#### CHAPTER 12

# UNCOVERING THE ANTIQUITIES MARKET

#### **NEIL BRODIE**

Neil Brodie is a leading expert in cultural heritage and the antiquities trade. In this chapter, he provides a valuable overview of the growing body of published research into the antiquities market undertaken over the last twenty-five years. Particular attention is paid to the research methods used to uncover the market. Quantitative methods, such as remote sensing and market research, provide data regarding the size and shape of the market and the nature and scale of the damage it causes, while qualitative ethnographic methods shed light on the broader socio-economic and cultural contexts of the antiquities market and of archaeological practice.

THE modern antiquities market emerged in sixteenth-century Rome, when the demand of papal and princely collectors caused its ancient ruins to be mined for marble statues. Papal legislation aimed at protecting ruins was soon necessary. In the centuries that followed, the range of the market expanded until by the end of the twentieth century artefacts from most cultures and countries of the world were being traded. By that time, most countries also enacted legislation aimed at protecting archaeological heritage and preventing the loss abroad of cultural artefacts, so that the market had become largely an illegal one. From an archaeological perspective, for most of the twentieth century, the market was viewed as a mercenary and destructive force, but not one that was of direct archaeological relevance or interest, and certainly not one that was deserving of archaeological attention or research. After the Second World War, the antiquities market took on a new lease of life, and the demand for artefacts began to cause the widespread and large-scale looting of archaeological sites. In 1970, UNESCO adopted the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Cultural Property, which was explicitly intended to control the market by placing restraints on trade and providing mechanisms for the return of stolen and illegally traded pieces. But by the beginning of the 1990s it was clear that the situation was





largely out of control. The market was no longer something that could be ignored, and, as will be described below, it increasingly became the target of academic and media research.

Most research has been concerned with establishing the size and shape of the market and the nature and scale of the damage it causes. These aims were originally important ones, because, in the 1990s, dealers, collectors, and collecting museums were maintaining, in the absence of any reliable evidence to the contrary, that the market was largely a legal one, and that the artefacts appearing for sale were usually from old collections, not from recently looted sites. Any illegal and destructive enterprise was the work of a minority element, the so-called 'bad apples'. This minority element operated outside the legal market, and should be the only target of ethical or legal restraint. It soon became apparent, however, that this characterization of the market was a false one. Quantitative studies of collections and auction sales such as those of Chippindale and Gill (2000) and Nørskov (2002) showed that the origin and provenance of most objects traded on the so-called legal market could not be accounted for, and media investigations, particularly the important work of Peter Watson (1997; Watson and Todeschini 2006), revealed that many of these apparently unprovenanced objects had in fact been looted and smuggled. It is now clear that the antiquities market cannot be separated into legal and illegal components, but is better described as what criminologists call a 'grey' market. Legitimate actors and actions facilitate the trade of illegally acquired artefacts in ways that have been collectively described as laundering. The legal and illegal markets cannot exist apart.

Since the early 2000s, the broader socio-economic and cultural contexts of the antiquities market have also come under scrutiny. In the first instance, this was probably because of anthropological research into the circumstances and motivations of the people who actually dig up artefacts illegally, and the development of a perspective that such digging might be a justifiable subsistence practice. The work of David Matsuda (1998, 2005) and Julie Hollowell (2006a, 2006b) has been particularly influential in this regard. There is also increasing criminological interest, however, primarily because antiquities smuggling networks fall within the definition and thus jurisdiction of the 2000 UN Convention against Transnational Organized Crime.

This contribution does three things. First, it describes the different methodologies that have been used to uncover the antiquities market. Second, it presents the results and discusses the significance of some of the more important research projects. Finally, it provides bibliographical references to other projects that are not discussed in detail. Thus the reader should be able to discover what methodologies are available for investigating the market, how they have been used, with what outcomes, and where to look for further information. There are six sections. The first three sections (provenance research, market research, and archaeological site looting) describe research that can be broadly characterized as quantitative. The following three sections (media investigations, ethnographic survey, and participant observation) are concerned more with qualitative research, although the boundary separating quantitative and qualitative research is not always well drawn, and some of the most productive research has combined elements of





both approaches. Media research is included alongside academic research, as in some ways it has been more important, particularly in exposing the more overtly criminal aspects of the market.

### PROVENANCE RESEARCH

Several important studies of the sources and ownership histories of artefacts in private and public collections have shown that most of those artefacts do not have a clear provenance, in that their entire ownership histories from time of discovery are not known. Thus it is not possible to tell whether they were acquired originally through legal or illegal excavation, or whether at some stage they were the object of an illegal transaction. There has been some confusion over terminology, with the terms provenance and provenience sometimes being used interchangeably and synonymously to mean archaeological find-spot and ownership history together, and sometimes being used separately, with provenance meaning ownership history, and provenience meaning archaeological find-spot (Coggins 1998). In this contribution, the term provenience will not be used at all, and provenance will be used only to indicate ownership history.

In their foundational study of Early Bronze Age Cycladic marble figurines from Greece, David Gill and Christopher Chippindale (1993) demonstrated that information presented in exhibition catalogues could profitably be interrogated from the standpoint of the academic literature to produce quantifiable information about archaeological find-spot and provenance, which could be used in turn to investigate what they termed the 'material and intellectual consequences' of antiquities collecting. They showed that of the then known corpus of about 1,600 figurines, only 10 per cent had a secure archaeological find-spot and context, in that there was a documentary record of where and when they had been excavated. The remainder had simply appeared, 'surfaced' in Gill and Chippindale's terminology, in public and private collections with no verifiable account of find-spot, although they were often accompanied by alleged attribution— 'said to be froms'—to provide an aura of legitimacy. Although figurines have been surfacing since the nineteenth century, the large majority have done so since 1960, and at the time of Gill and Chippindale's study, 50 per cent of figurines in museum and private collections had been acquired after that date. They surmised that most of the surfaced pieces must have been derived from illegal digging, which was widespread in the Cyclades during the 1950s and 1960s, and estimated that something like 11,000 or 12,000 graves must have been broken open to produce the number of figurines then known to exist. There was also evidence to suggest that at least part of the corpus is comprised of recent forgeries—figurines of large or unusual type are particularly suspect. Gill and Chippindale went on to discuss the 'intellectual consequences' of lost archaeological context, showing how in the absence of archaeological context the figurines have been received within a modern aesthetic frame. So, although their importance for twentiethcentury modern art is clear, influencing artists such as Brancusi and Modigliano,





amongst others, little has been learned about their original function or significance within Early Bronze Age Cycladic society.

