up with high explosives.

This is the situation that besets the archaeological heritage of the world. One will be forgiven if thoughts of total despair regarding the future of cultural heritage in the Middle East, can still be rescued, and if it would not be better to get as much artefacts out of the ground as quickly as possible, given the current rate of destruction.

In addition to this, we see that the loss of human lives as collateral damage, by the air strikes in countries beset by ISIS, is causing further emotional and physical damage to people and that this must supersede the damage to monuments and archaeology sites. The disenfranchised cannot afford to be concerned about cultural heritage and provenance. More of this will be discussed in Chapter 5.

I have painted a bleak picture here and the above must not be lain at the door of illicit trade alone. It appears as if this has been, and always will be, the way of the world. The past, because it is revered always runs the risk of being destroyed, because we value it so much. Conquerors will purposely destroy or remove the cultural icons of the conquered. Economic incentives are further pushing provenance into the background. Dealers and collectors are profiting from this unfortunate situation. However, this still does not legitimise the actions of these individuals.

Provenance therefore is still at the forefront of this endeavour to understand the past. We can only learn from the material past by its very context. Illicit trade is considered by the archaeological community as the cause of the looting of artefacts and the loss of provenance which is then purchased by collectors. Some scholars and collectors believe that provenance is not *sine qua non*, in the study of ancient culture. Many argue that there are enough artefacts that has no provenance and also lacks research. Roberts (2006:50) finds that ‘research collections are the butt of the critics who say there is already too much stuff – these are the “heaps of treasure” on which the “Museum dragons” sit.’

Museums are usually the final destination of artefacts, however, collector or dealers who sell to curators are the cause of this attack on provenance as *sine qua non* for archaeological study. The argument by collectors that they only gave the collection on a loan to museums are still a case of duping the public by unprovenanced artefacts, and it sets the tone for future collections to be allowed without context. This tacit condoning of “on loan” artefacts, that lack provenance, is just as bad as purchasing

it, as Renfrew (2006:245) explains: ‘... some museums consider it one of the criteria for acquisition that an unprovenanced piece has already been publicly exhibited and published in a major museum exhibition. I argue that “reputation laundering by public exhibition” is the up-market version of money laundering in the traffic of drugs.’

Finally, we see that there needs to be a moral and ethical “paradigm shift” as far as the acquisition of artefacts by collectors are concerned. There needs to be a collaborative plan amongst all, to stop the purchase of these items in the market countries. Only when the demand for antiquities cease, will the incentive to loot be a thing of the past.

Regulations and agreements are simply not enough without enforcement. In the source countries, it would be wise if governments spend more resources on the physical protection of the ancient sites. Antiquities departments and governments need to be quick to react when sites are seen to be looted. Middlemen and smugglers need to be apprehended. Only then will provenance be safe from the impact of illicit trade.

4.11 CONCLUSION

In a romanticised world, archaeologists and collectors probably have the same final objective in mind when they sift through sand and dig in their loci at an excavation site, or page through buyers’ catalogues in bazaar markets, respectively. The archaeologist wants to find artefacts and antiquities that will rock the foundations of academic study and win adoration from the academic fraternity. Collectors want to obtain artefacts and antiquities that are unique and rare, beautiful to look at and will invoke jealousy and reverence by their peers.

However, in modern archaeology, it is not the chance find of a King Tutankhamun burial chamber or finding the Lost Ark of the Covenant, about which has been written so much and appears in documentaries on Discovery Channel and feature films. This is not important.

It is about the wealth of knowledge that can be found in everyday goods, such as ceramic vessels, burial sites of ordinary people, their architecture and cuneiform tablets that they wrote on, which will reveal how our ancestors lived. In modern archaeology as a multi-disciplinary process, provenance is of utmost importance. Without it the knowledge is lost. We have much to learn from our ancestors. I use the term, ancestors, loosely. In the ancient Near East, we all share a common cultural heritage.

Most western cultures have the ancient inhabitants of the various epochs of the ancient Near East, to thank for our ability to write. We have learnt from their architecture, their religions, both pagan and monotheistic, the literature, the sciences and the laws. For over two thousand years, various empires outside of the ancient Near East had a fascination with the cultural material of this region. In short, since ancient times the ancient Near East has been viewed as a huge “archaeological site”. We have seen that serious plundering of its artefacts and monuments, started as early as the advent of the Roman Empire and most probably even before this.

Early, archaeologists were mainly collectors, who without much thought about careful excavation techniques and regard for provenance, ripped artefacts from the ground and carted it off to the great museums of the world.

In its wake, and much later, followed the collectors and connoisseurs. The development of the scientific methodology for the preservation of context, as well as the regulations, to protect the cultural heritage of this region also followed. The combination of all of this was the catalyst for an impending disaster. The increased rarity of artefacts due to the protection measures, pushed up the extrinsic value of these artefacts. This created a monetary lucrative market on both the demand and the supply side. The proprietary stance of the exclusivity by archaeologists as the custodians of cultural heritage with the advent of modern archaeology and the laws, created a highly sophisticated underground network of looters and buyers. Collectors, museum curators and auction houses clamoured for more artefacts. Academics inadvertently and possibly knowingly, made themselves guilty of collaboration with the networks of illicit trade.

Museums drew thousands of visitors a day. Money was rolling into the museums’ coffers, and knowledge, context and provenance rolled out of the exhibit halls. Provenance became an irritation for curators. It stymied their acquisition policies. Unnecessary and time-consuming ‘due diligence’ tests for acquisitions, were enforced and made life difficult for collectors, curators and academics.

The conflict between archaeologists and collectors were driven to become a pitched battle for ownership of cultural heritage and who the custodians of it would be. The networks of illicit trade rubbed their hands in glee and exploited the looters and the poor. It was the time for making huge profits. Wars and political instability in the region are the further cause of looting, and the increase of the supply of artefacts, such as cuneiform tablets and seals from Iraq, which have withstood the test of

time, is to be destroyed or sold on the illegal market to buyers. Iconoclasm and religious extremism further adds to the destruction of context and provenance. Presently, the illicit trade of artefacts and antiquities are considered to be the third most profitable illegal business, next to the smuggling of armaments and drugs in the world.

The above scenario is unfortunately not a fictional tale. It is a reality and it is still with us. It continues on its relentless path of destruction. Looking at it from a cosmopolitanism viewpoint, which holds that ancient cultural material and heritage should belong to all human kind, I am afraid, that if this continues unabated, our history will be lost forever.

CHAPTER 5

LOOTING

Tracking the cultural treasure of Syria and Northern Iraq has become a heartbreaking task for archaeologists and antiquity scholars. And the list of destroyed, damaged or looted works has grown longer as Islamic State, also known as ISIS, which seeks to create a caliphate, has pushed into Northern Iraq. Sunni extremists like the Islamic State and others are deliberately wrecking shrines, statues, mosques, tombs and churches-anything they regard as idolatry (Bowley 2014).

5.1 THE HISTORY OF LOOTING

The looting of historical sites is an ancient human pursuit. Evidence from archaeological excavations and observed damage to surface monumental structures show that this was practised in the remote past and is still an ongoing practice. Castellano (2016:20) states that ‘the looting of tombs dates back to the dawn of civilisation. For almost as long as there have been graves, there have been grave robbers-with plundered burial sites dating back more than 5000 years.’ When the Greek scholar, Strabo, who specialised in geography visited Egypt’s Valley of the Kings in Thebes, he noted that 40 of the sites he visited, were looted. This was in 24 BCE. According to Castellano (2016:20), ‘Egyptian sovereigns had begun building protective systems into their royal tombs about the start of the New Kingdom, some 1500 years before Strabo’s visit’ and ‘tomb raiding became so widespread that it is even mentioned in the Book of the Dead, a collection of funerary texts composed around 2100 BCE’.

Modern day looting is rampant. To give context to this we will look back into the past and briefly visit some of the most “infamous” cases of pre-21st century, organised looting.

In this dissertation, I have taken the view that the organised plunder and looting of ancient artefacts and monumental architecture such as the obelisks from Alexandria, and the removal of the throne room lion statues of Sennacherib at Nineveh, is also a form of looting. The colonial occupation of the Middle Eastern countries by European imperialists, cannot be used as an excuse for the “illegal” removal of these historic relics. The sheer magnitude of these operations, illustrates that it was done with the sole intent of stealing the history of these occupied territories and claiming it for the benefit of the European elite and its museums, and to beautify European cities. One can say that this type of looting was the first form of proto-archaeology or pseudo-archaeology. Its source lies at the inquisitive interest by European scholars and the elitist members of society in ancient cultures, as well as a form of relic

collection and worship. Looting as a habitual practice, starts much earlier. In particular, we note that the antiquities of Egypt suffered the most from this affliction.

Early European travellers as far back in time as the Roman Empire, indulged in this. To date, no other country's ancient monuments and burial sites have suffered more under this affliction than did those of Egypt. Looting in this region was rampant. Not only by grave robbers in ancient times but also in more recent times of imperialism and colonialism by the British Empire. A phrase "Egyptomania" was coined during the 19th century for this interest in Egyptian religion, architecture, iconography and art (Brier 2004:16). Brier (2004) believes that there are three reasons for this: 'The Egyptian pursuit of immortality, a belief that the Egyptians had secret or profound knowledge, and simple escapism' (Brier 2004:16).

Even earlier we see that travellers who had visited Egypt as far back in time as 450 BCE showed an immense interest in the ancient cultures of Egypt. Their experiences were translated and published during the Renaissance in Venice in 1474. Examples of these are the *History* of Herodotus into Latin (Dannenfeldt 1959:8). Another ancient traveller and writer, Pliny's *Historia Naturalis*, describing Egyptian culture and architecture was published in 1469 (Dannenfeldt 1959:8). Other classical scholars such as Josephus, had copied extracts such as Manetho, and which was published in 1470 (Dannenfeldt 1959:8). From these examples we can deduce that since early times, Egypt's culture was already a popular subject. Not only was it popular for scholars to study this, as the archaeological record shows that the forgery of written records also took place. This shows that there was a connection between the ancient mystic knowledge of the Egyptians and that of the early Romans. Dominican humanist, Giovanni Nanni (Annius of Viterbo, c. 1432-1502), alludes to this in his works.

According to Dannenfeldt (1959:9), '... Annius attempted to use his "authors" to throw light on the early civilisations of Europe. He tried for example to show the connection between ancient wisdom and culture of the Egyptians and that of the Etruscans and Romans.'

We also see the removal of many Egyptian adornments, artefacts, and probably the most famous (or infamous) removal of the obelisks or needles by the Romans as early as 10 BCE by Emperor Augustus (Swetnam-Burland 2010:135). One of the obelisks known as the 'Montecitorio obelisk' was placed in the Campus Martius (Swetnam-Burland 2010:135). It is still a major attraction for tourists. However, regardless of its popularity, its original context is lost to modern day visitors in Rome.

As early as 1886 an author comments on the unveiling of another famous obelisk ‘Cleopatra’s needle’ in New York by the famous Metropolitan Museum of Art. The writer, who had a long military career, had the opportunity to view the obelisk at its original site in Alexandria, before it was removed and shipped off to New York in 1881. He had the following to say about its new surroundings: ‘It was with a feeling of sadness akin to pain that I looked upon the familiar form of my old friend, for such, indeed, the obelisk was ...’ (Long 1886:410), and ‘in my imagination I saw it as it stood at the door of the Great Temple of the Sun at Heliopolis, where it reflected from its gold – embellished sides the lights which flashed from the altars within ...’ (Long 1886:410). The author is clearly attempting to recall the importance of provenance, by telling this story. The obelisk in its original place of provenance had a meaning that reached far beyond the singular notion of it, now just a mere curiosity for the people of New York. It served as a “conquest” for the Metropolitan Museum to boost its claim and reputation as being one of the most important museums of the western world, regardless of the blatant act of looting under the guise of imperialism.

Long (1886:411) refers to this in the following way: ‘And now, as I stood in the presence of that block of stone, rudely torn from its native shore – stranger within our gates – I felt a sense of shame come over me as in fancy, I listened to the well-merited reproaches addressed by my countrymen for the deep damnation of its taking off – an act of vandalism which may be justly likened to that of the theft of the Elgin Marbles from the Temple of Minerva.’

The context of the obelisk and its provenance in Alexandria had meaning, as it told a story. Long (1886:412) confirms that ‘it was a monument of Egyptian fame, Egyptian art, and bore the name of a celebrated Egyptian Queen. In Egypt it represented a part of her glorious history. In America it is meaningless and senseless’.

We shall see in this instance that the removal of the obelisk was politicised, in order to justify its new location in a foreign country. The country, which had no claim of ownership at that time. Regardless of the disputes about this, the official argument of the government of America, recognised this as a gift from the people of Alexandria and the bankrupt Egyptian government (Long 1886). Long (1886) called for the repatriation of the needle, back to Alexandria. This he maintained, would be an “act worthy of a generous people”. The removal of the needle from its place of provenance was a collaboration between a government, the private sector and a fascination with the “esoteric knowledge”

of the ancient Egyptians. The private funding and the cost of its transport was funded by trustees of the museum, government officials, as well as members of Masonic Lodges, who by themselves maintain a link with the ancient culture of Egypt (Brier 2002:53). The needle in Central Park, New York, where it is currently being displayed, has clearly no historical value and can teach us nothing about the Egyptian culture. The sadness of all of this is that the needle is being damaged by acid rain and deteriorating. It is also one of ‘... New York’s more under-appreciated monuments, ignored by tourists and Central Park patrons alike’ (Brier 2002:54).

Similarly, we see that the British also used the state of the economic situation in Egypt to their advantage in acquiring monumental architecture and art works of Egypt. Egypt was bankrupt. The ruler of Egypt, Khedive Ismael, began to sell off monuments regardless of the protests of the Egyptian population. This was done in order to ‘modernise the country’ (Brier 2002:48).

Ironically, before the USA and the UK both removed the needles to their countries during the 19th century, these needles were moved by the Romans to Alexandria after Cleopatra’s death and had no historical link to her. Thus, the provenance of the obelisks linking it to the time of Cleopatra was in no manner a forgone conclusion and of no historical value. According to Brier (2002:48), ‘this association with Cleopatra comes from the writings of Abd al-Latif, a twelfth-century Arab physician who called obelisks in general *Misallati Firun* (“pharaohs big needles,” and the two at Alexandria “Cleopatra’s big needles”)’. Provenance was thus already unknown when the USA and the UK laid claim to these structures.

From the literature of the time, it seems that the engineering feat of moving and erecting them were deemed to be of more interest than the obelisks themselves. On the burial monument of Gorringe, the engineer who was the project manager for the removal of the New York Obelisk, it reads: “His crowning work was the removal of Cleopatra’s Needle from Egypt to the United States, a feat of engineering without parallel” (Brier 2002:54).

As far as scholarly debates are concerned regarding provenance, which will be discussed in more depth in Chapter 6, we see that the Romans changed the appearance of the Montecitorio obelisk on the Campus Martius, with a Roman inscription on the pedestal which is in Latin. An orb and a Christian cross was placed on the apex of the needle. In a “purist” sense, this can be viewed as a form of “forgery”. The intention of the Romans was clearly to connect the ancient and secret knowledge of

the early Egyptians, with that of the early Christian religion and Roman culture, thus making it their own. Provenance was therefore further “wiped” and taken from the artefact.

However, Swetnam-Burland (2010) sees this as not necessarily an issue of serious archaeological significance. The author maintains that it would be erroneous to disregard the appropriation and the transformation of the obelisk to fit a more modern Roman cultural object. This glorification to the Roman Empire accordingly, is held to be justified. Swetnam-Burland (2010:149) claims that ‘... the history of the obelisk was not, in fact, repudiated, but considered significant by at least some highly educated Roman elites of the early imperial period. Though Romans had neither a comprehensive nor a precise understanding of the obelisk, the information available to them was surprisingly detailed’.

This was possible through the thorough study and writings of scholars of ancient Egyptian culture, such as Pliny, which was available to the elite and literate citizens of the Roman Empire. This knowledge together with the transformation of the obelisk did not obscure the original true meaning of the obelisk as Swetnam-Burland (2010) explains:

These Roman additions overwrote, but did not invalidate, the underlying Egyptian symbolism of the monument attested by Pliny and Ammianus. In short, the obelisk was refitted for a cultural system in which time and space were understood differently than in its original context, but the obelisk’s original expression of the relationship between gods, rulers, and men through the agency of the sun was, elaborated, not repudiated, in that refitting (Swetnam-Burland 2010:150).

This tacit forgery of the obelisk gets its validation from time. Time seems to soften the rough and cutting edges of monuments and the symbolism that it stands for. At this stage I am not certain what this time limit is? However, should these ‘refitted’ needles for some reason be repatriated in the unforeseen future back to Alexandria or perhaps to its pre-Roman context, what would be the fate of these additions? Would they be removed?

The least perhaps that a nation can do with a looted object is to refrain from changing it to fit into a fictional and imaginary historical context. It would be much more educational and instructive for the public to experience what it once meant in its former context. The construction of “hybrid” monumental artefacts by giving it cultural context, after a certain time has passed, seems to me like a “soft” approach to legitimise looting and forgery. It was looted in the past and so it shall remain in the present, regardless of its changed appearance or academic cultural significance. As we shall see in Chapter 6, many of the arguments against repatriation is the notion that the historically looted object

has become synonymous with the identity of the country where the artefact now resides. The country of origin loses its right to claim it back altogether. This argument is often used and binds forever the artefact to its new environment.

It is often taken for granted by students of antiquity and the broader public that, that which is displayed by museums in its vast galleries are artefacts that have been acquired by a legitimate route. In fact, I would hold that the opposite does not even enter the minds of many. This being the question of how these artefacts actually ended up in the galleries of the major museums in European cities in the first place?

How, both fortunate and unfortunate for the public, is it that some scholars go to extraordinary lengths to protect the provenance of artefacts and others simply show no regard for it. Let us take an example of some of the British Museums most magnificent artefacts on display. The Assyrian reliefs is a case in point. According to Renfrew (2000:56), the Assyrian reliefs is 'one of the most flagrant and well-documented cases of looting or perhaps more accurately of the theft, of antiquities comes from the Throne Room of the Assyrian King Sennacherib at Nineveh in Iraq'.

Austin Henry Layard first excavated at Nineveh in Iraq during the mid-19th century where he uncovered the Throne room of King Sennacherib. The most famous artefacts that were uncovered was undoubtedly the Black obelisk in honour of King Shalmaneser III, and the famous Lachish reliefs, which document one of the famous battle scenes of King Sennacherib during the siege of 701 BCE and which now resides in the British Museum (Scheffler 2000:36). Layard documented the finds and published his finds in 1849 (other sources show 1846). Many of the reliefs were removed by Layard, but much of the objects and reliefs remained *in situ* at Nineveh to be later studied, as well as documented by John Malcolm Russell during 1989 and 1999 (Renfrew 2000:57). Fortunately, this was done by Russell. But, because of the outbreak of the Gulf War, all excavations at Nineveh were suspended. However, the looting of the Throne room of Sennacherib continued at an exponential rate.

Many of the artefacts and fragments of the reliefs started to appear on the US and European markets. In other words, these artefacts were illegally excavated and looted. The worst of all was that the objects and the reliefs were broken into smaller pieces for ease of transport and to maximise profits (Renfrew 2000:57).

I shudder to think what would have happened to the Lachish reliefs if it was not removed by Layard during the mid-19th century. However, the stance that many of the buyers and dealers take during the purchase of these items, is one of clear disregard of provenance. It is quite impossible for us to contemplate that these items cannot be recognised as looted. Here we have a case of clear provenance taken from the site reports of Russell, yet these items were sold on the black market and are in fact clearly stolen and the property of Iraq. We are therefore much indebted to the foresight of these scholars (Renfrew 2000:58).

Looting can also not be seen as opportunistic actions taken during times of war. It is in most cases considered to be a well-planned and organised strategy and operation to pillage, loot and steal. This can be deduced from the following statement and utterances of one of the members of the high command of Germany's army during World War II:

'It used to be called plundering. But today things have become more humane. In spite of that, I intend to plunder, and to do it thoroughly. – Reichsmarschall Herman Goring, speaking to a conference of Reich Commissioners for the Occupied Territories and the Military Commanders, Berlin, August 6, 1942' (Edsel & Witter 2010).

Although these events have no relevance to the Ancient Near East, we should take cognisance of the organised looting of antiquities and art during times of war and occupation. During the early years of the war, the Nazi Party systematically and with extreme prejudice against the Jewish population of Europe, ensured that they looted and stole only the best artworks, which would eventually be displayed at the Fuhrermuseum in Linz. Adolf Hitler envisaged that this museum would hold the art treasures of the world, in glorification of the Third Reich. The following directive in a letter, personally signed by Adolf Hitler, was sent to Dr Hans Posse, the supervisor of the construction of the Fuhrermuseum: "I commission Dr. Hans Posse, Director of Dresden Gallery, to build up the new art museum for Linz Donau. All Party and State services are ordered to assist Dr. Posse in fulfilment of his mission" signed: Adolf Hitler' (Edsel & Witter 2010:15). These orders gave his specialised curators in the field the powers to take possession of artworks of any person, which they deemed to be valuable.