In follow-up research, Chippindale and Gill (2000) extended their work on Cycladic figurines to encompass the broader sphere of antiquities collecting, examining the catalogues of three single-collector exhibitions, three multi-collector exhibitions, and one catalogue of a museum collection. Altogether, they tabulated 1,396 objects, but found that only 29 (2 per cent) had a documented archaeological context, 1,039 (74 per cent) were not known before 1973, and 529 (38 per cent) were first reported on the occasion of their exhibition. Again, they suggested that most recently surfacing objects could only have been obtained through looting, and observed that when objects with no archaeological context are interpreted within pre-existing intellectual or aesthetic frameworks, they can only confirm existing knowledge—nothing new will be learned. Similar results and arguments were presented by Daniel Graepler (1993) in a study of south Italian pottery and by Malcolm Bell (2002) in a study of several US art museum collections.

Museum yearbooks and annual reports often contain information about individual acquisitions, though hardly ever anything about the provenance of the objects acquired. Nevertheless, their acquisition records do allow longitudinal research into the types of material being collected, and thus by extension into long-term trends in collecting practices and market conditions.

Neil Brodie and Jenny Doole (2004) used information derived from yearbooks and other published sources to examine US art museum collecting of Asian art and archaeology from the nineteenth century onwards, showing how the collections accumulated in tandem with the large-scale destruction of archaeological sites and vandalism of historical monuments. They also documented the progressive distancing of museums from the sources of their acquisitions. While in the late nineteenth and early twentieth centuries art museum curators or their agents acquired material at source, by the second half of the twentieth century, the intervention of dealers and collectors allowed museums to acquire material by purchase or gift without direct knowledge of destruction or illegal trade. The absence of such knowledge allowed them to profess ignorance of an acquired object's provenance, and innocence if an object was subsequently shown to have been stolen or illegally transacted.

Vinnie Nørskov (2002: 113–250) studied the collecting practices of eight museums in Europe and the United States from 1945 to 1995, with regard to decorated Greek pottery from the Geometric through to the Hellenistic periods. She was impressed by the impact of curatorial choice on museum acquisitions, and noted a reduction in the number of vessels being acquired from the 1970s onwards, which for some museums was because of financial stringencies, but for others because of the adoption of ethical acquisition policies. Museums and museum organizations started to become concerned in the late 1960s that the acquisition of unprovenanced artefacts was causing the looting of archaeological sites, and in 1970 the International Council of Museums issued an influential statement on the ethics of museum acquisitions, and the Museum of the University of Pennsylvania announced, in what has come to be known as the Philadelphia declaration, that it would no longer acquire an antiquity without convincing documentation of its





legitimate pedigree. Other museums and museum organizations followed suit, promoting and adopting ethical acquisitions policies that prohibit the acquisition of unprovenanced objects. In 1971, the Harvard University Museums introduced the idea of a date threshold, requiring that an object should not be acquired unless it could be documented to have been out of its country of origin by 1971, or exported legally after that date. Soon after, the Archaeological Institute of America recommended a 1970 date, and since then the so-called '1970 rule' has become the norm (Brodie and Renfrew 2005: 351–3). It was not until 2008, however, that the Association of Art Museum Directors, representing the major US art museums, finally fell into line after several museums had been forced to return objects to Italy that were shown to have been illegally traded (see below).

## MARKET RESEARCH

Auction catalogues offer the most convenient way of monitoring the antiquities market. The main auction houses in London (Christie's and Bonhams) and New York (Christie's and Sotheby's) hold 'Antiquities' auctions two or three times a year. (Sotheby's stopped holding 'Antiquities' auctions in London in 1997 after Peter Watson's investigation described below). The category 'Antiquities' comprises archaeological artefacts from the ancient and early medieval cultures of Europe, the Mediterranean area, and South-West Asia. The auction houses also hold sales of other types of 'art' (Pre-Columbian, Tribal, American Indian, African, Oceanic, Chinese, Indian, and South-East Asian) that frequently include archaeological or other cultural material. Auction results are made public, and since the early 1980s most auction catalogues have been fully illustrated, so that together they offer the only permanent, fully documented, record of the antiquities market. At auction, artefacts are organized into lots for sale. A lot may comprise one artefact, or several. Typically, high-priced artefacts are sold singly, with lower-priced artefacts grouped together as a lot. Not all lots advertised for sale in a catalogue actually sell. Each lot has an unadvertised reserve price, and if the bidding fails to exceed the reserve price, the lot is returned to its consignor. Most research utilizing auction catalogues has been aimed at demonstrating either the flow through the market of artefacts belonging to a particular culture, or the incidence of provenance, and has counted lots offered, rather than lots actually sold.

Probably the most comprehensive use of auction catalogues has been by Nørskov (2002: 256–70). As part of her wide-ranging investigation into the market in decorated Greek pottery, she tabulated 18,398 vessels offered for sale in the auction catalogues of the major US and UK auction houses, primarily Christie's and Sotheby's, during the period 1954 to 1998. She documented a steady increase in the number of vessels offered until the late 1980s, with a decline setting in during the 1990s. For most of the period in question, 80–90 per cent of the vessels had no provenance, but the incidence of provenance began to increase in the 1990s, until 1996–8, at the end of her study period, by which time the proportion of unprovenanced vases had fallen to 50–60 per cent.





Nørskov (2002: 291–2) also introduced the concept of what she called the 'invisible market'. She noticed during the course of her research that certain categories of object popular among collectors appeared in conspicuously low numbers at auction, and concluded that therefore they must be changing hands unseen outside the public auction market. She also observed that the invisible market was the source of many important museum acquisitions, and that the prices agreed in many of these invisible transactions were higher than anything achieved at auction. Thus the first million dollar museum acquisition on the invisible market was in 1972 when the Metropolitan Museum of Art paid \$1 million to dealer Robert Hecht for the Attic 'Euphronios' krater. Several more multi-million dollar museum acquisitions followed before the first object to break the million dollar barrier at auction in 1988, when the head of a Cycladic figurine fetched \$2.09 million in New York.

Other scholars have confirmed Nørskov's work, for 'Antiquities' (Brodie 2006a; Chippindale et al. 2001; Elia 2001), and other types of material (Davis 2006; Gilgan 2001; Luke and Henderson 2006). A common finding of all these studies is that most auction lots are offered for sale without provenance. It is also the case that provenanced lots are only rarely accompanied with a complete provenance—that is, a history of the lot accounting for every owner since it was first discovered or excavated. 'Provenance', when it exists, often consists only of a single point of reference—a previous sale or publication date, or a named owner—and often the reference might be post-1970.

There are at least four reasons why a lot might be auctioned without provenance. First, a provenance might be known, but simply not listed in the catalogue. This might often have been the case up until the 2000s, as part of the documented increase in the incidence of provenanced lots has come from listing previous sales dates, so the figure of 50–60 per cent lots without provenance might be closer to the truth than the 80-90 per cent reported for auctions in the 1980s and 1990s. Presumably researching old catalogues to document the sales history of a lot costs the auction houses money, and in the past there was no incentive for them to do so. Second, a provenance might be known, but the consignor might not want it to be made public for personal or business reasons. Antiquities dealers suggest that many private sellers want to remain anonymous and that dealers do not like revealing the identity of a source (Ede 1996). Third, a provenance might genuinely not be known. As discussed below, Watson has shown it is a defining feature of the trade that the provenances of illegally transacted artefacts are deliberately suppressed to facilitate their trade. Finally, a provenance might be known perfectly well, and it might be known to be tainted in some way, either by illegal trade, or by fraudulent fabrication of the piece itself. Obviously, in such circumstances, the provenance will not be revealed.

Thus, when a lot is offered at auction without provenance, it is because the provenance is being withheld, is unknown, or is tainted. A study of Iraqi artefacts has suggested that, in fact, for most lots offered without provenance, it is because the provenance is unknown or tainted, and not because it is being withheld for business or personal reasons (Brodie 2006b). That is not to say that provenances cannot simply be invented. Several artefacts from the Egyptian Predynastic site of Ma'adi were advertised for sale in the October 2004 Bonhams catalogue with a provenance dating back to the 1930s, only for it to be





discovered that they had recently been stolen from a storage facility in Cairo. The pieces were subsequently returned to Egypt (Brodie 2005a: 12).

Elizabeth Gilgan (2001) offered another perspective on the information supplied in auction catalogues when she examined what was said about archaeological find-spot, and suggested that it could be used in such a way as to confound legal controls. She tabulated 3,300 Mayan objects offered for sale in 66 Sotheby's 'Precolumbian' catalogues for the period 1971 to 1999, with annual numbers rising through the late 1970s to a peak of 290 in 1981, and thereafter fluctuating between 100 and 200 objects per annum. In contrast to objects offered in 'Antiquities' auctions, a large proportion (1,447, or 44 per cent) of the Mayan objects were supplied with information about their find-spot, though for 1,195 objects this information was only at the resolution of a region, for example 'Highland' or 'Yucatan'. On 15 April 1991, responding to a request from the Guatemalan government, the US government placed emergency import restrictions on Mayan objects from the Petén region of Guatemala. Gilgan noted that in the decade leading up to this action, from 1980 to 1991, 115 objects had been offered with a find-spot of Petén, but that after the imposition of import restrictions, from 1992 to 1999 only two objects were offered. At the same time, from 1980 to 1991, 60 objects had been offered with a Lowlands find-spot, but between 1992 and 1999 that number increased sharply to 117. Gilgan concluded that consignors stopped offering material with the politically specific label Petén in 1991 because of the newly introduced import restrictions, and started instead describing objects from the Petén as Lowlands, a broader and politically obfuscating geographical description of the Maya culture area that takes in alongside the Petén parts of Mexico and Belize.

Studies to date that have utilized auction catalogues to quantify flows of material through the market or the incidence of provenance constitute a methodology that has been labelled 'quantitative' (Chippindale et al. 2001; Elia 2001). But quantitative analyses do not exhaust the research potential of auction catalogues, as the catalogues also contain a rich vein of economic information that has yet to be tapped. Each catalogue provides an estimate of expected price, and after each auction a list of realized prices is published. There is now a well-developed literature analysing data of this type for the art market (e.g. Velthuis 2005), though to date the methodologies have not been applied to the antiquities market.

# Investigation of archaeological site looting

The use of pedestrian survey to identify, date, and characterize a region's archaeological sites from the evidence of their surface manifestations is now a well-established method for investigating long-term trends in human settlement and land exploitation. Unfortunately, only a few surveys have quantified the evidence of site damage or





destruction caused by looting. The results of those that have are revealing. Between 1989 and 1992, for example, a survey of the Djenné area of Mali discovered 830 archaeological sites, but by the time of discovery 375 sites (45 per cent) had already been damaged by illegal digging, 142 badly. Two sites had been completely destroyed. In 1996, 83 sites were revisited and the number looted had increased from 16 to 49. Similar results were obtained in 2002 by a survey of 81 sites in another area of Mali, around the town of Dia, which discovered that 42 sites (52 per cent) showed evidence of illegal digging, 30 had been badly damaged, and one completely destroyed (Panella et al. 2005: 18 table 1.3.2). This evidence of site damage and destruction correlated well with the increasing popularity of Malian artefacts among Western collectors (Brent 1994).