The looting of art and antiquities during World War II can be likened to a form of social engineering. Hitler ensured that the looting can be justified by changing the laws and the status of the Jewish population in Germany, Austria and Poland. Edsel and Witter (2010:13) state the following:

He had rewritten the laws, stripping German Jews of their citizenship and confiscating their collections of art, their furniture, all their possessions right down to their silverware and their family photos. Even at the moment he knelt before his mother's grave on his second day as ruler of Austria, Nazi SS troops under the command of Heinrich Himmler were using those laws to arrest the Jewish patriarchy of Vienna and seize their property for the Reich.

It is this invasion of land, as well as the private spaces and the public spaces of the occupied nation during war, which leads to looting, but on a much larger and grander scale. We shall see later that this was also, and still is, the case in countries such as Syria and Iraq, where looting occurs under the supposedly “watchful eye” of the Hague Convention of 1954. This prohibits the damage or looting of art and objects of culture during times of war.

In Iraq, which is the “cultural treasure chest” of the Ancient Near East, this is especially not the case. During the invasion of Iraq by the US and its allies, a sad reality was observed. Warren (2005:815) explains: ‘The irony of the invasion and occupation of Iraq is that nations that believe they represent the acme of human progress have, by their own ignorance and incompetence, wreaked havoc in one of the oldest lands of human civilisation in response to a perceived threat that simply did not exist’. It is unfortunate that it is sometimes the very people that we would expect to adhere to the code and the spirit of the law, as well as moral and ethical conduct, which would disappoint us.

In more recent times, we see that interventions by various Western nations with vested interest, as well as the development of strong sectarianism in Iraq, led to the establishment of a movement that has had a far reaching effect, not only on the population of the region, but also on the safety and the security of the cultural heritage of the region (Stern & Berger 2015:39). This incredibly fast growing and financially strong movement, known as ISIS has been a game changer in the Middle East. They have looted and destroyed the cultural heritage to fund the armed conflict and subjugate the local population respectively: ‘Unlike Al Qaeda and many other terrorist groups, which rely on external sources of funding, including “charitable” donations, much of ISIS’s revenue was generated internally, from taxes on local populations, looting, the sale of antiquities, and oil smuggling ...’ (Stern & Berger 2015:48). The impact of this and the systematic destruction of provenance of the cultural heritage of Iraq and Syria, is self-evident and to a large extent completely out of control.

5.2 LOOTING AND WAR

Article 9, Section 1 of the 1999 Second Protocol of the 1954 Hague Convention, prohibits the looting, plunder and trading of stolen cultural objects and the destruction of monuments during times of war

(Rothfield 2008:17), but despite these regulations we see that this continues unabated. Looting in times of political stability is a problem. During times of war it increases exponentially and reaches epic proportions, as Luke and Kersel (2005:191) explain:

Wars and military occupations have continued to wreak havoc on the archaeological record in the Balkans, Afghanistan, and Iraq. Customs officials have seized artefacts and have repatriated them to their countries of origin; sting operations conducted by United States Customs and the Federal Bureau of Investigation and the United Kingdom's Scotland Yard have exposed smuggling rings; and looters have been arrested and collectors have been vilified. National and international legislation has been passed and court battles have been won and lost. Yet the plunder of archaeological sites and museums and the sale of antiquities continue at a staggering pace.

As mentioned before, there are numerous reasons why looting is so prolific in the Middle East, especially in Iraq and Syria at the time of writing. Is there something unique about this region that makes it one of the most militarised regions in the world? Sørli et al (2005:142) explain: ‘We compare the Middle East to other regions and find it to be characterised by authoritarian regimes, oil-dependent economies, Islam, and the protracted Israeli-Palestinian conflict’. It is most probably the continuing situation, which is exacerbated by civil war, which fuels the flames of war between fighting factions of Jihadists and fundamentalism against the moderate Islamic population. And this happens on and around a cultural and archaeological treasure house.

To a large extent we see that the main issue for these civil uprisings and conflict is a desire for self-determination (Fox 2001): ‘While this is by no means unique to the Middle East, it is undeniable that ethnic nationalism has contributed too many of the region’s ethnic rebellions’ (Fox 2001:186). The internal civil war and political unrest is the perfect breeding ground for looting to manifest.

Similarly, we see that this also was the case in Europe. During World War II, the German armed forces under the command of the Gestapo were given legal sanction to loot the art and antiquities of the occupied European countries. Edsel and Witter (2010:177) report the following:

On September 17, 1940, the Fuhrer had given the ERR (Reich Leader Rosenberg’s Special Task Force) the authorisation to “search lodges, libraries and archives in the occupied territories of the west for material valuable to Germany, and to safeguard the latter through the Gestapo.” The official role of the ERR was to provide material for Alfred Rosenberg’s “scholarly” institutes, whose prime objective was to scientifically prove Jewish racial inferiority. It didn’t take long for the Nazis to realise the ERR was the perfect cover for moving valuable artwork and cultural treasures out of France.

Foreign policy of European nations, as well as the US regarding the Middle East, causes internal strife which leads to civil unrest in many of the Middle Eastern countries. Contrary to popular belief,

frustration is aimed at the ruling political power in the region itself, and not necessarily at the US or the UK. It is the acceptance of financial support from the UK and the US by these regimes that causes friction. In countries such as Iraq, Afghanistan, Palestine and Syria, we see that previous networks and organisations that provided social services and religious education, but yet shares the characteristics of a sectarian ‘firm’ (Iannaccone & Berman 2006), became disillusioned with the political regimes of the day and their pandering after the international superpowers. These superpowers assist in keeping them in government. The strength of these sectarian organisations lies in the fact that the members once co-opted are reluctant to leave because, it provides them with social security:

Extremist groups thus survive and flourish. Their costly strictures induce high levels of commitment and participation; and strange as it may seem, many members come out ahead even after taking full account of their social and economic losses. The required trade-off is most likely to benefit people with limited secular opportunities (due, for example, to limited education, low wages, unpleasant jobs or low social status) (Iannaccone & Berman 2006:118-119).

It would therefore be important to note that the reasons of conflict, and the destruction and looting of museums are not random acts of religious zeal and destruction of cultural heritage by the Islamic denomination. However, these acts are fuelled by social, political and economic frustration, as well as religious radicalism by disenfranchised sectarian groups, who oppose the support of foreign nations such as the USA or the UK provides to the ruling class of these afflicted countries. For the people of the West, these acts of retribution in the form of iconoclasm and looting for survival are looked upon with horror and disdain. It is something that the populations of Western nations cannot understand.

However, there is another side that we tend to overlook. According to Colla (2015), ‘it is fair to say that most elites in the West (and elsewhere) tend to think of historical artifacts in terms of the sacred. We may not call the things that museums collect “holy” but they are sacrosanct in our minds. This is evidenced in the way we present them (literally, on pedestals and under lights arranged just so), and the way we seek to preserve and protect them.’

An interesting fact is that since ancient times, we see the phenomena of looting royal graves coincided with political upheaval. A document called the Abbot papyrus. Gill (2003:178) refers to it as follows: ‘This papyrus tells the story of the tomb robberies from the point of view of the two local mayors involved, Paser and Pawero, and gives details of their feud over the tomb-robbery investigation. The

document is essentially an administrative report of the court case and a narrative of evidence compiled by the official commission prior to the trial.’

Further corroborating evidence of a spike in looting incidence, as illustrated in the archaeological record, is during the reign of the Pharaoh Akhenaten, who was instrumental in a religious revolution towards henotheism during the end of the 18th dynasty, and the subsequent change towards a more traditional religious pantheon during the reign of Tutankhamun. It was a time of political and social instability ‘... that saw attempts to loot the tombs of Amenhotep III, Thutmose IV, and even the outer chambers of Tutankhamun’s’ (Castellano 2016:22). Periods of massive corruption by the government during the 20th dynasty, as well as famine and strikes by workmen during this period, also showed a marked increase in looting (Castellano 2016:22).

These above examples do point to socio-political, religious and economic forces, which play a major role in the incidence and plunder of artefacts as is indeed the case today. We still see evidence of this in modern day Middle East, especially in Iraq. Poverty is a good reason why this is so prolific. Marston (2013:177) points out that ‘subsistence looting became a matter of survival’, regardless of the harsh punishment that the Saddam Hussein government meted out to looters, before the US occupation and military operations in the country. A survey done by Elizabeth Stone, an archaeologist from Stony Brook University in New York using remote-sensing images by satellite of an area of 16 square kilometers, reveals extensive looting in southern Iraq, especially during the mid-1990s. This coincided with a period of extreme poverty in this region (Lawler 2008:29).

Civil war and military interventions, such as air strikes against local targets in Syria and Iraq by both local and foreign armed forces, are catalysts for conflict. Together with the added religious fundamentalism of groups such as ISIS, it causes an increase of the incidence of looting. It is also instrumental in the further wholesale destruction of irreplaceable religious iconography, cultural objects and ancient monumental architecture.

In addition to this, we know that an important part of the revenue of ISIS’s military campaigns comes from the sale of looted cultural objects and antiquities. This is increasing at an astounding rate. The fear that ISIS instills in moderate and poor civilians must also be an incentive to show solidarity. By

supplying ISIS with cultural objects, which is then sold to fund the “just” cause of the Jihadists, the locals are keeping themselves “off the radar” of extremist retribution. In an interview hosted by Rachel Martin with Professor of archaeology, Michael Danti from Boston University, the following was recorded: “They are engaging in the looting of archaeological sites. They’re engaged in the looting of museum collections and they’re also taking cultural property from ethnic and religious minorities. And they use the idea of being conquerors as a way to justify gathering spoils, or ganema (ph) from these populations” (Martin 2014). Regarding a question, to whom these artefacts are sold by ISIS, Danti had the following to say: “We’re not sure. Most of the information that we get are secondhand, third-hand stories. Obviously the middlemen in all of this-the antiquities dealers are very, very careful and guarded about their business” (Martin 2014).

The damage to provenance is self-evident, as can be deduced from the following in the interview. A question posed to Danti about the destruction in Syria revealed the following:

What’s different with Syria is this scale of built heritage in Syria; old city neighborhood in Aleppo, Damascus, Homs and Hamas-neighborhoods that date back 4, 5, 600 years ... there’s damage from vandalism. There are archaeological looters moving in and excavating into the sites. And then there’s just the inevitable destruction that’s caused by neglect because preservation specialists can’t come in and work at the sites and maintain it” and “... it’s very important for cultural heritage specialists to go in as it is feasible to try to mitigate damage and to preserve these sites. We always run the risk of trying to mitigate damages or preserve a site during the conflict, only to draw attention to it and see it destroyed intentionally, or to try to preserve a site or mitigate damage at that site and have it then destroyed in combat. It’s a very difficult decision to try to do things during a conflict (Martin 2014).

The civil wars waged in the Middle East against the forces of the nation state and the general population as well as the destruction of ancient relics are a complex situation, but a possible reason for this can be the fundamentalist views of the Jihadists as Lahoud (2011) explains:

The Jihadists realise that their rejection of the nation state and the various regimes of today must extend to other forms of establishments that they believe them to represent accessories to the state. Thus, Ayman al Zawahiri, in addition to declaring Muslim rulers as apostates, extends his condemnations to official religious scholars, journalists, intellectuals, media figures, and any other official on any government’s payroll. All of them in his mind are benefitting from supporting falsehood and are happy for the corrupt status quo to continue (Lahoud 2011:74).

However, what is probably a much bigger issue of the destruction by fundamentalist groups like ISIS is their attack on the existing infrastructure in Iraq, as far as the archaeological heritage is concerned. Not only are the sites looted and relics destroyed, but the very institutions that have protected and recorded the significance of the relics are targeted:

Perhaps most shocking, and most urgent, however, is the systematic destruction and dismantling of the academic and community infrastructure of cultural heritage in ISIS-occupied territory. Museums have been ransacked, libraries torched, universities turned into terrorist enclaves. The curators and librarians of Mosul, the conservators and researchers, the archaeologists and site guards, are in fear of their lives, if not dead or already fled. This is where the international community needs to offer its first wave of help once ISIS has been disposed of. Physical plant, research equipment, retraining, and support of many practical kinds: all will be desperately needed. The fact is that ancient stones can wait, as they have waited for millennia; they depend on the Iraqi people, and the Iraqi people need us more (Robson 2015:1).

However, we see that there is a major increase in the incidence of looting of museums during times of political upheaval and war in countries, especially if it is those countries that are claiming their antiquities back. Even though this is not the case at the moment in a country such as Iraq, I am most certain that to worry about the repatriation of cultural objects would be the last thing that the people of Iraq or Syria would want at this stage. The Western allied powers are partly to blame for this current state of affairs. The invasion of Iraq by American forces during the so-called war and search for “weapons of mass destruction”, coined by the combined leadership of President Bush, of the US, and Prime Minister Blair of the UK, caused major disruptions in the social cohesion of society in Iraq. It created a climate for the destruction of archaeological sites, museums and attacks on academic institutions, which were responsible for the protection of the cultural heritage of the country. Warren (2005:816) holds the following:

The mismanagement of this affair sadly includes failure to anticipate cultural chaos. The mute incompetence which presumed that Iraq would emerge from its doorways clutching American flags was matched by the dream that Saddam’s capture would blossom into national compliance. Dissolution of the Iraqi army and police compounded the blunder and lack of evident arrangements for the protection of cultural property provided a huge window for looting both at archaeological sites and in the collections, particularly the great national collection of the Baghdad Museum, by any standards one of the world’s foremost repositories of material relating to ancient civilisations.

It is understandable that the Iraqi antiquities authorities could not have protected the museums and the sites from looters. The American armed forces with their sophisticated operational planning and sheer numbers of personnel, as well as modern weaponry could also not do it sufficiently. This sad state of affairs became one of the most damaging examples of looting, which left the archaeological fraternity and scholars of the Ancient Near East, as well as the general public, reeling with shock in the realisation of the irreplaceable loss of history and provenance. Few, however, thought of the real reasons, for such behaviour. George (2016) argues as follows: ‘The destruction of cultural heritage in the Middle East is not an innovation of the Islamic State.’

During the reign of Saddam Hussein, the cultural objects of Iraq were considered sacrosanct. Punishment for looting were harsh and transgression often resulted in the death penalty imposed on looters. Regardless of the fact that the Hussein government was trying to establish a neo-Mesopotamian Empire tainted by fascist overtones, they did succeed in the protection of cultural heritage. According to Warren (2005:829), ‘it is an almost universal facet of oligarchy that seeks to perpetuate itself in monumental structures-often with militaristic or palatial overtones-and the Ba’athist regime was no exception.’ Nevertheless, the history and antiquities of Iraq was never as safe as during this period.

In contrast to this, we see that sites such as Ur suffered under the allied occupation of the area. The occupation forces erected an air base right next to the partially completed restoration of a ziggurat which has suffered from “wear and tear” because of the base and its complement of soldiers that streamed into the area. “One of the earliest arches in the world is going to fall down” said Stone. American engineers also bulldozed a nearby 2nd millennium BCE site as part of base expansion between August 2004 and August 2005, team members said’ (Lawler 2008:29). The US and British coalition that launched its offensive against Iraq, thus have to answer for some of the damage to the material culture of Iraq that occurred during and after their occupation.

In destabilised countries such as one find in the Middle East this is very problematic, given the lack of protection that antiquities receive from the governments of the day. A very good example of this is what occurred during the Iraq-Afghanistan war in 2001:

The destruction of the archaeological record takes many forms. One of the primary motivations for looting remains the monetary value of movable goods, but political and social programs can act as destructive agents in cultural heritage as well. Among the more egregious cases are the state-sponsored destruction of the Bamiyan Buddhas in Afghanistan and the looting of Iraqi sites and institutions. In March 2001, the Taliban demolished the two giant Bamiyan Buddhas in the Hindu Kush region of Afghanistan. The Taliban’s advance announcement of their intentions demonstrates the increasingly contentious role of political and religious institutions as custodians of the past (Luke & Kersel 2005:192)

Here we saw the reaction of religious fundamentalists deciding what is blasphemous and heretical according to their religious beliefs and destroying it. More of this will be discussed later.

It would be important investigating the shocking raid of the Baghdad Museum in 2003 briefly, as well as the experiences that were learnt from this. Here we will see some of the attempts made by members

of the occupation forces and the local antiquities authorities to protect the antiquities and provenance of sites during this misadventure.

From the outset we have to take into consideration that the media did blow the incident out of proportion. Hence the abject horror of all regarding this incident. In short, during this conflict the ensuing fight between the US coalition armed forces and the armed forces of Hussein clashed during April 2003, sending the latter into disarray and fleeing Baghdad in haste. This created a 'power vacuum and a state of lawlessness' which allowed for the sacking and looting of the Iraq Museum. The museum suffered major damage and the real figure of the looted items stood at around 15,000 pieces and not at 170,000 as was initially reported (Bogdanos 2005:477).

The main criticism that the US army faced was that it apparently stood by and watched all of this unfold without intervening in the looting and giving the museum enough protection, as well as being guilty of some of the looting itself. The US forces had to face a barrage of recriminations, such as "why didn't you prevent the looting?" (Bogdanos 2008a:33). To counter these allegations, the US Army commissioned a special investigation team under the command of Col. Matthew Bogdanos in an attempt to stem the tide of looting, and to investigate the complicity of members of the US armed forces, as well as to recover the stolen items as far as possible (Bogdanos 2009:24). Unfortunately, the Special Forces appointed to protect the museum, underestimated completely the average Iraqi civilian. Instead of viewing it as a cultural treasure house, they saw it as "Saddam Hussein's gift shop" (Bogdanos 2008a:33). It was later determined that there were basically three groups that took part in the looting. As Bogdanos (2005:477) explains: 'The investigation determined that that there had been, not one, but three thefts at the museum by three distinct groups: professionals who stole several dozen of the most prized treasures, random looters who stole more than 3000 excavation-site pieces, and insiders who stole almost 11000 cylinder seals and pieces of jewelry. Investigation also revealed that the international black market in Iraqi antiquities continuous to flourish. Working closely with Iraqis and using complex methodology that includes community outreach, international cooperation, raids, seizures, and amnesty, the task force and others around the world have recovered more than 5000 of the missing antiquities.'

By making extensive use of the media to keep the public aware as well as to offer rewards and amnesty to the people who took part in the looting, the so-called “no - questions asked” approach were used. Col. Bogdanos and his specialized investigation team could quantify and curb the immediate and long-term damage quite significantly. One negative aspect of the media reporting though, was the fact that the final report which tallied the number of stolen items at “only” 15000 was in fact sending out the wrong message. The word “only” should never have been used in this regard as it “softened” the damage that the public raid had on the museum, in the international community’s perception of the disaster. To a very large extent this caused the public to lose interest in the whole affair very quickly. What is significant though, was that 5000 of these items were at the time of writing this journal article, still in the US and European markets (Bogdanos 2005:524).

Another interesting outcome was when archaeologists and journalists were allowed to visit Iraq a few years after the US occupation. The authorities in Iraq had started to operate with an increased urgency and with a much more vigorous presence and robust protection programs against looting (Lawler 2008:28). Before this field trip, archaeologists had to rely mainly on satellite data to determine the extent of damage to sites, but this fieldtrip revealed enough evidence of a concerted effort to protect the sites and monuments. However, as we shall see in 2014, six years after this observation was made by Lawler (2008), ISIS became the main protagonist and destroyer of cultural objects and monuments, and took it to a completely new level of destruction and exploitation. In addition to this, it also included into the equation, violence against the local Iraqi, Yazidi and Syrian populations.

An opposite view regarding the sale and purchase of ISIS related antiquities is held by Gary Vikan, former director of the Walters Art Museum (1994-2013). His arguments also hold some logic as it is clearly directed at preservation through purchase, regardless of the source in war torn countries. During August 2015, Khaled Asaad, an archaeologist who was responsible for the ancient site of Palmyra was brutally executed, because he did not want to divulge information regarding possible other sites and hidden antiquities to the ISIS cadres who questioned him under severe duress. The question of whether a life or an artefact is of more importance, becomes a focus point (Vikan 2015).

The unintended consequences of looting can sometimes reveal incredible treasures. We have recently seen further cuneiform tablets appearing on the market, which describes more information and literary

script of the epic of Gilgamesh (George 2016): ‘Gilgamesh continues to spring surprises by proving to us that ideas we think modern are not modern at all. In 2011 Farouk Al-Rawi, an Iraqi Assyriologist now living in Britain, was shown a group of cuneiform tablets by an antiquities dealer in the Kurdish part of Iraq. He spotted among them a large, unusually shaped fragment and urged the Sulaymaniyah Museum to acquire the whole group’ (George 2016). As it turns out these looted pieces with unknown provenance formed part of further adventures in the famous epic of Gilgamesh.

Accordingly, how should scholars view this dilemma, as it’s an ethical question, which clearly demands an answer or a moral position? Vikan (2015) is holding the view that in such desperate times the artefacts should be purchased. This, however, is in opposition to the US bills of Congress regarding antiquities and their country of origin. It states that no such transactions should be made regardless of the situation. Vikan (2015) explains: ‘This is a mistake. After decades of museum experience with cultural property of uncertain provenance, I believe that we should accept looted antiquities from these troubled areas, even when such action might be considered “encouraging looting.” The expenses that museums might incur-including the cost of returning the pieces to the countries of origin-are worth paying to keep them out of reach of ISIS sledgehammers.’ He has a point. If the demand for artefacts in the hands of ISIS dealers should dry up surely the next best option for them would be to destroy it and justifying this act as a means to eradicate the territory of heretic and pagan iconography, symbols and cultural memory.