A survey of burial tumuli in the area of western Turkey that comprised the ancient kingdom of Lydia recorded 397 tumuli; 357 tumuli (90 per cent) showed signs of looting and 52 had been completely destroyed. To this figure of 52 could be added a further 20 previously known tumuli that had disappeared (Roosevelt and Luke 2006a: 178–9). A follow-up survey of 116 tumuli in the area of Bin Tepe, probably the royal burial ground of Sardis, the capital of Lydia, confirmed the earlier findings, with 111 tumuli (96 per cent) showing signs of illegal excavation, and 11 badly scarred by bulldozers or other heavy earth-moving equipment (ibid. 193).

Some surveys have been aimed specifically at recording damage caused by looting. In 1983, for example, one study showed that 58.6 per cent of all Mayan sites in Belize had been damaged by looting (Gutchen 1983). In 1994, a survey in Charsadda district of northern Pakistan showed that nearly half the Buddhist shrines, stupas, and monasteries had been badly damaged or destroyed by illegal excavations (Ali and Coningham 1998). In 2000, the Documentation Centre of the Andalusian Institute of the Historical Heritage estimated that 14 per cent of known archaeological sites in Andalusia, Spain, had been damaged by illicit excavation (Fernandez Cacho and Sanjuán 2000).

The possibilities of online databases for documenting site damage have hardly been explored, though one notable enterprise is the Türkiye Arkeolojik Yerleşmeleri/ Archaeological Settlements of Turkey (TAY) project, established in 1993. Its central aim is to visit and document all archaeological sites within Turkey and to record their condition (http://tayproject.eies.itu.edu.tr). As of 2008, over 2,800 archaeological sites had been documented. Information is published online in a series of regional files, each file recording the number of sites visited according to period and type, and describing the various causes of damage. So, for example, in November 2008, the Mediterranean file contained 394 sites. The largest cause of damage to those sites was agriculture, though 72 had been affected by illegal digging.

Although pedestrian surveys can produce good quantitative information about the extent and severity of archaeological looting, they are expensive and hardly ever repeated. Quantification of damage by means of remote sensing techniques, particularly using satellite imagery, is in principle easily repeatable and should offer a means of producing longitudinal data. Although the resolution of older images dating back to the 1960s is not good enough to identify pits or other evidence of looting on the ground (for example SPOT images have a resolution of only 20 m/pixel), by the 2000s suitable





images at a higher resolutions of up to 50 cm/pixel were available. Elizabeth Stone (2008a, 2008b) used Quickbird imagery purchased from Digital Globe to document the looting that accompanied the Coalition invasion of Iraq in 2003. She was able to characterize the areal extent of the looting, noting that in total it comprised (as of 2006) 'an area many times greater than all archaeological investigations ever conducted in southern Iraq' (Stone 2008a: 137). In addition, Stone highlighted the selective looting of sites for marketable materials, and for some sites was able to track changes in looting behaviour over time. A similar methodology was employed by Carrie Hritz (2008), though she utilized older imagery from nearly a half-century span alongside Digital Globe to increase the time depth of her research. A major drawback of the method is that satellite images are expensive. Stone's research, for example, which utilized 9,729 km<sup>2</sup> of Digital Globe imagery, was underwritten by several funding sources. By the mid-2000s, however, high-resolution images were being made publicly accessible by Google Earth, and the potential of Google Earth imagery for quantifying site damage has been assessed in an exploratory study of looting in Jordan (Contreras and Brodie in preparation) (Figures 12.1 and 12.2).

In a very real sense, looted archaeological sites are crime scenes, and Robert Hicks has prepared a model protocol for investigating them (Hicks 2006). The utility of a forensic approach was clearly demonstrated after the ransack of the Iraq National Museum in 2003. US Marine Colonel and New York City Assistant District Attorney Matthew

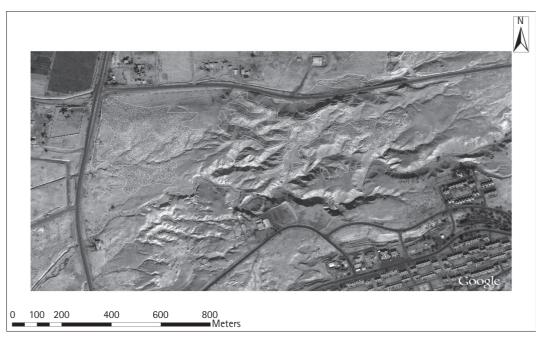


FIGURE 12.1 Looted cemeteries of Qazone and Bab edh-Dhra in Jordan visible on Google Earth satellite image. Looted areas visible as pitting are outlined. (Image downloaded on 6 August 2008. Graphic by Dan Contreras.)





#### UNCOVERING THE ANTIQUITIES MARKET



FIGURE 12.2 The looted cemetery of Qazone in Jordan in 2004. (Photo: N. Brodie.)

Bogdanos brought his forensic expertise to bear on the thefts, and in an atmosphere of media hyperbole and professional confusion he was able to offer a sober and generally accepted account of events (Bogdanos 2005a, 2005b). He argued that valuable and/or portable objects were most probably stolen by knowledgeable thieves, perhaps with some degree of inside knowledge, and with buyers in mind, while the less valuable pieces were stolen by opportunistic local people taking advantage of the professional break in.