Vikan (2015) is of the opinion that despite the “media frenzy” around ISIS and its looting operation, money of these transactions would most probably find its way to fleeing refugees leaving these countries and in the hands of the small time looters that have been supplying the bazaar markets for decades (Vikan 2015).

In summary he holds that such transactions should be considered: ‘In times of extraordinary risk, we should be open to dealing with bad guys to create a safe harbor for works of art. This is an act of rescue and stewardship-and should be done with the explicit understanding that eventually, when the time is right, the objects will be repatriated to the country of their origin’ (Vikan 2015). His point does make logical sense, as ISIS has no regard for antiquity of a country. To buy these artworks and antiquities with due diligence and collaboration on the part of the authorities and not to assist ISIS in the process,

would be far better than to allow these objects to be destroyed and lost to the world forever. It is a difficult decision to make, but unfortunately one that will have to be made.

A further negative element added to this dilemma, is that looting is fuelled by market economics of supply and demand: ‘A crucial difference between the past and the present is the wide spread modern market in antiquities much of it in the USA itself. The cupidity of collectors fuels the drive to loot museums and pillage sites as never before. Failure to anticipate this fallout of war and disorder must represent a signal failure to honour terms of the Hague Convention on Cultural property’ (Warren 2005:816).

On whom then can a people or country rely to protect its heritage? An anecdotal, yet interesting observation was made during the 2003 war and occupation of Iraq. The local *shaykh al mashyakha* (local tribe leaders) had such loyalty and powers to protect whoever or whatever, they decided it was an honourable thing to do. Farchakh-Baijjaly (2008:51) observes the following:

So with the blessings of one of the *shaykhs* in the region, who ordered members of his clan to protect us, I went out to witness the looting of archaeological sites in 2003. We drove in a convoy of three cars. Each was equipped with machine guns and men who knew how to use them. We were told that the sites were guarded by armed looters who would fire on any “unfriendly” vehicle. But when the looters saw us coming with members of powerful tribes, they rapidly abandoned the site. Shapes of men carrying their shovels blended into the desert in the distance. In their silent language of power, they understood each other. And that’s what makes the tribal system simultaneously so strong and dangerous. At times they are even more powerful than governmental institutions.

Is there a lesson in the above observation? Has the fragmentation of a people previously based upon tribalism, been weakened by the resolve of Western powers to instill democratic nationalism under puppet governments which they finance to retain its favour? Has this opened the floodgates for extremists such as ISIS to further come in and disseminate the power of the *shaykhs* and the tribe? Certainly we see from the above that the power to protect material cultural heritage lies with the local people. No amount of laws, regulations and programs from puppet government institutions can guarantee the safety of this. What is needed is “boots on the ground”.

Finally, we see that it is the local people who suffer the most. The war leaves many without an income. People live of foreign charitable aid, but with no sustainable economic future to speak of. The harsh reality as we have seen, is that the military forces that have occupied the territories such as Afghanistan, Iraq and other Middle Eastern territories where civil war has broken out, leaves a void when they

depart. The safety that cultural treasures enjoyed while the armed forces were deployed is short-lived. Once these armed forces depart the local population, without any income or infrastructure, is forced to revert to looting. The other cruel reality is that the locals usually suffer under the new regime, as well as the die-hard fundamentalists, who would look for retribution against the local population who had befriended the occupying forces and who had accepted foreign aid.

In such conflicts and their aftermath, the indigenous population suffers economic deprivation, social upheaval, and lethal violence long after the main combat is over. In these and most cases, the international community has eventually mobilized itself to respond, but without providing sufficient military, political, or economic resources for a decisive turnaround. Furthermore, lasting stability takes time to achieve-sometimes generations-until attitudes shift and the underlying drivers of conflict are resolved (Hoh 2008:195, 196).

A proper exit strategy should be devised for such afflicted areas with an underlying knowledge and respect for local culture. Without it the locals will not respect the occupation services, and inadvertently and without realizing the damage that is done, revert back to subsistence looting. The irony here is that the middlemen and their criminal networks who are always there will make the profits. The looters, while damaging their material culture, will receive very little in return (Hoh 2008:197).

5.3 ICONOCLASM

Destroying ancient monuments and artefacts or literature in the name of any ideology is an abominable and short-sighted act. The Nazis did the same preceding and during World War II by burning “Jewish literature”. The Middle East has also experienced this in the distant past as well as during the past few decades. However, it is certain that the phenomena of iconoclasm existed before recorded history. In terms of the study of archaeology, anthropology and history, it is most probably the worst act committed against material cultural heritage. It is extreme and selfish strategy to subjugate a society and usually comes in the guise of religious, political and economic social engineering. Although it is a global phenomenon amongst all cultural groups, it is particularly visible in the Middle East. However, it is necessary to put the situation and the way of life since ancient times in the Middle East into context. The existence of Tells in this area are examples of a form of iconoclasm. More than twenty occupation levels can be part of such a Tell. Each preceding level shows signs of destruction and this might sometimes include holy sites or temples:

There are old rocks and relics everywhere throughout the Middle East, and people have lived in and around them for millennia, treating them in a variety of ways. Sometimes they have attributed special spiritual meaning to them -- for instance, among Egyptian peasants in the South there are

modern rituals around old Pharaonic temples that suggest they are holdovers from distant eras. Quite often, people have *used* antiquities and ruins to build houses, stables, or walls. In some places, entrepreneurs made a living digging objects up and selling them to European travelers and collectors (Colla 2015).

A study in the phenomena of iconoclasm will reveal that it is difficult to understand it without taking into consideration the social, religious and cultural dynamics that pertains to a specific cultural group. What is sacred for one group of people is not necessarily sacred or holy to another.

Colla (2015) argues as follows: ‘What ISIS is doing the museums and antiquities sites under its control has yet to be verified, much less explained on a local basis. When we know enough about ISIS, we will be in a position to better understand the specific rationale behind their disturbing attacks, but for now, we really do not know very much.’

Western or European ethnocentrism might reveal that people who indulge in this sort of behaviour must be “barbaric” or “uneducated” (Colla 2015). The concept of “museum artefacts in modern colonial museums” could well be a Western concept, which we would hold dear, but yet, is not relevant for the indigenous people of a specific region (Colla 2015).

However, as mentioned before, we have seen during 2015, the brutal attacks on the staff of the museums in Iraq and the subsequent murder of Khaled al-Asaad. His crime was that he did not divulge the whereabouts of other relics. The IS forces clearly wanted to make a point of no compliance with the scholarly interpretations regarding the history of the Islamic faith. That of information pertaining to ‘the ancient city of Palmyra that once linked Persia, India and China with the Roman Empire’ (Kros 2015:5). The methods used by IS certainly is barbaric and must be condemned.

The ease with which they would destroy these relic or monuments can shock the uninitiated in such apparent indulgence of wanton destruction. However, a closer look at the reasons might reveal a far simpler explanation.

Let us look at a few examples of iconoclasm. First, let us look at an extreme viewpoint regarding iconoclasm. ISIS has revealed through its observed actions and statements in the media that it would not tolerate any deviance from the sacred text of the Holy Koran. In other words, they do not draw the line at human behaviour only: ‘According to ISIS law, archaeological sites, museums and artefacts,

shrines and tombs, non-Islamic, and even non-Sunni worship places, modern statues and monuments, and libraries should not exist and must be demolished' (Al-Hamdani 2014).

Many ancient cities and sites such as Nineveh, Nimrud, Khorsabad, Ashur and hundred more are in danger of being targeted to be looted and destroyed (Al-Hamdani 2014). The Mosul museum has been under ISIS control and the chances that these antiquities will be saved from destruction are not certain and the chances that they will be sold are imminent. In fact, the occupation of the museum has become a parody of retribution. ISIS considers these inanimate stone monuments and art pieces to be "complicit" in the act of heresy against Islam. According to Al-Hamdani (2014), 'ISIS plans to put statues from the museum on trial with plans to smash some statues and sell them.' The list of destruction is wide ranging and complete and acted out, with extreme prejudice against any cultural or religious iconography that is deemed as an affront to the Islamic "definition" according to ISIS.

Shia, Sunni and Sufi shrines have also not been spared. This is regardless of the acceptance of these shrines as representative of the Islamic faith and part of the common history of Iraqis regardless of ethnicity: '... nothing affected and harmed Iraqis like the demolishing and exploding of Prophet Jonah's shrine' (Al-Hamdani 2014). Iconoclasm can also manifest itself in the form of restrictions in education. Al-Hamdani (2014) explains: 'ISIS has also took over public libraries in Ninawa and Diyala provinces. At Mosul University, ISIS met with some of the academics and informed that the College of Arts will be closed; some of the Departments at the College of Archaeology will be closed. There will be a change of the entire curriculum.' In short al-Hamdani (2014), an archaeologist and Senior Fellow at Iraq Heritage, makes a plea on behalf of the Iraqi nation that the international community and neighbouring countries should come to the aid of Iraq in this regard. He pleads that 'protecting Iraq's cultural heritage is a global task, for it is the memory of the humankind' (Al-Hamdani 2014).

Further pleas of this to be stopped are numerous. "This region has been the center of the world for every great empire recorded in human history," said Candida Moss, a professor of New Testament and early Christianity at the University of Notre Dame. "We are talking about successive generations of history all in one place, all being destroyed at once" (Bowley 2014) and, 'In a speech at the Metropolitan Museum of Art in late September, Secretary of State John Kerry promised action. "Our heritage is literally in peril in this moment, and we believe it is imperative that we act now," he said.

“We do so knowing that our leadership, the leadership of the United States, can make a difference.”
(Bowley 2014).

The speech by John Kerry above, alludes to the belief of “universal sacredness” of artefacts, which is a common concept amongst Western nations. It is a common belief that all artefacts, regardless of geographical location, should be considered to be the property of all humankind. According to Colla (2015), this is an oversimplification of the issue:

We then arrive at a big difference between our present and our past. The sacred value of holy objects in the pre-modern period was understood to be particular, not universal. But those who hold museum objects to be sacred do not think that their value is particular. On the contrary, they insist that a museum artifact’s sacred value is universal. They may state this on objective or scientific grounds – of historical value – or on aesthetic grounds, but however they do it, the claim made as a universal. And what’s more it’s an absolutist claim, since they also insist that anyone who disagrees with this proposition is, in effect, uneducated, uncultured and probably a barbarian. No church ever insisted that its objects of adoration were to be venerated by believers of other faiths. But this is exactly what museums ask of us in the modern period (Colla 2015)

In the past the act of iconoclasm has been a normal activity during wartime and during periods of peace. Throughout history we see that this has been a regular occurrence when one group of people invaded the lands or the cities of another. In fact, in the Biblical text of the New Testament, Jesus of Nazareth, in a discussion with the apostles, and refers to the future of the Temple of the Israelites, as short-lived, and that nothing of it will be left standing (Matt 24:2). It would therefore be naïve to think what ISIS is doing is completely inhuman, as well as a unique and a new mechanism of warfare, which is barbaric. The defacing of Assyrian and Egyptian kings’ statues and reliefs by their successors was common practice. Colla (2015) explains:

Just as there are long histories of vandalism and iconoclasm in the Arab and Muslim worlds, there are even older ones in the West, as the origins of the terms should remind us. In Islam, as in Judaism and early Christianity, there is a strong tradition of rejecting paganism and its many trappings. There is an aversion to anything that might be construed as worshipping false gods. As in other Abrahamic religions, in Islam there was a long debate about how to view the artifacts of the pagan past. Being monotheistic means being sensitive to these questions, since if a believer gets it wrong – if she finds herself venerating an image or representation rather than God – it means she has violated a central tenet of monotheism. (And it is on this question that Christianity’s claim to be monotheistic is doubted by so many from the outside.)

One would be tempted to argue that these acts of ISIS are vandalism. Modern colonial museum curators or archaeologists and scholars, even the public who on a day to day basis would not visit a museum. Yet, they might be tempted to brand this behaviour as such. Pure and simple. However, the basic

ideology of ISIS is based upon a religious tenet. As such it makes it no different to any other form of iconoclasm performed by religious orders throughout the ages. According to Colla (2015),

... there is no injunction within Islam to reject the objects of the pagan (or *Jahiliyya*) past. Nor indeed, is there any consensus that they are to be celebrated. What we find instead is a range of attitudes across time and geography. We have examples of Muslim rulers destroying antiquities in order to promote a more austere monotheism, but more often than that, destroying them in order to use the stone for large construction projects. We have examples of Sufis and Muslim travelers seeking out antiquities for study and contemplation. We have histories of people defacing pagan temples because they knew who the old gods were and they wanted to get rid of their likenesses, and we have people carving graffiti into the temples and defacing them for no apparent reason other than to leave their mark on it.

It is therefore prudent to distinguish between one form of destruction or iconoclasm and another. As mentioned before, we need to steer away from self-righteous indignity when we see this kind of behaviour on live television being breathlessly broadcasted by journalists of Western news networks, to a horrified TV audience watching from their living rooms as the drama in the Middle East unfolds. We find that these groans of horror at the atrocities committed in the name of Islam, coming from those, who themselves have most probably never set a foot in a museum of Ancient Near Eastern antiquity. Colla (2015) holds the following:

Finally, before Americans issue more blanket condemnations of ISIS's ugly form of iconoclasm, we might do well to put our own selves back into the history of toppling statues in Iraq. Weren't we championing iconoclasm and broadcasting it on our own television screens not so long ago? Didn't we, as victors, begin our celebrations by toppling the sacred objects of our enemies? Is it that we, the civilized, abhor the wanton destruction of all objects and histories, or just some?

Finally, the destruction of the Bamiyan Buddhas in Afghanistan during 2001 also filled the world with horror. We see that the same fundamental view of radical religious ideology of ISIS being employed in the past 15 years earlier in Afghanistan: "It is not a big issue. The statues are objects only made of mud and stone." Thus spoke Qudratullah Jamal on 3rd March 2001 as the militia began its systematic annihilation of the Bamiyan Buddhas, the second and third largest surviving early Buddhist figures in the world' (Gillman 2010:9).

In order to save further Afghanistan treasures from further destruction under the precept of iconoclasm and not suffering the same fate as the Bamiyan Buddhas, an "Afghanistan-Museum in Exile" was created at Bubendorf in Switzerland. However, due to import regulations as per the 1970 UNESCO Convention (The Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property) the items had to be sent back to the National Museum in Kabul in

2007 (Gillman 2010:12). The question here is: can such resolutions not be attributed to the Elgin Marbles for instance? Can the British people claim ownership of Greek artefacts? The Taliban clearly did not perceive the Bamiyan Buddhas as part of their heritage. However, does this allow them to destroy it? It is clear from the examples that this is a complex and not clear-cut case. Further, can the traditional museums that we know claim custodianship of antiquities? How is it that this was so in the first place? We see that colonialism to a certain extent gave European scholars and governments *carte blanche* in the acquisition of artefacts for their museums and claiming it for themselves. However, when challenged on this the argument “crimes against culture” is used flippantly and without hesitation.

The battle waged by fundamentalists, such as the Taliban, against the local population and the relics of the past, can therefore be traced back to the original occupation forces. In many instances the radicals will vent their anger on everything that supports the status quo, as Iannaccone and Berman (2006:119) explain:

Radical Islam flourished in Afghanistan when external funding poured in to support Islamist insurgency against the Soviets. When the Soviets retreated and the US suspended most of its financial support. “militant Muslims eagerly stepped into the vacuum, providing, among other things, free education, room, and board to young boys it trained as Taliban.

Unfortunately, one of the first things these militant groups would do is to destroy the religious iconography, whether it is of historical value or not? It is not acts of “vandalism and barbarism”. It is not done by “uneducated” masses. It is iconoclasm. It represents to the proponents of this, everything that the oppressors represented, as well as the fact that it is seen as an abomination against the “true” law of the Koran. If not destroyed, these sites would be looted and the artefacts sold on the illicit antiquities market. Very much what the collectors, buyers, curators and some guilty scholars of the West do in times of peace. Just at a slower pace, but relentless in its destruction of provenance and history. Colla (2015) holds that ‘most museum goers and appreciators of ancient artifacts do not think of their practices as a form of religion. But it is not so hard to see how the iconoclasts of ISIS imagine “false religion” when we see the trappings of veneration that pervade museums. Nor are they entirely wrong to cry ‘religion’ when they hear absolutist claims about transcendent value, even those made by secularists and self-professed atheists.’

We need to keep in mind that the reverence of artefacts and antiquities by collectors and curators can border on a kind of “religion”, such that it can be equated to relic worship. The general public very often do not take into consideration that the traditional museum acquired its antiquities without taking into consideration the sacredness of artefacts at the source country. We need to be careful not to look at iconoclasm without taking off the lenses of ethnocentricity, and at the same time forget our own complicity.

5.4 QUANTIFYING LOOTING

The extent of damage to sites are extreme. We see this just by looking at the incidence of damage reports from websites, journals, the media and archaeologists in the field. These reports are sometimes overwhelming in its magnitude, however, to quantify it is problematic. This section will attempt to briefly illustrate the methods used, as well as the constraints that face the researcher and archaeologist.

An extensive and global study done by Proulx (2013), will also unequivocally indicate that looting is not an isolated occurrence, as dealers and collectors would want the world to believe. The study also revealed that the demand in artefacts and antiquities on the commercial market has a direct influence on the increase of the incidence of looting. This section will broadly describe some work done in this regard. The study by Proulx (2013) is not concentrated in the Middle East only and in some cases will fall outside study of the Ancient Near East. We will therefore look at the examples of the study and the incidence in looting in broad and universal terms. The main discussion, therefore, will be a look at how looting can be quantified on a global and local scale.

In the case of the Middle East, we see that this region has been described by scholars to be the widest and most-dense repository of ancient artefacts and relics of the past. It has revealed an extensive record of archaeological information, upon which historians could build an epoch of cultural development of the human species. Yet, we know that there must still be a vast amount of knowledge still buried and hidden from sight.

As far as satellite imaging is concerned, we know that it gives a bird’s eye view of the geographical area, but it has its limitations. It cannot truly quantify or record the damage done to a site. It is, however, a good way of seeing where unexcavated sites have been looted over a wide area. Satellite imagery

shows that this is increasing exponentially, but that the use of satellites has to be combined with groundwork to be effective. Parcak (2007:65) states the following:

I consider the application of Corona, SPOT, Landsat, and Quickbird satellite images and compare visual analysis with band combinations, supervised classification, unsupervised classification, and principal components analyses. The satellite images and methods presented here provide models for documenting the impact of plunder and demographic changes on the landscape, and give suggestions for the development of programs for ancient site preservation in the Middle East. When combined with field surveys and interviews with local people, satellite remote sensing provides crucial data for understanding the long-term landscape development of any region.

We are not certain yet how many artefacts are lost this way, and the only way we can determine this is by combining efforts by all and the specialists in the field. Yet we see that this is not so simple. We see that there is no “master catalogue” upon which archaeologists can rely to measure at any given time what is happening at existing excavations and even in a worst case scenario, what is happening elsewhere in unexcavated and unknown sites, which are being looted at an alarming rate. The study by Proulx (2013), revealed that the most reliable quantification is that which is done on the ground by archaeologists. The reason for this is that archaeologists have intimate knowledge of their site, its stratigraphy, as well as documented evidence of the state of the excavation at any given time. They would therefore be able to identify immediately if tampering or looting occurred:

... as of yet, no accepted method or protocol for locating and monitoring archaeological sites under threat in the Middle East using satellite remote sensing. Developing such a method would assist governments, global heritage organizations, and archaeologists in implementing plans for long-term site protection, conservation, preservation, and management in the face of modernization and international conflicts. Archaeologists need to focus on finding spectral profiles for archaeological sites that distinguish them from modern features, as ancient sites are often covered partially or entirely by villages and cities (Parcak 2007:65).

Satellite imaging can be a costly exercise and it is also very dependent on weather and the meteorological conditions of the area that is surveyed. However, Parcak (2007) holds that satellite imagery need to be verified by ground survey. According to him, ‘... it is vital to combine the use of satellite imagery with ground-truthing using appropriate methods for each type of landscape’ (Parcak 2007:78). It is then self-evident from the above that the quantification of looting is very much still relying on ground surveys done by archaeologists.

In Proulx (2013) we see that such a study was done on a “glocal” level. Basically, it meant that a large number of archaeologists working across the globe were commissioned to survey and report on the site looting that they observe during a certain period in their own local area. Initially, the study involved

no less than 14, 429 archaeologists working on sites across the globe. However, not all concluded the study. But the sample retained, was big enough to reveal robust conclusions (Proulx 2013:115). The methodology that was used comprised of both a quantitative and a qualitative questionnaire.

Because it is difficult for archaeologists to interview looters, as it is a very clandestine business, the study concentrated on observation, as well as photographic recording of looting. This was based upon the common perception that looting is a random occurrence and that it is therefore not really such a big problem. Proulx (2013:119) reports the following: ‘While there has been speculation throughout literature that archaeological site looting is a ubiquitous problem, this study lends firm empirical support to that assertion. In response to the broader question regarding the geographic distribution of archaeological site looting, the answer, according to surveyed field archaeologists, is simple; everywhere.’