# MEDIA INVESTIGATIONS

Qualitative approaches to the antiquities market have ranged from undercover investigations conducted by journalists to more standard ethnographic research undertaken by academic archaeologists, anthropologists, and criminologists. By and large, media investigations have focused on the dealers, rich collectors, and large museums that constitute the demand side of the market, while academic research has concentrated more on the supply side, on the socio-economic and historical circumstances of the people who do the actual digging. Presumably, one reason for this apparent division of labour is that media investigations are audience led, and the audience has a prurient interest in





the misdemeanours and undoings of the rich and powerful. Another reason must be the power gradient which is a defining feature of the market. Rich private collectors and museums can repel academic enquiry quite easily by refusing to cooperate or mobilizing a legal deterrent. Simple threats of libel action are usually enough to frighten off inquisitive though financially straitened academics. The financial and legal resources of media companies often allow them to take a more robust attitude towards such intimidation.

The most persistent and arguably most revealing investigation of the antiquities market has been by author and journalist Peter Watson. Watson's research started in 1991 when James Hodges, a disgruntled former employee of Sotheby's London, came to Watson with three suitcases full of documents recording malpractice at Sotheby's. Many of the documents were concerned with antiquities sales, and together with Hodges's testimony they prompted Watson to investigate an Italian antiquities dealer named Giacomo Medici who appeared to be consigning large quantities of looted Italian antiquities for sale at Sotheby's from his companies based in Switzerland, first Hydra Gallery and later Editions Services, and also an Indian dealer Vaman Ghiya who was similarly using front companies in Geneva to consign Indian material to Sotheby's. Both dealers were acting with the apparent connivance of Sotheby's staff. Watson's research was published in a book (Watson 1997) and featured in three television programmes. It exploded the myth that so-called reputable institutions such as Sotheby's were not involved in trading illegally acquired material, and demonstrated conclusively that there were no such things as separate legal and illegal antiquities markets. Following Watson's revelations, Sotheby's announced its decision to stop holding regular antiquities sales in London, senior staff in the London antiquities department left the company (Farrell and Alberge 1997), and the final sale was held in November 1997.

Watson's research brought him into contact with the Italian Carabinieri, who were themselves investigating Medici. They pooled information and the Carabinieri allowed Watson to report on their investigations (Watson and Todeschini 2006). The Carabinieri investigation had started in earnest in 1995, when they had raided the apartment of antiquities dealer Danilo Zicchi and discovered a handwritten chart setting out the organization of the illegal Italian antiquities trade. The name at the head of the chart was US dealer Robert Hecht, who received material through two main supply chains, one orchestrated by Gianfranco Becchina, the other by Medici. In September 1995, the Carabinieri, in conjunction with Swiss police, raided Medici's warehouse in Geneva Freeport, with several more visits following between 1997 and 1999. They recovered 3,800 objects, more than 4,000 photographs of objects that had previously passed through Medici's hands, and something like 35,000 sheets of paper documenting Medici's business practices. In May 2005 an Italian court found Medici guilty of illegal export, receiving stolen goods, and conspiracy.

More raids followed as the Italian investigation proceeded. In February 2001, folders containing photographs, letters, and a handwritten memoir were seized from Robert Hecht's apartment in Paris. In May 2002, another haul of documents and photographs was seized from three warehouses in Basel belonging to Becchina, and a fourth Becchina





warehouse was raided in 2005, yielding yet more documents. The accumulating evidence also implicated Marion True, the then curator of antiquities at the J. Paul Getty Museum, and more evidence regarding the Getty's involvement with the illegal trade came to light in Los Angeles, where the journalists Jason Felch and Ralph Frammolino (2005) obtained more than 1,000 pages of internal Getty documents, which the Getty maintained were stolen, showing that as early as 1985 the Getty had been aware that Hecht and the London-based dealer Robin Symes were selling material from dubious sources in Italy and Greece, but had continued buying from them anyway. In November 2005, Hecht and True were charged in an Italian court with conspiring to receive stolen art. The evidence collected during the course of the Italian investigation also caused several US art museums to return material to Greece and Italy (Watson and Todeschini 2007: 298–300; Gill and Chippindale 2006, 2007).

The Italian Carabinieri's example of following paper trails in order to expose organized antiquities smuggling networks has been emulated in other countries. In June 2003, Indian police arrested Ghiya at his house in Jaipur, and raided other properties he owned throughout India. Under questioning, Ghiya admitted to owning three shell companies in Geneva that could be used to provide objects with provenance, and alleged that Sotheby's and Christies had continued doing business with him despite Watson's exposé (Keefe 2007). Watson had also discovered that Editions Services shared a Geneva address with another company, Xoilan Trading, under the proprietorship of Symes, and that Sotheby's had been using Symes as an agent to acquire material in Italy and smuggle it out for sale. Symes was interviewed by Italian investigators in Rome in 2003, and in April 2006 Greek police raided a villa on the island of Schinoussa belonging to Symes and his deceased partner Christos Michaelides, and seized 2,191 photographs (Zirganos 2006).

Investigations of the type conducted and reported upon by Watson and Zirganos have been important in exposing the true nature of the trade, but also in elucidating some of the finer details of its operation. Watson was able to report upon the work of official Italian investigator Maurizio Pellegrini, for example, to show how illegally obtained artefacts were passed from suspect dealers (such as Medici) through more seemingly respectable intermediaries (Hecht and Symes) to render them more palatable for acquisition by museums (such as the Getty). Pellegrini termed this process 'triangulation'. Pellegrini also discovered how whole ceramic vessels could be broken into pieces and fed to a museum through different intermediaries to hide their source, and how Medici would launder objects by consigning them for sale at Sotheby's and then buying them back himself, thus giving them a provenance and an appearance of legitimacy. Zirganos described how the villa on Schinoussa was used for what he described as the 'preparation and closing of deals'. The villa was in effect a social and commercial hub, where Symes and Michaelides would entertain archaeologists, museum curators, conservators, and wealthy collectors to gossip about the market and what was available for purchase, and to arrange sales. Thus it was possible for a customer to purchase an illicit artefact on Schinoussa without actually coming into contact with it. The artefact would be smuggled separately to Switzerland, where the customer could take possession of it.