Of the participants when asked if they strongly agree that looting is evident, 89.6% agreed. The archaeologists were also asked if they physically encountered looting during their careers. A staggering 78.5% replied that they have indeed experienced this. As far as off – site encounters with looters, 87.1% had experienced this, and could corroborate that it was indeed a common practise and sometimes openly discussed amongst the looters and the respondents (Proulx 2013:120).

These are just some of the conclusions and findings of the study, but it revealed that looting is not isolated incidents and is prevalent across the globe. Here is just a few of the many observations made by some of the respondents working in the Middle East:

“Looting in Jordan, I believe has not increased in recent years, however, next door in Iraq the looting has gone through the roof, as several sites have come close to destruction because of it. It no longer looks like a coherent tell, but instead resembles a piece of Swiss cheese” (Proulx 2013:120).

Reasons for increases in looting also occurs for various reasons, as this observation reveals: “In Cyprus where I have conducted most of my archaeological fieldwork, the increase in looting is closely linked to property and touristic development which exposes new archaeological sites which are immediately prey to looting” (Proulx 2013:120). One of the main other reasons for an increase in looting in the Middle East came from a Professor in Archaeology from Lebanon. He cites the following two reasons: “lack of state control” and “economics reasons” (Proulx 2013:120).

The increase in large scale mechanical looting is revealed by this response. “In Peru, there has definitely been an escalation in looting activities using mechanical equipment,” says (Proulx (2013:120).

The key findings of the research thus revealed that looting is not a local, random occurrence. To put numbers to it, the study revealed that 98% of the respondents had experienced or are aware of looting at their sites. The study further revealed that looting is not only restricted to ‘under developed countries or exaggerated for political purposes’ (Proulx 2013:124). According to Proulx, ‘... this study represents an important step toward a more globally informed, locally nuanced response to archaeological site looting and its role in the illicit antiquities trade’ (Proulx 2013:124).

Even though this study has revealed no ground-breaking new knowledge, it has given many archaeologists a chance to take part in a forum to discuss and look at the damage that looting has done and is doing to their discipline:

Simply put, this study lends empirical support to the claim that looting is an iterative problem that is both globally and temporally pervasive, not confined to certain areas of the world or particular types of archaeological resources. While we may never be able to measure exactly what has been materially and intellectually lost to pillage and plunder, there is no uncertainty that the surveyed field archaeologists’ reports of looting originated in many different parts of the world or that most of those archaeologists have had personal experience with looting both on-site and off (Proulx 2013:123, 124).

The quantification of looting, as well as the quantification and significance of the damage to the material cultural heritage, still has a long way to go. However, from the work done by researchers, we can conclusively see evidence that provenance is under severe threat, as this study revealed. In 2014 the American School of Oriental Research (ASOR) and the US government launched an initiative to document and take measures to mitigate the effects of looting in Syria and some parts of Iraq. ‘In August 2014, a twelve-month cooperative agreement between the United States Department of State and the American Schools of Oriental Research (ASOR) established the Syrian Heritage Initiative (SHI) under the aegis of ASOR’s Cultural Heritage Initiatives (CHI). ASOR CHI monitors, assesses, and reports on the cultural heritage situation; engages in global out-reach; and plans future large-scale reconstruction projects for the post-conflict period’ (Danti 2015:132). Hopefully, initiatives such as these will highlight the devastation that cultural heritage suffers in these conflict prone regions of the Middle East.

5.5 MEASURES TO MITIGATE THE INCIDENCE AND THE IMPACT OF LOOTING

There are two facets of measures that need to be taken into consideration when dealing with preventative measures. We need to make a distinction between peace time looting and war time looting.

Firstly, peace time looting prevention measures is where we see legislation and treaties that address the looting of sites during times of peace. This would imply the ‘implementation of international treaties at the national level’ (Carducci 2008:89), as Carducci explains:

Cultural heritage exists worldwide under a variety of forms and legal and conceptual definitions. As UNESCO is the UN agency with a specific mandate in the field of culture, the international community within UNESCO has negotiated and adopted several conventions dealing with tangible cultural heritage (whether movable or immovable, on land, or underwater, intangible cultural heritage, and national cultural policies (Carducci 2008:90).

We will briefly discuss the meaning and impact of these international laws and treaties amongst different nations to mitigate looting and cultural theft.

Multilateral agreements, such as the 1970 UNESCO and the 1995 UNIDROIT Conventions, stipulate that no signatories of these will allow their countries to become market places for looted artefact. They will also ensure that all illegally purchased objects be allowed and assist in the repatriation of known looted objects of cultural significance to their countries of origin. In the case of legally purchased objects, the governments of such countries should ensure that the regulation of the trading is strictly monitored.

Secondly, in the time of war, all countries should as far as possible become signatories of the 1954 Hague convention and the 1999 second protocol. This ensures that no armed forces will loot, assist in the trading or destroy archaeological and cultural property during times of armed conflict and war. These stipulations will also apply on the ground to museums and auction houses that are purchasing and selling artefacts (Brodie et al 2000:6-7).

As can be seen, these are international “umbrella” measures that restrict the flow of looted items on the demand side. In other words, if all countries followed these regulations and played by the book, the demand for looted items would dry up, the price of objects would fall and the looters would have no incentive to loot, other than increase the rate of looting to make more money, given the low prices. Unfortunately, this is not the case. Despite these regulations we have seen an increase in looting over the past two decades.

During times of war, political and economic instability, we see an even sharper increase in looting. Therefore, extraordinary measures should be put in place to mitigate the incidence and impact of looting during these times. We will use the war in Iraq as a case study and study the experience of archaeologists, cultural and heritage organisations, as well as the contingency plans that they have devised for the safe guarding of artefacts and provenance.

Col. Matthew Bogdanos is of the opinion that despite the publicity that looting and the trade of these objects are getting in the media, as well as the public outcry which follows, we still see that a “veil of secrecy” is pulled over these phenomena. Despite this there is a great need to mitigate the damage done to archaeological sites regardless of whether it is in times of peace or during times of war. According to Bogdanos (2008b), it is a multi-disciplinary action plan. This encompasses firstly, an awareness campaign that can find traction with all stakeholders:

Indeed, in more than one hundred and seventy-five speeches in almost one hundred cities in nine countries – in venues ranging from universities, museums, and governmental organisations to law-enforcement agencies, Interpol (the International Criminal Police Organisation) both houses of the British Parliament – I have urged a more active role for governments, international organisations, cultural organisations and foundations, and art community (Bogdanos 2008b:153).

However, as he points out, he has not been very successful: ‘I am delighted that nations are moving to reclaim their patrimony. I am also delighted to see media attention beginning to illuminate certain well-appointed shadows where money changes hands and legitimate – but inconvenient – questions of the provenance (origin) of objects are too frequently considered outré’ (Bogdanos 2008c:57).

In answer to this, (Bogdanos (2008b:156) has devised a practical five-point plan that could combat the illicit trade which stimulates looting. This would speak to the international community, as well as the practical deployment at ground level. We will have a brief look at it.

5.5.1 Mount a public relations campaign for mainstream society

This would be media campaigns that finds traction with the broader public. It needs to resonate with public sentiments but stay clear of “doom and gloom” as far as the state of looting and illicit trade is concerned. Also these campaigns should not be filled with rhetoric about repatriation issues as this takes the focus off the real issue of looting and illicit trade (Bogdanos 2008b:157).

5.5.2 Provide funding to establish or upgrade antiquities task forces

Missing artefacts should be recovered first, but, there is not enough priority given to this, given the numbers of human resources on the ground. Bogdanos (2008b:158) emphasises that ‘where such forces already exist, we must increase their size and scope, with cultural foundations providing art-theft squads with vehicles, computers, communications equipment, and training.’

5.5.3 Create a coordinated international law-enforcement response

A more active participation by the international governments is *sine qua non* to the regulation and the policing of cross border smuggling. Bogdanos (2008b:158) explains that ‘we need coordinated simultaneous investigations of smugglers, sellers, and buyers in different countries. And – just as important – prosecution and incarceration need to be credible threats. On a more technical side, there is an urgent need to detect artefacts such as ‘alabaster, lapis lazuli, and carnelian’ during searches, and not only weapons.

5.5.4 Establish a code of conduct for trading in antiquities

Museum curators, archaeologists and dealers should be governed by a strict code of conduct. If self-regulation regarding trading and documentation is not followed, regulatory measures should be introduced as law, ‘although many argue that the interest of dealers, collectors, museums, and archaeologists differ from each other so dramatically, that any single code of conduct acceptable to all is impossible.’ However, this according to Bogdanos (2008b:159), is no excuse: ‘I continue to urge academics, curators, and dealers to abandon their self-serving complacency about – if not complicity in – irregularities of documentation.’

5.5.5 Increase cooperation between the cultural heritage community and law enforcement

All stakeholders in the antiquities trade should be the ‘ears and the eyes’ of the protectors of this establishment. Coordinated efforts and alignment by all is of utmost importance. Bogdanos (2008b:159) emphasises the fact that ‘the call for up-to-date investigative facts should become as standard as the call for papers.’

In addition to this brief overview of Bogdanos’ international measures that is a ‘top down’ strategy, we need to also establish on the ground preventative measures against looting.

5.5.6 Anti-looting technology on the ground

We can add a sixth measure to the five-point plan of Bogdanos (2008b) as referenced and discussed above. The landscape of archaeological sites is so varied that it is quite complex to design or implement a ‘one silver bullet’ approach. However, here is a brief list of specialised and technical measures that can be implemented.

Inside museums the use of foams that are sticky, slippery or fast-hardening can serve as temporary barriers to looters. Smoke grenades can be used to obscure vision. Physical barriers, such as barbed wire and spiked barriers are already employed to keep looters out. Looters are very active at night, thus good lighting or ‘illumination’ (Alexander 2008:143) is a deterrent. However, regular ground patrols are also needed to physically patrol the area. An interesting measure is ‘olfactory agents’, which when activated, will smell so bad that it will keep looters away. However, it only has a short effective period (Alexander 2008:144). There is a myriad of very sophisticated methods, such as stun guns, re-engineered paintball guns, heat rays, acoustic systems, alternative chemical munitions, non-lethal mines, incapacitating agents, and tracking technologies that can be used, but these are costly and needs to be accompanied by a fully organised task team to deal with looters in a quick and efficient way (Alexander 2008:145-149).

This obviously needs to be done with prudence and minimising the effect of physical harm to the looters, as many of the looters are forced to loot by reasons beyond their control such as poverty and the collapse of social services and employment. Finally, technology can be used in the short term to deter looting, as unrealistic as some of these measure appears to be. Therefore, it is the socio-political and economic issues that need to be fixed before some of these methods can be implemented on a small scale.

5.6 THE IMPACT OF LOOTING ON PROVENANCE

The organised structured methodology of archaeological excavation and scholarly research does not allow the extraction of artefacts from the ground at a fast pace, as provenance and stratigraphy must at all times be the benchmark and “odometer” which would dictate the speed of excavation. However, looters do not have to consider this. They are not digging with provenance in mind, or stratigraphic consideration. They are not digging for knowledge. They are digging for art, which they can sell on the black market as quickly as possible.

I have taken a specific case study to illustrate the impact of looting on provenance. Instead of using various examples from different areas, the case of this village in Palestine will be sufficient enough. I will also briefly describe how war and looting in Iraq have been instrumental in the loss of provenance and valuable knowledge of an ancient, yet advanced civilisation through the destruction of modern technology such as data banks, which for all practical purposes can be equated to a loss of provenance, as this information is lost forever.

The Saffa Village, is an excellent example how neglect, political instability and a disregard for a people's history and material culture, can rob them of geographical entitlement and a prosperous future (Al-Houdalieh 2006:103). In other words, the loss of this information is not only restricted to a loss of knowledge for the selected few archaeologists and scholars who study the past, but also impacts on the people of Saffa and their future, which impacts directly on the destruction of provenance.

In order to illustrate this, we will briefly look at Saffa Village in Palestine (part of the now occupied West Bank area). Saffa Village is approximately '16 km west of Ramallah and nearly 22 km northwest of Jerusalem' (Al-Houdalieh 2006:103). It had about 3100 persons living in the village during 2006, so we can assume that the population would have grown since then. A small part of the surrounding area is used for agriculture (about 16%). The archaeological dates of sites in the region surrounding the village goes back to the Middle Bronze Age (2000-1550 BCE). We shall see that the incidence of looting is a direct result of political and economic disenfranchisement, the lack of policing the sites and a general hopelessness that were caused by the occupation of Israel, the building of the Separation Wall and the prohibition of Palestinians to work in Israel after the civil uprisings (intifadas) between 1987 and 2006. Unemployment amongst the population of Saffa rose to a staggering 60%. This led to extreme poverty and a massive increase in looting (Al-Houdalieh 2006:103).

The activity of looting has become so common that looters do not work on the sites during night time as is the usual practice, but has reverted to work during the day. This is simply because of the lack of will by the authorities to stop it. Given the economic depravity of the people of Saffa, it is obvious that any attempt by the authorities to stop this would have been met with violent retaliation. Tombs are specifically targeted. The destruction of provenance is massive. Al-Houdalieh (2006:103) explains: 'Often these gangs dug through the accumulated deposits against the entrance façade and destroyed

the door blockage to open the tomb' and '...the earth inside the tomb would be hauled outside and sifted to collect coins, beads, scarabs, and other small items.'

A sharp contrast can be seen in the two types of looters that are at work at Saffa. On the one hand, you find professional looters who know exactly what they want. The damage that they do to the site is minimal. One cannot help but wonder where they learnt their skills?

The other group are looters that indiscriminately destroy the site, looking for anything that they can sell quickly. It is this group that actually does the most damage to provenance, as they destroy the spatial and contextual relationships of artefacts that can tell us the most about the way people lived. They also move quicker to new sites, thus destroying provenance over a larger area. The irony is that the artefacts from Saffa are immediately taken into Israel where they are bought and sold again in a relatively short time. Neither the Palestinian nor the Israeli Antiquities authorities can do much about this.

Saffa can be used as a perfect model for the study of the reasons why people loot the sites rather than work the land or work some other trade. The political instability caused by the Palestinian-Israeli conflict, epitomised by the Separation Wall, the poverty, education and agricultural practices of the modern farmer (they use the stone blocks of ancient sites to build new terraces), all play a significant role in the damage and destruction of provenance. In the example of Saffa, we have seen all the factors that would be present in one way or another at other looted sites. But at Saffa all the deprivations of society, such as war, politics, economics, and general social deprivation, have come to play a role. Such conditions are the perfect breeding ground for looting and the creation of unknown provenance in archaeological study.

With specific reference to Iraq, we see that much is at stake here in the protection of the material culture. The geographical area known as Iraq is known amongst scholars as the "cradle of civilisation" (Kam 2004:4). We only know this, because below ground we found buried, the undisturbed remnants of these civilisations, which was methodically collected and recorded. However, during the invasion of the US into Iraq in 2003, the local population and the staff of the National Museum in Baghdad plundered and looted the museum of its artefacts. In addition to this the museum's offices, records, computers, catalogues, photographs and field reports were destroyed. The provenance of artefacts that were excavated since the 1920s was lost forever (Kam 2004:4).

In addition to the loss of museum records, the looters also targeted the libraries and archives in Baghdad. Apart from the losses in books of history going back to the Ottoman Empire, the plunderers also set about burning the library. The complete infrastructure of this once magnificent library was destroyed (Kam 2004:5).

In addition to this, we see that conventional warfare and the establishment of military bases on or near ancient sites inadvertently can cause massive damage to the site, as well as to the contextual integrity of a site. Schipper (2005:254-255) states the following:

... the ancient sanctuary of Ur became an accidental military target because the area around it had already been turned into an Iraqi military base long before the first allied attacks were launched. This example demonstrates the importance of preventive heritage protection. The establishment of a military installation at a site of cultural or historical importance may provoke attacks in the course of armed conflicts and cause damage to cultural assets.

During the Iraq and US conflict of 1991–2003, this regularly happened and left these sites with damaged provenance, not necessarily done by large scale looting. But one would be forgiven for thinking this also happened during times of occupation.

Thus, the recorded histories of a civilisation is destroyed and leaves a void that can never be filled. In one way we can be grateful that cities such as Paris were spared in the bombing raids during World War II, regardless of the Nazi plunder of its art and antiquities.

As we can see, the looting has a devastating effect on the intrinsic knowledge that can be derived from the contextual and spatial relationship that an artefact has with its location. Without known provenance we have no story to tell.

We did not find these artefacts in a market being sold by a merchant as curiosities that tourists would buy. These excavated objects with its provenance intact, have informed us of the way people lived, what they invented, to which gods they prayed, what they planted and what their diet consisted of, how they made war and the stories that they told. This could only be extracted from the remnants of these cultures because we knew exactly where the artefacts came from. Ceramics found *in situ* allowed us to design a vast body of knowledge about ceramic styles, when they were made and by whom. The writing in cuneiform on clay tablets excavated at the city of Mari, spoke of commercial and trading relationships with Hazor during the Late Bronze Age. In short the excavation of artefacts with a known provenance have allowed us to build up a vast data bank of ancient styles, types of objects, raw

materials used, and textual and pictorial data with which we can now comfortably compare new finds and corroborate similarities and anomalies. Known provenance allows us to use thermo-luminescence dating on ceramics and Carbon 14 dating of organic material in known stratigraphy. Known provenance allows us to look at Ostraca and paved floors, mud brick walls and walled reliefs of Assyrian and Egyptian battle scenes. Most importantly it provides us with contextual information that can assist the historians of ancient cultures to give us a story.

In sharp contrast to this, unknown provenance allows us only an extrinsic glimpse of decorations and aesthetics, or the hard, but “dead” evidence of which materials such an object were once made of. Looting strips the artefact of its context and the story that it can tell about the person that made the object and the time and place that it was made. For example, given a scenario of the following: If all objects in museums and universities around the world were looted and provenance were of no concern for archaeologists, we would know very little, if anything, about our ancient past and how our various cultures developed. In short, provenance provides us with a history of how ordinary people lived and died, how they rejoiced and how they mourned. Looting destroys this chance that we have of looking back. Unfortunately, the consequences of our own actions, such as war, greed and self-righteous politicking plays a far greater role in the destruction of provenance than we would care to admit. It is much easier to blame the impoverished people that have to loot in order to survive, than the wealthy collectors, reaping the rewards, which political and economic instability and the spoils of war offer.

5.7 CONCLUSION

There are various reasons why looting occurs. Some are most probably more defensible than others, such as subsistence looting, and which can be forgiven, as it is a case of survival that drives the looter to behave like this.

However, since ancient times, looting in general has moved beyond a mere curiosity of collectors who are in the field and wants to take an artefact home to show to their family and friends. Looting has moved beyond the pillaging that takes place during war and conquest. Looting has become a business, and it has become a “weapon” to wield during times of war and political upheaval. Regardless of the various conventions and measures to mitigate the incidence of looting, that were agreed upon by nations to protect cultural heritage, the looting of the archaeological record and damage to provenance

of artefacts are continuing unabated. The reason for this is simply that there is still no robust plan, agreed upon by all the stakeholders, in place.

We have seen that looted objects are used to fund the purchase of weapons to wage war. Objects of cultural significance and antiquities are destroyed if not sold to subjugate minorities. Looted objects end up in the display cabinets of the great museums of the world and in the houses of wealthy collectors who want to impress their friends.

To loot is a phenomenon of human nature, and it is difficult to control or regulate, as it happens in the majority of cases, secretly and out of sight. The monetary incentive to loot, is an extremely strong incentive, especially in developing countries where a large proportion of the population is poor. However, as we have seen, looting is not only restricted to these countries. Looting happens in first-world countries as well.

The destruction of provenance during looting operations is a most unfortunate outcome. The value of these “unexcavated items” are of no real monetary value, but yet collectors are prepared to buy them because of their “perceived” historical or religious significance, as well as the thrill of buying something that is ancient and unique. The motivations of these buyers are varied and difficult to understand by most scholars, as the true value of the artefact lies in its provenance and the information that it can provide.

It is clear that the incentive to loot on a massive scale is economic in nature. The cause of this is socio-political instability, which causes debilitating poverty amongst the poor of these artefact rich countries. It is unfortunate that these countries are also the most archaeologically rich in material cultural heritage. The Middle East region, also known to scholars as the Ancient Near East, holds a special allure, as it is indeed the cradle of civilisation as far as our knowledge of the written record is concerned. The destruction of our cultural heritage, driven by the vanity of collectors and the monetary greed of buyers, as well as the organised syndicates who trade in ancient cultural objects, are indeed an indictment on us all, even though we ourselves would shrink away from such an idea in horror. Only until apathy disappears, and the will to act against this is mustered, by fixing the internal socio-economic problems of these afflicted countries, will we see the vicious cycle of demand and supply and the chain broken. Until this happens, we cannot expect the looting of artefacts, and the destruction of provenance to end soon.