Other important media investigations include the February 2000 Swedish Channel 10 documentary *On the Trail of Tomb Robbers*, and the September 2004 Norwegian Broadcasting Corporation (NRK) programme *The Manuscript Collector*. *On the Trail of Tomb Robbers* was based on the original research of Staffan Lundén, and used a hidden television camera to expose the involvement in the illegal market of a diplomat, a museum director, and an art dealership, despite their public protestations to the contrary (Doole 2000: 24–7; Lundén 2004). Again, like Watson's work, this programme documented the extent to which the antiquities market involves apparently honest and reputable individuals in criminal activities. It triggered a public debate within Sweden and throughout Scandinavia more generally which culminated in the ratification of the 1970 UNESCO Convention by Sweden and Denmark in 2003 and Norway in 2007.

The Manuscript Collector investigated the ancient manuscript collection of Norwegian businessman Martin Schøyen (Lundén 2005; Omland 2006), and revealed the degree of scholarly involvement in his activities. The programme questioned the possible illegal Iraqi origin of 654 Aramaic-inscribed incantation bowls that were being held at University College London (UCL) for study by a scholar from the Hebrew University of Jerusalem, and traced what it alleged were smuggled Kharosthi manuscript fragments from Pakistan to the ownership of the British Library. The programme further claimed that the British Library's acquisition of these manuscript fragments in 1994 led to an explosion of interest in ancient manuscripts, which encouraged Schøyen between 1996 and 1998 to buy 10,000 Buddhist manuscript fragments from a London dealer that had probably been smuggled out of Afghanistan. The British Library refused to answer the programme's allegations. UCL set up a committee of enquiry into the provenance of the incantation bowls to decide whether they should be returned to Schøyen or to Iraq. It is believed that the committee recommended that the bowls should be returned to Iraq, but UCL has consistently refused to publish the committee's report or its conclusions, and after being sued by Schøyen in March 2007 for the return of the bowls, in June 2007 UCL announced it had no reason to believe that title was vested other than in the Schøyen Collection, and returned them to Schøyen (Brodie 2007).

The success of Watson's investigations of Sotheby's and the antiquities market more generally was largely due to his access to good-quality documentary evidence, obtained in the first instance from Hodges, and later from the Italian prosecuting authorities. It is generally the case that any research into the antiquities market must overcome the challenge of identifying and acquiring relevant information. One route has been to use Freedom of Information laws to obtain material from publicly funded institutions. Thus Brodie (2005b) obtained documents from the British Library pertaining to its acquisition in 1994 of the Kharosthi manuscript fragments referred to above. Brian Egloff (2008) used a Freedom of Information request on the National Gallery of Australia to obtain documents relating to the Gallery's acquisition in 1977 of the Ambum Stone, which had been taken out of Papua New Guinea in suspicious circumstances in the 1960s. Freedom of Information requests are not always guaranteed success, as powerful public institutions can deploy legal obfuscations. In 2007 UCL refused a Freedom of





Information request for the release of the sequestered report of the committee convened to investigate the provenance of the Schøyen incantation bowls (Brodie 2007).

Another possible source of information was identified by Nørskov, when she augmented her quantitative research into collecting by looking at how dealers themselves were reporting their activities in what might be called the trade press—glossy magazines aimed at collectors. Nørskov focused on the reportage of New York antiquities dealer Jerome Eisenberg in his magazine *Minerva* (Nørskov 2002: 282–8), but there are many other paper and online publications that offer opportunities for such research. The so-called Asian art market seems particularly well provided for in this regard.

# ETHNOGRAPHIC SURVEY

Ethnographic research into the market has proceeded by means of questionnaire and interview survey or by participant observation. Survey research is used for collecting information from a population too large to be observed directly, while participant observation is better suited for the study of small groups. In practice, surveys have been used to canvass the opinions of people who are either not direct beneficiaries of the market, though to some extent knowledgeable about its operation (such as archaeologists or lawyers), or who have a professional or commercial (though not openly criminal) association (such as dealers or museum professionals). Thus it is a major shortcoming of such research that individuals who are directly involved with the more criminal and/or damaging aspects of the market are not contacted, or will not respond (Kersel 2006; Mackenzie 2005; Mackenzie and Green in press). Questionnaire or interview surveys can be more or less structured—structured methodologies limit the freedom of respondents to depart from providing direct answers to well-defined questions, while less structured methodologies allow for respondent digression. Structured surveys are more usually designed to facilitate quantitative analysis of responses, while the information obtained through less structured methodologies requires more subjective interpretation.

The potential reach of a structured questionnaire survey was demonstrated by Blythe Bowman (2009: 85–132), who reasoned that archaeologists should have personal contact with looted sites and with the people engaged in looting or involved in the trade, and should therefore be a good proxy source of information about looting. She designed a structured questionnaire with options for unsolicited information or opinion which she distributed by e-mail to 14,429 archaeologists worldwide. She received 2,358 replies. Other researchers have favoured a semi-structured interview methodology over a structured questionnaire survey, reasoning that the better-quality responses more than compensate for smaller sample sizes.