CHAPTER 6

DEBATES

Accessibility is another advantage of tangible remains. Relics open to public inspection and potentially visible to any passerby provide unmediated impressions of the past. Seeing history on the ground is a less self-conscious process than reading about it: texts require deliberate engagement, whereas relics can come to us without conscious aim or effort (Lowenthal 1985:245).

6.1 INTRODUCTION

This chapter will deal with various debates around history, cultural heritage, collecting, looting, illicit trade, forgery, repatriation, ownership, museology and museums as well as the importance of provenance and the threat to provenance. In a sense this chapter is a collective of all the previous chapters, which mainly dealt with the specifics. It may be viewed as the philosophical debate between scholars regarding provenance and how this should be the benchmark for objectivity in archaeological research. We shall see that it is not a clear-cut argument and being ambivalent about it could be an option which may be considered.

Archaeology can feed history, and could be considered an essential part of it. However, history was also recorded by scholars in ancient times without the benefit of archaeology. In the archaeological stratigraphy, which shows no record of written text, the archaeologist could only rely on the accumulation of multiple artefacts with the same features, so that patterns of past and ancient industry could be identified and dated. This would give chronological context to the different levels of cultural industry, as well as show the evolution of material culture.

It is this study that has inspired archaeologists to painstakingly excavate hundreds of thousands of ceramic pieces, which were built up to be used as a reference to the different cultures in the Ancient Near East. The complexity of the archaeological record has also fostered a fascination with all things ancient by ordinary people, with no real scientific reason to become fascinated with the remains of the human culture. The obsession of the collector to own the physical relic or antiquity regardless of the price or the danger of acquisition overrode everything. The potential risk and punishment as well as the uncertainty of authenticity of buying unprovenanced objects, are of no concern.

In a perfect world, the aim of the archaeologist is to excavate the physical cultural material in such a manner that the historian can fill in the gaps which pervades history. The job of the curator is to display it in such a way that students, scholars and the public can formulate in their minds a clear picture of how the human species went about their daily lives, what they ate and how they prepared their meals. Museum displays should further tell about the art, the literature and the architecture of the ancients.

The story that we seek must be complimentary towards what is displayed and vice versa. It should not contradict each other. It must not attach preconceived ideas to the evidence, which can be manipulated to hide the truth. Mostly, history and archaeology should be aligned and have the same ultimate objective, that of telling the truth and exposing the past in such a manner that we can learn from it. Furthermore, knowledge of the past should not have a price on it. Material culture must not be manipulated to deceive and pander after elitist exclusivity. From a pure anarchistic perspective, knowledge of history does not belong to any one particular person. Nor does its physical constituent parts. It should be part of the collective human experience. Some scholars would indeed take such an anarchistic view, regarding the ownership of historical and cultural material. In other words, it should belong to all of humankind and no private claim may be made to exclusively own it.

However, as we shall see, the above perfect and utopian world is far from reality. Such notions would surely not go uncontested. Regardless of the good intentions of many, we see that politics, economics and religion have played a pervasive role in the destruction of the trust that should exist between the various disciplines, which purports to be the custodians of human history and the legacy that this knowledge should leave to future generations. This distrust and the non-aligned objectives of these protagonists have perverted history, which has become a weapon to be wielded in politicised anger and extremist religious ideology.

Some of these “deadly sins,” has left a path of destruction. Greed, pride, vanity and wrath have caused the material destruction of the world’s cultural heritage. The avarice of certain individuals and the extreme ideologies of certain groups and individuals have caused untold damage to the historical record of the world.

In particular, we see that the Middle East and the history of the Ancient Near East have suffered this indignity. However, we shall see that this is not necessarily a foregone conclusion that all is lost. There are indeed concerned people out there who have made it their life’s work to mitigate this damage, and

to play a reconciliatory role and fix the injustices of past transgressions in the forgery, illicit trade and looting of artefacts. They have also been instrumental in the repatriation of material culture to the source countries who have suffered the indignity of having their material culture stolen or “legitimately” removed.

There are many different opinions, but as we shall see, none of the scholars who will be discussed are necessarily wrong at first glance. All these arguments make perfect sense. This chapter shall attempt to provide the reader with a synthesised view of the various arguments and hopefully add some of my own insights, and some of other scholars’ interpretations, regarding these various debates.

6.2 HISTORY, ARCHAEOLOGY, MATERIAL CULTURE AND HERITAGE

It is self-evident that written history can only provide us with a summarised version of what happened in the past. In fact, it can only really provide us with a fraction of the human experience here on earth. Not all people will make it into the annals of history. Only a few people will rise above the norm and will be written about by the scribes of the world. According to Lowenthal (2015:336-337), ‘Thomas Browne found no antidote against the opium of time ... The iniquity of oblivion blindly scattereth her poppy, and deals with the memory of men without distinction to merit of perpetuity ... The greater part must be content to be as though they had not been, to be found in the register of God, not in the record of man.’

Humans find themselves within a paradox created by history. The more they read or hear about it, the more it changes. Just like history, archaeology also suffers from such afflictions. The truth is forever evasive and the evidence of known provenance is eroded by time, and by the indiscriminate buying and selling of artefacts by looters, collectors, connoisseurs, museum curators and some scholars of archaeology. This has a far reaching effect on the veracity and robustness of objective historical interpretation and research.

Lowenthal (2015:336) maintains as follows: ‘Three constraints limit what can be known: the immensity of the past; the gulf between past events and accounts of those events; and inescapable bias’. It is this bias that we need to avoid, but yet, we shall see that it is indeed inescapable. We can also see that archaeology can expose the material culture of ordinary people and allows for the truth to be written up, yet, only in good faith. How close to the truth it is, we cannot assess with surety. We

can only do our best. Archaeology provides us with a telescopic view of what transpired in the past. It is the combined efforts of the archaeologist and the historian that will provide the final picture to the public.

Above the ground we see images and vestiges of hybrid monumental architecture, art and literature which gives us an account of the ancient periods. It is a mixture of different influences that we see as redolent of a specific time and place. As purists we may criticise this tacit form of forgery committed by ancient artists and builders, myself included. Yet, what is inescapable, is the fact that cultural evolution is part and parcel of our history and like the ever eluding position of the electron in quantum mechanics, we simply cannot pinpoint history and be exactly sure of the truth. Therefore, just like ‘Heisenberg’s uncertainty principle is a fundamental, inescapable property of the world’ (Hawking 1989:59), such also is our interpretation of the archaeological record and ultimately our interpretation of human history itself. Just like quantum theorists, we have to rely on the science that describes nature and history as close to the truth as possible. Provenance in archaeology gives us this opportunity.

Our cultural heritage is a mixture of different influences and yet we “nationalise” our heritage into silos. We use religion, culture, language, race and colour to do this. Politicians would like to “fix” history “in time,” so that they can tell their constituency that they belong here, there or elsewhere. Their election campaigns are filled with this type of rhetoric, quoted from history books which suits their election campaign strategies. However, as we shall see, this is far from the truth and historians and archaeologists should steer clear from bias and subjectivity. Unfortunately, we find that textual data is in most cases subjective. This is the case with textual sources today and so it was in the past. As far as objectivity is concerned, it is simply not “reliable”. However, what is “reliable” where history is concerned? As we shall see, history cannot be “fixed in time and place” with absolute accuracy. Lowenthal (2015:339) holds that ‘the language of history also reconfigures the past.’ Culture is a dynamic and evolutionary phenomenon. It constantly changes and as it does, so it gathers from its surroundings new narratives and perspectives on the human condition, both at a localised and global level. With the rapid growth of social media, we see this hybridisation of cultural values occurring faster than before:

Today’s perspective cumulatively misinterprets the past, as lengthened remoteness multiplies its anachronisms and interposes the outlooks of ever more intervening epochs. Discussing William Morris’s take on ancient Greece, Walter Pater showed how our contact with Hellenism is mediated through Roman, medieval, Renaissance, and subsequent prisms, enriching yet estranging our

understanding. We cannot expunge our composite inherited experience of all subsequent ages to come directly face to face with the ancient Greeks, any more than we could ‘become a little child, or ... be born again’ (Lowenthal 2015:339).

Both archaeology and history are very much at the mercy of interpretation. Archaeology in many cases provide us with very flimsy evidence in the form of artefacts. History is synthesised from various narratives, opinions and ideologies, as Lowenthal (2015:338) describes: ‘... historical knowledge, no matter how consensually verified, is necessarily shaped by both narrator and audience. Imparting and imbibing history depends on precursors’ vision and voice, recipients’ eyes and ears: interpreters stage manage our apprehension of past events.’

Given the above, we should not concede to the notion that history, or for that matter archaeology, is of no use to us. The scientific methods of archaeology of the present is multi-disciplinary and can reveal in great detail much of the past. History written in an unbiased narrative can provide us with invaluable knowledge of the past. Lowenthal (2015:337) states that ‘this is not to deny that historical consensus provides real knowledge. Indeed, ‘without genuinely knowable past experience there could be no answers to any question, nor any question to be answered ...’

The archaeologist and the historian, therefore has a significant role to play in the synthesis of the material culture and past events. This, however, relies much on the context, time and place in which history was recorded, and in the case of archaeology, the provenance of the excavated artefacts. Given the elusiveness of objective historical interpretation, this is all that we have at our disposal, to make sense of the past. Archaeology offers us at least a vestige of objective observation. Archaeology is not an exact science, neither is it a “time machine”, in which we can travel to go and visit the past. Therefore, we need provenance. Both these disciplines, archaeology and history to a large extent, become meaningless if this all important element of provenance is not present. As it is an enabler of objective analysis of the cultural record, we can at least rely on this as a benchmark of some objectivity. As the “reporters” and excavators of the past, both the archaeologist and the historian must of necessity, remove themselves from the subjective, and embrace objectivity.

According to Lowenthal (2015:338), ‘narrators’ perspectives and predilections shape accounts, our own determine what we make of them. The past we construe is contingent on our background, our outlook, our own present. We are products of the past, but the known past is an artefact of our own

making. We are immersed in antiquity, no perceiver can divest himself of his own experience and assumptions’

However, problematic and difficult it might be for archaeologists and historians, they not only owe it to objective scholarship, but also to the human race. It is far easier to accept the easier more “romantic” version of the historical and archaeological record, than the boring, and not so obvious version.

Fortunately, the archaeologist can rely on the tools, methodology and the many scientific disciplines which can be called in to evaluate and prove a hypothesis. The historian on the other hand, has to rely on the research and writings of predecessors. Time, in this respect, is indeed the shaper of perceived reality. It is this perceived reality that must be ignored by both. Therefore, the boundaries of objective scrutiny in archaeology must be protected at all cost. The “holy grail” of archaeology which is provenance, must be guarded and defended against those who would see its importance eroded, by unscrupulous scholarship and the worship of archaeological relics as art. Knapp (1988:3) describes this dilemma as follows:

If the task of the historian is difficult, that of the ancient historian is doubly so. The fabric of ancient history is woven by two craftspeople: the historian and the archaeologist. Historians, on the one hand, work chiefly with written records of various sorts. Archaeologists. On the other, work more frequently with the material record: artefacts and architecture, stones and bones. Those who would study certain periods and aspects of the ancient world must master both disciplines.

We shall briefly look at heritage and how it is perceived, but in a European context, as this will illustrate much of our own Eurocentric views on heritage, archaeology and the establishment of museums.

Historically, the ideas around heritage and thinking about the past came about during the establishment of nationalism, which then evolved into the nation-state (Graham et al 2005:26). In this context, heritage denotes a ‘modernistic’ view of the world and is of necessity, views relating to the nation states of Europe, from the 16th century into the post – modernistic view of the 20th century. Given its location of establishment, it is a biased view of history and for that matter it defines the culture of other groups found outside the boundaries of Europe in a flawed manner. According to Graham et al (2005:26), ‘the modern era, as traditionally defined, often reflects a Eurocentric perspective on the world’. The outflow of this was the establishment of two types of museums that studied and displayed the natural sciences and the cultures of “other” people, namely the nationalist museum and the

encyclopaedic museum. Both, we shall see, has negative characteristics, as both of these institutions can be “guilty” of perpetuating Eurocentrism.

The nationalist museum perpetuates the national identity of a certain people, who shares for example the same ideology, religion or language. The encyclopaedic museum brings together various artefacts of different cultures, but always displayed in a foreign country and far from its original place of provenance. Cuno (2011:11) explains: ‘The encyclopaedic museum is a modern institution, born of the intellectual ferment of early modern Europe. Its founders were figures of the Enlightenment, confident in the promise of reasoned inquiry and deeply sceptical of received and unverifiable truths.’

In other words, one would expect to find more scientists in such encyclopaedic institutions as opposed to nationalistic museums. Nationalistic museums being more a repository of historical artefacts relating to the origin, the suffering and the victories of a certain people or nation.

However, both these museums share one common denominator, which can be seen as a point of possible contention and weakness. Both these institutions rely heavily on the commodity of heritage to fill its halls. It needs it to exist. Hence, it will commoditise heritage into a tangible or intangible product, to be traded and to attract the public. The artefact then loses its scientific value and is displayed for its aesthetic value or extrinsic qualities, as Graham et al (2005:30) explain:

The worth attributed to these artefacts rests less in their intrinsic merit than in a complex array of contemporary values, demands and even moralities. As such, heritage can be visualised as a resource but simultaneously, several times so. Clearly, it is an economic resource, one exploited everywhere as a primary component of strategies to promote tourism, economic development and rural and urban regeneration’ and ‘...heritage also helps define the meanings of culture and power and is a political resource.

It is this attribute of heritage which is exploited by the protagonists discussed in the preceding chapters that uses heritage to manipulate minorities and the disenfranchised. Institutions such as museums can make itself guilty of this and be the cause of conflict. As such ‘when heritage places, and objects are involved in issues of legitimisation of power structure’ (Graham et al 2005:30).

Heritage in the 1970s and the 1980s became politicised, especially in the United Kingdom. It formed part of the national debate around identity. One could argue that it became an obsession with the public, as well as some scholars. ‘Heritage’ became a key word in a wider debate about the nation’s identity. It stood as a metaphor for the English condition, with some commentators referring to the ‘national

necropolis' or 'museum society' (Lumley 2005:15). The definition of heritage alludes to possessions that are inherited. However, as we shall see we need to look at the subtle reference in the definition that refers to "that which has been". Lumley 2005:16) explains that '... concern with 'heritage' is increasingly international in scope and reveals the impact on local cultures of the forces of globalisation. The search for authenticity and roots gets more intense the more cultures become placeless.'

We shall see that heritage can be used as a tool to manipulate people or minorities. This is practised in dictatorships, one party states and in democracies. Museums, and public monumental places, can easily fall foul of this as it is in the interest of the rulers to promote the change of a perceived heritage. We shall see that regime changes in developing countries are especially prone to this:

... our concern is partly with questions such as why a particular interpretation of heritage is promoted, whose interests are advanced or retarded, and in what kind of *milieu* was it conceived and communicated. If heritage knowledge is situated in particular social and intellectual circumstances, it is time-specific and thus its meaning(s) can be altered as texts are re-read in changing times, circumstances and constructs of place and scale. Consequently, it is inevitable that such knowledge are also fields of contestation (Graham et al 2005:30).

In mature democracies such as the United Kingdom and the United States we see that the focus is not necessarily on heritage anymore, but the manipulation of heritage ideology changes to "a way of life," which must be maintained and protected. The demonisation of religious or ethnic cultures which could be a threat to it, is often at the receiving end of this, as we have seen people of the Islamic faith in Europe and the US being suspected of terrorist activities.

From an economic perspective, we see that heritage can be commoditised and sold to the tourist industry with the main actors, the members of the local culture, receiving very little in monetary terms. They are mainly employed as actors in this cultural pantomime. 'Thus tourism is parasitic upon culture, to which it may contribute nothing. If taken to the extreme, the economic commodification of the past will so trivialise it that arguably it can result in the destruction of the heritage resources which is its *raison d'être*', as Graham (2005:31) holds.

Museums draw large crowds by displaying fantastical exhibitions, which consists in many cases of nothing more than a combination of unrelated artefacts, which has little or no relationship with its original spatial place of origin or time. In other words, museum curators will rely on the ignorance of the broader public by purchasing unprovenanced artefacts from dubious sources and displaying these

to the wonderment of the media and the public. Cultural heritage then becomes a commodity sold to the highest bidder on the antiquities market. Graham (2005: 32-33) emphasises the following: ‘The economic commodification of heritage embraces, on one hand, the consumption of culture through art and museums and the largely elitists landscapes protected by agencies ...’ and ‘... on the other, commercial theme-park heritage, largely a pastiche with no higher purpose than popular entertainment.’ What is needed is heritage that is displayed and ‘... is generally accorded an educational role in addition to its function as superior entertainment’ (Graham 2005:33). In the same token heritage then becomes an ‘issue of ownership and control’. Heritage becomes a non-renewable and scarce commodity and ‘an essential vision of the past as akin to a natural resource’ (Meskell 2002:567).

Finally, we shall see that heritage is sponsored by state sponsored budgets which embrace and legitimise the structures of power, which may interfere with some of the minority views of historical origin, political or religious ideologies and which in turn is viewed as subversive by the reigning government (Graham 2005:33). According to Graham, ‘tension and conflict are thus inherent qualities of heritage, whatever its form’ (Graham 2005:33).

It is against this backdrop or “canvas” upon which the forgery, illicit trade and looting of unprovenanced artefacts and antiquities are illustrated. We shall see how this manifest in the arguments raised in the following debates and views of scholars.

6.3 THE ROLE OF MUSEUMS: COSMOPOLITANISM AND PARTICULARISM

Museums have been in the news and scandalous behaviour of curators, boards of trustees and individual members are abound in the media. We see that museums are sometimes guilty of questionable acquisitions of artefacts and antiquities. This demands some questions regarding the existence and value of museums as learning centres:

What is a museum? This question is currently being asked by a surprisingly wide range of people, including members of the museum profession itself, those whose cultural objects are held by museums, politicians and members of the business community, who are being asked in ever increasing numbers to support museums through sponsorships. Thus, the purpose of museums were perceived as concrete and tangible, paralleling the essence of the material evidence, which historically has been the focal point of museums. Collection, preservation, study, interpretation and exhibition of this material evidence have been the components which lie at the root of all definitions of what a museum is (Harrison 2005:38).

For example, James Cuno (2009:16) argues that scholars such as Brodie's contempt for museums that display objects of art and artefacts of an archaeological nature, alongside each other are purposefully sending out a message that cultural objects are debased to mere curiosities of art: 'He would rather have antiquities collections be built for archaeology and archaeologists; that is, for his kind of elite, the elite of specialization and specialists' (Cuno 2009:16). According to Cuno (2009:17), the role of the museum should be to educate:

The preservation of antiquities through acquisition and the building of encyclopaedic museums is a matter of public trust. No less so now than during the era of Enlightenment, visitors to museums entrust directors and curators to select works of art thought so important as to be brought into the public domain and preserved for the delight and education of peoples for all of all time.

Regarding the views of Neil Brodie, Cuno (2009:16) holds the following: He (Brodie) makes a clear distinction between the role of the encyclopaedic museum and the museum that archaeologists wants. Archaeologists accordingly would settle for a museum that is elitist, intellectual and for the benefit of the archaeological community exclusively.

The museum, according to MacGregor (2009:39), must be encyclopaedic, as it is an all-encompassing view of the world we live in: 'The British museum was established very specifically for everybody, for the whole world.' Philippe de Montebello (2009) views works of art as 'vital pieces of history' and that it belongs to all, not just exclusively to Europe or the US. These artefacts must be made available through loan programs to all countries (De Montebello 2009:55).

Many scholars would argue to the contrary of this classical definition and function. One radical view would be the following regarding natural history museums: '... Behind every mounted animal, bronze sculpture, or photograph lies a profusion of objects and social interactions among people and other animals, which in the end can be recomposed to tell a biography embracing major themes for 20th century United States' and further '... which embodied the commerce of power and knowledge [of] white and male supremacist monopoly capitalism' (Harrison 2005:38). Another similar view is: 'Museums are "ceremonial monuments ...dedicated exclusively to ideology," specifically that of late capitalism' (Harrison 2005:38).

These views are to a large extent extreme in its perceptions and probably socialised in the gender and economic disparities of society. However, we need to take cognisance of the fact that museum hierarchies and the display strategies are so designed to maximise public and sponsored funds.

Recently, we have seen an anti-elitists and anti-intellectualism pressure groups growing, which have put the role of museums in a crisis. Museums have had to redefine its purpose. According to Stam (2005:54), 'the New Museology' requires the museums to 'change'. It calls for the museum to adopt strategies that will be more inclusive of the social, economic and political spectrum, within which it operates (Stam 2005:54). This is in fact already happening to museums everywhere and changes in this regard are in progress.

The cosmopolitan view is very much at the forefront of these changes. Stam (2005:55) explains that 'in the intellectual sphere, attempts made to broaden the social base of the museum have included exhibitions that explore and exemplify cultural diversity ...'

Traditionalists may well be uncomfortable with this, and ask some questions, which is the opposite of post-modernist thought regarding the role of museums. Is it perhaps the fate of museums to forego its independence and play to the tune of politics, rather than science? Do museums teach or do they indoctrinate? Certainly, we see that in the past "colonialist" museums of Europe fell into traps of furthering the nationalist perceived superiority along political and cultural lines. Do we want to go down the same road again? I am also of the opinion that when we consider these arguments and call for change, these questions need to be considered, as indeed it is and have to a large extent thrown the traditional museums into a crisis.