Interview research calls for assessing the validity of interviewee statements—in other words, establishing that the interviewer is correctly reporting the interviewee, and that the interviewee was telling the truth. Interviewer reliability can be controlled for by





providing the interviewee with a written transcript for approval. Kersel found this to be an effective method of acquiring more information, as interviewees would sometimes enlarge upon their previous statements (Kersel 2006: 33). Mackenzie on the other hand did not favour this practice as it offers interviewees an opportunity after reflection to withdraw or redact statements that might otherwise have been true (Mackenzie 2005: 256). The truth of interviewee statements can sometimes be confirmed (or refuted) by reference to other evidence sources (Kersel 2006: 36; Tijhuis 2006: 111-28), though Mackenzie has pointed out that the 'truth' might be discursively structured. Thus he suggested the testimony of the antiquities dealers he interviewed was embedded within a justificatory discourse, which was used to 'neutralise' the interviewee's participation in a criminal enterprise. This discourse is part of the culture of the antiquities market, and encourages a belief amongst dealers that the social harm caused by the criminal and damaging aspects of the market is outweighed by the public benefit that accrues from the collection (often termed 'rescue') and display of looted artefacts. Mackenzie argued that the real object of research should be this justificatory discourse, not the market itself (Mackenzie 2005: 157).

Thus to date, the major contribution of ethnographic survey has been to elicit the opinions of individuals engaged in institutions located more towards the demand side of the market, with a view to suggesting or evaluating policy responses that will either satisfy demand legally and non-destructively or reduce demand, and so reduce the incentive to loot sites. Survey research has failed to engage with the more overtly criminal sociology of supply, and has little to say about the circumstances and motivations of people who actually do the illegal digging, or who knowingly acquire or transact illegally excavated objects.

# PARTICIPANT OBSERVATION AND MULTI-SITED ETHNOGRAPHY

Ethnographic research 'in the field' is problematical because it must be conducted in what is usually a criminal environment, and there can be an element of physical danger. Bowman, for example, reports turning down the opportunity to interview looters at an undisclosed location at night because of understandable concerns over her personal safety (Bowman 2009). Nevertheless, research has been conducted, usually by means of participant observation, whereby the researcher observes and reports upon the community under study (Jorgensen 1989). Information can be gathered through direct observation, formal interview, and informal conversation. The method is intended to allow the researcher access to the viewpoint of the research subject, and it is notable that research conducted in this vein has been generally sympathetic to the situations of the people under study, who are those who do the digging, and that the term 'subsistence digging' is used rather than 'looting' to describe their actions. Subsistence digging is a neutral term,





intended to avoid the pejorative connotations of 'looting', and in so doing help to recognize the right to economic self-determination of the people who dig for artefacts (Hollowell 2006a: 72–3; 2006b; Hollowell-Zimmer 2003).

The genealogy of the term 'subsistence digging' can be traced back to Dwight Heath's (1973) sympathetic study of illicit excavation in Costa Rica. He struggled to find an equitable translation of the Spanish *huaqueros*, and preferred 'commercial archaeologist' to 'grave-robber'. Frederick Lange (1976) revisited Costa Rica in 1976, and referred to 'subsistence archaeologists'. In 1993, David Staley reported on what he termed the 'subsistence diggers' of St Lawrence Island, defining a 'subsistence digger' as 'a person who uses the proceeds from artefacts sales to support his or her traditional subsistence lifestyle' (Staley 1993: 348), suggesting at the time that sales of excavated artefacts constituted 13 per cent of average household income (Staley 1993: 349).

David Matsuda interviewed 400 huaqueros in Belize, discovering that most of them were milperos (small farmers), often indigenous Maya and refugees from 'civil violence and economic despair' (Matsuda 1998, 2005). Most of them worked part-time, in the agricultural off-seasons, with artefact digging providing a subsistence option alongside the more usual hunting and gathering of food. Matsuda also pointed to the apparent hypocrisy of archaeologists and other professionals who decry the antiquities market, arguing that they derive a monetary income from the excavation of archaeological sites while wanting to deny it to others. There are shorter studies in a similar vein for Sicily (Migliore 1991), Tuscany (van Velzen 1996), Guatemala (Paredes Maury 1998), and Peru (Smith 2005). In all cases, the authors highlight the disjunction between the perspectives and aims of archaeologists and local subsistence diggers, the mutual misunderstanding and often distrust that exists between them, and the economic deprivation of diggers. And while it has been claimed that diggers do not receive much in percentage terms of the final market value of a piece (Brodie 1998), it has been countered that the aggregate income can still make a substantial contribution to a local economy (Rose and Burke 2004). Nevertheless, it is generally recognized that subsistence digging is not sustainable as eventually the archaeological resource is worked out. This fact raises questions about the possible ethical obligation of archaeologists to mobilize the economic potential of archaeological sites for the benefit of local communities.

Though ethnographic observation and interview in the field of the type just described have been influential in changing archaeological perceptions of the market, and particularly in engendering a more sympathetic view of the people who do the digging, it has become apparent that to comprehend the full complexity of the antiquities market, ethnographic research needs to be multi-sited and historically situated (Kersel et al. 2008, this volume; Panella 2002; Panella et al. 2005). Kersel's (2006) investigation of the managed antiquities market in Israel and Hollowell's (2006a) insightful research on St Lawrence Island are exemplary.

Kersel set out to investigate the managed antiquities market in Israel, where it is legal to buy and sell artefacts that were in circulation before 1978, when a new antiquities law took undiscovered archaeological heritage into state ownership. The 1978 law also established a system of registered antiquities dealers who are licensed to sell artefacts from





collections accumulated before 1978. Kersel wanted to test the hypothesis that a properly supervised legal market will obviate the need for an illegal market and thus discourage the formation of one. She found against the hypothesis, concluding that deficient oversight of the Israeli market allowed it to launder large quantities of artefacts looted from Israel and surrounding countries, once again exposing the fiction of separate legal and illegal markets. In fact, the nominally legal Israeli market turns out to be an integral part of the larger, international, grey market.