Harrison (2005:39) holds that 'the modern museum is a public democratic institution, and this does not flow smoothly from its conflicting nineteenth-century scholarly roots. Thus museums must have passed through some challenging times in search of firm foundations for their current mode of existence and its perpetuation.'

After the second World War, we see that the numbers of museums grew with the rebuilding of Europe, and the theme that pervaded these institutions was one of the 'invincibility' of Western culture and served as an ideology for many of these nations (Harrison 2005:39). Serious academic research suffered under these ideological constraints as more and more curators concentrated on the public and political needs to further nationalistic cohesiveness. The academic elitist notion of what a museum is supposed to be was challenged by an 'anti-Western intellectualism, more inclusive than Western intellectualism, and reflective of the multiple realities of the world' (Harrison 2005:40). These are important new ways of looking at the roles of museums in a modern cosmopolitan society but,

regardless of this, archaeologists, must be the gatekeepers of scientific enquiry and ensure that the “baby is not thrown out with the bath water.”

Cuno (2011:63) argues that the encyclopaedic museum is cosmopolitan by its very nature, as it attempts to show on one platform the multi-cultural similarities, as well as differences of people around the world. He argues that this will allow for us to learn from one another: ‘Encyclopaedic museums bear witness to the truth that culture is hybrid and mongrelised, evidence to the intertwined history of cultures and the connectedness that has always marked our globalised history’ (Cuno 2011:85). Many scholars would argue this point, vociferously claiming that such hybridisation is a ‘banal concept ... that have never existed’ (Cuno 2011:85).

However, I would hold that these museums must retain its scholarly strategies and values, and not become instruments for apologists, who would want to rewrite history only for the sake of the justification of a new political ideology. The historical narrative will change, as it is revisited. It is a dynamic discipline which evolves as new research and theories emerge. Similarly, museums need to retain their independence as far as objective research is concerned (universities as well). It must be centres of learning, so that the mistakes of the past cannot be repeated. Blatant politicisation of these institutions, will lead to a repeat of the blunders of the past:

Cosmopolitanism is different than globalisation. It is about negotiating identities and attachments within an increasingly dynamic world of commercial exchange and cultural contact, and in ways that allow for a plurality of such affiliation, and with a common regard for and stake shared history and promising future. We have already seen that the choice is not between cosmopolitanism and patriotism. The challenge is how to promote a respect for difference and the freedom to self-identify in a world of increasing nationalism and cultural, if not strictly religious, fundamentalism (Cuno 2011:83).

The opposite of cosmopolitanism museums is ‘particularism.’ Cosmopolitanism encourages the sharing of cultural objects beyond the source country and the exhibition of achievements of earlier cultures to a wider audience. Cultural particularism, however, militates against this. Gillman (2010:42 states that “... the international agencies that might be expected to represent the more cosmopolitan, less purely nationalist, view ... are instead dominated by nations dedicated to the retention and repatriation of cultural property”.

Regardless of this negative view of the particularistic idea, the issue here is that particularism is defending the right of the source country to its material culture that was stolen from it by foreign

powers, in most cases Western imperialism and colonialism. This is based upon the still continuing illicit trade of artefacts from source countries (developing nations or third world) to market countries. Market countries are seen to be first world. Gillman (2010:43) states the following: ‘Out of economic and historical imbalance comes a package of worries: about stopping covert and damaging leakage of archaeological material (always subsequently unprovenanced), about building a sense of national achievement and about redressing the wrongs of the past.’ The new museology argues for the retention of any excavated artefacts from a site where it has been excavated. It needs to stay in its spatial and contextual geographic area and exhibited there, as such arguments and contestation regarding repatriation and provenance would then be unnecessary. This would certainly be the perfect solution. However, management of the site, as well as the bio-sphere around such museum sites such as at Megiddo and Hazor in Israel, some sites in Egypt and some in South Africa, for example, the Cradle of Humankind, the K2 site and Mapungubwe Hill at Mapungubwe, is of utmost importance. World heritage sites such as these are prone to deterioration if not managed and funded on a continuous basis. Industrial and commercial development around such sites are mostly the main destroyers. For example, at Mapungubwe K2 in South Africa it was found that the once “jewel” of archaeological sites, declared as a World Heritage site in 2003, is under threat and ‘seriously deteriorated. They also cited lack of interpretive guidance and an integrated management plan and of proper consultation with local communities’ (Kros 2015:8). The other negative point of such on-site museums are that it would be available for the exclusive view of those who would have the financial means to do so.

The repatriation and the restitution of artefacts to the source countries are a contentious issue. I believe that the wrongs of the past must be addressed. The bust of Nefertiti in the Berlin Museum Island and the Elgin marbles in the British Museum are such cases in point. Here we see a collision between the great and famous encyclopaedic museums, such as the British Museum and the Louvre and the antiquities authorities of source countries. In the present time the acquisition of antiquities is far better regulated and care is taken to avoid legal battles, as the responsibility lies with the museum to ensure clear provenance in any purchases of cultural material. If not so, and the museum has problems with this legal requirement, its claim to ownership is a moot point. According to Cuno (2008:3), ‘most often it falls to the museum to prove that it has the right to keep the questioned unprovenanced antiquity ... and proving one’s innocence in the blinding light of a public dispute can be very difficult, especially when “convincing” evidence is likely never to be found.’

Unfortunately, regardless of these legal constraints, regulations and the new directions that the governance of traditional museums follow, the acquisition of artefacts with suspect origins, still continue.

6.4 ARCHAEOLOGISTS, CURATORS AND COLLECTORS

Archaeologists argue that collecting artefacts is the main reason for the destruction of archaeological sites and that it is the main incentive for destructive looting. Let us be clear from the start that many items in museums are bequeathed to the museum by collectors who acquired these items as unprovenanced purchases from dealers and auction houses. Therefore, museums cannot take a moral and ethical high ground when these points are argued. We have also seen that collectors in general are constantly looking at new acquisitions regardless of its origin or context. This is problematic in itself and is the main argument against collecting, held by archaeologists:

The least that any of us concerned with the future of archaeology can now do is to persistently and aggressively attack sensational claims about artefacts of dubious origin, not help to construct them, and to recognise how dangerous and ultimately misleading this modern form of relic worship is (Silberman & Goren 2003:29).

Questions around these issues are either of a legal or a scientific nature. In the event of the acquisition of artefacts or antiquities from a source country, the following questions may be raised, regarding the legality of artefacts illegally exported: ‘How much information and evidence would I have to have ...?’ or ‘... what if I never got complete information, or no more than I originally had?’ or ‘should I acquire the antiquities anyway? If so, would I necessarily be contributing to the looting of archaeological sites or the loss of another country’s cultural property?’ (Cuno 2008:23). These questions are often argued quite vociferously by archaeologists and answered with a conviction of absolutely, not. One such answer by the die-hard protectors of provenance are as follows and illustrates the conviction of some of these scholars. James Cuno, had the following to tell when he went for a job interview:

The colleague who had queried me during my job interview said that she’d rather an unprovenanced antiquity be destroyed than acquired by a museum. (The same colleague removed from display in our bookshop a copy of the Royal Academy, London, exhibition catalogue *In Pursuit of the Absolute: Art of the Ancient World from the George Ortiz Collection, 1994*, on “moral” grounds because she said it encouraged the looting of archaeological sites; I had to retrieve it from her office.) (Cuno 2008:23).

Collectors in most cases acquire their cultural material from buyers who acquire their wares from middlemen in the source countries and, who in turn get the items from looters. It is quite evident that these items have no provenance. And if so, it would have been falsified and not worth the paper it was written on. The very existence and continuation of this lucrative business is evidence enough. Legal and sanctioned excavations simply, and by its very nature a complexity, cannot produce such a plethora of artefacts, which is then sold on the antiquities market.

However, the opposite view is argued by Cuno (2008). When questioned about the purchase of vase fragments from a collector, he had the following to say: ‘... we had acquired them and that they were better in our hands, in the public domain, and published for the world to know than in a private collection somewhere, whereabouts unknown’ (Cuno 2008:23). Cuno (2008) very much questions the practicality of the laws and regulations that govern the dealing in artefacts and antiquities. He holds that the original meaning of the law is out of touch with the phenomena of illicit trade and looting. It is clear that there is no easy answer to this.

There is most probably no one that has done as much research and exposed the mistakes made by archaeologists, collectors and curators, as Oscar White Muscarella. In the case of the Ziwiye “treasure” as discussed in Chapter 3 on forgery, we see why this is such an important case study. The impact on the analysis and study in cultural heritage suffered a severe blow. Archaeology as a discipline that relies on sound scientific principles lost credibility. The museums that displayed these items were ridiculed and as Wiseman (1984:69) states: ‘... objects “said to be from Ziwiye” included forgeries that some scholars took to be ancient originals. Both the fakes and the genuine antiquities, not one of which could be proved to have come from Ziwiye, then formed the basis for theories regarding the origin of Scythian art (in NW Iran, of course)’ and ‘this sad interweaving of scholarly endeavour with the purely profit-making activities of clandestine diggers, smugglers, and unscrupulous dealers in ancient art is not unique ...’

Metaphorically speaking, as long as archaeology and archaeologists refrain from losing the importance of the “datum” point at an excavation and show the patience that archaeological study requires, provenance will ensure the robustness of the methodology and the field reports. However, as the case of Ziwiye proved, to ignore it will be done at one’s own peril.

In contrast to the above, Boardman argues that archaeologists do not share all their knowledge with the public upon whom they rely to fund their excavations and research. Here he attacks Colin Renfrew (and his now defunct unit at Cambridge) who investigated the illicit trade of artefacts and antiquities and the publication of unprovenanced artefacts:

It might seem more appropriate for an institute in Cambridge, largely dependent on public money, to spend time investigating misdemeanours committed in the name of scholarship, than to conduct a witch-hunt of collectors and to bully museums in what seems an almost paranoid attack on people and objects. To focus on 'rich' collectors sounds like simple old fashioned envy. Many collectors, like bibliophiles, almost beggar themselves for their pursuit; others are active supporters also of archaeological research, including excavation (Boardman 2006:36).

The question is, can one be both? Collectors that also excavate on scientifically run excavations is quite normal as we saw in the case of Levy and White in Chapter 3. Is it not here a case of provenance being a convenient shield, to cover up the real motivation? One would have to look at the amount of artefacts purchased by one such collector and then compare it to the time spent on actual digging. A study done by scholars, which will be discussed later, has revealed that there are far more unprovenanced items in collectors' collections and sold on auctions, than ones with provenance.

Lastly, Boardman argues a point regarding the added value of archaeological excavations compared to that of museums and collections: 'Most new antiquities on any market are come by through accident, not design, and a great many are virtually heirlooms, whether documented or not' (Boardman 2006:37).

I would hold that this would most certainly be the case. Archaeological excavations are expensive and funds need to be secured, it takes time to arrange, pre-excavation surveys need to be done to minimise unnecessary damage to potential sites for the future. Excavation hypothesis and methodologies must be considered and planned. One cannot compare the two in this manner, as by their very definition, they are different. They have two very different outcomes.

Arguably, some excavators are not very good at publishing their results and as mentioned before this is unacceptable. Boardman is correct in his argument as far as this is concerned, but this is where it stops. Provenance is not a convenience, which can be held in high regard in one instance to justify objective study, and ignored in another.

6.5 REPATRIATION

There are many arguments for and against repatriation of artefacts and antiquities back to the source countries. It is a very difficult decision to make because of various reasons, such as cultural ownership. Most probably the most fundamental argument against repatriation is time itself. After how many hundreds or thousands of years do artefacts or human remains become universal property? What should the cut-off point in time be? Without doubt we can argue that any material that is stolen regardless of the age of the artefact should be repatriated as soon as possible. Theft is illegal. But can the same be said for excavated material which was originally agreed upon by the archaeologist and the governing body of the source country? There are many arguments about this, especially if the artefacts are aesthetically beautiful and worthy of a place of exhibition in a museum. However, many scholars have different views about both these scenarios. Some feel strongly about this and to a large extent politicise the argument, even though they are themselves, attacking the politicians for being politically correct. Meighan (1992:40) states the following:

Historians are, unlike the mass of the people, trained to have a time sense in which they discriminate those events which take place in a generation or two from those which take place over centuries and millennia. They recognise that events which are greatly removed in time have diminishing connections to living people, and that, for example, contemporary Egyptians are not culturally very much like the Egyptians under the pharaohs, even though they are certainly biological descendants. The repatriation arguments, however, eliminate time ...

This scholar argues that these arguments of repatriation are mostly driven by minority groups consisting of members of the general public, as well as academics with a political agenda (Meighan 1992:45).

The question then stays: “Should stolen cultural property be repatriated?” (Bettelheim & Adams 2007:318). We saw during the political revolt (Arabic Spring) in Egypt, as well as the war in Syria and Iraq, that antiquities are safer where they were before being returned to their original home. The lax regulations and the enforcement of these laws in these countries to a large extent have prevented the repatriation of antiquities. This situation has been addressed as far back as the 1970s with the UNESCO convention, which basically sets forth certain guidelines regarding the prevention of the illegal transportation, export and import of ‘cultural property’ (Bettelheim & Adams 2007:318).

This agreement between the signatories encouraged the collaboration in honouring the various claims of repatriation and cultural provenance. However, there is difficulty in some of the more practical

definitions, such as what does “stolen” mean? James Steward, director of the University of Michigan Museum of Art has the following to say about this dilemma: “What standards do we attach, for instance, to countries whose borders or regimes have changed since items were discovered? And what of items without a clear paper trail? At the same time, these questions cannot be an excuse to have objects on display that shouldn’t be” (Bettelheim & Adams 2007:318). Curators of museums are particularly worried that the repatriation of antiquities could become a “slippery slope” that will cause the loss of many valuable artefacts, as this will encourage “aggressive” claims by governments and museums without the necessary cultural claim (Bettelheim & Adams 2007):

Larger institutions have the most at stake in this,” says Steward, “because they have the most objects with the highest value. And advocates of repatriation can often come on too strongly-should we, for example, return all Greek objects to Greece? Black-and-white decision-making doesn’t always make sense.” On the other-hand, he says, he has witnessed “embarrassing” behaviour by museum and gallery operators (Bettelheim & Adams 2007:318, 319).

In theory, I would argue that restitution of the material culture of a country of origin is an absolute necessity in cases where it has been clearly acquired through theft and looting. Also antiquities that have been part of a contestation for a long period and where the source country has made adequate provision for its exhibition and safety. The world must not be the poorer for it as in the case of the Lydian treasure in Turkey, where the number of viewers have dwindled to insignificance. Most importantly the safety of an artefacts is of paramount importance. In other words, is there is enough measures put in place to safeguard it against looting or destruction? Given the treatment that the places of safety such as museums and universities can afford in some countries, especially in the case of civil upheaval or war, we know that this is not always the best option. However, in practical terms, I would hold that the well-being and safety of an artefact, once its context and significance has been determined overrides any cultural claim of ownership.

The retention of artefacts by the source country also has a long history and has been beset by difficulty where very often the source country has drawn the short end of the stick. We shall see in the following example of Tutankhamen’s tomb and burial goods where Western imperialism and Egyptian nationalism, come head to head over ownership of the treasure. In the case of Tutankhamen’s treasure, we see that the rights of ownership in general, regarding other archaeological excavations in Egypt, were clearly not such an issue before the discovery of Tutankhamen’s tomb. But that this event acted as the catalyst for future repatriation and ownership claims.

It was in 1922 when the tomb was discovered by the archaeologists Howard Carter and George Herbert, alias Lord Carnarvon. Very soon after the discovery, there was a resurgence of ‘Pharaonicist nationalism’ which translated into an ‘Egypt-centered’ mood, which referenced a time before the Islamic period (Parkinson 2008:1). This rivalry between Imperialism and Pharaonicism culminated in the protest of the continued British occupation of the country by Egyptian nationalists and the exploitation of the Egyptian cultural heritage and archaeology. Egyptology as a study was born. Parkinson (2008:2) states that ‘for the Egyptians, Egyptology represented an opportunity for them to use science as a medium for reclaiming their past, but for the Europeans, it represented an opportunity for them to use their historically dominant position in the archaeological discourse as a method of perpetuating Egyptian inferiority.’

On the one hand, Carter claimed that they were doing science and doing the Egyptians a favour by excavating in Egypt. On the other hand, the Egyptian scientists claimed links with the pharaonic period: ‘... Egyptian scientists like Selim Hasan, Ahmad Kamal and Hasan Subhi sought to link modern Egyptians to their ancient predecessors. Under a banner of universal science, these men offered up a particular racialist argument that stressed the commonalities of Egyptians through the ages’ (Parkinson 2008:2).

This led to the Egyptian antiquities authorities, supervising the excavation, much to the irritation of Carter, who strongly expressed his dissatisfaction with this arrangement. However, due to diplomatic pressures regarding a possible Anglo-Egyptian Treaty, his protestations were ignored. Subsequently a media war between the archaeologists (Carter and Carnarvon) and the Egyptian government, about ownership of the artefacts from the tomb, erupted (Parkinson 2008:3):

In December of 1922, the Egyptian government issued a definitive statement concerning the sequestration rights to Tutankhamen’s artefacts. The government proclaimed that while it had been common practice to divide treasures equally between the excavators and the government, the tomb of Tutankhamen deserved special consideration since it was of such unprecedented value. By taking the popularity of the find and conflating it with nationalism, the Egyptian government sought to achieve its anti-imperialist objectives (Parkinson 2008:6).

Fortunately, for Egypt and its very early interventions, the treasures of King Tutankhamen now reside in Egypt, and not in the British Museum.

Two cases where the law has protected the ownership of an artefact is in the case of the *United States of America v Schultz*, an adopted law, the “National Stolen Property Act” (NSPA) has been used to

ensure the return of cultural property: ‘The large piece was the stele of Pasenekhons. The conviction carried the penalty of imprisonment, fine and the obligation to return the artefact (*United States of America v Frederick Schultz*). In 2003 the FBI officially returned to Egypt the hieroglyphic-inscribed limestone stele which came into its possession in the course of this investigation. It went to the Cairo Museum’ (Greenfield 2007:172). In this instance international collaboration such as this is commendable and clearly efficient. Egypt now has stringent measures in place, to prevent artefacts leaving the borders of the country. The Egyptian Patrimony law enforces the requirement that all antiquities that are privately owned and are dated prior to 1983, must be registered. It also prohibits that these items be removed from Egypt. Ironically, we see that Schultz was involved in another case of dealing in stolen artefacts, as Greenfield (2007) explains:

In 1991 Jonathon Tokely-Parry, a British national, smuggled an Amenhotep sculpture out of Egypt by using a plastic coating and garishly overpainting it to disguise it as a cheap souvenir. Once shipped out, the object would be dipped in acetone to dissolve the plastic. It was taken to England and Schultz became the agent for selling it. Parry and Schultz colluded in creating a false provenance for the object, concocting a false collection called the Thomas Allcock collection and representing the sculpture as an object taken out of Egypt in the 1920’s (Greenfield 2007:172).

Upon discovery of the stolen sculpture and a lengthy court case, it was proved that Schultz knowingly acted illegally. The item was returned (Greenfield 2007:174). Here we see that collaboration between countries and various antiquities associations, as well as the application of the law, can facilitate in the repatriation and prevention of stolen artefacts leaving the shores of the source country. However, these are only the cases that surface in the public domain. It would not be irresponsible to say that this is only the tip of the iceberg.

In summary we see that although we have laws and regulations in place, we still see that the enforcement of these laws are not very effective. In addition to this, we should also rely a code of ethics between the international communities, regarding the illicit trading of antiquities (Herscher 1987). This was indeed established with the adoption in 1986 by the International Council of Museums (ICOM): ‘Agreement to adhere to the code henceforth becomes a condition of membership in ICOM’ (Herscher 1987:213).

Herscher (1987) is of the opinion that this is the way to go, as taken from the abstract of the article: ‘Real progress in diminishing the illicit traffic in antiquities and the looting of archaeological sites, I

suggest, will ultimately come not through law enforcement, but through such ethical codes and the influence they exert on societal norms as a whole' (Herscher 1987:213).

We have recently seen in the news many people of non-academic background and the general public voicing their anger at the traditional encyclopaedic museums in Europe, the UK and the US, for not returning the material culture acquired from source countries. Many of these artefacts were taken during colonialism. To give a further indication of the magnitude of this, here is a list of some of the most famous cases, not yet resolved: Bronze statue of a Victorious Youth that '... was purchased by the Getty Museum for \$3.9 million and has been publically displayed since 1978. Italy is demanding its return, citing the nation's ties to Greek culture' and, 'Euphronios Krater; stolen from tombs north of Rome' and the 'Cuneiform Tablets; The American School of Oriental Research estimates about 150,000 tablets are being smuggled out of Iraq each year and that tens of thousands more partially preserved ones are being thrown away because they fetch a lower price on the market'. Also the 'Elgin Marbles; Greece claims the relics, now in the British Museum in London, should be returned on moral grounds' and 'Byzantine Frescoes; taken from Cyprus and in museums in Texas' as well as 'Jama Coaque Figures and Tumaco-Tolita Masks; Clay figures and vessels, and metal masks from Ecuador and Colombia have become enormously sought after, sparking countless tomb robberies' and the 'Ancient Malian Relics; The artefacts are believed to have been taken from archaeological sites on the edge of the Sahara Desert' (Bettelheim & Adams 2007:316).

Egypt is attempting to get the bust of Nefertiti back from Germany or just to get it on loan to exhibit in Egypt. This request has been denied by the German government and the Berlin Museum, saying that "the bust is too fragile to travel" (Waxman 2008:60). These abovementioned examples are but a fraction of the displaced artefacts around the globe.

Repatriation is a slow process and a suggestion would be to embark on a loan program, where these artefacts and antiquities can be exhibited by the source countries, and be seen by all. Surely, this will be a "barometer" to measure the interest shown by the people of the source country in their cultural heritage. In addition to this, the sharing of ancient culture and heritage, can be used to unite people and countries, and help to undo the wrongs of the past.

6.6 DEBATES AROUND PROVENANCE: “THE HOLY GRAIL” OF ARCHAEOLOGY?

The necessity of provenance as a prerequisite for the scientific study of ancient cultures cannot really be disputed. Most archaeologists, collectors, connoisseurs and curators want to believe that this is indeed the case. They all believe that the provenance of an artefact is at least necessary to prove that the artefact and its spatial relationship is sound and can thus provide proper research results. If this is not the case, the reputation and the publication of the scholar is immediately tainted. Articles and rejoinders are filled with recriminations, scholarly attacks (some very personal), and scornful ridicule amongst peers. In some cases where provenance is unknown, we find that it is quickly established through falsification of data. So one can deduct from this that all scholars at least recognises that provenance should be considered to be, the “holy grail” of archaeology.

In practice and in the real world, this has become a grey area in the scholarly debate. In fact, even if a scholar knows the origin of an artefact and it has known provenance, it would not be discussed. This is conveniently done to avoid prosecution or claims of repatriation, made by the source country. Certificates of provenance would then rather be falsified (Wiseman 1984:76). An example of such falsification and the suppression of reports by a renowned institution, is the case of the University College London (UCL) and a collection of religious artefacts from Iraq (Balter 2007:554).

The collection belonged to a private collector and was lent to the university. Upon the discovery of the illegal export of these artefacts, the university set up an independent inquiry into the allegations. The report revealed the unknown provenance of the artefacts. But the university decided to settle the subsequent dispute with the owner out of court and not to publish the report. In Balter (2007) the following observation was made: “It is shameful that a university should set up an independent inquiry and then connive with the collector whose antiquities are under scrutiny to suppress the report ...” said Colin Renfrew, an archaeologist at the University of Cambridge ...’ (Balter 2007:554).

Here we see some of the most ardent fighters and scholars against illicit trade, inadvertently becoming embroiled in an embarrassing situation which could potentially do tremendous damage to their reputation. Balter (2007:554) explains: ‘The affair has also caused considerable discomfort within the university’s Institute of Archaeology, which has played a leading role in developing strict antiquities rules. “I deeply regret the fact that the panel’s report will not be published.” Says UCL archaeologist Kathryn Tubb, who co-wrote the institutes guidelines.’

The outcome of the incident is inconclusive. However, what is evident, is that the items were looted, and provenance were created and tacitly endorsed by a leading institution who have basically written the rule book about the treatment of looted and unprovenanced antiquities. We shall see that there are two opposite views regarding the debate of how to deal with unprovenanced artefacts. On the one hand, you have scholars who maintain that it is important not to disregard these items for scholarly research. Two experts in linguistics and ancient languages from the Hebrew University of Jerusalem, and University College of London, Shaul Shaked and Mark Geller, respectively were embroiled in the controversy and Shaked argued that he felt it is his scholarly duty to translate these. His argument is as follows: “It is my responsibility as a scholar to work on any ancient artefact that has information to tell us,” he told *Science ...*’ Balter (2007:554-555). Opposing this view, David Gill of Swansea University in Wales had the following to say: “Due diligence is at the heart of the discussion about the antiquities market” and “if respected international institutions are unable or unwilling to release the findings of this process, archaeologists begin to smell a rat.” Renfrew agrees with Gill’s assessment of the situation. He calls suppression of the report a “huge mistake” and believes it was motivated by the university’s desire to avoid a costly legal battle. “If so,” Renfrew says, “they have sold their souls for a mess of pottage” (Balter 2007:555). This case illustrates the shared ideology of provenance as *sine qua non* for research, yet when it is discovered that such is not the case, they go into hiding. In other words, provenance is not an absolute necessity, unless “it is asked for”. The fear of loss of reputation dominates the ethical behaviour. Hence, scholars who are doing research, and are in possession of items with “unknown provenance,” would rather keep silent about this and the validity of their research material. How many other such cases are currently existing, and are deliberately hidden from view? And will scholars come out of hiding regarding this?

Buyers of artefacts that have the necessary certificates of provenience, if purchased from a dealer or the bazaar market cannot readily assume that the artefact is an excavated item. Unexcavated objects offered on the market for sale are in all probability of unknown provenance, as the certificates of provenance would be fake:

Scholars need to reassess, in my view, the ways in which they study ancient objects, especially those that are claimed to be, or are thought to be, items new to the market. We need also to reassess the standards we as scholars require ourselves and others to meet. The secrecy that has been practised with wide acceptance in the past is no longer appropriate, all claims of impracticality aside. Forging a provenience, or covering a known provenience with a broader term to avoid self-incrimination (or for whatever reason), is not only a corruption of scholarship, but at least unethical behaviour, and can be illegal. Scholarship and ethics here cannot be separated (Wiseman 1984:76).

We shall now have a brief look at some of these views, regarding the importance of provenance. As mentioned before, some view the worship of provenance as *sine qua non* in archaeology as “pure nonsense”. John Boardman, recognises that we have seen the growth of ‘an ugly private market in major antiquities deliberately looted’ (Boardman 2006:40), but argues that one cannot criminalise the act of looting. He asks the following question: “might not collecting be a human right?” Regarding the study of unprovenanced items, he is quite clear that to disregard these would be irresponsible and amount to “criminal neglect” (Boardman 2006:42). Boardman in his attack on Colin Renfrew, believes that they (Renfrew and his fellow archaeologists), have hi-jacked the debate around the study of unprovenanced artefacts and the publication of it. Boardman (2006:39) holds: ‘It is sad that they are unaware of the scholarly value of “works of art” of the historic period, whether acquired by wealth, stealth or regular excavation; sadder, that they have been able to persuade other politicians, at a national and international level, that their crusade is a holy one ...’ Consequently, he has posed the following provocative questions:

Are we over-valuing the record of antiquity, even over that of deep religious conviction, to the point that serious scholarship is threatened by restrictive practices ...? Can we really condone the censorship of scholarship? What can be made of a law that regards objects with no apparent pedigree, or rather those who handle and study them, to be guilty until proved innocent? Should we not simply admit the impossibility of controlling the antiques trade, and indeed the undesirability of so doing except where proven stolen goods are involved, as in any other trade? Why should anyone have to think twice about buying for a museum an object that they think should be saved for scholarship and public enjoyment? Why should my own right to collect what I wish be restricted by such an arbitrary cut-off point as insisting on an object pedigree before 1970? Could anything be more insane than legislation that seeks to cover everything from ancient Egyptian statues to Victorian postage stamps? (Boardman 2006:44-45).

Compelling questions and worth reflecting on indeed. However, I would hold that the loss of restrictive measures would further complicate the study of archaeology and heritage. The very future of the discipline will be compromised. As far as addressing the intellectual and philosophical debates around the rights and freedom of the individual to exercise their right to collect, is probably a debate where consensus will not be easily reached. James Ede (2006) on repatriation and provenance follow the same basic argument as Boardman:

Provenance is the new keyword by which we must live. But the orthodoxy has gone too far and is too inflexible for the real world. As we have seen, there are millions of antiquities legally on the market, mostly minor, which have no demonstrable provenance. Unfortunately, as with most antiquities, provenance rarely extends back beyond the last owner; as every dealer is aware, the connection between an object and its paperwork is at best a fragile one, easily broken (Ede 2006:78).

According to Ede (2006), context is not everything. There are too many objects of archaeological value that are chance finds, such as those found by farmers and construction builders. He argues that the academic fraternity does not have complete sanction and control over the material heritage of the world. He further argues, that such an attitude and draconian measures in fact, causes the destruction of unexcavated material, for fear of persecution (Ede 2006:81).

George Ortiz (2006:15), a prominent collector, holds that heritage belongs to all humankind. What he does argue against, however, is the definition of the UNESCO Convention regarding collecting. The act of collecting, he maintains, must not be seen as an incentive to loot, because it deals with unprovenanced objects. He believes that an artefact is much more than just an object which provides information: ‘An ancient work of art is a very complex entity. It is very important to realise that although it can reveal historical data it must also be looked at aesthetically – it is no crime to love beauty. Exclusive emphasis on context may lead to overlooking the essential – to knowing too much and feeling too little - a most propitious approach for the spreading of fakes and their acceptance ...’ (Ortiz 2006:15).

His arguments for the existence of collectors are primarily focussed on acquisitions by museums and the role that collectors play in this regard. He argues that the future of the museum and the ‘unknown past’ are in danger of disappearing, if unprovenanced items are not collected and traded amongst collectors and curators. He argues further that the modern museum and art galleries are relying more and more on less intellectual and scientific displays to attract a younger target audience. Ortiz (2006:19) states that ‘the modern contemporary art collector is not experiencing the same dogmatic and draconian regulation as what the ancient art collector is subjected to.’

Ortiz does make some points worth considering. However, displays, regardless of its impact or modernity in visual appeal, does not take away the fact that in science there can be no grey areas or assumptions. If archaeology wants to retain its status as empirical science, it must not go down the road of studying collected items. Very much the majority of excavated material does not have the intrinsic aesthetic beauty that Ortiz is referring to. These artefacts have no monetary value at all, as it comes from the stratigraphy of an excavation and is in most cases rubble of the ancient occupation layers. From this the modern archaeologists obtains the information needed to compile knowledge of the past that can be tested against other known stratigraphies and find similarities. Hence we know the

difference between the Bronze and the Iron Age for example. It is the looter, incentivised by the monetary value set on the artefact by the buyer and ultimately by the collector, that causes the destruction of this stratigraphy, which reveals proof and a robust account of the past. Much more than an object of beauty, with no context or provenance.

David Owen (2009:125) argues that the non-publication of cuneiform tablets, without provenance would be completely nonsensical: ‘Given the current conditions in Iraq, it is incumbent upon scholars to rescue, conserve, record, *and* publish any and all artefacts that have been torn from their original context by looters. In this way, and only in this way, can we insure that this small percentage of intact remains will not be added to the lengthy list of those already lost or destroyed’ (Owen 2009:127). In this case we see a compelling argument. Script is important and valuable information can be derived from it.

There are three voices which are in direct contrast to the above views. These are the voices of Neil Brodie, Colin Renfrew and Oscar White Muscarella. They are not the only ones that are in opposition to collecting and the study and publication of unexcavated archaeological material. In answer to the above arguments put forth by Boardman, Ede and Ortiz, all three, Brodie, Renfrew and Muscarella, argue that unprovenanced items cannot be used as research material, let alone be used in academic and peer reviewed publications. Brodie (2006b:4) argues that most traded antiquities have no provenance at all, and hence are only useful as aesthetic art pieces.

A study conducted of exhibition and auctioneer catalogues by Gill and Chippendale (Brodie 2006b:4), revealed significant information regarding the provenance of items on display or to be auctioned. According to Brodie (2006b:4), ‘in total they registered 1396 objects, of which only 10.4 per cent had a named find spot and only 25 per cent had any indication of find spot.’ The study further revealed that the items taken from catalogues of auction houses, covering a period of 10 years, only ‘... 12 percent had any information about their history prior to the catalogue entry ...’ (Brodie 2006b:5). What the study reveals is that the vast majority of the artefacts and antiquities must either be fakes or were illegitimately excavated (Brodie 2006b:5). These are artefacts displayed in well-known galleries and sold in reputable auction houses.

He further finds that the argument used by the buyers of unexcavated material, that it is far safer for these items to be immediately purchased, than to submit them to an ‘insufficient bureaucracy and

perhaps for the inequitable reward of the state regulatory system,' does not hold water, as documentary evidence or reliable testimony are never forthcoming to test the validity of such claims (Brodie 2006b:7).

The full implication for the trade is that the dealers, as well as the collectors, cannot be trusted as reliable sources of provenance, because it simply cannot be regulated by them. Brodie (2006b:8) holds that 'it is not reasonable that their testimony should be accorded equal weight in any debate with the well-documented and quantifiable studies of provenance that have now been produced by several archaeologists.' I would argue that in addition to this, the added monetary value that is put on these items will simply not allow for this, as the maximisation of the profit motive overrides all other motivations.

Colin Renfrew can be considered as one of the main crusaders against illicit trade and collecting. He finds 'it strange also that the collection of unprovenanced antiquities by wealthy private individuals is still widely considered a socially acceptable undertaking, and that reputable scholars are willing to contribute to the published catalogues when such assemblages, replete with looted antiquities, are given public exhibition by public institutions, although I myself must plead guilty to having done so in the past' (Renfrew 2000:10). Perhaps one should take this view of Renfrew more seriously, as he would know what damage and complete disregard for provenance is given in the trade; being a previous collector himself. Hence that Colin Renfrew is also the most outspoken and whose views are mostly attacked by collectors and scholars which support this.

He maintains that the consistently held code of silence amongst dealers and collectors are the main nail in the coffin of the attempts to legitimise the trade. He recognises that the artefacts in question are in the majority of cases not stolen items, as he truly knows that his former compatriots would not deal in such merchandise. However, the mere fact that the origin of these items are unknown and kept as unknown by the traders, are indicative that all is not what it seems. Renfrew (2000:37) states the following:

Thus although the dealers will pledge that they knowingly sell looted antiquities, they are able to use the obvious Catch 22 in this field that looted antiquities rarely come with an indelible label attached declaring them to be such. But most dealers will quite happily sell unprovenanced antiquities without enquiring too closely as to their ultimate origin, and many will resist any attempt to make public and transparent their source of the material.

Subsequently, we have seen that auction houses have come under severe scrutiny since some shady dealings have been exposed at Sotheby's, and have closed down their London operation in the sale of antiquities (Renfrew 2000:38).

Oscar White Muscarella has written extensively on the atrocities committed by museums and scholars alike in this regard. Strong words indeed. According to him, provenance has been under attack since the early days of the museum, and that it is mostly the illustrious institutions of Europe that are committing these offences against heritage and archaeology. An example of this is the Oxus treasure dating from the 7th century BCE, Median or the Achaemenian period (Muscarella 2013:1025). It was acquired by the British Museum in 1897. The collection has been on loan since that time, to various other museums, and is accompanied by a catalogue rewritten many times: 'The collection has been hailed by a number of Keepers at the British Museum: viz. by Barnett as "one of the treasures both of the British Museum, and the archaeological world" (Muscarella 2013:1025). The Oxus collections' provenance is suspect, and various versions of it exists. Subsequently, it was also found that this treasure was most probably stolen items and that the British Museum acquired these knowingly of its status of origin. According to Muscarella (2013), 'something is not quite right here: hearsay about a find spot (time and place, when and where) equals a known find spot – this is an archaeological oxymoron (an oxusmoron). An "atrocious" that was committed it is indeed. The subsequent theory is that the Oxus Treasure is nothing more than a "created" treasure put together over a period of time', and further:

There may be an "Oxus Treasure" but there is no actual Oxus Treasure, no hoard from one site wonderfully preserved by many extraordinary individuals. All discussion must thus commence from the understanding that each museum provenance "treasure" objects exists as an unprovenanced unit, isolated even from any other unprovenanced unit, those alleged (without evidence) to be associated with it (Muscarella 2013:1030).

Here we see a case of the artefact's find spot and provenance, referred to as "said to have come from" (Muscarella 2013:1031). This is clearly not enough to ensure academic credibility. Or for that matter credibility that can be held forth for "public consumption." Such practices certainly do not do the count in favour of the credibility of the institution either. It certainly does "muddy the water" around arguments of correct acquisition procedures or any other such arguments that it might want to use in its defence.

We see that early humanist philosophies regarded the collection of physical relics of the past as superfluous and of less importance, than remembering the past in the form of language (Lowenthal 1985:391). The development of collection and excavation of hidden relics, however, is a deep rooted human trait. We do not know much about the archaeological practices of early civilisations, but from the literature we see that it is evident that it did occur sporadically. The concept of provenance as a cornerstone of the science of archaeology, we can believe is a recent thing. It started as far as we know in the late 18th century:

Concern for preserving past remains, as distinct from reshaping or imitating them, sprang from several late eighteenth- and nineteenth-century developments. One was the dawning awareness that history was not structured by destiny or by any constant of human nature, but was an organic, multifaceted, varied process subject to manifold contingencies. As every people came to seem unique and each epoch unrepeatable, tangible monuments and physical relics became crucial to historical understanding, and the premium placed on original and authentic physical sources lent impetus to their conservation (Lowenthal 1985:391).

Is it this notion that explains the relentless pursuit of artefacts, with no regard to provenance or context? This behaviour is not a phenomenon of non-scholars alone. It is shared by the informed fraternity of scholars of the ancient past, as well as the poor disenfranchised population, who, out of necessity, have resorted to subsistence looting to put bread on the table. According to Telesetsky (2009:335), ‘Elazar Barkan argues, “Heritage is for the rich. The poor may wish for it or dream about it, but often they cannot afford to preserve their own cultural heritage. For the poor, in most instances, cultural property becomes significant only when it enhances their prosperity or independence ... privileging cultural heritage over progress and prosperity is feasible only after a minimum level of affluence has been achieved.”’

In addition to the above, we see that there is no premium placed upon the protection of culture by governments and politicians. There are some safeguards put in place, but it is mostly discussed as political rhetoric to gain votes from ethnic, religious or language groups. Telesetsky (2009:335) states that ‘culture is neglected by policymakers as a source of hope, consolation, community, and empowerment to those who struggle most to meet basic sustenance needs.’

The planet is facing massive urbanisation and traditional land that was previously occupied by small scale farmers and rural subsistence production of commodities. Their impact on stratigraphy is much less damaging, than the deep foundation digging of modern buildings. Thus, the threat to provenance is exponentially increased. These developments normally fall within the geographical areas of very

vulnerable societies who are then displaced to make way for urbanisation. Henceforth, the protection of culture takes a backseat.

Telesetsky (2009:336) holds the following: ‘As a concept, economic development is generally synonymous with modernisation and not with preserving the past unless the past can be commodified and marketed’ and ‘government intervention that is intent on promoting large-scale tourism can be dangerous. It promotes institutionally imagined versions of national culture at the expense of community-based localised culture.’

Economic ideology to a large extent dominates this debate and cultural protection, and the protection of archaeological sites are always on the “back foot” as far as the protection of provenance is concerned. For the purpose of this dissertation, we will not delve too deep into this debate, but there are much that governments can do to help preserve and to sustain the development and sustainability of cultural heritage sites, as well as the intangible culture of people. Many socialist historians and economic scholars will argue on either side of the latter, as that would be seen to act as a barrier for certain ethnic groups to become full partners in the modernisation of the world. The socialist perspective would argue that we cannot force people to hang onto outmoded cultural practices and lifestyles, only for the benefit of the economically affluent to view as a side show or as live museum with living objects, for the amusement of the rich. The capitalist entrepreneur would argue the opposite, maintaining that they provide much needed employment.

However, there are some possible solutions to this sociological deadlock. Instead of developing cultural heritage, both tangible and intangible, governments must see these schemes as ‘long term catalysts for economic development as part of a government funded job creation scheme’ (Telesetsky 2009:337). Some institutions and groups of scholars would attempt such projects even during times of war. An example of this was during the Iraq crisis, and the attempts made by some scholars and state departments in the protection of cultural heritage sites against looters and pillaging (Telesetsky 2009:338).

Unfortunately, at the time of writing this dissertation, the situation in Iraq has spiralled out of control with the declaration of the Caliphate State in 2014, and the subsequent destruction of monumental architecture, archaeological sites and ultimately the provenance of these sites during 2015 and into the early first quarter of 2016 by IS extremists in both Iraq and Syria. Murdock (2016) states that ‘in

January, it was confirmed that St. Elijah's Monastery, the oldest Christian monastery in Iraq, was completely destroyed by ISIS troops after standing for 1,400 years near the city of Mosul. The race is on to digitally preserve thousands of other at-risk sites around the world before they meet a similar fate ...' There is nothing good about this, but fortunately, these incidents are covered extensively in the news media and institutions are devising new strategies and plans to save archaeological sites from iconoclasm and looting.

In conclusion we shall see that provenance is regarded by most to be the "holy grail", but it is mere lip service proffered by certain members of the archaeological and cultural heritage fraternity. They cling to its importance for academic purposes, but this disappears quickly, once individual scholars, museum curators and collectors are confronted by the lure of the possible acquisition of "treasure". There is a code of silence that protects the actors in this industry. And for what purpose does this exist, one may well ask?