Julie Hollowell followed up the research of Staley on St Lawrence Island. St Lawrence Island is situated in the south Bering Strait, and since 1971 the island and its resources have belonged to two Alaska Native corporations. Corporation shareholders can dig legally for artefacts and sell what they find. Every year dealers spend an estimated \$1.5 million on the island, about \$1,000 per inhabitant. Most money is spent on archaeological walrus ivory, often comprising whole walrus tusks. In the early 2000s, dealers could buy old ivory for \$30 to \$120 a pound, and sell it in Alaska or other parts of the United States for \$80 to \$250 a pound. Archaeological bone was also in demand, and could be bought on the island for \$1.25 to \$3 a pound. An estimated ton of whale and walrus bone is taken from St Lawrence Island annually. Raw bone and ivory can be carved on the island to produce saleable ornaments, though most carved ornaments are mass produced in Alaska. Archaeological artefacts are also in demand, particularly the finely carved 'Okvik' and 'Old Bering Sea' ivory figurines, dating from AD 100-300. Poorerquality artefacts are sold to tourists in Alaskan gift shops and on the Internet, but a few high-quality artefacts, perhaps ten or twelve pieces per year, end up on the international art market. By 2006, the highest price paid at auction for a St Lawrence artefact was \$216 000, but again, like Nørskov, Hollowell drew attention to an invisible market, reporting that higher prices are paid in private transactions.

Unlike the Israeli market, which Kersel considered to be legal in name only, the market in St Lawrence Island ivory and artefacts is genuinely legal. The people excavating the material for sale do so legally, and thus the material can be bought and sold legally. There is no need for laundering subterfuges of the type Watson described for Medici. Hollowell thought there were advantages and disadvantages to this situation. From an archaeological perspective, although archaeological contexts are destroyed by artefact digging, find-spot information is retained because there is no need to hide it, in the way that Chippindale and Gill described for Cycladic figurines and Gilgan for Mayan objects. From the point of view of the islanders, the legal market means that they receive a higher proportion of the profits than would normally be the case for diggers operating illegally, when much of the profits are taken by intermediaries who shoulder the risks associated with transporting and selling the material. Like Kersel, Hollowell was interested in the idea that a regulated legal market will discourage the formation of an illegal one, but concluded that it was an unlikely outcome. Dealers continue to develop marketing strategies aimed at increasing demand, a process of commercialization that has been noted before (Brodie 2004: 88-92), and twenty years of digging does not seem to have sated demand. Worse, and again with resonances of the Israeli situation, the





presence of a profitable legal market on St Lawrence Island has incited illegal digging and smuggling on the Russian side of the Bering Strait, where similar artefacts can be found.

Participant observation shades into media reportage, and journalists too have sometimes taken an active interest in the motivations and actions of looters and diggers, though, interestingly, usually developing a more negative perspective than the academic one. Kimbra Smith's (2005) sympathetic treatment of traditional looting in north Peru, for example, might be contrasted with Roger Atwood's (2004: 229-40) more acerbic account of criminal gangs operating in the same area. Nikolas Zirganos (pers. comm.) has reported on the history of Aidonia, a small village in southern Greece. In 1976, a Mycenaean (Late Bronze Age) cemetery was discovered close to the village. Two rival gangs fought a gun battle over possession of the cemetery, and for several months afterwards the victors dug it out (Miller 1997: 40). By 1978, the cemetery was empty, and in the aftermath of the violence the village community began to disintegrate, until by 2007 the only house still occupied was that belonging to the family of the looters. Zirganos argues that if the Aidonia cemetery had been properly excavated and the finds curated and exhibited locally, continuing tourist income might have secured the village's viability. He contrasted the situation unfavourably with that of the nearby village of Nemea, where since 1993 US excavators estimate they have put something \$2 million into the local economy (Miller 1997: 44), and more has derived from tourists who visit the small museum that has been built there to house the excavation finds.

Joanne Farchakh Bajjaly (2008a, 2008b) is one of the few people to have visited archaeological sites in Iraq (in May 2003 and February 2004) while they were being looted in the aftermath of the 2003 Coalition invasion. She reported from Di Qar district in southern Iraq that hundreds of farmers had left their families to live on sites such as Umma, Larsa, and Jokha while digging illegally. The looting was tolerated and even supported by some religious, political, and tribal leaders as a way of earning money in the war-torn economy. Farchakh Bajjaly argued that such looting would only stop when Iraq's rural economy was rejuvenated. Nevertheless, while drawing attention once again to the economic deprivation that drives subsistence digging, she also described the associated violence. Armed gangs of looters and dealers controlled the main roads leading to sites that were being dug, and in 2005, eight Iraqi customs officers who had arrested some antiquities dealers were murdered and their bodies were burnt and thrown in the desert to act as a warning to others.

### Conclusion

Looking back over the past twenty-five years, it is possible to identify some trends that might act as pointers to future research. First, there is the continuing improvement of methodologies that can be used to generate quantitative data, especially in





areas such as remote sensing and market research. Second, ethnographic methodologies are becoming better established, and opening up new conceptual horizons. The reality of museum and university involvement in the grey market and the recognition that often the people who do the digging are victims of failed political or socio-economic systems have made clear the social and economic entanglements of archaeological practice. The ethical consequences of those entanglements remain to be properly described.

Past research aside, several scholars, writing from their own different disciplinary perspectives about 'art worlds' or 'art systems' (Alsop 1982; Becker 2008; Velthuis 2005), have chosen to approach art as a socio-cultural rather than as an aesthetic production, and have emphasized the importance of the art market as a transactor of economic and cultural values. The antiquities market is no different. It has existed since the sixteenth century to facilitate the transformation of archaeological, ethnographic, and other cultural artefacts into art, and in so doing has helped fashion the ontological terrain of European modernity. It seems faintly ridiculous at this point in time to write about the history of archaeology or of the reception of 'ancient art' without recognizing that fact, and yet that is often what is happening. Thus perhaps the greatest challenge for future research is to investigate the cultural force of the antiquities market. Gill and Chippindale (1993) have written about the intellectual consequences of the antiquities market, but the greatest intellectual consequence or perhaps achievement of the antiquities market is that from the time of its inception it has consistently managed to shield itself from critical enquiry.

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#### UNCOVERING THE ANTIQUITIES MARKET

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