6.7 POSSIBLE SOLUTIONS AND PROBLEMS WITH UNKNOWN PROVENANCE

There exists a myriad of possible solutions, and problems with regard to unknown provenance and its impact that has been gathered from literary sources. Mostly, this research has revealed that at the heart of the solution lies "the will and the ability" to change the status quo, and also the courage to face the brutal truth, by all concerned. What it also does show is that the prevalence of unknown provenance is everywhere and extremely problematic, and that it has become endemic in the world of archaeology and museums. It will take a massive investment in monetary terms and personnel on a global scale, to stem this practise. Without a concerted effort by academic institutions, governments and all the stakeholders, it will not be easily solved. As mentioned before the trade in artefacts of unknown provenance has become endemic and has infiltrated all areas of the study of ancient history:

Probably few museums or universities in the United States have completely clean hands. However, an important ingredient in the growing crisis in the international field is the fantastic growth in the commercial traffic in antiquities and the inflated values attached to them. Moral and ethical pressures are important, but the most effective way of stopping the international traffic in antiquities is to make it unprofitable (Beals 1971:374).

A suggestion in this regard is to levy a heavy excise tax on the sale of antiquities, and evasion of this is punishable with steep penalties (Beals 1971:375). However, as we have seen exorbitant prices are already being paid by collectors to acquire these artefacts, so even though this is a possible solution, its outcome and influence could possibly be minimal.

In addition, Beals argues that donations to museums as a charity, should not be tax deductible (Beals 1971:374). In more recent times, during 2008, we have evidence of such a case in the United States in Los Angeles, where a museum was raided and its records seized. According to Waxman (2008:368), ‘... the investigation had been going on for five long years, ever since an undercover agent with the National Park Service had uncovered what appeared to be a network that smuggled looted objects and donated them to museums in exchange for inflated appraisals used as tax write-offs.’ The aftermath of this raid and convictions, was further raids, and successful in closing the loop holes in the system for buyers to sell to museums. It must be mentioned that these operations were not multi-million dollar operations, but mostly small time operators (Waxman 2008:369). This is evidence that the problem has become a widespread phenomenon and not only the business of huge syndicates.

Given this, we need to start at the very top of the “acquisition” pyramid. Quite simply put, a little house cleaning would be a first step. The great museums of the world, especially the western encyclopaedic museums, must reflect inward and look at the way they operate. The museums must own up to the purchasing of unprovenanced artefacts in the past. Their acquisition policies must be absolutely transparent. The exhibitions should also reflect the true origin of the artefacts regardless if it was looted, acquired through illicit channels or acquired by legal means and showing clear provenance (Waxman 2008:373). She also says: ‘No museum can legitimately claim to be a custodian of history if it ignores the history of its own objects for reasons of personal convenience. Neil MacGregor cannot be an effective cultural ambassador to the rest of the world if the British Museum continues to obfuscate the origin of its past plunder and subsequent blunders’ (Waxman 2008:373). Museums will be able to speak from a position of strength and this will show ‘moral leadership’ (Waxman 2008:373).

In addition to these actions by the market countries, the source countries should also look at their own complicity and ensure that the restitution of artefacts are practical, as well as ensuring that the security of archaeological sites against looters are operational. Apart from one or two countries in the Middle East region, we see that the security of sites is seriously lacking. Museums are also not known for being the best custodians of ancient history in some of these countries. The attitude of many of the great museums of Europe, regarding restitution, is understandably not very positive, given the political instability of the source countries who are demanding repatriation. Waxman (2008) asks: ‘Are antiquities, once returned to their ancestral homes, displayed for the public or do they languish in storage rooms? Do objects go missing? Are they put on display in empty museums?’ and she says:

‘The conditions are variable not only from one country to the next but sometimes from one region to another. The uncomfortable realities that exist in many source countries must be discussed honestly and without embarrassment’ (Waxman 2008:374). Waxman (2008) argues that there is no simple solution to the problem. Regulations and prosecution drives the industry underground and away from the public eye. The economic incentive of looting and selling is simply too compelling an urge to ignore. The socio-economic hardships that are prevalent in source countries and the buying power of collectors are not making the control of this trade any easier.

Finally, the following observation made by Waxman (2008) during a research trip in Switzerland, summarises the desperate situation regarding provenance. Upon visiting a shop that sold antiquities the following observation was made by the author: ‘The quality of the objects was astonishing. On the list that a saleswoman kindly provided, no provenances were listed, and a glossy promotional catalogue that announced an upcoming auction featured the familiar, origin-erasing anonymity “Head of a nymph, Greek, late 4th century BCE. Former Collection B, Switzerland ...’ and ‘it was as if the debate raging in the world of art and archaeology over provenance didn’t exist ... it was as if Jean-Davis Cahn, from a famous family of antiquities dealers, had decided that he could still live by the phrase that accompanied an exhibit of antiquities at the Egyptian Hall in London in 1829: “They say it is God’s property, and he gives it to whom he pleases”’ (Waxman 2008:376).

This is not some bazaar market destination, where buyers do their clandestine deals in a source country. This is a first-world market country, where scholars and connoisseurs go to buy artefacts and antiquities, of unknown provenance.

6.8 INTERPRETATION OF DEBATE

We have looked at various views and arguments regarding this. The “holy crusade” of the “chosen few” as Boardman (2006) refers to archaeologists, will continue. Compelling arguments are put forward on both sides of the arguments regarding collecting, acquisitions, publishing of unexcavated material, and the importance of provenance. It is an incredibly difficult position for scholars of antiquities and artefacts to find themselves in, if not an impossible one. The “push and pull” forces of demand and supply of market economics, is the main catalysts for the large-scale destruction to cultural heritage sites.

Whether we can protect it through regulations or with “on the ground” policing is an almost impossible question to answer. Whether it is our business or right to protect material culture is another philosophical debate, which will require sound reasoning, while keeping basic human needs and rights in mind. To what extent will interventions interfere with the rights of the individual to provide for their families? We have seen that the fight against subsistence looting in source countries most certainly interferes with the wellbeing of many people who can ill afford the luxury of scholarly debate regarding the past. People in the Middle East are struggling under economic and social pressure. Extremism on the religious front is also adding to the problems in the daily lives of the people of this region. This also causes looting and the destruction of potential knowledge. However, we need to take cognisance of the socio-economic plight of the people of these archaeologically rich countries. To not recognise this would be to lose credibility which the archaeological fraternity can ill afford in the Middle East. Many of these countries are suspicious of foreign archaeologists. Archaeologists need funding to excavate and establish places of research, but must also ensure investment in public interest. Archaeology must not intellectually isolate itself, and must strive towards a more inclusive model. So also must museums invest again in public respect and gaining credibility, given the negative publicity it received with regards to repatriation policies.

We have seen that on-site museums at the original site of excavation could be a workable solution. However, very few people will have access to it and only the rich and affluent student or tourist will truly benefit from this. Thus the encyclopaedic museum still has a role to play. All it needs to do is to adapt its mission statement to incorporate a multi-cultural approach, and to emphasise the teaching aspect of the traditional museum. Museums such as the British Museum, the Metropolitan and the Louvre do not have to be in a crisis. The record numbers of tourists and locals who visit these big cosmopolitan museums on a yearly basis, proves this point. However, they need to be transparent about acquisitions and as a matter of goodwill and international relations, return some of the highly contested artefacts or put them up for long-term loans to the source countries.

It is clear that provenance in many cases have taken a back seat in the world of museums, and is administrated and supported mainly by collectors and connoisseurs who have a vested interest in the industry. Nationalism has since the early times played a major role in the acquisition of artefacts. In the past, we see that colonial imperialism has disseminated the archaeological heritage of some of the Middle Eastern countries. It needs to be taken into consideration that economic exploitation, political

subjugation, and general social and educational neglect would leave these countries poorer and with a lesser interest in their cultural heritage than would normally have been the case. To a large extent the blame for this must be laid at the doorstep of the market countries. The market countries, especially those in Europe, are the past colonialists who beset these nations with unfair economic and socio-political practices that left these former colonies wanting. The people of the source countries are too busy trying to survive on a day to day basis. Their material heritage has therefore become a commodity, which they can barter and sell, in order to eke out a living, in less than perfect conditions.

Members of academic institutions are also to blame for the loss in the importance of provenance. While there are many scholars who still adhere to the importance of an objective and scientific methodology and who does not recognise any monetary value to be attached to artefacts, we see that many academics have also become collectors. The various associations of collectors, auction houses and buyers of looted artefacts can only benefit from this, as it created an environment which to a large extent now see provenance as a barrier to trade. Some of these collectors are actively speaking out against the legalities imposed by UNESCO, and would rather have these laws and unilateral agreements between countries amended, so that the trade of antiquities is less regulated. All of them are very verbal in the defence of provenance and anti-looting, but to a large extent, this is done in an attempt to act magnanimously and is self-serving in its defence of provenance. In my view this does not carry any merit. In addition, some governments and institutions who are responsible for the protection of cultural heritage are lax in the implementation of these regulations against offenders for fear of opening up a “can of worms”, lest the big museums of the world are targeted and the host countries embarrassed in the process.

We also need to look at the education of the public and school learners regarding an appreciation of cultural material and heritage. It is quite evident that we must not underestimate the lobbying by collectors and dealers to gain new recruits amongst the young. Schools and academic institutions have also not been very responsible in the teaching of archaeology and heritage studies at secondary school and tertiary level. Many undergraduates are not aware of the destruction of looting, and the ongoing illicit trade of artefacts and antiquities. In the United States, we see that collectors and dealers have started to sponsor coin collection (coming mostly from looted sites) seminars for young scholars as Elkins holds:

Educators should be vigilant when selecting educational activities, since there are groups of antiquities dealers who sponsor programs to promote political agendas and insensitive attitudes in collecting, which drive looting and the illicit trade in antiquities. One such program is Ancient Coins for Education (ACE), which purports to teach ancient history and archaeology' and 'The Ancient Coin Collectors Guild (ACCG), a lobby of ancient coin dealers, sponsor the ACE program, with clear aims to recruit future collectors, dealers, and sympathisers (Elkins 2009:482).

Archaeological and heritage conservation studies should become an undergraduate subject for all students who study archaeology, anthropology, history, art or architecture:

Art historians have not just an opportunity, but a *moral* obligation to protect the reputation of artists or an ancient culture, the study of whose works have established their own reputations. Often a scholar is the *only* expert qualified to expose certain forgeries, and this cannot be left to others, as is so often done. Those who will not give the time to exposing fakes of which they are certain and which fall into their area of demonstrated competence, diminish the quality of the profession, *now*. By setting a poor example for their students, they help to infect the future with apathy (Elsen 1977:32).

This observation was made in the 1970s, but it is still applicable today. This also applies to scholars of archaeology and curatorship, and the education of undergraduate archaeology students. The famous and world-renowned scholars, who are supposed to set an example, too often disappointed the discipline of archaeology.

6.9 CONCLUSION

The protection of the provenance of a site will be an impossible task unless the incentive to loot is cut off. Unless all the protagonists are on the same page regarding this, the archaeological fraternity will be fighting a losing battle. The odds are simply too big. Scholars are divided and are debating the importance of encyclopaedic museums as centres of learning. In my own experience upon visiting two of these museums, the Louvre and the British Museum, I was amazed to see the hundreds of visitors queuing to observe the Mona Lisa in the Louvre, and the Egyptian displays and the Assyrian throne room sculptures in the British Museum. However, the other halls in both these museums were relatively empty. Perhaps it was the time of day that influenced the attendance of the patrons, but one thing that struck me was that undeniably the marketing of these art and archaeological antiquities and treasures mentioned above, served its purpose well. People were only queuing to see the world famous art pieces and relics. How much education occurs in these museums unless you purchase headphones, which would tell you the history behind the displays? However, on my next visit, I shall certainly investigate this option.

Heritage is a problematic issue and the definition of it is often used as a tool to gain political favour amongst the voting public. Heritage has become politicised and we see a resurgence of it in the present day. Nationalism has again become the flavour of the month and is used and abused to sway public opinion. Drawn into this political arena is the material culture of various ethnic, religious or language groups.

Arguments for collecting and publishing research findings, done on unexcavated objects, are well defended by its proponents. However, the opposite view is also quite clear and it appears as if the archaeologists and the champions against “non-collectors” are indeed winning the battle in the public domain. However, what transpires “under the radar” and away from the public eye is not likely to be exposed, and here the archaeologists are clearly losing the battle. The collection of unprovenanced items are continuing unabated. Given the amount of media attention it gets in the media is evidence enough.

Educational institutions need to include as part of their curricula, awareness amongst the youth and the fact that importance of the protection of contextual historical remains in the archaeological record. The youth needs to be told about the damage of looting and the causes of this. Museums should declare the wrongs of the past and through this add to the urgency of a complete relook at the role of the museum.

The repatriation of material cultural objects is a long and slow and expensive process. The question of repatriation also borders on a philosophical debate regarding cosmopolitanism and cultural heritage. Who is the owner and when is the cut-off date when claims of ownership ceases to exist? We saw in the case of the Tutankhamen treasures, that Egypt upon the discovery of it immediately attempted to claim ownership based upon a Pharoanic culture, which they claimed were shared by modern day Egyptians who were in fact, strict Islamic followers. Viewed by today’s Islamic religious norms, the former historically pagan tradition would be considered an abomination and totally unacceptable. However, regardless of this the Egyptian Antiquities authorities have stood its ground and succeeded in retaining artefacts excavated on its soil.

The preservation of cultural heritage is at present high on the agenda of international bodies such as UNESCO, but without a concerted effort by museums, collectors, governments and the academic fraternity, it is doomed to fail.

Consensus needs to be reached on all the “grey areas,” which for too long have been debated and very little done, to stop looting and the buying of unprovenanced artefacts. This has become endemic and too a large extent there is very little that anyone can do about it. What this dilemma least needs at this stage, is disingenuous actions by the main stakeholders of material cultural heritage and the protectors of history. Exploitation of it for political, economic or religious gain, will destroy it forever.

CHAPTER 7

CONCLUSION

The forgery, illicit trading and looting of artefacts and antiquities from the Ancient Near East as we now know, is a problem of immense magnitude. How big it really is ... we simply do not know. Provenance is under threat. For greater understanding of this aspect and the impact that it has on the discipline of biblical archaeology, as well as the antiquities market, and the influence that it has on the general perception of history, still needs to be quantified. However, this would be a near impossible task. In my opinion, we will only be able to take isolated cases and extrapolate from this, a projected and probable damage, as this industry is operating underground and below the radar.

We have also seen throughout this paper that biblical archaeology as a discipline within the broader field of archaeology has certain complexities such as religion as well as political ideologies to contend with. This makes the artefacts within its sphere, very lucrative and desirable to loot and to trade with. The negative impact on the discipline of biblical archaeology is therefore severe.

Collecting and looting goes hand in hand and either one of these must be eradicated. Which one it should be, is a difficult question to answer. One would naturally look at a top-down strategy, which is to a large extent already in place, with transnational legislation and multi-lateral repatriation agreements between countries. However, these are mostly restrictive and in some cases the cause of intensified looting and the buying of unprovenanced items. However, without action, it is evident that the archaeological record of the Ancient Near East is under severe threat. The impact of these nefarious practices are further compounded by the constant political instability of the region. It not only threatens the archaeological record, but also the wellbeing of society and human lives.

Historically, forgery and looting existed, but illicit trade to a large extent is a more modern affliction, driven by economic factors. Subsistence looting is now a widespread practice in the Middle East. If subsistence looting was practised in the past it was small scale compared to the organised networks that exists today. In other words, its impact on the archaeological record and history was not as severe as it is at present.

Much more collaboration and harmonisation of controls and legislation in this regard should be displayed by the international fraternity of academics and curators of antiquities, as well as the governments of countries, whom are particularly vulnerable to this exploitation of their archaeological heritage.

As far as the regulation of this is concerned, we see that there are numerous laws in place which attempts to protect the antiquities. However, regardless of these, we see that the punishment for the violation of these laws seem very light indeed and legal battles are long and tedious. Unless the prosecution of offenders is taken more seriously, we will see a complete dissemination of the material cultures and the knowledge about them will be lost forever.

Governments, museum authorities and the archaeological fraternity should therefore make a concerted effort to reduce the monetary value of these antiquities. Also through taxation, by making the import of antiquities prohibitively expensive. However, as we have seen, such top-down measures drives the industry underground, and into the hands of “mafia type” operators and networks.

We have looked at some examples of forgery, and from this we can deduce that all but one or two covered in this paper are ancient forgeries or perhaps simply copies of artefacts done by ancient crafts men for their own benefit. Forgery of artefacts will remain a problem, as it is unfortunately a human trait to copy art and artefacts and in some cases try to pass it off as the real thing. However, modern forgeries are there to deceive. It becomes an even bigger issue, especially if scholars knowingly purchase it in the bazaar market, without provenance. The upside of forgery is the fact that in some cases the forgery of artefacts reduces the practice of looting. What is disconcerting though is that scholars would be fooled by some of these forgeries to the extent that some of these artefacts are included in published research, not as example of forgeries, but as the genuine article.

We have also seen to what extent the non-publication of field archaeological records influences and compounds the problem of forgery, as well as the illegal trading of artefacts. The non-publication of field results very much puts these artefacts in limbo, or for want of a better word, in an academic twilight zone, vulnerable to be exploited by unscrupulous dealers of antiquities, causing the destruction of the world’s cultural heritage and the body of knowledge that still lie hidden below ground.

This study has revealed that the conditions in some countries of the Middle East is currently so unstable that the very future of the discipline is under threat of being irrevocably damaged, and it renders to a large extent, the archaeological and historical stratigraphy undecipherable, lost forever to the scientific and archaeological world.

Given the further findings of this study, we will see that at this juncture we need to assume that much more collaboration between the international community of museums, academic institutions, archaeologists, antiquities dealers, private collectors and governments will be needed to protect our historical heritage.

Possible solutions to this problem could well be the strengthening of the legal protection of artefacts and antiquities and the co-operation of countries as far as policing is concerned. Education of the youth, especially in the major market countries, is of utmost importance. Apart from the scholars in source countries who have dedicated their lives and in some cases have given their lives, to the protection of their material heritage, it would be at this stage too much to expect the general public in Iraq and Syria to be too concerned about the destruction of this resource.

We have also seen that war and civil instability has a profound effect on the safety of the archaeological heritage in the Middle East. The geographical area which is known as the Middle East, is considered by all to be the cradle of civilisation. It is indeed ironic that this area is now one of the most militarised and conflict prone locations on the globe. The less than altruistic interest that some of the Western nations have had in this region has certainly not helped in the stability of the formally known Ancient Near East and remains of great concern. As far as their interference in this area has been since the time of colonialism, which have left socio-political conditions in a state of disrepair, we can still see that nothing has changed in the present day. The military strikes against these countries are continuing. The imbalance of military power, which exists between the might of the US and its coalition forces and the local rebel forces, causes extremely high collateral damage to human lives and the archaeological landscape. In addition to this, the local extremist jihadists uses iconoclasm to subjugate and exterminate the past religious and cultural heritage with extreme prejudice.

Hopefully, in the event of a period of relative peace in the Middle East, perhaps in the future, a new generation of young people will be educated about cultural heritage and the importance to build bridges of collaboration and understanding, rather than breaking them down.

This study has further revealed that the illicit trade of artefacts and antiquities are extremely well organised, much as in the case of drugs and armaments. It is the third largest most profitable illegal industry globally. It will take a well-organised and specialised investigation unit which can transcend the restrictions of geographical borders and jurisdiction of countries, backed up by “near para-military” units established in the countries where these networks flourish, to eradicate illicit trade and looting. It is however, quite a big task for some countries who do not, at this stage, have either the economic resources or the political will to establish this. Hopefully, at some time in the future, we will see a concerted effort by all concerned. Archaeological artefacts are a non-renewable resource. There is after all no point “in killing the goose that lays the golden eggs.”

The various debates between those scholars that are defending the right of the individual to collect and in doing so protect the archaeological record, and those that are vehemently against such activities, are interesting and both have good and compelling arguments. However, given the monetary value of this industry, and the negative impact it has on sustainable self-determination in the source countries, I would argue that the collecting of unprovenanced items by collectors and curators is not for the benefit of academic research at all. It is no different from collecting curiosities, which can be displayed on a mantel piece. The scientific integrity of archaeology cannot be sacrificed to accommodate the obsession of collectors and the connoisseurs, who claim that they are an important link and protectors of the heritage of the world. They may be protecting the physical artefact, which has no known provenance from harm or theft. But those that are looted from sites, because there was a market created by the collectors, only needs protection from the collectors themselves. Certainly against nothing or no one else.

The issues mentioned in this dissertation are but a mere fraction of other known cases and just the tip of the iceberg. The rest remain hidden from the public eye. That which eventually surface are shrouded in controversy, backed by scholars, collectors and museum curators alike, who revert to self-serving arguments, such as upholding the importance of provenance, and protecting the ancient material culture. But it is clearly done only as a convenient “fall-back” position. These examples and debates discussed in this study are hopefully enough to illustrate the importance of immediate action by all the stakeholders. The time for debating is clearly over. This study will hopefully make for a better understanding of the extent of damage done, as well as the impact of forgery, illicit trade, looting and the loss of provenance on the future of archaeological study in general.

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